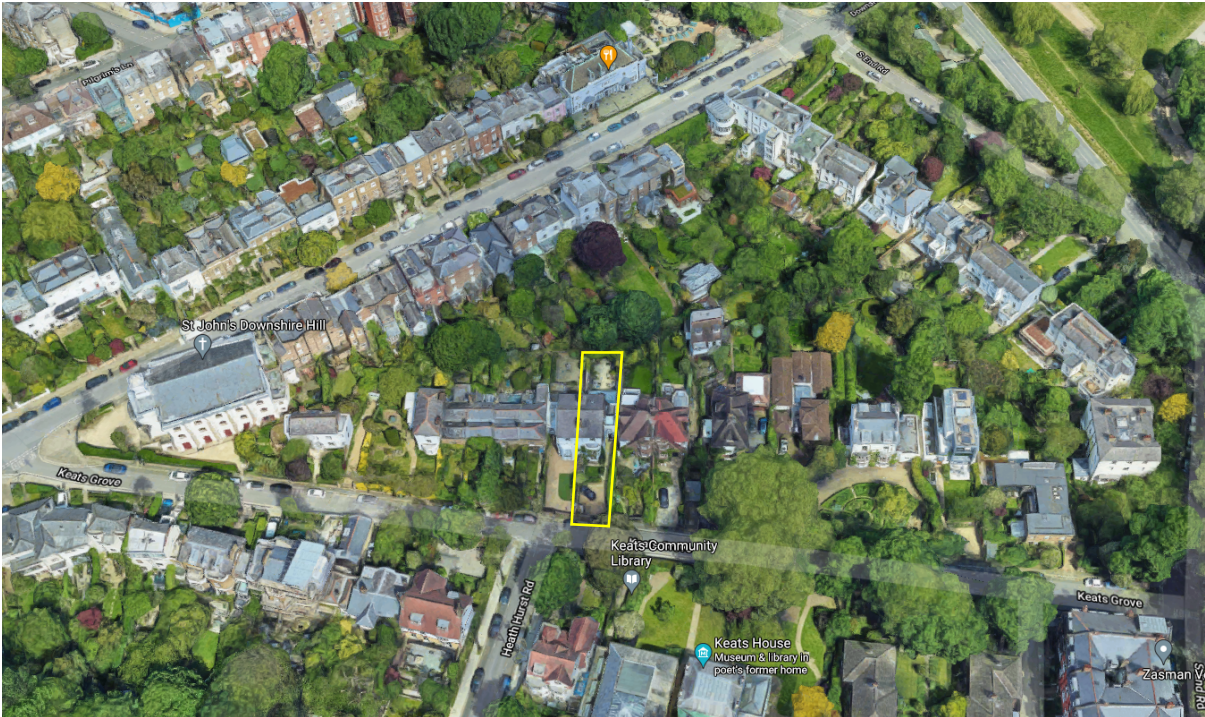


2020/5072/P & 2020/5877/L – 17 Keats  
Grove, London, NW3 2RS



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Aerial view of the application site and surrounding.





Aerial view of the application site. Location for proposed outbuilding in yellow circle.



View of the raised terrace at the rear garden. The proposed outbuilding would be on the right hand side.



<b>Delegated Report (Members Briefing)</b>		<b>Analysis sheet</b>	<b>Expiry Date:</b>	12/02/2021
		N/A	<b>Consultation Expiry Date:</b>	28/03/2021
<b>Officer</b>			<b>Application Number(s)</b>	
Mark Chan			i. 2020/5072/P ii. 2020/5877/L	
<b>Application Address</b>			<b>Drawing Numbers</b>	
17 Keats Grove London NW3 2RS			See draft decision notice	
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>	
<b>Proposal(s)</b>				
Installation of an outbuilding in rear garden.				
<b>Recommendation(s):</b>	i. Grant conditional planning permission ii. Grant listed building consent			
<b>Application Type:</b>	i. Householder Planning Permission ii. Listed building consent			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice			
Informatives:				
Consultations				
Adjoining Occupiers:	No. of responses	01	No. of objections No. of comments No. of support	01 00 00
Summary of consultation responses:	Planning permission application ref: 2020/5072/P Site notice consultation: 23/12/2020 until 16/01/2021. Press notice consultation: 24/12/2020 until 17/01/2021.  Listed building consent application ref: 2020/5877/L Site notice consultation: 02/03/2021 until 26/03/2021. Press notice consultation: 04/03/2021 until 28/03/2021.  No comments have been received from neighbouring occupiers.			
Hampstead CAAC	<b>Hampstead CAAC</b> has objected to the proposal on the following ground(s): <ul style="list-style-type: none"><li>• Insufficient information to judge the location and necessity</li><li>• An outbuilding in this very small garden is generally unwelcome environmentally.</li><li>• The proposed outbuilding should be located at the lower level of the garden. It appears to be an obvious preference for enjoyment of the garden greenery (nothing shown about the lower level - possibly fully glazed, in which case the outbuilding can be an attached extension with screening, separate access etc.</li><li>• Tight and inappropriate location on the upper level terrace, despite its modest plan compared with other outbuildings.</li><li>• Removal of the boundary hedge at rear of the outbuilding, contrary to the statement in the DAS "...cutting back..."</li><li>• Existing planting should not be sacrificed for buildings.</li><li>• A large rooflight is unnecessary in such a small building; threatening light pollution.</li><li>• Its relation to the boundary wall in the proposed location should be reduced.</li><li>• The proposed height is more than necessary, allowing an internal ceiling height of 2.6m where 2.3 m would be adequate.</li><li>• A green (sedum) roof is not adequate these days – no biodiversity benefit. If "Planted green roof" details should be given and roof structure required for the heavier loading.</li></ul> <b>Officer's comment:</b> See 'Design and Heritage', 'Trees and Vegetation' and 'Amenity' sections			

## Site Description

The application site is located on the northern side of Keats Grove, part of a pair of semi-detached buildings. The application building is a single family dwellinghouse and is Grade II listed. It is also within the Hampstead Conservation Area and the Hampstead Neighbourhood Forum area. The building has an existing single storey rear extension and a two-storey side extension.

The rear garden is paved and planted with hedges and shrubs around the perimeter. The total area of rear garden is approx. 70 sqm and is fully enclosed by boundary walls, hedges, fencing and the application building. At the rear of the garden are some steps that lead to a raised terrace. The proposed outbuilding would be located on the eastern side of the existing raised terrace, close to existing hedges and shrubs.

## Relevant History

### 17 Keats Grove

**2007/1367/L** – Internal alterations to create a new access corridor behind stairs between front and rear rooms at first floor level. **Granted 18/05/2007.**

**2007/1364/P & 2007/1279/L** – Amendments to planning permission and listed building consent granted 25/08/2006 (2006/2859/P) (for excavation of basement, erection of full-width rear ground floor level glazed extension and two-storey side extension and various external and internal alterations), relating to excavation of deeper basement, creation of shallow lightwell and installation of new high level glazing at rear basement level with bridge link over at ground floor level, and reduction in size of rooflight on side extension. **Granted 27/06/2007 at Members Briefing**

**2006/2859/P & 2006/2861/L** – Excavation of basement, erection of full-width rear ground floor level glazed extension and two-storey side extension (following demolition of existing two-storey side extension and rear ground floor level extension) with rooflight over, installation of rooflight in rear roof slope, alterations to fenestration and installation of gates to the front of the dwellinghouse. **Granted 25/08/2006 at Members Briefing**

Relevant planning applications:  
Flat B 79 Arlington Road, NW1 7ES

**2020/3449/P & 2020/3808/L** – Erection of outbuilding in the rear garden, with green roof and decking in front, following demolition of existing shed. **Granted 15/12/2020 at Members Briefing**

## Relevant policies

### **National Planning Policy Framework 2019**

### **The London Plan 2021**

### **Camden Local Plan 2017**

Policy G1 – Delivery and location of growth  
Policy A1 – Managing the impact of development  
Policy A3 – Biodiversity  
Policy D1 – Design  
Policy D2 – Heritage

### **Camden Supplementary Planning Guidance**

CPG – Home Improvements 2021  
CPG – Design 2021  
CPG – Amenity 2021

### **Hampstead Conservation Area appraisal and management strategy 2001**

## **Hampstead Neighbourhood Plan 2018**

Policy DH1 – Design

Policy DH2 – Conservation areas and listed buildings

Policy NE2 – Trees

### **Assessment**

#### **1. Proposal**

- 1.1 Planning permission and listed building consent is sought for the erection of a single storey outbuilding in the rear garden with a planted green roof and a flat rooflight above; to be ancillary to the main dwellinghouse. The new outbuilding would sit on the raised terrace at the rear of the rear garden.
- 1.2 The existing garden has a floor area of 70 sqm. The proposed outbuilding would have a width of 2.36m, a depth of 3.4m and a height of 2.85m with a gross internal area (GIA) floorspace of approx. 6 sqm. The existing pier of the stair at the raised terrace would be moved inwards and the stair would be narrowed slightly.
- 1.3 The new outbuilding would be timber clad with aluminium sliding doors and a planted green roof and a flat rooflight on top.

#### **2. Revisions**

- 2.1 The outbuilding has been moved towards the rear boundary by 0.3m so that it is not too close to the edge of the raised terrace. As a result, the planting bed at the rear boundary has been modified to allow for the relocation.

#### **3. Assessment**

- 3.1 The material planning considerations in the determination of this application are:
  - Design and heritage (the impact of the proposal on the character and appearance of the host building and wider Hampstead Conservation Area);
  - Trees and vegetation (the impact of the proposal on the trees and vegetation on site); and
  - Amenity (the impact of the proposal on the amenity of neighbouring occupiers).

#### **4. Design and Heritage**

- 4.1 The Council's design are aimed at achieving the highest standard of design in all developments. The following considerations contained within Local Plan Policy D1 is relevant to the application: development should consider the character, setting, context and the form and scale of host building and neighbouring ones, and the quality of materials to be used, to promote health, respond to natural features and preserved gardens.
- 4.2 Local Plan Policy D2 states that the Council will seek to manage development in a way that retains the distinctive character of conservation areas and will therefore only grant planning permission for development that preserves or enhances the special character or appearance of the area.
- 4.3 Policy DH1 of the Hampstead Neighbourhood Plan states that development proposals should demonstrate how they respond and contribute positively to the distinctiveness and history of the character areas through their design and landscaping.
- 4.4 Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area and preserving the listed building or its setting or any features of special architectural or historic interest which it possesses, under s.16, s.66 and s.72 of the Planning (Listed Buildings and Conservation Areas Act 1990) as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.
- 4.5 The first stage in assessing if any harm arises from the proposed scheme, in line with the National Planning Policy Framework, Local Plan Policy D2 and Policy DH2 of the Hampstead Neighbourhood Plan, is to assess the significance of the designated heritage asset, in this case the listed host building and the Hampstead Conservation Area. It therefore needs to be assessed whether the erection of the outbuilding would preserve or enhance this character, in line with Local Plan Policy D2 and Policy DH2 of the Hampstead Neighbourhood Plan and



whether it would cause harm to the significance of the listed building through an impact on its setting.

- 4.6 Camden Planning Guidance (CPG) states that the construction of garden buildings, including sheds, stand-alone green houses, and other structures in rear gardens, can often have a significant impact upon the character of an area. The Council therefore seeks to ensure the siting, location, scale and design of the proposed development has a minimal visual impact on, retains the garden openness and is visually subordinate to, the host and surrounding gardens.
- 4.7 In this instance, the proposed outbuilding would be of minor scale and sit comfortably at the rear of the modest size rear garden. The height of the outbuilding (2.85m) is only slightly taller than what is allowed under Permitted Development (2.5m). Given that the rear garden is enclosed by boundary wall and fencing, it is considered to be acceptable and would not cause harm to the garden setting. Due to the existing ground floor rear extension, the outbuilding is not proposed on the lower level of the rear garden as it would be too close to the existing extension. As such, the outbuilding would sit close to the rear and eastern boundary so that more usable garden space is retained.
- 4.8 Due to its size and scale, the outbuilding would not over-dominate the rear garden and would retain sufficient garden area, proportionate for the host building and its setting. The proposed outbuilding would not be visible from the streetscene due to its rear location. As such, it is considered that the spatial quality of the conservation area would not be eroded by the proposal which would read as an ancillary structure and would not impede the legibility of the area as a private garden space.
- 4.9 The proposed outbuilding would be of timber construction and cladding with a green roof and a small rooflight above. It would be readily discernible as an ancillary structure of semi-permanent nature. The western elevation of the outbuilding would lead to the raised terrace and the rest of the rear garden through aluminium sliding doors. It would have no windows on other sides. The proposed outbuilding would sit on the raised terrace and be slightly elevated from the lower portion of the rear garden. Overall, it is considered that the structure would blend in within the garden setting and wider area.
- 4.10 The proposal would have no significant harmful impact to the character and appearance of the rear garden, nor to the level of greenery and biodiversity. As such, by virtue of its modest scale, position, material and design, the proposal is considered to preserve the character and appearance of the conservation area and not cause any harm to the setting of the listed building.

## **5. Trees and Vegetation**

- 5.1 Local Plan Policies A3 and D1 and Policy NE2 of the Hampstead Neighbourhood Plan advise that the Council will seek to protect gardens, and resist the loss of trees and vegetation of significant amenity, historic, cultural or ecological value.
- 5.2 As the proposal would sit on the existing paved raised terrace, there are no concerns that harm would be caused to trees or vegetation of significant amenity value at the application site or to the neighbouring boundaries. The small shrub on the eastern side of the raised terrace is considered to have limited amenity and ecological value and would be removed to make room for the new outbuilding. The planting bed at rear boundary would be altered slightly but no hedges would be removed. No other hedges or shrubs would be removed.
- 5.3 In terms of impact on trees, this proposal does not require the removal or trimming of any trees within the application site. However, given that the outbuilding is close to the rear neighbour's trees and hedges, the applicant has proposed to construct the outbuilding on micro-piles and a concrete platform to mitigate any potential impact.
- 5.4 The proposal is considered to enhance the biodiversity of the garden by providing a green roof and maintaining a low level of glazing (a sliding door and a small rooflight only) to ensure no harmful lightspill would be caused, which is accepted. A condition has been attached to secure the details of the green roof.

## **6. Amenity**



- 6.1 In terms of impact on neighbouring amenity, due to the proposal's position at the rear of the garden and its size and scale, it is not considered that it would cause harm to the amenity of neighbouring occupiers in terms of loss of light, outlook, privacy, nor light spill.
- 7. Recommendation**
- 7.1 Grant conditional planning permission.
- 7.2 Grant listed building consent.

*The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 17<sup>th</sup> May 2021, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to [www.camden.gov.uk](http://www.camden.gov.uk) and search for 'Members Briefing'.*

Application ref: 2020/5072/P  
Contact: Mark Chan  
Tel: 020 7974 5703  
Email: [Mark.Chan@camden.gov.uk](mailto:Mark.Chan@camden.gov.uk)  
Date: 11 May 2021

**Development Management**  
Regeneration and Planning  
London Borough of Camden  
Town Hall  
Judd Street  
London  
WC1H 9JE

Phone: 020 7974 4444

[planning@camden.gov.uk](mailto:planning@camden.gov.uk)  
[www.camden.gov.uk](http://www.camden.gov.uk)

Studio Mark Ruthven  
92 Prince of Wales Road  
London  
NW5 3NE  
United Kingdom

# DRAFT

Dear Sir/Madam

## DECISION

Town and Country Planning Act 1990 (as amended)

### Householder Application Granted

Address:  
**17 Keats Grove**  
**London**  
**NW3 2RS**

Proposal:  
Installation of an outbuilding in rear garden.

Drawing Nos: Design and Access Statement, Heritage Statement, Location Plan, Site Plan, KEG-P-100 rev A, KEG-P-200 rev A, KEG-P-101 rev A, KEG-X-200, KEG-X-100, Construction Sequence ref: 2058/MS01 rev P1 by Peter MacGowan and Method Statement ref: 2058 by Peter MacGowan

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy D1 and D2 of the London Borough of Camden Local Plan 2017.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans:

Drawing Nos: Design and Access Statement, Heritage Statement, Location Plan, Site Plan, KEG-P-100 rev A, KEG-P-200 rev A, KEG-P-101 rev A, KEG-X-200, KEG-X-100, Construction Sequence ref: 2058/MS01 rev P1 by Peter MacGowan and Method Statement ref: 2058 by Peter MacGowan

Reason:

For the avoidance of doubt and in the interest of proper planning.

- 4 Prior to commencement of the relevant works, full details in respect of the living roof in the area indicated on the approved roof plan shall be submitted to and approved by the local planning authority. The details shall include
- a detailed scheme of maintenance
  - sections at a scale of 1:20 with manufacturers details demonstrating the construction and materials used and substrate depth
  - full details of planting species and density

The living roofs shall be fully provided in accordance with the approved details prior to first occupation and thereafter retained and maintained in accordance with the approved scheme.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies G1, CC1, CC2, CC3, D1, D2 and A3 of the London Borough of Camden Local Plan 2017.

- 5 The outbuilding hereby permitted shall only be used for purposes ancillary to the main dwellinghouse and shall not be used as a separate residential dwelling or business unit.

Reason: To safeguard the character of the rear garden and the residential amenity of the neighbouring occupiers and to prevent inappropriate uses in rear gardens, in accordance with the requirements of policies A1, D1, H1 and E2 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).

- 2 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444). Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.
- 3 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website (search for 'Camden Minimum Requirements' at [www.camden.gov.uk](http://www.camden.gov.uk)) or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2019.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

Chief Planning Officer



Application ref: 2020/5877/L  
Contact: Mark Chan  
Tel: 020 7974 5703  
Email: [Mark.Chan@camden.gov.uk](mailto:Mark.Chan@camden.gov.uk)  
Date: 11 May 2021

**Development Management**  
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Studio Mark Ruthven  
92 Prince of Wales Road  
London  
NW5 3NE  
United Kingdom

# DRAFT

Dear Sir/Madam

## DECISION

Planning (Listed Building and Conservation Areas) Act 1990

### Listed Building Consent Granted

Address:  
**17 Keats Grove**  
**London**  
**NW3 2RS**

# DECISION

Proposal:

Installation of an outbuilding in rear garden.

Drawing Nos: Design and Access Statement, Heritage Statement, Location Plan, Site Plan, KEG-P-100 rev A, KEG-P-200 rev A, KEG-P-101 rev A, KEG-X-200, KEG-X-100, Construction Sequence ref: 2058/MS01 rev P1 by Peter MacGowan and Method Statement ref: 2058 by Peter MacGowan

The Council has considered your application and decided to grant subject to the following condition(s):

Conditions And Reasons:

- 1 The works hereby permitted shall be begun not later than the end of three years from the date of this consent.

Reason: In order to comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

Drawing Nos: Design and Access Statement, Heritage Statement, Location Plan, Site Plan, KEG-P-100 rev A, KEG-P-200 rev A, KEG-P-101 rev A, KEG-X-200, KEG-X-100, Construction Sequence ref: 2058/MS01 rev P1 by Peter MacGowan and Method Statement ref: 2058 by Peter MacGowan

Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of policy D2 of the Camden Local Plan 2017.

- 3 All new work and work of making good shall be carried out to match the existing adjacent work as closely as possible in materials and detailed execution.

Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of policy D2 of the Camden Local Plan 2017.

Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).
- 2 You are advised that any works of alterations or upgrading not included on the approved drawings which are required to satisfy Building Regulations or Fire Certification may require a further application for listed building consent.
- 3 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team London Borough of Camden 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444) . Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.
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Yours faithfully

Chief Planning Officer

**DRAFT**

**DECISION**