

Application ref: 2021/0984/P
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Date: 20 August 2021

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
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London
WC1H 9JE
Phone: 020 7974 4444
planning@camden.gov.uk
www.camden.gov.uk/planning

Mr Danylo Knysh
14 Greenaway Gardens
London
NW3 7DH

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:
14 Greenaway Gardens
London
NW3 7DH

Proposal:
Demolition of summerhouse in rear garden and landscaping works.
Drawing Nos: 0201 REVA; 0202 REVA; 0203 REVA; 0205 REVA; Arboricultural Impact Assessment & Outlined Method Statement commissioned by Landmark Trees dated 4th March 2021; Root Excavation Report commissioned by Arboraeration Tree Healthcare Specialist dated 1st to 3rd February 2021.

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 The development hereby permitted shall be carried out in accordance with the following approved plans: 0201 REVA; 0202 REVA; 0203 REVA; 0205 REVA;

Arboricultural Impact Assessment & Outlined Method Statement commissioned by Landmark Trees dated 4th March 2021; Root Excavation Report commissioned by Arboraeration Tree Healthcare Specialist dated 1st to 3rd February 2021.

Reason:

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

- 3 No development shall take place until full details of hard and soft landscaping and means of enclosure of all un-built, open areas have been submitted to and approved by the local planning authority in writing. Such details shall include details of any proposed earthworks including grading, mounding and other changes in ground levels. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Reason: To ensure that the development achieves a high quality of landscaping which contributes to the visual amenity and character of the area in accordance with the requirements of policies A2, A3, D1 and D2 of the London Borough of Camden Local Plan 2017 and policies BGI and BGI 2 of the Redington and Froggnal Neighbourhood Plan 2020.

- 4 Prior to the commencement of demolition works on site, tree protection measures shall be installed in accordance with approved tree protection plan and arboricultural method statement. The protection measures shall then remain in place for the duration of works on site, unless otherwise agreed in writing by the local authority.

Reason: To ensure that the development will not have an adverse effect on existing trees and in order to maintain the character and amenity of the area in accordance with the requirements of policies A2 and A3 of the London Borough of Camden Local Plan 2017 and policies BGI 1 and BGI 2 of the Redington and Froggnal Neighbourhood Plan 2020.

- 5 All hard and soft landscaping works shall be carried out in accordance with the approved landscape details by not later than the end of the planting season following completion of the development or any phase of the development, whichever is the sooner. Any trees or areas of planting (including trees existing at the outset of the development other than those indicated to be removed) which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced as soon as is reasonably possible and, in any case, by not later than the end of the following planting season, with others of similar size and species, unless the local planning authority gives written consent to any variation.

Reason: To ensure that the landscaping is carried out within a reasonable period and to maintain a high quality of visual amenity in the scheme in accordance with the requirements of policies A2, A3, A5 of the London Borough of Camden Local Plan 2017.

- 6 No demolition or development shall commence until a programme of historic building recording including a Written Scheme of Investigation has been submitted to and approved in writing by the local planning authority. The

scheme shall include the following:

- a. The programme and methodology of site investigation and recording.
- b. Provision to be made for archive deposition of the analysis and records of the site investigation.
- c. Nomination of a competent person or persons/ organisation to undertake the works set out within the Written Scheme of Investigation.

No demolition or development shall take place other than in accordance with the Written Scheme of Investigation.

Reason: Development must not commence before this condition is discharged to safeguard the heritage of the borough by ensuring that any archaeological remains on site are not permanently destroyed, in accordance with policy D2 of the Camden Local Plan 2017 and Policy 7.8 of the London Plan.

Informative(s):

1 Reasons for granting permission

Planning permission is sought to demolish the summer house and remove the swimming pool to create a sunken terrace. The proposed summer house is architecturally interesting but not of sufficient merit to refuse the proposed demolition work. However, a condition will be attached to record the building through a Written Scheme of Investigation to be deposited in a local archive.

Whilst demolition is often resisted on sustainability grounds, the preference being to adapt and reuse existing buildings, in this instance the demolition work is relatively minor and proposed in order to rewild the garden rather than rebuild and the works associated with the sustainability benefits are considered to be outweighed by biodiversity benefits. Policy BGI 1 of the Redington Froggnal Neighbourhood Plan encourages the ecological enhancement of rear gardens and subsequently the character of the conservation area. Landscaping details shall be secured via condition to ensure high quality and sustainable planting.

Thus, the proposed works are considered to preserve the character and appearance of the conservation area.

The removal of low value trees in the rear garden is considered acceptable as they have low visibility from outside the site. Their loss will be outweighed by replanting of trees, details of which will be secured by condition. Existing mature trees will be retained and protected and a satisfactory tree protection plan has been provided to demonstrate how this will be achieved. The Council's tree officer is satisfied with the proposal and considers it a beneficial scheme overall.

There will be no material loss of amenity to neighbouring properties, in terms of daylight, sunlight, privacy, outlook or garden overshadowing, due to the nature of the proposed works.

No objections have been received. The site's planning history and relevant appeal decisions were taken into account when coming to this decision.

Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area, under s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

As such, the proposed development is in general accordance with policies A1, A2, A3, A5, D1 and D2 of the Camden Local Plan 2017; the proposal would be in accordance with policies BGI and BGI 2 of the Redington and Frognal Neighbourhood Plan 2020 and also accords with the London Plan 2021 and the NPPF 2021.

- 2 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).
- 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, 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.
- 4 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) 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 2021.

You can find advice about your rights of appeal at:

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

Yours faithfully

A handwritten signature in black ink, appearing to read 'DPope', written in a cursive style.

Daniel Pope
Chief Planning Officer