

Application ref: 2021/2668/P  
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Date: 24 August 2021

**Development Management**  
Regeneration and Planning  
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Shackadelic  
Unit 6  
27a Spring Grove Road  
London  
TW3 4BE

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Granted**

Address:

**Flat Ground Floor**  
**77 Canfield Gardens**  
**London**  
**NW6 3EA**

Proposal:

Erection of a single storey outbuilding and decking in rear garden for ancillary residential purposes (following removal of existing shed).

Drawing Nos: Site location plan; 06/P101, 06/P102 rev 1; Method statement (foundations & tree protection) from Shackadelic dated 28/07/2021; Sedum roof details from Shackadelic received 28/07/2021; Manufacturer's specifications from Benchmark Timber (Cedar cladding) and Travis Perkins (timber decking).

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 policies 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: Site location plan; 06/P101, 06/P102 rev 1; Method statement (foundations & tree protection) from Shackadelic dated 28/07/2021; Sedum roof details from Shackadelic received 28/07/2021.

Reason:

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

- 4 Prior to the commencement of works on site, tree protection measures shall be installed and working practices adopted in accordance with the Method Statement (Foundations & Tree Protection) from Shackadelic dated 28/07/2021. All trees on the site, or parts of trees growing from adjoining sites, unless shown on the permitted drawings as being removed, shall be retained and protected from damage in accordance with BS5837:2012 and with the approved details. The works shall be undertaken under the supervision of the project arboriculturalist and monitored in accordance with the approved arboricultural report.

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 Camden Local Plan 2017.

- 5 The sedum roof hereby approved shall be fully installed on the outbuilding in accordance with the approved details prior to first use of the building 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 A3 and CC3 of the London Borough of Camden Local Plan 2017.

- 6 The flat roof of the outbuilding hereby approved shall not be used at any time as amenity space and any access onto this area shall be for maintenance purposes only.

Reason: To safeguard the amenities of the adjoining neighbours in accordance with the requirements of policy A1 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting planning permission:

The proposed outbuilding would replace an existing shed structure and would

measure 6.5m wide x 4.6m deep x 2.9m high with a roof overhang on each side. The freestanding structure, with a sedum flat roof above, would be positioned 2.75m away from both side boundaries and at least 1m away from the rear boundary. It would be timber clad (Canadian Western Red Cedar) with aluminium framed glazed door and windows, and sit on a timber base structure placed on a number of pile foundations set 0.9m below the ground level surface. An area of timber decking would also be installed at the front of the outbuilding.

The siting of the proposed outbuilding and decking (with a total floor area of approximately 47sqm) would amount to a relatively small cumulative total of rear garden space occupied by the proposed structure (approximately 15%). The remaining available garden area would be approximately 270sqm which is considered to be a large sized rear garden space, such that the open character of any existing natural landscaping and garden amenity would continue to be maintained.

The proposed outbuilding would be positioned towards the rear of the garden with brick wall and wooden fence boundaries surrounding the structure. These are considered to be sufficiently tall to provide a high degree of screening for most of the proposed structure. Public and private views are noted as being relatively limited because of this, as well as, the natural screening provided by surrounding trees and other natural vegetation, including the significant distance that the proposed outbuilding would be away from the nearest residential properties (approximately 18m).

It is therefore considered that the location, footprint and scale of the outbuilding and decking would be visually subordinate within this context. The design and use of mainly natural and sustainable materials are also considered to be in keeping with the open nature of gardens at the rear, and would respect and preserve the character and appearance of buildings and rear garden environments in the locality, as well as, the South Hampstead Conservation Area.

Furthermore, given the outbuilding's position towards the rear of the garden and its distance away from the nearest residential properties, the proposal is not considered to be overbearing or result in any significant sense of enclosure, nor have any adverse impact on levels of outlook, to either neighbours or existing and future occupiers of the host property. Any possible light spillage from the proposed doors and window is also considered to be small and no significant change in footfall is expected given the incidental nature of the outbuilding's use. As such, the proposal is not considered likely to introduce any significant harm to neighbouring amenity in terms of outlook, overlooking, light-spill, loss of sunlight/daylight, or increased sense of enclosure and/or noise.

The tree protection measures and methodology submitted have been reviewed by a Council Tree Officer and are considered sufficient to demonstrate that trees would not be adversely affected by the proposals. The degree of encroachment in any possible root protection areas would be minimal and would be undertaken by hand where possible with any significant roots retained (those over 25mm in diameter in line with BS5837:2012) and

individual piles repositioned as necessary. As such, the impact of the scheme on any nearby trees is considered to be acceptable. The submitted sedum roof details are also considered to be sufficient to allow for a thriving and adequately maintained living roof.

The site's planning and appeal history has been taken into account when coming to this decision. No objections have been received following statutory consultation.

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

As such, the proposal is in general accordance with policies A1, A3, D1, D2, CC2 and CC3 of the Camden Local Plan 2017, the London Plan 2021 and the National Planning Policy Framework 2021.

- 2 You are reminded that this decision only grants permission for an outbuilding used for purposes incidental to the existing residential use at the property. Any alternative use of the outbuilding for temporary accommodation, i.e. for periods of less than 90 days for tourist or short term lets etc, would constitute a material change of use and would require the grant of planning permission.
- 3 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).
- 4 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.
- 5 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 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', is written over a light grey grid background.

Daniel Pope  
Chief Planning Officer