

Application ref: 2021/0582/P
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Date: 14 October 2021

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Mr Paul Latham
36A Estelle Road
London
NW3 2JY

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:
36 A Estelle Road
London
NW3 2JY

Proposal:
Erection of rear garden shed following demolition of existing shed (Retrospective)
Drawing Nos:

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 shall be carried out in accordance with the following approved plans PA-07-005; PA-07-007; PA-07-006; PA-07-011; P-07-01; PA-07-008; PA-07-009, PA-07-010, PA-07-003, PA-07-004, PA-07-002, Design heritage and Access Statement

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

- 2 The outbuilding hereby permitted shall only be used for residential purposes incidental to main dwelling.

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 Reasons for granting permission.

The proposed retention of a rear garden structure following demolition of a pre-existing shed sits at the rear garden of the property and serves as an incidental space to the main residential purpose of the property. The proposed outbuilding would sit adjacent to the existing boundary fences with no. 38 Estelle Road to the western side and with no. 37 Savernake Road to the rear, and have the eaves projecting beyond this very slightly. The structure would be greatly set back from the opposite shared boundary with no. 34 allowing for the retention of a good proportion of garden. The outbuilding would have a modest scale and projection, which would maintain the openness of the garden area.

In terms of detailed design, the proposed structure is clad in traditional timber cladding with a shallow pitched roof finished in roofing felt, which maintains the domestic character of the host garden.

In terms of reduction of garden space, although the proposal is larger than the pre-existing shed, it is located in an appropriate location at the bottom corner of the garden and an adequate amount of garden space would be retained. The structure is located under a mature Ash tree in the neighbouring property of no. 38 Estelle Road, for which an arboricultural impact assessment has been submitted. This details investigation works undertaken by hand to identify the tree's roots. Screw piles were installed to avoid these and a suspended floor base proposed on top, which forms the floor of the outbuilding. The arboricultural assessment concluded that impact on the tree is minimal, which is accepted.

Overall, the proposed outbuilding, due to its modest scale and detailed design would preserve the character and appearance of the garden space and wider area.

Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the Mansfield 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.

In terms of neighbouring amenity, due to its position, scale, and existing fence there would be no significant harm arising from the proposed structure in terms of loss of light, outlook or privacy. The position of the windows on the south elevation faces the host property garden, away from the boundary fence with the garden at no. 34 Estelle Road with no harmful overlooking impact to neighbouring occupiers. In terms of impact on the occupiers at no. 38, the proposal would project only slightly above the height of the boundary fence and therefore due to its modest scale and position, there would be no harmful reduction of daylight, nor outlook or privacy. Due to existing greenery in the adjoining gardens and the proposal's modest scale, there would be no

significant impact on the amenity of neighbouring occupiers at the rear of the site on Rona Road and Savernake Road.

Two objections were received prior to making this decision, which are dully addressed in the consultation summary. The planning history of the site has been taken into account when coming to this decision.

As such, the proposed development is in general accordance with policies A1, A3, D1, D2, CC1 and CC2 of Camden Local Plan 2017. The development would also accord with the National Planning Policy Framework 2021 and the London Plan 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