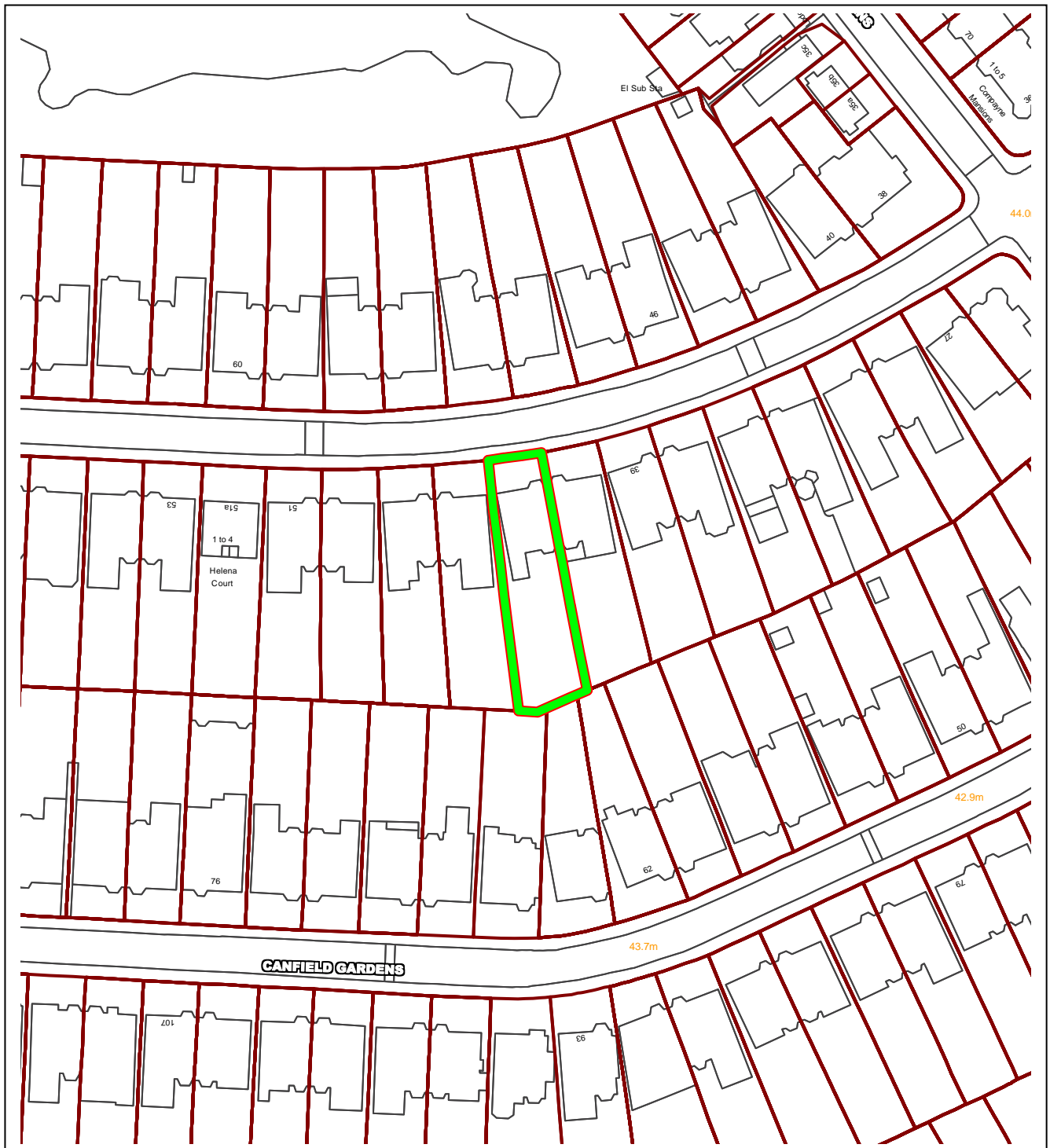


2021/2988/P - Flat 2, 43 Compayne Gardens



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2021/2988/P – Flat 2, 43 Compayne Gardens

Site Photos

1. Aerial view no.1 (red pointer marks no.43 Compayne Gardens)



2. Aerial view no.2 (red pointer marks no.43 Compayne Gardens)



3. Northeast corner of garden intended to accommodate proposed cabin (along wall abutting no 45, to the left of the shed)



4. Alternative view of northeast corner of garden intended to accommodate proposed cabin (along wall abutting no 45, to the left of the shed)



5. Rear wall of garden to the north (abutting no. 64 Canfield Gardens)



Delegated Report (Members Briefing)		Analysis sheet		Expiry Date:	13/08/2021
		N/A / attached		Consultation Expiry Date:	13/09/2021
Officer			Application Number(s)		
Miriam Baptist			2021/2988/P		
Application Address			Drawing Numbers		
Flat 2 43 Compayne Gardens London NW6 3DD			Refer to Draft Decision Notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Single-storey outbuilding in rear garden.					
Recommendation(s):		Grant conditional planning permission			
Application Type:		Householder Application			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	00	No. of responses	02	No. of objections	01
			No. Electronic	02		
Summary of consultation responses:	<p>No. 45 comment:</p> <ul style="list-style-type: none">False acacia tree should be retainedMetal profile sheet roof is not in keeping with the CA. A green roof would be preferred.Maximum height appears to be over 3m, so at least 1.5m over boundary wall, hard to tell drawings are inconsistent. <p><u>Officer's response:</u> <i>The proposal has been revised to retain the false acacia tree, to change the material of the roof to something more appropriate to the historical context of London and much less visually obtrusive in the context of greenery and to reduce the height of the roof. Please see section 4.3 and 5.2 of the report for more detail.</i></p>					
Local group comments:	<p>Combined Residents' Associations of South Hampstead (CRASH) objection:</p> <ul style="list-style-type: none">Single-pitched roof of metal profile steel is alien to the character of the CAPreference for a flat, green roofHeight of roof should be 2.5m, certainly below 3mFalse acacia tree should be retained <p>CRASH (Comments on revised scheme):</p> <ul style="list-style-type: none">Pleased false acacia tree is to be retainedNotes the small reduction in roof heightRetains objection to metal, single-pitched roof.Generally previous objections remain valid. <p><u>Officer's response:</u> <i>The proposal has been revised to retain the false acacia tree, to change the material of the roof to something more appropriate to the historical context of London and much less visually obtrusive in the context of greenery and to reduce the height of the roof. Please see section 4.3 and 5.2 of the report for more detail.</i></p>					

Site Description

The application site is a rear garden to 43 Compayne Gardens, a Victorian semi-detached house. The proposal is for the erection of a single storey outbuilding to the rear of the existing rear garden to provide ancillary space to the ground floor flat.

The property is not statutorily listed but is situated within the South Hampstead Conservation Area.

The property is characteristic of the local area, being defined in the Conservation Area Appraisal (2011) as making a positive contribution to the character of the South Hampstead Conservation Area.

There are no trees protected by Tree Preservation Orders within the application site.

Relevant History

Nearby sites:

2017/4932/P – 50 Compayne Gardens – Erection of single storey rear garden outbuilding for ancillary use to ground floor flat. Granted on the 6th March 2018.

2013/6720/P – 50 Compayne Gardens – Erection of outbuilding in rear garden. Granted 28th November 2013.

2008/0371/P – 76 Canfield Gardens - The erection of a rear extension and outbuilding for use in association with the ground floor flat (Class C3). Granted 28th April 2008.

Relevant policies

National Planning Policy Framework (2021)

The London Plan (2021)

Camden Local Plan (2017)

- **A1** Managing the impact of development
- **D1** Design
- **D2** Heritage
- **CC1** Climate change mitigation
- **CC2** Adapting to climate change

Camden Planning Guidance (2021)

- CPG Amenity
- CPG Design
- CPG Home Improvements

South Hampstead Conservation Area Statement (2011)

Assessment

1. The Proposal

- 1.1 Planning permission is sought for the erection of single storey rear garden outbuilding for ancillary use to the ground floor flat.
- 1.2 The outbuilding is to be 3000mm (length) by 5920mm (width), by approximately 2930mm (height from ground level), and the associated decking at its widest 8455mm by 4950mm.

2. Revisions

- 2.1. The proposed scheme has been revised as follows:
 - The initial proposal was approximately 3250mm high at its tallest point (above ground level), with a single-pitched, steel profile roof. The proposal included associated decking and the subsequent removal of a false acacia tree. The revised proposal is approximately 2930mm high at its tallest point (above ground level, with a lower single-pitched, patinated copper roof and the retention of the false acacia amidst the decking. The new design is approximately 320mm lower than originally proposed. In relation to the retention of the false acacia tree, revisions were submitted to the Tree Protection Plan, Arboricultural Impact Assessment and an Arboricultural Method Statement.
- 2.2. The revisions made to the scheme did not material affect the scheme and as such were accepted as amendments under the ongoing application.

3. Assessment

- 3.1. The principal considerations material to the determination of this application are as follows:
 - Design and Heritage - The visual impact upon the character and appearance of the host property, streetscene, local area and the South Hampstead Conservation Area.
 - Neighbouring Amenity - The impacts of the scheme on any neighbouring occupier.

4. Design and Heritage

- 4.1. The Council's design policies are aimed at achieving the highest standard of design in all developments. The following considerations contained within policy D1 are relevant to the application: development should respect local context and character; comprise details and materials that are of high quality and complement the local character; and respond to natural features. Policy D2 states that in order to maintain the character of Camden's conservation areas, the Council will not permit development that fails to preserve or enhance the character and appearance of that conservation area.
- 4.2. The outbuilding is single storey and modest in size, situated on timber decking raising the structure approximately 200mm from ground level. Larger outbuildings have been granted in the vicinity. The design is considered subordinate in terms of scale and positioning at the foot of a substantial rear garden. In terms of detailed design, it has a single pitched roof of profiled patinated copper, timber clad walls, timber and glazed doors and full height glazing. The design has been revised in response to objections: the height reduced, the roof material reconsidered and the false acacia tree retained. The height has been reduced, but not to the extent that would be preferred by the local group who objected. The revised design, which sits at 2930mm above ground level is considered an acceptable height for such a structure in this context, its impact on neighbouring amenity is addressed in section 5.2 of this report.
- 4.3. The roof material, originally proposed as profiled steel, is now profiled patinated copper, a traditional material which ties back to the historical context of London. The material is considered appropriate for a modest outbuilding at the foot of a rear garden and is already patinated so will

immediately compliment the leafy green nature of the Conservation Area. In terms of environmental consciousness, it is noted that the utilisation of a copper roof does not require the plastics and membranes necessary for a sedum roof and would be fully recyclable at the end of its use. A flat roof was not pursued because of the depth of roof required to sustain greenery, in context of the need to keep the height of the outbuilding down (in response to the objections raised). Likewise the timber cladding and glazing proposed is considered appropriate for the project and sensitive to its context, both of no 43 Compayne Gardens and the wider conservation area.

5. Neighbouring Amenity

- 5.1. Policy A1 seeks to protect the quality of life of occupiers and neighbours by only granting permission for development that would not harm the amenity of residents. This includes factors such as privacy, outlook, implications to natural light, artificial light spill, odour and fumes.
- 5.2. In terms of neighbouring amenity, the position of the outbuilding at the end of a long rear garden, and subsequently its distance from the surrounding dwellinghouses (approximately 20m from the house or any neighbouring houses), means it would not impose any negative impact in terms of loss of daylight, sunlight or privacy on any of the neighbouring properties. The neighbour at no 45 and resident group CRASH objected to the height of the outbuilding at the rear, circa 3250mm, 1500mm above the existing boundary treatment between gardens, this has been reduced, the outbuilding now sits at 2930mm above ground level (circa 2720mm from the finished floor level of the decking). The tallest elevation of the outbuilding would be positioned against the garden boundary with no 45, shown in Photograph A below, it is noted that there will be some visual protection from existing foliage. The visual impact of this cabin in terms of scale and materiality is not deemed to be significant in terms of negative outlook to any neighbours.



Photograph A: Position of proposed cabin in front of boundary with no 45 (left of existing shed)

- 5.3. In light of the above, the proposed development is not considered to lead to a significant, harmful impact upon the amenity of any neighbouring resident. The development is thus considered to be in accordance with planning policy A1.

6. Trees

- 6.1. Policy A3 requires proposals to protect mature trees, particularly within conservation areas. The proposal seeks the partial removal of some comparatively young trees and shrubs to the centre of

the garden, but retains mature trees, and the false acacia whose proposed removal was objected to. In terms of ensuring the decking will continue to accommodate the acacia, it is advised that a gap be left around the tree to allow for expansion. The revised arboricultural report is considered sufficient in terms of tree protection measures, however a condition has been attached to ensure the measures outlined in the report are complied with. In light of the above, and the revised arboricultural documents submitted, the proposed development is considered to be in accordance with planning policy A3.

7. Recommendation

Grant conditional planning permission

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 22nd November 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 and search for 'Members Briefing'.

Application ref: 2021/2988/P
Contact: Miriam Baptist
Tel: 020 7974 8147
Email: Miriam.Baptist@camden.gov.uk
Date: 18 November 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
www.camden.gov.uk

Out of the Valley
Weir Mill
Road To Wier Mill
Drewsteignton
EX6 6QA

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Granted

Address:

Flat 2

43 Compayne Gardens

London

NW6 3DD

DECISION

Proposal:

Single-storey outbuilding in rear garden.

Drawing Nos: CG.01, CG.02 Rev A, CG.03 Rev A, CG.20, CG.21, CG.21, CG.22, CG.23,
Tree Protection Plan Nov 2021, Arboricultural Impact Assessment Nov 2021, Arboricultural
Method Statement Nov 2021, Design and Access Statement.

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: CG.01, CG.02 Rev A, CG.03 Rev A, CG.20, CG.21, CG.21, CG.22, CG.23, Tree Protection Plan Nov 2021, Arboricultural Impact Assessment Nov 2021, Arboricultural Method Statement Nov 2021, Design and Access Statement.

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

- 4 Prior to the commencement of construction/demolition works on site, tree protection measures shall be installed in accordance with the approved Arboricultural Method Statement and Tree Protection Plan. The protection shall then remain in place for the duration of works on site and recommendations made in the method statement followed, 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.

- 5 The outbuilding hereby approved shall only be used for purposes incidental to the use of the main property (Flat 2, 43 Compayne Gardens) and shall not be used for any sleeping accommodation, or for any other purposes whatsoever, including separate residential accommodation, or as a business premises.

Reason: To ensure that the outbuilding does not adversely affect the amenity of adjoining residential premises and is not used for unauthorised purposes, in accordance with policies A1 and H3 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 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) 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

Chief Planning Officer