

Application ref: 2021/2193/P  
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Date: 18 November 2021

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

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

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Green Retreats Ltd  
Green Retreats Ltd  
Hangar 4  
Westcott Venture Park  
Aylesbury  
HP18 0XB

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Granted**

Address:

**20 Thurlow Road  
Maisonette Lower & Ground Floor  
London  
NW3 5PP**

Proposal:

Demolition of existing garden shed and replacement with new garden outbuilding, to flat.

Drawing Nos: MFAC1 (TGO), MFGPC1 (Garden Plan), TQRQM21119140454553 (Location Plan), TQRQM21119141431686 (Block Plan), Base & Build Details- Tree Protection measures method statement, Design/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 The development hereby permitted shall be carried out in accordance with the following approved plans:

MFAC1 (TGO), MFGPC1 (Garden Plan), TQRQM21119140454553 (Location Plan), TQRQM21119141431686 (Block Plan), Base & Build Details- Tree Protection measures method statement, Design/Access statement

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

- 3 The outbuilding hereby permitted shall only be used for residential purposes ancillary to the garden level flat.

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.

- 4 Prior to the commencement of works on site, tree protection measures shall be installed and working practices adopted in accordance with the Base & Build Details- Tree Protection measures method statement by The Green Retreats Group (undated). 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 protection details. The development shall be monitored in accordance with the method statement.

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.

#### Informative(s):

- 1 Reasons for granting permission:

The application proposes a replacement single storey rear garden outbuilding in the same location to the existing outbuilding. The proposed structure would have larger footprint than existing and would sit near to existing trees.

The site is within the Fitzjohns Netherhall Conservation Area and with Character Area 3 (19th Century Expansion) of the Hampstead Neighbourhood Plan.

The structure would be timber cladded, with a design and scale appropriate for the rear garden context and would preserve the character and appearance of the conservation area as well as the Neighbourhood Plan character area. 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

There would be no material loss of amenity to neighbours and the applicant has adequately demonstrated that there would be no harm to existing trees. No trees are proposed for removal in order to facilitate the development, and a

method statement has been submitted demonstrating that the pad installation would not harm the trees to be retained. This is considered acceptable subject to the condition above.

In terms of trees and biodiversity, it is considered that impact would be minimal. The proposal would be within close distance to existing trees and it is likely the removal of one of the stems from the nearest tree will be necessary. However, this tree is considered to be of a species and form of little value to the biodiversity of the area and so there would be no significant harmful impact regarding biodiversity. We also requested revisions to enhance the biodiversity of the area. A bird box has been added to the rear elevation and now forms a part of this application. It is recommended that vegetation here is cleared outside of the bird nesting period in accordance with the requirements of the Wildlife and Countryside Act 1981, which this permission does not override.

The development is in general accordance with policies A1, A3, D1, D2, of Camden Local Plan 2017 as well as policies DH1, DH2, NE2, NE3, and NE4 of the Hampstead Neighbourhood Plan 2018-2033. The development would also accord with the National Planning Policy Framework 2021 and the London Plan 2021.

The application was advertised in accordance with statutory requirements and the Council's Statement of Community Involvement. No representations were received. The relevant planning history was taken into account in assessing the application.

- 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 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 positioned above the printed name and title.

Daniel Pope  
Chief Planning Officer