

Application ref: 2021/3353/P
Contact: Matthew Dempsey
Tel: 020 7974 3862
Email: Matthew.Dempsey@Camden.gov.uk
Date: 23 December 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/planning

B2 Surveyors
9 / 27 The Broadway
London
N8 8DR

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

Flat 1
42 Primrose Gardens
London
NW3 4TP

Proposal: Erection of Garden Room (retrospective).

Drawing Nos: Site Location Plan 42PG.SLP, GE1, GP1, GP2, GP3, GP4, GP5, GP6.
Design and Access Statement (July 2021). Site photographs (July 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: Site Location Plan 42PG.SLP, GE1, GP1, GP2, GP3, GP4, GP5, GP6. Design and Access Statement (July 2021). Site photographs (July 2021).

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

- 3 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.

- 4 The garden room hereby approved shall only be used for purposes incidental to the use of the main property at Flat 1, 42 Primrose Gardens and shall not be used as a separate residential dwelling or a business premises.

Reason: In order to protect the residential amenities of neighbouring occupiers and prevent substandard living accommodation and excessive on-street parking pressure in accordance with policies A1, H6 and T2 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission:

Retrospective consent has been sought following a Planning Enforcement investigation; the applicant was invited to make the application to regularise the works. The proposed garden room is considered acceptable in terms and design, scale and materials.

The new building shall have a footprint of approximately 3.6m by 3m, with a maximum height of 2.8m. The building shall also be furnished with a flat roof which shall not project above the existing boundary wall. The build is constructed of masonry walls with a rendered finish.

The proposal is considered to be acceptable and would not affect the character of the rear garden nor would it be overly dominant or incongruous in this setting. Following development the host property would retain over 80% of the open rear garden space.

The Belsize Conservation Area Advisory committee objected to the scheme but only if the height of the garden room projected above the boundary wall however, this is not the case.

The development is not considered to present any harm to neighbouring amenity. A condition is imposed to require the outbuilding to only be used for purposes incidental to the use of the main property.

Council Conservation Officers were consulted on the proposal and raised no

objections.

No objections were received prior to the determination of the application. The planning history of the site has been 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, D1 and D2 of the Camden Local Plan 2017. The proposed development also accords with the London Plan 2021 and the National Planning Policy Framework 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', is centered on a light grey rectangular background.

Daniel Pope
Chief Planning Officer