

Application ref: 2022/0099/P
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Date: 30 March 2022

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

Ecospace Studios
5A
Iliffe Yard
London
SE17 3QA

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Granted

Address:

**31 Downside Crescent
London
NW3 2AN**

Proposal:

Erection of a single storey timber outbuilding in the rear garden
Drawing Nos: 2132.PL.01; 2132.PL.02; 2132.PL.03; Design and Access Statement by Ecospace; Tree Survey and Arboricultural Impact Assessment by Usherwood Arboriculture

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-
2132.PL.01; 2132.PL.02; 2132.PL.03; Design and Access Statement by

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

- 3 The outbuilding hereby approved shall only be used for ancillary purposes to the main house and shall not be used as a separate residential dwelling or business premises.

Reason: In order to protect the residential amenities of neighbouring occupiers and to 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.

- 4 No development shall take place until full details of hard and soft landscaping of the rear garden, to include details of at least one replacement tree, have been submitted to and approved by the local planning authority in writing. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Reason: To ensure that the development achieves a high quality of landscaping which contributes to the visual amenity and character of the area in accordance with the requirements of policies A2, A3, D1 and D2 of the London Borough of Camden Local Plan 2017.

- 5 All hard and soft landscaping works shall be carried out in accordance with the approved landscape details by not later than the end of the planting season following completion of the development or any phase of the development or prior to the occupation for the permitted use of the development or any phase of the development, whichever is the sooner. Any trees or areas of planting (including trees existing at the outset of the development other than those indicated to be removed) which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced as soon as is reasonably possible and, in any case, by not later than the end of the following planting season, with others of similar size and species, unless the local planning authority gives written consent to any variation.

Reason: To ensure that the landscaping is carried out within a reasonable period and to maintain a high quality of visual amenity in the scheme in accordance with the requirements of policies A2, A3, D1 and D2 of the London Borough of Camden Local Plan 2017.

- 6 Prior to the commencement of any works on site, details demonstrating how trees to be retained shall be protected during construction work shall be submitted to and approved by the local planning authority in writing. Such details shall follow guidelines and standards set out in BS5837:2012 "Trees in Relation to Construction" and in accordance with the 'Tree Survey, Arboricultural Impact Assessment, Arboricultural Method Statement & Tree Protection Plan' by Usherwood Arboriculture dated 10.1.22 hereby approved. 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 the approved protection details.

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.

Informative(s):

1 Reasons for granting permission.

The proposal includes the erection of a timber clad outbuilding with bi-folding doors at the end of the garden. It would have a flat roof and would be 2.8m in height and have a total area of 6.3sqm. Due to the large size of the garden, the outbuilding would read as a modest subordinate structure within the rear garden landscape. On account of its size, design, materials and location, the outbuilding would not cause harm to the character and appearance of the host property, the rear garden setting or the wider conservation area and is acceptable in this regard.

In terms of amenity, as the outbuilding is relatively small and located far away from the property, there will be no impact on outlook, daylight or privacy. The outbuilding would be only used as a studio for incidental purposes to the main house and a condition would be attached to secure this.

An arboricultural method statement and tree protection details were submitted as part of the application and were reviewed by the Council's tree officer who considers that the information is sufficient to demonstrate that any nearby trees and root systems would not be adversely affected by the proposal. As the proposal involves the removal of a tree, conditions will be attached to secure a replacement tree and to ensure that the tree protection measures are installed.

The development is considered to preserve the character and appearance of the Conservation 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.

No objections have been received prior to making this decision. The Parkhill/Upper Park CAAC have removed their objection to the proposal following confirmation that the use will be incidental and not for residential purposes. 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, A2, A3, 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



Daniel Pope
Chief Planning Officer