

Application ref: 2022/0707/P
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Development Management
Regeneration and Planning
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www.camden.gov.uk/planning

Miss Ruth Troughton
Garden Flat
3 Shirlock Road
London
NW3 2HR

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

Flat Ground Floor Rear
3 Shirlock Road
London
NW3 2HR

Proposal:

Erection of a timber outbuilding to rear garden of flat (Class C3).

Drawing Nos: Site location plan, Tree Survey & Arboricultural Impact Assessment dated 17/05/2022, Sedum Mats, Sedum Maintenance Advice, 01.1, 02.1, 03.1, 04.1, 05.1, 06.1, 07.1, 08.1, 09.1, 10.1, 1.0.

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, Tree Survey & Arboricultural Impact Assessment dated 17/05/2022, Sedum Mats, Sedum Maintenance Advice, 01.1, 02.1, 03.1, 04.1, 05.1, 06.1, 07.1, 08.1, 09.1, 10.1, 1.0.

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 living roof shall be fully provided in accordance with the approved details shown on drawing number 1.0 and Sedum Mats, prior to first occupation and thereafter retained and maintained in accordance with the approved scheme.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies G1, CC1, CC2, CC3, D1, D2 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 residential use of 3 Shirlock Road and shall not be used as a separate independent Class C3 dwelling or Class E commercial use.

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 G1, A1, H6 and H7 of the Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission.

The site comprises a three-storey mid-terrace building located on the south-western side of the street. It is sub-divided into six residential units and the proposal would be within the rear garden of the rear ground floor flat. The proposed single storey garden building would be subordinate to the host building and garden. The building would measure 3 meters by 2 meters with a monopitch roof with a maximum height of 2.25 meters. It would be clad in red cedar and feature timber double doors to the front, with a side window facing the host building. The building would be located at the rear of the site and would not result in a significant loss of garden amenity space. Due to its size, location, and set back from the boundary, the proposal would retain visibility over boundaries to neighbouring gardens. While the upper part of the building would be visible from neighbouring gardens, this would be reduced by garden walls, trellis, planting, and existing garden buildings. The contemporary design, modest scale and materials would be appropriate to its informal garden setting. As a result, the proposal would respect the character of the host property and

the surrounding area and preserve the character and appearance of the Mansfield Conservation Area.

The building is sited to mitigate its impact on the Lime tree within the garden. It is orientated lengthways facing south-east towards the garden on number 1 Shirlock Road. The building includes double glazed doors to this elevation which would be 1.8 meters at their tallest. The distance to the neighbouring garden would be approximately 3 meters to the boundary where the existing wall and trellis would partially screen the building. As a result, the orientation of the building and its glazing are not considered to result in loss of privacy sufficient to warrant a refusal on these grounds.

The use of the building for ancillary residential use would not alter the residential character of the rear garden. A condition is included in this decision to ensure the use remains ancillary to the main residential use to mitigate any harmful impacts to residential amenity of neighbouring occupiers in terms of loss of privacy, outlook, and noise.

The proposal would be within the root protection area of a tree within the garden and three neighbouring trees. The Council's tree officer is satisfied with the mitigation measures submitted in the tree report to prevent harm to the roots structure. The sedum roof would help mitigate the loss of garden space, slow down rainwater run-off and insulate the building. The sedum roof is considered acceptable in accordance with our guidance to encourage biodiversity.

Following consultation, one objection and a comment were received and considered prior to making this decision. The comments have been addressed in further detail in the associated consultation summary. The site's planning history was considered in the determination of 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 (ERR) 2013.

As such, the proposed development is in general accordance with policies A1, A2, A3, CC1, CC2, CC3, D1, and D2 of the London Borough of 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 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.

- 4 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.
- 5 You are advised that the structure hereby approved should be constructed in such a manner that it will not be susceptible to future damage by protected trees. The Council is unlikely to consider favourably any application to prune or fell protected trees because of their impact on the structure hereby approved.
- 6 You are advised that the appropriate standards for tree work are set out in BS 3998: 2010. Failure to ensure that the proposed works are carried out to these standards may result in damage to the tree(s) and may result in legal action by the Council.

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