

Application ref: 2022/0613/P
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Date: 18 July 2022

Development Management
Regeneration and Planning
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Smart Garden Offices
Thurston Park
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Thurston
Bury St Edmunds
IP31 3RN

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

Flat A
28 Falkland Road
London
NW5 2PX

Proposal:

Erection of a timber outbuilding to rear garden of flat (Class C3).
Drawing Nos: Design, Access and Heritage Statement V2, (23675) L01, B01, B02,
E02, P01A, S01A, S02B, S03A

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: Design, Access and Heritage Statement V2, (23675) L01, B01, B02, E02, P01A, S01A, S02B, S03A

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 outbuilding hereby approved shall only be used for purposes incidental to the residential use of 28 Falkland Road and shall not be used as a separate independent Class C3 dwelling.

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 (Managing the impact of development) and H6 (Housing choice and mix) of the Camden Local Plan 2017.

- 5 Prior to first use of the outbuilding, the side windows shall be obscure glazed. The windows shall thereafter be permanently retained and maintained as such.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policy A1 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission:

The site comprises a four-storey mid-terrace building located on the southern side of the street. It is sub-divided into three residential units and the proposal would be within the rear garden of the ground floor flat.

The proposed single storey garden building would be subordinate to the host building and garden. The outbuilding would measure 3.87m x 2.80m with a maximum height of 2.5m with a monopitch roof. It would feature aluminium double doors to the front, with windows to the sides and would be clad in red cedar. The garden building would be located at the rear of the site and due to its modest scale would not result in a significant loss of garden amenity space. The proposal would have limited visibility to the rear due to its location, adjacent to the tall boundary wall to the garden of 14-22 Maud Wilkes Close.

It would be visible from the gardens of the neighbouring properties but would be set back from the boundaries and screened by existing trellis and planting. 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 Kentish Town Conservation Area.

The proposal includes a window at high level to the side elevation facing the garden of number 30 Falkland Road, with a larger window facing the garden of number 26 Falkland Road. Given the arrangement of the rear gardens, existing neighbouring garden buildings, boundary fences and planting, the proposed outbuilding would not harm the amenity of the neighbouring properties in terms of loss of light, privacy, or outlook, subject to a compliance condition for the side windows to be obscured glazed.

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 is 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.

Following consultation, no objections were received prior to making this decision. 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, D1, and D2 of the London Borough of Camden Local Plan 2017 and Policy D3 of the Kentish Town Neighbourhood Plan 2016. 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.

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