

Application ref: 2021/1335/P  
Contact: Jaspreet Chana  
Tel: 020 7974 1544  
Email: [Jaspreet.Chana@camden.gov.uk](mailto:Jaspreet.Chana@camden.gov.uk)  
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**Development Management**  
Regeneration and Planning  
London Borough of Camden  
Town Hall  
Judd Street  
London  
WC1H 9JE

Phone: 020 7974 4444

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

Mr Giuseppe Salvati  
88 Peterborough Rd, Fulham  
Studio 4  
london  
SW6 3HH

Dear Sir/Madam

### **DECISION**

Town and Country Planning Act 1990 (as amended)

#### **Householder Application Granted Subject to a Section 106 Legal Agreement**

Address:

**3 Hampstead Hill Gardens  
London  
NW3 2PH**

Proposal:

Erection of replacement single storey outbuilding in rear garden including excavation of basement beneath.

Drawing Nos: MAP01 Rev 01, MAP02 Rev 01, EX01 Rev 01, EX02, Basement PR01 Rev 01, Ground floor PR01 Rev 01, Mezzanine plan PR01 Rev 01, Roof plan PR01 Rev 01, Proposed & existing south elevations, Elevations and section PR01 Rev 01, Elevations & section PR01 Rev 01, Elevations & section PR01 Rev 01, PR02 Rev 01, Planning Statement, Heritage Statement, Design & Access Statement, Basement Impact Assessment (ref JER 8872) dated January 2021 by RPS, Construction Method Statement (Rev A) dated February 2021 by Evolve Consulting & Civil Engineers, Construction Method Statement (Rev B) dated May 2021 by Evolve Consulting & Civil Engineers, Arboricultural Impact Assessment (ref HWA10545\_APIII), Basement Impact Assessment Audit Rev F1 Decemeber 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: MAP01 Rev 01, MAP02 Rev 01, EX01 Rev 01, EX02, Basement PR01 Rev 01, Ground floor PR01 Rev 01, Mezzanine plan PR01 Rev 01, Roof plan PR01 Rev 01, Proposed & existing south elevations, Elevations and section PR01 Rev 01, Elevations & section PR01 Rev 01, Elevations & section PR01 Rev 01, PR02 Rev 01, Planning Statement, Heritage Statement, Design & Access Statement, Basement Impact Assessment (ref JER 8872) dated January 2021 by RPS, Construction Method Statement (Rev A) dated February 2021 by Evolve Consulting & Civil Engineers, Construction Method Statement (Rev B) dated May 2021 by Evolve Consulting & Civil Engineers, Arboricultural Impact Assessment (ref HWA10545\_APIII), Basement Impact Assessment Audit Rev F1 December 2021.

Reason:

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

- 3 The garden room hereby approved shall only be used for purposes incidental to the use of the main property (3 Hampstead Hill 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 and T2 of the London Borough of Camden Local Plan 2017.

- 4 Prior to the end of the next available planting season, replacement tree planting shall be carried out in accordance with details of replanting species, position, date and size, where applicable, that have first been submitted to and approved by the local planning authority in writing.

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 and A3, D1 and D2 of the London Borough of Camden Local Plan 2017.

- 5 Prior to the commencement of works on site, tree protection measures shall be installed and working practices adopted in accordance with the Arboricultural Impact Assessment ref. HWA10545\_APIII by Hallwood Associates dated 8th March 2021. 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 by the project arboriculturalist in accordance with the approved report.

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:

Design, Conservation and Amenity

The proposed outbuilding would replace an existing single storey outbuilding of a slightly smaller footprint and similar design located immediately to the north-east of where the existing outbuilding was. The proposed footprint and location would be set over 19.5m from the rear wall of the grade II listed building similar to that of the existing outbuilding and is therefore considered acceptable.

Whilst the proposed outbuilding would appear as a one and a half storey building, it would have three storeys (basement, ground floor, and mezzanine level within the pitched roof space) serving a gym/sauna, dance studio and yoga/meditation room. Although the outbuilding would be slightly higher than the existing building and its roof would protrude above the rear boundary wall, it would still be significantly lower in height than the neighbouring two-storey building which is located immediately to the rear of the site built up against the boundary wall. The proposed outbuilding would be appropriately situated within the substantial rear garden, set away from all side and rear boundaries and would be screened from the rear by vegetation and the neighbouring building.

The traditional design and materials of the proposed outbuilding would ensure that it would sufficiently resemble the existing. The red tiling to the roof would also match the predominant local roofing material. As such, it is considered that it would be unlikely to pose additional harm to the setting of the listed building. Furthermore, the proposed outbuilding would also reuse some of the materials from the existing outbuilding, which is welcomed from a sustainability perspective.

Overall, it is considered that the proposed outbuilding would be a sympathetic addition which would not cause harm to the setting of the host listed building or the character and appearance of the conservation area.

Basement

The existing outbuilding is to be demolished and re-built as a one and half storey building with a basement level. The basement will require excavations of 2m - 2.20m below existing ground level. The scale of the basement extension is considered appropriate and limited to the same footprint as the proposed outbuilding (31sqm) and an additional 12sqm to create a sauna area for the gym. The applicant has supplied a Basement Impact Assessment (BIA) and this has been audited by the Councils appointed independent auditor, Campbell Reith. The proposed basement development has been found to comply with all the necessary requirements in relation to its impact on its surroundings. Given the modest scale, low level of complexity of the proposal, the audit has not identified the need for a basement construction plan. Furthermore, the basement extension is considered to comply with the

requirements of policy A5 and the CPG on Basements.

2 Trees

The scheme involves the removal of T8 (cat. B) and T6, T7, T9 & T14 (cat. C) trees in order to facilitate the development. All trees proposed for removal are of low visibility from the public realm and are not considered to significantly contribute to the character and appearance of the conservation area. The loss of amenity and canopy cover provided could be mitigated against through replacement planting. The impact of the development on trees to be retained is considered to be of an acceptable level provided the submitted tree protection measures are implemented, planning conditions would be applied to secure this.

Transport

The site is located within a residential neighbourhood and the Council seeks to ensure that the impact on the highway infrastructure and neighbouring community is minimized. Therefore a Construction Management Plan (CMP), a CMP implementation support contribution of £3,920 and a Construction Impact Bond of £7,500 will be secured as section 106 planning obligations in accordance with Policy A1.

The planning history of the site has been taken into account. Two objections were received prior to the determination of this application these have been responded to within the consultation summary.

Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the Hampstead Conservation Area, under s.72 of the Planning (Listed Buildings and Conservation Area) 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, D1 and D2 of the Camden Local Plan 2017, and policies BA1, BA3, DH1, DH2, NE3 and NE4 of Hampstead Neighbourhood Plan (2018), the London Plan 2021, and the National Planning Policy Framework 2021.

- 3 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).
- 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 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:

<https://www.gov.uk/appeal-householder-planning-decision>.

Yours faithfully

A handwritten signature in black ink, appearing to read 'DPope', is written over a light grey rectangular background.

Daniel Pope  
Chief Planning Officer