

Application ref: 2022/3198/P
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Date: 13 December 2022

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
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London
WC1H 9JE

Phone: 020 7974 4444

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www.camden.gov.uk/planning

Emily Greeves
101 Heath Street
London
NW3 6SS
United Kingdom

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

Flat Basement Rear And Ground Floor
17 Tanza Road
London
Camden
NW3 2UA

Proposal:

Erection of single storey outbuilding in rear garden.

Drawing Nos: 2201_L02/01; 2201_L12/01; TQ2785NE (location plan); 2201_L12/02;
Design and Access Statement; Green roof system; 3rdSpace booklet

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

2201_L02/01; 2201_L12/01; TQ2785NE (location plan); 2201_L12/02; Design and Access Statement; Green roof system; 3rdSpace booklet

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 Flat Basement rear and ground floor, 17 Tanza Road and shall not be used as a separate independent Class C3 dwelling or Class E business 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 and H6 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission.

The proposal involves the erection of a single storey outbuilding in the rear garden for ancillary purposes incidental to the residential use at the property. It would replace an existing garden shed in the same position with a moderately larger outbuilding which would measure 3.1m wide, 5m deep and 2.5m high. The timber clad structure with a green flat roof, would sit 0.7m away from both the side boundary with no.15 Tanza road and the rear boundary with Hampstead Heath. It would feature a timber door to the front and side with full height timber framed glazing. It would rise 0.4m above the boundary fence which is considered acceptable, and would be sufficiently screened given the boundary fences on all sides and distance from the nearest residential properties (17m). Thus, both public and private views would be limited and the outbuilding would not be visually prominent. The design and materials are also considered to be in keeping with the open nature of gardens at the rear, and would respect the character and appearance of the host and neighbouring buildings, as well as, the South Hill Park Conservation and Hampstead Neighbourhood Areas.

The rear garden of the site and the neighbouring gardens on the same side of Tanza Road are designated in the Local Plan as private open space (Heath-Edge Gardens, Parliament Hill), which Policy A2 seeks to protect from development. However, there are various examples of rear garden development and outbuildings to neighbouring properties in the street, which either have planning permission or have likely been erected without planning

permission because they are permissible under the General Permitted Development Order. Indeed, the current proposal would have likely been permitted development had the host property been a house rather than a flat. Therefore, given this fallback and the modest size and scale of the proposed outbuilding, the proposal is not considered to cause any harm to the character of the private open space nor to local green space, and is thus acceptable in general accordance with Policy A2 and the policies of the Hampstead Neighbourhood Plan.

Although the proposed outbuilding would be 10sqm larger than existing (with a total floor area of approximately 16sqm), it would allow for the retention of a reasonably sized rear garden space (approx. 144sqm), such that the open character of any existing natural landscaping and garden amenity would continue to be maintained. The submitted green roof details have been assessed by the Council's trees officer and are considered to be sufficient to accommodate for the loss in green space.

Given the siting of the outbuilding in the same location as the existing shed and its subordinate scale, the proposal is not considered to be overbearing or result in any significant sense of enclosure. As such, the proposal is not considered likely to introduce any significant harm to neighbouring amenity in terms of outlook, overlooking, light-spill, loss of sunlight/daylight, or increased sense of enclosure and/or noise.

The site's planning and appeal history has been taken into account when coming to this decision. No objections were received.

Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the South Hill Park Conservation Area, under s.72 of the Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

As such, the proposal is in general accordance with policies A1, A2, A3, D1, D2 of the Camden Local Plan 2017, policies DH1, DH2 and NE1 of the Hampstead Neighbourhood Plan 2018, 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:

<https://www.gov.uk/appeal-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