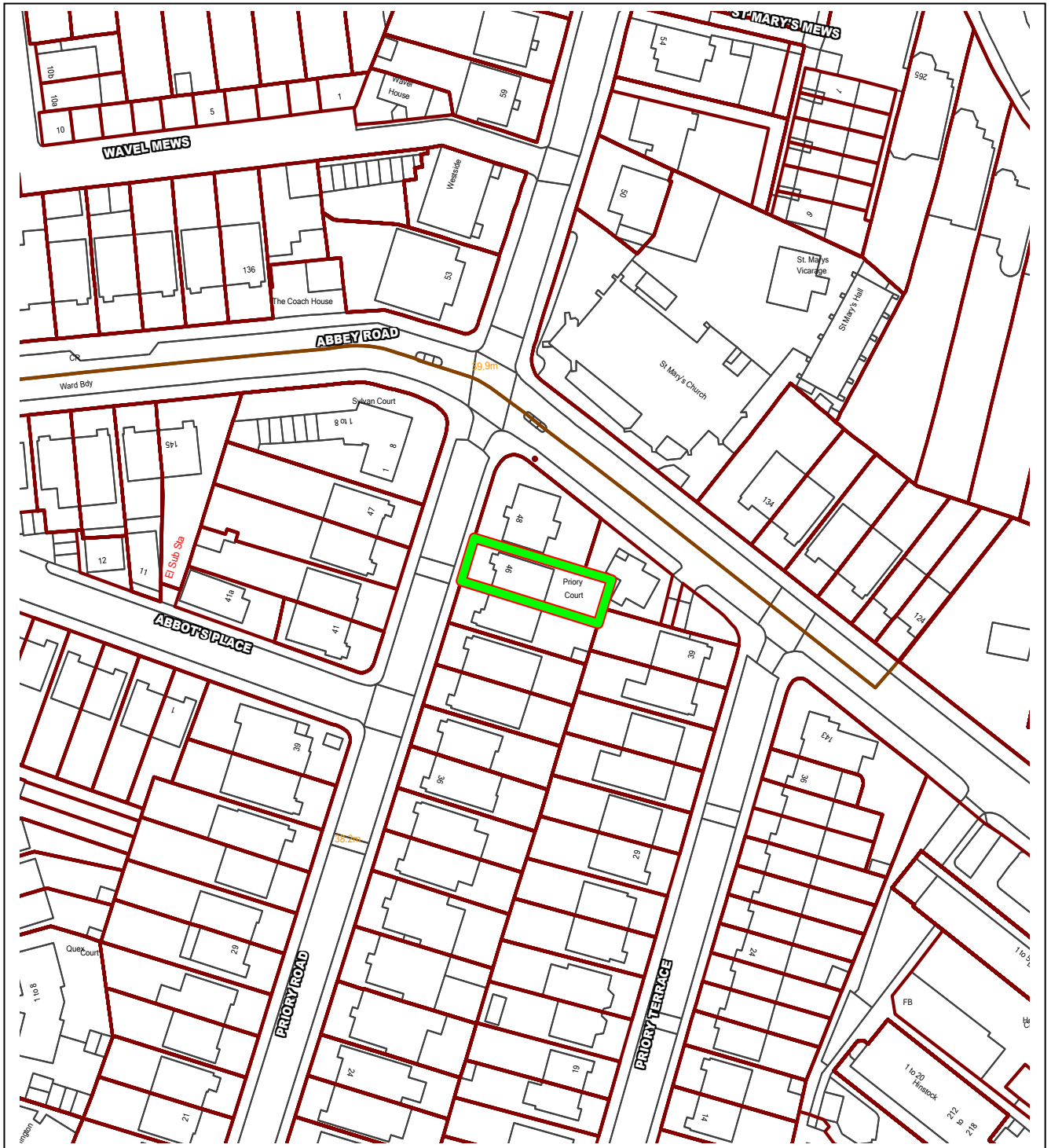
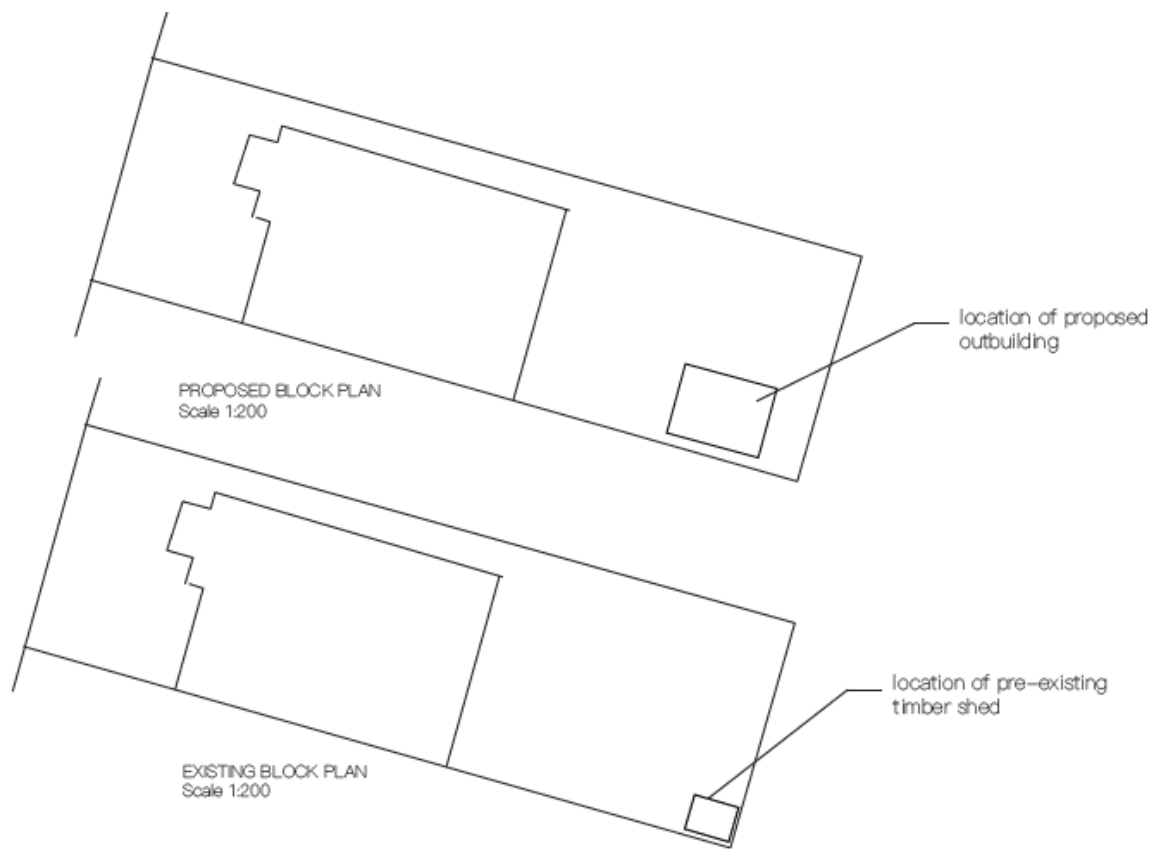


2022/3733/P- 46 Priory Road

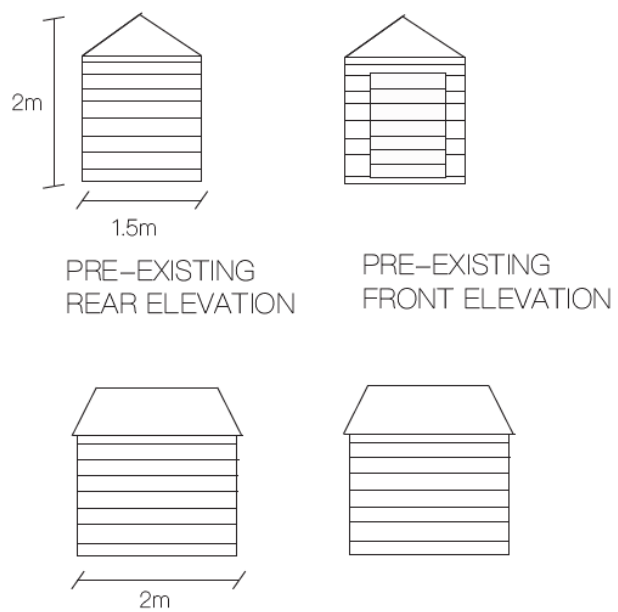


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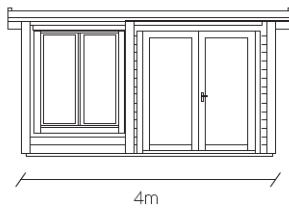
Photos/Plans



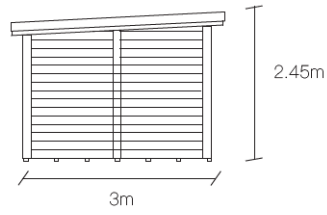
Existing and proposed site plan



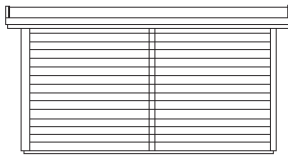
Existing plans



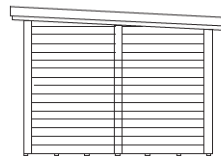
PROPOSED FRONT ELEVATION



PROPOSED SIDE ELEVATION A



PROPOSED REAR ELEVATION



PROPOSED SIDE ELEVATION B

Proposed plans



Delegated Report		Analysis sheet	Expiry Date:	23/01/2023
(Members Briefing)		N/A / attached	Consultation Expiry Date:	01/01/2023
Officer			Application Number(s)	
Enya Fogarty			2022/3733/P	
Application Address			Drawing Numbers	
Ground Floor Flat 46 Priory Road London NW6 4SJ			<i>Please refer to draft decision notice</i>	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Construction of a rear outbuilding following removal of existing shed				
Recommendation:	Grant conditional planning permission			
Application Type:	Full Planning Permission			

Conditions or Reasons for Refusal:	<i>Refer to Draft Decision Notice</i>			
Informatives:				
Consultations				
Summary of consultation:	A site notice(s) were displayed near to the site on the 02/12/2022 (consultation end date 26/12/2022). The development was also advertised in the local press on the 08/12/2022 (consultation end date 01/01/2023).			
Adjoining Occupiers:	No. of responses	07	No. of objections	07
Summary of consultation responses:	7 objections were received from the neighbouring occupiers. Their objections are summarised below; <div><div>1. Outbuilding is overly large</div><div>2. Will be used as living accommodation</div><div>3. Loss of outlook, light and</div><div>4. Loss of privacy to ground floor flat 46 Priory Road and 48 Priory Road</div><div>5. Inappropriately and insensitively placed in the garden</div><div>6. Takes up too much green space</div><div>7. Foundations for the outbuilding do not match up with the proposed plans</div><div>8. Outbuilding not sympathetic to the surrounding area</div><div>9. No details of water or waste management</div><div>10.No fire safety provision</div><div>11.Plans are incorrect and misleading</div><div>12.Materials of the outbuilding unknown</div><div>13.Will the building pass building safety regulations</div><div>14.Neighbouring properties not consulted</div></div> <i><u>Officer response:</u></i> <div><div>1. Please see paragraph 3.3 of the report</div><div>2. A condition will be attached to the decision notice to prevent the outbuilding from being used for residential or commercial purposes</div><div>3. Please see paragraph 4.3 of the report</div><div>4. Due to the location and design of the outbuilding and the separation distance to no.46 and 48, it is considered the proposed outbuilding will not result in loss of privacy.</div><div>5. Please see paragraph 3.3 of the report</div><div>6. Please see paragraph 3.3 of the report</div><div>7. The implementation of the proposal will not be monitored by the council, if residents have concerns during the course of the works, that the development is not being built in accordance with the planning permission they can contact planning enforcement.</div><div>8. Please see paragraph 3.3 of the report</div><div>9. Due to the size and nature of the proposal, water and waste management details are not required.</div><div>10.Due to the nature and design of the outbuilding, Fire Safety Statement would not be required.</div></div>			

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| | <p><i>11. The existing and proposed plans are considered correct and sufficient to determine the application.</i></p> <p><i>12. Please see paragraph 3.3 of the report</i></p> <p><i>13. If residents have concerns that the proposed development will not meeting building regulations, they can contact the relevant department.</i></p> <p><i>14. Two site notices were displayed, 1 x infront of 46 Priory Road, 1 x infront of 39 Priory Terrace and was displayed in the Ham and High. This is considered acceptable and in line with the councils Statement of Community Involvement.</i></p> |
|--|--|

Site Description

The application site is a 4-storey including basement semi-detached property and has been subdivided into flats.

The site is located within the Priory Road Conservation area and is noted as making a positive contribution to the Priory Road Conservation Area. The application site is located within the Kilburn Neighbourhood Plan area.

Relevant History

Application site;

- **2015/5807/T- REAR GARDEN: 3 x Conifers G1 - Fell to ground level. No objections 01/12/2015**
- **8702822- The erection of a rear extension at ground and basement levels. Granted 17/11/1987**
- **8501699- Continued use of the second floor as a self-contained flat. Granted 13/11/1985**

Neighbouring properties;

50 Priory Road

- **2021/2826/P- Erection of a single storey timber clad outbuilding with sedum roof located in the garden of the site. Outbuilding to be used as home office. Granted on 20/09/2021.**

11 Priory Road

- **2019/1621/P- Erection of rear garden timber outbuilding. Granted 15/07/2019**

32A Priory Road

- **2015/3895/P- Erection of a single storey timber outbuilding in rear garden for ancillary residential purposes. Granted 20/08/2015**

Relevant policies

National Planning Policy Framework (2021)

The London Plan (2021)

Camden Local Plan (2017)

A1 Managing the impact of development

A2 Open Space

A3 Biodiversity

A4 Noise and vibration

D1 Design

D2 Heritage

Camden Planning Guidance:

CPG Amenity (2021)

CPG Biodiversity (2018)

CPG Design (2021)

CPG Home Improvements (2021)

CPG Trees (2019)

Assessment

1. The proposal

- 1.1. Planning permission is sought for the erection of a single storey timber outbuilding in the rear garden to be used as ancillary to the ground floor flat. The structure would measure 4.m wide, 3m deep and 2.4m high and would sit in from all the boundaries. There is an existing shed on site that would be removed as part of this application.

2. Revisions

- 2.1 In response to officers' concerns regarding the scale of the outbuilding, revised plans were received, and the outbuilding was reduced in width from 5.7m to 4m to ensure the outbuilding would appear a subordinate and sensitive addition in the rear garden.

3. Design and Conservation

- 3.1. The Council's design policies are aimed at achieving the highest standard of design in all developments. The following considerations contained within policy D1 are relevant to the application: development should respect local context and character; comprise details and materials that are of high quality and complement the local character; and respond to natural features. Policy D2 'Heritage' states that in order to maintain the character of Camden's conservation areas, the Council will not permit development within conservation area that fails to preserve or enhance the character and appearance of that conservation area.
- 3.2. CPG Home Improvements states the siting, location, scale, and design of an outbuilding should have a minimal visual impact on and be visually subordinate within the host garden. Outbuildings should preserve or enhance the character of conservation areas and should not detract from the open character and garden amenity of neighbouring gardens and the wider surrounding area. Space suitable for soft landscaping and an acceptable amount of garden space should be retained.
- 3.3. The outbuilding would be located in the rear portion of the rear garden near to the boundary wall with neighbouring property no. 44 Priory gardens. A previous shed was located in this area of the garden, and it is noted many neighbouring properties have constructed similar outbuildings in rear gardens such as nos. 11, 32 & 50 (please refer to planning history section). The proposed outbuilding would therefore not be out of keeping with the character of rear gardens along this terrace.
- 3.4. The proposal would be sited at the rear of the site, close to the neighbouring boundary no.44. The garden space is measured at approx. 108sqm and the proposal 12sqm. As such approximately 88.8% of garden space would be undeveloped, which is considered sufficient to maintain a good level of outdoor amenity for the application property.
- 3.5. The outbuilding would be constructed in timber with timber doors. The materials and finish are considered acceptable in a garden context and would be sympathetic to the character and appearance of the conservation area. The outbuilding would read as subordinate to the host property and an acceptable amount of garden space would remain. The outbuilding would be visible in views from neighbouring gardens however by virtue of its scale, design and materiality, it is not considered to harm the character and appearance of the conservation area.
- 3.6. It is considered that the proposed outbuilding would not cause a detrimental impact upon the character and appearance of the host property and would preserve the special character 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 Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR)

2013. The proposals are in accordance with policies D1 and D2 of the London Borough of Camden Local Plan 2017.

4. Residential Amenity

- 4.1. Policy A1 seeks to protect the quality of life of occupiers and neighbours by only granting permission to development that would not harm the amenity of residents. This includes factors such as privacy, outlook, implications to natural light, artificial light spill, odour and fumes as well as impacts caused from the construction phase of development.
- 4.2. It is not considered that the proposed outbuilding would give rise to overlooking or loss of privacy issues. This is because the outbuilding would be single storey in height and sited at rear of the garden and would have no rear or side elevation windows.
- 4.3. It is not considered that the proposed outbuilding would impact on the outlook from neighbouring properties, due to its single storey height. Views over the top of the building would still be possible.
- 4.4. It is not considered that the proposed outbuilding would cause loss of sunlight / daylight or overshadowing to neighbouring properties because due to its location and the adequate separation distance. Similarly, given its size and design it is not considered that the outbuilding would cause harmful light spill.
- 4.5. Neither is it considered likely that the proposed outbuilding would give rise to noise issues, due to the separation distance and the fact its use would be ancillary to the use of the main building, rather than a separate dwelling, which a suitable planning condition can ensure remains the case in perpetuity.

5. Trees and landscaping

- 5.1 Policies A3 and D1 advises that the Council seek to protect gardens and resist the loss of trees and vegetation of significant amenity, historic, cultural or ecological value.
- 5.2 The proposal will not result in any loss of trees and significant amount of garden space will retained.
- 5.3 In light of the above, the proposed scheme is considered to have an acceptable impact on the biodiversity of the site.

Recommendation: Grant conditional planning permission.

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 6th February 2023, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to www.camden.gov.uk and search for 'Members Briefing'.

Application ref: 2022/3733/P
Contact: Enya Fogarty
Tel: 020 7974 8964
Email: Enya.Fogarty@camden.gov.uk
Date: 30 January 2023

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

Mr Patrick Walsh
Garden Flat
46 Priory Road
London
NW6 4SJ
United Kingdom

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:
46 Flat Ground Floor
Priory Road
London
Camden
NW6 4SJ

DECISION

Proposal:
Construction of a rear outbuilding following removal of existing shed
Drawing Nos: 1 Rev A

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: 1 Rev A

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 permitted shall only be used for purposes ancillary to the main dwellinghouse and shall not be used as a separate residential dwelling or business unit.

Reason: To safeguard the character of the rear garden and the residential amenity of the neighbouring occupiers and to prevent inappropriate uses in rear gardens, in accordance with the requirements of policies A1, D1, H1 and E2 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 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).
- 2 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.
- 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.

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

Chief Planning Officer

DRAFT

DECISION