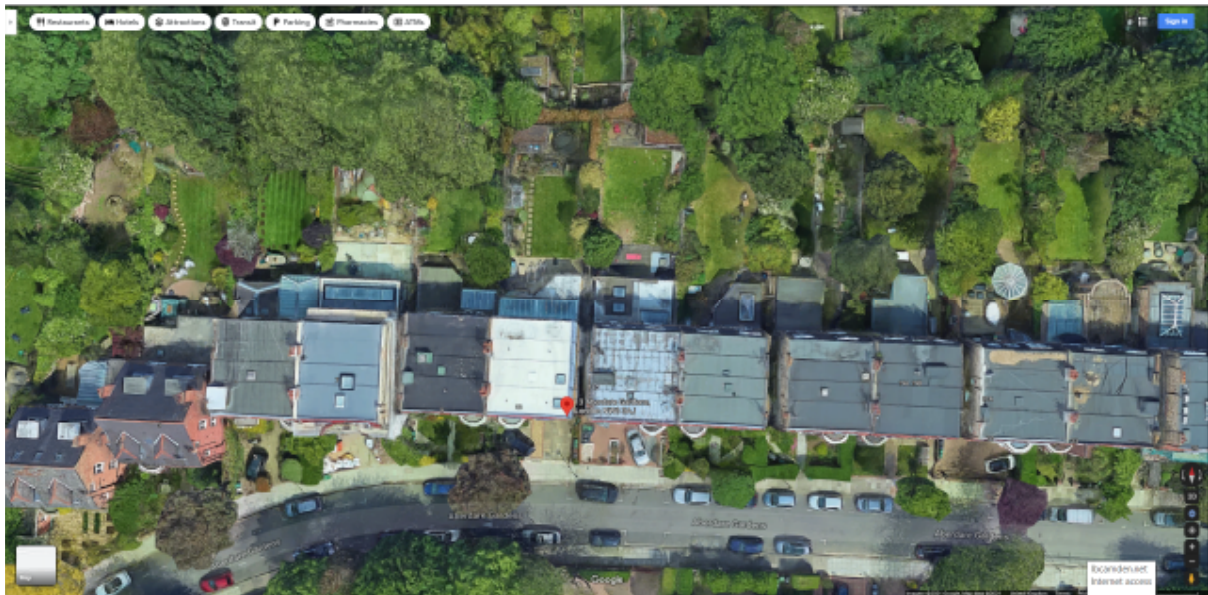


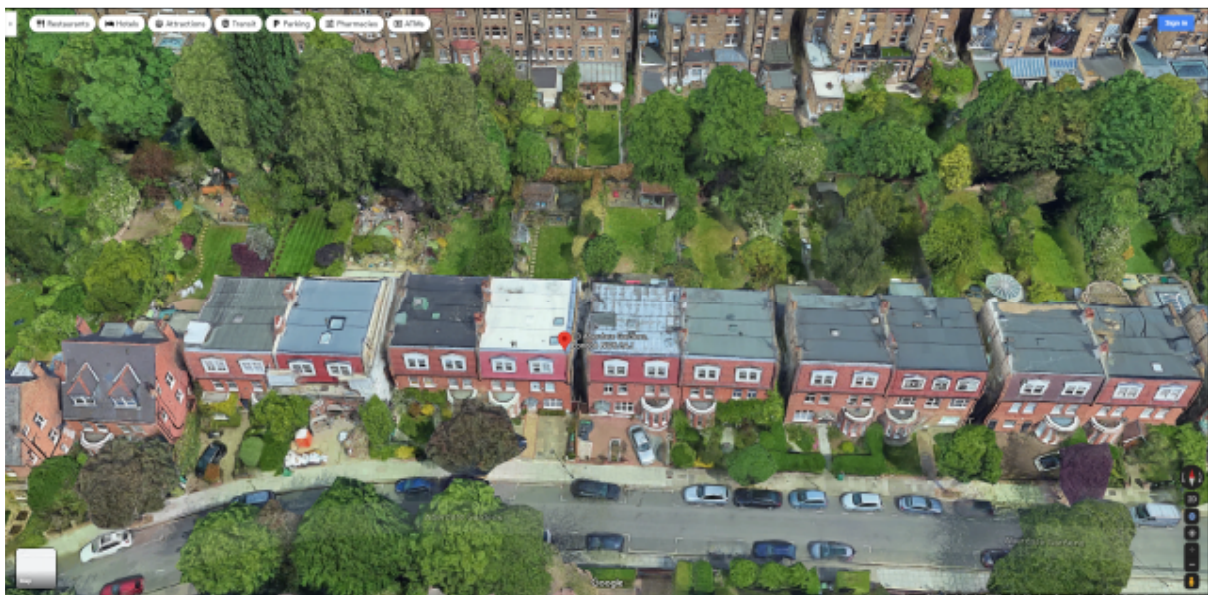
# Flat Ground Floor, 13 Aberdare Gardens 2019/6394/P



This material has been reproduced from Ordnance Survey digital map data with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright.



1. Aerial view of site and surrounding context. Existing garden outbuilding can be seen at rear of host site in the NW corner of No. 13.

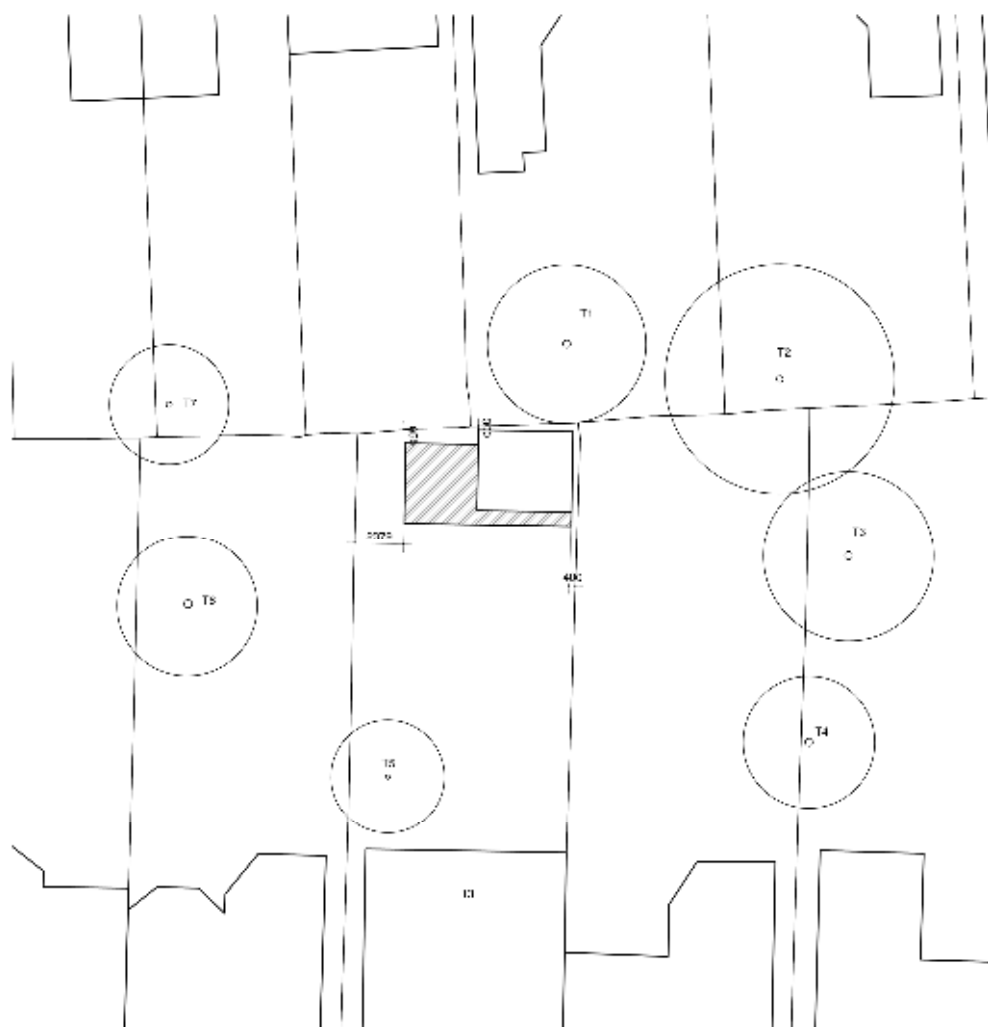


2. 3D view of site and surrounding context. Existing garden outbuilding can be seen at rear of host site in the NW corner of No. 13.





3. Applicant's photo of rear garden showing existing garden room.



PROPOSED SITE/BLOCK PLAN 1:200 ①

4. Proposed site/ Block Plan, showing footprint of existing (White) and proposed (Grey& white) garden room.

|   |                            |                                       |   |                                  |            |
|---|----------------------------|---------------------------------------|---|----------------------------------|------------|
| <b>Delegated Report</b>                                       |                            | <b>Analysis sheet</b>                 |   | <b>Expiry Date:</b>              | 25/09/2020 |
|   |                            | N/A / attached                        |   | <b>Consultation Expiry Date:</b> | 06/09/2020 |
| <b>Officer</b>  |                            |                                       | <b>Application Number(s)</b>  |                                  |            |
| Matthew Dempsey   |                            |                                       | 2019/6394/P   |                                  |            |
| <b>Application Address</b>                                    |                            |                                       | <b>Drawing Numbers</b>  |                                  |            |
| Flat Ground Floor<br>13 Aberdare Gardens<br>London<br>NW6 3AJ |                            |                                       | Site Location Plan. EGA001C, PGA001C,<br>Design and Access Statement. |                                  |            |
| <b>PO 3/4</b>   | <b>Area Team Signature</b> | <b>C&amp;UD</b>                       | <b>Authorised Officer Signature</b>                                   |                                  |            |
|   |                            |                                       |   |                                  |            |
| <b>Proposal(s)</b>  |                            |                                       |   |                                  |            |
| Extension to existing rear garden outbuilding (Revised).      |                            |                                       |   |                                  |            |
| <b>Recommendation(s):</b>                                     |                            | Grant conditional planning permission |   |                                  |            |
| <b>Application Type:</b>                                      |                            | Full Planning Permission              |   |                                  |            |

|                                    |   |  |                  |    |                   |    |
|------------------------------------|---|--|------------------|----|-------------------|----|
| Conditions or Reasons for Refusal: | Refer to Draft Decision Notice  |  |                  |    |                   |    |
| Informatives:                      |   |  |                  |    |                   |    |
| Consultations                      |   |  |                  |    |                   |    |
| Adjoining Occupiers:               |   |  | No. of responses | 02 | No. of objections | 01 |
| Summary of consultation responses: | A site notice was displayed from 12/08/2020, which expired 05/09/2020.<br>A press notice was published 13/08/2020, which expired 06/09/2020.  |  |                  |    |                   |    |
|                                    | One objection was received from a Local resident. Their concerns can be summarised as follows: <ul style="list-style-type: none"><li>• Scale of the garden room proposed.</li><li>• Clarification required regarding which is the proposed scheme following the submission of revisions.</li><li>• Construction details.</li><li>• Potential impact on trees</li><li>• Use of the extended garden room</li><li>• Loss of green amenity space.</li></ul> <p><u>Officer response:</u></p> <ul style="list-style-type: none"><li>• <i>The proposal has been revised to reduce the size of the garden room extension which is considered acceptable. The garden room would be subordinate to the main dwelling house and garden, and would retain adequate green space given it would be located on the existing decking.</i></li><li>• <i>The revised scheme is shown on drawing number PGA001 Revision C. This is the proposal under consideration here.</i></li><li>• <i>The construction of the garden room shall be required to meet building regulations. The scale of the development would not warrant the requirement for a Construction Management Plan.</i></li><li>• <i>A condition has been placed on the decision requiring that tree protection details are approved by the council prior to commencement of any works on site.</i></li><li>• <i>A condition has been placed on the decision requiring that the garden room shall remain incidental to the use of the main property (Ground Floor Flat, 13 Aberdare Gardens NW6 3AJ), and shall not be used as separate self-contained residential accommodation or business premises.</i></li><li>• <i>Following completion of the development, the host property would retain over 75% of the rear garden space and would be constructed almost entirely on the existing decked area. The whole garden room shall have a biodiverse roof installed and; furthermore, revisions to the scheme have ensured that the reduced garden room retains space to the rear and side for the benefit of promoting biodiversity.</i></li></ul> |  |                  |    |                   |    |

|   |  |
|---|--|
| <p><b>CAAC/Local groups comments:</b></p> | <p>The Hampstead CAAC were consulted on the scheme and provided no comments.</p> <p>The Combined Residents Association of South Hampstead (CRASH) objected to the scheme. Their concerns can be summarised as follows:</p> <ul style="list-style-type: none"> <li>• Scale of the garden room proposed.</li> <li>• Clarification required regarding the proposed scheme.</li> <li>• Construction details.</li> <li>• Potential impact on trees</li> <li>• Use of the extended garden room</li> <li>• Loss of green amenity space.</li> </ul> <p><u>Officer response:</u></p> <ul style="list-style-type: none"> <li>• <i>Please see officer response above to the same points.</i></li> </ul> |
|---|--|

## Site Description

The host property is a 3 storey red brick with tiled roof semi-detached residential property split into flats. The ground floor flat enjoys private use of the rear garden space, approximately 11m wide and 22m in length.

To the rear garden there is an existing garden room with a foot print of approximately 4m x 3.8m, 2.7m in height with Sedum roof covering. Situated in the north east corner of the garden and set on timber decking.

The host property is not listed. The site lies within the South Hampstead Conservation Area.

## Relevant History

**2013/1293/P** - Erection of a single storey outbuilding with green roof in rear garden of self-contained residential flat (Class C3). **Granted 30/04/2013.**

**2011/5325/P** - Replacement of existing rear conservatory at ground floor level with new extension, including installation of new aluminium sliding doors and rooflights to residential unit (Class C3). **Granted 22/12/2011.**

## Relevant policies

### National Planning Policy Framework 2019

### The London Plan 2021

### Camden Local Plan 2017

Policy A1 Managing the Impact of Development

Policy A3 Biodiversity

Policy D1 Design

Policy D2 Heritage

### Camden Planning Guidance

Design (2021)

Home improvements (2021)

Trees CPG (2019)

Amenity (2021)

### South Hampstead Conservation Area appraisal and management strategy (2011)



## **Assessment**

### **1.0 Proposal**

- 1.1 Planning permission is sought for an extension to the existing rear garden room.
- 1.2 The existing garden room is approximately 4m by 4.5m, positioned in the north east corner of the host garden. The proposed garden building shall be approximately 4m by 8m. The height of the proposed room shall match that of the existing, approximately 2.7m.
- 1.3 Proposed fenestration shall be metal framed to match the existing. The proposed extension to the garden room shall be timber clad to match the existing arrangement.
- 1.4 The garden room shall be provided with a biodiverse roof.
- 1.5 The proposed use is for additional space incidental to the residential property, ground floor flat, 13 Aberdare Gardens.

### **2.0 Revisions:**

- 2.1 The proposal has been amended from the initial scheme which proposed a full width rear garden room, to scale back the proposed structure as described in para 1.2.

### **3.0 Assessment:**

- 3.1 The principal considerations material to the determination of this application are as follows:
  - Design and Heritage: The visual impact upon the setting, character and appearance of the host property and this part of the wider Hampstead Conservation Area.
  - Amenity: The impact upon residential amenity of neighbouring occupiers.
  - Trees and biodiversity.

### **4.0 Design and Heritage:**

- 4.1 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 seeks to preserve and, where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas.
- 4.2 CPG Home Improvements provides further guidance on the erection of outbuildings. Paragraph 5.5 states; Large garden buildings may affect the amenity value of neighbours' gardens, and if used for purposes other than storage or other domestic uses, may intensify the use of garden spaces and cause loss of amenity through overlooking, overshadowing and noise nuisance.
- 4.3 The proposed garden room is considered a suitable scale for the setting of the rear garden. The garden serving the ground floor flat at No. 13 is approximately 11m wide and 20m in length (220m<sup>2</sup>). The proposed garden room shall be 8m wide by 4m in depth (32m<sup>2</sup>), with a height of approximately 2.7m.
- 4.4 The outbuilding would retain approximately 85% of the garden, which is considered acceptable. The structure shall be a minimum of 400mm from any neighbouring boundary

to ensure retention of satisfactory wildlife corridors and to promote biodiversity. Additionally, a biodiverse roof has been agreed to further soften the impact of the structure within the rear garden setting. Details of the biodiverse roof are to be provided prior to commencement of development, secured by condition.

4.5 The proposed materials are considered appropriate for a rear garden development. The use of timber cladding and biodiverse roof would enable the building to blend with the verdant character of the rear gardens in this location.

4.6 Considerable importance and weight has been attached to the harm and 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.

4.7 Subject to the recommended conditions, it is considered that the proposed outbuilding would not result in harm to the host property or the character of the wider conservation area, in accordance with policies D1 and D2 of the Camden Local Plan.

## **5.0 Amenity:**

5.1 Policy A1 seeks to protect the quality of life of occupiers and neighbours by only granting permission for development that would not unduly harm the amenity of residents. This includes factors such as privacy, outlook, impact on natural light, artificial light spill, as well as impacts caused from the construction phase of development.

5.2 The nearest neighbouring properties are the immediate neighbours above and on either side of the host property at Aberdare Gardens, and those occupying properties to the rear on Greencroft Gardens. The nearest neighbouring windows to the side are over 18m from the proposed structure and given the existing arrangement in place, it is not considered that the proposal would result in undue harm to the occupiers of neighbouring properties in terms of daylight/sunlight, loss of outlook or overlooking.

5.3 The applicant has confirmed they intend to utilise the outbuilding for incidental residential space. A condition has been added restricting the use of the outbuilding as incidental to the use of the host property, and shall not be used as separate residential accommodation, business premises or similar non-incidental use.

5.4 On the basis of the above, it is therefore considered that the proposed outbuilding would not result in undue harm to the residential amenity of neighbouring properties, in accordance with policy A1 of the Camden Local Plan.

## **6.0 Trees and biodiversity:**

6.1 To ensure the protection of trees on or adjacent to site, details of tree protections measures shall be provided for approval by the Council's Tree Officer.

6.2 To ensure the biodiversity benefits of the scheme are realised, details of the biodiverse roof shall be secured by condition for approval by the Council's Landscaping Officer.

## **7.0 Recommendation:**

7.1 Grant Planning Permission with conditions

***The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 19<sup>th</sup> July 2021, 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](http://www.camden.gov.uk) and search for 'Members Briefing'.***

Application ref: 2019/6394/P  
Contact: Matthew Dempsey  
Tel: 020 7974 3862  
Email: [Matthew.Dempsey@Camden.gov.uk](mailto:Matthew.Dempsey@Camden.gov.uk)  
Date: 19 May 2021

**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](http://www.camden.gov.uk)

Draw and Plan  
Flat B  
80 Lavenham Road  
LONDON  
SW18 5HE

# DRAFT

Dear Sir/Madam

## DECISION

Town and Country Planning Act 1990 (as amended)

### Full Planning Permission Granted

Address:

**Flat Ground Floor**  
**13 Aberdare Gardens**  
**London**  
**NW6 3AJ**

# DECISION

Proposal:

Extension to existing rear garden outbuilding (Revised).

Drawing Nos: Site Location Plan, EGA001C, PGA001C, Design and Access Statement.

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 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.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan, EGA001C, PGA001C, Design and Access Statement.

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

- 4 Notwithstanding the roof plan hereby approved, a green roof shall be installed to the outbuilding, full details of which shall be submitted to and approved by the local planning authority prior to commencement. The details shall include-

- i. a detailed scheme of maintenance;
- ii. roof plan at a scale 1:50
- iii. sections at a scale of 1:20 with manufacturers details demonstrating the construction and materials used;
- iv. full details of planting species and density.

The living roof shall be fully provided in accordance with the approved details prior to first occupation and thereafter retained and maintained in accordance with the approved scheme in perpetuity.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies CC1, CC2, CC3, D1, D2 and A3 of the London Borough of Camden Local Plan 2017.

- 5 The outbuilding hereby approved shall remain incidental to the use of the main property (Ground Floor Flat, 13 Aberdare Gardens NW6 3AJ), and shall not be used as separate self contained residential accommodation or business premises.

Reason: In order to protect the residential amenities of neighbouring occupiers in accordance with policy A1 of the London Borough of Camden Local Plan 2017.

- 6 Prior to the commencement of any works on site, details demonstrating how trees to be retained shall be protected during construction work shall be submitted to and approved by the local planning authority in writing. Such details shall follow guidelines and standards set out in BS5837:2012 "Trees in Relation to Construction". 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 the approved protection details.

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 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](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 2019.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

Chief Planning Officer