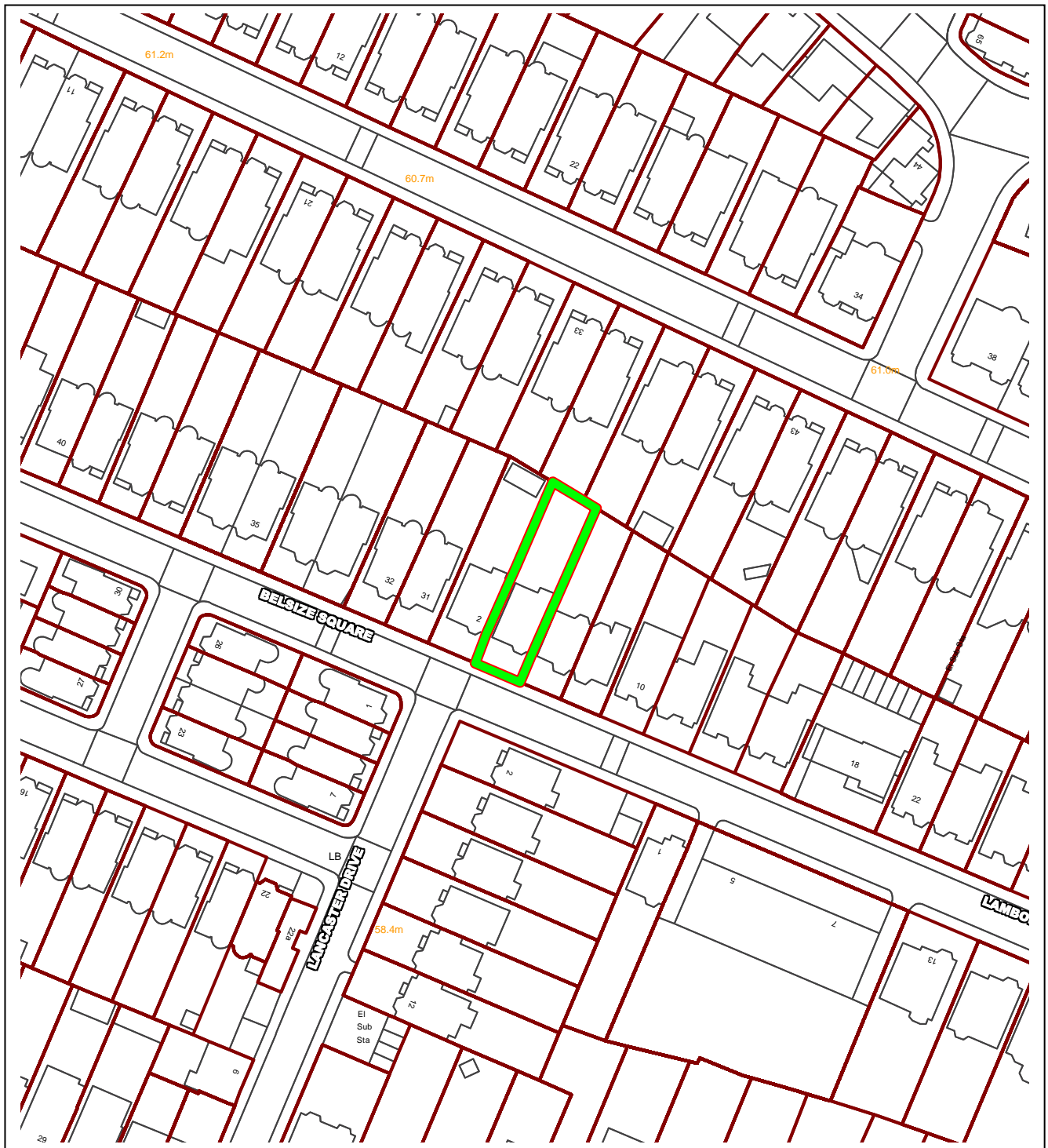


# 2022/4136/P – Maisonette A, Lower Ground 1<sup>st</sup> and 2<sup>nd</sup> Floor Front, 4 Lambolle Road



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**Photos for 2022/4136/P – 4 Lambolle Road**

1. Aerial view of 4 Lambolle Road (garden outline shown in red).



2. View of existing play equipment to rear of garden to be replaced by outbuilding.



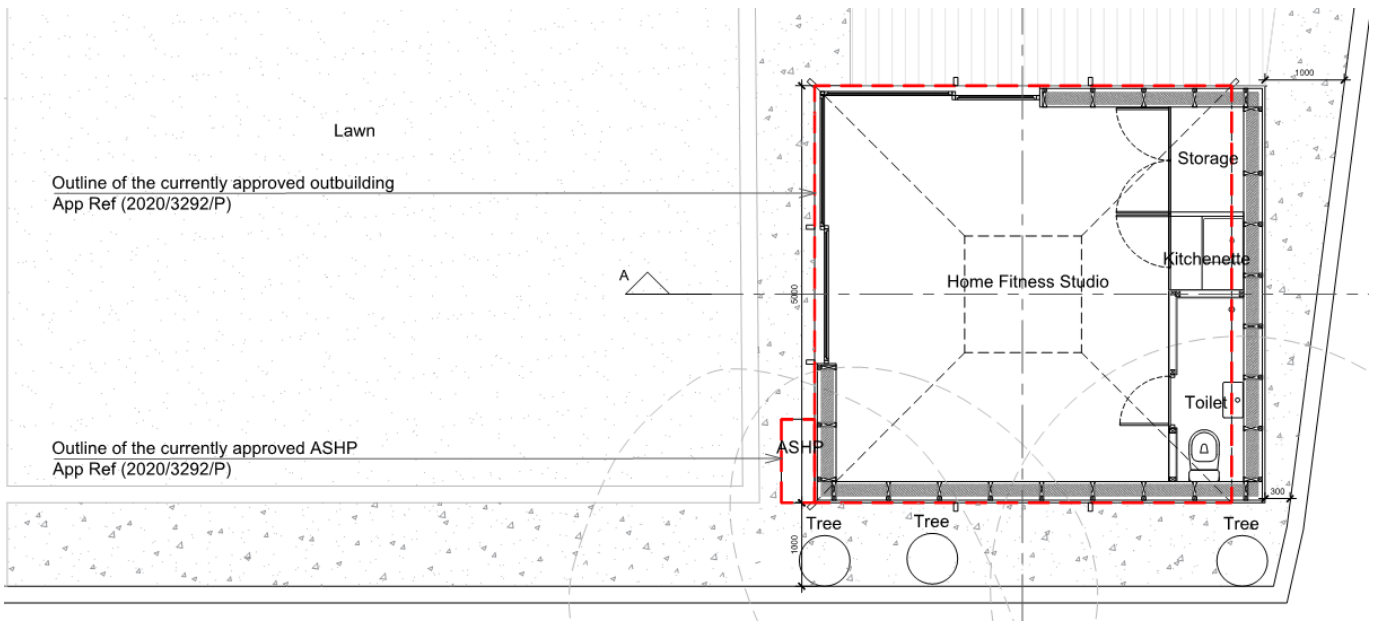
3. Visual representation of proposed outbuilding (aerial view).



4. Visual representation of proposed outbuilding (garden view).



5. Proposed floorplan including location of ASHP (matching that approved under 2020/3292/P).



<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>		<b>08/12/2022</b>	
(Members' Briefing)		N/A / attached		<b>Consultation Expiry Date:</b>		<b>20/11/2022</b>	
<b>Officer</b>				<b>Application Number(s)</b>			
Sam FitzPatrick				2022/4136/P			
<b>Application Address</b>				<b>Drawing Numbers</b>			
Maisonette A, Lower Ground, 1 <sup>st</sup> and 2 <sup>nd</sup> Floor Front 4 Lambolle Road London NW3 4HP				Please refer to decision notice.			
<b>PO 3/4</b>		<b>Area Team Signature</b>		<b>C&amp;UD</b>		<b>Authorised Officer Signature</b>	
<b>Proposal(s)</b>							
Erection of single storey outbuilding and installation of associated air source heat pump in rear garden to replace existing play equipment, for use ancillary to lower ground floor flat.							
<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:				
<b>Consultations</b>				
Adjoining Occupiers:	No. of responses	<b>03</b>	No. of objections	<b>03</b>
Summary of consultation responses:	<p>Site notices were displayed from 21/10/2022 to 14/11/2022 and a press notice was published on 27/10/2022.</p> <p>Three objections were received from members of the public, whose concerns can be summarised as follows:</p> <ol style="list-style-type: none"> <li>1. The proposed outbuilding structure is too large and prominent;</li> <li>2. The proposed outbuilding will result in light pollution;</li> <li>3. The glazing proposed to the structure is inappropriate and will cause harm to birds and wildlife, including trees;</li> <li>4. The noise resulting from the air source heat pump would be disruptive;</li> <li>5. The proposed outbuilding would result in a loss of privacy to neighbouring properties.</li> </ol> <p><u>Officer Response:</u></p> <ol style="list-style-type: none"> <li>1. For concerns relating to design, please see section 4 of this report;</li> <li>2. For concerns relating to amenity, including light pollution, please see section 5 of this report;</li> <li>3. The glazing is referred to in the design section of this report. There is no reason to believe that the relatively limited amount of glazing forming part of an outbuilding would have negative impacts on wildlife, and concerns relating to trees are covered in section 6 of this report;</li> <li>4. For concerns relating to amenity, including noise disturbance, please see section 5 of this report;</li> <li>5. For concerns relating to amenity, including privacy, please see section 5 of this report.</li> </ol>			
Belsize Conservation Area Advisory Committee	<p>The Belsize Conservation Area Advisory Committee objected to the application with the following comment:</p> <p>“There is no justification for the increased visibility of the outbuilding from the neighbouring houses and gardens compared to the approved scheme”.</p> <p><u>Officer Response:</u></p> <p><i>The application will be assessed on its own merit and against the Council’s policies. This report covers specific concerns relating to design in section 4.</i></p>			

## Site Description

The application site is a three-storey (with lower ground) detached building on the north-eastern side of Lambolle Road. The building has been subdivided into flats; this application relates to the lower ground, first and second floor front maisonette. The building is not listed or locally listed but is recognised as a positive contributor within the Belsize Park Conservation Area.

## Relevant History

**2020/3292/P** – Erection of single storey outbuilding and installation of associated air source heat pump in rear garden to replace existing play equipment, for use ancillary to lower ground floor flat. **Planning permission granted 27/05/2021.**

**2007/0908/P** – Erection of a children's timber play equipment structure in rear garden, including a timber playhouse, raised platform, slide and swings. **Planning permission granted 27/04/2007.**

## Relevant policies

### National Planning Policy Framework (2023)

### The London Plan (2021)

### Camden Local Plan (2017)

- **G1** Delivery and location of growth
- **A1** Managing the impact of development
- **A2** Open space
- **A3** Biodiversity
- **A4** Noise and vibration
- **D1** Design
- **D2** Heritage
- **CC1** Climate change mitigation
- **CC2** Adapting to climate change

### Camden Planning Guidance

- CPG Amenity (Jan 2021)
- CPG Design (Jan 2021)
- CPG Energy efficiency and adaptation (Jan 2021)
- CPG Home Improvements (Jan 2021)
- CPG Trees (Mar 2019)

### Belsize Conservation Area Statement (2003)

### 1. The Proposal

- 1.1. Planning permission is sought for the erection of an outbuilding which would measure approximately 4.8m by 5m and stand approximately 3.7m high at the highest point of the pitched roof, and 2.5m high at the eaves of the roof. It would have a footprint of 25 sqm, and would be located to the rear garden. The outbuilding would be clad in timber to front and side elevations, with grey aluminium windows and sliding doors. The roof would be a sedum roof at slight pitch of 25 degrees.
- 1.2. The proposal also involves the installation of an air source heat pump to the front veranda of the proposed outbuilding, to be enclosed within an acoustic enclosure.

### 2. Background

- 2.1. The proposal is nearly identical to a previous application that was approved on 27/05/2021, under the reference 2020/3292/P. The only difference between these two applications is an extremely small difference in dimensions (though the footprint, width, and depth are all nearly identical) and the inclusion of a pitched sedum roof instead of a flat roof without a green roof.

### 3. Assessment

- 3.1. The principal considerations material to the determination of this application are as follows:
- Design and heritage
  - Amenity
  - Trees
  - Sustainability

### 4. Design and heritage

- 4.1. The Council's design policies aim to achieve the highest standard of design in all developments. Local Plan Policy D1 (Design) aims to ensure that all developments are of the highest standard of design and respect the context, character, setting, form, and scale of the neighbouring buildings and local area. 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.
- 4.2. The single storey outbuilding is proposed to be located to the end of the rear garden, replacing an existing timber play equipment structure at the north-east corner, which has a height of 1.7m to the raised platform, 2.4m to the top of the railing, and 3.4m to the pitch of the roof of the playhouse. The outbuilding would be set in from the side and rear boundaries and would be of a simple design, with timber cladding to the front (southwest) and side (northwest) elevations, which is considered appropriate for the outdoor setting. The roof would be pitched, giving it a higher maximum height than the approved outbuilding, however it would also feature a sedum roof, which the consented scheme did not include. This would soften the visual appearance of the outbuilding from neighbouring properties, as well as enhance biodiversity at the site. The design would not detract from the main property and would ensure that the outbuilding reads as subordinate and an appropriate structure at the rear of the garden.
- 4.3. As noted earlier in this report, the proposed outbuilding is very similar in size and footprint to the already approved outbuilding. It would have a slightly increased height due to the pitched design, but it would still read as a garden structure rather than a larger building, and would maintain a subordinate relationship with the garden and the host



property. There is an appropriate amount of glazing set within a timber frame, which is typical of gardens structures of this kind, and it would not read as an inappropriate addition within the garden context.

- 4.4. The outbuilding would have very limited visibility from the public realm, but would be visible from neighbouring private gardens and properties. However, the floor area of the outbuilding would not appear disproportionate to the scale of the garden, measuring approximately 25 sqm compared to roughly 206 sqm of garden space; the outbuilding would therefore not detract from the garden's openness. The use of the pitched sedum roof would also reduce the visual impact from neighbouring properties.
- 4.5. The outbuilding is proposed to be used for leisure purposes as a home gym, which would be ancillary to the main dwelling. It is also noted that there are several outbuildings to the end of rear gardens in the surrounding area, including to the end of the rear garden in the adjacent property at no.2, so an outbuilding would not be out of keeping with the character of this area. The use of the property as ancillary to the main dwellinghouse and not as self-contained accommodation or any other use not otherwise permitted by this application would be secured by condition.
- 4.6. It is proposed to install an air source heat pump (ASHP) in the same location as was previously approved under the earlier application, ref 2020/3292/P. This is sited to the front of the outbuilding, facing the rear elevation of the host property. It would sit within an acoustic enclosure for noise mitigation purposes that would also be designed to reduce the visual impact of the ASHP; details of the design of this enclosure, including materials and colour, would be secured by a pre-commencement condition to ensure that the appearance is high quality and in keeping with the garden setting.
- 4.7. Overall, the proposed outbuilding would be appropriate in terms of its siting, design, materials, and scale, and the proposal would retain the character of openness of the rear garden and would not detract from the character and appearance of the host building or the Belsize Conservation Area.
- 4.8. Special regard has been given to the desirability of preserving or enhancing the character and 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.

## **5. Amenity**

- 5.1. Policy A1 (Managing the impact of development) seeks to protect the amenity and quality of life of Camden's residents by only granting permission to development that would not harm the amenity of communities, occupiers, and neighbouring residents. This includes privacy, outlook, noise, and daylight and sunlight. The Council's guidance contained within CPG 'Amenity' provides specific guidance with regards to these aspects.
- 5.2. The proposed outbuilding would be set away from the rear building line of nos.2 and 6 Lambolle Road by approximately 17-18m, and between approximately 12.6m and 13.8m from the rear building line of no.4 Lambolle Road. The outbuilding would be screened to the sides of the garden (in the direction of nos.2 and 6) and to the rear (in the direction of nos.35 and 37 Belsize Park Gardens) by existing high boundary walls and mature vegetation. Therefore, due to the siting, distances, nature of existing screening, and scale of development, it is not considered that the proposed outbuilding would result in a loss of privacy to neighbouring occupiers, and there would not be the creation of any new opportunities for overlooking into habitable rooms from the proposed structure. As such, there would be no significant impact on overlooking or privacy.
- 5.3. The amount of glazing proposed to the outbuilding is fairly modest and characteristic of outbuildings in the general area, including the outbuilding at the neighbouring property, which also includes a rooflight. Coupled with the ancillary nature

of the structure, it is unlikely that there would be any significant impacts on light, including with regards to light pollution through light spillage.

- 5.4. The potential level of activity associated with the outbuilding through its use as a home gym is considered to be acceptable, and the condition securing its use as ancillary to the main dwelling would ensure that the amenity impacts from the development are limited.
- 5.5. The proposal does also include the installation of an air source heat pump to the front veranda of the proposed outbuilding, to provide heat to the outbuilding. The applicant has submitted a noise impact assessment in support of the application, which has been reviewed by the Council's Environmental Health Officer. It is considered that the proposal is acceptable in its impact with regards to noise, vibration, and disturbance, subject to conditions that would limit the noise levels resulting from the plant and the use of anti-vibration measures. The air source heat pump would also be located within an acoustic enclosure, the submission of details of which would be secured by a pre-commencement condition. It is considered that these conditions would ensure that the amenity of neighbouring residents is protected in terms of noise and vibration.
- 5.6. Therefore, the proposal is not considered to be likely to result in any significant impacts on residential amenity, and would be compliant with Policies A1 and A4 of the London Borough of Camden Local Plan.

## **6. Trees**

- 6.1. The Council will aim to preserve existing tree and canopy coverage while increasing and improving tree coverage where possible and appropriate. Policy A2 (Open space) aims to protect and enhance open spaces and green infrastructure, including non-designated spaces with nature conservation, townscape, and amenity value, including gardens. Policy A3 (Biodiversity) looks to protect and enhance sites of nature conservation and biodiversity by assessing developments against their ability to realise biodiversity benefits, protect existing trees where possible, and provide replacement planting where necessary. These policies are supported by CPG 'Trees' and CPG 'Biodiversity'.
- 6.2. The proposal does not involve the removal of any trees in order to facilitate development. However, there are trees on-site, so an arboricultural report has been provided to demonstrate how trees will be retained and protected throughout development. These measures have been reviewed by the Council's Trees and Landscaping Officer, who has considered them to be sufficient, subject to a compliance condition ensuring that development takes place in accordance with the aforementioned report.
- 6.3. The proposal would also involve the installation of a sedum roof, which would increase biodiversity in this part of the garden. The details of this are secured by condition.
- 6.4. Therefore, the proposal is considered to contribute to the biodiversity value of the site and biodiversity of the area more generally and enhance the amenity value of the garden. It is therefore compliant with Policies A2 and A3 of the London Borough of Camden Local Plan.

## **7. Sustainability**

- 7.1. An air source heat pump is proposed to be installed on the external veranda to the front of the outbuilding, to provide heat to the outbuilding. This is considered to be appropriate in this instance as the outbuilding would not be in use for long periods of time, and as an energy efficient ASHP model is proposed.

7.2. The use of the air source heat pump would only be for heating and not for cooling, which would be secured by condition. This is to ensure that the proposal is compliant with Policy CC2 of the London Borough of Camden Local Plan.

## **8. Conclusion**

8.1. Overall, the proposed development is considered acceptable in planning terms. The proposed outbuilding would be an appropriate design and scale and would ensure the appearance and character of the host building and wider conservation area would not be harmed. There is not considered to be any harmful or significant impacts on amenity, and the installation of a green roof would improve the biodiversity offering of the site. As such, the proposed development complies with Policies A1, A2, A3, A4, D1, D2, and CC2 of the London Borough of Camden Local Plan 2017.

## **9. Recommendation**

9.1. 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 4<sup>th</sup> March 2024, 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: 2022/4136/P  
Contact: Sam Fitzpatrick  
Tel: 020 7974 1343  
Email: sam.fitzpatrick@camden.gov.uk  
Date: 27 February 2024

**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)

Steyn Studio  
Unit G1  
Lion Works  
55 - 57 Wallis Road  
London  
E9 5LH

# DRAFT

Dear Sir/Madam

**DECISION**

Town and Country Planning Act 1990 (as amended)

## **Full Planning Permission Granted**

Address:

**Maisonette A Lower Ground 1st And 2nd Floor Front  
4 Lambolle Road  
London  
NW3 4HP**

# DECISION

Proposal:

Erection of single storey outbuilding and installation of associated air source heat pump in rear garden to replace existing play equipment, for use ancillary to lower ground floor flat.

Drawing Nos:

F\_0\_0001\_P1; F\_0\_100\_P1; F\_0\_102\_P1; F\_0\_300\_P1; D\_0\_100\_P1; D\_0\_101\_P1;  
D\_0\_102\_P1; D\_0\_200\_P1; D\_0\_300\_P1; Design and Access Statement (prepared by Steyn Studio); Noise Impact Assessment (prepared by Nova Acoustics, dated 15/01/2021); Arboricultural Report (prepared by Andrew Day Arboricultural Consultancy, dated 16/06/2021); Tree Protection Plan; Sedum Pitched Roof System Specification Details; Air Source Heat Pump Specification Details.

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:

F\_0\_0001\_P1; F\_0\_100\_P1; F\_0\_102\_P1; F\_0\_300\_P1; D\_0\_100\_P1;  
D\_0\_101\_P1; D\_0\_102\_P1; D\_0\_200\_P1; D\_0\_300\_P1.

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

- 4 Before the relevant part of the work is begun, detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority:

a) Details of external plant enclosure for the air source heat pump (including colour and materials).

The relevant part of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course of the works.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of Policies D1 and D2 of the London Borough of Camden Local Plan 2017.

- 5 The outbuilding hereby approved shall not be occupied at any time other than for purposes incidental to the residential use of the dwelling known as Maisonette A, Lower Ground, 1st and 2nd Floor Front, 4 Lambolle Road and shall not be used as a separate independent Class C3 dwelling or Class E business use.

Reason: To protect amenity of adjoining occupiers and also ensure the outbuilding hereby permitted does not become a self-contained dwelling, separate and apart from the original dwellinghouse in accordance with Policies H1, H6, A1 and A4 of the London Borough of Camden Local Plan 2017.

- 6 Prior to first use of the air source heat pump hereby approved, the active cooling function shall be disabled on the factory setting and the air source heat pump shall be used for the purposes of heating only.

Reason: To ensure the proposal is energy efficient and sustainable in accordance with Policy CC2 of the London Borough of Camden Local Plan 2017.

- 7 The external noise level emitted from plant, machinery, or equipment at the development with specified noise mitigation hereby approved shall be lower than the typical existing background noise level by at least 10dBA, by 15dBA where the source is tonal, as assessed according to BS4142:2014 at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity and thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the site and surrounding premises is not adversely affected by noise from mechanical equipment in accordance with the requirements of Policies A1 and A4 of the London Borough of Camden Local Plan 2017.

- 8 Prior to use, machinery, plant or equipment at the development shall be mounted with proprietary anti-vibration isolators and fan motors shall be vibration isolated from the casing and adequately silenced and maintained as such.

Reason: To ensure that the amenity of occupiers of the development site and surrounding premises is not adversely affected by vibration in accordance with the requirements of Policies A1 and A4 of the London Borough of Camden Local Plan 2017.

- 9 Prior to the commencement of works on site, tree protection measures shall be installed and working practices adopted in accordance with the Arboricultural Report ref. AD10121 dated 16th July 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 2017.

- 10 Prior to commencement of development , full details in respect of the living roof in the area indicated on the approved roof plan shall be submitted to and approved by the local planning authority. The details shall include:

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

The living roofs 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.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies G1, CC1, CC2, CC3, D1, D2, 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 2021.

You can find advice about your rights of appeal at:

[https://www.gov.uk/appeal-planning-decision.](https://www.gov.uk/appeal-planning-decision)

Yours faithfully

Chief Planning Officer