

5 Parkhill Road – 2022/3759/P



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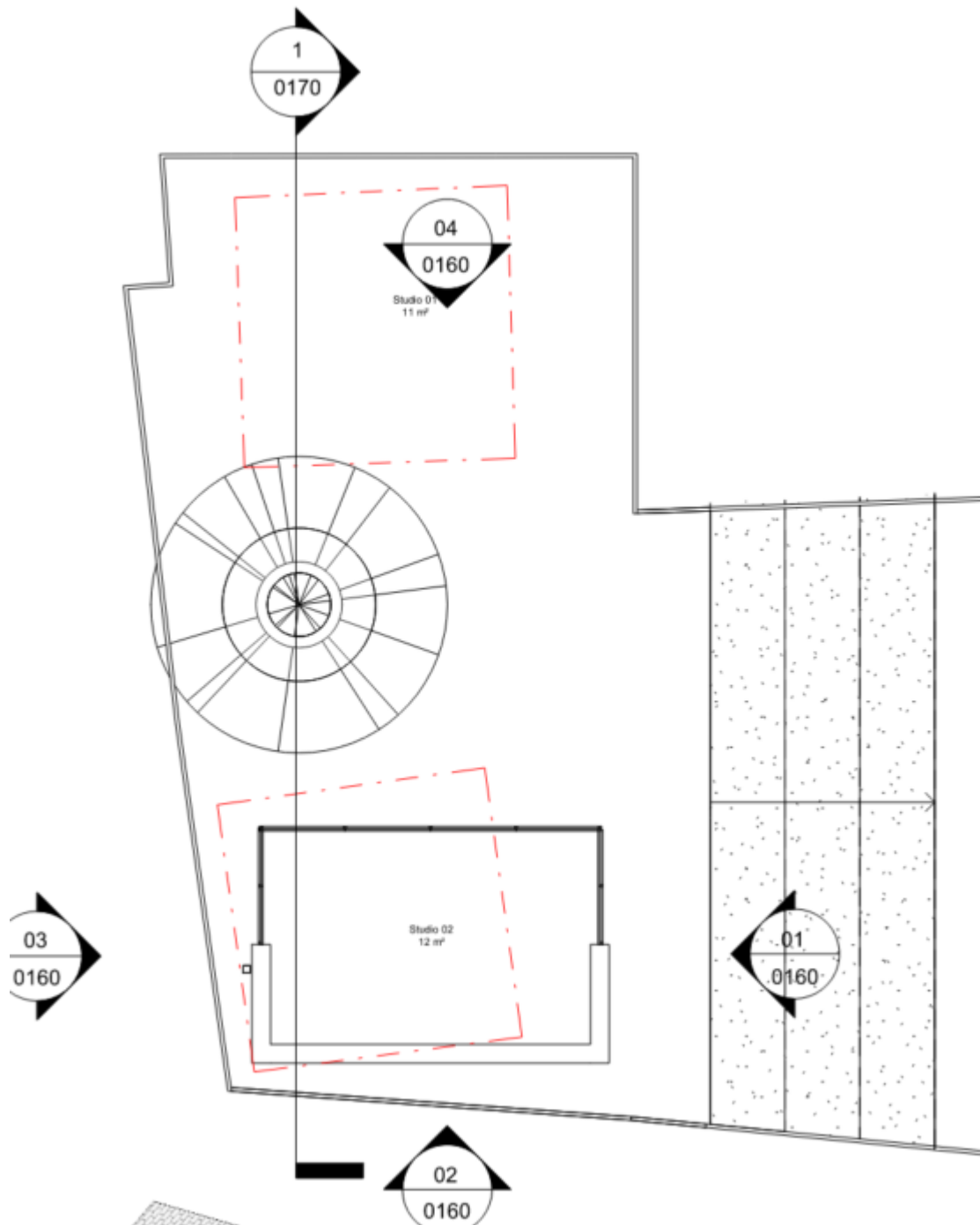
Site Photos



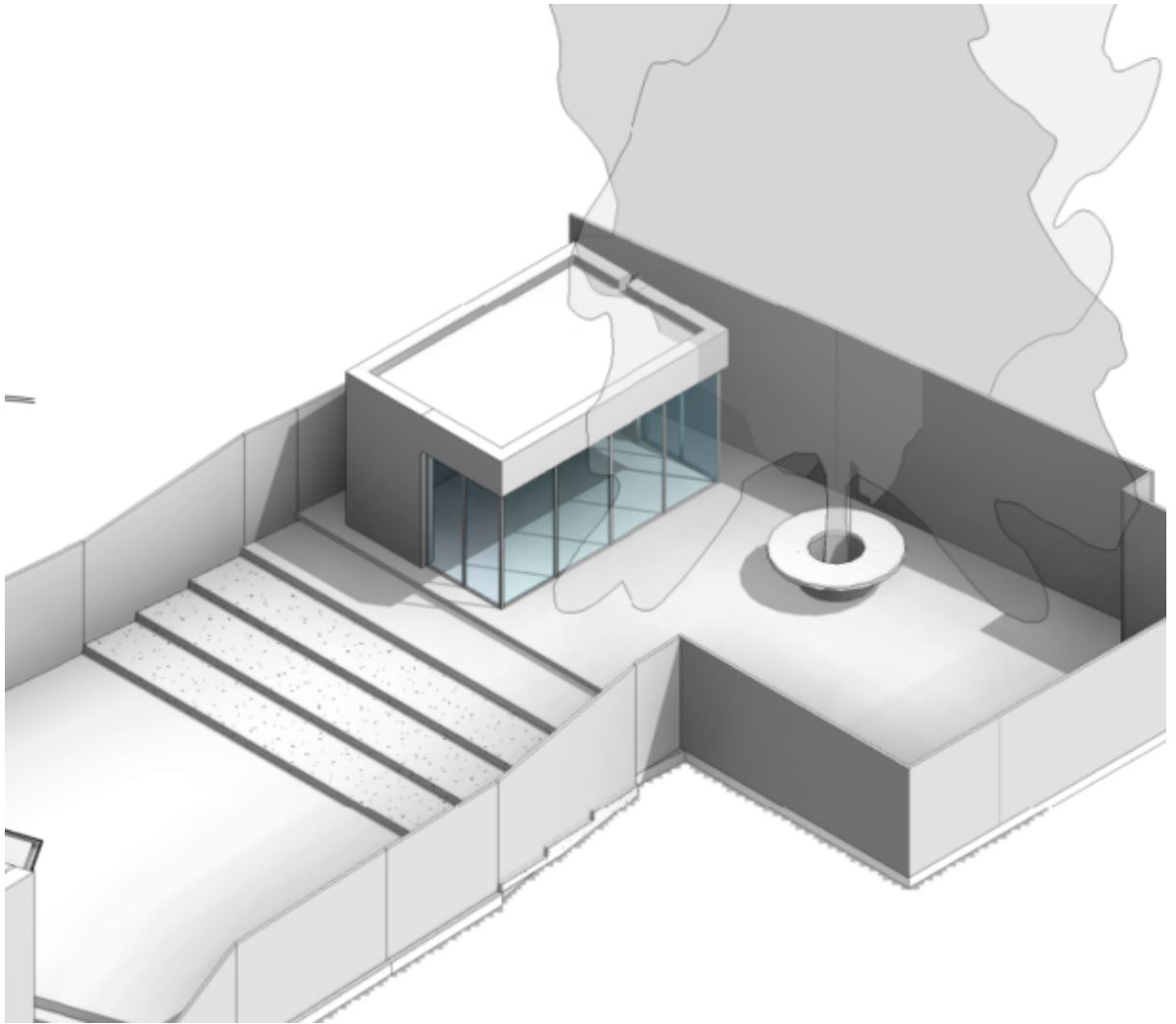
1. Property viewed from street



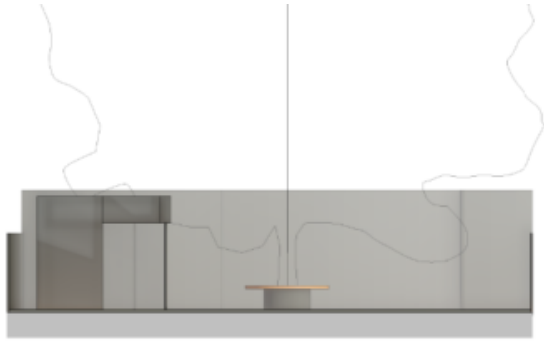
2. Aerial view of property and rear garden



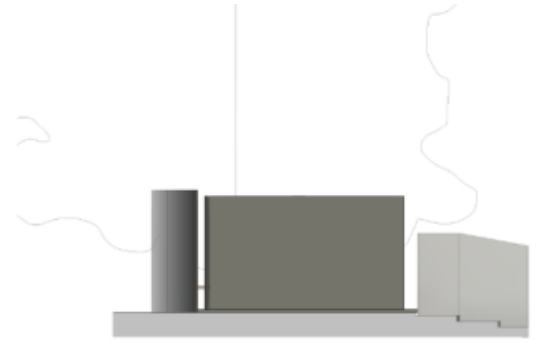
3. Proposed plan also showing the location of the existing outbuildings in red



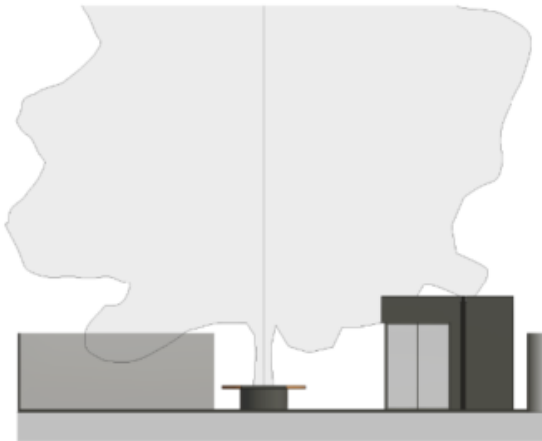
4. CGI of the proposed outbuilding



01 Elevation A
1:100



02 Elevation B
1:100



03 Elevation C
1:100



04 Elevation D
1:100

5. Proposed elevations of the outbuilding

Delegated Report (Members Briefing)		Analysis sheet		Expiry Date: 28/10/2022	
		N/A / attached		Consultation Expiry Date: 15/10/2023	
Officer			Application Number(s)		
Edward Hodgson			2022/3759/P		
Application Address			Drawing Numbers		
5 Parkhill Road London NW3 2YH			See the draft decision notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Replacement of two existing outbuildings with new outbuilding in rear garden.					
Recommendation:		Grant conditional planning permission			
Application Type:		Householder Application			
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice			
Informatives:					
Consultations					
Adjoining Occupiers:		No. of responses	3	No. of objections	3
Summary of consultation responses:		<p>Site notices were displayed near the site from 13/09/2023 to 07/10/2023 An advert was published in the local press from 21/09/2023 to 15/10/2023</p> <p>3 letters of objection were received from neighbouring residents including from the Hampstead Heritage Group. Their objections are summarised below:</p> <ul style="list-style-type: none"> • Noise pollution • Privacy • Loss of light • Environmental damage • Size of the outbuilding within the garden • Concerns about it being used for short term lets <p><u>Officer Response:</u></p>			

- *Amenity (including noise, privacy, and light) is discussed in section 3 of the report below*
- *Trees and biodiversity are discussed in section 4 of the report*
- *Design and heritage are discussed in section 2 of the report*
- *A condition is attached stating that the outbuilding can only be used for ancillary purposes to the main house.*

Parkhill Conservation Area Advisory Committee (CAAC)

The Parkhill CAAC have objected to the proposal. Their objection can be summarised as below:

- Dimensions are needed in order to assess the proportion of the garden that would taken up and the height compared to the existing garden fences.

Officer Response:

- Sufficient detail has been submitted in order to assess the proposal in relation to the existing garden and fences. Design and heritage are discussed in section 2 of the report.

Site Description

The site is a four-storey residential period property located on the west side of Parkhill Road. It is constructed from brick with white timber framed windows and has a two-storey side extension to the north. There are two existing outbuildings within the rear garden.

The site is not listed however it is located within the Parkhill Conservation Area and makes a positive contribution to the conservation area.

Relevant History

Application site

2021/6002/P - Construction of 2 x outbuildings following the demolition of 2 x existing summer houses. **Refused - 30/06/2022**

Reasons for refusal:

- 1) The proposed development by reason of its size, bulk, location, materials, and detailed design, would have an overly dominant and non-domestic appearance, failing to appear as subordinate garden additions, resulting in harm to the character and appearance of the host building and the conservation area, contrary to policies D1 (Design), D2 (Heritage) of the London Borough of Camden Local Plan 2017.

2021/1575/P - Conversion of 2x2bed flats into a 1 x 3bed flat; erection of part replacement two storey side extension at lower and upper ground floor. Alterations to front and rear windows, landscaping and boundary treatment. **Granted - 05/01/2022**

31 Parkhill Road

2022/0708/P - Erection of timber outbuilding in rear garden. **Granted - 06/07/2022**

34 Parkhill Road

2022/4001/P - Erection of a single storey outbuilding in rear garden. **Granted - 20/01/2023**

Relevant policies

The National Planning Policy Framework 2023

London Plan 2021

Camden Local Plan 2017

- A1 Managing the Impact of Development
- A2 Open space
- A3 Biodiversity
- D1 Design
- D2 Heritage

Camden Planning Guidance

Amenity (2021)

Design (2021)

Home Improvements (2021)

Biodiversity (2018)

Trees (2019)

Parkhill and Upper Park Conservation Area Appraisal and Management Strategy 2011

Draft Camden Local Plan

The Council has published a new [Draft Camden Local Plan](#) (incorporating Site Allocations) for consultation (DCLP). The DCLP is a material consideration and can be taken into account in the determination of planning applications, but has limited weight at this stage. The weight that can be given to it will increase as it progresses towards adoption (anticipated 2026).

Assessment

1. Proposal

1.1. Planning permission is sought for the erection of a single storey outbuilding within the rear garden. This would also involve the removal of two existing pavilion outbuilding structures. The new structure would be located at the rear portion of the rear garden towards the boundary walls with no 3 Parkhill Road and no 7 Fountain Mews. It would measure approx. 14.6sqm and 2.8m high, 4.5m wide, and 3m deep. It would be constructed with timber cladding and a green roof is proposed.

Assessment

1.2. The principal considerations material to the determination of this application are as follows:

- Design and Heritage
- Amenity
- Trees and Biodiversity

2. Design and Heritage

- 2.1. Local Plan Policy D1 (Design) seeks to secure high-quality design in development that respects local context and character. Policy D2 (Heritage) states that the Council will preserve and, where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas.
- 2.2. The Parkhill and Upper Park Conservation Area Statement states that development which results in the loss of private open spaces is unlikely to be acceptable owing to the positive contribution of these spaces to the character and appearance of the conservation area. Any development of rear garden spaces should not detract from the general feeling of openness, and should ensure that most of the existing garden space is retained.
- 2.3. The existing pavilion structures measure approx. 11sqm and 12 sqm. The new outbuilding would measure approx. 14.6sqm, as such, the proposal would take up less garden space with a net reduction in floorspace, and therefore the openness of the rear garden would be improved. The outbuilding would be subordinate to the main house and an acceptable amount of rear amenity space would be retained. It would be finished in timber cladding with a green roof which are considered appropriate materials for a garden context and would ensure a soft appearance. It would measure approx. 2.8m high, and the existing boundary walls are approx. 2.1m high. Although there would be some visibility from neighbouring occupiers, the proposed finishes would be sympathetic to the garden context and the scale would not be overly dominant; as such, the massing is acceptable. The glazed areas would be on the elevations facing towards the host building. The outbuilding would have very limited visibility from the public realm and although there would be some private visibility from neighbouring properties, the visual impact would be softened by the outbuilding's green roof. Therefore, the proposal would preserve the openness of rear gardens which contributes to the character and appearance of the conservation area.
- 2.4. It is noted that a proposal for two new outbuildings in the rear garden at the site was refused in 2022 (see planning history section). The refused proposal involved the construction of two structures and involved a 50% increase in footprint compared to the existing. The dimensions were 3.1m tall and 4.3m wide with glazing on the roof. This current application involves only one outbuilding, which is lower in height than the refused proposal, and has a green roof proposed. It would also take up less garden space than the cumulative footprint of the existing pavilions. As such, this revised scheme has sought to address the concerns of the previous application.
- 2.5. The proposed works are considered to be appropriate in terms of scale, design and materiality and would respect the character and appearance of the host building and wider conservation area, in accordance with policies D1 and D2 of the Local Plan.
- 2.6. 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 Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

3. Amenity

- 3.1. Policy A1 (Managing the impact of development) seeks to protect the quality of life of occupiers and neighbours by only granting permission for development that would not harm the amenity of residents. This includes factors such as privacy, outlook, implications to natural light, artificial light spill, and impacts caused by the construction phase of development.
- 3.2. The outbuilding would be located towards the rear area of the rear garden, approx. 26m away from the rear elevation of no 3 Parkhill Road. Although it would be located near to properties along Fountain Mews, the rear boundary wall separating the application site and no.7 Fountain

Mews is approx. 3m high. As such, the outbuilding would be below the height of this boundary. In addition, the glazed portions would face away from any neighbouring gardens and back towards the main house. The new outbuilding would replace an existing pavilion structure in this location. Given the nature of the proposal and the ancillary nature of the outbuilding, it is not anticipated that adverse noise pollution would arise. The proposal is therefore not considered to cause significant amenity harm to neighbours in terms of overlooking, loss of daylight and sunlight, outlook, or noise.

3.3. A condition is attached to the decision notice to ensure that the outbuilding is used only for purposes ancillary to the main house and not for separate business or residential use.

3.4. As such, the proposed development would not cause harm to residential amenity, in accordance with policy A1 of the Local Plan.

4. Trees and Biodiversity

4.1. Policy A3 (Biodiversity) expects developments to incorporate additional trees and vegetation wherever possible and to protect existing trees on site.

4.2. There are a number of trees within the rear garden of the application site, including a category C Oak Tree next to the proposed outbuilding. As such, conditions are attached requiring further details of the tree protection measures and foundations to ensure this and other trees in the host and neighbouring gardens are protected adequately.

4.3. The proposed outbuilding would have a green roof, and details of this have been submitted indicating a sufficient substrate depth, variety of species, and maintenance schedule. A condition is attached to ensure that the green roof is fully provided in accordance with these details and maintained thereafter. This would help to improve the biodiversity of the site.

4.4. As such, the proposal would enhance the biodiversity of the site and seek to protect existing trees in accordance with policy A3 of the Local Plan.

5. Recommendation:

5.1. Grant conditional planning permission subject to 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 15th April 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 and search for 'Members Briefing'

Application ref: 2022/3759/P
Contact: Edward Hodgson
Tel: 020 7974 8186
Email: Edward.Hodgson@camden.gov.uk
Date: 10 April 2024

Development Management
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London Borough of Camden
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Phone: 020 7974 4444

planning@camden.gov.uk
www.camden.gov.uk

Vita Architecture
TMRW Hub @ Davis House
Robert Street
Vita Architecture
London
CR0 1QQ

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Granted

Address:
5 Parkhill Road
London
NW3 2YH

DECISION

Proposal:
Replacement of two existing outbuildings with new outbuilding in rear garden

Drawing Nos: Site Location Plan, Block Plan, PL-0423 - A-A-0502 Rev A, Tree Survey, Tree Constraints Plan, PL-0423 - A-A-0170 A, PL-0423 - A-A-0160 A, PL-0423 - A-A-0200 A, PL-0423 - A-A-0203 A, PL-0423 - A-A-0202 A, PL-0423 - A-A-0201 A, PL-0423 - A-A-0101 A, PL-0423 - A-A-0150 A, Urbanscape Green Roof System Design Guide, Design and Access Statement (Vita Architecture)

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:

Site Location Plan, Block Plan, PL-0423 - A-A-0502 Rev A, Tree Survey, Tree Constraints Plan, PL-0423 - A-A-0170 A, PL-0423 - A-A-0160 A, PL-0423 - A-A-0200 A, PL-0423 - A-A-0203 A, PL-0423 - A-A-0202 A, PL-0423 - A-A-0201 A, PL-0423 - A-A-0101 A, PL-0423 - A-A-0150 A, Urbanscape Green Roof System Design Guide, Design and Access Statement (Vita Architecture)

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 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.

- 5 Prior to commencement of any works on site, details of the design of building foundations and the layout, with dimensions and levels, of service trenches and other excavations on site in so far as these items may affect trees on or adjoining the site, shall be submitted to and approved in writing by the local planning authority. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Reason: To ensure that the development will not have an adverse effect on existing trees and in order to maintain the character and amenities of the area in accordance with the requirements of policies A2 and A3 of the London Borough of Camden Local Plan 2017.

- 6 The green roof hereby approved shall be fully installed on the outbuilding in accordance with the approved details prior to first occupation and thereafter retained and maintained in accordance with the approved scheme for the duration of the development.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with Policies A3 and CC3 of the Camden Local Plan 2017.

- 7 The outbuilding hereby approved shall only be used for purposes incidental to the use of the main property (5 Parkhill Road) 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.

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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 2023.

You can find advice about your rights of appeal at:

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

If you submit an appeal against this decision you are now eligible to use the new [submission form](#) (Before you start - Appeal a planning decision - GOV.UK).

Yours faithfully

Chief Planning Officer

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DECISION