

Delegated Report		Analysis sheet		Expiry Date:		02/03/2010	
		N/A		Consultation Expiry Date:		08/02/2010	
Officer				Application Number(s)			
Eimear Heavey				2009/5622/P			
Application Address				Drawing Numbers			
40 Manor Lodge, Frognal Lane, London NW3 6PP				Refer to draft decision notice			
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature				
		Design surgery					
Proposal(s)							
Erection of a single storey outbuilding within garden of residential dwelling.							
Recommendation(s):		Refuse planning permission					
Application Type:		Householder Application					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	03	No. of responses	00	No. of objections	00
				No. electronic	00		
Summary of consultation responses:		A site notice was displayed from 15/01/2010 until 05/02/2010. Adjoining occupiers/owners No reply to date.					
CAAC/Local groups* comments: <small>*Please Specify</small>		Hampstead CAAC No reply to date. Local groups No reply to date.					
Site Description							
The application site comprises the private garden of an existing Grade II Listed property (listed in 1974) situated on the southern side of Frognal Lane, close to its boundary with Langland Gardens. The property is situated in Hampstead Conservation Area and is occupied as a single family dwellinghouse.							
Relevant History							
2008/0965/P: Application for the excavation of main garden area and construction of underground swimming pool/gym, with associated rooflight structure and ventilation plant, linked to main dwellinghouse and associated boundary treatment to single family dwelling was <i>withdrawn</i> in June 2008.							
2004/2933/P: Planning permission <i>granted</i> for the erection of a side extension to an existing double garage to provide ancillary staff accommodation.							
2004/2534/P: Planning permission <i>granted</i> for the erection of a single storey side extension and the replacement of a door on the rear elevation with a window, as an amendment to planning permission							

2003/2758/P, granted on 02/04/04. *This has not been implemented.*

2003/1122/P: Planning permission *refused* for the erection of new boundary wall and railings and 2 new vehicular entrances with gates, plus the provision of forecourt parking in front garden.

Relevant policies

Set out below are the UDP policies that the proposals have primarily been assessed against. However, it should be noted that recommendations are based on assessment of the proposals against the development plan taken as a whole together with other material considerations.

London Borough of Camden adopted Unitary Development Plan 2006

- SD1 Quality of Life
- SD6 Amenity for occupiers and neighbours
- B1 General Design Principles
- B3 Alterations and Extensions
- B6 Listed buildings (setting)
- B7 Conservation Areas
- N8 Ancient woodlands and trees

Camden Planning Guidance 2006

Hampstead Conservation Area Statement

Assessment

Proposal

Planning permission is sought for the erection of a single storey outbuilding at rear of site to residential dwelling. The proposed outbuilding would house a library and gym and its use would be ancillary to the main dwellinghouse.

Additional Information

During the application process it emerged that the submitted aboricultural report did not relate to the site in question but related to a proposal for a swimming pool in the main garden. The agent was made aware of this and further information was requested with regards to the protection of trees at the application site. However this information has not been received and hence a thorough investigation of the situation regarding the trees on site was not possible.

Design

Camden Planning Guidance states that the construction of garden buildings and other structures in rear gardens and other undeveloped areas can often have a significant impact upon the amenity and character of an area. It also states that where this type of development may be appropriate in principle, a full assessment should be made to avoid any potential impact on trees or vegetation.

Policy B6 is also relevant due to the fact that the application site is located within the setting of a listed building. The justification for this policy states that the setting of a listed building is of great importance and should not be harmed by unsympathetic neighbouring development and it goes on to state that the value of a listed building can be greatly diminished if unsympathetic development harms its appearance or its relationship with its surroundings.

In this instance it is proposed to erect a single storey outbuilding in the south western corner of the application site. The proposed outbuilding would be sited in an area of the garden which is approximately 1m lower than the main garden and would be situated behind a low garden wall. The proposed outbuilding would be 14.5 metres in length and 4.5 metres wide and would incorporate a green roof. It would be constructed in timber facing panels and would incorporate a total of 22 timber framed windows and 2 timber framed doors, which would face the principal elevation of the main dwellinghouse.

At 14m, almost identical to the length of the main dwellinghouse, the proposed outbuilding is considered to lack refinement especially given its close relationship with the principal elevation of the Listed building. The outbuilding, although it would be set into a 'depression' in the garden would still protrude approximately 3 metres in height above the main garden level. Hence, the excessive glazing of the outbuilding would be the primary view from the listed building. In light of this it is considered that the proposed outbuilding would sit awkwardly within the setting of the listed building and would detract from the character and appearance of the site, contrary to the provisions of Policies B1 and B6 of the UDP (2006).

Furthermore, the proposed outbuilding is considered to be out of proportion to the main dwellinghouse and surrounding site. Although not visible from the public realm, it is considered to be unsympathetic overdevelopment of the private garden space and is not considered to preserve or enhance the surrounding Conservation Area. The outbuilding is excessively large and as such, its design, height and bulk detract from the surrounding Conservation Area, contrary to the provisions of policy B7 of the UDP (2006).

Amenity

Due to the siting and orientation of the proposed outbuilding, it is considered that it would not result in an adverse impact on the neighbouring properties in terms of overlooking, loss of privacy or loss of sunlight/daylight. The proposed outbuilding would have a fully glazed frontage but this would face towards the main dwellinghouse and would not overlook any neighbouring properties. The outbuilding would protrude approximately 3 metres above ground and as such would not result in a loss of outlook to neighbouring properties. The proposal therefore complies with the provisions of Policy SD6 of the UDP (2006).

Landscaping and Trees

As was stated previously, an arboricultural report was submitted with the application; however this report relates to the development of a swimming pool attached to neighbouring 38 and not to the proposal under assessment. It was therefore not possible for the Council's tree and landscape office to fully assess the situation with regards to the protection of trees on site.

Furthermore, from the submitted report it is evident that the proposed outbuilding would sit within the root protection areas of a Pink horse chestnut and Norway maple tree. It is therefore considered that the applicant has failed to demonstrate that the trees on site would be unaffected as a result of the proposed development, contrary to the provisions of Policy N8 of the UDP (2006).

Conclusion

The proposed erection of an outbuilding of 14metres x 4.5 metres x 4 metres in size in the garden of the listed building is considered to be excessively large and unsympathetic in design. The proposed outbuilding is considered to detract from the character and appearance of the setting of the listed building and from the surrounding Conservation Area. Furthermore, the applicant has failed to demonstrate that the existing trees on site would be protected during construction. The proposal is therefore contrary to the provisions of Policies B1, B6, B7 and N8 of the UDP 2006 and the guidelines set out in Camden Planning Guidance 2006.

Recommendation: Refuse planning permission.

Disclaimer

This is an internet copy for information purposes. If you require a copy of the signed original please contact the Culture and Environment Department on (020) 7974 5613