

Camden Planning Development Management (Attn:- Ms Leela Muthoora)  
Camden Town Hall Extension  
Argyle Street  
London WC1H 8EQ

2<sup>nd</sup>. April 2020

**Application - 2020/0913/P**

**Site address 21 Maresfield Gardens NW3 5SD**

Dear Ms Muthoora

The proposed outbuilding development at 21 Maresfield Gardens should be rejected on the following grounds:

1. The applicant has submitted an Application for Lawful Development Certificate, arguing that the proposed development should be considered permitted development. The site forms part of the Fitzjohns/ Netherhall conservation area and any development must be assessed against the relevant Conservation Area guidelines. These guidelines clearly state that "Designation as a Conservation Area does limit permitted development rights and it is likely that the majority of works within the Conservation Area will require planning permission and/or conservation area consent." **The proposals should therefore not be considered as permitted development- a full planning application is required.**
2. The Conservation Area guideline F/N32 makes specific reference to development in rear gardens, "Rear gardens contribute to the townscape of the Conservation Area and provide a significant amount to residents and a habitat for wildlife. Development within gardens is likely to be unacceptable." **The proposed development makes no argument for being treated as an exception to this.**
3. The application states that the height of the eaves will not exceed 2.5m metres. **This statement is incorrect.** Section AA includes only

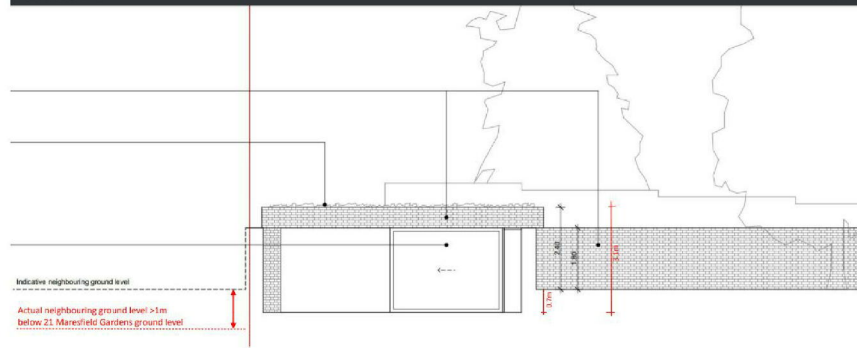
one dimension for the building height, 2.4m, which is the proposed parapet height above the existing ground level at 21 Maresfield Gardens. However, the proposed structure abuts the rear boundary line with 8 Netherhall Gardens which has a ground level which is at least 1 metre lower than 21 Maresfield Gardens. Therefore the proposed parapet height of the western elevation, viewed from Netherhall Gardens, is over 3.4m, which exceeds the permitted development height limit. Section AA incorrectly indicates that the neighbouring garden level in Netherhall Gardens is the same as 21 Maresfield Gardens- see attached drawing.

4. Section AA shows a building height of 2.4m relative to the existing ground level. The drawing also indicates that the floor level of the proposed building will sit below the existing ground level. There are no figures provided for levels on the proposed drawing, nor any dimension for the internal floor to ceiling height. Scaling off Section AA, there is a 0.7m difference between the internal floor level and ground level, which would indicate a total building height of 3.1m (see attached drawing). The supporting document to the application states that the new building will not exceed 3m in height- this is inconsistent with the drawings. The building height indicated on Section AA is 3.1m and therefore **the proposed structure exceeds the permitted development overall height limit of 3m.**

**The fact that the development is within the Conservation Area and therefore requires submission of a full planning application is sufficient justification to reject this application. Even if this fact were ignored, it is clear that the proposals are not acceptable in relation to the Conservation Area guidelines on rear garden development, nor do they satisfy the criteria for permitted development as set out in The Town and Country Planning (General Permitted Development) (England) Order 2015, E.1**

Yours faithfully

W D Rothenberg MA FCA



Section AA