

**2 FROGNAL CLOSE
LONDON,
NW3 6YB**

15 April 2020

Planning Department
Camden Council
Judd Street
London
WC1H 9JE

Dear Sirs / Madams

41 FROGNAL – Planning Application number 2020/0988/P for Discharge of Planning Condition 5 contained in Planning Consent 2017/5234/P.

We, the freehold and occupying neighbours in 2 and 3 Frognal Close, believe that the Applicant and his seasoned and substantial body of advisers have sought to obfuscate the fact that the works conditioned [Condition 5] under Planning Consent 2017/5234/P have been substantially carried out and completed, but do not have any form of Consent [see attached photograph 12]. The reason given for the Condition on the Consent was – *‘To ensure that the landscaping carried out within a reasonable period and to maintain a high quality of visual amenity in the scheme in accord with the requirements of Policies A2, A3, D1, and D2 of the London Borough of Camden Local Plan 2017’*. A review of these policies will highlight many failures of this Application to accord with these policies.

We note that the Applicant and his team seek to associate these works with the Planning Consent 2019/1979/P, but draw the Council’s attention to the following – none of which refer to Condition 5 of that Planning Consent:

- 1 The Application form that accompanied the submission of 2019/1979/P states, under the Description of Proposed Works, 'See Cover Letter'.
- 2 The cover letter from DP9 referred to, dated 10 April 2019, states that the Planning Application is for
 - *'The current proposal seeks the following development within the residential curtilage of the dwelling;*
 - *A sunken timber-clad Garden Outbuilding with green roof which will be hidden from the road by a 1.8m high fence [permitted development], and screen planting both new and existing.*
 - *A discreet brick and timber bin store at the northern end of the front boundary of the site; and*
 - *Four brick gate piers 2.2m and 2.1m high at the driveway and pedestrian entrances to the site respectively. These are 200mm and 100mm higher than would be allowed under permitted development.*

There [sic] proposals, being discreetly designed and located, would not result in an adverse impact on the conservation area. Views have been provided within the design document prepared by Bowles and Wyer which demonstrates that the partially sunken garden structure would not be visible from the road and would be screen behind existing and permitted soft landscaping and the proposed garden fence [to be erected under permitted development]'.

- 2 The Planning Consent decision letter, dated 14 January 2020, states the proposals simply as *'Erection of timber-clad outbuilding and bin store in front garden and 4 brick gate piers along front boundary enclosure'*.

The decision letter has a number of Conditions attached, pertinent ones being as follows.

- 3 *The development hereby permitted shall be carried out in accordance with the following approved plans- site location plan; Proposed garden structures by Bowles and Wyer dated*

14 February 2019; 14044-SK36, SK43; images of onstreet binstore with sliding doors dated 6.12.19; schematic design of gate piers at 2.06m high.

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

5 No development shall take place until full details of hard and soft landscaping of all un-built, open areas have been submitted to and approved by the local planning authority in writing. Such details shall include details of any proposed earthworks including grading, mounding and other changes in ground levels. 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 achieves a high quality of landscaping which contributes to the visual amenity and character of the area in accordance with the requirements of policies A2, A3, D1 and D2 of the London Borough of Camden Local Plan 2017.

Our concern is that the Applicant and his team have cynically carried out the bulk of the hard / soft landscaping work at the rear of the house [see attached photograph 12] and now seek to put the Council in a position of either accepting the works as installed / planted, or face a battle to have the works amended to comply with the Planning Policies that govern it. In this regard we reiterate our previous correspondence with Camden Planning Department on the matter of the generality and the specifics of both the Redington and Froggnal Conservation Statement of 2000 and the emerging Redington and Froggnal Neighbourhood Plan [Draft 2019], as well as the Local Plan 2017. We will not rehearse these documents and their weight as material considerations, as we are sure they are well known to the Council and its officers, but simply draw attention to RF36 of the Guidelines on page 28 of the former and SD4 on page 18, SD5 on page 21, BGI 1 on page 28, BG2 on page 31, and BG4 on page 36. of the latter.

Additional to the above matters we make the following observations / comments on this Planning Application, based on the documents submitted.

41 Frognal garden store maintenance schedule

No comment

41 Frognal garden store planting schedule

No comment

41 Frognal General Arrangement Drawings

Drawing 1

No comment.

Drawing 2 - 2160-P-02

There is no detailing of the dais nor height of the proposed sculpture shown on the second sketch from the top. Given it's elevated position within the landscape these would need to be controlled?

Drawing 3

Comments as previously notified to Camden Council, to which their attention is drawn.

Drawing 4 - 2160-P-01

Landscape Feature

- 1 Refer to comments on Retrospective Planning Application
- 2 Refer to previous comments to Camden Council.
- 3 The tree and shrub planting is not articulated, so it is not possible to see what each tree or shrub is intended to be. This is of concern as there is no mention of bamboo within these schedules, yet a 5 metres high bamboo screen, overshadowing the garden and kitchen window of 3 Frognal Close, has all ready been planted [see attached photograph 16].
- 4 No comment.
- 5 A - We note the scale of this 'lawn' and calculate that it is, or thereabouts, the same dimension [in as much as we can measure from the drawings] as that required for a tennis court, i.e. 23.77 metres x 10.97 metres.
B - We cannot see the reason for the need for an 'artificial lawn', given that there is already a large area of hard external landscaping outside of the living areas of the house, and that the landscaping will already require constant

maintenance, so the mowing of a grass lawn should be little additional hardship. Is there also not an overriding requirement for a SUDS on this site?

C - Particular attention is drawn to Policy SD4 [v], SD5 [iii], and BGI 1 [i to iii] of the Redington Frogna! Neighbourhood Plan, all of which are policies specifically prohibiting hard surfaces such as this proposal.

D - We note the juxtaposition of the 'lawn' with the 'pergola' and reiterate our concerns set out in our letter to Camden dated 11 April 2020 that with the degree of cabling / electronics present laid out that this raised 'terrace' could serve very well as a stage / platform for performances, music systems, lighting displays etc. etc [see attached photograph 13].

6 No comments.

7 See policies within the Redington Frogna! Neighbourhood Plan, calling for natural species for boundary hedging. We do not believe that the planted bamboos, at 5 metres height, constitute such a boundary hedging [see attached photograph 16].

8 No comments.

Sketches

Sketch 1

This answers some of the points brought up in our letter to Camden dated 11 April 2020 [Para 4].

Sketch 2, 3, 4, and 5.

No comments.

41 Frogna! Hard Landscape Works

- There are no details / elevations / materials for the boundary fencing, all of which has all ready been installed [see attached photograph 17]. There are no details / materials for the Artificial Lawn.

- We note the impermeability of the fencing [see attached photograph 17], which prevents the movement of all ground-based fauna through the rear gardens of this rear garden area of Redington and Frogna Conservation Area, specifically against the policies in the Local Plan [A2, A3 etc.].

41 Frogna Planning Landscape Statement

Page 2

- 'A detailed Arboricultural Impact Assessment and Arboricultural Method Statement has been prepared by Landmark Trees to form part of this application' – none of these are attached to the Planning Application.
 - 'Screening to the southern and rear boundaries will be provided by woven timber fencing' - there are no details, dimensions, or materials palette for these [see attached photograph 17] and above note about impermeability.
 - 'south-facing pergola on a raised terrace to the north of the garden [the subject of a separate planning application] - this is more like a building in it's own right.
 - 'a timber tea house and water feature, reached from the lawn by a set of floating steps' – and this is more like the pergola the other building adjacent is claimed to be.

Page 5

Refer to the earlier comment, under General Arrangement Drawings.

Page 10

Refer to the earlier comment, under General Arrangement Drawings, Drawing 4.

41 Frogna planting proposals

Planting Proposals

Page 2

The fundamental ethos of the garden design appears to be completely contrary to those

extolled within the Redington and Frogna
Neighbourhood Plan. The RFNP calls for all
landscaping to maximise the area of soft, natural
landscaping, using native species and supporting
bio diversity yet this scheme aims to create a
harder and more 'alien' Japanese feel of bamboos,
acers and camellias etc.

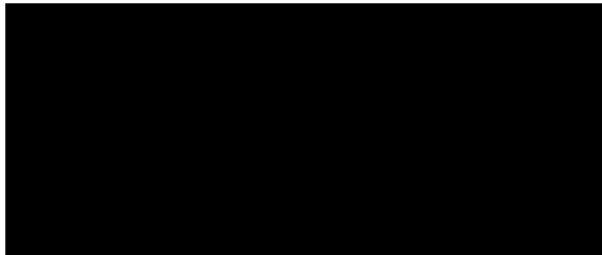
Page 4

The Indicative Plant Schedules is meaningless, as
it doesn't relate to any positions on the plan so it
isn't possible to discern where each of the plants
is intended to go.

Q35 Landscape maintenance

No comments.

Yours faithfully,

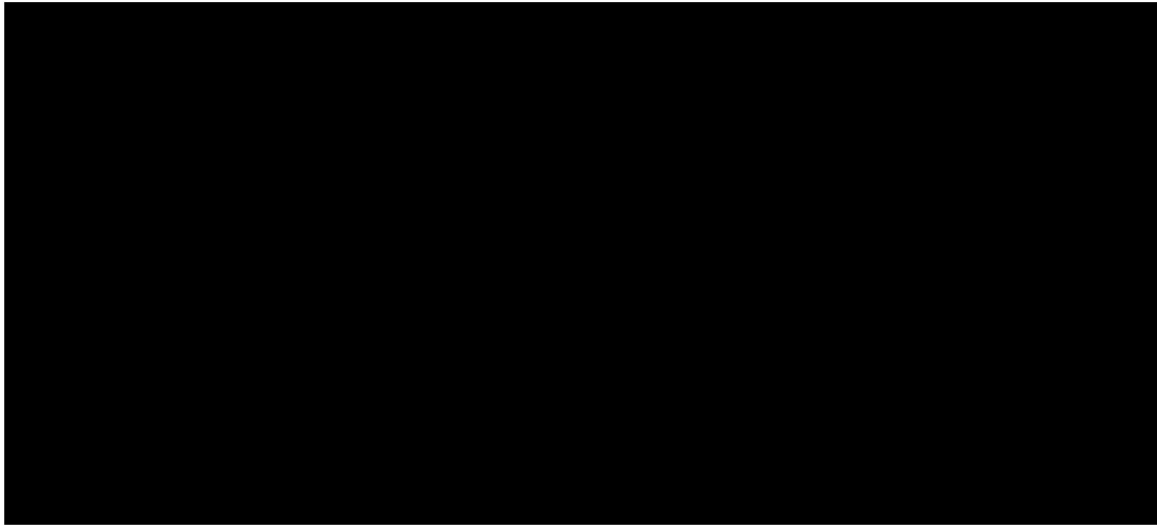


Mal Parker

Cc Jon Moss 3 Frogna Close.

Attached:-

Photographs 12, 13, 16, and 17.



We are sending this email to you direct, containing our letter to you dated 15 April 2020, as the Camden Council web page for Planning does not appear to allow for attachments when making comments / objections to a Planning Application.

Mal Parker
Director



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