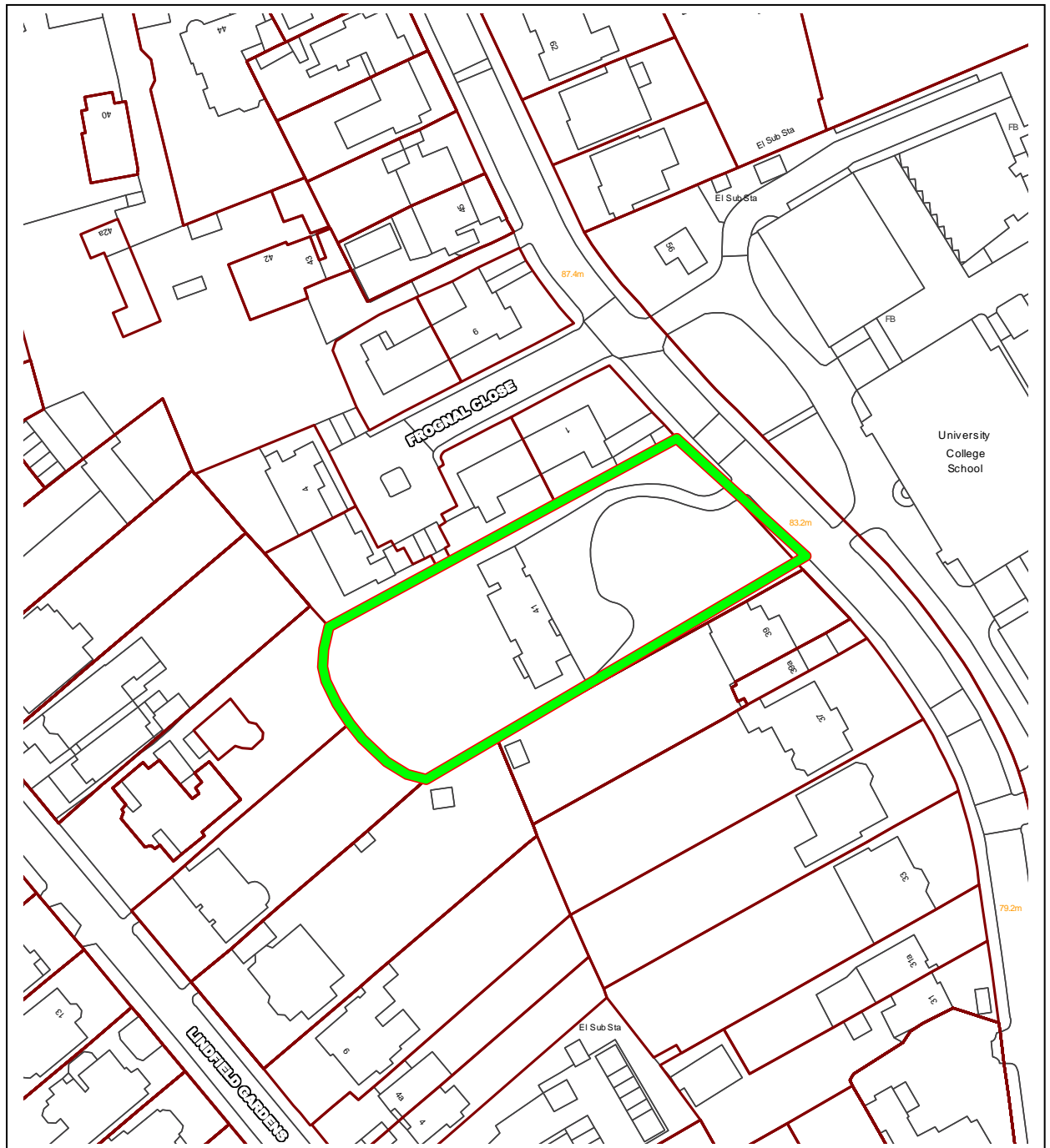


2020/0988/P - 41 Frognal, NW3 6YD



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2020/0988/P - 41 Frognal, NW3 6YD



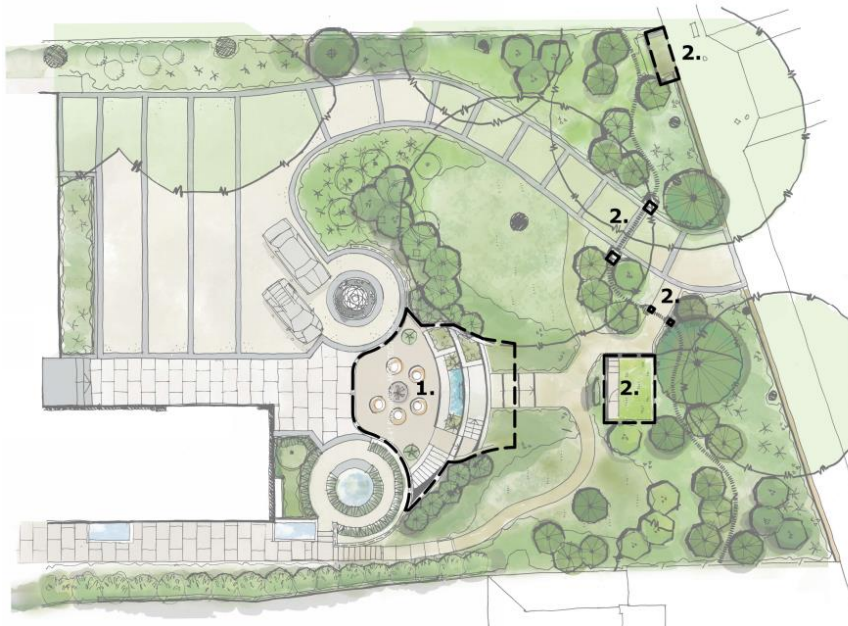
1) Previously approved garden structure (ref: 2020/0419/P, granted 10/08/2020). Nos.2 and 3 Frognal Close adjoin the site, with no. 3 Frognal Close visible beyond the structure. The proposed bamboo boundary treatments are visible in the background.



2) Previously approved garden structure set away from host property. Area in foreground for natural grass, with some planting already implemented.



3) View of the rear garden area facing southwards with proposed planting arrangements partially implemented.



- 1. Lower ground floor courtyard**
Hard landscaping works under existing approval
Ref: 2016/4558/P
- 2. Planning approval subject to discharge of conditions**
Garden Store
Bin Store
Pedestrian/Vehicular Gates
Ref: 2019/1979/P

4) Landscaping for front garden area.

41 Frognaal
Back garden general arrangement



5) Rear garden area landscaping plans.

Delegated Report		Analysis sheet		Expiry Date:	24/03/2020
(Members Briefing)		N/A		Consultation Expiry Date:	12/04/2020
Officer			Application Number(s)		
Joshua Ogunleye			2020/0988/P		
Application Address			Drawing Numbers		
41 Frognal London NW3 6YD			See decision notice		
PO 3/4	Area Team Signature	PO 3/4	Area Team Signature		
Proposal(s)					
Details of condition 5 (Hard and soft landscaping) of planning permission ref: 2019/1979/P dated 14/01/2020 for 'erection of timber-clad outbuilding and bin store in front garden and 4 brick gate piers along front boundary enclosure'.					
Recommendation(s):		Grant consent			
Application Type:		Approval of details			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice			
Informatives:				
Consultations				
Adjoining Occupiers:	No. of responses	01	No. of objections	01
Summary of consultation responses:	<p>There is no statutory requirement for consultation/publicity for Approval of Details applications. Notwithstanding this, the Council has an 'email alerts' system which notifies relevant subscribers of applications within their area. Any comments received are duly considered in the determination of the application.</p> <p>A letter of objection was received from the neighbour at no. 2 Frogнал Close; details of which have been summarised below.</p> <ol style="list-style-type: none"> 1. The applicant and his team have carried out the bulk of the hard / soft landscaping at the rear of the house, 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 polices which govern it. 2. There is no detailing of the dais nor height of the proposed sculpture shown on the second sketch from the top of 2160-P-02. Given its elevated position within the landscape these would need to be controlled. 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 Frogнал Close, has already been planted. 4. 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. 5. The fundamental ethos of the garden design appears to be completely contrary to those extolled within the Redington and Frogнал Neighbourhood Plan. <p><u>Officer Response:</u></p> <ol style="list-style-type: none"> 1. <i>Officers have reviewed the detailing and consider it would have an acceptable impact on the host property's character and appearance. It is acknowledged that the landscaping works have been completed in part, however this application shall be determined in the same way as a perspective application. Officers have reviewed the detailing and consider it would have an acceptable impact on the host property's character and appearance.</i> 			

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| | <ol style="list-style-type: none">2. <i>Officers note that the proposed sculpture would sit to the front of the sunken down garden store. Its proportion would be modest within its setting where it would sit centrally within the front garden area, facing the main front elevation with a height of 2.2m. Officers consider submitted detail to be acceptable.</i>3. <i>Further details have been submitted in response to the submitted comments. Specific species list and the location within the site. These changes have been considered acceptable by the tree officer.</i>4. <i>Revised drawings have been submitted replacing the previous artificial lawn with natural lawn which is considered to be more appropriate to the character and appearance of the property as well as having permeability and biodiversity benefits.</i>5. <i>The proposal has been assessed against the relevant policies and Officers consider the proposed landscaping detail would be acceptable within its context. See section 3 of this report.</i> |
|--|--|

<p>Redington and Frogna Neighbourhood Forum</p>	<p><u>Redington Frogna Neighbourhood Forum object-</u></p> <p>The use of non-native planting, such as bamboo, does nothing to enhance UK biodiversity and is not an appropriate boundary treatment. A native hedgerow of benefit to wildlife would be far preferable.</p> <p>Following on from the neighbour's request for further information, additional hard landscaping and planting plans have been supplied in order to make an informed assessment. As a minimum, this should include pre and post development measurements, in square metres and as a percentage of the site area, for:</p> <ul style="list-style-type: none"> • the area of soft natural surface (i.e. excluding artificial grass); • the area of soft landscaping surface, including natural grass; • the building footprint; <p><u>Officer Response:</u> <i>The relevant comments on the proposed planting arrangement have been reviewed and considered acceptable. The use of bamboo on the boundary has been assessed by the landscaping and trees team, and whilst not a native species, it is considered not to result in harm to the property, neighbours nor biodiversity considering the garden and area as a whole (see section 3 of this report).</i></p> <p><i>There is no requirement for the applicant to outline the areas of hard and soft landscaping in actual and percentage terms before and after the proposed changes. However reviewing the scheme, the proportion of soft landscaping proposed would be approximately 60% of land within the site's curtilage. This has been assessed by the trees and landscaping team and is considered to be acceptable.</i></p>
<p>Hampstead Conservation Area Advisory Committee (CAAC)</p>	<p><u>Hampstead CAAC object-</u></p> <p>Officer's note that comments received from the Hampstead CAAC mainly focused on the previously approved pergola application (ref: 2020/0419/P granted 10/08/2020). The comments relevant to this application are summarised below.</p> <p>HCAAC particularly objects to the applicant's proposed use of artificial grass instead of grassed lawn.</p> <p><u>Officer Response:</u> <i>Following receipt of this objection, the plans have been amended replacing the previous artificial lawn with natural lawn which is considered to be more appropriate to the character and appearance of the property as well as having permeability and biodiversity benefits.</i></p>

Site Description

The property is a single family dwellinghouse set within a large plot with long front and rear gardens.

The building is not listed, though it is noted as making a positive contribution to the Redington/Frogna Conservation Area. Planning permission was granted in January 2020 for the erection of a timber clad

outbuilding and other alterations to the front garden and boundary (ref: 2019/1979/P), the works are currently in progress in site, but have not yet been completed.

Relevant History

2020/1391/P - Construction of a retaining wall and timber fence along a section of the southern boundary – Application pending consideration.

10/08/2020 - planning permission ref 2020/0419/P granted for Erection of single storey garden pergola (retrospective).

14/01/2020 - planning permission ref 2019/1979/P granted for Erection of timber-clad outbuilding and bin store in front garden and 4 brick gate piers along front boundary enclosure

10/04/2019 - Certificate of Lawfulness for Proposed Development ref 2018/4115/P granted for- Erection of 2m high entrance gates, piers and timber fences in the front garden set back from front boundary.

07/08/2018 - planning permission ref 2017/5234/P granted for- Variation of condition 3 (approved plans) of planning permission dated 17.5.17 ref 2016/4558/P (for Partial demolition and new build behind retained façade comprising a lower ground floor extension; ground, first and second floor extensions to the front, side and rear; first and second floor rear terraces to provide a 7-bedroom single dwellinghouse)

Relevant policies

National Planning Policy Framework (2019)

London Plan (2016)

Intend to publish London Plan (2019)

Camden Local Plan (2017)

A1 Managing the impact of development

A3 Protection, enhancement and management of biodiversity

D1 Design

D2 Heritage

CC3 Water and flooding

Draft Redington Froggnal Neighbourhood Plan (2019) - revised draft submitted in 2020.

SD4 Sustainable Design and Redington Froggnal Character

BGI 1 Rear Gardens and Ecology

BGI 2 Tree Planting and Preservation

Camden Planning Guidance

CPG Design (2019)

CPG Amenity (2018)

CPG Altering and extending your home (2019)

CPG Home improvements (draft) (2020)

Redington Froggnal Conservation Area Statement (2000)

Assessment

1.0 Proposal

1.1. The application seeks to provide details of the hard and soft landscaping works of the property required by condition 5 of planning application ref: 2019/1979/P dated 14/01/2020.

1.2. Condition 5 states:

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.

1.3. The details set out within the submission include:

- Details of hard landscaping works.
- Grass lawn
- Garden store and planting schedule
- Garden maintenance schedule.
- Planting arrangement
- Species list and size

2.0 Revisions

2.1 Officers raised concerns in response to the details of the initially submitted landscaping proposals. Concerns surrounded the introduction of artificial lawn within the rear garden area, details of barbeque area, detailed species list and planting schedule.

2.2 Revised details were received on 23/09/2020. A number of changes were made to the proposal, namely:

- Revised plant species list and specifications, together with detailed planting arrangement
- Removal of artificial grass and replacement with a natural grassed lawn
- Details of the proposed sculpture have been submitted

2.3 The amendments were uploaded to the Council's website on 20/10/2020 for public viewing, though no formal consultation on the amendments was required.

3.0 Assessment

3.1 In compliance with the requirements of condition 5, a detailed submission of plans, sections and elevations has been provided with full details of the hard and soft landscaping for the development. Details of replacement trees are included with a planting schedule and management plan. The submission has been reviewed by the Council's Trees and Landscaping team.

3.2 The plans demonstrate that over 60% of the rear garden area would comprise natural soft landscaping as well as a sizeable proportion of the front garden area. The plans include species and location of soft and hard landscaping features within the site.

3.3 The submitted details sought to maximise the area of soft landscaping and using planting with

high value to pollinators and insects. A variety of different plant species some of which are integrated within the hard landscaping features, i.e the green roof on the barbeque area and around footpaths, and tall bamboo stems to provide natural screening. Whilst it is noted that development contains some non-native species, it is not considered the proposed species are invasive. Given that the proportion of soft landscaping exceeds those of hard landscaping, and that the landscaping is of considerable quality, officers consider the proposed soft landscaping planting arrangements would comply with guidance to enhance biodiversity and conservation area's character. The proposed details are considered to accord with policies BGI 1 and BGI 2 of the Redington Froggnal Neighbourhood Plan.

- 3.4 Overall, the landscaping design on site would be closely integrated with existing surrounding spaces. The hard and soft landscape design is considered to be of high quality, it is contextual and has considered access requirements, with suitable management details in place to ensure its longevity.
- 3.5 The Trees and Landscaping team has been consulted on this application and raise no concerns with regards to the proposals. Officers consider that the details are sufficient to ensure that the development achieves a high quality of landscaping which contributes to the visual amenity and character of the area.
- 3.6 The proposed details are considered to be acceptable within the conservation area serving to maintain a high quality finish to the proposed development in compliance with policies D1, D2, A3 and CC3 of the Camden Local Plan, and are acceptable on this basis.
- 3.7 The proposed details are considered to preserve the character and appearance of the conservation area. 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.

4.0 Impact on Neighbour Amenity

- 4.1 Policy A1 of the Camden Local Plan seeks to protect the quality of life of neighbouring occupiers. The factors to consider include: visual privacy and outlook; sunlight, daylight and overshadowing; artificial light levels; noise and vibration.
- 4.2 The details would not result in undue harm to neighbouring amenity. Whilst comments have been received on the basis of the height of the bamboo, this is considered not to result in undue harm to neighbouring daylight/sunlight or outlook and refusal is not warranted on this basis.

5.0 Conclusion

- 5.1 Given the above, the proposed development is in general accordance with policies D1, D2, A1, A3 and CC3 of the London Borough of Camden Local Plan 2017, SD4 and BGI2 of the Draft Redington Froggnal Neighbourhood Plan (2019), the London Plan 2016, Intend to Publish London Plan 2019, and the National Planning Policy Framework 2019.

6.0 RECOMMENDATION

- 6.1 Grant approval of details

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 2nd November 2020, 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: 2020/0988/P
Contact: Joshua Ogunleye
Tel: 020 7974 1843
Email: Joshua.Ogunleye@camden.gov.uk
Date: 20 October 2020

Development Management
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www.camden.gov.uk

DP9
100 Pall Mall
London
SW1Y 5NQ

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Approval of Details Granted

Address:
41 Frognal
London
NW3 6YD

DECISION

Proposal: Details of condition 5 (Hard and soft landscaping) of planning permission ref: 2019/1979/P dated 14/01/2020 for 'erection of timber-clad outbuilding and bin store in front garden and 4 brick gate piers along front boundary enclosure'.

Drawing Nos: 2160-P-03, 2160-13-04, 2160-13-05, 2160-13-06, 2160-13-07, 2160-13-08, 2160-13-09, Planning Statement, Q35 Landscape Maintenance (received 26/02/2020) 2160-P-01 Rev A, 2160-P-02, 2160-PS-1, 2160-PS-2, 2160-PS-3, 2160-PS-4, 2160-PS-5, 2160-PS-6, 2160-PS-7, 2160-PS-8, 2160-P16-01, 2160-P16-02, 2160-P16-03, 2160-P16-03, 2160-13-28 Rev H, 1-year Maintenance plan for establishment of new garden store green roof, Plant Schedule, (received 23/09/2020), Driveway Sculpture Proposal (received 28/10/2020).

- 1 You are advised that all conditions relating to planning permission 2019/1979/P granted on 14/01/2020 have been approved.

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 2019.

You can find advice about your rights of appeal at:

Yours faithfully

Director of Economy, Regeneration and Investment

DRAFT

DECISION