

**DESIGN AND ACCESS STATEMENT FOR THE ERECTION OF A
FULLY NOISE INSULATED DETACHED STUDIO BUILDING AND
REPLACEMENT BOUNDARY FENCING**

AT

**FLAT B
52 FORDWYCH ROAD
LONDON
NW2 3TG**

1. INTRODUCTION

- 1.1 This Design and Access Statement has been prepared to support a planning application for the erection of a fully noise insulated detached studio building and replacement fencing in the rear garden of Flat B, 52 Fordwych Road, London NW2 3TG.
- 1.2 The application site comprises the ground floor flat of a converted Victorian semi-detached dwelling with a reasonable sized rear garden on the western side of the road, near its junction with St Cuthbert's Road. It is one of many flats along the road and in the surrounding streets that have resulted from conversions. The buildings have retained their original character however and provide a very pleasant street scene and appearance to the area.
- 1.3 There are a number of outbuildings of varying sizes in the rear gardens of the properties along Fordwych Road and the surrounding roads.

2. THE PROPOSED DEVELOPMENT

- 2.1 The proposed development is for the erection of a fully noise insulated detached studio in the rear garden of the property together with the replacement and partial raising the height of the rear (western) and southern flank boundary fences of the property. The studio would be a wooden structure with a glazed front elevation on a concrete base. The purpose of the studio is to accommodate a Steinway Model C piano for the owner of the property, an international concert pianist, while the building is also required for medical reasons.
- 2.2 The studio would measure 5.5m by 4.5m and would be 2.7m high with a flat roof. It would have a small internal partition for the shower room and toilet as detailed on the plans submitted with the application. Due to the land upon which the studio would be sited sloping slightly from north to south (by up to 300mm across the width of the rear garden), the proposed studio would be dug into the ground slightly. The rear (western) and southern flank boundary fences would be replaced as the current fences are in a poor state of repair. The heights of the replacement (vertical boarded) fences are to be either 2m or 2.4m, as shown on the submitted plans. The reason for the increased height of the fence is that over a number of years, rubbish, including used needles, has been thrown over the fence from the property immediately to the rear of the site. The owner of the application site does not want such rubbish to be discarded on the roof of the proposed studio and it is considered that the increased height and location of the proposed fence in the manner proposed would prevent this.

3. THE PLANNING CASE

- 3.1 The application site is located within the built- up area of Camden where there

are no objections to the erection of an outbuilding in the rear garden of a property in principle, subject to compliance with the relevant Fortune Green and West Hampstead Neighbourhood Plan policies, the Camden Local Plan and London Plan policies, the guidance in the Camden Design Guide and the national planning guidance.

- 3.2 The issues to consider in this application are whether the proposed development would be acceptable in terms of its impact upon the character and appearance of the property, the street scene and upon the amenities of the occupiers of the neighbouring properties.
- 3.3 The studio is of a size necessary for its proposed purpose – the housing of a Steinway Model C piano. It would be clad with treated vertical timber and would be an attractive building and would enhance the character of the property, the rear garden of which is currently laid as an unmaintained lawn with weeds and bare patches of earth. It is largely unused as a garden and provides little or no amenity function for the occupiers of the property.
- 3.4 In contrast, the proposal would provide a very useful function and would enable the Steinway piano which is currently housed in the flat, to be accommodated in a far more convenient location on the site, freeing up a significant amount of floorspace within the flat for its occupiers. While the studio would cover a reasonable proportion of the rear garden, this would not cause any harm given that the garden is currently largely unused.
- 3.5 While the proposed studio would be visible from the rear gardens of the neighbouring properties and would be visible from the first and second floor rear windows of a number of the surrounding properties, it would not be a visually intrusive or harmful addition to the property or to the outlook of those neighbouring properties. The studio would project 400mm above the boundary wall with 54 Fordwych Road. However, this would not be a significant degree of projection and given that the studio would be in the rear half of the garden of the application site, it would be well away from the dwelling at 54 and would not intrude into the outlook from that property in a harmful manner. The same considerations apply with regard to 50 Fordwych Road. The studio would project above the boundary fence between the properties either by 100mm or 500mm (as the boundary fence to be replaced would be either 2m or 2.4m high), but again, it would be away from that property and would not cause a loss of outlook for its residents.
- 3.6 The property to the rear of the application site – 23 St Cuthbert's Road – is located side on to the site. There are four windows in the flank elevation of this flatted building facing the site. The three larger windows (one at each of the ground, first and second floors) serve a communal stairwell to the individual flats in the building. The proposed studio would not result in a loss of outlook from these windows therefore, given that they do not serve habitable rooms. Similarly,

loss of light to the windows would not be an issue either.

- 3.7 The studio would not permit overlooking of the neighbouring properties as, while it would have full height glazing in its eastern, front elevation looking back towards the property at 52 Fordwych Road, the boundary treatments with both of the neighbouring properties would prevent the possibility of overlooking of those properties. The small windows in the flank elevations of the proposed studio are to provide extra light – that vertical window in the left hand elevation of the building would provide light for the keyboard of the piano, to assist with its playing. Neither of the windows would permit overlooking of the neighbouring gardens as they would look onto the boundary treatments of the property. Harm to amenity would accordingly not arise from the proposed studio.
- 3.8 With regards to the impact of proposed replacement fence, the height of the rear boundary fence and the rearmost 2.5m of the flank boundary fence with 50 Fordwych Road would be 2.4m in order to prevent rubbish being thrown onto the roof of the studio (as explained in paragraph 2.2 above). The remainder of the fence on the boundary with 50 would be 2m high. As the higher section of the fence would be sited at the bottom of the garden away from the neighbouring properties at 50 and 54 Fordwych, it would not harm their outlook or amenities. The section of 2m high replacement fence would have no adverse amenity impacts given it would replace an existing fence (and would have a far better appearance).
- 3.9 With regard to 23 St Cuthbert's Road, the raised section of fence would only affect the outlook from the flank windows of this building – windows serving non-habitable rooms. Harm to outlook and amenity would therefore also not arise in this regard either.
- 3.10 Given the location of the application site away from any public viewpoints along Fordwych Road, the proposed development would not impact upon the street scene from this angle. While the uppermost section of the studio would be visible from St Cuthbert's Road, this would be to a limited degree: it would not have an adverse impact in any public views from this angle given the very restricted section of the building that would be visible. Harm to the street scene would not arise from the proposal therefore.
- 3.11 The impact of the development upon the character of the area and upon the amenities of the neighbouring properties would therefore be acceptable.

4. POLICY CONSIDERATIONS

- 4.1 The relevant policy documents for consideration in this application are the Fortune Green and West Hampstead Neighbourhood Plan (2015), the Camden Local Plan (2017), the Camden Planning Guidance (2019), the London Plan

(2016), and the National Planning Policy Framework (2019).

- 4.2 Considering the Neighbourhood Plan first, the relevant policy in this document is policy 2 – Design and Character – states ‘*All development shall be of a high quality of design, which complements and enhances the distinct local character and identity of Fortune Green and West Hampstead*’. The policy has a number of criteria by which this shall be achieved including proposals having regard to the form, function and structure of its context - including the scale, mass, orientation, pattern and grain of surrounding buildings, streets and spaces; and new buildings and extensions respecting and being sensitive to the height of existing buildings in their vicinity and setting. In terms of these requirements, the proposed studio would be in keeping with and compatible to the area. The height and scale of the building would be appropriate to its context in an area where rear outbuildings of a variety of sizes have been granted on a number of occasions (please refer to Appendix 1 of this statement for a list of recently granted outbuildings within the borough; these have toilet and/ or shower facilities and so demonstrate that the Council have considered the provision of such facilities within domestic outbuildings as being acceptable). The proposed natural wooden colour of the building would also be appropriate to the area. The studio would accordingly not be a jarring or discordant addition to the area but one which would be compatible with it.
- 4.3 Turning to the Camden Local Plan and the relevant policies contained therein, the development is in compliance with them. Policy A1 – Managing the Impact of Development – states permission will not be granted for development unless it causes unacceptable harm to amenity. Impacts upon privacy, outlook, sunlight, daylight and overshadowing will be assessed in considering applications. With regards to the proposed studio, it would not cause any harmful impacts, as has been described and discussed in this statement. Due to its scale and height, the building would not result in visual intrusion or loss of amenity in any regard.
- 4.4 Policy A4 of the Local Plan – Noise and Vibration – requires noise from development to be controlled and managed. The use of the studio is to be for piano practice and playing and accordingly, it would be fully sound proofed and noise insulated such that the music played within the building would not escape it. Accordingly, harm from noise would not rise from the development.
- 4.5 Policy D1 of the Local Plan – Design – requires development to have respect to local character and context. Development should have special regard to its context and should comprise details and materials that are of a high quality and complement the local character. Given that the proposed studio is a form of development that has been granted within the vicinity of the site on a number of occasions in the recent past, it would be in keeping with the local character and context.
- 4.6 The Camden Planning Guidance – Altering and Extending Your Home – has a

variety of guidance concerning domestic extensions and outbuildings and states large outbuildings may affect the amenity of neighbours' gardens through overlooking, overshadowing and noise nuisance. However, as has been considered in this statement, the proposed studio the subject of this application would not harm neighbour amenity as a result of its size and through the limited degree to which it would project above the boundaries of the property. The taller elements of the proposed replacement fence would also not harm amenity either considering their proposed siting at the bottom of the garden, way from the neighbouring properties and in a manner than would not cause visual harm or intrusion to the property to the rear of the site at 23 St Cuthbert's Road.

- 4.7 With regard to the relevant London Plan policies, policy 7.4 – Local Character – requires development to have regard to the form, function and structure of the area in which it is located. As has been explained in this statement, the proposed studio would be in keeping with the surrounding properties and the area in general. It would have an acceptable impact upon the character and appearance of the immediate area and would not have any harmful impacts upon it. It would fully respect the local character, in accordance with the policy.
- 4.8 Policy 7.6 of the London Plan – Architecture – has a number of criteria which buildings should adhere to. The proposed studio would comply with these criteria: it would be of a suitable quality with materials that would complement the local architectural character and would not cause unacceptable harm to the amenity of the surrounding land and buildings.
- 4.9 The proposed studio would also comply with the guidance in the National Planning Policy Framework (NPPF). This document permits development where there are no adverse consequences of it and it is visually attractive and responds to local character, and is therefore compatible with the area. These considerations would be complied with by the proposed studio as it would be of a high- quality design and is keeping with the local character where a number of the surrounding properties have outbuildings in their rear gardens. The studio would accordingly not detract from the character or appearance of the area, but would be a suitable addition to it. Harm to the character of the area would therefore not arise from the development.
- 4.10 Section 12 of the NPPF states, '*Planning decisions should aim to ensure that development will function well and add to the overall quality of the area ... should optimise the potential of the site to accommodate development ...should respond to local character and history, and reflect the identity of local surroundings and materials ... are visually attractive as a result of good architecture and appropriate landscaping*'. Development of an appropriately high quality and suitable design for its surroundings, as is the case with this application, is therefore supported and encouraged by the NPPF.
- 4.11 The NPPF goes further in stating planning should '*always seek to secure high*

quality design and a good standard of amenity', as would be the case at Flat , 52 Fordwych Road. Moreover, local planning authorities should take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. Planning applications that accord with the relevant policies should be approved without delay unless material considerations indicate otherwise. The proposed studio would be in accordance with local and national planning policies. The proposed development is therefore in accordance with the NPPF in this regard too.

5. CONCLUSION

- 5.1 As has been discussed and explained in this Design and Access Statement, the proposed detached studio at Flat B, 52 Fordwych Road, London NW2 3TG would, given its limited nature, have an acceptable impact upon the character and appearance of the property and the street scene. It would also not harm the amenities or outlook of the occupiers of the neighbouring properties.
- 4.3 The proposal is therefore acceptable in all regards and in accordance with the guidance in the NPPF, where an application is acceptable and complies with policy, it should be granted without delay.

APPENDIX 1

EXAMPLES OF DOMESTIC OUTBUILDINGS WITH TOILET AND/ OR SHOWER FACILITIES RECENTLY GRANTED PERMISSION IN CAMDEN

Application number	Address	Development
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2017/2741/FP	Flat A, Savernake Road, London NW3 2JR	Outbuilding with a toilet
2018/2137/FP	Flat 2, 92 Greencroft Gardens, London NW6 3PH	Outbuilding with a toilet and shower
2018/2481/FO	Flat A. 35 Leighton Gardens, London NW5 2RP	Garden office with a toilet
2018/3198/P	17 Boscastle Road, London NW5 1EE	Playroom and a bike store with a toilet
2018/3506/FP	6 Vine House, Hampstead Square, London NW3 1AB	Granny annexe
2018/3694/P	Flat 1, Menelik Road, London NW2 3RH	Workshop with a toilet
2020/2669/P	Flat 3, 39 Eton Avenue, London NW3 3EP	Gymnasium with a toilet and a shower