



## Phillips Planning Services Ltd.

Town Planning and Development Consultants

PW  
21 May 2021

Laura Hazelton  
London Borough of Camden  
Development Control & Planning Services  
Town Hall  
Argyle Street  
London. WC1H 8ND

Dear Laura

### **Garden Building at 111 Frogna1 Ref 2020/5992/P**

As you are aware we act for Mr & Mrs Stern, the owners of 109 Frogna1 and Mr & Mrs Finegold, the owners of No.113 Frogna1.

Thank you for the opportunity to provide comment on new proposals following our initial letter of 23 April 2021.

#### The amended application / application description

The proposal is very different from that which was originally submitted in terms of its location, form and appearance. It has changed from a part subterranean structure set half way down the garden into a freestanding building at the rear. The Applicants acknowledge this in the submission suggesting the need to change the application description as it is clearly a very different proposal.

We therefore question the Council's ability to properly accept such substantial changes as 'amendments' and rather whether a new planning application is required as the proposal is wholly new not an amendment to the scheme as submitted.

#### The existing sheds to be 'replaced'

As set out in our initial letter, our clients have lived at No.109 and No.113 respectively for many years and have clear views of the rear garden of No.111. They advise that the larger of the existing buildings was not present on site when the current Applicants purchased the property in 2017. This was erected soon afterwards. A search of the Councils online records suggests that no Planning Permission was obtained for the building despite this being located within the curtilage of a Grade II\* listed building.

As you will note the Planning letter submitted with the amended proposals again seeks to draw comparison between the 'existing' sheds and what is proposed. Given that the larger of the existing buildings is unauthorised no weight can be placed on any 'trade off' argument as continues to be being claimed by the Applicants.

#### Visual Impact of the Proposals / Harm to Amenity

The new proposal locates the building at the rear and so highest point within the garden. It would be approximately 2.8 metres to eaves and 3.6 metres to the highest point of the roof. It is proposed that the front elevation of the building which faces down the garden toward the main house will be screened by a 'hedge wall'.

In principle, (notwithstanding the two large window openings and the roof structure above), screening of the building could potentially lessen its visual impact.

However, as you will appreciate it is difficult and indeed inappropriate in planning terms to rely upon the establishment of a hedge to make a development which may otherwise be considered inappropriate, acceptable.

This is firstly because a hedge would need to establish and grow and be maintained as shown / suggested on the drawings. It is unclear how many years it may take for the hedge to reach the eaves height shown on the drawings (2.8 metres). The hedge may not establish as hoped, it may never provide the screening suggested. Even if the hedge did establish and eventually after a number of years reached 2.8 metres high, it could die off or could be removed in the future.

In short, we respectfully submit that whilst landscaping can assist in certain circumstances it is necessary to consider whether the proposed building is acceptable on its own merits and should be supported without reliance on landscape screening as the quality, height and longevity of this cannot be reasonably guaranteed into the future.

The proposed building is a very large structure, 6.4 metres by 8 metres giving 51.2 sqm. To put that into some perspective you will note that the minimum national space standard for a single person self-contained dwelling is 37sqm and 50sqm for a two person dwelling. The building is therefore of a scale considered suitable for two people to live in on a full time basis.

The height is considered excessive for that of an ancillary garden structure. Notwithstanding the unauthorised nature of the existing building, this only stands approximately 2 metres to eaves and 2.6 metres to ridge compared to the proposed scheme of 2.8 metres to eaves and 3.6 metres to ridge.

The building would be readily visible and so prominent above the garden boundary walls and landscaping.

Large glazed openings are proposed to the front and sides which would be prominent in views and draw the eye particularly in the evening when the building is lit. These would be readily visible above the boundary walls. A large rooflight will also result in significant light pollution within the garden area.

The front windows in particular would provide views back down the garden and towards our clients' properties and result in a real perception of overlooking.

The proposal would set a very unwelcome precedent for very large garden structures along Froggnal and in this part of the Conservation Area generally.

#### Impact upon the heritage significance of No.111 and wider conservation area

The impact of the proposal upon the listed building and the conservation area will of course be considered by the Council's professional conservation officers, however our clients do hold concerns in this regard as owners of a listed building (109) and a building with the conservation area and within the setting of adjacent listed buildings (113).

The proposed building would now be further away from the rear façade of No.111 than was originally proposed. However, given its large scale it would still appear as a detracting feature within the setting of the Grade II\* listed building. Due to its scale and elevated position the proposed building would compete with the main house and detract from open green character of this garden space.

Whilst the building would not be readily visible from the frontage or public parts of the conservation area it would be prominent in private viewpoints which are of importance.

The proposal would not preserve or enhance the existing character and appearance of the Conservation Area.

### **Conclusions**

The proposal as presented remains of a scale and design which is unneighbourly. It will harm the outlook from our clients' properties, appear prominent and draw the eye when lit up in the evening and at night and result in actual overlooking as well as a very real perception of overlooking from the large glazed windows to the front and sides.

By virtue of its scale the building would be an incongruous addition within the setting of and compete with the Grade II\* listed building, the former home of the eminent sculptor Sir Anthony Caro.

Our clients ask that the application is refused for the reasons set out.

Yours sincerely,

Paul Watson  
Phillips Planning Services Ltd