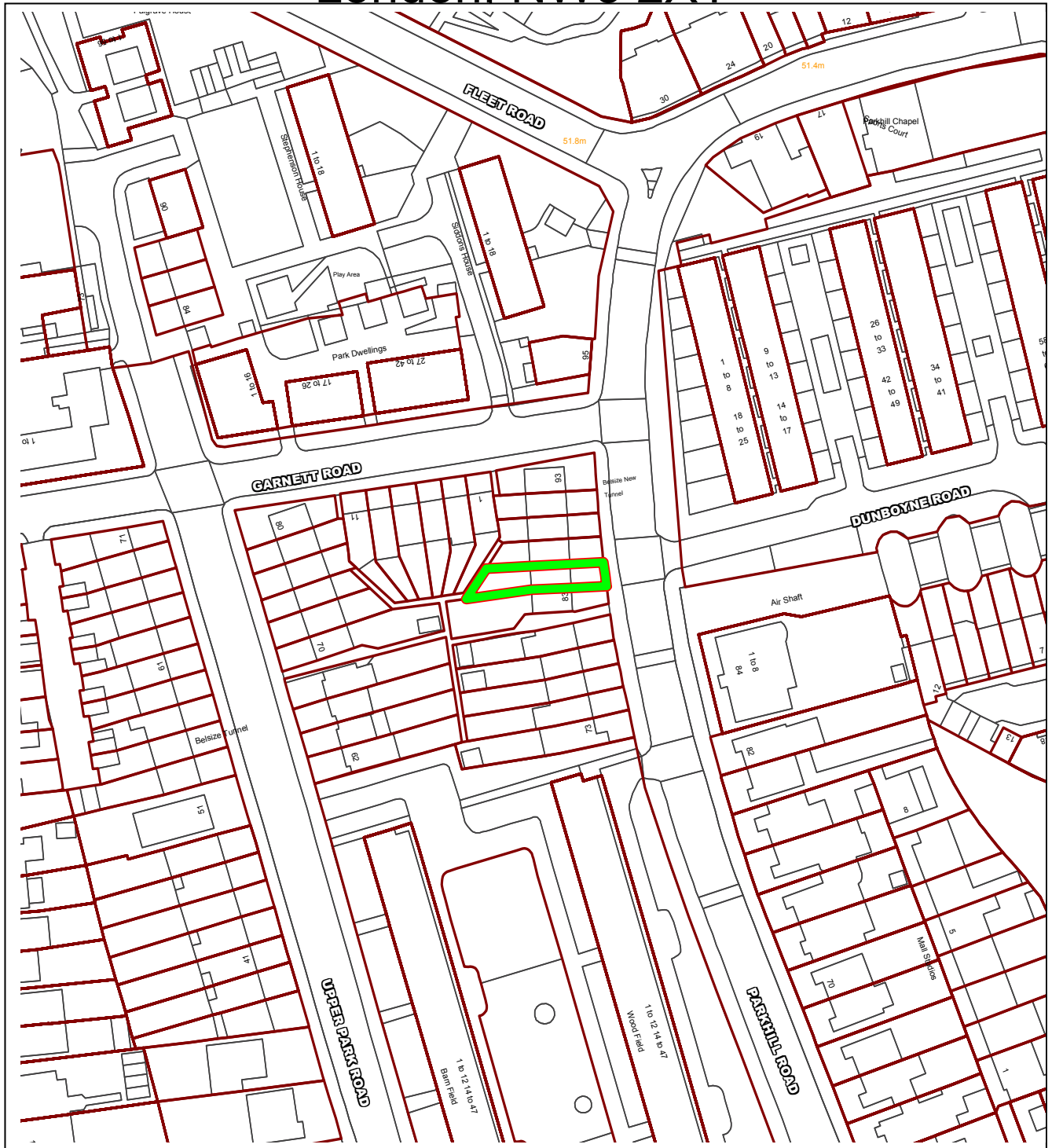


2021/1543/P - 85 Parkhill Road, London. NW3 2XY



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Photo 1 – westwards view from dwelling house towards rear of garden (proposed location of outbuilding on rear left)



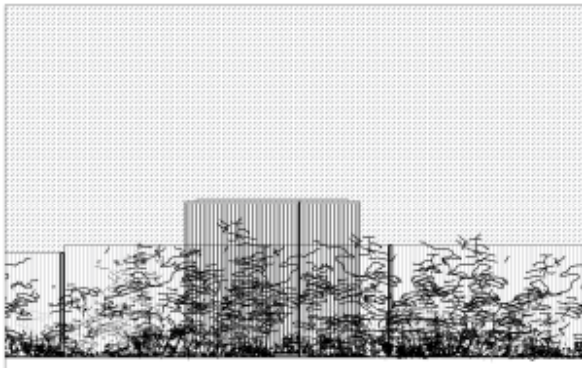
Photo 2 – eastwards view towards dwelling house from rear of garden



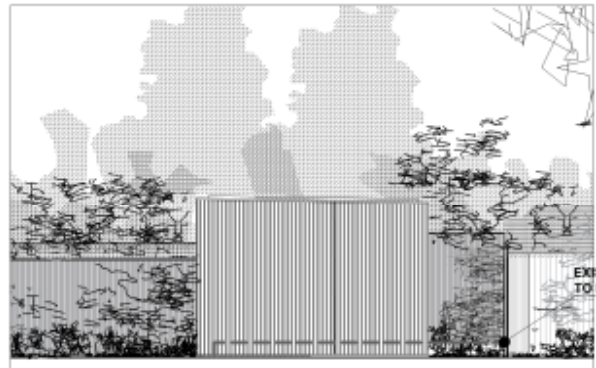
Photo 3 – view of rear garden (with existing shed to be replaced and Palm tree to be felled)



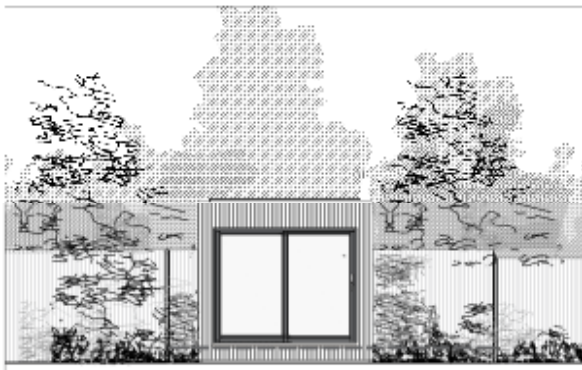
Proposed elevations



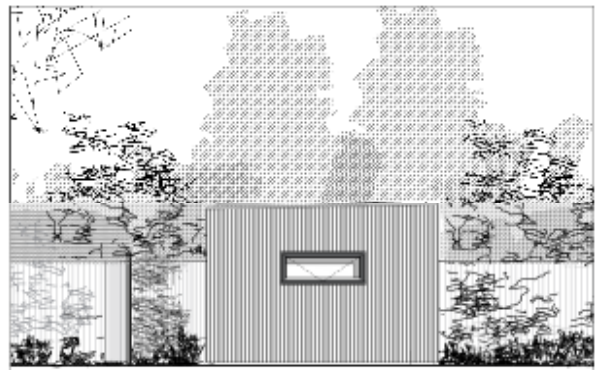
NORTH WEST ELEVATION SCALE 1:100



SOUTH WEST ELEVATION SCALE 1:100



NORTH EAST ELEVATION SCALE 1:100



SOUTH EAST ELEVATION SCALE 1:100

Delegated Report (Members Briefing)		Analysis sheet		Expiry Date:	26/05/2021
		n/a		Consultation Expiry Date:	30/05/2021
Officer			Application Number(s)		
Tony Young			2021/1543/P		
Application Address			Drawing Numbers		
85 Parkhill Road London NW3 2XY			Refer to draft decision notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Erection of a timber framed single storey outbuilding in rear garden for ancillary residential purposes.					
Recommendation(s):		Grant Conditional Planning Permission			
Application Type(s):		Householder Application			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	0	No. of responses	02	No. of objections	02
Summary of consultation responses from local residents/groups	Site notice was displayed from 05/05/2021 to 29/05/2021 Press notice was published on 06/05/2021 and expired 30/05/2021					
	<p>2 x neighbours in Parkhill Road objected to the proposals summarised as follows:</p> <p>1. <u>Design</u></p> <ul style="list-style-type: none">National rules/guidelines in conservation areas limit the size to 10 square metres and it must be at least 20m from any wall of the house. The building should be at least 2 metres from any boundary if its height were over 2.5m;building is too high and deep for a small garden. <p>2. <u>Amenity</u></p> <ul style="list-style-type: none">building is a metre higher than the surrounding garden walls/fences, so reducing the amenity of the overall green space in the back gardens of Parkhill / Garnett / Upper Park enclave;rear facing glass sliding doors, use and proximity to neighbouring houses and boundary fences, would result in loss of privacy and possible light and noise pollution. <p>3. <u>Use</u></p> <ul style="list-style-type: none">building could be used as living space as it will contain heating, light, insulation and electricity to allow a bedroom to be created. <p>Officer response to above concerns:</p> <p>1. <u>Design</u></p> <ul style="list-style-type: none">The rules referred to appear to relate to Permitted Development Regulations, and as such, do not apply to the current Householder application which has been assessed on its own individual merits;The design, materials, dimensions, siting and visibility of the proposed outbuilding have been assessed within the particular site context and are considered to be appropriate (see Section 4.0 below); <p>2. <u>Amenity</u></p> <ul style="list-style-type: none">A reasonably sized garden would remain, retaining the open character of existing natural landscaping and garden amenity (see Paragraph 4.4 below);the proposal is not considered likely to introduce any significant additional harm to neighbouring amenity in terms of outlook, overlooking, light-spill, loss of sunlight/daylight, or increased sense of enclosure and/or noise (see Section 5.0 below); <p>3. <u>Use</u></p> <ul style="list-style-type: none">The information submitted confirms that the outbuilding would not be self-contained and would be used as a space ancillary to the residential purposes of the main dwelling house only. A condition would be attached to any approval to ensure that this remains the					

	case (see Paragraph 4.8 below).
Belsize CAAC comments:	<p>The Belsize Conservation Area Advisory Committee (CAAC) objected to the proposals as follows:</p> <ul style="list-style-type: none"> • <i>“The proposed “Ecospace” building is too high and its design too bombastic and intrusive to all surrounding properties.”</i> <p>Officer response:</p> <ul style="list-style-type: none"> • The design, materials, dimensions, siting and visibility of the proposed outbuilding, along with any impact on neighbouring amenity, have been assessed within the particular site context and are considered to be appropriate (see Sections 4.0 and 5.0 below).

Site Description

The application site comprises of a 2-storey mid-terrace residential dwelling house located on the west side of Parkhill Road with similar properties adjoining on either side.

The building is not listed and sits within the Parkhill and Upper Park Conservation Area. The building is not identified as making either a positive or negative contribution to the Parkhill and Upper Park Conservation Area Statement.

Relevant History

2007/3589/P - Construction of a dormer in the rear roof slope of single-family dwelling. **Planning permission granted 17/09/2007**

2006/1358/P - Installation of a wind turbine to the rear elevation of the dwellinghouse (Class C3) for a temporary period until 28th February 2007. **Planning permission granted 29/08/2006**

Relevant policies

National Planning Policy Framework 2019

London Plan 2021

Camden Local Plan 2017

A1 - Managing the impact of development

A3 - Biodiversity

D1 - Design

D2 - Heritage

CC1 - Climate change mitigation

CC2 - Adapting to climate change

Camden Planning Guidance

CPG Home Improvements (January 2021)

CPG Design (January 2021)

CPG Energy efficiency and adaption (January 2021)

CPG Trees (March 2019)

CPG Amenity (January 2021)

Parkhill and Upper Park Conservation Area Statement (adopted March 2011)

Assessment

1.0 Proposal

- 1.1 Planning permission is sought for the erection of a single storey timber outbuilding for ancillary residential purposes located in the rear garden close to the western boundary.
- 1.2 The external dimensions of the outbuilding are 3m wide x 2.8m high from ground level and between 2.4m and 4m deep given its irregular footprint. The internal floor area would be 7.9sqm. The structure would be clad in premium grade western red cedar timber with glazed doors in the eastern elevation and a window in the southern elevation. The window would be made from Scandinavian laminated pine and the outbuilding would have a flat roof with a slight slope downwards towards the rear and a sedum blanket or substrate on top. The outbuilding would be supported by adjustable bearing shoes that do not require conventional foundations.

2.0 Revisions

- 2.1 Concerns were raised with the applicant in relation to original proposals which showed the top of the proposed south facing side window to be higher than the top of the boundary fence on the same side. Given the unusual way that the rear gardens are spaced and sized in and around the application site, and the fairly central position of this window in relation to the garden at no. 83, there was concern that the openable, clear glazed window could impact adversely on neighbouring amenity in terms of reduced privacy through overlooking to the neighbouring garden space.
- 2.2 In response, the applicant provided revised drawings which showed the window to be lowered in height and to more accurately reflect the height of the relevant neighbouring boundary fence, so that the proposed side window would be entirely below the top of the boundary fence on the same side.

3.0 Assessment

- 3.1 The principal considerations material to the determination of this application are:
- the design and impact of the proposal on the character and appearance of the Parkhill and Upper Park Conservation Area;
 - the impact of the proposal on neighbouring amenity; and
 - the impact on trees and biodiversity.

4.0 Design and heritage

- 4.1 Local Plan Policy D1 (Design) aims to ensure that all developments are of the highest standard of design and respect the character, setting, form and scale of neighbouring buildings, its contribution to the public realm, and its impact on wider views and vistas.
- 4.2 Local Plan Policy D2 (Heritage) states that the Council will require that developments preserve, and where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas. This is supported by the Parkhill and Upper Park Conservation Area Statement.
- 4.3 More specifically in regard to proposed structures in rear gardens, CPG Home Improvements asserts that, *"the size and design of outbuildings must consider their impact on the amenity of neighbouring occupiers, biodiversity and character of the wider area, so they do not detract from the generally 'soft' and green nature of gardens and other open spaces."*
- 4.4 The footprint, size, scale, height and massing of the proposed structure are considered to be acceptable in the context of the residential garden space. The addition of the proposed outbuilding

(with an external floor area of approximately 10.5sqm) within a total rear garden area of approximately 64sqm, would amount to a relatively small cumulative total of garden space occupied by the proposed structure (approximately 16%). The remaining available garden area would be approximately 53.5sqm and is considered more than a reasonably sized garden so as to retain the open character of existing natural landscaping and garden amenity. It is noted that the proposed outbuilding would replace an existing small shed already present in the same south-west corner of the rear garden.

- 4.5 The proposed outbuilding would be set in from the nearest neighbouring boundary fence (no.83 Parkhill) by approximately 500mm and be positioned in a far corner of the rear garden. The height of the closest neighbouring section of boundary fence and trellises at no.83 varies between approximately 1.8m and 2.1m with wooden fences on other boundaries measuring approximately 1.8m high. In view of the boundary fence heights, together with localised high level trellises and various vegetation, a substantial amount of existing screening would be provided which would significantly limit the visual impact of the outbuilding from private views.
- 4.6 It is also noted that an existing raised platform would be removed from this rear area of garden space as part of the proposals, so that the outbuilding would sit at garden level rather than a more elevated position which the existing shed currently occupies. This lower position, along with the screening and significant distance that the proposed outbuilding would be away from the nearest residential properties (by at least 8m), would ensure that the outbuilding would not appear visually prominent.
- 4.7 Furthermore, the use of high quality, natural materials, such as, red cedar and pine timber, as well as, the integration of a sedum blanket or substrate to the roof surface would further serve to soften the visual appearance of the structure and help it to blend in with the natural surroundings.
- 4.8 The outbuilding would not be self-contained and is intended for use as a space incidental to the enjoyment and ancillary to the residential purposes of the main dwelling house (as confirmed in the supporting Design and Access Statement, ref. 2108.PL.DAS.01). A condition would be attached to any permission to ensure this would be the case, so that the amenity of adjoining residential occupiers is not adversely affected by the proposal in this regard.
- 4.9 It is therefore considered that the siting, location, scale and design of the outbuilding would have a minimal visual impact on, and be visually subordinate within, the host garden given the site context. The materials used would also be in keeping with the green and open nature of gardens at the rear. As such, the proposal is considered to preserve the character and appearance of the host and neighbouring buildings, and wider Parkhill and Upper Park Conservation Area, in accordance with Council policies and guidelines, and is acceptable.
- 4.10 Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the Parkhill and Upper Park Conservation Area, under s.72 of the Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

5.0 Amenity

- 5.1 Local Plan Policy A1 (Managing the impact of development) seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered and by only granting permission to development that would not harm the amenity of communities, occupiers and neighbouring residents. This is supported by CPG Amenity which requires that the potential impact on the amenity of neighbouring properties must be fully considered and seeks for developments to be "*designed to protect the privacy of both new and existing dwellings to a reasonable degree.*"
- 5.2 Given the the outbuilding's position towards the rear of the garden, the discrete nature of the siting

surrounded by high boundary fences, trellises and vegetation, as well as, the height of the structure at 2.8m relative to this screening, it is not considered that the proposals would be overbearing or result in any significant sense of enclosure, nor have any adverse impacts on levels of outlook or result in a loss of privacy through overlooking into habitable rooms of neighbouring properties.

- 5.3 Any possible light spillage from the proposed doors and window is also considered to be small and no significant change in footfall is expected that would give rise to any additional increase in noise given the incidental nature of the outbuilding's use.
- 5.4 It is noted that in response to concerns raised in regard to the closest neighbouring boundary at no.83, the applicant provided revised drawings which showed the side window to be lowered and positioned entirely below the top height of this boundary fence to ensure that any potential adverse impact on neighbouring amenity is minimised in terms of any possible reduced privacy through overlooking.
- 5.5 A condition is recommended to ensure that the flat roof of the outbuilding is not used as a roof terrace, in order to prevent a loss of privacy through overlooking into habitable rooms of the adjacent neighbouring properties.
- 5.6 Therefore, due to the location and nature of the proposals, the proposal is not considered likely to introduce any significant additional harm to neighbouring amenity in terms of outlook, overlooking, light-spill, loss of sunlight/daylight, or increased sense of enclosure and/or noise. As such, it is considered in amenity terms to accord with Camden Local Plan Policy A1 and the relevant Camden Planning Guidance.

6.0 Trees and biodiversity

- 6.1 Local Plan Policy D1 states that, *"The Council will resist development which fails to preserve or is likely to damage trees on a site which make a significant contribution to the character and amenity of an area."* This is supported by CPG Trees and Local Plan Policy A3 (Biodiversity) which require that all trees are *"satisfactorily protected during the demolition and construction phase of development in line with BS5837:2012 'Trees in relation to Design, Demolition and Construction' and positively integrated as part of the site layout."*
- 6.2 It is firstly noted that the proposal would require the felling of an existing Palm tree. The Council were notified of these proposed works on 09/02/2021 and raised no objection dated 12/03/2021 (re. 2021/0595/T).
- 6.3 In regard to all other nearby trees, the tree protection measures and methodology submitted as part of the current application have been reviewed by the Council's Tree and Landscape Officer and are considered sufficient to demonstrate that any nearby trees and root systems would not be adversely affected by the proposals. This would especially be the case as the proposed scheme involves only minor excavation works within any possible root protection areas. The degree of encroachment in these areas is therefore minimal and will be undertaken by hand where possible with any significant roots (those over 25mm in diameter in line with BS5837:2012) to be retained. A condition would be attached to any permission to ensure that the tree protection measures are installed and working practices adopted in line with the approved Arboricultural Method Statement, prior to the commencement of works on site.
- 6.4 The sedum roof details submitted have also been reviewed by the Council's Tree and Landscape Officer and are considered to be sufficient to allow for a thriving and adequately maintained living roof, and are acceptable. A compliance condition is recommended to ensure that the green roof is provided in accordance with the approved details.

6.5 As such, the impact of the scheme on any nearby trees and landscaping proposals are considered to be acceptable in planning terms in accordance with Camden Local Plan Policies D1 and A3, as well as, with the relevant Camden Planning Guidance.

7.0 Recommendation

7.1 Overall, the proposed development is considered acceptable in terms of its design and impact on the character and appearance of the host and neighbouring buildings, and wider Parkhill and Upper Park Conservation Area, and there would be no significant adverse impact on the residential amenity of neighbouring occupiers. The development is also deemed consistent with the objectives, guidance and policies identified above and it is therefore recommended that conditional planning permission be granted.

DISCLAIMER

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 5th July 2021, 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: 2021/1543/P
Contact: Tony Young
Tel: 020 7974 2687
Email: Tony.Young@camden.gov.uk
Date: 1 July 2021

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
Judd Street
London
WC1H 9JE

Phone: 020 7974 4444

planning@camden.gov.uk

www.camden.gov.uk

Ecospace Studios
5A Iliffe Yard
London
SE17 3QA

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Granted

Address:
85 Parkhill Road
London
NW3 2XY

DECISION

Proposal:

Erection of a timber framed single storey outbuilding in rear garden for ancillary residential purposes.

Drawing Nos: (2108.PL-)01, 02 rev A, 03 rev B, 04 rev A, DAS.01; Ground works section & method statement from Ecospace Studios (ref. ECO.SWF.02) dated 23/07/2020; Arboricultural method statement from Tamala Trees received 10/05/2021; Ecospace sedum roof section (ref. ECO.SED.01) & maintenance guide; Bauder XF301 sedum system dated January 2018.

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: (2108.PL-)01, 02 rev A, 03 rev B, 04 rev A, DAS.01; Ground works section & method statement from Ecospace Studios (ref. ECO.SWF.02) dated 23/07/2020; Arboricultural method statement from Tamala Trees received 10/05/2021; Ecospace sedum roof section (ref. ECO.SED.01) & maintenance guide; Bauder XF301 sedum system dated January 2018.

Reason:

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

- 3 The outbuilding hereby approved shall only be used for purposes incidental to the residential use at the property and shall not be used as either a separate independent Class C3 dwelling or Class E business use.

Reason: To ensure that the outbuilding does not adversely affect the amenity of adjoining residential premises and is not used for unauthorised purposes, in accordance with policies G1, A1 and H6 of the London Borough of Camden Local Plan 2017.

- 4 Prior to the commencement of works on site, tree protection measures shall be installed and working practices adopted in accordance with the Arboricultural Method Statement from Tamala Trees received 10/05/2021 and Ground Works Section & Method Statement from Ecospace Studios (ref. ECO.SWF.02) dated 23/07/2020. All trees on the site, or parts of trees growing from adjoining sites, unless shown on the permitted drawings as being removed, shall be retained and protected from damage in accordance with BS5837:2012 and with the approved details. The works shall be undertaken under the supervision of the project arboriculturalist and monitored in accordance with the approved arboricultural report.

Reason: To ensure that the development will not have an adverse effect on existing trees and in order to maintain the character and amenity of the area in accordance with the requirements of policies A2 and A3 of the Camden Local Plan 2017.

- 5 The green roof hereby approved shall be fully installed on the outbuilding in accordance with the approved details prior to first use of the building and thereafter retained and maintained in accordance with the approved scheme.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with Policies A3 and CC3 of the London Borough of Camden Local Plan 2017.

- 6 The flat roof of the outbuilding hereby approved shall not be used at any time as amenity space, and any access out onto this area shall be for maintenance purposes only.

Reason: To safeguard the amenities of the adjoining neighbours in accordance with the requirements of policy A1 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 You are reminded that this decision only grants permission for an outbuilding used for purposes incidental to the existing residential use at the property. Any alternative use of the outbuilding for temporary accommodation, i.e. for periods of less than 90 days for tourist or short term lets etc, would constitute a material change of use and would require the grant of planning permission.
- 2 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).
- 3 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444). Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.
- 4 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website (search for 'Camden Minimum Requirements' at www.camden.gov.uk) or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

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:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

Chief Planning Officer