

Laura Hazelton
Development Management
London Borough of Camden
5 Pancras Square
London
N1C 4AG

15 July 2021

Dear Laura and Nick,

Please see replies to points raised by Philips Planning Services Ltd (PPS, 8 July 2021), and the Hampstead and Heath society (HHS, 26 June 2021), with regards to the revised plans for the art studio at 111 Frognal; planning reference number 2020/5992/P, listed building application number 2020/5993/L.

Our responses are shown in blue to the comments by 1. HHS (in red) and 2. PPS (in red) on behalf of neighbours at 113 Frognal and 109 Frognal.

1. Hampstead and Heath Society (HHS)

HHS

'I think hiding it with planting would be better and the large windows facing the house would make it visually intrusive. Small, or no windows, trellis, or even French doors should be better on the elevation facing the house. Not inventive and not an improvement.'

Response

- The previous 'hedge' proposal was supported by the HHS. The design is largely the same albeit smaller and with smaller windows, but without the hedge.
- The new design has emerged in direct response to officer feedback including the removal of the hedge feature, reduction in size and the green roof.
- The host building has a 40 metre long rear garden and the art studio is at the very back. Thus the small massing of the art studio at the back of the garden would not be visually intrusive. (See image 1)
- It is important to note that the original stable block had no outlook to the rear garden, as it was buried into the slope.

2. Philips Planning Services Ltd (113 Frognal and 109 Frognal)

PPS

As you will recall our clients raised a number of concerns regarding the amended garden building as set out in our letter of 21 May 2021. In very brief summary these were:

1. The visual impact of the proposed garden building with reference to its height and location, the large glazed openings to the front and sides and the rooflight running across the centre of the roof.
2. That the building would represent a detracting feature within the setting of the Grade II* listed building and harm the character of the conservation area, particularly in private views from our client's gardens.
3. The potential for light pollution at night in an otherwise dark area of garden due to the large scale of the glazed openings proposed.

The amended plans do reduce the footprint of the proposed building by removing approximately 1.5 metres from its depth and 0.5 metres from its width and the front and side windows have been narrowed.

However, the proposed building remains an extremely large structure. It has an internal floor area of 35sqm. By way of comparison, as you are aware a new one bedroom apartment has a minimum floor area requirement of 37sqm so this building is similar in scale to a one bedroom home. The windows also remain extremely large, full floor to lintel size and so remain very prominent elements, uncharacteristic of what should be a low key, ancillary building. Significant light will be omitted at night from these windows and the large rooflight.

As a result, our clients' three main concerns as set out in our 21 May 2021 letter are not resolved by the amendments and those objections remain.

Response

1. Visual impact:

- There is negligible visual impact on the neighbours at 113 and 109 from the art studio proposal.
- As can be seen in image 1 the art studio is set back over 30 metres from the objecting parties and is set behind garden walls and planting. The view from 109 and 113, is largely dominated by the large multi storey houses on Oak Hill Way as a backdrop.

Image 1: Google earth aerial view of the art studio in context

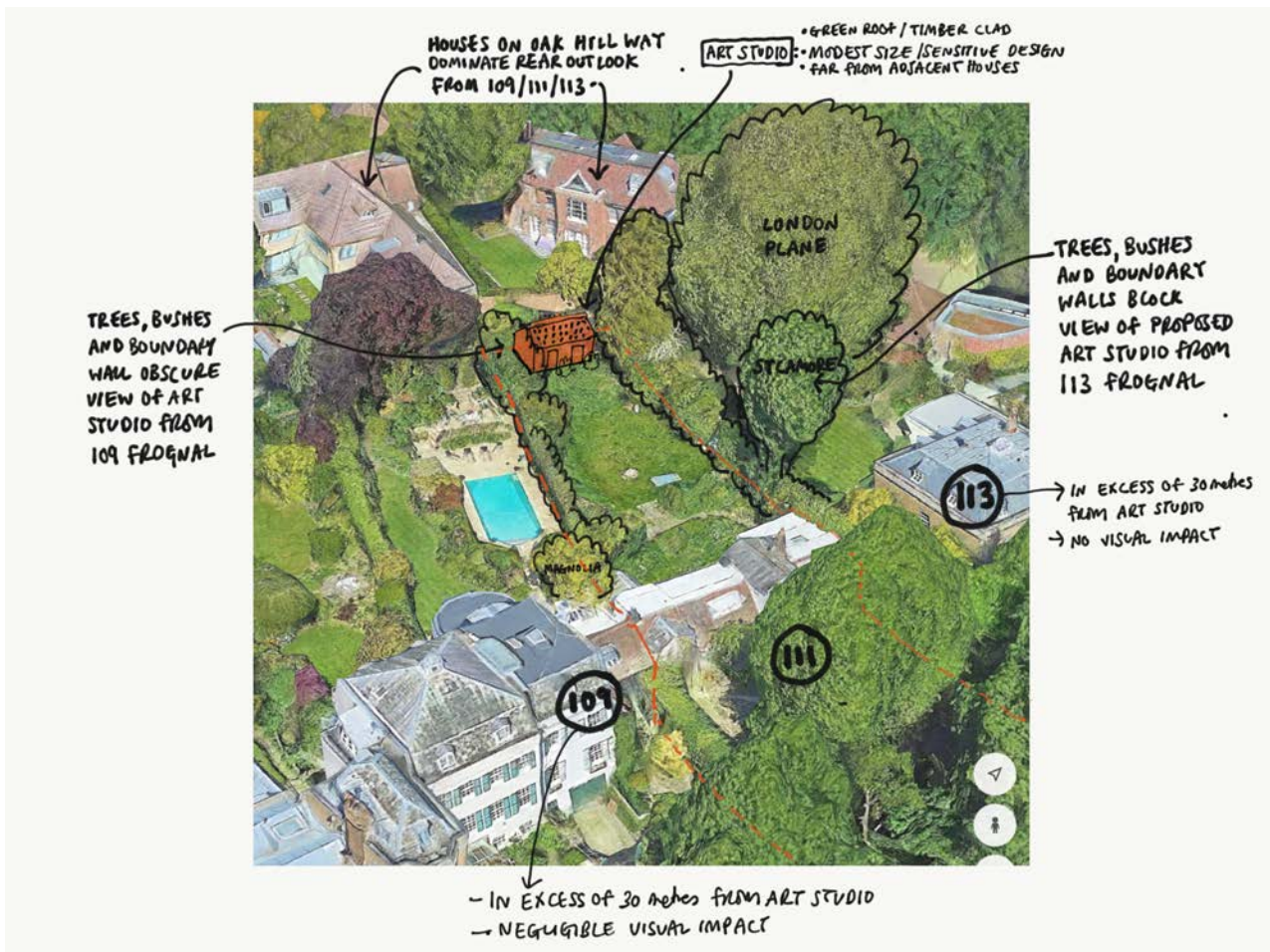


Image 2: View towards 113 (left of 111 scaffolding)

Image 3: view towards 109 (right of 111 Scaffolding)



- The photographs on the previous page (image 2 and 3) taken from the art studio location in 111 Frognal rear garden looking towards the neighbour at 109 and 113, confirm that the art studio will be hardly visible if at all from the rear of the objecting properties. The art studio would only be visible from one window on the top floor of 109 Frognal at a significant distance and at an oblique angle (see image 3).

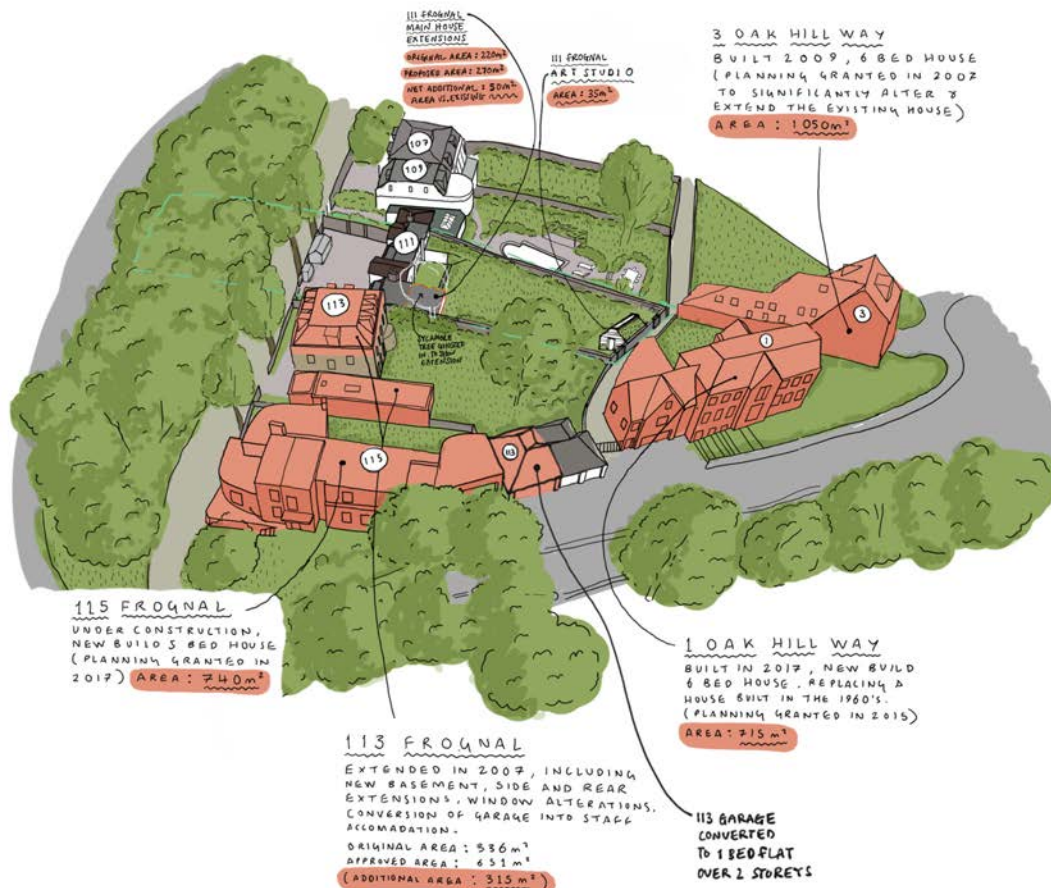
2. Detracting feature:

- The design of the garden studio in weatherboard cladding has been refined in collaboration with officers and is in character with an ancillary garden structure.

3. The 'potential' for light pollution

- There is little potential for additional light pollution as the art studio is hardly if at all visible from 109 and 113. In addition the art studio is set back at a significant distance from 109 and 113, against a backdrop of the houses on Oak Hill Way.
- The art studio is modest in scale and not an 'extremely large structure'. The art studio would be dwarfed by much of the surrounding development on the historic Frognal Grove site (see image 4)
- To relate the art studio at 111 Frognal to a one bedroom flat is irrelevant; we are not proposing any living accommodation.

Image 4: Adjacent development of Frognal Grove



PPS:

New / Additional Concerns

In addition to these matters, in reviewing the latest submitted drawings we note that in addition to the proposed garden building the application now includes a proposal to create a new access through the garden wall into the garden from the rear pathway.

This will involve some demolition / removal of the listed boundary wall.

This was not proposed originally when the application was submitted. This element of the proposal is not therefore mentioned in the application description on the application form, nor on the description used by the Council on the website and public consultation.

As you may be aware the omission of a material element of this nature from the application description and Council consultation process is a matter which could form a subsequent challenge.

We would suggest that either the application description should be amended to include this element and a re-consultation undertaken or this element is removed from the application.

Response

- **New access: The position of the existing access is partially blocked by placing the art studio in the centre of the garden away from neighbouring boundaries, a new wide access was thus proposed for gardening purposes at the north side of the rear wall.**
- **Alteration of rear wall: The rear garden wall is a modern structure which was put in in the 1950s/60s for the purposes of subdividing the pleasure gardens of Frognaal Grove into 10 development plots. This wall is not historic fabric nor does it have any architectural features. And as such any alterations to this wall do not harm or impact on any historic fabric nor the listed setting.**
- **The minor alterations to the access in the rear wall have no visual impact on the adjoining neighbours and is not visible from either 113 nor 109.**

PPS:

Construction Issues and Level of Detail Provided

Linked to the above point, the amended proposals show a difference between the previous plans and those currently submitted in terms of the way that the proposed building roof adjoins the boundary wall. As you will note, when the first set of amended drawings was submitted the roof was shown to sit behind the boundary wall. It is now shown to incorporate / sit over the top of the wall. This would create an unusual detail with the top of the wall being lost within the building. It would also require the provision of some form of gutter along the wall overhanging the shared pathway at the rear.

Objection is raised to this element from an aesthetic and heritage perspective and we question whether if a gutter is required this could be provided on the applicant's land or if it would overhang the pathway. If there would be an overhang a notice would need to be served on the path owner and certificate B of the application forms completed. The current submission includes certificate A only. We ask that this is clarified.

Further, the drawings presented do not show adequate detail, given the listed building context, of the materials proposed to construct the roof, including the adequacy of the fall of the roof to contain the proposed 'green' roof covering and also the visual appearance of this roof – technical specification of the green roof system proposed should be provided. There is also inadequate

dimensional information provided on the drawing, including levels for the finished floor level of the proposed structure, surrounding ground levels and the level of the uppermost top of the glass rooflight, which is essential to relate the building to its context and also to provide an indication of the height of the structure.

Response

- **Adjoining rear wall: Using our rear boundary wall to bear against is not an unusual feature and will allow for the outbuilding to be pushed as far back as possible on site.**
- **Roof and Gutter: No overhang into the access road is shown on the drawing and we will integrate a hidden gutter within the roof so as not to encroach on any neighbouring land.**
- **Dimensions: Detailed heights have been provided of the topography following from a detailed survey of the site.**
- **Despite the above, we do not see how this has any impact on the adjoining neighbours. The access road to the rear belongs to 107 Frognal and the opening on to the access road does not impact 109 or 113.**
- **The works to the rear of the art studio only affect Brian and Marje Eagles who own the access road and Meredith and Denis Coleman at 1 Oak Hill Way who are the closest neighbours to the art studio. Both of these parties have been consulted and have both written to the council in full support of our plans. (See support letters on the portal)**

PPS:

Listed Building Consent?

Finally in respect of both the proposed new access through the wall and also the proposal to link the roof of the building over the wall, we suggest that at this wall forms the curtilage of the listed building, a listed building consent application should be required alongside the planning application. I am unable to see any listed building application on the Council's website search system, (apologies if I am missing this). The application as submitted appears to have used a standard householder form. We therefore also ask that clarity is provided on this matter.

Response

- **The reference for the planning application is 2020/5992/P, the reference for the listed building consent is 2020/5993/L.**

PPS:

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.

Concerns are also raised regarding the proposed second access gate in the boundary wall (not mentioned in the application description) and also the way in which the proposed roof would now incorporate and sit over the boundary wall.

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

Summary

- **As shown in the annotated photographs and diagrams provided, the art studio is set back over 30 metres from the objecting parties and is of no material visual impact as it cannot be seen from 113 and only partially and from one window from 109 at a distance of over 30 metres.**
- **There was no historic outlook from the original 18th century stable block towards the rear garden. Despite this a sensitive approach has been formed due to the grade two star listed site.**
- **The art studio of 7 x 5 metres sits at the back of a large rear garden of 40 metres deep by 15 to 19 metres wide (it tapers) and the studio is small especially relative to the large site and surrounding development around it.**
- **The studio is a sensitive design using natural materials and a weatherboard cladding which suits its ancillary garden use within the curtilage of a grade two star listed building and within a the Fitzjohn and Frogna Conservation area.**
- **The revised proposals were guided by direct feedback from officers who confirmed their support of the new proposed design.**
- **We hope that the council continues to support the proposed revisions to the design and grants consents for our modest scheme, which has been a result of a proactive and collaborative approach with the council.**

Kind Regards,

**Zoe Chan Eayrs and Merlin Eayrs
Homeowners and Designers, 111 Frogna**