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## DESIGN, ACCESS AND PLANNING STATEMENT

*relating to a planning application for*

**Proposal:** Erection of a single storey timber outbuilding in the rear garden  
**Property:** 33 Downside Crescent, NW3 2AN  
**Applicant:** William Carter  
**By:** Brandon Schubert Ltd  
**Date:** 23 January 2023

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## 1. INTRODUCTION AND PROPOSAL

- 1.1 This Planning Statement is prepared on behalf of William Carter (the “Applicant”), to support a planning application relating to 33 Downside Crescent, London, NW3 2AP.
- 1.2 Planning permission is sought for the erection of single storey outbuilding at the rear of the garden. This will provide ancillary multi-use space to be used in conjunction with, and incidental to, the enjoyment of the residential use of the main property. Given its location to the rear of the main property, the outbuilding will not be visible in views from the public domain. The outbuilding will be located near the neighbouring outbuilding situated at 31 Downside Crescent (2022/0099/P).
- 1.3 The proposed description of development is as follows:
- “Erection of a single storey timber outbuilding in rear garden”.
- 1.4 This Planning Statement assesses the proposals against the policies in the Development Plan and other material considerations, which are relevant to the determination of the application.



## 2. SITE AND SURROUNDING AREA

- 2.1 The property is located within the Parkhill and Upper Park Conservation Area but is not listed. Downside Crescent runs from Haverstock Hill to the south-west and Lawn Road to the northeast. On both sides of the road are semi-detached late-Victorian, red brick, three-storey gabled houses with front and rear gardens.
- 2.2 *“Downside Crescent was constructed on the site of Haverstock Lodge; it is densely lined with late-Victorian red brick, three-storey gabled houses with front gardens. The gabled roofscape is distinctive and virtually intact. The houses are semi-detached, sited close together to form a relatively uniform frontage. Hard-standings and cross-overs have recently replaced some front gardens, and garages and car shelters on the ground floors have been added to the fronts of some houses which break the pattern of these houses and their streetscape.”* (From Parkhill and Upper Park Conservation Area Appraisal and Management Strategy - part 1, 5.3, 2b.)



- 2.3 The site is located within a predominantly residential area characterised by a mix of large semi-detached dwellings as well as properties which have been converted into flats.
- 2.4 The site is not within any Flood Zone or Archaeological Priority Area.
- 2.5 The site is within close proximity to Belsize Park underground station and also a number of bus routes along Haverstock Hill. The site is identified as having a Public Transport Accessibility Level (PTAL) rating of 5 (Very Good).



### 3. PLANNING HISTORY

#### Planning Applications

- 3.1 Application No: 2021/2840/P: Proposal: Erection of full-width, single storey rear extension in connection with the conversion of 2 residential units at ground floor level into a single 3-bed residential unit, including alterations at the front to provide a hipped roof above a bay window, boundary railings and tiled entrance path.
- 3.2 The above-described planning application (2021/2840/P) was granted in May 2022.

#### Other Relevant Applications

- 3.2 Whilst preparing this application, a comprehensive assessment has been undertaken to understand other comparable applications within the site vicinity. Whilst outbuildings have been approved in recent years on Downside Crescent, including at No.31 (the adjoining property), the table below also provides a number of examples of outbuildings on nearby streets within the Parkhill and Upper Park Conservation Area:

*Recent similar approvals for outbuildings in the Conservation Area:*

Address	Reference	Proposal	Decision
31 Downside Crescent London NW3 2AN	2022/0099/P	Erection of a single storey timber outbuilding in the rear garden	Granted (17/02/2022)
20 Parkhill Road London NW3 2YN	2020/2458/P	Erection of a rear garden outbuilding	Granted (08/10/2020)
30A Parkhill Road London NW3 2YP	2-18/2931/P	Erection of a single storey rear extension, outbuilding in the rear garden and alterations to the boundaries all in association with the single family dwellinghouse (C3 use).	Granted (07/03/2019)
8 Downside Crescent London NW3 2AP	2018/1238/P	Erection of an outbuilding in rear garden, for use incidental to the use of the host property	Granted (19/06/2018)
Flat 4 46 Parkhill Road London NW3 2YP	26016/4960/P	Installation of a timber garden room.	Granted (19/12/2016)
17A Downside Crescent London NW3 2AN	2016/2528/P	Erection of timber outbuilding in rear garden (retrospective).	Granted (12/07/2016)
Flat Ground Floor 5 Parkhill Road London NW3 2YH	2015/4730/P	Erection of single storey outbuilding in rear garden.	Granted (24/11/2015)
11B Parkhill Road London NW3 2YH	2015/2515/P	Erection of extension and alterations to rear garden outbuilding.	Granted (14/07/2015)
20A Lawn Road London NW3 2XR	2014/2973/P	Erection of outbuilding in rear garden	Granted (11/08/2014)
74 Parkhill Road London NW3 2YT	2014/3777/P	Erection of single storey timber clad garden room.	Granted (21/07/2014)

- 3.3 These applications highlight the acceptability in principle of constructing outbuildings within rear gardens of the residential properties in the surrounding area. This is discussed further in the following sections.

## 4. PLANNING POLICY CONTEXT

- 4.1 This Section outlines the relevant planning policy context which will be considered in the determination of the application proposals. Section 5 assesses the application proposal against the Development Plan documents. These include:

- Camden Local Plan (2017); and
- The London Plan (2021).

## **Local Planning Policy**

- 4.2 The Camden Local Plan sets out the Council's planning policies and replaces the Council's previous Core Strategy and Development Policies planning documents. The Local Plan provides planning policies that respond to changing circumstances and the borough's unique characteristics and contribute to delivering the Camden Plan and other local priorities. The Local Plan covers the period from 2016-2031.
- 4.3 The Local Plan is intended to help deliver the objectives of creating the conditions for harnessing the benefits of economic growth, reducing inequality and securing sustainable neighbourhoods. The Plan also assists the delivery of other plans and strategies prepared by the Council and other service bodies, for example masterplans and planning briefs. The relevant policies from the Local Plan are as follows;
- Policy A1 Managing the impact of development
  - Policy D1 Design
  - Policy D2 Heritage

### *Supplementary Planning Guidance*

- 4.4 Camden has adopted eight Camden Planning Guidance documents, which cover a variety of topics such as design, housing, amenity and transport. Of particular relevance to this application is Camden Planning Guidance on Home Improvements (January 2021). The guidance provides specific guidance for outbuildings in relation to design, heritage, and amenity. Parkhill and Upper Park Conservation Area Appraisal and Management Strategy
- 4.5 Downside Crescent was constructed on the site of Haverstock Lodge; it is densely lined with late-Victorian red brick, three-storey gabled houses with front gardens. The gabled roofscape is distinctive and virtually intact. The houses are a mix of detached and semi-detached properties, sited close together to form a relatively uniform frontage.
- 4.6 The Area Appraisal contains no specific reference to or guidance on the design of outbuildings within the conservation area.

## **The London Plan**

- 4.7 The London Plan (2021) provides the strategic policy context for all of London and seeks to provide an integrated framework for its development.
- 4.8 The Mayor's strategic policies aim to provide more homes, promote opportunity and provide a choice of homes for all Londoners that meet their needs at a price they can afford.
- 4.9 Policy HC1 states that development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings.

## **National Planning Policy**

### *National Planning Policy Framework*

- 4.10 The NPPF was updated in March 2019 and sets out the strategic planning aspirations which, along with the National Planning Practice Guidance (NPPG), are material considerations in decisions on planning applications. The documents set out the Government's economic, environmental and social planning policies and guidance and identifies that the purpose of the planning system is to promote sustainable development. The NPPF advises that the primary aim of development management is to foster the delivery of sustainable development, not to hinder or prevent development from taking place.
- 4.11 Paragraph 11 of the NPPF identifies the core planning principles which should underpin both plan making and decision making, this includes being genuinely plan led, not simply being about scrutiny, proactively driving and supporting sustainable economic development, seeking to secure high quality design and a good standard of amenity, promoting the vitality of urban areas, supporting the transition to low carbon futures and promoting mixed use developments.
- 4.12 The NPPF supports a presumption in favour of sustainable development and sets out at Para 11 that 'for decision taking this means: approving development proposals that accord with the development plan without delay'.



## 5. ASSESSMENT OF THE PROPOSALS

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act states that applications must be determined in accordance with the relevant development plan unless material considerations indicate otherwise. This section assesses the proposals against the aims and objectives of the adopted development plan policies.

### **Principle and design of the outbuilding**

- 5.2 NPPF Section 12 requires development proposals to be well designed so that they function well and add to the overall quality of the area, are visually attractive, and sympathetic to local character and history.
- 5.3 Camden's Local Plan Policy D1 (Design) requires development to be of the highest architectural and urban design quality which improves the function, appearance and



character of the area. Proposals are required to respect local context and character; preserve and enhance the historic environment and integrate well with the surrounding streets and open spaces.

- 5.4 As illustrated in Section 3, there are a number of planning permissions for rear outbuildings already present in the surrounding area, such as 31 Downside Crescent (2022/0099/P), 8 Downside Crescent (2018/1238/P) and 17A Downside Crescent (2016/2528/P). The presence of comparable outbuildings confirms that the Council has considered this type of built form at this location acceptable in similar contexts.
- 5.5 Camden Planning Guidance Home Improvements (January 2021) provides detailed guidance outlining how the Council will apply planning policies when making decisions on outbuilding developments. The guidance set out in the CPG states that outbuildings should:
- Ensure the siting, location, scale and design has a minimal visual impact on, and is visually subordinate within, the host garden;
  - In Conservation Areas, check the Conservation Area Appraisal in relation to outbuildings, to know what you should consider. The works should preserve or enhance the existing qualities and context of the site, and character of the Conservation Area;
  - Not detract from the open character and garden amenity of neighbouring gardens and the wider surrounding area;
  - Ensure the position will not harm existing trees and their roots;
  - The construction method should minimise any impact on trees, mature vegetation or adjacent structures; and
  - Use materials which complement the host property and the overall character of the surrounding garden area.

### **Scale and Size of Proposed Outbuilding**

- 5.6 The proposed outbuilding is small in scale and is visually subordinate to both the main property and the host garden. There would remain plentiful garden and amenity space for existing and future residents to use. Overall, the outbuilding would not detract from the open character and garden amenity of neighbouring gardens and the wider surrounding area. It is significantly smaller in scale than the outbuilding at No. 8 which was approved by the Council in 2018 (2018/1238/P where the approved outbuilding had a depth of 9.5m and width of 4.4m (and a footprint of 38.2sq. m).
- 5.7 The proposed outbuilding provides 13 sq. m of ancillary residential space. Whereas, after the extension is constructed (as approved by 2021/2840/P), the open garden space surrounding the main property measures a total of 222 sq. m. The proposed outbuilding therefore would occupy approximately 6% of the curtilage of the property. It is noted that this is significantly less than the proposal which was accepted at No. 8 Downside Crescent (2018/1238/P) where the outbuilding covered 9.5% of the curtilage of the property.
- 5.8 In addition, after the extension is constructed (as approved by 2021/2840/P), the property itself will have a footprint of 178 sq. m and, therefore, the proposed outbuilding represents just 7% of the footprint of the host property. Again, this is

considerably less than the proposal which was accepted at No. 8 Downside Crescent (2018/1238/P) where the outbuilding covered 27.3% of the footprint of the host property. Given these factors (and the favourable comparison to the approved outbuilding at No. 8 Downside Crescent), the proposal here is clearly of a scale which is considered to be incidental to the main property.

### **Design**

- 5.9 The outbuilding would be of a traditional design, with traditionally finished windows and clad in timber (which naturally weathers) with a traditional slate hipped roof. The design would enhance and preserve the character of the amenity of the garden space and would be a clearly subordinate feature to the host property without visually competing with it. As a result, it would not detract from the existing building and the outbuilding's high-quality and traditional design will therefore not impact on the character of the Conservation Area. Given its location to the rear, it will not be visible from the public domain.
- 5.10 The careful, traditional design and traditional materials used (timber and slate) and location of the proposed outbuilding ensures that the development accords with all criteria set out in the CPG and should be accepted by the Council.

### **Amenity**

- 5.11 Camden Local Plan Policy A1 seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered. It seeks to ensure that development protects the quality of life of occupiers and neighbours by only granting permission for development that would not harm the amenity of neighbouring residents. This includes privacy, outlook, daylight, sunlight and noise.
- 5.12 CPG Amenity (2021) provides specific guidance with regards to overlooking, privacy and outlook. The guidance states that extensions should be designed to protect the privacy of occupiers of both existing and proposed dwellings, and be carefully designed to avoid overlooking.
- 5.13 The proposed outbuilding is located to the rear of the garden and will not affect the levels of daylight receipt within the adjoining houses. Whilst the outbuilding would have small traditionally glazed timber-framed windows, as these are located at ground floor it will not allow unacceptable overlooking to either adjoining property.
- 5.14 The design of the pitched roof, which reduces the height of the roof at the site's boundaries ensures that the new outbuilding's visual impact is minimised. The proposal will not have an overbearing impact on any neighbouring residents.
- 5.15 No. 31 Downside Crescent also has an outbuilding located to the rear of its garden (2022/0099/P). As the proposed outbuilding at No. 33 will be situated lower than the neighbouring outbuilding at No. 31 due to the natural sloping of the rear gardens (from west to east along the Crescent), the proposed outbuilding at No. 33 will not have any impact on the receipt of light within the neighbouring outbuilding at No. 31.
- 5.16 The proposed development is therefore considered to be acceptable and compliant with the objectives of Camden Local Plan Policy A1.



## Trees

- 5.17 Usherwood Arboriculture were instructed by the Applicant to provide a tree survey, arboricultural impact assessment, method statement and tree protection plan with regards to the current proposal (the “**Tree Survey**”). The Tree Survey which accompanies this planning application was carried out in accordance with BS5837:2012, Trees in relation to design, demolition and construction-Recommendations.
- 5.18 The Tree Survey takes into account the potential impact of the proposed development upon trees both within and in close proximity to 33 Downside Crescent. A total of 5 individual trees are surveyed in the Tree Survey, 1 individual tree within the adjacent garden to the immediate south and 4 within the site itself. A single small category C Cherry tree will require removal in order to facilitate the proposed development whilst the building footprint will impinge upon under 3% of the root protection area of a mature London Plane. Details within the arboricultural method statement and tree protection plan will ensure that all remaining trees are afforded maximum protection throughout the development.
- 5.19 The Tree Survey states the following:
- “The proposal to construct a timber garden outbuilding upon a concrete raft should have minimal impact upon nearby trees. A single category C Cherry tree (T2) will require removal but could easily be replaced elsewhere within the subject garden. T1 category C Cherry grows in the neighbouring garden corner of the garden in close proximity to a recently completed garden building. The proposed building will be constructed upon a concrete raft in the approximate area shown below. The grassed are in proximity to the raft foundation will be removed by hand to a depth of approximately 50mm below ground level. A non permeable membrane will then be laid upon open ground prior to the installation of raft. The proposed building will extend a small distance into the theoretical root protection area (RPA) of T4 London Plane, the ingress is approximately 3% of the total RPA with ample open ground elsewhere providing favourable rooting conditions.”*
- 5.20 The conclusion of the Tree Survey states:
- “It is my opinion that provided the measures set out within this document are adhered to, there should be no adverse impacts upon any of the retained trees, I therefore suggest that this application should be regarded as being arboriculturally acceptable.”*
- 5.21 All of the recommendations, measures and guidance provided in the arboricultural method statement contained within the Tree Survey will be followed and, therefore, the proposed development is considered acceptable from an arboricultural perspective.

## 6. CONCLUSION

- 6.1 This planning application seeks permission for an outbuilding at 33 Downside Crescent, London, NW3 2AP. The building will be used incidentally to the primary residential use of the main property.
- 6.2 The outbuilding has been designed to ensure it has minimal visual impact and is subordinate within the host garden. The proposed outbuilding would not detract from

the open character or amenity of neighbouring gardens and the wider surrounding area. The design of the outbuilding, positioned to the rear end of the garden, prevents the loss of privacy or overlooking to neighbouring properties.

- 6.3 The position of the outbuilding would not harm existing trees within the host garden or any neighbouring gardens. The proposal would be constructed in accordance with the guidance contained within the arboricultural method statement in the Tree Survey.
- 6.4 Whilst it is noted that the property is within the Parkhill Conservation Area, the high quality traditional design of the outbuilding ensures that it would serve to preserve the Conservation Area's character, appearance and historic interest and, in any case, the outbuilding would not be immediately visible from the streetscene.
- 6.5 The proposed outbuilding occupies only 6% of the curtilage of the property and only 7% compared to the footprint of the host property. Therefore, the scale of the proposed outbuilding is considered to be incidental to the main property.
- 6.6 It is considered that the proposals would comply with the relevant policies of the development plan, taking account of material considerations, and would therefore be acceptable. Accordingly, planning permission should be approved without delay.