

<b>Delegated Report</b>		<b>Analysis sheet</b>	<b>Expiry Date:</b>	18/04/2023
		N/A	<b>Consultation Expiry Date:</b>	26/03/2023
<b>Officer</b>			<b>Application Number(s)</b>	
Edward Hodgson			2023/0345/P	
<b>Application Address</b>			<b>Drawing Numbers</b>	
47 Priory Road London NW6 4NS			See draft decision notice	
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>	
<b>Proposal(s)</b>				
Removal of front boundary wall and creation of new vehicular access and hardstanding in front garden for carparking				
<b>Recommendation(s):</b>	Refuse planning permission			
<b>Application Type:</b>	Full Planning Application			

<b>Informatives:</b>				
<b>Consultations</b>				
<b>Adjoining Occupiers:</b>	No. of responses	<b>02</b>	No. of objections	<b>02</b>
<b>Summary of consultation responses:</b>	<p>A site notice was displayed 24/02/2023 which expired 20/03/2023  A press notice was published 02/03/2023 which expired 26/03/2023.</p> <p>Two letters of objection were received by nearby residents at 38 Compayne Gardens and 145 Abbey Road.</p> <p>Their objections can be summarised as below:</p> <ul style="list-style-type: none"> <li>• Garden walls are a part of the architectural features of the area</li> <li>• Concerns about the reduction in green spaces</li> <li>• Harm to the conservation area</li> <li>• Impacts on parking for other residents</li> <li>• Concerns over the impact on trees and biodiversity</li> <li>• Encourages driving which has environmental impacts</li> <li>• No panel or letter is informing residents nearby of the application</li> </ul> <p><u>Officer's Response:</u></p> <ul style="list-style-type: none"> <li>• <i>Design and heritage are material planning considerations in assessing this application and are discussed in section 2 of the report.</i></li> <li>• <i>Transport, including car parking and sustainable transport, is a material planning consideration and is addressed in section 4 of the report</i></li> <li>• <i>The proposal does not involve the loss of any trees or existing planting as the existing front garden consists of paving and artificial grass. The loss of front garden space and environmental impacts are discussed in section 4 of the report</i></li> <li>• <i>The application was advertised by means of a site notice and press advert in line with the Council's Statement of Community Involvement.</i></li> </ul>			

## Site Description

The application site is semi-detached three storey plus lower ground floor period property which has been subdivided into flats. It was constructed with stock brick with stucco at ground and lower ground floor level. The property is set back from the road with a front garden area containing a central lawn surrounded by pebble strips and a low front boundary wall and piers finished in render. Three existing trees are located in the front garden.

The site is located within the Priory Road Conservation Area to which it makes a positive contribution but is not listed.

## Relevant History

### Application Site:

**2005/3187/P** - Enlargement of side dormer and alterations to rooflights to front and rear, as a revision to planning permission granted on 08/06/05 (2005/1138/P) for conversion of existing loft area to provide additional habitable accommodation, including the erection of a side dormer and four roof lights, two on the front and two on the rear roof slope. **Granted - 28/10/2005**

**2022/0591/P** - Creation of new balcony at ground floor with balustrade and replacement of existing window with doors. **Granted - 2022/0591/P**

### Other sites:

#### 99 Priory Road

**2008/3670/P** - Widening of the driveway by a total of 1.5m, the erection of new gates and brick piers and the laying down of additional hardstanding. **Refused - 15/06/2009.**

#### *Reasons for Refusal:*

- 1) The proposed alterations would result in the loss of one on-street car parking space within the Controlled Parking Zone, and as such would be contrary to policy T9B 'Impact of Off-street Parking' of the London Borough of Camden Replacement Unitary Development Plan 2006.*
- 2) In the absence of sufficient information to establish the impact of the proposed works on roots of the yew tree located adjacent to the driveway, which is considered to have significant amenity value within the conservation area, the proposal would be likely to result in harm to the tree contrary to policy N8 'Ancient Woodlands and Trees' of the London Borough of Camden Replacement Unitary Development Plan 2006.*

#### 29 Maresfield Gardens

**2022/1965/P** - Retrospective partial demolition and alterations to front boundary wall and landscaping to facilitate the creation of on-site parking spaces. Installation of 2x bin stores in front garden.

**Refused and warning of enforcement action to be take - 23/09/2022**

#### *Reasons for Refusal:*

- 1) The proposed development, by virtue of the loss of the front boundary wall and soft landscaping and its replacement with a large area of incongruous hard landscaping, results in the loss of a traditional front garden landscape and boundary treatment thus harming the character and appearance of the host property, streetscene and Fitzjohns/Netherhall Conservation Area, contrary to policies D1 (Design) and D2 (Heritage) of the Local Borough of Camden Local Plan 2017.*

2) *The development, by reason of the creation of off-street car parking, promotion of car use and loss of on-street parking, would encourage the use of unsustainable modes of transport and increase parking stress which would harm local amenity, contrary to policies T1 (Prioritising walking, cycling and public transport), T2 (Parking and car-free development) and A1 (Managing the impact of development) of the Camden Local Plan 2017*

## **Relevant policies**

### **National Planning Policy Framework 2021**

### **The London Plan 2021**

### **Camden Local Plan 2017**

D1 - Design

D2 – Heritage

A1 – Managing the Impact of Development

A3 – Biodiversity

T1 – Prioritising walking, cycling and public transport

T2 - Parking and Car-free development

### **Camden Planning Guidance**

CPG Design (2021)

CPG Home Improvements (2021)

CPG Transport (2021)

### **Priory Road Conservation Area Appraisal and Management Strategy 2000**

## **Assessment**

### **1.0. Proposal**

1.1 Planning permission is sought for the removal of the existing front boundary wall and the installation of a dropped kerb in order to create a vehicular entrance and off-street car parking space within the existing front garden.

1.2 The main planning considerations for the proposal are:

- Design and Heritage
- Amenity
- Transport
- Planning Balance

### **2.0 Design and Heritage**

2.1 Local Plan policy D1 (Design) states that the Council will seek to secure high quality design in development. The Council will require that development: a. respects local context and character; b. preserves or enhances the historic environment and heritage assets in accordance with policy D2 (Heritage). Local Plan policy D2 states that The Council will preserve and, where appropriate, enhance Camden's rich and diverse heritage assets and their settings.

- 2.2 The Priory Road Conservation Area Appraisal and Management Strategy states that alterations to the front boundaries can dramatically affect and harm the character of the conservation area. Where there are low walls alongside the road they add to the attractive appearance of the front gardens and architectural setting of the traditional 19<sup>th</sup> century buildings. The loss of front boundary walls where it has occurred detracts from the appearance of the front garden by reducing the area for soft landscaping in this urban residential area. The loss of front boundary walls facilitates the parking of vehicles in part of the property which would adversely affect the setting of the building and general streetscene. The Council will resist any further loss of front boundary walls and conversion of front gardens into hardstanding parking areas.
- 2.3 There are examples of onstreet parking at neighbouring properties including at nos. 43-45 Priory Road; however there is no planning history granting formal permission for this development. These examples demonstrate the harm that is caused through the loss of original front boundary treatments as identified in the Conservation Area Management Strategy.
- 2.4 The proposal would involve the loss of the original low boundary wall in the front garden which is considered to be crucial to the formal relationship between house and street. The loss of the wall therefore would result in the loss of this formal relationship and would harm the character of the conservation area. The front garden itself would be paved to create a car parking space, resulting in the front garden being almost entirely hardstanding, although the trees would be kept. This would lose existing and potential soft landscaping here and would harm the green and open character of the streetscene and conservation area. Although it is noted that the existing front garden consists of artificial grass, the proposed parking space would prevent any opportunity for planting in this location.
- 2.5 The proposals therefore would fail to preserve the character and appearance of the Priory Road Conservation Area, contrary to policies D1 and D2 of the Camden Local Plan 2017.
- 2.6 Considerable importance and weight have been attached to the harm and special attention has been paid to the desirability of preserving or enhancing the character or appearance conservation area, under s. 72 of the Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

### **3. Amenity**

- 3.1 Policy A1 seeks to ensure that the amenity of neighbouring properties is protected. It states that planning permission will not be granted for development that causes harm to the amenity of occupiers and neighbours in terms of loss of daylight, sunlight, outlook and privacy. It also seeks to resist development that fails to adequately assess and address transport impacts affecting communities, occupiers, neighbours and the existing transport network. Proposals affecting the highway should avoid creating a shortfall to existing on-street parking conditions or amendments to Controlled Parking Zones.
- 3.2 The proposal would create a shortfall of on-street parking by losing one carspace for general use to create a crossover to new private forecourt parking. While the proposal does not impact neighbours in terms of privacy, outlook and daylight, the proposed dropped kerb is contrary to the above-mentioned aims of policy A1 of the Camden Local Plan 2017.

### **4. Transport**

- 4.1 Policy T1 aims to promote sustainable transport by prioritising walking cycling and public transport. This is achieved by improving pedestrian friendly public realm, road safety and crossings, contributing to the cycle networks and facilities and finally improving links with public transport. All these measures are in place to ensure the Council meets their zero carbon targets.
- 4.2 Policy T2 limits the availability of parking in the borough and requires all new developments in the borough to be car free. This will be done in part by resisting development of boundary treatments. Parking can cause damage to the environment. Trees, hedgerows, boundary walls and fences are often the traditional form of enclosure on Camden's streets, particularly in conservation areas, contributing greatly to their character, as recognised in Camden's Conservation Area Appraisals and Management Strategies. This form can be broken if garden features are replaced by areas of paving or hardstanding. Development of boundary treatments and gardens to provide on-site private parking often requires the loss of much needed public on-street parking bays to create vehicle crossovers. Areas of paving can also increase the volume and speed of water run-off. This adds to the pressure upon the drainage system and increases the risk of flooding from surface water. Developments seeking to replace garden areas and/or boundary treatments for the purposes of providing on-site parking will therefore be resisted.
- 4.3 The proposals are clearly contrary to policies T1 and T2, by reducing the provision of on-street parking through creating a forecourt parking with dropped kerb, introducing an area of hardstanding in place of front garden which can increase the speed and volume of water run-off, and harming the conservation area. The development would fail to be car-free and would not encourage the use of or provide for sustainable transport.
- 4.4 The provision of a carparking entrance would represent an unnecessary hazard on the public highway. The retention of the existing trees in the front garden would inhibit the driver's visibility when exiting the proposed parking space which would a represent a hazard to the public highway including to cyclists, pedestrians and other road users.
- 4.5 The proposal has failed to consider these issues and therefore there is an in-principle objection to this kind of development on this site. In relation to transport considerations, the proposal fails to comply with policies A1, T1 and T2 of the Camden Local Plan 2017.

## **5. Planning Balance**

- 5.1 It is noted that the application has been submitted due to the applicant's personal medical circumstances and supported by medical advice. However it should be noted that the applicant could apply for a dedicated disabled parking space directly outside this property which would provide easily accessible parking and hopefully meet his current needs. The Council has taken these circumstances into account when coming to this decision. Paragraph 202 of the NPPF states that, where a development proposal will lead to 'less than substantial' harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits. The proposal would result in 'less than substantial' harm to the conservation area. The only benefits would be private benefits for the applicant, with no clear public benefits provided. Therefore, on balance, the Council must resist the proposal that would harm the conservation area.

## **6. Recommendation:**

**Refuse Planning Permission for the following reasons:**

1. The proposed development, by virtue of the loss of the front boundary wall and front garden soft landscaping and its replacement with a hardstanding for carparking, would result in the loss of a traditional front garden landscape and boundary treatment thus harming the character and appearance of the host property, streetscene and Priory Road Conservation Area, contrary to policies D1 (Design) and D2 (Heritage) of the Local Borough of Camden Local Plan 2017.
2. The development, by reason of the promotion of car use, loss of onstreet parking and impact on public highway safety, would encourage the use of unsustainable modes of transport, increase parking stress and harm local amenity, contrary to policies T1 (Prioritising walking, cycling and public transport), T2 (Parking and car-free development) and A1 (Managing the impact of development) of the Local Borough of Camden Local Plan 2017.