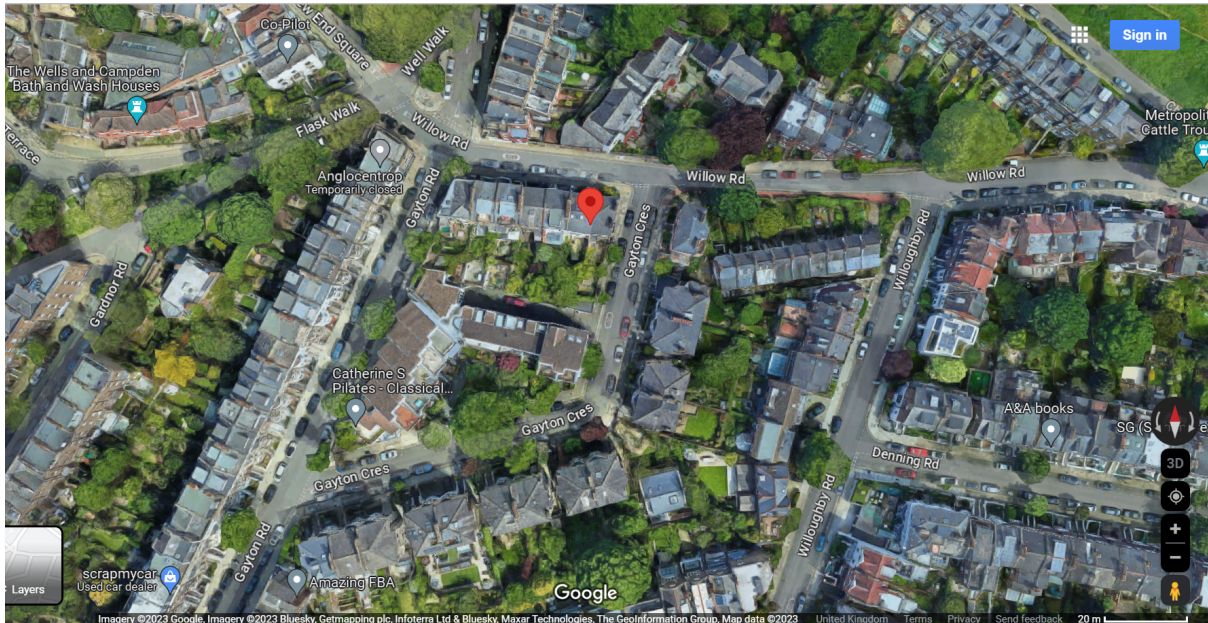


42 Willow Road, London, NW3 1TS



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2022/3729/P – 42 Willow Road.



1. Google maps view. Host site highlighted at corner of Willow Road and Gayton Crescent.



2. Google Streetview from Gayton Crescent showing flank wall of host site, No. 42 Willow Road.



3. Photograph of wall, showing works being carried out.

Delegated Report (Members Briefing)		Analysis sheet		Expiry Date:	27/10/2022
		N/A / attached		Consultation Expiry Date:	06/11/2022
Officer			Application Number(s)		
Matthew Dempsey			2022/3729/P		
Application Address			Drawing Numbers		
42 Willow Road London NW3 1TS			Please refer to decision notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Alteration to existing side boundary wall by addition of masonry arched timber gate.					
Recommendation(s):		Grant Part Retrospective Householder Consent			
Application Type:		Householder Consent Application			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	00	No. of responses	06	No. of objections	05
Summary of consultation responses:	<p>A site notice was displayed 06/10/2022, which expired 30/10/2022. A press notice was published 13/10/2022, which expired 06/11/2022.</p> <p>One resident of Gayton Crescent responded to confirm their support for the scheme.</p> <p>Five residents of Gayton Crescent responded with objection to the scheme. Their concerns can be summarised as follows:</p> <ul style="list-style-type: none"> • Works carried out without permission • Inappropriate design • Misleading supporting information <p><u>Officer response:</u></p> <ul style="list-style-type: none"> • <i>It is unfortunate if works requiring permission are carried out / commenced prior to consent being sought, however the planning system does make provision for retrospective/ part retrospective consent. The assessment has been carried out on an impartial basis; and, were the scheme considered unacceptable, a decision notice would be accompanied by a warning of enforcement action. Given the works are acceptable, this approach is not necessary here.</i> • <i>The design is considered acceptable in this location. The applicant has provided examples of a variety of arched gateways within the wider area, and the addition as proposed is not considered to be incongruous here.</i> • <i>Some objections have arisen due to the description of the gateway opening as existing, however whilst some works were carried out without consent, as noted above it is possible to regularise works with retrospective consent. The assessment is based on the changes from the lawful arrangement prior to development to the proposed development. Under these circumstances the proposals are considered acceptable.</i> 					
CAAC/Local groups* comments: *Please Specify	<p>The Heath and Hampstead Society responded to consultation to confirm they have no objection, provided materials are of good quality.</p> <p>The Hampstead CAAC and the Local Neighbourhood Forum were consulted on the proposals but had not responded with any comments at the time of writing.</p>					

Site Description

The host building is a four storey end of terrace single family dwelling house. The rear garden includes a flank wall which borders the public highway along Gayton Crescent.

The property is not listed, but it is located within the boundaries of both the Hampstead Conservation Area and Hampstead Neighbourhood Plan.

The flank wall is noted within the conservation area street scape audit as having interesting curved coping bricks. The proposals under consideration here relate to the flank wall.

Relevant History

2020/4745/P - Change of use from 2 x units (upper floor maisonette and basement flat) to single dwelling house. Granted 02/03/2021.

2021/1641/P - Construction of rear lower ground floor glazed extension. Granted 11/08/2021.

EN22/0556 - The boundary is being altered substantially. Planning application under consideration submitted.

Relevant policies

National Planning Policy Framework (2021)

London Plan (2021)

Camden Local Plan (2017)

A1 Managing the impact of development

D1 Design

D2 Heritage

Camden Planning Guidance

Amenity (2021)

Design (2021)

Hampstead Neighbourhood Plan (2018)

Hampstead Conservation Area Appraisal and Management Strategy (2001)

Assessment

1.0 Proposal

- 1.1 This application seeks planning permission for the installation of a new pedestrian gate to the flank wall facing Gayton Crescent.
- 1.2 It is noted, that the works have commenced prior to determination of the application, therefore consent sought is part retrospective.

2.0 Assessment

- 2.1 The main planning considerations in the assessment of this application are:
- Design (the impact that the proposal has on the character of the host property as well as that of the wider Hampstead Conservation Area);
 - Amenity (the impact of the proposal on the amenity of adjoining occupiers).

3.0 Design

3.1 Policy D1 aims to ensure the highest design standards for developments. Policy D1 states that the Council will require all developments to be of the highest standard of design and to respect the character, setting, form and scale of neighbouring buildings, and the character and proportions of the existing building. Policy D2 states that within conservation areas, the Council will only grant permission for development that 'preserves or, where possible, enhances' its established character and appearance.

3.2 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013 ("the Listed Buildings Act") requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area when considering applications relating to land or buildings within that Area. As such, there is a statutory presumption in favour of the preservation of the character and appearance of Conservation Areas, and a proposal which would cause harm should only be permitted where there are strong countervailing planning considerations which are sufficiently powerful to outweigh the harm.

3.3 In this instance the purpose of the development is to provide a pedestrian access from the side street, namely Gayton Crescent into the rear garden of the host property. The applicant also notes their aspiration to provide an architectural enhancement to the street-scene. The existing blue gate shall be retained, (which is in fact blocked up from the inside with just the gate remaining in situ, due to a previously approved single storey rear extension; see planning history section). Existing bricks shall be cleaned and reused as part of the works.

3.4 The reclaimed oak gate shall be installed within a purpose built stone archway. The applicant has provided a suite of photographs demonstrating the local character of arched entrances in the vicinity of the host site. Although there may not be a prevailing style, it is acknowledged that there are several examples of secondary entrances being provided within gated arched openings. The existing bricks within the wall are to be cleaned and reused. Therefore, the harm on the wider conservation area would be minimal.

3.5 The proposed installation is considered to be a quite minor alteration to the overall host property and would not appear incongruous in this setting of residential properties and private gardens. The gate shall open inwards only and shall not obstruct the public highway.

3.6 Overall, the proposals are considered to preserve the character and appearance of the host building and Hampstead Conservation Area and are considered to comply with policies A1, D1 and D2 of the Camden Local Plan 2017.

4.0 Amenity

4.1 Policy A1 seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered. Policy A1 seeks to ensure that development protects the quality of life of occupiers and neighbours by stating that the Council will only grant permission for development that would not harm the amenity of neighbouring residents. This includes privacy, outlook, noise and impact on daylight and sunlight.

4.2 Given the nature of the development, it is not considered that the proposed installation would have any negative impact on local neighbouring amenity in terms of loss of light, outlook or privacy.

5.0 Conclusion

5.1 The proposed development is considered acceptable in terms of design, heritage, public safety and impact on neighbouring residential amenity. The development is deemed consistent with the objectives and policies identified above.

5.2 Grant Householder Consent.

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 12th June 2023, 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: 2022/3729/P
Contact: Matthew Dempsey
Tel: 020 7974 3862
Email: Matthew.Dempsey@Camden.gov.uk
Date: 8 June 2023

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

Ms Ana Alonso Truan
39B Bellevue Road
London
N11 3ET

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Granted

Address:
42 Willow Road
London
NW3 1TS

Proposal:

Alteration to existing side boundary wall by addition of masonry arched timber gate.

Drawing Nos: Site Location Plan (42 Willow Rd), SK01, SK04. Planning Statement (Dr C Prior, August 2022).

DECISION

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: Site Location Plan (42 Willow Rd), SK01, SK04. Planning Statement (Dr C Prior, August 2022).

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

- 3 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, where possible existing bricks shall be re-used, unless otherwise specified in writing from the Local Planning Authority.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy D1 and D2 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 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).
- 2 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.
- 3 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 2021.

You can find advice about your rights of appeal at:

<https://www.gov.uk/appeal-householder-planning-decision>.

If you submit an appeal against this decision you are now eligible to use the new [submission form](#) (Before you start - Appeal a planning decision - GOV.UK).

Yours faithfully

Chief Planning Officer

DRAFT

DECISION