

Application No:	Consultees Name:	Received:	Comment:	Response:
2023/4078/P	Jeremy Peter Associates	26/11/2023 12:44:48	OBJ	<p>I have been instructed by the owners of Flat 3 to submit an objection to the proposed development that is being asked to be allowed to take place at the above site. Whilst the description of the proposal may be described as a single storey rear extension on the submitted application form, it is in fact a single storey front extension that will take up a major portion of the front garden and will detrimentally affect the health of nearby trees and vegetation so having a harmful impact on the Conservation Area.</p> <p>It is also contended the construction of this extension will harm the outlook of the flats above the Flat 1 who currently enjoy an outlook to the main street without a large extension in the way. It is clear that this is why an application to remove the Lime tree was submitted (ref: 2023/4079/T) to enable this proposed extension to be constructed.</p> <p>All the above conflict with adopted Camden Local Plan (adopted 2017) against which planning applications have to accord with unless material considerations indicate otherwise, of which I cannot see any. It is also considered the proposal conflicts with Camden Square Conservation Area Appraisal and Management Strategy (CSCAAMS) (March 2011) which is a material consideration in the determination of this application.</p> <p>The objections are set out in more detail below:</p> <p>Harm to Camden Square Conservation Area and the street scene</p> <p>It is considered that the proposed extension would harm the Conservation Area and the street scene by:</p> <ul style="list-style-type: none"> (i) Introducing a large built structure to the front of the property where none existed previously or on any other properties on the street or within the Conservation Area. (ii) The proposed extension would take up a large proportion of the front garden which makes a valuable visual contribution to the street scene and Conservation Area. (iii) The extent of excavation required and proximity to the existing trees in the front garden would have significant detrimental impact on their well being and if they die, it would have a detrimental impact on the Conservation Area. <p>The proposed single storey front extension would almost double the area of the existing flat, i.e. by 72% over what currently exists when assessing the existing floor area, 45.15 sqm and that proposed – 32.74 sqm. It would also take up a sizable proportion of the front garden with its soft landscaping which makes a significant and uniform contribution to the street scene and the Conservation Area, and replace it with a hard urban form that would leave little space for landscaping. It should be noted that there are no other similar front extensions on Camden Road and within the Conservation Area.</p> <p>Also the extent of the proposed extension would require extensive excavation, making effectively a partly underground construction. Consequently policies and guidance relating to basements which deal with partly underground constructions applies. It is contended that despite the applicant stating that no trees would be affected, clearly the extent of excavation required and proximity to existing trees and their root systems could endanger their ability to survive. Their loss would harm the street scene and the Conservation Area as well as the biodiversity of the area. It is noted that the application form states that there are trees on the development site but have not submitted a full tree survey in accordance with BS5837: Trees in relation to design, demolition and construction – Recommendations. No favourable determination should be made on this</p>

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application until such a survey has been undertaken and submitted.

It is considered that the proposal conflicts with the following Local Plan Policies and the more specific guidance pertaining to the Conservation Area contained within the CSCAAMS:

(i) Local plan policy A2 – Open Space, of which criterion (e) seeks to protect non-designated spaces such as gardens with townscape and amenity value.

(ii) Local plan policy A3 – Biodiversity, of which criterion (j) seeks to resist the loss of trees and vegetation of significant amenity, historic, cultural or ecological value including proposals which may threaten the continued wellbeing of such trees and vegetation.

(iii) Local plan policy A5 – Basements – which states the Council will only permit basement development that will not cause, amongst other things (c) the character and amenity of the area, (e) the significance of heritage assets and (m) avoid the loss of garden space or trees of townscape or amenity value. The applicant is also required to demonstrate that proposals for basements do not, amongst other things, (s) harm the appearance or setting of the property or the established character of the surrounding area, and (u) do not prejudice the ability of the garden to support trees where they are part of the character of the area. This should be undertaken in the form of a Basement Impact Assessment which has not been done by the applicant.

(iv) Local Plan Policy D1 – Design – that requires development to, amongst other things, (a) respect local context and character, (b) preserves or enhances the historic environment and heritage assets in accordance with Policy D2 Heritage, (f) integrates well with surrounding streets.

(v) Local Plan Policy D2 – Heritage – which states the Council will not permit the permit development that results to harm to a Conservation Area that is less than substantial to the significance of a designated heritage asset unless the public benefits of the proposal convincingly outweigh the harm. It is considered that the harm to the Conservation Area would be less than substantial in this case. However in the planning balance it is contended that there are no public benefits to the proposal. Therefore there are no benefits to outweigh the harm. The policy goes on to say that the Council will require developments to (e) require development to preserve or where possible, enhance the character or appearance of a conservation area, and (h) preserve trees and garden spaces which contribute to the character and appearance of the conservation area.

(vi) CSCAAMS section 5.8 – The contribution to the character and appearance of green spaces where it is noted that “Street Trees add greatly to the character of the area. Many of these trees are rooted in front gardens and not the pavement. Many front gardens are mature with substantial trees and shrubs enhancing the street. The private front gardens add colour and biodiversity to the residential street scene. The loss of these gardens through parking, ancillary structures, hardstanding or neglect severely erodes the character of the streets. This has happened particularly on Camden Road”.

(vii) CSCAAMS section 6 – Pressure for intensifying residential development – where it is noted that “Demand for residential development has led to an increase in proposals for infill buildings and extensions. The capacity for further intensification without causing harm to the area is limited”.

(viii) CSCAAMS section 7.10 - Development in front garden spaces – only envisages the siting of bin

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stores where absolutely necessary, not front extensions as proposed by this development.

(ix) CSCAAMS) section 8.0 – Gardens and front boundary treatment – states that front and gardens make an important contribution to the streetscape and character of the residential area and that the Council will resist the loss of soft landscaping as well as the loss of gardens through basement developments.

(x) CSCAAMS section 8.0 – Trees and Open Spaces – states that consideration should be given to trees likely to be affected by building or excavation works and where trees are likely to be affected, an arboriculture report will be required to be submitted with the planning application. This has not been undertaken by the applicant.

Section 72 of the 1990 Listed Buildings Act places a duty on Local Planning Authorities to pay special attention to the desirability of preserving or enhancing the character and appearance of Conservation Areas. It is contended that the proposed development neither preserves or enhances the character and appearance of the Camden Square Conservation Area for the reasons given above. It is noted that the Camden Square Conservation Area Advisory Committee in their response of the 16 November 2023 also objects to the application on the basis it neither maintains and enhances the Conservation Area and consequently advocates for its rejection.

Impact on outlook from upper flats.

Currently the occupiers of the upper flats look out over soft landscaping and trees which provide a pleasant outlook that contributes to their overall residential amenity and quality of life. The removal of much of the front garden would compromise this leaving them with a much reduced outlook over a flat roof with little redeeming features thereby significantly harming their residential amenity.

It is considered this would conflict with Local Plan Policy A1 – Managing the Impact of Development – where it is stated the Council will seek to protect the quality of life of occupiers and neighbours through considering factors such as impact on outlook.

Conclusion

For the above reasons, on behalf of my clients, strongly object to the proposed development and ask that the application be refused. If the officer is minded to recommend approval, I would ask that the application be taken to planning committee for consideration and determination.
