

Application ref: 2023/5421/P
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Town & Country Planning Limited
13 Evelyn Road
Cockfosters
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Barnet
EN4 9JT
United Kingdom

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Granted

Address:
100 Haverstock Hill
London
NW3 2BD

Proposal: Removal of retaining wall in front of the lower ground floor window, provision of metal gates within opening in front boundary wall and formation of lawn with bin store, cycle store and planters along side boundary (with no. 102)

Drawing Nos: Drawing No: 2023-1608 (30/04/2024), Indicative Landscaping Scheme.

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 drawings:

Drawing No: 2023-1608 (30/04/2024), Indicative Landscaping Scheme.

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, unless otherwise specified in the approved application.

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.

- 4 No development shall take place until full details of hard and soft landscaping and means of enclosure of all un-built, open areas have been submitted to and approved by the local planning authority in writing. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Reason: To ensure that the development achieves a high quality of landscaping which contributes to the visual amenity and character of the area in accordance with the requirements of policies A3, D1 and D2 of the London Borough of Camden Local Plan 2017.

- 5 All hard and soft landscaping works shall be carried out in accordance with the approved landscape details by not later than the end of the planting season following completion of the development. Any trees or areas of planting (including trees existing at the outset of the development other than those indicated to be removed) which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced as soon as is reasonably possible and, in any case, by not later than the end of the following planting season, with others of similar size and species, unless the local planning authority gives written consent to any variation.

Reason: To ensure that the landscaping is carried out within a reasonable period and to maintain a high quality of visual amenity in the scheme in accordance with the requirements of policies A2, A3, D1 and D2 of the London Borough of Camden Local Plan 2017.

- 6 Prior to the commencement of any works on site, details demonstrating how trees to be retained shall be protected during construction work shall be submitted to and approved by the local planning authority in writing. Such details shall follow guidelines and standards set out in BS5837:2012 "Trees in Relation to Construction". All trees on the site, or parts of trees growing from adjoining sites, unless shown on the permitted drawings as being removed, shall be retained and protected from damage in accordance with the approved protection details.

Reason: To ensure that the development will not have an adverse effect on existing trees and in order to maintain the character and amenity of the area in accordance with the requirements of policies D1, D2 and A3 of the London Borough of Camden Local Plan 2017.

Informative(s):

1 Reasons for granting planning permission:

The application follows a previous application (2023/3256/P) which proposed removal of the front boundary wall and front garden lawn and vegetation (and retaining wall in front of the lower ground floor window) to enable vehicular access to a car parking space to be formed in front of the house. The property is located within the Parkhill Conservation Area and is not listed or locally listed.

The application was withdrawn by the applicant following concerns raised by Officers in relation to the adverse effects on the character and appearance of the Conservation Area from the removal of the front boundary wall, front garden lawn and vegetation and formation of hard surfaced paving. Concern was also raised in relation to the proposal to provide an on-site car parking space in the context of the Council's policies for sustainable transport and reduced car use.

The current proposal retains the front boundary wall as existing with new sliding metal gates being provided to the existing opening. The front garden is proposed to be lowered (including removal of the retaining wall in front of the lower ground floor window) with a new lawn formed and a bin store, cycle store and planters on the side of the lawn adjacent to the boundary with no. 102.

In the context of the character and appearance of the Conservation Area, the proposals are acceptable in principle. The existing traditional front boundary wall would be retained. The proposal to install metal gates within the opening would be appropriate subject to details. Insufficient detail is shown on the drawings and a condition to secure the submission and approval of details is attached, in accordance with the request from the Conservation Area Advisory Committee.

The lowered front garden (lawn, bin store, cycle store and planters) would not detract from the appearance of the streetscene and the character and appearance of the Conservation Area and visual amenity of neighbouring occupiers would not be harmed.

The tree at the front of the site would be retained. Smaller trees and a hedge would be removed.

The applicant has confirmed that replacement planting would be provided and an indicative landscaping scheme has been submitted.

The Council's Tree Officer has reviewed the proposals and requested conditions to ensure protection measures are put in place to protect the tree to be retained and details of the replacement planting are submitted, approved and implemented.

No on-site car parking is proposed and as such, the proposal would not be contrary to the Council's policies for reducing car parking provision to mitigate

against climate change. The Conservation Area Advisory Committee has raised concern that the frontage could be used for car parking in the future. The landscaping condition can be used to ensure the provision and retention of soft landscaping as far as possible.

Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

- 2 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).
- 3 The proposals would not harm the amenity or living conditions at any neighbouring sites. The lowered front garden would not affect the outlook for any adjoining occupiers. The letter from the occupier at 102 Haverstock Hill mentions drainage and water run-off implications. However, there would be no reduction in the size of lawn and the re-modelling and landscaping works would not result in significantly increased water run-off to any neighbouring sites, the highway or water infrastructure.
The site's planning history and the planning history of the neighbouring sites have been taken into consideration in the assessment of the proposal.

As such, the proposal would not harm the quality of the townscape, the significance of the Conservation Area or the amenity of any neighbouring occupiers. The proposal therefore complies with policies A1, D1 and D2 of the Camden Local Plan. It would also comply with the London Plan 2021 and the NPPF 2023.

- 4 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.
- 5 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 2023.

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

A handwritten signature in black ink, appearing to read 'DPope', is written over a light grey rectangular background.

Daniel Pope
Chief Planning Officer