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| Delegated Report | | | Analysis sheet | | |  | | Expiry Date: | **11/06/2024** | |
| N/A | | | | | **Consultation Expiry Date:** | **10/06/2024** | |
| Officer | | | | | | | Application Number(s) | | | |
| Matthew Kitchener | | | | | | | 2024/1488/P | | | |
| Application Address | | | | | | | Drawing Numbers | | | |
| Flat A  259 Goldhurst Terrace  London  Camden  NW6 3EP | | | | | | | See draft decision notice | | | |
| PO 3/4 | Area Team Signature | | | C&UD | | | Authorised Officer Signature | | | |
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| Proposal(s) | | | | | | | | | | |
| Creation of two off-street parking spaces and associated modifications to the front garden including installation of an entrance gate to the vehicular access. | | | | | | | | | | |
| Recommendation(s): | | Refuse planning permission | | | | | | | | |
| **Application Type:** | | Full Planning Application | | | | | | | | |
| Informatives: | |  | | | | | | | | |
| Consultations | | | | | | | | | | |
| Adjoining Occupiers: | | No. of responses | | | **04** | | No. of objections | | | **04** |
| Summary of consultation responses: | | A site notice was displayed 17/05/2024 which expired 10/06/2024.  A press notice was published 16/05/2024 which expired 09/06/2024.  Two letters of objection were received by nearby residents. Letters of objection were received from South Hampstead Flood Action Group and Combined Residents Association of South Hampstead (CRASH).  Their objections can be summarised as below:   * Detrimental to the appearance and setting of the conservation area * Concerns about the loss of front gardens * Impacts on parking for other residents * Concerns over the impact on flooding   *Officer’s Response:*   * *Design and heritage are material planning considerations in assessing this application and are discussed in section 2 of the report.* * *Transport, including car parking and sustainable transport, is a material planning consideration and is addressed in sections 3 & 4 of the report* | | | | | | | | |

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| Site Description |
| The application site is a detached three storey period property which has been subdivided into flats. It was constructed with stock brick. The property is set back from the road with a front garden area and low front boundary wall and piers finished in brick. The front garden is currently laid to grass with a privet hedge inside of the boundary wall and a small tree and other shrubs.  The site is located within the South Hampstead Conservation Area but is not listed. |
| Relevant History |
| Application Site:  **2023/4867/P** - Creation of a terrace at rear first floor level and installation of railings, new rear terraced area and the replacement of all windows with new windows to match the existing. **Granted 25/03/2024**  **2023/2682/P** - Variation of Condition 2 (Approved Plans) of planning permission ref: 2022/5628/P (dated 22/06/2023) (Proposal: Amalgamation of the top two flats to create 1no. flat across the upper floors and 1no. flat on the ground floor; associated internal and external alterations including the creation of a new rear terraced area and the replacement of all windows with new windows to match the existing.) namely for creation of a first floor terrace. **Not Yet Determined**  **2022/5628/P** - Amalgamation of the top two flats to create 1no. flat across the upper floors and 1no. flat on the ground floor; associated internal and external alterations including the creation of a new rear terraced area and the replacement of all windows with new windows to match the existing. **Granted 12/06/2023**  Other sites in the Borough:  47 Priory Road  **2023/0345/P** - Removal of front boundary wall and creation of front driveway and crossover on pavement. **Refused – 17/05/2023. Appeal Dismissed 26/02/2024**  *Reasons for Refusal (appeal decision):*   1. *the proposed development would be harmful to the character and appearance of the host property and surrounding area, in conflict with Policies D1 and D2 of the London Borough of Camden Local Plan (2017) (CLP), insofar as they seek to require development to respect local context and preserve or enhance the historic environment and heritage assets.* 2. *the proposal would likely cause harm to local parking and highway safety and would promote unsustainable modes of transport. This would conflict with Policy T1 of the CLP, which promotes sustainable transport by prioritising walking, cycling and public transport. Additionally, there would be conflict with Policy T2, which amongst other matters, seeks to limit on-site parking, including resisting the development of boundary treatments and gardens to provide vehicle crossovers and on-site parking. The proposal would also conflict with Policy A1 of the CLP which, amongst other things, seeks to resist development that fails to adequately assess and address transport impacts affecting communities, occupiers, neighbours, and the existing transport network.*   99 Priory Road  **2008/3670/P** - Widening of the driveway by a total of 1.5m, the erection of new gates and brick priers 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)  **South Hampstead Conservation Area Appraisal and Management Strategy 2011** |
| Assessment |
| 1. **Proposal**    1. Planning permission is sought for the creation of two off-street parking spaces and associated modifications to the front garden including installation of an entrance gate to the vehicular access.    2. The main planning considerations for the proposal are:  * Design and Heritage * Amenity * Transport  1. **Design and Heritage**     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. The South Hampstead Conservation Area Appraisal and Management Strategy states that the loss of front garden spaces can significantly detract from the appearance of the area and further harm is caused by the paving over of green spaces, loss of boundary walls and hedges, the erection of inappropriate walls, railings and gates and the visual intrusion of the cars themselves parked within the former garden. Unfortunately a significant number of gardens and boundary walls have been removed in the area, making the retention of those surviving, and the reinstatement of those lost, a high priority.    3. There are examples of on street parking at neighbouring properties including at both 257 and 261 Goldhurst Terrace, however there is no planning history granting formal consent for this development at 257. The parking at 261 was approved prior to the Conservation Area Management Strategy being adopted. There are further historic examples of off street parking spaces along the street. These examples demonstrate the harm that is caused through the loss of original front boundary treatments as identified in the Conservation Area Management Strategy.    4. The proposal would involve the loss of a large section of the low boundary wall with railings above in the front garden, as well as the privet hedge, which is considered to be crucial to the formal relationship between house and street. The loss of the majority of the boundary wall and hedge 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 largely paved to create a car parking space, resulting in the front garden being almost entirely hardstanding. This would conflict with the green and open character of the conservation area. A small amount of grass would be retained as well as the existing tree.    5. The proposals therefore would fail to preserve the character and appearance of the South Hampstead Conservation Area, contrary to policies D1 and D2 of the Camden Local Plan 2017.    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. 2. **Amenity**     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. Goldhurst Terrace currently suffers from high levels of parking stress, with 261 permits issued for the 238 spaces available on-street. The street is thus over capacity in parking terms and the further loss of any on-street spaces will affect the existing capacity and negatively impact on the amenity of local residents.   * 1. The proposal would create a shortfall of on-street parking. Currently there are two off-road parking spaces in this location however this would be reduced by one space due to the provision of a crossover in this location. While the proposal does not impact neighbours in terms of privacy, outlook and daylight, the proposed dropped kerb and resultant loss of an on-street parking space is contrary to policy A1 of the Camden Local Plan 2017.  1. **Transport**     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.    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 hard standing. 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.    3. The proposals are clearly contrary to policies T1 and T2, by reducing the provision of on-street parking through creating a dropped kerb, introducing areas of hardstanding in place of front gardens 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. The provision of a crossover would represent an unnecessary hazard on the public highway. The retention of the existing trees in the front garden as part of the scheme would then inhibit the driver’s visibility when existing the proposed parking space which would a represent a further hazard to the public highway including to cyclists, pedestrians and other road users.    5. The proposal has failed to consider these issues and therefore there is a 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. Recommendation:**  **Refuse Planning Permission for the following reasons:**   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, street scene and South Hampstead 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 and the creation of an unnecessary hazard on the public highway, would encourage the use of unsustainable modes of transport 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 Camden Local Plan 2017. 3. The proposed development, by reason of the loss of one on-street parking space would result in a shortfall of on-street parking, negatively impacting on the amenity of residents and is contrary to policy A1 of the Camden Local Plan 2017. |