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|---|----------------------------|---|-------------------------------------|----------------------------------|-----------|-------------------|-----------|
| <b>Delegated Report</b>                                       |                            | <b>Analysis sheet</b>   |                                     | <b>Expiry Date:</b>              |           | <b>31/07/2024</b> |           |
|   |                            | N/A / attached  |                                     | <b>Consultation Expiry Date:</b> |           | <b>06/07/2024</b> |           |
| <b>Officer</b>  |                            |   |                                     | <b>Application Number(s)</b>     |           |                   |           |
| Edward Hodgson  |                            |   |                                     | 2024/2270/P                      |           |                   |           |
| <b>Application Address</b>                                    |                            |   |                                     | <b>Drawing Numbers</b>           |           |                   |           |
| 17 Glenbrook Road<br>London<br>NW6 1TN                        |                            |   |                                     | See 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>  |                            |   |                                     |                                  |           |                   |           |
| Erection of fence and gates on side elevation (Retrospective) |                            |   |                                     |                                  |           |                   |           |
| <b>Recommendation(s):</b>                                     |                            | Refuse and Warning of Enforcement Action to be taken  |                                     |                                  |           |                   |           |
| <b>Application Type:</b>                                      |                            | Householder Permission  |                                     |                                  |           |                   |           |
| <b>Conditions or Reasons for Refusal:</b>                     |                            | Refer to Draft Decision Notice  |                                     |                                  |           |                   |           |
| <b>Informatives:</b>  |                            |   |                                     |                                  |           |                   |           |
| <b>Consultations</b>  |                            |   |                                     |                                  |           |                   |           |
| <b>Adjoining Occupiers:</b>                                   |                            | No. notified  | <b>00</b>                           | No. of responses                 | <b>01</b> | No. of objections | <b>01</b> |
| <b>Summary of consultation responses:</b>                     |                            | <p>Site notices displayed 12/06/2024 to 06/07/2024</p> <p>One objection was received and can be summarised as follows:</p> <ul style="list-style-type: none"> <li>• Works commenced before relevant planning permission was obtained</li> <li>• Poor quality of work, as the door does not close properly</li> <li>• Reduced accessibility to the entrance space serving the neighbouring garage used by no. 16 Glenbrook Rd.</li> </ul> <p><i>Officer Response:</i></p> <ul style="list-style-type: none"> <li>• The application is now being treated as a retrospective application</li> <li>• Design is assessed in section 2 of the report</li> <li>• Transport is assessed in section 4 of the report</li> </ul> |                                     |                                  |           |                   |           |

## Site Description

The application site relates to an end-of-terrace property located on the junction of Glenbrook Road and Narcissus Road. It has two storeys with a two-storey gabled rear projection and a single-storey infill at ground floor. To the rear of the site, facing onto Narcissus Road, are two garages, set back from the pavement with driveways in front, which serve both nos. 17 and 16 Glenbrook Road.

The site is located within the Fortune Green and West Hampstead Neighbourhood Plan area, but is neither located within a conservation area or listed.

## Relevant History

### Application Site:

**2022/3229/P** - Erection of rear dormer and front rooflight in association with loft conversion and replacement of all windows and doors on rear elevation. **Granted - 09/11/2022**

**2023/1592/P** - Installation of railings and new door to create rear first floor balcony, erection of rear dormer and new rooflight. **Granted - 21/06/2023**

## Relevant policies

### National Planning Policy Framework 2023

#### London Plan 2021

#### The Camden Local Plan 2017

D1 Design

A1 Managing the impact of development

T1 (Prioritising walking, cycling and public transport)

T2 (Parking and car free development)

T3 (Transport infrastructure)

#### Fortune Green and West Hampstead Neighbourhood Plan 2015

Policy 2 Design and Character

Policy 9 Pavements and Pedestrians

#### Camden Planning Guidance

CPG – Design 2021

CPG – Home Improvements 2021

CPG – Transport 2021

## Assessment

## **1.0 Proposal**

**1.1** Retrospective planning permission is sought for the erection of a fence and gate along the side elevation of the site, facing onto Narcissus Road. The fence and gates measure approx. 2m high and have been constructed with timber boards and concrete posts. The gate has been constructed in front of the garage serving no. 17 along the boundary pavement and a return fence has been constructed projecting from the garage. Essentially, the area in front of the garage has been enclosed.

The main issues to consider in this case are as follows:

- Design and Conservation
- Amenity
- Transport

## **2.0 Design**

**2.1** The Council's Design Policy D1 of the Local Plan requires development to be of the highest architectural and urban design quality, which improves the function, appearance and character of the area. Development should respect the local area in context and character; preserve or enhances the historic environment and heritage assets; comprise details and materials that are of high quality and complement the local character; integrate well with the surrounding streets; respond to natural features and preserves gardens and other open space; incorporate high quality landscape design and maximise opportunities for soft landscaping, preserve strategic and local views. Policy 2 of the Fortune Green and West Hampstead Neighbourhood Plan states that development should positively interface with the street and streetscape, with a presumption in favour of a colour palette which reflects or is in harmony with the materials of its context.

**2.2** Guidance contained within CPG 'Design' states that design should respond positively to context and character and integrate well with the existing character of a place, building and its surroundings.

- 2.3 The surrounding streetscape is characterised by two-storey period properties which have low front boundary walls which are largely brick or rendered with some planting. There is nonetheless a sense of openness with views available into front gardens and ground floor windows. It is accepted that the application site is a corner property with the rear garden facing partially onto Narcissus Road. It is also noted that there has been a timber fence around the rear garden for some time, however it is unclear how long this has been in situ and there is no specific planning history for this.
- 2.4 The works have essentially extended the area of the previous timber fencing (which enclosed the rear garden) in height and width, thereby increasing its prominence within the streetscene. The structure is now highly visible in long views down Narcissus Road. In terms of materials, the structure appears to be constructed with untreated timber with concrete posts. The lightly coloured untreated timber in particular is at odds with the dark brick finishes of the host and neighbouring properties. In addition, the extension of the fence across the garage increases the sense of dominance and feels overbearing over the public realm especially compared to the open feel down Narcissus Road and the extension of the fencing across the garage driveway in this way is unacceptable.
- 2.6 Overall, the fence and gate structure are an incongruous and unsympathetic addition that is harmful to the streetscene and host building. The design, width, materials and finish of the structure relate poorly to the surrounding context, contrary to policy D1 of the Camden Local Plan and Policy 2 of the Fortune Green and West Hampstead Neighbourhood Plan.

### **3.0 Amenity**

- 3.1 Policy A1 of the Local Plan 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 only granting permission to development that would not harm the amenity of neighbouring residents. This includes privacy, outlook, daylight and sunlight.
- 3.2 Given the nature of the proposal, there would not be any impact on residential amenity.

### **4.0 Transport**

- 4.1 Policy A1 of the Local Plan states that the Council will resist development that fails to adequately assess and address transport impacts affecting communities, occupiers, neighbours and the existing transport network. Policy T1 seeks to promote development that encourages walking by improving pedestrian environment which are easy and safe to walk through. This also applies to cyclists. Policy T2 seeks to promote car-free development, to further encourage the use of sustainable modes of transport. Policy T3 seeks to protect and improve the transport infrastructure within the borough. Policy 9 of the Fortune Green and West Hampstead Neighbourhood Plan seeks to improve pedestrian access in the area, by providing safe and wide pavements, giving maximum possible space to pedestrians, including disabled users and those with push chairs.
- 4.2 The side fence and gate structure in front of the garage restrict turning movements in and out of the neighbouring short driveway and garage. This is an issue that has been raised by a neighbour who has access to the neighbouring garage. In addition, the fence and gate structure obstruct visibility lines when a vehicle is entering or exiting the garage. This represents a road safety hazard to passing pedestrians, cyclists and other road users. This is contrary to both Local and Neighbourhood Plan policies which seek to encourage cycling and walking by creating safer and easier pavements and highways. This development is contrary to this policy aim and has potential

to cause accidents and injuries to pedestrians, cyclists and other road users. The Council's Transport and Highways team have objected to the works.

- 4.3 Overall, the fence and gate structure is considered to pose a risk to pedestrians, cyclists and other road users, thereby discouraging sustainable modes of transport and movement, contrary to local plan policies A1, T1, T2 and T3, and Policy 9 of the Fortune Green and West Hampstead Neighbourhood Plan.

## **5.0 Recommendations-**

### **a) Refuse planning permission for the following reason-**

4.1 The gate and fence, by virtue of their siting, size, design and materiality, result in an incongruous and unsympathetic development, which harms to the appearance of the host building and wider streetscape, contrary to policy D1 (Design) of the Camden Local 2017, and policy 2 of the Fortune Green and West Hampstead Neighbourhood Plan 2015.

4.2 The gate and fence, by virtue of their siting and design, result in a development which poses a risk to highway safety, which discourages the use of walking, cycling and other sustainable modes of transport, contrary to policy A1 (managing the impact of development), T1 (Prioritising walking, cycling and public transport), T2 (Parking and car free development), and T3 (Transport infrastructure) of the Camden Local Plan 2017, and policy 9 (pavements and pedestrians) of the Fortune Green and West Hampstead Neighbourhood Plan 2015.

### **b) Issue an Enforcement Notice-**

4.2 That the Borough Solicitor be instructed to issue an **Enforcement Notice** under Section 172 of the Town and Country Planning Act 1990 as amended regarding the front gate with brick wall and awning to side of property and that officers be authorised, in the event of non-compliance, to commence legal proceedings under Section 179 or other appropriate power and/or take direct action under Section 178 in order to secure the cessation of the breach of planning control.

### **4.3 The notice shall allege the following breaches of planning control:**

Erection of fence and gates on side elevation

### **4.4 What are you required to do:**

1. Completely remove the gate and fence structure to the side of property.
2. Remove from the site all constituent materials resulting from the above works.
3. Make good any resulting damage.

### **4.5 Period of Compliance:**

3 Months

### **4.6 Reasons why the Council consider it expedient to issue the notice:**

The gate and fence, by virtue of their siting, size, design and materiality, result in an incongruous and unsympathetic development, which harms to the appearance of the host building and wider streetscape, contrary to policy D1 (Design) of the Camden Local 2017, and policy 2 of the Fortune Green and West Hampstead Neighbourhood Plan 2015.

The gate and fence, by virtue of their siting and design, result in a development which poses a risk to highway safety, which discourages the use of walking, cycling and other sustainable modes of transport, contrary to policy A1 (managing the impact of development), T1 (Prioritising walking, cycling and public transport), T2 (Parking and car free development), and T3 (Transport infrastructure) of the Camden Local Plan 2017, and policy 9 (pavements and pedestrians) of the Fortune Green and West Hampstead Neighbourhood Plan 2015.



