

Delegated Report		Analysis sheet		Expiry Date:  Consultation Expiry Date:	09/10/2024
		N/A			14/09/2024
Officer					
Connie Marinetto				2024/3071/P	
Application Address					
82 Fairhazel Gardens London NW6 3SR				See draft decision notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Demolition of boundary wall of front elevation along Fairhazel Gardens and replacement with metal railings.					
Recommendation(s)		Refuse planning permission			
Application Type:		Full Planning Application			

<b>Informatives:</b>	Refer to Draft Decision Notice			
<b>Consultations</b>				
<b>Adjoining Occupiers:</b>	No. of responses	<b>0</b>	No. of objections	<b>0</b>
<b>Summary of consultation responses:</b>	A site notice was displayed 21/08/2024 which expired 14/09/2024.  No comments were received.			
<b>CAAC / Local Groups comments:</b>	<p><b>CRASH (Combined Residents' Associations of South Hampstead):</b></p> <p>This OBJECTION is submitted on behalf of CRASH (Combined Residents' Associations of South Hampstead).</p> <p>CRASH is aware that the Fairhazel Co-operative is a good landlord and has taken trouble in the past to retain something akin to an original wall at the subject property. However, the current proposal for demolition of the wall and pier, with replacement of both by metal railings falls short. We note the examples of railings in the area but mostly they date from the era before South Hampstead was designated a conservation area. Traditionally, boundaries are marked by gates and walls, often backed by privet hedges. Railings are an alien feature, and should not be replicated.</p> <p>A little further along Fairhazel Gardens there is an example how this very same problem has been tackled with success - it may even be at a Co-operative property. In this example the brick wall has been restored to its original Victorian/Edwardian pattern - with fancy brickwork - but a short section where a mature tree abuts the boundary is filled by wood palings to allow further tree growth. The same solution could be implemented at No 82 with retention of the right-hand gate pier, a short section of brick wall followed by section of wood palings with completion by a final section of brick wall. This solution would have the additional benefit of restoration of the original Victorian/Edwardian pattern of brickwork - as still exists on the left-hand side of the gate. All the other properties on the east side of this stretch of Fairhazel have the original brickwork with No 82 being an unfortunate oddity.</p> <p>CRASH has been aware for some considerable time that the wall at No 82 is dangerous and in need of repair, but we would urge Camden to encourage the Applicant to submit an amended proposal in line with our suggestion.</p>			

## Site Description

The application site comprises a three storey plus basement mansion building, divided into flats. The site is situated on the northeast side of Fairhazel Gardens. The application relates to the external boundary treatment only.

The site is within the South Hampstead Conservation Area and whilst not listed, the property and the terrace within which it is located are identified as making a positive contribution to the South Hampstead Conservation Area.

The area is also subject to an Article 4 Direction which, amongst other factors, removes permitted development rights for works to gates/walls/fences.

## Relevant History

Application Site:

**2019/2856/INVALID** – Removal and replacement of part front boundary wall, including new brickwork pier and infill section of railings and steel post – **Withdrawn 08/10/2019**

**2021/3186/INVALID** – Removal of the existing front boundary wall including removal of a tree (TPO) and replacement with metal railings and piers. – **Withdrawn 21/12/2021**

## Relevant policies

**National Planning Policy Framework 2023**

**The London Plan 2021**

**Camden Local Plan 2017**

D1 - Design

D2 - Heritage

**Camden Planning Guidance**

CGP - Design

CPG – Home Improvements

**South Hampstead Conservation Area appraisal and management strategy (2011)**

## Assessment

### 1.0. Proposal

1.1 Planning permission is sought for the demolition of the boundary wall of the front elevation up to the boundary pier with No 80, and the replacement with steel railings and a gate post. The replacement is sought due to the impact of the beech tree behind the boundary wall.

1.1 The main planning considerations for the proposal are:

- Design and Conservation

### 2. Design and Conservation

- 2.1 Local Plan Policy D1 of the Camden Local Plan 2017 (Design) is aimed at achieving the highest standard of design in all developments. Policy D1 requires development to be of the highest architectural and urban design quality, which improves the function, appearance and character of the area and development should respect local context and character. Policy D2 (Heritage) states that in order to maintain the character of Camden's conservation areas, the Council will not permit development within conservation area that fails to preserve or enhance the character and appearance of that Conservation Area. Policy D2 also advises that in order to maintain the character of Camden's Conservation Areas, the Council will take account of conservation area statements, appraisals and management strategies when assessing application within conservation areas.
- 2.2 Guidance contained within CPG 'Home Improvements' 2021, states that works to boundary treatments in Conservation Areas 'should preserve or enhance the existing qualities and context of the site, and character of the Conservation Area.' (Page 72).
- 2.3 The South Hampstead Conservation Area appraisal and management strategy (2011) notes that the brick boundary walls along the frontages are an important facet of the character of the entire conservation area (Page 48). It notes that the loss of boundary treatment (including brick walls) is detrimental to the character of the streetscape and Conservation Area in general (Page 53). The loss of front boundary walls and 'inappropriate' replacement with railings are identified as an issue (Page 35). The proposal would therefore be contrary to the above guidance within the South Hampstead Conservation Area appraisal and management strategy.
- 2.4 The application proposes the demolition of the boundary wall of the front elevation up to the boundary pier with No 80, and the replacement with steel railings and a gate post. The replacement is sought due to the impact of the large beech tree on the boundary wall. The section of wall sought to be demolished is not historic and it was replaced due to the impact of the tree.
- 2.5 All properties along the eastern side of Fairhazel Gardens have retained traditional brick front boundaries. The proposal would be out of character with the appearance of the Victorian terrace, where brick boundaries are a traditional feature of the streetscene and the wider Conservation Area. The installation of black metal railings would harm the wider streetscene and introduce a harsh and visually detrimental element. The proposal would potentially create an undesirable precedent for the change of boundary treatment in the area. Whilst there is one example of metal railings on the western side of Fairhazel Gardens at number 41, it is considered that this does not set a precedent, particularly as they do not have planning permission. It is acknowledged that due to the tree's impact, it is difficult to retain a brick wall in full, and a solution using timber and brick would be a more appropriate alternative than the use of metal railings, as implemented at 66 Fairhazel Gardens.
- 2.6 The proposal has been reviewed by the council's Conservation Officer who noted the replacement of the wall with railings is not acceptable and would harm the Conservation Area. The officer noted the railings at number 41 Fairhazel Gardens are not original and not typical of the conservation area, and do not form a precedent.
- 2.7 In summary, the proposed demolition of the boundary wall and replacement with metal railings would harm the character and appearance of the host building, the streetscene, and the South Hampstead Conservation Area, and would potentially create a precedent for altering boundary treatments in the area. As such, the proposal would be contrary to policy D1 (Design) and

policy D2 (heritage) of the Camden Local Plan and would not be in accordance with the relevant Camden Planning Guidance documents and the South Hampstead Conservation Area appraisal and management strategy (2011).

**5. Recommendation:**

**Refuse Planning Permission for the following reasons:**

1. The proposed boundary treatment, by reason of its design and materials, would appear out of character with the streetscene, and would therefore be harmful to the character and appearance of the host building, the streetscene, and wider South Hampstead Conservation Area, contrary to policies D1 (Design) and D2 (Heritage) of the Camden Local Plan 2017.