



Statement of Case

61 Redington Road, London, NW3 7RP

October 2024





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1.0 INTRODUCTION

- 1.1 This Statement of Case (SoC) has been prepared by hgh Consulting on behalf of our client, Mr and Mrs Burns, in support of a planning appeal at 61 Redington Road, London, NW3 7RP (“the site”).
- 1.2 The appeal is submitted to the Planning Inspectorate following the refusal of planning consent by the London Borough of Camden (“LBC” or “the Council”) for the following development:

“Installation of new boundary treatment comprising of metal gates with brick piers, a new boundary wall and the demolition of existing boundary wall with associated landscape works.”

- 1.3 The planning application (2024/1158/P) was submitted to the Council on the 22nd March 2024 and subsequently refused on the 29th July 2024.
- 1.4 The reason for refusal is cited on the Decision Notice:

1. The proposed front boundary treatment, by virtue of its design and materials, would result in an incongruous addition that would fail to preserve the character and appearance of the Redington Froggnal Conservation Area, contrary to policies D1(Design) and D2 (Heritage) of the London Borough of Camden Local Plan 2017 and policies SD1 (Refurbishment of Existing Building Stock) and SD2 (Redington Froggnal Conservation Area) of the Redington Froggnal Neighbourhood Plan 2020.

- 1.5 This SoC directly addresses this reason for refusal, providing compelling evidence that the character of this part of Redington Road and the Conservation Area has evolved. Consequently, the proposed front boundary treatment is appropriate and acceptable within its context. It also provides background information on the site, its history and surrounding area, as well as an assessment of the proposals in relation to planning policy and other material considerations.
- 1.6 This statement should be read in conjunction with all supporting plans and documents submitted with the original planning application.

Structure of Statement of Case

- 1.7 The SoC is structured as follows:
- (a) **Section 2** describes the site and the local area;
 - (b) **Section 3** describes the proposed development;
 - (c) **Section 4** identifies key planning policy;
 - (d) **Section 5** assesses the proposed development against relevant planning policy and material considerations, which demonstrate how the proposals accord with the policies cited on the Decision Notice; and Site and Surroundings; and
 - (e) **Section 6** provides a summary and conclusion.

2.0 SITE AND SURROUNDINGS

- 2.1 No. 61 Redington Road comprises a detached two-storey property, with additional floorspace in the roof and basement, located on the western side of Redington Road. The site falls within the administrative boundary of the London Borough of Camden (LBC).
- 2.2 The property was previously split into three residential units, with one flat occupying the lower ground and ground levels, one flat occupying the first floor and one flat occupying the second floor (roof) level.
- 2.3 On 13 December 2023 planning permission (ref: 2022/1962/P) was granted to convert and extend the property to create two homes alongside landscaping to the front of the property (and other works). These works have now commenced.
- 2.4 The site is not statutorily listed; however, it is located within the Redington/Frognaal Conservation Area (RFCA). The RFCA Character Appraisal and Management Plan (2022) identifies Nos.5-95 (odd) Redington Road, which includes the site (No.61), as a group of buildings that make a positive contribution to the Conservation Area. The dwelling and the majority of the properties on Redington Road are primarily 20th century constructs, which are characteristically different in terms of their architectural styles and features.
- 2.5 Additionally, the boundary frontages along Redington Road lack uniformity. Over 50 properties on either side of the road and in the immediate area have varied boundary treatments, including brick walls and/or metal gates at the frontage, ranging between 1.5 and 2 meters in height. This is evidenced further in Section 6 of this Statement.
- 2.6 The character of the frontages is exemplified by the properties that lie immediately adjacent to no.61 Redington Road. This includes 57 and 59 to the south which each comprise brick walls, piers and metal gates and railings. Immediately north, no.63 also comprises a brick wall with piers. Nos. 57, 59 and 61 Redington Road is shown at 3 below.



Figure 1: Photo of 57, 59 and 61 Redington to the right of the image

3.0 PLANNING HISTORY

The site

- 3.1 2022/1962/P: Conversion of 3 residential units to 2 units, erection of a three-storey rear extension at lower ground to 1st floor including excavations at lower floor and a roof terrace at ground floor, creation of new front lightwell, various elevation alterations including additional dormer on side elevation, installation of 2 ASHP units in rear garden with enclosure, bin enclosure in front garden, and landscaping alterations. **Granted, 13/12/2023.**

Non-Material Amendment applications

- 3.2 Two non-material amendment (NMA) applications seeking an amendment to planning permission ref: 2022/1962/P were submitted in October 2024. This included one NMA seeking minor works to the front forecourt and driveway and another NMA for alterations to the rear of 61 Redington Road. Both have been validated at the time of writing, and include as follows:
- 2024/4395/P: Non-material amendment concerning the frontage of 61 Redington Road. Specifically, the proposed amendment involves the removal of two trees: T2 (a category C Sweet Chestnut) and T10 (a category C Holm Oak) from the front forecourt and driveway.
 - 2024/4394/P: Non-material amendment to the rear garden of 61 Redington Road. Specifically, the proposed amendment involves the removal of the Birch tree (T4) together with the planting of two replacement trees.

Current Planning Application (ref: 2024/1158/P): Post submission consultation

- 3.3 The refused application (2024/1158/P), which is the subject of this appeal, received one public consultation comment. On 6th May 2024 Redington Froggnal Neighbourhood Forum (RFNF) objected to the application. They stated that the front boundary wall of the site is constructed from clinker (or lava) bricks, which are regarded as a characteristic of the Conservation Area. The RFNG therefore objected to the removal of the existing dwarf wall and considered that the proposed metal railings would be harmful to the Conservation Area.
- 3.4 However, the front wall, which is the basis of the RFNF's comment, had been removed to allow for the erection of boundary hoarding associated with the build out of the main planning permission (2024/1158/P).
- 3.5 The removal was conducted lawfully because the demolition of an unlisted wall less than 1-meter-high adjoining the highway in a Conservation Area is not considered 'relevant demolition' under Section 196D of the Town and Country Planning Act 1990, as amended by the 2015 Direction. Consequently, permitted development rights exist for such demolition under Class C of Part 11 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015. Please note that there is no Article 4 Direction restricting demolition of this type.
- 3.6 The Council has confirmed that permitted development rights apply, and that the removal of the wall was executed lawfully.

Neighbouring sites

- 3.7 2019/1908/P (59 Redington Road): Installation of new boundary treatment comprising of metal gates with brick piers, alteration to existing vehicle cross-over, demolition of existing boundary wall. **Refused, 02/07/2019.**
- 3.8 APP/X5210/D/19/3237771 (59 Redington Road): **Appeal approved on 30th December 2019** for front boundary treatment, involving new brick piers and gates, the property immediately adjacent / south of 61 Redington Road.
- 3.9 2020/0520/P (52 Redington Road): Planning permission was granted on 31st March 2020 for the installation of metal gates to existing brick piers on front boundary.

4.0 THE PROPOSED DEVELOPMENT

4.1 This appeal seeks planning permission for:

“Installation of new boundary treatment comprising of metal gates with brick piers, a new boundary wall and the demolition of existing boundary wall with associated landscape works.”

- 4.2 The proposed development introduces a new wall with stone piers, metal railings and gate. The proposed walls, piers and gates will not exceed 2m in height to match the surrounding properties on Redington Road. The position of the proposed wall and gates are determined by the topographical constraints on site and allows the site to be secured without having an impact on highways.
- 4.3 Full details of the scale, height and materials can be found within the submission documents and plans. This section should specifically be read in parallel with Ashby Design’s Supporting Design Document.
- 4.4 An extract of the proposed landscape elevation is provided at Figure 2 below.



Figure 2: Detailed elevation drawing

A full landscape plan was also submitted as part of the planning application. The landscape scheme largely reflects that which was previously approved in the extant planning permission (ref: 2022/1962/P, dated December 2023) to convert the property. It includes the removal of the category C chestnut tree from the front boundary (north) and the planting of a replacement *Acer campestre* nearby. A new *Carpinus betulus* multi-stem is also located on the front forecourt, south of the *Acer*. A category C oak is required for removal along the southern boundary, beside the garage, but new planting and landscaping is proposed in this area. The Council found the proposed tree and landscape strategy acceptable, which has led to the submission of an NMA application to remove two trees—T2 (a category C Sweet Chestnut) and T10 (a category C Holm Oak)—from the front forecourt and driveway of 61 Redington Road, in line with the Council’s support.

5.0 PLANNING POLICY FRAMEWORK

- 5.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, the ‘Development Plan’ comprises Camden’s Local Plan (adopted in July 2017) and the London Plan (adopted in March 2021).
- 5.2 The following documents are also material considerations:
- National Planning Policy Framework (“NPPF”) (2023)
 - Planning Practice Guidance (“PPG”) (2021)
 - Redington and Frognal (RedFrog) Neighbourhood Plan (2021)
 - Draft Camden Local Plan (DCLP)
 - Redington and Frognal Conservation Area Character Appraisal and Management Plan (2022); and
 - Camden Planning Guidance.
- 5.3 The Government has published a new draft NPPF for consultation which has now closed. The new NPPF is expected towards the end of the year. None of the proposed changes in the draft NPPF have any direct relevance or implications on the assessment of the proposed development.
- 5.4 In terms of the adopted Local Plan Policies Map designations, the site is affected by the following:
- The site lies within the Redington and Frognal Conservation Area;
 - The property is identified as making a positive contribution to the Conservation Area; and
 - The site is located within an archaeological priory area.
- 5.5 The site is located in flood zone 1 (“low risk”) as identified on the EA’s Flood Map for Planning.

6.0 THE CASE FOR THE APPELLANT

6.1 The principal point of objection is the heritage impact caused by the design and materials of the proposed front boundary treatment. This forms the basis for the single reason for refusal in the Decision Notice (Appendix 1). The reason for refusal states:

1. *The proposed front boundary treatment, by virtue of its design and materials, would result in an incongruous addition that would fail to preserve the character and appearance of the Redington Frognal Conservation Area, contrary to policies D1(Design) and D2 (Heritage) of the London Borough of Camden Local Plan 2017 and policies SD1 (Refurbishment of Existing Building Stock) and SD2 (Redington Frognal Conservation Area) of the Redington Frognal Neighbourhood Plan 2020.*

6.2 This section of the appeal addresses the key issues outlined in the reason for refusal. It does not cover the principle of residential development, the impact on neighbouring amenities, or the trees and landscape strategy, as these were deemed acceptable by the Council in the officers' report and do not form part of the reason for refusal. The Officer's report is included as Appendix 2.

6.3 Nevertheless, it is essential to outline the key design rationale and the reasons why the Appellant requires the proposed front boundary treatment.

6.4 This proposed development seeks to deliver enhanced boundary treatment, consisting of metal gates and a low wall with piers, which would have a maximum height of 2m. The approach to scale, appearance and materiality has been carefully considered to ensure that the boundary treatment is in-keeping with the frontages exhibited by surrounding properties on Redington Road. In addition, the proposed metal railings retain visible permeability and through views towards the property from the street, whilst achieving property security.

6.5 The proposed boundary treatment aims to enhance safety and security for the residential occupants. According to The Metropolitan Police's website¹ the Frognal area of Hampstead averaged 42 crimes monthly, between September 2023 and August 2024, including 81 burglaries and 112 vehicle crimes in that period. Over the last three years, crime rates have increased, with 107 crimes reported from April to June 2022, rising to 128 in the same period of 2024. Introducing sensitively designed gates and walls would effectively enhance security while maintaining a cohesive aesthetic.

6.6 5 no. neighbouring residents have confirmed their support for the new gates and walls. In relation to the point of security and safety, the comments specifically acknowledge the increasing need for crime prevention measures in the area as well as providing satisfaction for the design which respects the boundary treatment in the immediate vicinity.

6.7 The letters of support are provided at Appendix 1 of the Town Planning Cover Letter which formed part of the original planning application submission.

¹ Metropolitan Police: Frognal crime statistics: <https://www.police.uk/pu/your-area/metropolitan-policesservice/frognal/?yourlocalpolicingteam=about-us&tab=overview>

- 6.8 For these reasons, and the fact that the proposed development protects the quality of life and amenity of occupiers and neighbours, the scheme is compliant with Camden Local Plan (CLP) Policy D1 (Design) and A1 (Managing the Impact of Development).

Reason for refusal 1

- 6.9 The officers' report suggests that the proposed front boundary treatment at No. 61 Redington Road, including metal gates with brick piers, would fail to preserve the character and appearance of the Redington Froggnal Conservation Area (RFCA). The character of Redington Road has undeniably evolved, with numerous properties now featuring gates, walls, and railings. The proposal at No. 61 continues this trend, offering a design that is consistent with the diversity of treatments along the street. While the adoption of the RedFrog Neighbourhood Plan and Conservation Area Character Appraisal and Management Plan introduces a stricter policy stance against the introduction of metal railings, the decision must be balanced against the clear evidence of the existing character and the multiple precedents set by similar developments.
- 6.10 The Inspectorate's decision on No. 59 Redington Road (APP/X5210/D/19/3237771, dated 30 December 2019) acknowledged the "*significant amount of variation in boundary treatment along Redington Road both in terms of height and style*" (para 8). This diversity, which includes forms and materials similar to the proposed front boundary at No. 61, reinforces the fact that there is no singular prevailing style of boundary treatment.
- 6.11 The appeal acknowledges a significant variation in boundary treatments along the street and concludes that due to this "*the proposed development would not harm the character and appearance of the conservation area.*" As the site is directly north of 59 Redington Road (the adjacent property), this commentary is highly relevant and supports the argument that the proposals at 61 Redington Road would not harm the conservation area.
- 6.12 A copy of the Appeal Decision is provided at Appendix 3.
- 6.13 Figure 3 below provides a street scene image of nos. 57 (left), 59 Redington Road (middle), both of which have brick piers, black metal railings and gated access.



Figure 3: Photograph of 59 (right) and 57 Redington Road to the left

6.14 It should also be noted that Camden granted planning permission (2020/0520/P, dated 31 March 2020) for similar metal gates at 52 Redington Road. This property lies approximately 160 yards north of the 61 Redington Road. The consent was for 2m high metal gates along the front boundary. The decision notice states that the development accords with relevant policies from both the Local Plan, the London Plan and the NPPF, as well as being “*acceptable in terms of their material, height and detailed design*”. As noted, the proposed development at 61 Redington Road adopts a similar black metal gate finish, and therefore it should also be supported by officers. Images of the approved frontage gates at No.52 Redington Road can be found in Figure 4 below.

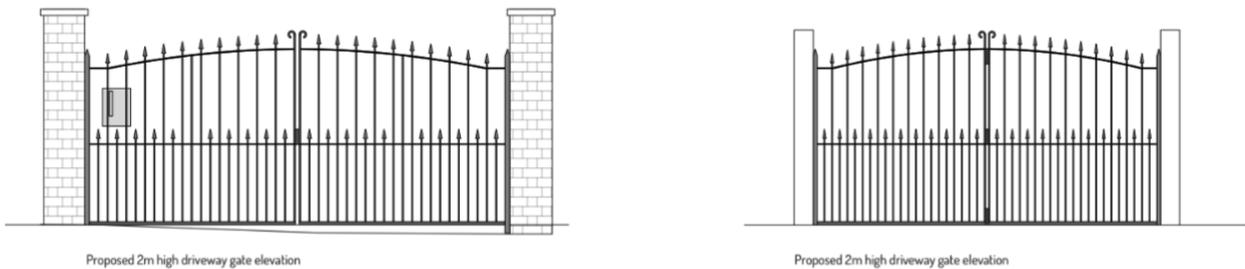


Figure 4: Approved gate elevations for no.52 Redington Road

- 6.15 In addition to nos. 52 and 59, there is a significant amount of variation in boundary treatments along Redington Road. As seen below, there are 50 properties on either side of Redington Road and in the immediate area which have bricked walls and/or metal gates at the frontage which rise between 1.5 and 2m in height.
- 6.16 Some of the properties along Redington Road, which have the most similar boundary treatment to that proposed, are listed below:
- No. 93, No. 95, No. 97, No. 99, No. 13, No. 17, No. 72, No. 74, No. 11, No. 69, No. 66 and No. 57
- 6.17 It is strongly recommended that the Inspector visit the site to fully understand the context and character of the front boundaries along Redington Road and this part of the Conservation Area.
- 6.18 The officer's report cites Camden Local Plan Policy D1 (Design) and specifically the following considerations should respect local context and character; comprise details and materials that are of high quality and complement the local character; and respond to natural features. It also references Policy D2 'Heritage' stating that *"the Council will not permit development within Conservation Area that fails to preserve or enhance the character and appearance of that Conservation Area."*
- 6.19 Paragraph 3.5 of the officers' report states:
- "3.5 The proposed front boundary treatment includes metal gates with brick piers. Solid walls and railings, such as that proposed are out of character with the Conservation Area, and not in accordance with relevant policies and guidance which seek to resist metal gates and railings. The installation of metal railings and gates is regarded as an incongruous feature which is not in keeping with the historical form of boundary treatment on Redington Road and the wider Conservation Area, fails to preserve the character and appearance of the Conservation Area."*
- 6.20 Both of the policies were carefully considered from the early design stages. The proposed boundary treatment at No. 61 Redington Road reflects the established and evolving character of the street and wider area, where there is substantial evidence of gates, walls, and railings.
- 6.21 The Council also extracts bullet points from the Camden Planning Guidance (CPG) (Home Improvements) document. Below is a direct response to each of these points:
- We would expect that the repair of boundary walls, fences and railings are considered before they are replaced. *The front wall was lawfully removed under Section 196D of the Town and Country Planning Act 1990, as amended by the 2015 Direction. This was accepted by the Council.*
 - We would expect that its dimensions, proportions, detailing and design respect the existing character of the street and is subordinate to the host building. *As set out above, a careful design approach was adopted to ensure that the scale, design, materials, form, and appearance of the gates, piers, and railings are respectful of the host building, drawing inspiration from examples in the immediate area to build on the local context.*

- Materials used should relate and complement the host building. *Red brickwork is a common feature of the RedFrog Conservation Area, and the specification of the brickwork will match that of the main house. All metal railings and gates are to be painted black and all coping stonework is to be of re-constituted stone. All chosen materials are prevalent in other properties along Redington Road and will respond positively to the character of the Redington/Froggnal Conservation Area.*
- The works should preserve or enhance the existing qualities and context of the site, and character of the Conservation Area. *See comment above.*

6.22 Despite the subsequent adoption of the Neighbourhood Plan, the physical context clearly demonstrates that metal gates and brick piers are a well integrated physical feature of this part of the Conservation Area and streetscene which would complement and integrate into the street's fabric. Therefore, the proposed development respects the local context and character of the Conservation Area, in accordance with the aims of the Home Improvements CPG, CLP Policies D1 and CLP Policy D2 (Heritage), as well as London Plan Policy HC1 and chapter 15 of the NPPF.

6.23 Paragraph 3.7 of the officers' report identifies that *"the character of this part of the Conservation Area includes the strong relationship of dwellings and front gardens with the street, which is enabled by low or open front boundary treatments, uninhibited by defensive elements such as railings and gates"*. This fails to recognise the evolution of the character of the area, where brick walls, piers and railings have become physical elements that reflect the character and appearance of the streetscape. In addition, the proposed development includes a high-quality landscaping strategy which will significantly improve the appearance of the property and be visible from the street owing to the permeability of railings, enhancing the verdant character of the area. Given this context, the proposed development at No. 61 is not introducing an incongruous feature, but is rather aligning with the established and observable character and prevailing features in the streetscape.

6.24 The officer concludes that the proposed boundary treatment would fail to preserve the character and appearance of the RFCA, contrary to Policies D1 and D2 of the Camden Local Plan 2017 and Policies SD1 and SD2 of the Redington Froggnal Neighbourhood Plan (para 3.8). While the Neighbourhood Plan introduces stricter guidelines, the existing character and appearance of boundary treatments and enhanced landscaping on Redington Road must be given material weight and due consideration in the planning balance and determination of the application.

6.25 In short, the character of Redington Road, as it exists today, includes a variety of boundary treatments, many of which feature brick piers, metal gates, and walls. These are established elements of the street and the proposed development at No. 61 respects this context, character and appearance of the Conservation Area. The use of contextual materials, notably the brickwork of the piers and the design of the gates, complements the appeal property (under construction) and surrounding properties which will preserve the street's character and the character and appearance of the RFCA, in accordance with the identified policies above.

Design condition

- 6.26 The reason for refusal focuses primarily on the principle of the walls, gates, and railings at this location and limited commentary on the proposed proportions, materiality, and overall design of the front boundary. While the Appellant firmly contends that the front boundary design is of high quality, respects the character of the area, and complements the host building, subject to the appeal allowing the principle of the wall, piers and railings, any potential design alterations could be addressed through a suitably worded condition.
- 6.27 The Appellant confirms their willingness to accept any reasonably worded condition that the Planning Inspector deems appropriate to address any concerns regarding the proposed design of the front boundary elements. The appellant suggests the following condition, but is understanding of any amendment to the draft wording should the Planning Inspector consider allowing the appeal:

Suggested Condition:

'The applicant shall submit a scheme detailing design amendments for the front boundary, including the proportions, location, and design of the wall, piers, and railings, to the Council for approval before the commencement of development. The scheme amendments will ensure the approved wall, piers and railings are in keeping with the character of the area and complements the host building.'

7.0 SUMMARY AND CONCLUSION

7.1 This Statement of Case has been prepared by hgh Consulting on behalf of Mr and Mrs Burns, the owners of the appeal property, in support of a planning appeal at 61 Redington Road, London, NW3 7RP. The appeal is submitted to the Planning Inspectorate following the refusal of planning consent by LB Camden for the following development:

“Installation of new boundary treatment comprising of metal gates with brick piers, a new boundary wall and the demolition of existing boundary wall with associated landscape works.”

7.2 The planning application (2024/1158/P) was submitted to the Council on 22nd March 2024 and subsequently refused on 29th July 2024.

7.3 The reason for refusal cited on the Decision Notice states:

1. The proposed front boundary treatment, by virtue of its design and materials, would result in an incongruous addition that would fail to preserve the character and appearance of the Redington Frognal Conservation Area, contrary to policies D1(Design) and D2 (Heritage) of the London Borough of Camden Local Plan 2017 and policies SD1 (Refurbishment of Existing Building Stock) and SD2 (Redington Frognal Conservation Area) of the Redington Frognal Neighbourhood Plan 2020.

7.4 The Appellant has demonstrated that similar boundary treatments – walls, piers, gates, and metal railings—are established features in this part of Redington Road and the wider Conservation Area. The scheme has been designed sensitively, taking into account the character of the immediate vicinity and the host building. The proposal achieves a balanced approach between design, conservation and security, fulfilling these objectives in a high-quality manner.

7.5 Should the Planning Inspector accept the principle of the proposed wall, gates, railing and piers, but has any concerns regarding the finer details / proportions of the proposed design of the front boundary, the Appellant is willing to accept a condition to address these matters should the appeal be allowed.

7.6 The Appellant contends that the proposed development is acceptable in terms of design and appearance. The design has been carefully composed to preserve and enhance the character and appearance of this part of the Redington Frognal Conservation Area and is consistent with the NPPF, London Plan, and Local and Neighbourhood Plan policies.

7.7 It is respectfully requested that the Inspector allow the appeal and grants planning permission for the proposed works.

8.0 APPENDICIES

Appendix 1- Decision Notice

Application ref: 2024/1158/P
Contact: Lauren Ford
Tel: 020 7974 3040
Email: Lauren.Ford@camden.gov.uk
Date: 29 July 2024

hgh Consulting
45 Welbeck Street
. . .
W1G 8DZ



Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
Judd Street
London
WC1H 9JE
Phone: 020 7974 4444
planning@camden.gov.uk
www.camden.gov.uk/planning

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Refused

Address:
61 Redington Road
London
Camden
NW3 7RP

Proposal:
Installation of new boundary treatment comprising metal gates with brick piers, associated landscape works and a bin storage area with green roof in the northern corner of the front garden.

Drawing Nos: Cover Letter 22 March 2024, Supporting Design Statement, Arboricultural Impact Assessment Report 21st March 2024, CR388_PA01, CR388_PA02 Rev 3, CR388_PA03, CR388_PA04 Rev 2, CR388_PA06 Rev 2, CR388_PA07 Rev 3, CR388_PA08 Rev 2, 552/22/FUL/PL10.01, 552/22/FUL/PL10.02 Revision A, 552/22/FUL/PL10.03, 552/22/FUL/PL10.04, 552/22/FUL/PL1000, 552/22/FUL/PL1001 Revision A, 552/22/FUL/PL1002.

The Council has considered your application and decided to **refuse** planning permission for the following reason(s):

Reason(s) for Refusal

- 1 The proposed front boundary treatment, by virtue of its design and materials, would result in an incongruous addition that would fail to preserve the character and appearance of the Redington Froggnal Conservation Area, contrary to policies D1 (Design) and D2 (Heritage) of the London Borough of Camden Local Plan 2017 and

policies SD1 (Refurbishment of Existing Building Stock) and SD2 (Redington Froggnal Conservation Area) of the Redington Froggnal Neighbourhood Plan 2020.

Informative(s):

- 1 If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.

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 2021.

You can find advice about your rights of appeal at:

<https://www.gov.uk/appeal-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



Daniel Pope
Chief Planning Officer

Appendix 2- Officers Report

Delegated Report		Analysis sheet		Expiry Date:		21/06/2024	
		N/A		Consultation Expiry Date:		02/06/2024	
Officer				Application Number(s)			
Lauren Ford				2024/1158/P			
Application Address				Drawing Numbers			
61 Redington Road London NW3 7RP				See draft decision notice.			
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature				
Proposal(s)							
Installation of new boundary treatment comprising metal gates with brick piers, associated landscape works and a bin storage area with green roof in the northern corner of the front garden.							
Recommendation(s):		Refuse planning permission					
Application Type:		Full Planning Permission					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:	No. notified	00	No. of responses	00	No. of objections	00	
Summary of consultation responses:	<p>Site notices were displayed on 01/05/2024 and expired on 25/05/2024.</p> <p>An advert was displayed in the local press on 09/05/2024 and expired on 25/05/2024.</p> <p>No consultation responses were received.</p>						
Redington Frogнал Neighbourhood Forum:	<p>A letter of objection was received on behalf of the Redington Frogнал Neighbourhood Forum. Their objection can be summarised as follows:</p> <ul style="list-style-type: none"> The wall would be replaced with metal railings. These are particularly harmful to the conservation area character, and their harm is noted in the Redington Frogнал Conservation Area Appraisal and Management Plan and they were found to create a hostile street scene. The proposal is contrary to Camden Planning Guidance 2021, which requires works for boundary treatments to preserve and enhance the existing qualities and context of the site and surrounding area. 						

Site Description

The application site comprises a three storey with basement property in flats. It is located on the western side of Redington Road and within the Redington Froggnal Conservation Area, and is recognised as a positive contributor. It also falls within the Redington Froggnal Neighbourhood Plan Area. No listed buildings are affected.

Relevant History

Relevant planning records at the application site:

2022/1962/P: Conversion of 3 residential units to 2 units, erection of a three storey rear extension at lower ground to 1st floors including excavations at lower ground floor and a roof terrace at ground floor, creation of new front lightwell, various elevation alterations including additional dormer on side elevation, installation of 2 ASHP units in rear garden with enclosure, bin enclosure in front garden, and landscaping alterations. **Granted subject to a Section 106 Legal Agreement, 13/12/2023.**

Neighbouring sites:

2019/1908/P (59 Redington Road): Installation of new boundary treatment comprising of metal gates with brick piers, alteration to existing vehicle cross-over, demolition of existing boundary wall. **Refused, 02/07/2019, allowed at appeal, 30/12/2019.**

Relevant policies

National Planning Policy Framework (2023)

London Plan (2021)

Camden Local Plan (2017)

Policy A1 – Managing the impact of development

Policy D1 – Design

Policy D2 – Heritage

Redington Froggnal Neighbourhood Plan (2020)

SD5 Dwellings: Extensions and garden development

SD6 Retention of architectural details in existing buildings

Redington / Froggnal Conservation Area Character Appraisal & Management Plan (2022)

Camden Supplementary Planning Guidance (2021)

CGP - Design

CPG - Amenity

CPG – Home Improvements

Draft Camden Local Plan

The Council has published a new [Draft Camden Local Plan](#) (incorporating Site Allocations) for consultation (DCLP). The DCLP is a material consideration and can be taken into account in the determination of planning applications which has limited weight at this stage. The weight that can be given to it will increase as it progresses towards adoption (anticipated 2026).

Assessment

1. Proposal

1.1 Planning permission is sought for the following

- Installation of new boundary treatment comprising metal gates with brick piers
- Timber bin storage area with green roof in the northern corner of the front garden

- Associated landscape works.

1.2 The application was originally seeking permission for the demolition of the existing boundary wall, however this has been demolished since lodgement of the application. It has been confirmed that permission was not required for this demolition.

2. Considerations

2.1 Key planning issues to be considered are as follows:

- Design and Heritage
- Neighbouring Amenity

3. Design and Heritage

3.1 The Council's design policies are aimed at achieving the highest standard of design in all developments. The following considerations contained within policy D1 are relevant to the application: development should respect local context and character; comprise details and materials that are of high quality and complement the local character; and respond to natural features. 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.

3.2 The CPG (Home Improvements) states the following in relation to boundary treatments:

- *We would expect that the repair of boundary walls, fences and railings are considered before they are replaced*
- *We would expect that its dimensions, proportions, detailing and design respect the existing character of the street and is subordinate to the host building*
- *Materials used should relate and complement the host building*
- *The works should preserve or enhance the existing qualities and context of the site, and character of the conservation area.*

3.3 The Redington Froggnal Neighbourhood Plan states:

- *the use of metal railings for front boundaries is discouraged, as it is not an original characteristic.*
- *Front garden boundary walls and hedges are to be preserved or reinstated for new developments and refurbishments of existing building stock.*

3.4 The conservation area statement states: *harm includes unsympathetic garages, loss of front gardens to hard surfaced parking areas, and use of metal gates and railings.*

3.5 The proposed front boundary treatment includes metal gates with brick piers. Solid walls and railings, such as that proposed are out of character with the conservation area, and not in accordance with relevant policies and guidance which seek to resist metal gates and railings. The installation of metal railings and gates is regarded as an incongruous feature which is not in keeping with the historical form of boundary treatment on Redington Road and the wider conservation area, fails to preserve the character and appearance of the conservation area.

3.6 While there are existing metal gates present at no.59 (2019/1908/P), Council did not support these, and recommended refusal of this application, which was later allowed at appeal. It is noted that the appeal decision pre-dates the conservation area statement and Neighbourhood Plan and is not considered relevant precedent. Each application is considered on its own merits and must accord with the development plan in place at the time. The application documents make reference to no.57 which also has metal gates. It is noted that there is no recorded planning history for these. Council considers the boundary treatment at nos 57 & 59 to be out of character with the character of the conservation areas and prevailing boundary treatments on Redington Road and would not be considered precedent to support further development of this kind.

3.7 The character of this part of the conservation area includes the strong relationship of dwellings and front gardens with the street, which is enabled by low or open front boundary treatments, uninhibited by defensive elements such as railings and gates. The proposal to install railings and gates at the application site road frontage would further erode this character, which has already been harmed through the installation of railings and gates at properties on Redington Road (in particular the adjacent properties at 57 and 59 Redington Road), some without planning permission.

3.8 The proposed front boundary treatment, due to its design and materials, would fail to preserve the character and appearance of the Redington Froggnal Conservation Area, contrary to policies D1 and D2 of the Camden Local Plan 2017, and policies SD1 and SD2 of the Redington Froggnal Neighbourhood Plan.

3.9 A modest timber bin enclosure with a green roof is proposed to be erected in the ground boundary, and is not dissimilar to that previously granted through 2022/1962/P. It is considered that its sitting, scale and detailed design would be appropriate and is therefore acceptable.

3.10 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 of the conservation area, under s.72 of the Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

4. Neighbouring Amenity

4.1 Local Plan Policy A1 seeks to protect the amenity of Camden's residents by ensuring the impact of development on their amenity is fully considered. It seeks to ensure that development protects the quality of life of occupiers and neighbours by only granting permission for development that would not harm the amenity of neighbouring residents. Relevant to the application are overlooking, privacy, sunlight, daylight, overshadowing and outlook consideration.

4.2 Given the nature, scale and location of proposed works, it is not considered that the proposal would result in any unacceptable amenity related effects.

4.3 Therefore, the proposal complies with policy A1 of the Camden Local Plan 2017.

2. Trees and Landscape

2.1 Policy A3 requires trees and vegetation to be protected during the construction phase of development and 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.

2.2 An arboricultural impact assessment report has been provided to support the application. The proposed development involves the removal of T2 (sweet chestnut) and T10 (holm oak). The loss of amenity and canopy cover could be mitigated against through replacement planting. The most significant tree, T1 (yew) is to be protected and retained.

2.3 Front garden landscaping details include a semi-mature field maple and a multi-stemmed hornbeam. Both are native species and will provide amenity to the public. Trees this size will require irrigation to ensure successful establishment, details of which could be secured via a landscaping condition.

2.4 It is considered that the impact of the scheme on the trees to be retained will be of an acceptable level provided suitable tree protection measures are employed, which could be secured via condition.

2.5 A green roof is proposed on the bin store, which is a welcome addition. Details would need to be submitted for approval.

2.6 The proposed development is in accordance with Policy A3 of the Local Plan.

3. Conclusion and Recommendation

3.1 It is recommended to Refuse planning permission for the following reasons:

3.2 The proposed front boundary treatment, by virtue of its design and materials, would result in an incongruous addition that would fail to preserve the character and appearance of the Redington Froggnal Conservation Area, contrary to policies D1 (Design) and D2 (Heritage) of the London Borough of Camden Local Plan 2017 and policies SD1 (Refurbishment of Existing Building Stock) and SD2 (Redington Froggnal Conservation Area) of the Redington Froggnal Neighbourhood Plan 2020.



Appeal Decision

Site visit made on 16 December 2019

by **Rachael Pipkin BA (Hons) MPhil MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 30th December 2019

Appeal Ref: APP/X5210/D/19/3237771
59 Redington Road, Hampstead, London NW3 7RP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Udi Sheleg against the decision of the Council of the London Borough of Camden.
 - The application Ref 2019/1908/P, dated 2 April 2019, was refused by notice dated 2 July 2019.
 - The development proposed is front boundary treatment and pavement crossover proposals.
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Decision

1. The appeal is allowed and planning permission is granted for front boundary treatment and pavement crossover at 59 Redington Road, Hampstead, London NW3 7RP in accordance with the terms of the application, Ref 2019/1908/P, dated 2 April 2019 and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with submitted plans: Location Plan, 1506 PL-01, 1506 PL-05A Rev A, 1506 PL-11 Rev C, 1506 PL-13A Rev A and 1506 PL-15 Rev B.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those of the existing building. They shall be retained as such thereafter.

Main Issue

2. The main issue is whether the proposed development would preserve or enhance the character and appearance of the Redington and Frognal Conservation Area (RFCA).

Reasons

3. The Redington and Frognal Conservation Area Appraisal and Management Statement (RFCAAMS) states that there is no consistent architectural style on Redington Road although red brickwork, clay tiles, dormer and sash windows are common features. The RFCAAMS identifies that the relationship between buildings and the street varies along the length of Redington Road with some properties set far back from the pavement and other behind dense vegetation.

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Appeal Decision APP/X5210/D/19/3237771

4. No 59 is a traditional, red brick detached house set back behind a deep front garden. At the time of my site visit the property was largely enclosed by hoarding due to building works being undertaken. However, photographic evidence submitted shows the property to be partially enclosed by a low brick wall with an open 'in and out' driveway.
5. The house, due to its characteristic features typical of the conservation area; and its position set back from the pavement, contributes to the special character of the area. However, the existing boundary treatment which is a low wall finished in a lighter colour brickwork than the characteristic red brick of the RFCA with some limited planting behind it does not integrate with surrounding development. Consequently, in my view, the contribution of the existing boundary treatment to the significance of the RFCA is only derived from it providing definition between public and private space.
6. The proposed development would replace the existing boundary treatment with a low wall, brick piers, black steel railings and reconstituted stone copings, with bi-fold gates for vehicular access. The brick piers are indicated to be 2.3 metres high with the metal gates being 2 metres high.
7. The proposed development, due to its height and full extent across the frontage of the property, would be significantly more enclosing of the front garden than the existing boundary treatment. However, the house would still be visible from the street both above the railings and piers as well as through the railings of the gates. Its contribution to the special character of the RFCA would not therefore be harmed.
8. There is a significant amount of variation in boundary treatments along Redington Road both in terms of height and style. These include similar forms of enclosure to the appeal proposal as well as brick walls, wooden fencing and hedges. As such, there is no prevailing style of boundary treatment along Redington Road. In this context, the proposal would continue to provide definition between public and private space, and whilst being of a more defensive, gated character would not be out of keeping with the character of other properties in this part of the conservation area.
9. I note that there is no recorded planning permission granted for the boundary treatment to the adjacent property at 57 Redington Road which the appeal scheme would share some similarities with. However, I observed that this is not unique within the street and that there are other equally or more enclosing boundary treatments along the road.
10. I acknowledge that the Council encourages the combination of low brick boundary wall and hedges as a boundary treatment in the conservation area where that is the prevailing character. However, whilst there are some examples of this type of boundary treatment along Redington Road, it is not a dominant feature of the streetscene. Given the significant variation in boundary treatments along the street, the proposed development would not harm the character and appearance of the conservation area.
11. I conclude that the proposed development would preserve the character and appearance of the RFCA. It would therefore comply with Policies D1 and D2 of the Camden Local Plan 2017. These policies together require development to be high quality design which respects local character and preserves the historic environment.

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Conditions

12. The Council has proposed a number of conditions should the appeal be allowed. I have considered these and imposed them where they meet the tests set out in Paragraph 55 of the National Planning Policy Framework, amending where necessary for the sake of simplicity, clarity and precision.
13. A condition requiring the development to be carried out in accordance with approved plans is necessary in the interests of certainty. I have imposed a condition requiring external materials to match those of the existing building, in the interests of the appearance of the area.

Conclusion

14. For the reasons set out above, I conclude the appeal should be allowed.

Rachael Pipkin

INSPECTOR



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