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Via Planning Portal only

5th December 2024

Dear Sir/Madam,

RE: FULL PLANNING APPLICATION – THE TOWN AND COUNTRY PLANNING ACT 1990

ERECTION OF PERGOLA AND ASSOCIATED WORKS INCLUDING HARDSURFACING

ORNAN COURT, 2 ORNAN ROAD, LONDON, NW3 4PT

Please accept this planning covering letter as a planning and heritage statement and accompaniment to this planning application for the erection of a pergola and associated works including the installation of hard surfacing at Ornan Court, 2 Ornan Road, London, NW3 4PT ('the site').

This letter provides a brief description of the site and the proposed development. Please also find enclosed for your consideration existing, previously consented and proposed plans along with existing and proposed visuals.

The Site:

The application site comprises part of the side garden of the mansion block located on the west side of Ornan Road, to the south of the junction with Haverstock Hill. The building is of Queen Anne Revival style, constructed of red brick, with timber sash windows, a decorative entrance portico and a plain clay tiled roof. The building has been extended and altered, particularly to the rear and at roof level. The building has a raised front and side garden beyond retaining walls and is currently a Sui Generis Hostel. The building has pedestrian access off Ornan Road and Haverstock Hill.

The wider area is characterised by residential buildings, between 2 and 6 storeys in height, set behind modest front gardens enclosed by brick/stucco boundary treatments.

The Proposal:

The proposal is to erect a timber framed pergola and install hard surfacing beneath, in the side garden of the existing building. For full details of the proposed development please view the supporting plans.

Planning History:

On the 30th of October 2024, a planning application was submitted (reference 2024/4767/P) for the demolition of the external staircase, making good of associated landings to form balconies, extension to existing outbuilding and enlargement of rear opening to create a door. The application was pending consideration at the time of writing.

On the 4th of October 2024, a planning application was submitted (reference 2024/4328/P) for the installation of a front entrance gate, re-configuration of front entrance steps, installation of external lighting to the front, replacement front handrail and replacement front door. The application was pending consideration at the time of writing.

On the 30th of January 2024, planning permission was granted (reference 2024/0084/P) for the demolition of existing single storey rear extension and detached outbuilding, erection of replacement single storey rear extension, infilling of the pedestrian access off Haverstock Hill, the re-landscaping of the front and side gardens and alterations to existing waste and bicycle store.

On the 3rd of May 2018, planning permission was granted (reference 2016/5652/P) for the excavation of a basement to create 2 x 2 bedroomed self-contained flats (Class C3) with associated front lightwells and cycle stores and reconfigured existing cycle and refuse storage areas to front garden.

On the 5th of February 2008, planning permission was granted (reference 2008/2886/P) for a single storey ground floor rear extension to the rear of the existing hostel (Sui Generis), erection of a bike and bin store accessed from the Ornan Court elevation.

Planning Legislation and Policy:

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a statutory duty on decision makers to have a special regard to the desirability of preserving or enhancing the character and appearance of the conservation area.

National Planning Policy

The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. At the heart of the NPPF is a presumption in favour of sustainable development which incorporates three specific strands – economic, environmental and social. Section 16 (conserving and enhancing the historic environment) is relevant to the determination of this application.

Local Planning Policy

For the purposes of this application, the adopted Development Plan for the London Borough of Camden comprises the London Plan (2021), Camden Local Plan (2017) and the made neighbourhood plans and adopted Supplementary Planning Guidance/Documents.

London Plan

D3: Optimising site capacity through the design-led approach

D4: Delivering good design

HC1: Heritage conservation and growth

Camden Local Plan

A1: Managing the Impact of Development

A3: Biodiversity

D1: Design D2:

D2: Heritage

Supplementary Planning Guidance Documents:

Design (2021)

Fitzjohns/ Netherhall Conservation Area Character Appraisal and Management Plan (2022)

Planning Assessment:

Design and heritage

Case law dictates that decision makers are required to give *great weight* to any harm to the significance of a heritage asset and how this should be applied is set out in section 16 of the NPPF.

Section 72 of Listed Buildings and Conservation Areas Act 1990 places a statutory duty on decision makers to have special regard to the desirability of preserving and enhancing the character and appearance of conservation areas.

London Plan Policy HC1 and Local Plan Policies D1 and D2 reflect the statutory duty insofar as they set out that the Council will seek to ensure that new development achieves high quality design that preserves and where appropriate enhances Camden's rich and diverse heritage assets. The policies continue to set out that the Council will not permit harm to heritage assets unless the public benefits of the proposal convincingly outweigh the harm.

The Fitzjohns/ Netherhall Conservation Area Character Appraisal and Management Plan (2022)

highlights the importance that trees and vegetation make to the green and leafy character of the area. In townscape terms, the appraisal sets out that the area is characterised by large detached and semi-detached buildings, with space in between, set back behind front gardens enclosed by boundary treatments. The application building is identified as making a positive contribution to the character of the conservation area.

The side garden of the property is bounded by a close boarded fence to the northwest. The soft landscaping to the side respects the prevalent building line on the southwestern side of Haverstock Hill. The existing tree and the trees in the neighbouring site make a positive contribution to the street scene, providing visual relief in an otherwise built up environment.

The proposed pergola is single storey in height, of modest scale, visually permeable and will be constructed with timber posts and a concealed aluminum roof. The structure would be clearly subservient to the host building and would be viewed against the main building and the existing boundary fencing. The pergola would be an innocuous feature in the side garden that would assimilate well in the streetscape. The proposal would not alter the contribution that the site makes to the special interest of the Fitzhohns and Netherhall Conservation Area and therefore preserve the character and appearance of the conservation area. As such, the proposal accords with London Plan Policy HC1, Local Plan Policies D1 and D2 and section 72 of the Listed Building and Conservation Areas Act.

Neighbour amenity and living quality

Local Plan Policy A1 seeks to ensure that development protects the quality of life of occupiers and neighbours by only granting planning permission to development that would not harm the amenity of neighbouring residents.

The proposed pergola is a modest visually permeable structure located adjacent to an existing boundary treatment. The proposal would not harm neighbour amenity with respect to outlook, privacy, light or overbearing impacts. In accordance with Local Policy A1, the proposal would not harm neighbour amenity.

Arboricultural impacts

Local Plan Policy A3 sets out that the Council will protect and enhance sites of biodiversity value and protect trees of amenity value.

The application site includes two trees in the north-western corner of the site. Whilst the proposed pergola is located in close proximity to the trees, the pergola is a lightweight structure that would not necessitate extensive groundwork in the root protection area of the trees. Construction methods could be employed to ensure that the proposed development would not have adverse impacts on the trees. If deemed necessary, a detailed landscaping scheme and methods statement could be secured by planning condition. The proposal accords with Local Plan Policy A3.

Summary & Conclusion:

For the reasons set out in this letter it is considered that the proposed development constitutes sustainable development in accordance with the National Planning Policy Framework. The proposal is in accordance with the adopted development plan and there are no over-riding material planning considerations which suggest the development should not be determined anything but positively in accordance with the adopted development plan.

I trust this letter and the enclosed documents provide you with sufficient information to determine the application but if you require any points of clarification or have any questions, please do not hesitate to contact me.

Yours faithfully

Stuart Minty
Director
SM Planning