

Delegated Report		Analysis sheet	Expiry Date:	02/12/2010
		N/A	Consultation Expiry Date:	05/11/2010
Officer		Application Number		
John Sheehy		2010/4879/P		
Application Address		Drawing Numbers		
18a Belsize Park London NW3 4DU		Refer to draft decision		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal				
Creation of a driveway at the front of the property over part of the front garden following the partial demolition of the front boundary wall to the existing residential property.				
Recommendation:	Refused			
Application Type:	Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice
Informatives:	

Consultations

Adjoining Occupiers:	No. notified	25	No. of responses No. electronic	6 3	No. of objections	6
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Summary of consultation responses:	<p>Site notice displayed on the street</p> <p>The occupiers of the following neighbouring properties objected to the application: 16 Belsize Park (x2), 17 Belsize Park, 19c Belsize Park and 1 Belsize Avenue (x2). In summary the following concerns were raised:</p> <ul style="list-style-type: none"> Proposed space would lead to dangerous vehicle manoeuvres which would be hazardous for pedestrians and other vehicle users, particularly if cars were to reverse onto the road from the proposed parking space; The existing zebra crossing is used by large numbers of school children; Detrimental impact on visual amenity for surrounding residents; Proposal would have detrimental impact on this attractive Italianate villa; Proposal would “upset the symmetry and integrity of the entrance to the village”; Existing car parking forecourts ruin the views of beautiful Belsize buildings; The proposal would not preserve or enhance the character or appearance of the Conservation Area; The street is characterised by low front garden walls either solid walls or balustrades separating them from the street; “It is exactly this sort of destruction that should be opposed if the area’s integrity is to be maintained”; Driveway to 23 Belsize Park which applicant cites as a precedent is a space between adjoining properties and did not require an additional opening off the street; Loss of green area and creation of a car-parking space has no merit from an environmental standpoint; Grant of permission would set a precedent for similar changes in the future.
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CAAC/Local groups comments:	<p>Belsize CAAC objection: “Garden take-up is unwelcome certainly to this extent, about 50% [of front garden]... A car-parking space denies car-parking for the general public. A new pavement crossover close to the road junction must be unwelcome.”</p> <p>Belsize Residents Association, objection: “This is precisely the kind of urban vandalism that the recent Article 4 Direction process is designed to prevent: thank goodness you are able to consider it and refuse it. [The following specific concerns are raised]</p> <ul style="list-style-type: none"> - Destruction of garden area - Destruction of front boundary wall - Road safety hazards - Pedestrian safety hazards - Encouragement for car-use generally - Destructive effect on character of CA - Loss of kerbside parking space.”
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Site Description

A substantial 3-storey plus basement semi-detached stucco villa located adjacent to Belsize Village on the north-western corner of Belsize Park, Belsize Park Gardens, Belsize Terrace and Belsize Avenue. The site is located within a residential street located in the core area of the Belsize Park development undertaken in the 1860s.

The property is subdivided into 4 self-contained units. Although not listed, the property has been identified as making a positive contribution to the character and appearance of the Belsize Conservation Area in which it is located. The property is subject to an Article 4 directive adopted in September 2010 which removes, among

other things, permitted development rights of owners to make substantial changes to front boundary walls.

Relevant History

None

Relevant policies

LDF Core Strategy and Development Policies

CS5 Managing the impact of growth and development

CS14 Promoting High Quality Places and Conserving Our Heritage

CS15 Protecting and Improving our Parks and Open Spaces & encouraging Biodiversity

DP17 Walking, Cycling and public transport

DP18 Parking standards and limiting the availability of car parking

DP21 Development Connecting to the Highway Network

DP24 Securing High Quality Design

DP25 Conserving Camden's Heritage

DP26 Managing the impact of development on occupiers and neighbours

Camden Planning Guidance 2006

Belsize Conservation Area Statement

Assessment

Proposal: creation of a driveway at the front of the property over part of the front garden following the partial demolition of the front boundary wall to the existing residential property.

The surface of the parking space would be made up of gravel with low-growing plants spread evenly through it.

Assessment:

The principal considerations material to the determination of the application are design/ impact on the Conservation Area and transport issues.

Design/ Impact on the Conservation Area

Consistent front boundary walls made up of masonry or stone balustrades form an integral part of the character and appearance of the Belsize Conservation Area. There has been significant pressure in recent years to create parking spaces within the front gardens of properties in this Conservation Area. In many cases this has resulted in the loss of historic front boundary walls and the provision of hard standing for car parking in front of sensitive historic buildings.

The recently introduced Article 4(1) Direction was introduced to prevent the further loss of such historic boundary walls. The Design Guide produced alongside the introduction of the Article 4(1) Directions sets out clearly that the loss of boundaries and introduction of hardstanding within the CA will be resisted. As noted above the application property is one of the properties subject to the Article 4 Direction.

The existing boundary wall is part of a coherent set of front boundary walls along this side of the street and is considered to contribute positively to the CA due to its traditional materials, form and prominent location. The proposal would result in the substantial loss of this boundary wall. The proposal is not considered to preserve or enhance the character and appearance of the CA and the application is refused on this basis.

Transport

The property is located within a Controlled Parking Zone CA-B, which operates between 9am and 6.30pm Monday to Friday and 9.30am and 1.30pm on Saturdays. Both the zone and this street are classified as being highly stressed in terms of over night parking. The proposed parking bay would require the formation of a new footway crossover on Belsize Terrace. Camden's transport officers have commented on the proposal and confirmed that, as there are zig zag markings relating to the zebra crossing at this location the proposal would be unacceptable due to its possible impact on highway and pedestrian safety.

Trees

The proposed parking space would appear to be located, in part, within the root protection zone of a large mature tree located within the front garden of the property. The tree is located in a prominent position and is considered to contribute to the character and appearance of the Conservation Area. The downward pressure that would result from parking a vehicle within the root protection zone could result in compacting of the roots of the tree which may cause serious harm to its health and life-expectancy.

In light of these considerations an arboricultural report in respect of the tree should be provided outlining the root protection zone of the tree, how far the proposed works would extend into this zone and measures to mitigate the impact of the development.

However, no such arboricultural report has been submitted. It is considered that insufficient information has therefore been provided to demonstrate that the tree would be protected as a result of the proposal. The application is refused on this basis.

Other issues

Given the scale, location and nature of the proposed works there is considered to be no detrimental impact on amenity of neighbours or occupiers of the property in terms of sunlight, daylight or privacy.

The parking space would be finished in gravel with low-growing plants spread evenly through it. Objectors have stated the proposal would cause a loss of outlook/ visual amenity to neighbours by loss of green garden space and attractive hedge and creation of an unsightly vehicular parking space. Officers have serious reservations about the proposed arrangement in terms of outlook. Nevertheless, given the layout of the surrounding properties as well as the width of surrounding streets, it is considered that the Council could not reasonably or justifiably expect to sustain a refusal of the application in the basis of this specific concern.

Recommendation: refuse permission.

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