

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

SITE AT 59 ABERDARE GARDENS, LONDON NW6 3AL

PLANNING APPLICATION BY MS. HEMAL PATEL

DESIGN & ACCESS STATEMENT

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1. INTRODUCTION

- 1.1 This Design and Access Statement accompanies the planning and conservation area consent applications submitted to Camden London Borough Council by Ms Hemal Patel for the demolition and rebuilding of the existing front boundary walls and brick pillars to incorporate an additional pedestrian entrance with a new brick pillar and metal gate adjacent to the boundary with 57 Aberdare Gardens and a new metal gate to the reinstated entrance, for the demolition of the existing refuse bin enclosure and the construction of a new refuse bin enclosure, and the provision of new hard and soft landscaping to the front garden, at 59 Aberdare Gardens, London NW6 3AL.

2. ASSESSMENT

Physical Context

- 2.1 The application site is located on the north side of Aberdare Gardens. The site is occupied by a three storey semi-detached property which is in use as three self-contained flats. The property is of mid-Victorian construction, and is located within the Swiss Cottage Conservation Area. The building is brick faced and bay-fronted.
- 2.2 The planning application is made by the occupier of the ground floor flat. That flat is served by the building's main front entrance whilst separate access to the upper flats is via a side entrance to the building. All flats are currently accessed through the single pedestrian entrance from Aberdare Gardens. A diagonal path leads from this entrance to the side of the property, and to a small bin enclosure which is located adjacent to the boundary with 57 Aberdare Gardens. The front boundary wall at the site is

leaning and in a generally dilapidated condition. A hawthorn tree is located close to the front boundary of the site, adjacent to the side boundary with 57 Aberdare Gardens (see paragraph 2.6 below).

- 2.3 The surrounding area is predominantly residential in character, and displays a relatively consistent pattern of detached and semi-detached residential properties of similar age, design and scale. Properties in this part of the conservation area display a variety of means of enclosure to the front boundary. Similarly, the front gardens of properties are landscaped to varying standards. The majority of properties have been converted into self-contained flats.

Relevant Planning History

- 2.4 Planning permission was granted on 15th July 2008 under reference 2008/2090/P for '*basement and ground floor level extensions on the rear elevation with associated front lightwells to ground floor flat (Class C3) and infilling of a door and window on the side elevation*'.
- 2.5 Planning permission was granted on 2nd February 2010 under reference 2009/5086/P for '*alterations to include the construction of a basement with associated rear lightwell and rear ground floor extension to existing flat*'. This approved scheme, which is currently being implemented, does not therefore propose the construction of front lightwells. The opportunity therefore arises to retain a full front garden area which the applicant seeks to re-landscape and generally enhance.
- 2.6 There have been various recent applications for works to trees at the application site. In relation to the front part of the site, consent was granted on 16th December 2009 under reference 2009/5357/T to fell to ground level

the hawthorn tree within the front garden, and to replace with a rowan.

Planning Policy

The statutory development plan

- 2.7 The statutory development plan for the area comprises the London Plan of 2004 and the Camden Unitary Development Plan (UDP) which was adopted in 2006. Section 38(6) of the Planning and Compensation Act 2004 requires decisions on planning applications to be taken in accordance with the development plan unless material considerations indicate otherwise.

The adopted UDP

- 2.8 The following saved policies of the adopted UDP, as summarised, are considered to be relevant to the issues raised by this application:-
- Policy B1 lays down a series of general design principles for new development. Schemes should be of a high design standard, and be safe and accessible to all. The spaces around and between buildings should be improved, and development should be sustainable, adaptable, provide high quality landscaping and boundary treatments, and should protect amenity. Particular regard will be paid to building lines, plot sizes, the bulk and scale of neighbouring buildings, existing topography and landscaping, the design of neighbouring buildings, the quality of the proposed detailing and materials, and the impact on visual amenity. Supporting paragraph 3.16 states that boundary features, such as walls and fences, should be provided to a high standard;

- Policy B3 states that planning permission will not be granted for the inappropriate alteration or replacement of boundary features. Supporting paragraph 3.38 states that conservation areas are particularly sensitive to the loss of traditional boundary enclosures, and that boundary enclosures can be have a positive effect for crime prevention; and
- Policy B7 states that the Council will only grant consent for development in a conservation area that preserves or enhances the special character or appearance of the area.

Planning Guidance

- 2.9 'Camden Planning Guidance' was published in 2006, and represents a material consideration in the determination of this planning application. Paragraph 23.34 states that where walls, gates and gateposts are to be replaced, care should be taken to respect the original character, height and materials. Conservation Area Statements provide more detailed guidance.

National Planning Policy

- 2.10 National planning policy set out in PPS1 and PPG15 is considered to be of relevance to the planning issues raised by the application proposals. In particular, this national policy context seeks to promote sustainable development of a high design standard, and for development in conservation areas to preserve and enhance the character and appearance of those areas.
- 2.11 More specifically, in respect of development in conservation areas, PPG15 (Planning and the Historic Environment) states, at paragraph 4.16, that

policies for conservation areas will need to be designed to allow the area to remain alive and prosperous, and to avoid unnecessarily detailed controls over businesses and householders. At paragraphs 4.19 and 4.20, the guidance confirms that the Courts have held that the requirements of Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 will be met where development leaves the character and appearance of the conservation area unharmed.

3. DESIGN

Amount of Development

- 3.1 The proposal involves the demolition and rebuilding of the existing front boundary wall to the property at 59 Aberdare Gardens. The demolition and rebuilding of the wall is necessitated by its dilapidated condition. The wall, part of which is leaning, extends across the 11.5 metre wide frontage of the site excluding a 1.3 metre wide pedestrian entrance. It has a general height of 1100mm including coping bricks, and incorporates three 1450mm high brick pillars, two of which frame the pedestrian entrance, and a third which is located on the boundary with 57 Aberdare Gardens. The front boundary wall encloses a front garden of approximately 60 square metres.
- 3.2 The proposed replacement wall will be of the same height as the existing wall but will incorporate an additional pedestrian entrance adjacent to the boundary of 57 Aberdare Gardens. The new entrance will be approximately 900mm wide. Brick pillars will be retained/incorporated to either side of each pedestrian entrance. The front garden of the property will be fully retained albeit with a revised layout (see below).

Layout

- 3.3 The position of the existing pedestrian entrance will be retained as part of the rebuilt boundary wall. This entrance will be linked to the main front door of 59 Aberdare Gardens via a central pathway. The front door serves the ground floor flat. The additional entrance within the rebuilt front boundary wall will serve a path adjacent to the boundary with 57 Aberdare Gardens. The path will lead to the existing entrance to the upper floor flats which is located in the flank wall of the application property. This revised layout will provide improved privacy for the occupier of the ground floor flat by re-routing the existing diagonal path away from the bay window.
- 3.4 A bank of four refuse bin enclosures will be provided adjacent to the new pathway, and two of these will be accessible from the central pathway, and will be for use in connection with the ground floor flat. The remaining areas of the front garden will be subject to hard and soft landscaping.

Scale & Appearance

- 3.5 The scale and appearance of the proposed replacement boundary walls and brick pillars will precisely match that of the existing structures. The wall will be rebuilt re-using the existing coping stones where possible, and matching brickwork will be used for the main wall structure and pillars. In respect of the latter, it should be noted that very high quality matching brickwork has recently been used for the repair and reconstruction of the front rectangular bay window to number 59, and the same type of brick is proposed to be used in respect of the rebuilt boundary wall and pillars.
- 3.6 The formation of the additional pedestrian entrance will not materially alter the degree of enclosure of the front boundary of the application site. The entrance will be narrower than the existing entrance, and the sense of

enclosure will be maintained by the inclusion of a metal gate. Furthermore, improved enclosure of the frontage will be achieved by the insertion of a new metal gate to the existing entrance which is currently open. The resulting composition will represent a clear overall enhancement to the site's frontage by virtue of the improved appearance of the rebuilt boundary wall (replacing the existing dilapidated structure) and the insertion of gates across the existing open entrance. The limited additional 900mm opening (enclosed by a gate) is not considered to detract from the sense of enclosure which will be maintained at the front of the site as a result of the proposed works. It should also be noted that there is no uniformity to front boundary treatment in this part of the conservation area with many plots having only a limited degree of enclosure and others having more than one entrance. Notwithstanding this, the Council's policy of seeking to maintain and enhance existing boundary enclosures (as set out, for example, in UDP Policy B3) is acknowledged, and the proposal is considered to accord with this objective.

- 3.7 The proposed changes to the layout and treatment of the front garden of the application property are considered to be wholly beneficial to the visual amenities of the site and the wider conservation area. Improved paving, soft landscaping and refuse storage facilities will be provided in accordance with the details shown on drawing number 9512/TP/02.

Landscaping

- 3.8 The proposed layout of the front garden will incorporate new hard and soft landscaping of a high standard. The hedge to the eastern front garden boundary will be maintained, and a rowan will be planted as an integral part of the layout and in accordance with consent 2009/5357/T for the removal of the hawthorn tree.

- 3.9 It should be noted that, as required, the application is accompanied by an Arboricultural Impact Assessment. This report was prepared in connection with the previous application for the rear extension to the property. The report includes a reference to the hawthorn tree in the front garden, and is provided for the sake of completeness. However, the subsequent consent for the removal of this tree effectively overrides this element of the report.

Use

- 3.10 The proposal is consistent with the lawful use of the property as three self-contained flats.

4. ACCESS

- 4.1 The application site lies within convenient walking distance of numerous bus routes on Finchley Road, West End Lane and Belsize Road. Swiss Cottage, Finchley Road and West Hampstead Stations also lie close to the site.
- 4.2 Level access to the site will be provided from the public footway via the existing and proposed pedestrian entrances. The revised layout of the front garden will provide easier access to the refuse storage bays, and a less constrained access for the occupiers of the upper floor flats.