

Delegated Report		Analysis sheet		Expiry Date:		06/07/2009	
		N/A		Consultation Expiry Date:		19/06/2009	
Officer				Application Number(s)			
Eimear Heavey				2009/1991/P			
Application Address				Drawing Numbers			
72 Fitzjohn's Avenue London NW3 5LS				Refer to draft decision notice			
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature				
Proposal(s)							
Installation of front boundary gate and entrance path to existing single family dwelling house (C3).							
Recommendation(s):		Grant conditional planning permission					
Application Type:		Full Planning Permission					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	02	No. of responses	00	No. of objections	00
				No. electronic	00		
Summary of consultation responses:		A site notice was displayed from 29/05/2009 until 19/06/2009. Adjoining occupiers/owners No responses received.					
CAAC/Local groups* comments: <small>*Please Specify</small>		Fitzjohns/Netherhall CAAC No objection (letter dated 09/06/2009). Local Groups No reply to date.					
Site Description							
The application relates to a two-storey end-of-terrace single-family dwelling located on the eastern side of the Fitzjohns Avenue. It is a substantial dwelling set behind a large front garden with a small garden to the rear, which backs onto Spring Path. The south elevation of the property adjoins Shepherd's Path and the east elevation Spring Path. The building is not listed, but it is situated within the Fitzjohn/Netherhall Conservation Area and identified as a building that makes a positive contribution to the conservation area.							
Relevant History							
2001: pp <i>granted</i> for the replacement of a lean-to with a single storey side extension (Ref: PWX0103421).							
2002: pp <i>granted</i> to nos. 72 (Ref: PWX0202645) & 74 (Ref: PWX0202647) for the erection of rear dormer and altered east gable in association with the conversion of the roof for additional habitable space.							
June 2007: pp <i>granted</i> for the erection of two-storey extension at ground and first floor level (plus roof) to the							

rear and installation of entrance door on side elevation (Ref: 2007/1593/P).

Oct 2007: pp *granted* for excavation of basement and creation of an open basement lightwell with staircase to the front and two basement lightwells enclosed by a grille to the rear (Ref: 2007/3542/P).

Jan 2008: pp *refused* for formation of a new means of access to the highway from Fitzjohn's Avenue involving removal of a section of garden wall, replacement front boundary gates, excavations to level the ground and formation a car parking space with surrounding retaining walls for the dwellinghouse (Ref: 2007/3450/P).

March 2008: pp *granted* for the erection of a rear dormer and alterations to side gable of single-dwelling house (Ref: 2007/6400/P).

Dec 2008: pp *refused* for the retention of existing side dormer window to the single dwellinghouse (Ref: 2008/4697/P).

Relevant policies

Set out below are the UDP policies that the proposals have primarily been assessed against. However, it should be noted that recommendations are based on assessment of the proposals against the development plan taken as a whole together with other material considerations.

London Borough of Camden adopted Unitary Development Plan 2006

- SD1 Quality of Life
- SD6 Amenity for occupiers and neighbours
- B1 General Design Principles
- B3 Alterations and Extensions
- B7 Conservation Areas
- T12 Works to highways
- N8 Landscaping and trees

Camden Planning Guidance 2006

Fitzjohns/Netherhall Conservation Area Statement

Assessment

Proposal

Planning permission is sought for the installation of front boundary gate and entrance path to existing single family dwelling house.

Main Planning Considerations

- Acceptability of the proposal and its impact on the original building and on the Conservation Area;
- Impact of the proposal on neighbour amenity;
- Impact of the proposal on trees; and
- Potential transport issues

Design

Camden Planning Guidance states that in order to preserve the streetscene and retain and preserve the public realm, high boundaries and railings will be resisted, where appropriate. It also states that boundary treatments should enhance the streetscene and not appear threatening.

The Fitzjohns/Netherhall Conservation Area statement also needs to be considered and it states that Fitzjohns Ave is characterised by wide pavements, mature trees and the hedges and front garden foliage. It also states that front boundaries with attractive and distinctive features should be retained and restored where lost.

A previous planning application (Ref: 2007/3450/P) was refused for the formation of a vehicular access from this property due to the fact that it would harm the existing boundary wall which is distinctive to the area and that the proposed parking space inside the boundary wall would adversely affect the trees on site. In this instance it is proposed to demolish an existing section of the front boundary wall (approximately 1.2 metres in length) between two piers close to Shepherds Path. Given that the two existing piers will remain and this section of wall does not incorporate any specific detailing and that there is no objection from the CAAC, it is considered that the proposed timber pedestrian gate will not adversely impact upon the streetscene or on the Conservation Area.

The proposed gate would be approximately 2.5 metres in height and would not be higher than the two existing piers, it is also proposed to install an entry phone on the pier closest to the more detailed section of the boundary wall. With regards to development inside the boundary wall, it is proposed to incorporate a ramped approach from the pedestrian gate through the garden to the main entrance. This in turn will allow for the existing main entrance levels to be altered allowing for disabled access into the dwellinghouse.

In light of the above, the proposed installation of a timber pedestrian gate between two pillars along this boundary wall is considered to be acceptable and both preserves the public realm and the surrounding conservation area.

Amenity

The proposed pedestrian gate is not considered to impact on neighbour amenity in terms of overlooking, loss of privacy, sense of bulk or loss of sunlight or daylight.

Trees

The applicant has submitted an arboricultural report in support of the application and it concludes that the proposals do not directly affect trees within the front garden as the proposed ramped path has been routed outside the root protection zones of the front garden trees. Details of protective fencing have been provided along with a method statement for the protection of trees during the construction of the retaining wall. The Council's Tree and Landscape officer has no objection to the proposal subject to a condition requiring that the method statement be adhered to throughout the construction process.

Works to Highways

The proposed development is not considered to have an impact on the highway and the Council's Transport department have no objection. Furthermore, the proposed gate will not open out on to the pavement and will therefore not impede pedestrian traffic at this location.

Conclusion

The proposed installation of a front boundary gate and formation of path is considered to be acceptable and is in no way detrimental to the original building or the surrounding Conservation Area. The proposed development accords with Policies SD1, SD6, B1, B3, B7, N8 and T12 of the UDP 2006 and the guidelines set out in Camden's Planning Guidance 2006.

Recommendation: Grant conditional planning permission

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