

Delegated Report		Analysis sheet	Expiry Date:	25/08/2015
		N/A / attached	Consultation Expiry Date:	20/08/2015
Officer			Application Number(s)	
Olivier Nelson			2015/3684/P	
Application Address			Drawing Numbers	
Flat 1 April House 45 Maresfield Gardens London NW3 5TE			See decision notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Installation of boundary treatment including means of access and hardstanding and the rearrangement of two off-street parking spaces. (Retrospective).				
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	30	No. of responses	11	No. of objections	11
			No. electronic	00		
Summary of consultation responses:	<p>Site notice – 29/07/2015 – 19/08/2015 Press notice – 30/07/2015 – 20/08/2015</p> <p>The objections are as follows:</p> <ul style="list-style-type: none"> • The new position of the northernmost parking space is incompatible with regulations for the pavement and kerb, and due to the adjacent brick wall poses a risk to the pedestrian traffic. • It is untrue that the reduction in parking bay by 3m would not result in a loss of parking opportunities on Maresfield Gardens. • The traffic survey was taken during exam season when many students would be off school due to study leave. • There is a high frequency of pedestrian movement during the majority of the year, particularly term time. • The driver of a vehicle exiting the northern parking space is almost non-existent. • The sightline from the new parking space is extremely bad due to the high walls. • The new location of the parking space that Flats 1 and 2 have chosen to take up would result in the loss of a Camden parking space. This would see private gain at the expense of public loss something Camden Council should always guard against. • There was no demonstrable harm caused by the former open forecourt, on the contrary it enabled two cars to exit the forecourt without driving over the kerb. • The brick pillars built without planning permission and the accompanying iron gates are inconsistent. 					
CAAC/Local groups* comments:	<p>Heath and Hampstead Society:</p> <ul style="list-style-type: none"> • We always oppose the construction of new off-street parking spaces in our Conservation Area; they are invariably damaging to garden and green spaces, and bring an increased urbanisation into our non-urban streets. • Front garden should be places where trees, flowers, shrubs and grass predominate, not be abandoned as car parks • There is no justification whatsoever for increasing the off-street parking on this site, particularly since this would lead to the loss of kerbside residents parking. • The design of the gateposts and gates here are of a low standard. 					

Site Description

The site is occupied by a 3 storey building (plus lower ground and roof levels) known as April House located on the western side of Maresfield Gardens. The building is divided into two flats, being flats A and B. The application property is the flat occupying the lower ground, ground and first floor. The property lies within the Fitzjohns/Netherhall Conservation Area and is considered to make a positive contribution to the Conservation area. The building is located slightly upslope from No. 43 Maresfield Gardens.

Relevant History

45 Maresfield Gardens (application site)

8600254- Change of use and works of conversion to form four flats on the ground floor and lower ground floor as shown on drawings No.0585A/06 and 07. **Granted 23/04/1986.**

9201060- Erection of a rear extension at first floor level to the existing flat including new entrance canopy on the ground level front elevation. **Granted 04/02/1993.**

2013/1071/P- Conversion of two existing flats into one single family dwelling (Class C3) and associated alterations. **Granted 22/07/2013.**

2014/1394/P- Alterations to replace windows and doors on front elevation at ground floor level with 2 windows and 3 doors, including installation of glazed canopy over entrance. **Granted 05/06/2014.**

2014/1956/P- Erection of a side extension at second floor level. **Refused 20/07/2015.**

2014/5724/P- Extension of existing basement level (retrospective). **Withdrawn.**

2014/5725/P- Extension of existing basement level (retrospective). **Granted 12/06/2015**

2015/1609/P - Erection of 1st floor side extension and alterations to front and rear elevations (retrospective). **Granted and Warning of Enforcement Action 14/07/2015**

2015/3636/P - Retrospective application for the erection of a timber play structure in the rear garden. Pending

ENFORCEMENT

EN14/0713 – Excavation of basement and the approved scheme 2013/1071/P has not been implemented. As a result the current application was submitted (2014/5725/P) in order to firstly regularise the first floor side extension in line with the previous approval in 2013, and then to amend the as built extension, which differed from both the original side extension which it replaced and the as approved design from 2013.

EN15/0735 - Erection of metal gates and brick gate on front boundary of the property – Enforcement notice **dated 28/07/2015.**

Relevant policies

National Planning Policy Framework 2012

London Plan 2015, consolidated with alterations since 2011

Camden LDF Core Strategy 2010

CS5 Managing the impact of growth and development

CS11 Promoting sustainable and efficient travel

CS14 Promoting high quality places and conserving our heritage

Camden Development Policies 2010

DP19 Managing the impact of 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

DP28 Noise and vibration

Camden Planning Guidance

CPG1 Design

CPG6 Amenity

CPG7 Transport

Fitzjohns and Netherhall Conservation Area Statement 2001

Assessment

1. Proposed Development

1.1 Retrospective planning permission is sought for the installation of boundary treatment within the front garden, new hardstanding, the rearrangement of two off-street parking spaces. The proposed alterations are as follows:

- Block paving has been laid down either side of the central path which accesses the front of the property. Planters have been positioned near the front of the property in brick built structures.
- The site slopes upwards and the heights of the brick piers differ from south to north
- The brick piers on the boundary with no. 43 has a height of 3.6m and 3.8m high on the boundary,
- Black powder coated metal railing 1.5m high either side of the central brick piers which are 1.8m high and 1.7m going from south to north.
- The railings to the parking space closest to no. 43 would have gates which open inwards; the other parking space would have a sliding gate.
- Two parking spaces have been created, the first is 6.4m deep and 4.7m wide and the second is 8.3m deep and 3.5m wide.

2. Design

2.1 CPG 1 Design informs that the design of front gardens and forecourt parking areas make a large impact on the character and attractiveness of an area and streetscene, therefore these should consider the balance between hard and soft landscaping and where parking area form part of the forecourt enough of the front boundary enclosure should be retained. The front garden of the proposal would have some planters but would not have attractive soft landscaping which can be found within the parts of the conservation area. The front garden of the property has been laid with hardstanding and demarcated with two off street parking spaces and a central entrance area which leads to the front door of Flat 1. Black coated metal railings and brick piers have been used. The choice of brick matches that of the boundary wall.

2.2 Policy F/N31 of the Fitzjohn's/Netherhall Conservation Area Statement states that:

Boundaries in the Conservation Area are predominantly formed by walls, many with hedges, with a variety of original features. Alterations to the front boundaries between the pavement and houses can dramatically affect and harm the character of the Conservation Area as the walls alongside the road and within properties add to the attractive appearance of the front gardens and architectural setting of the 19th Century Buildings. Proposals should respect the original style of boundary and these should be retained and reinstated where they have been

lost. Particular care should be taken to preserve the green character of the Conservation Area by keeping hedges.

2.3 The property did not previously have a front boundary wall. The proposal would see the addition of railings which would help to create a front boundary along with the central brick piers from the pavement. There are examples of off street parking in front gardens on some properties along Maresfield Gardens. These spaces have an open entrance and usually only one parking space. Historically at the site, there was a vehicle access and there were usually two or three cars which could be parking within the front garden. There hasn't been a formal front boundary and as such the front of the property has increased openness which is something which is welcomed in a conservation area. It is noted that the conservation area statement states that no front boundary facilitates parking at the front of the property. This was previously the case and the original arrangement did not impact on on-street parking in the area. The brick piers and gates are not in keeping with the host dwelling in terms of both their design and appearance. The choice of materials does not compliment the host dwelling which is finished in white render. It is not considered that the choice of brick chosen matches the original brick which is a characteristic of the Fitzjohns Netherall Conservation Area.

3. Residential Amenity

3.1 There are no amenity issues relating to this application.

4. Transport and Highways

4.1 The site has a PTAL score of 6a (excellent) which indicates that it has a high level of accessibility by public transport. The site is located within Controlled Parking Zone CA-B (Belsize), which operates between 9am and 6.30pm Monday to Friday and between 9.30am and 1.30pm on Saturdays. This zone is known to suffer from very high levels of parking stress with 110 permits issued for every 100 spaces available on-street.

4.2 Policy DP19 – Managing the impact of parking states that the Council will resist development that would:

- Add to on-street parking demand where on-street parking spaces cannot meet existing demand, or otherwise harm existing on-street parking conditions;
- Require detrimental amendment to existing or proposed Controlled Parking Zones;
- Create a shortfall of public car parking, operational business parking or residents' parking

4.3 The original off-street parking arrangements for the property include two spaces, one located to the left hand side of the front of the house and one to the centre. These two spaces were served by the existing vehicle crossover. The site now has been demarcated into two off-street parking spaces with a paved path which leads to the front entrance to Flat 1. The changes to the parking spaces have seen one parking space created to the north of the site which is no longer aligned with the crossover. The dimensions of the proposed parking spaces are in line with Camden guidance. In order for vehicles to use this space they would have to illegally cross the footway. Consent is required for the extension of a crossover to a property which is comprised of flats. This alteration to the crossover cannot be made solely through a crossover application alone as this permitted development right only applies to single family dwellinghouses. This would require amendments to the adjacent on street parking bay. The amendment would require a relocation/ or shortening of the on-street parking bay which would result in the loss of a much needed residential parking space in this highly street controlled

parking zone.

- 4.4 The existing parking bay adjacent to the boundary of the site is 18m in length, 4.5m is considered to be the minimum size for a parking space. The parking bay currently accommodates four vehicles. Although this measurement can only be taken into consideration if users of the bay park perfectly or with consideration for others. As that is not always the case an issue will arise as a result of this proposal. The proposal seeks an access way which would lead to at least 3m of the parking bay being lost. The new space would require changes to the pavement and by doing this existing parking pay for residents of Maresfield Gardens would be reduced in size.
- 4.5 Paragraph 19.3 of DP19 states that on-street car parking spaces are a limited resource, and demand exceeds supply in much of the borough. These spaces cater for residents who do not have off-street spaces at homes as well as for people visiting businesses and services. There is a particular high demand for on-street parking y residents in areas with a high number of driveways or garages.
- 4.6 Paragraph 19.4 of DP19 states that development that will reduce the amount of on-street parking or add to on-street parking demand will be resisted where it would cause unacceptable parking pressure, particularly in areas of identified parking stress. Council records indicate that the site is located in a controlled parking zone (CA-B) which suffers from a high level of parking stress (110%), with 110 permits issued for every 100 spaces on-street. The proposal would exacerbate this problem further and is likely to be detrimental to the local area.
- 4.7 The arrangement of parking spaces at the site has raised safety concerns with regard to the lack of visibility of the northern parking space for pedestrians approaching from the north. The introduction of this space has led to the space no longer aligning with the existing crossover. This poses a concern as pedestrians will not be expecting a vehicle to appear from behind the boundary wall. The lack of alignment with a crossover reduces people's assumptions that a car could manoeuvre from the northern space. Two pedestrian count surveys were undertaken, an afternoon count on the 8th July 2015 and a morning count on the 10th July 2015. The results showed that there were 39 pedestrian movements in the morning and 62 in the evening, the figures for children were discounted from further analysis as it was felt that all children were accompanied by adults. In terms of pedestrian safety there is a concern that this may not always be the case, as such the count fails to take into consideration all pedestrians as this was just a snapshot in time. As such the figures may be questioned and it may mean a similar time later in the year there could be more pedestrians using the pavement who could be injured as a result of not seeing the car.
- 4.8 The proposed parking spaces found on the forecourt would lead to a shortfall of public car parking which is contrary to policy DP19. The reduction from 4 parking spaces to 3 is not in the best interest of the wider community. The changes would result in a worsening of the current issue with on-street parking in the current area. The proposal fails to demonstrate that there would not be issues with highway safety along Maresfield Gardens and that a car can enter and leave the parking space in a safe manner.

5. Recommendation

Refuse planning permission