

<b>Delegated Report</b>		<b>Analysis sheet</b>	<b>Expiry Date:</b>	18/12/2017
		N/A / attached	<b>Consultation Expiry Date:</b>	07/12/2017
<b>Officer</b>		<b>Application Number(s)</b>		
Charlotte Meynell		2017/5846/P		
<b>Application Address</b>		<b>Drawing Numbers</b>		
The Chestnuts Branch Hill London NW3 7NA		Refer to draft decision notice		
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>	
<b>Proposal(s)</b>				
Partial infill of existing front lightwell and repositioning of front staircase to facilitate construction of new driveway and vehicle crossover.				
<b>Recommendation(s):</b>	Refuse Planning Permission			
<b>Application Type:</b>	Full Planning Permission			

<b>Conditions or Reasons for Refusal:</b>	<b>Refer to Draft Decision Notice</b>					
<b>Informatives:</b>						
<b>Consultations</b>						
<b>Adjoining Occupiers:</b>	No. notified	<b>0</b>	No. of responses	<b>0</b>	No. of objections	<b>1</b>
<b>Summary of consultation responses:</b>	<p><u>A site notice was displayed on 15/11/2017 and expired on 06/12/2017.</u>  <u>A press notice was advertised on 16/11/2017 and expired on 07/12/2017.</u></p> <p>In response to the proposals, an objection was received from Garden Flat, Leavesden, Branch Hill.</p> <p>Objections were made on the following grounds:</p> <ul style="list-style-type: none"> <li>• This is a conservation area with very limited parking for the residents. None of the houses on Branch Hill have private parking so any crossover will take away more parking space than it saves and it will change the appearance of the area. This will reduce on street parking for the residents of Branch Hill. The parking is used not only by the actual residents of Branch Hill but also by residents of Savoy Court, The Grange and West Heath Lodge.</li> <li>• Branch Hill is a narrow road which already suffers from reduced parking space since Heysham Lane has been closed for parking by being made into a double yellow lined road. We are at the end of the CAH zone so there is no going to the next street as it is some distance and there is not usually any parking space in the evening in Upper Terrace or in that vicinity which means we have nowhere else to go. I have experienced having to walk for 25 minutes to get home. This was very distressful for me as I am a disable badge holder and find walking any distance very difficult indeed.</li> <li>• We are a conservation area and we have no pavement of the other side of the road. We suffer from dreadful road rage and swearing most morning rush hours and severe congestion in the evening rush hour. What is most important to me is to keep the area where I have lived for over 40 years a conversation area and not to allow and for incomers to change the area to the detriment of others. There has never been any private parking either at The Chestnuts nor at the other half of the house. Planning was refused for crossovers when the house was split into two dwellings I believe on grounds that this is a conservation area and it would reduce the already limited parking.</li> </ul>					
<b>Heath and Hampstead Society comments:</b>	<p>The Heath and Hampstead Society has objected on the following grounds:</p> <ul style="list-style-type: none"> <li>• We have raised objections to the destruction of front gardens for car parking purposes for many years; such objections are now confirmed in the recently adopted Local Plan.</li> <li>• This application is a typical example of the harm arising from such a proposal. The loss of a significant area of front garden, the visual degradation of the Conservation Area by the sight of parked cars, the loss of kerbside public parking space, and the damage done to public and pedestrian safety, are all issues directly applicable to this proposal.</li> </ul>					

## Site Description

The subject site is a three-storey plus basement semi-detached building located on the south-western side of Branch Hill. Branch Hill is a narrow road with parking located on the west side, adjacent to the houses. The site is located within Controlled Parking Zone (CPZ) CA-H (Hampstead), which operates between the hours of 9am and 8pm Monday to Saturday.

The site is not listed but has been identified as a building that makes a positive contribution to the character and appearance of the Hampstead Conservation Area.

## Relevant History

### The Chestnuts, 1 & 2 Branch Hill

**2005/2454/P** – Change of use and works of conversion from hotel use (Class C1) to residential use (Class C3) to create two single family dwelling houses. **Planning permission granted 19/08/2005**

## Relevant policies

### National Planning Policy Framework (2012)

### London Plan 2016

### Camden Local Plan 2017

G1 Delivery and location of growth  
A1 Managing the impact of development  
D1 Design  
D2 Heritage  
T1 Prioritising walking, cycling and public transport  
T2 Parking and car free development

### Camden Planning Guidance

CPG1 Design (2015)  
CPG6 Amenity (2011)  
CPG7 Transport (2011)

### Hampstead Conservation Area Statement (2001)

## Assessment

### 1.0 Proposal

- 1.1 The application seeks planning permission to infill part of the existing front lightwell and reposition the front staircase to facilitate the construction of a new driveway and vehicle crossover.
- 1.2 The proposed driveway would measure 6.3m in depth and 4.3m in width. There is an existing paved area to the front of the property, which measures 4.7m in depth and 4.3m in width and the extended driveway would be finished in York paving stones to match the existing. The proposed dropped kerb outside the property would have a maximum width of 6.2m.
- 1.3 The proposed new driveway would infill an area measuring 3.2sqm of the existing front lightwell, which would reduce the area of the lightwell to 9.8sqm. The front access staircase to the lightwell would be repositioned and reduced in depth from 3.7m to 2.5m to enable the extension of the existing paving to form the driveway.

### 2.0 Assessment

2.1 The main planning considerations in the assessment of this application are:

- Transport / Highways issues;
- Design (the impact that the proposal has on the character and appearance of the host property, as well as the conservation area and wider street scene);
- Amenity (the impact of the proposal on the residential amenity of neighbouring occupiers).

### **3.0 Transport**

- 3.1 Policy T1 states that to promote sustainable transport choices, development should prioritise the needs of pedestrians and cyclists and ensure that sustainable transport will be the primary means of travel to and from the site. In order to encourage walking, the Council will seek to ensure that developments improve the pedestrian environment.
- 3.2 Policy T2 states that in order to lead to reductions in air pollution and congestion and improve the attractiveness of an area for local walking and cycling, the Council will limit the availability of parking within the Borough. Specifically, this policy states that in order to achieve this, the Council will limit on-site parking to spaces designated for disabled people where necessary, and/or essential operational or servicing needs. The policy also states that development of boundary treatments and gardens to provide vehicle crossovers and on-site parking will be resisted.
- 3.3 There is a residents parking bay located immediately outside the property. This is approximately 60m long and in theory can accommodate up to 12 vehicles, although the actual number that can park varies depending on where the vehicles are positioned, the length of vehicles and the amount of space left between them. There is a further residents parking bay located to the north of the site, north of the access to Spedan Tower Cottage, near Savoy Court. This is approximately 25m long and can accommodate up to 5 vehicles.
- 3.4 The proposed vehicle crossover would result in the loss of at least 1 on-street resident parking space from the parking bay in front of the property. This loss of spaces would lead to a reduction in the number of spaces available for residents in the adjacent houses and the surrounding area, to the sole benefit of the occupants of the application site, contrary to Policy T2.
- 3.5 Furthermore, the introduction of the crossover would lead to disruption to the pedestrian movement along the adjacent pavement, and the provision of off-street parking would create a greater reliance on travel by private car which is not considered to promote walking or cycling in relation to the Council's road user hierarchy. The proposal is therefore contrary to Policies T1 and T2.
- 3.6 A Transport Note has been submitted in support of the application. This provides details of the results of parking surveys undertaken in the vicinity of the site at 12.30am on Thursday 6<sup>th</sup> July 2017 and 1am on Friday 7<sup>th</sup> July 2017. The surveys were undertaken at night as this is generally considered to be the period of time when most people would be at home. However, it is noted that whilst these surveys were undertaken during school term time, their timing puts them very close to the end of the summer term when older children (particularly those who had taken GCSE, A-Level or other exams) and their families may be on holiday. It is also noted that the Friday night survey was undertaken when some people may be away for the weekend. As such, the results may not be indicative of typical evening weekday parking pressures and provide only a snap shot of conditions at that particular point in time.
- 3.7 The survey results indicate that the parking bay to the immediate north of the site was fully occupied on both survey days, whilst the parking bay outside the site had 4 spaces free on Thursday and 3 spaces free on Friday. Given the variation of parking occupancy on different days of the week and different times of the year, it is considered that this leaves very little spare capacity for on-street parking in the immediate vicinity of the site.
- 3.8 The parking surveys included two further areas of parking – one located at the southern end of Branch Hill (3 spaces), which was fully occupied on both days, and the other located on Windmill Hill (3 spaces), which is located to the southeast of the site, which had just 1 space free on both days. Whilst these areas are technically within 200m walking distance of the site, they are considered to be distant from the site and as such unlikely to be used on a regular basis by those living in the immediate vicinity of the site.
- 3.9 Overall, the parking surveys indicate that there was an occupancy level of 77% on Thursday and

82% on Friday. Whilst these figures are below the threshold of 90% at which on-street parking is generally considered to be stressed, the Council's own estimated parking stress ratio for residential parking in zone CA-H indicates occupancy levels of 111%. Therefore, this zone is considered to be highly stressed with higher levels of demand for parking than available on-street capacity. This figure has been derived by dividing the number of permit holders within the zone by the number of on-street parking spaces.

- 3.10 The Transport Note states that the proposed crossover would create a break in the length of the parking bay such that vehicles would be able to use it as a passing space and that this is a benefit of the proposal. However, it is considered that the proposed break in parking bays is not of a sufficient length in order for it to be used for this purpose. As such, it is considered that there is no overall benefit of providing the crossover.
- 3.11 Furthermore, separate Highways Act approval would be required to facilitate the proposed crossover. The Council's Dropped Kerbs (crossover) highways consent policy bullet point 3 states that *"where the proposed crossover is located within a current Controlled Parking Zone (CPZ) or an area where the Council has formally agreed will become a CPZ, the application will not be approved if it requires any amendments to the CPZ that are detrimental to that scheme in traffic/parking management terms"*. Paragraph 7.10 of CPG7 (Transport) also states that the Council will not approve applications for planning permission that would cause unacceptable parking pressure or add to existing parking problems. The proposed loss of at least 1 on-street parking space within the CPZ would add to on-street parking demand. As such, any application for a crossover under the Highways Act would be refused as the proposal would not meet the Council's requirements with regards to the loss of on-street parking. Therefore, the planning position is consistent with the Council acting in its capacity as Highway Authority.

#### **4.0 Design**

- 4.1 Policy D1 aims to ensure the highest design standards for developments. Policy D1 paragraph 7.2 states that the Council will require all developments to be of the highest standard of design and to respect the character, setting, form and scale of neighbouring buildings, and the character and proportions of the existing building. Policy D2 states that within conservation areas, the Council will only grant permission for development that 'preserves or, where possible, enhances' its established character and appearance, and will preserve garden spaces which contribute to the character and appearance of a conservation area. Policy D2 also advises that in order to maintain the character of Camden's conservation areas, the Council will take account of conservation area statements, appraisals and management strategies when assessing application within conservation areas.
- 4.2 Paragraph 6.25 of CPG1 (Design) states that the design of front gardens and forecourt parking areas make a large impact on the character and attractiveness of an area and in particular the streetscene. The design of front gardens should retain or reintroduce original surface materials and boundary features, especially in conservation areas, such as walls, railings and hedges where they have been removed.
- 4.3 Policy H10 of the Hampstead Conservation Area Statement, identifies that front and rear gardens are an integral characteristic of the conservation area and that alterations to front boundaries between the pavement and properties can dramatically affect and harm the character of the conservation area. It also states that original front boundary treatments including brick walls and piers, railings and hedges add to the attractive appearance of the front gardens and architectural setting of buildings in the conservation area, and proposals should respect the original style of boundary and these should be retained and reinstated where they have been lost. It goes on to note that whilst a number of front gardens have been turned into parking areas, leading to the soft landscape becoming a hard surface, this principle is not acceptable and further loss of front boundary walls and conversion of front gardens into hardstanding parking areas will be resisted.
- 4.4 The proposal is to extend the length of the existing hardstanding to facilitate the parking of a

vehicle at the front of the property by reducing the size of the basement light well at the front of the property, as the existing area of hardstanding is currently too short for a vehicle to park. This was acknowledged in the Officer's Delegated Report for application ref. 2005/2454/P for the change of use of the site from a hotel to two single dwellinghouses granted on 19/08/2005 (see Planning History section above), which noted that 'no on-site car parking is proposed and none is feasible given the building and site constraints'.

4.5 The proposed partial infill of the front lightwell and repositioning of the existing staircase in line with the front building line would retain the majority of the front lightwell and it is not considered that these works would have a detrimental impact on the character and appearance of the host building or the streetscape when viewed from Branch Hill.

4.6 However, there are no other examples of off-street parking within the front gardens of any properties along this section of Branch Hill. Whilst there is an existing area of hardstanding at the front of the property bounded by existing black painted metal entrance gates, as is the case at the neighbouring property Holme Vale House of the semi-detached pair, the potential to redevelop the garden still exists. The installation of a driveway to the front of the property would neither preserve nor enhance the character and appearance of the host building, the surrounding streetscape and the Hampstead Conservation Area, and would remove the possibility of developing the front garden, and would thus be contrary to Policies D1 and D2 and Policy H10 of the Hampstead Conservation Area Statement.

## **5.0 Neighbouring Amenity**

5.1 Policy A1 seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered. Policy A1 point c. states that the Council will resist development that fails to adequately assess and address transport impacts affecting communities, occupiers, neighbours and the existing transport network. Furthermore, Policy A1 paragraph 6.10 states that highway safety, with a focus on vulnerable road users should also be considered, including provision of adequate sightlines for vehicles leaving the site, and that development should also address the needs of vulnerable or disabled road users.

5.2 The proposal would provide insufficient inter-visibility between vehicles leaving the site (either in a forward or reverse gear) and other road users. This would be likely to lead to dangerous situations on the adjacent public highway, with vulnerable road users such as cyclists and pedestrians being at particular risk. As such, the application is contrary to Policy A1.

5.3 Policy A1 paragraph 6.9 also states that any development or works affecting the highway will be expected to avoid disruption to the highway network, particularly emergency vehicle routes and avoid creating a shortfall to existing on-street parking conditions or amendments to Controlled Parking Zones. As highlighted in section 3 (Transport) above, the proposal would lead to the loss of at least 1 on-street parking space within a CPZ, contrary to Policy A1.

## **6.0 Conclusion**

6.1 The introduction of a forecourt vehicular parking space would result in the loss of front garden space, which contributes to the character and appearance of the conservation area, and would be harmful to the character and appearance of the Hampstead Conservation Area contrary to policies D1 (Design) and D2 (Heritage) of the London Borough of Camden Local Plan 2017.

6.2 The creation of an on-site parking space would promote the use of private motor vehicles, fail to encourage the use of sustainable modes of transport and contribute unacceptably to parking stress in the surrounding area, contrary to policies T1 (Prioritising walking, cycling and public transport), T2 (Parking and car free development) and A1 (Managing the impact of development) of the London Borough of Camden Local Plan 2017.

6.3 The proposed on-site parking space is considered to be detrimental to pedestrian and highway safety by reason of inadequate sightlines for vehicles leaving the site and lack of space for manoeuvring. The proposal is therefore contrary to policy T1 (Prioritising walking, cycling and public transport) of the London Borough of Camden Local Plan 2017.

## **7.0 Recommendation**

7.1 Refuse Planning Permission