



Our ref: 3610

Supporting Planning Statement

117 Haverstock Hill, Hampstead

London, NW3 4RS



Prepared on behalf of

117 Haverstock Hill (Freehold) Ltd

May 2018

NTR Planning Ltd
Henleaze Business Centre
Bristol, BS9 4PN
T 0117 244 9393
F 0117 989 8233



Small Planning Consultancy of the Year 2014

Contents

- 1. Introduction..... 2**
- 2. Description of the Site and Surrounding Area 3**
- 3. The Proposals and Justification for Them 8**
- 4. Development Plan Context..... 10**
- 5. Accordance with the Development Plan 16**
- 6. Conclusions..... 29**

Appendix NTR1 – Design and Access Statement

1. Introduction

- 1.1 This Supporting Planning Statement (incorporating Design and Access Statement) has been prepared following the approval of planning permission ref. 2017/6701. As the Council will be aware, the approved application was amended during its determination so to remove certain elements from the Council's consideration, namely the additional areas of hardstanding and the boundary treatment to the Haverstock Hill frontage. Note that the replacement boundary fences do not require planning permission and are not included within the remit of the application.
- 1.2 The Statement supports a standalone planning application for those works. It has been prepared to explain how the development will have a positive impact upon the character of the Belsize Conservation Area and will not increase parking at the property. It responds to relevant development plan considerations in these regards; relevant material planning considerations; and the chain of emails between the Council and the agent for the previous planning application.
- 1.3 The remainder of the Statement is as arranged as follows:
- Section 2 provides a description of the site and surrounding area
 - Section 3 reviews the proposals and the reasons for them
 - Section 4 reviews the relevant development plan context
 - Section 5 explains how the proposals are, on balance, in accordance with those relevant policies
 - Section 6 provides an overall conclusion.
- 1.4 A Design & Access Statement is also provided, comprising Appendix 1. It draws on the material in the main body of this Statement and that provided previously in support of the previous planning application.

2. Description of the Site and Surrounding Area

2.1 117 Haverstock Hill comprises a 1960s block of flats comprised over five stories. It accommodates seven individual flats. The original approval for the property was in 1963 under planning permission referenced TP103244/17090 – it should be noted that this was for a development of a three-storey block of flats, along with a garage for six cars and one parking space. A car port and extension, storage shed, and glazed extension were then added under permission reference 2614, dated 1964. A further permission, in 1981, granted a fourth-floor penthouse to the property (ref. 32301). The fifth floor was provided, so we understand, through a more recent permission, however the Council retains no record of the permission.

2.2 It is noted that the site is therefore supposed to be able to accommodate parking for seven cars. It is, however, important to note that the site can only actually accommodate four cars at present – three in the garage/carport and one freestanding space to the rear. This is because the garage/carport was originally constructed to accommodate two cars in each of its three bays. However, modern cars have significantly increased in size since the 1960s and so each bay can only realistically accommodate a single car:

Figures 1-2 – Existing parking



2.3 The proposed parking does not therefore increase parking (and car use) at the property.

2.4 The applicants have given thought to removing the two internal dividing walls, however this would result in the collapse of the building.

2.5 Turning to the property itself, 117 Haverstock Hill is constructed of brown bricks, with timber cladding. These materials are entirely in keeping with its neighbours either side in the run of properties consisting of Faircourt, 119 Haverstock Hill, 121 Haverstock Hill and Elaine Court. These properties are characterised by forecourt parking set within varying degrees of soft landscaping, with wide (albeit open) entrance features and low-level boundary treatments. There is a clear consistency in their design and layout in these regards. They are shown in the photographs overleaf:

Figures 3-6

Fig. 3 (top-left), 117 Haverstock Hill; Fig. 4 (top-right), Faircourt; Fig. 5 (bottom-left), Elaine Court; Fig. 6 (bottom-right), 119 Haverstock Hill —



2.5 The properties are described by the Council as follows:

'The modern five and six-storey blocks along Haverstock Hill are within the Conservation Area but are not related to its central character. Whilst architecturally undistinguished they do not detract from the character of the area.'¹

2.6 On the opposite side of Haverstock Hill are a collection of principally older Victorian villas. These buildings, which are architecturally distinguished, are also characterised by forecourt parking. The properties are within the Parkhill Conservation Area, with the Haverstock Hill stretch being described by the Council as follows:

'The west side (within Belsize Park Conservation Area) is typically of large twentieth-century apartment blocks, whereas the east (Parkhill CA) side is predominantly nineteenth century in character with large semi-detached villas interspersed with twentieth-century infill and a parade of shops at the southern end.'²

2.7 Clearly, there is an abundance of forecourt parking on both sides of the road. That associated with the modern five and six-storey blocks is more in-keeping and typical of those properties' character and age and, insofar as local resident and visitor perception is concerned, a feature inevitably associated with blocks of flats due to the number of residents they accommodate and that they were constructed during the 'golden age' of the car. The same does not apply to the Nineteenth Century villas, whereat the forecourt parking appears incongruous to their age and character and has resulted in the removal of traditional boundary treatments. This is a fundamental point to consider in the determination of the application.

2.8 In summary, the prevailing character of the modern blocks on southern side of Haverstock Hill is architecturally undistinguished. They are characterised by forecourt parking, often with wide vehicular entrances and occasional landscaping. As well as these consistent features, they also provide an element of consistency in their general height, age and host materials. The proposals will maintain this urban grain.

¹ Conservation Area Statement 9 – Belsize (Camden Council, 2003)

² Parkhill and Upper Park Conservation Area Appraisal and Management Strategy (Camden Council, 2011)

- 2.9 As a footnote, we are also aware that the Council has recently approved automated sliding security gates within very close proximity to the subject site (but on the other, more historically important) side of Haverstock Hill. Examples are provided later in this Statement.

3. The Proposals and Justification for Them

3.1 The drawings provided with the planning application set out the following key elements:

- The formalization of existing garden parking spaces (one disabled spaces, one visitor space and one deliveries space) through the provision of impervious hardstanding;
- An automated sliding gate, pedestrian gate and fixed gate;
- A new defined landscaped border area for Flat 1; and
- Relocated bin store³.

3.2 Parking already occurs on the grassed area, as evidenced in the photograph on the front cover of this Statement and would continue to do so were this planning application not submitted. This application seeks to formalise this area of parking to prevent:

- a) vehicles from parking directly in front of the front elevation windows of Flat; and
- b) prevent damage to the lawn.

3.3 The spaces will continue to be served by the existing vehicular access arrangements. They will be constructed of permeable block pavements to match those already on-site.

3.4 The new boundary treatment is proposed to be the same height as the existing hedge, which can be retained if required. It is in three distinct parts, with the central section being that which slides to enable vehicles to enter and leave the site. This will help in the management of the property's parking arrangements and reduce instances of unknown vehicles parking at the property and blocking the driveway (particularly by delivery drivers and visitors).

3.5 The landscaped plant border is proposed to prevent vehicles from parking tight up against the window to Flat 1 – something which presently occurs. This will improve the amenity of the flat. A condition could be imposed to require details of planting in this area.

³ The bin store is a minor element which is not considered in this Statement.

- 3.6 Finally, the bin store is proposed to be moved into the corner of the garden area. As with the vehicles using the three parking spaces already, this element will not be particularly noticeable from the street due to the height of the established privet hedge. The applicant is happy to consider opportunities for a condition requiring the retention of the hedge, as it will continue to play an important screening role should it be retained.

4. Development Plan Context

4.1 The development plan comprises of the London Plan (March 2016) and the Camden Local Plan (2017). The NPPF is also material consideration.

4.2 Other non-statutory documentation, which we understand was referred to in the previous Planning Application, comprises:

- Conservation Area Statement 9 – Belsize (2003);
- the undated Camden Planning Design Guide; and
- the Belsize Conservation Area Design Guide.

The latter is however not relevant as it only relates to those properties subject to the Article 4(1) Direction (which the subject property is not).

4.3 The following review does not provide an overview of policies comprised in the London Plan or NPPF so as to be consistent with the 'Reasons for granting permission' on the decision notices for 2005/0073/P and 2006/0734/P and the officer's delegated report for the latter.

Camden Local Plan 2017

4.4 Policies D1, D2 and T2 are relevant to the Council's determination of the planning application. These are set out below.

Policy D1 - Design

Policy D1 states, so is relevant to the proposals, the following:

'The Council will seek to secure high quality design in development. The Council will require that development:

- a. respects local context and character;**
- b. preserves or enhances the historic environment and heritage assets in accordance with Policy D2 Heritage;**
- c. is sustainable in design and construction, incorporating best practice in resource management and climate change mitigation and adaptation;**
- d. is of sustainable and durable construction and adaptable to different activities and land uses;**

- e. comprises details and materials that are of high quality and complement the local character;
- f. integrates well with the surrounding streets and open spaces, improving movement through the site and wider area with direct, accessible and easily recognisable routes and contributes positively to the street frontage;
- g. is inclusive and accessible for all;
- h. promotes health;
- i. is secure and designed to minimise crime and antisocial behaviour;
- j. responds to natural features and preserves gardens and other open space;
- k. incorporates high quality landscape design (including public art, where appropriate) and maximises opportunities for greening for example through planting of trees and other soft landscaping;
- l. incorporates outdoor amenity space;
- m. preserves strategic and local views;
- n. for housing, provides a high standard of accommodation; and
- o. carefully integrates building services equipment.

The Council will resist development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.'

4.5 Supporting paragraph 7.5 states:

'Design should respond creatively to its site and its context including the pattern of built form and urban grain, open spaces, gardens and streets in the surrounding area. Where townscape is particularly uniform attention should be paid to responding closely to the prevailing scale, form and proportions and materials.'

Policy D2 - Heritage

4.6 Policy D2 is substantial, so the following represents the most relevant part – that relating to conservation areas:

'...Conservation areas are designated heritage assets and this section should be read in conjunction with the section above headed 'designated heritage assets'. 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 applications within conservation areas.

The Council will:

- e. require that development within conservation areas preserves or, where possible, enhances the character or appearance of the area;

- f. resist the total or substantial demolition of an unlisted building that makes a positive contribution to the character or appearance of a conservation area;
- g. resist development outside of a conservation area that causes harm to the character or appearance of that conservation area; and
- h. preserve trees and garden spaces which contribute to the character and appearance of a conservation area or which provide a setting for Camden’s architectural heritage...’

4.7 There are three supporting paragraphs that are relevant to the policy – 7.46, 7.47 and 7.55:

‘7.46 In order to preserve or enhance important elements of local character, we need to recognise and understand the factors that create that character. The Council has prepared a series of conservation area statements, appraisals and management plans that assess and analyse the character and appearance of each of our conservation areas and set out how we consider they can be preserved or enhanced. We will take these into account when assessing planning applications for development in conservation areas. We will seek to manage change in a way that retains the distinctive characters of our conservation areas and will expect new development to contribute positively to this. The Council will therefore only grant planning permission for development in Camden’s conservation areas that preserves or enhances the special character or appearance of the area.’

‘7.47 The character of conservation areas derive from the combination of a number of factors, including scale, density, pattern of development, landscape, topography, open space, materials, architectural detailing and uses. These elements should be identified and responded to in the design of new development. Design and Access Statements should include an assessment of local context and character and set out how the development has been informed by it and responds to it.’

‘7.55 The value of existing gardens, trees and landscape to the character of the borough is described in Policy A2 Open space and they make a particular contribution to conservation areas. Development will not be permitted which causes the loss of trees or garden space where this is important to the character and appearance of a conservation area.’

Policy T2 – Parking and car-free development

4.8 Only criteria d of the policy is relevant to the proposals:

‘The Council will limit the availability of parking and require all new developments in the borough to be car-free. We will:

- a. not issue on-street or on-site parking permits in connection with new developments and use legal agreements to ensure that future occupants are aware that they are not entitled to on-street parking permits;
- b. limit on-site parking to:

- i. spaces designated for disabled people where necessary, and/or
 - ii. essential operational or servicing needs;
- c. support the redevelopment of existing car parks for alternative uses; and
- d. resist the development of boundary treatments and gardens to provide vehicle crossovers and on-site parking.'

4.9 In respect of criteria d, supporting paragraph 10.21 'Boundary Treatments and Gardens' states:

'Parking can cause damage to the environment. Trees, hedgerows, boundary walls and fences are often the traditional form of enclosure on Camden's streets, particularly in conservation areas, contributing greatly to their character, as recognised in Camden's Conservation Area Appraisals and Management Strategies. This form can be broken if garden features are replaced by areas of paving or hard standing. Development of boundary treatments and gardens to provide on-site private parking often requires the loss of much needed public on-street parking bays to create vehicle crossovers. Areas of paving can also increase the volume and speed of water run-off. This adds to the pressure upon the drainage system and increases the risk of flooding from surface water. Developments seeking to replace garden areas and/or boundary treatments for the purposes of providing on-site parking will therefore be resisted.'

Conservation Area Statement: Belsize

4.10 This document has already been referred to in this Statement in respect of the Council's description of the blocks. There are two relevant paragraphs (BE9 and BE10), the latter was referred to in one of the emails related to the previous Planning Application. They are set out below:

BE9

'Alterations to the front boundaries between the pavement and houses can dramatically affect and harm the character of the Conservation Area. Boundaries in the Conservation Area are predominately formed by walls, either with railings or hedges. The original features of the boundaries may vary. Where there are low walls alongside the road and within properties they add to the attractive appearance of the front gardens and architectural setting of these traditional 19th century buildings. There are also some higher walls on some properties with decorative features. Proposals should respect the original style of boundary and these should generally 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. The loss of front boundary walls where it has occurred detracts from the

appearance of the front garden by reducing the area for soft landscaping in this urban residential area. Furthermore, the loss of front boundary walls facilitates the parking of vehicles in part of the property, which would adversely affect the setting of the building and the general street scene.'

BE10

'The Council will resist any further loss of front boundary walls and conversion of front gardens into hardstanding parking areas.'

Camden Planning Design Guide

4.11 Relevant to the consideration of the planning application is section 6.25 – Front Gardens:

'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 and other similar forecourt spaces should:

- consider a balance between hard and soft landscaping. Where changes take place no more than 50% of the frontage area should become hard landscape. Where parking areas form part of the forecourt enough of the front boundary enclosure should be retained to retain the spatial definition of the forecourt to the street and provide screening;
- retain trees and vegetation which contribute to the character of the site and surrounding area;
- retain or re-introduce original surface materials and boundary features, especially in Conservation Areas such as walls, railings and hedges where they have been removed. If new materials are to be introduced they should be complementary to the setting; and
- prevent the excavation of lightwells as a means of providing access to basements where this does not form part of the historical means of access to these areas.'

4.12 In order to consider how the proposals are, on balance, in accordance with the above policies in the following section, we consider it suitable to break them down into the following two principal policy areas:

1. A need to protect and integrate with local character through the preservation (or enhancement) of the historic character in terms of urban grain, the pattern of garden spaces and use of materials.

-
2. The promotion of the preservation of garden space and resistance to the loss of garden spaces/boundary treatments to create cross-overs and on-site parking.

5. Accordance with the Development Plan

5.1 This section considers the proposals against the two principal policy areas identified through our review of policy in the previous section above.

Topic 1

A need to protect and integrate with local character through the preservation (or enhancement) of the historic character in terms of urban grain, the pattern of garden spaces and use of materials.

5.2 As set out previously, the local character of this side of Haverstock Hill is 1960s blocks of flats with forecourt parking and limited soft gardens (see Figures 3-6). Those buildings opposite within the Parkland Conservation Area consist of older Victorian villas, but which also feature large areas of forecourt parking. The distinction is that the changes to the layout to the villas to enable the creation of the forecourt parking has disrupted their original character in respect of the removal of original boundary treatments. The impact of parked cars on their architectural setting is far greater. The same does not apply to the 1960s blocks – these have been designed to cater for forecourt parking, and, as previously identified, goes hand-in-hand with one’s perception of their age and how they operate. In other words, it would be unusual if the blocks’ boundaries were enclosed, or if they only accommodated access for pedestrians (with no provision for cars) and their gardens were laid out as, for example, formal separate plots for the use of residents. This is not the case.

5.3 117 Haverstock Hill is somewhat unique in having a lawned area, however this has already been converted to an informal parking area (therefore paragraph BE10 of the Conservation Area Statement: Belsize does not apply). As stated, **the application seeks only to formalise pre-existing arrangements, whilst at the same time improving the security of the site and preventing parked cars from parking up close to Flat 1.**

5.4 The urban grain is therefore what it is, and there is no hiding from the fact that the applicant is purely seeking to carry out works which will be in-keeping with it. Whilst forecourt parking is resisted in the Council’s non-statutory guidance, it is important to stress that this is ongoing and outside the control of the Council. Also, every application must clearly be considered on its own merits, taking into account:

- the character of the building affected;
- the urban grain of its neighbours, particularly those properties that are similar in nature and age and associated layout; and that
- the guidance on these aspects is 'catch-all' in nature, therefore what we consider acceptable for 117 Haverstock Hill may not necessarily be acceptable for one of the original Victorian villas (particularly one where there has not been forecourt parking before, or pre-existing ad hoc informal parking, or one requiring the demolition of particular boundary treatments to enable such parking).

5.5 Apart from the surface materials, no other alterations are to be carried out to enable the spaces to be formalized. For example, and as read alongside the detail in paragraph BE9 of the Conservation Area Statement for Belsize, no boundary walls are to be affected. The only change will be the pavements to formalise the layout. These will not readily be seen from road or any public vantage point due to the existence and retention of the existing 1.8m boundary hedge:

Figure 7 – the screening effect of the existing boundary treatments



- 5.5 The applicant would be happy to accept a condition so to provide formal detail/sample of the pavements proposed so that these could be coloured to match the tones of the existing hard landscaping and demonstrate how they will be free-draining. Clearly, if the hedge were needed to be removed (or, hypothetically, a brick wall demolished) and a curb dropped to enable access to the spaces to enable the development to proceed, then our arguments would be weakened; however, as it is the formal recognition of the parking spaces that is proposed then this part of the development preserves the character of this

part of the conservation area as described above and by the Council in its Conservation Area Statement. This is key to the overall planning judgement.

5.6 The addition of the boundary treatment will improve the operation and character of the area. There are already numerous examples of tall/automated gates along Haverstock Hill:

Figure 8 – 142-144 Haverstock Hill



Figure 9 – 135 Haverstock Hill⁴



⁴ There is no planning record for these relatively new automated gates.

Figure 10 – 166 Haverstock Hill⁵



⁵ The 1.855m gates (approved via 2014/1864/P) are yet to be installed.

Figure 11 – 170 Haverstock Hill



Figure 12 – Steeles Studios, Haverstock Hill



- 5.7 The officer's delegated report for the 1.855m⁶ black automated gates and pedestrian swing gates being installed at 166 Haverstock Hill says:

'The proposed changes to the front boundary are considered acceptable, sympathetic to the street scene and the conservation area. Similar boundary treatments can be seen along Haverstock Hill.'

- 5.8 The (different) officer's report for the 1.855m gates installed at 170 Haverstock Hill states:

'The reduction in height of the front boundary wall is considered to be acceptable as it is in keeping with the height of the existing front boundary walls along the street. The proposed new swing and automated steel railing gates (to be painted black) are also considered to be acceptable and would not introduce an incongruent feature in the street as the existing gates to the front of the properties along the street are of differing heights and design.'

- 5.9 There is, without doubt, clear precedent for gates of a virtually identical height, material and colour to that proposed in extremely close proximity and on properties that are architecturally superior to that of the application site. There is therefore no 'fortress effect' as implied in one of the emails associated with the previous Planning Application. As with the example at 170 Haverstock Hill (see Figure 11), the gate will be the same height as the existing hedge. Unlike the example at Steeles Studios (adjacent to Sir Richard Steeles pub), the gates/fence are not of solid ('fortress') construction.

- 5.10 The design of the gates/fence is more in-keeping with the age of the property⁷ in the same way as those examples deployed at the Victorian villas are for those properties. The same conclusion can be drawn as per the officers' reports quoted above.

- 5.12 In conclusion to Topic 1, the proposals are provided in full accordance with prevailing character of this part of the conservation area and in particular support the aims of criteria a), f) and i) of Policy D1 and criterion a) of Policy D2.

⁶ Note, these are 55mm taller than those proposed.

⁷ They are deliberately designed to be of Mid-Century Modern appearance.

Topic 2

The promotion of the preservation of garden space and resistance to the loss of garden spaces/boundary treatments to create cross-overs and on-site parking.

- 5.13 Criterion h of Policy D2 seeks to preserve trees and garden spaces which contribute to the character of the conservation areas or which provide a setting for the Borough's architectural heritage. None of these factors apply to the proposals. First and foremost, the garden is not under the control of any particular flat and is not used as a garden space by any of the flats as private amenity/sitting out space. There are no areas where flowers/vegetables are grown, and the occupiers have no right to do this in the area affected. It is currently used as additional parking. It does not contribute to the character of the conservation area as, firstly, and as identified above, functional gardens are not a feature of the 1960s blocks.
- 5.14 There is no doubt that if the area of lawn was original laid out as a forecourt when the block was constructed that this would reflect the prevailing character of the blocks and would not come as any surprise. No questions would ever be raised as to how such an element could have been provided in the first place. The same does not apply to the Victorian villas, and this is, of course, why those older properties are affected by the Article 4 Direction and the 1960s blocks are not.
- 5.15 The difference between the small area of land proposed to be formally recognized as parking and those other large forecourts serving the 1960s blocks is that the area at 117 Haverstock Hill is significantly screened by a privet hedge. The addition of the gate will prevent instances of unauthorised parking on the lawn area (by reducing instances of delivery drivers coming onto the property) and formalise the present operation of parking. The addition of a landscaped area in front of Flat 1 will improve upon and help soften the present arrangements. If one imagines how this will be provided in the context of the photograph on the cover of this Statement, then one will realise how the present lawful situation will be approved upon.
- 5.16 As stated above, the Belsize Conservation Area Article 4 Direction ('A4D') does not affect the property. Indeed (in reviewing the plan which shows the relevant properties affected

by it) it is noteworthy that the 1960s blocks are, almost exclusively, the only properties not affected by the direction. This is illustrated in Figure 13, overleaf, whereby the red dots illustrate those properties affected by the A4D; the purple line representing the boundary of the Conservation Area; the blue line edging the 1960s blocks, and the green dot identifying the subject block.

- 5.17 It is only because the flats do not have permitted development rights that the proposals require planning permission. However, it is noteworthy that it all those properties affected by the A4D are also flats, as set out in the Second Schedule to the A4D. This is important, as the A4D prohibits a total of seventeen types of works. Given that the Belsize Conservation Area Design Guide identifies that the purpose of the Article 4 Direction ***'...seeks to prevent harmful works taking place and to ensure that Belsize Conservation Area keeps its historic character and appearance...'*** it is somewhat telling that the property and its neighbouring 1960s blocks are not captured by the A4D and the reasons why the Direction was made.

Image 13 – Article 4 Direction Properties

5.18 Cars are already lawfully using the lawn area for parking – therefore we only need to concern ourselves with how the physical elements may improve upon, or detract from, this ultimate starting point. With this in mind, the planning application offers the local planning authority the opportunity to consider the following matters. It is for the decision-maker to either support and recognise these points as opposed to a continuation of the baseline position on-site:

1. The formal laying out of the three parking spaces will be a physical improvement to the ad hoc informal parking on the lawn area already. If permission was not forthcoming there would be a continuation of the informal parking which appears scruffy and will be

damaging to the lawn resulting in it being 'churned up' in wet weather leading to mud being deposited on the existing driveway and pavement crossover.

2. The gate and fence will reduce instances of strangers entering the site in vehicles (particularly deliveries and guests) and blocking the driveway and exacerbating the ad hoc parking. It will create a formalised boundary treatment to the property as supported by the Council (demolition and alteration of gates, walls and fences are prohibited in the A4D). There is no hiding from the fact that the Council has accepted taller gates/boundary treatments close by on properties that actually make a positive contribution to the conservation areas.
3. The formal planting area for Flat 1 will prevent vehicles from parking up-close to the property's front window. This does occur at present and will inevitably reduce the amenity of its occupiers. The new plant bed proposed will both prevent this from happening, improve the flat's amenity levels and also green the site through additional soft landscaping. If planning permission was not forthcoming, then this would not be provided. It therefore represents a vast improvement to the baseline situation.
4. The private hedge on the boundary does screen vehicles parked on the lawn. Item 16 of the A4D⁸ (what type of work needs permission) states:

'Hedges should be retained and replanted where they are a feature of the streetscape.'

There are no measures to protect the privet hedge at present and so there is nothing preventing the building owners from removing it, for example to aid more direct access to the ad hoc parking spaces in instances when the driveway is blocked. The planning application offers the Council the opportunity to impose a planning condition to retain the hedge and to keep it at an appropriate height to screen the vehicles. Such a condition, which can be negotiated during the Council's consideration of the application could:

⁸ Erecting, constructing, altering or demolishing a gate, wall, fence or railings at the front of a house or flat. This includes painting or rendering over unpainted brick walls.

- Ensure that it is retained at a certain minimum height (we would suggest 1.8 metres – the height of the fence/gate proposed) to maintain its screening capabilities.
- That it is replaced if it became diseased or damaged with a suitable replacement and also of a minimum height.

5.20 In conclusion to this section, we consider that, on balance, the development does accord with the provisions of the development plan when taking into account a host of material planning considerations. Whilst, on paper, the proposals may be at odds with the Council's non-statutory guidance for conservation areas, it is fundamentally important to accept three key factors:

1. The Council accept that the property, and its similar neighbours, are architecturally undistinguished. They are, for example, excluded from the Article 4 Direction affecting the Conservation Area. They are not like those Victorian Villas which have been degraded in character through the removal of traditional boundary treatments and the provision of hardstanding over their front garden spaces.
2. The properties' existing character is defined by their age. This character is one of 1960s blocks with forecourt parking. Forecourt parking is associated with their architectural age. This adds to the narrative of the Conservation Area and social changes in the Twentieth Century.
3. Parking is already occurring on the site in the location of the proposed spaces. This is a lawful activity. The application seeks to formalise this baseline and provide improvements. The same number of spaces will be provided as where originally designed– it is just that cars have increased in size over time and the three garage/carport bays can only accommodate three vehicles as opposed to six.

5.21 In short, what is on offer through the application will result in a more appropriate visual character to the property, one in- keeping with its neighbours (and therefore the urban grain) and one that is consistent with the Council's support for similar boundary treatments close by.

5.22 For all of the above reasons we consider that the proposals will enhance the character of the Conservation Area in this location.

6. Conclusions

- 6.1 The planning application is submitted following the amendment and approval of a recent planning permission for improvements to the property. The property is architecturally undistinguished. It is one of a number of 1960s blocks of flats that are characterised by forecourt parking. The application proposals therefore preserve the pre-existing character of this part of the Conservation Area.
- 6.2 The Council has non-statutory guidance which seeks to guide against forecourt parking within the Conservation Area; however, the Council will be aware that applications must be considered on their own merits, taking into account relevant material considerations. Planning is a balancing exercise and so the decision-maker must factor in relevant baseline conditions. The fact that the site already provides ad hoc informal parking on its lawn is a fundamental starting point for the consideration of the application. Given this point, and the fact that the proposals following the existing character and grain/function of a distinct run of 1960s blocks (which are not controlled by the Article 4 Direction) and that the application offers the Council the opportunity to control the future visual appearance of the site and prohibit the removal of the hedge via condition, we consider that the character of the Conservation Area will be enhanced by the proposals.
- 6.3 For all of the above reasons we consider that, on balance, the proposals accord with the provisions of the development plan, taking into account all material considerations, and should be approved accordingly.

Design and Access Statement

Layout

117 Haverstock Hill is a 1960's brick-built apartment block with 5 No stories and 7 No residential apartments lying within the Belsize Park Conservation area. The two upper level stories at third and fourth level are a more recent addition to the building having been constructed in 2014/15. The main windows are located on the North East elevation fronting Haverstock Hill and the South West elevation which fronts onto the private yard within the demise of the premises.

The block is accessed by vehicles from Haverstock Hill via tarmac drive directly from Haverstock Hill, through the building via a secured gate to a rear yard area with parking. Pedestrians and building occupants have access via a path adjacent to the drive run from the public pavement to the shared ground floor building entrance porch. The front yard area has existing timber boundary fences separating it from the adjacent properties at 115 and 119 Haverstock Hill.

Scale

The proposed electric gates/railing will be 1.8m tall and will sit within the boundary of the property. This is the same height as the existing privet hedge. The proposed planted border will be constructed (edged) in bricks to match the existing. The pavements will also match and will be porous to enable satisfactory drainage.

Landscaping

Hard landscaping in the form of the border will enable soft planting in this area. The intention of the border is to prevent vehicles from parking close to the windows serving Flat 1. Vehicle parking is already occurring on the lawned area. The privet hedge can be retained to help screen this area as required. The additional planting in the border will soften the development.

Appearance

They will be black in colour to match the pattern of other gates within the streetscene. The design of the gate is intentionally Twentieth Century in style to match the age of the property.

Access

The proposal helps to provide additional security for the property, particularly as the previous Planning Permission sanctioned the removal of the gates serving the garages and area to the rear. The pedestrian access will utilise the existing footpath. There is no change in this regard. The use of a gated access will enable the better and safer operation of the property in accordance with criterion i) of Local Plan Policy D2.