

Delegated Report		Analysis sheet		Expiry Date:		04/07/2018	
		N/A		Consultation Expiry Date:		15/07/2018	
Officer				Application Number(s)			
Obote Hope				2018/2164/P			
Application Address				Drawing Numbers			
117 Haverstock Hill London NW3 4RS				See decision notice			
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature				
Proposal(s)							
Provision of hardstanding for the parking of three vehicles; installation of new pedestrian metal gate, electronic sliding gate and fixed metal fence to the front elevation. (Class C3)							
Recommendation(s):		Refuse planning permission					
Application Type:		Full Planning Permission					
Conditions or Reasons for Refusal:		Refer to Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	00	No. of responses	00	No. of objections	00
				No. electronic	00		
Summary of consultation responses:		Site notice was posted on 20/06/2018 Press advert was published on 21/06/2018					
CAAC		Belsize CAAC <ul style="list-style-type: none"> No objection 					

Site Description

The host building is a 1960's block of flats over four stories to the front and five stories to the rear located on the south west side of Haverstock Hill. The host building is divided into two separate sections, one to the North West (A) and one to the South East (B). The host building and neighbouring buildings along this section of Haverstock Hill are generally 4/5 stories high and set back considerably from the roadway. The block of flats is afforded a reasonable sized rear garden and located in the Belsize Conservation Area and are considered as neutral contributors.

The conservation area statement identifies the Haverstock Hill frontage as being distinctive and contributes positively to the character and appearance of the Belsize Park Conservation Area.

Relevant History

TP103244/2504: P.P Granted for "Erection of three storey block of flats with two penthouses together with a garage for six cars, the provision of one parking space and the formation of a new means of access to the highway, at No. 117 Haverstock Hill, Hampstead". Granted on 26/03/1964;

TP103244/17090: P.P Granted for "The erection of a three-storey block of flats and penthouses, together with a garage for six cars, the provision of one parking space and the formation of a new means of access to the highway". Decision Date: 13/12/1963;

2614: P.P Granted for "Erection of a car port and storage shed at the rear of the ground floor, together with a glazed extension to the dining area". Decision Date: 22/01/1966.

32301: P.P Granted for "Erection of a single storey extension at third floor level for residential purposes". Decision Date: 10/07/1981.

2014/5897/P: "Extension to upper floor and roof level to create entire additional floor to front and rear to provide two new self-contained residential units". Decision granted on 19/11/2014.

2017/6701/P: "Replacement of front and rear windows at ground, first and second floor level. Installation of side boundary fences. Decision granted on 16/03/2018.

Other relevant sites:

166 Haverstock Hill

9101201: Provision of two car parking spaces in garden forecourt as shown on drawing numbers 3163B 3164B 3165 and 4166. Decision refused on 19/03/1992.

Reason for refusal: "***The proposal would result in a further loss of front garden for car parking purposes to the detriment of the appearance of the property and the character and appearance of the Conservation Area***".

9200498: The retention of the hardstanding for one parking space bin stores landscaping alterations to existing brick piers new front wall and gates and vehicle cross-over as shown on drawing no. 278.02. Refused and was allowed on Appeal on 19th March 1993.

A summary of the inspector's reasoning is listed below:

The Planning Inspector felt that the parking space was pre-existing the Draft Unitary Development Plan (UDP), which is the most recent of the Council's planning document in this case. States that hardstanding for forecourt parking will not normally be permitted in conservation area, the inspector ascertain that this policy allows for exceptions and the PINs consider the appeal proposal both on the basis of guidance given in Circular 8/87 'historic Buildings and Conservation Areas – Policy and Procedures' and the Draft UDP. The inspector state that conservation area emphasis is to control rather than prevention of development and in context of this particular location. Considerations were given on the basis of no 166 which forms part of a particular frontage of imposing semi-detached Victorian houses lining Haverstock Hill between Downside Crescent and Upper Park Road. There are breaks in the boundary wall that are not consistent and limited to single vehicle openings but general allow parking for more than one vehicle in tandem. Consequently, there are extensive area of concrete and the remaining front area and boundaries do not give cohesive effect. Whilst the further hardstanding and opening would be additional

incursion, the inspector suggest the impact could be adequately compensated by the additional landscaping which a single space would allow. Which would be secured by planning condition.

170 Haverstock Hill

2011/3621/P: "Erection of single storey rear extension at lower ground floor level with roof terrace and timber balustrade/screen, replacement of existing single storey garage block at side with a two storey side extension at lower ground and ground floor levels, alterations including installation of rooflights, new front gates and wall, erection of front bin store, and alterations to landscaping at front and rear in connection with residential units (Class C3), following demolition of existing garage block". Decision granted on 05/12/2011

Relevant policies

National Planning Policy Framework 2018

- Chapters 103, 106, 130, 150, 193 to 202

London Plan March 2016

Camden Local Plan 2017

Policy A1 Managing the impact of development

Policy A4 Noise and Vibration

Policy D1 Design

- Chapters 7.4, to 7.6

Policy CC1 (Climate change mitigation)

- Chapters 8.4 and 8.14.

Policy CC2 (Adapting to climate change)

- Chapter 8.33

Policy D2 Heritage

- Chapters 7.31 to 7.42

Policy T1 Prioritising walking, cycling and public transport

- Chapters 10.1 to 10.14

Policy T2 Parking and car-free development

- Chapters 10.15 to 10.21

Camden Planning Guidance 2018

CPG 1- Design (July 2015 updated March 2018) :

- Chapter paragraph 3.7 (conservation areas)
- Chapter paragraph 9.7

CPG 6- Amenity (September 2011 updated March 2018)

Belsize Park Conservation Area Statement 2003

Assessment

1.0 Proposal

1.1 Planning permission is sought for the alterations to front garden to form off street parking with the formation of a hardstanding for three cars, including alterations to existing boundary wall to create shared vehicle and pedestrian access, installation of a new pedestrian metal gate, electronic sliding gate and fixed metal fence all associated with the front elevation.

1.2 Assessment

1.3 The main issues for consideration are:

- Design and heritage
- Transport
- Sustainability
- Impact on the neighbouring amenity

2.0 Background

2.1 Planning permission was granted in 2017 (2017/6701/P) for: Replacement of front and rear windows at ground, first and second floor level. Installation of side boundary fences. The application was amended following officer's comment that the proposal would not be supported due to being contrary to planning policies and the scheme to install the hardstanding for the three cars and the security fencing were omitted from the proposal.

2.2 Local context

2.3 The property is one of a number of substantially scaled properties with generous grounds to the front, which create an imposing district with a strong sense of character. The apartment buildings generally combine open or low boundary treatments to the street with areas of hard landscaping for parking, but also with localised areas of dense planting and areas of lawn. Haverstock Hill is identified within the CAS as having a powerful impact on the Conservation Area.

3.0 Design and Heritage

3.1 The site is located within the Belsize Conservation Area and must have regard to Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, which places a duty to the Local Planning Authority to give special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area. Of particular interest is the host building is located in an area consisting of prominently residential properties to which an Article 4 (1) of the General Permitted Development Order 1995 (as amended) restriction on permitted development rights applies. Under Schedule (f) of the First Schedule, the article 4 restricts the erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure at the front or side of a dwelling house or flat where any part of the means of enclosure would front a public highway or private street or other publically accessible space.

3.2 The Belsize Park Conservation Area Statement (BPCAS) recognises that the frontages within the public realm are important to the character and appearance of the conservation area and the loss of, alterations or replacement of boundary walls, gateposts, piers, railings and balustrade would result in cumulative attrition, to the detriment of the streetscape. Most notably, the BPCAS also asserts (BE9, page 39) that the inappropriate loss of front gardens to parking can dramatically affect and harm the character of the Conservation Area. Para BE10 of the BPCAS says "*The Council will resist any further loss of front boundary walls and conversion of front gardens into hardstanding parking areas*".

3.3 The Local Plan D1 states that the Council will require all developments to be of the highest standard of design takes account of its surroundings and preserves what is distinctive and valued about the local area. Careful consideration of the characteristics of a site, features of local distinctiveness and the wider context is needed in order to achieve high quality development, which integrates into its surroundings. Camden Planning Guidance (CPG1) states "*design should positively enhance the character of existing buildings on site and other building immediately adjacent and in the surrounding area*" and "*development in gardens should not detract from the open character and garden amenity of the neighbouring gardens and wider surrounding area*".

3.4 Policy D1 is explicit in regards to the detrimental impact a development can have to the existing townscape and requires new development to 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.

3.5 The host property is smaller in scale than many of the other 20th century apartment buildings along this part of Haverstock Hill and its existing front garden strikes a balance between areas of soft and hard landscaping and between open boundary treatment and enclosure by the hedge. In particular, the lawn helps to soften the otherwise dominant hard surfacing. In contrast, the proposed boundary treatment of 1.8m high pedestrian, vehicular access gate and the surrounding fencing arrangement would add an uncharacteristic sense of enclosure to the front area, akin to a "fortress effect" and would significantly erode the balance between hard and soft landscaping in the front area. This would cause harm to the local character and appearance of the Belsize Park Conservation Area where open front gardens and low boundaries predominate.

3.6 The applicant proposes that relevant precedent for the proposals was set at 166 Haverstock and 177 Haverstock Hill. In regards to no 177 Haverstock Hill the officer felt the reduction in height of the front boundary wall (so that it aligns with the height of the existing front boundary walls along the street) and retention of the hedge behind it would not detract from the host building and general area and the new fencing arrangement would "*be in keeping with the height of the existing front boundary walls along the street*". *This is materially*

different given the host building location and the fact that low boundary wall/fences are characteristic feature of this part of Haverstock Hill. Therefore, it is considered that the proposal would otherwise conflict with planning policies and would fail to secure the future conservation of a heritage asset and there is no public benefit that would outweigh the dis-benefits of departing from those policies.

3.7 In regards to no.166 Haverstock Hill the adjoining property was also material to the inspector's decision, the additional parking space, the design of the front gates and appropriate use of landscaping were important factors in the Planning Inspector decision to allow the decision on appeal. In addition, this would not be applicable to this application and would be limited weight on how this proposal would be determined. In addition, no, 166 Haverstock Hill is Pre-historic and was determined prior to the UDP being adopted including Circular 8/87 'historic Buildings and Conservation Areas. Both planning policy documents were material consideration at the time and have been replaced with the NPPF 2018, the Local Plan 2017 and the Belsize Conservation Area Statement 2003, which bears substantial weight.

4.0 Transport

4.1 The NPPF 2018 stipulate that the planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations, which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. It is imperative the LPA work proactively to reduce congestion and emissions, and improve air quality and public health. Policy T1 aims to promote sustainable transport by prioritising walking, cycling and public transport in the borough. 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.

4.2 The proposal would be contrary to the aims of policy T1 and also to aims of the NPPF 2018 which requires Local Authorities to set parking standards for residential and non-residential development based on:

- the accessibility of the site, the availability of and opportunities for public transport;
- local car ownership levels; and
- the need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles.

4.3 The NPPF 2018 require proposal that address the three points as listed above to submit clear and compelling justification that they are necessary for managing the local road network. The planning statement identifies that the site was originally built to accommodate 6 vehicles and the increase in modern vehicle sizes means that more space is required to accommodate the same number of cars. Policy T2, which aims to reduce car ownership and use and improve the attractiveness of areas for walking specifically resists (d) *"the development of boundary treatments and gardens to provide vehicle crossovers and on-site parking"*.

4.4 The rational for the hardstanding area to the front garden that is well served by public transport would be contrary to chapter 11 of the NPPF 2018. The proposal would introduce additional parking capacity to the site in an area well served by public transport and is contrary to the aims and aspirations of policies T1 and T2 of the Local Plan which requires schemes to include measures to restrict unsustainable modes of transport and encourage more walking and cycling.

5.0 Sustainability

5.1 Policy CC2 identifies that the Council will require development to be resilient to climate change and links resilience to (amongst other things) protection of green spaces, reduction of surface water run-off and incorporation of biodiversity in development. Policy CC3 also requires development to consider its impact on flood risk and water runoff. The rational that the proposal should be approved due to the existing lawn is already being used to park vehicle does not make the proposal any more sustainable and no detailed information has been submitted to demonstrate how the proposed loss of permeable green space would be mitigated by the development. The proposals are therefore contrary to policies CC2 and CC3 due to the lack of sufficient information/justification.

6.0 Impact on residential amenity

6.1 Development should not cause a loss of amenity to adjacent properties with regard to sunlight, daylight, outlook, overshadowing, light pollution/spillage, privacy/overlooking and sense of enclosure in accordance with CPG 6 and planning policy A1 of the Local Plan.

6.2 The proposal would not result in a reduction of sunlight, daylight, outlook or privacy to the neighbouring properties. The proposal is considered acceptable in this respect.

Recommendation:

Refuse planning permission.