

**5 St. John's Wood Park**

**Appeal Statement**

**August 2018**

## **5 St. Johns Wood Park - Appeal Statement**

This is the appeal statement being made in respect of the refusal, by the London Borough of Camden of application No. 2017/6229 which relates to 5 St. Johns Wood Park NW8 6QS.

The statement should be read in conjunction with the appeal documents that consist of the original application plus the decision notice.

### **1.00 The Proposal**

The proposal is to erect a brick boundary wall approximately 0.6m - 0.9m in height with metal railings above it to form an overall height of approximately 1.6m. Four stone clad concrete piers each approximately 1.8m in height with fluted coping stones above are also intended, along with two sliding metal gates for vehicle access at either side of the plot

The area of hard standing / new paving is to be around 80 sq m and a set of small black railings are proposed on the front elevation above the garage.

### **2.00 Planning History**

The following summarizes the recent planning history,

2017/6189/P - Enlargement of rear dormer and enlargement of porch to entrance. Certificate of lawful development granted 26/04/2018

2017/6078/P - Addition to rear garden wall to increase height by 600mm to a total of 2.6m. Withdrawn 05/01/2018

2017/3364/P - Replacement of front boundary wall, railings, gates and hardstanding. Granted 23/10/2017

2017/2291/P - Installation of dormer window to front roof slope, new roof lantern and roof lights and enlargement of rear dormer. Granted 04/10/2017

2017/2255/P - Erection of a ground floor rear extension, installation of roof lights, new first floor side window (non-openable and obscurely glazed) and replacement roof tiles. Granted 03/10/2017

14833 The erection of a first floor extension over the garage at the side of 5 St. John's Wood Park, N.W.8. to provide two additional habitable rooms. Conditional permission 24/01/1973

14128 The erection of a first floor extension over the garage at the side of No. 5 St. John's Wood Park, N.W.8. to provide two additional habitable rooms. Conditional permission 19/09/1972

## **5 St. Johns Wood Park - Appeal Statement**

### **3.00 Relevant Planning Policy**

The following policies are of relevance to this Appeal

National Planning Policy Framework 2012

The London Plan 2016

Camden Local Plan 2017

Policy A1 – Managing the impact of development

Policy D1 – Design

Policy A2 – Open Space

Policy A3 – Biodiversity Policy

CC3 – Water & Flooding Policy

T1 – Prioritising walking, cycling and public transport Policy

T2 – Parking and car free development Camden Planning Guidance

CPG Design 2018

CPG Amenity 2018

CPG Transport 2011

CPG Biodiversity 2018

### **4.00 Previous Applications**

As noted under planning history above, there have been a number of applications within the last year to extend and refurbish the property.

These included the permission for ‘replacement of front boundary wall, railings, gates and hard standing’ granted in October 2017. This originally included two vehicle gates and a different front railing design, but following officer advice, this proposal was formally revised to reduce the number of vehicle access gates from two to one.

Additionally the Agent agreed to amend the design and height of the boundary treatment to match the neighbouring properties and reduce the proposed area of paving so that it was broadly similar to the area of existing paving.

The previous scheme was then approved and eventually consisted of the erection of three curved brick boundary walls with brick coping approximately 0.7m-1.3m in height with metal railings above to form an overall height of approximately 1.7m. The walls were to have been divided by five brick piers approximately 2m in height with squared coping stones above and the scheme included one sliding metal gate for vehicle access. The proposed area of hard standing was to have been circa 65 square metres.

## **5 St. Johns Wood Park - Appeal Statement**

### **5.00 Ground For Current Refusal**

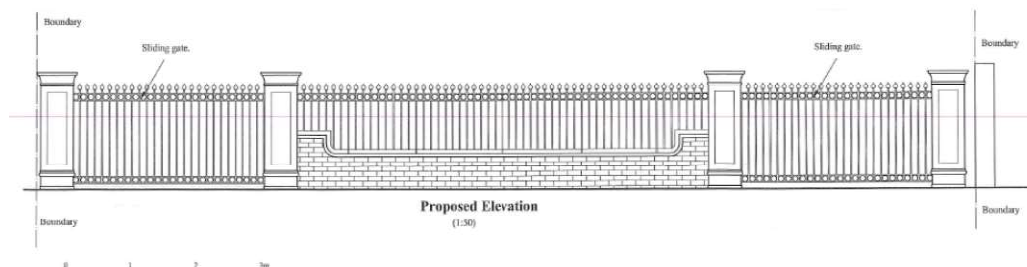
The application decision notice suggests 4 grounds for refusal,

4.1 DESIGN - The proposed boundary wall, railings and gates, by reason of their detailed design and materials would create a discordant feature which would be detrimental to the character and appearance of the host building and wider area, contrary to policy D1 (Design) of the Camden Local Plan 2017.

4.2 TRANSPORT - The proposed boundary wall, railings and gates would result in the loss of an on-street parking space in a Controlled Parking Zone which would 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 Camden Local Plan 2017.

4.3 FLOODING & SURFACE WATER - The proposed hard standing, by reason of its size and coverage, would be of insufficient visual amenity and provision to facilitate future growth within the front garden and would therefore be detrimental to the amenity and biodiversity of the site and the wider area, contrary to policies A1 (Managing the impact of development), A2 (Open Space), A3 (Biodiversity), D1 (Design) and T2 (Parking and car free development) of the Camden Local Plan 2017.

4.4 AMENITY- The erection of railings at first floor level facilitating the roof as an amenity space, by reason of its siting and proximity to the neighbouring window, would result in a loss of privacy that would be detrimental to the amenity of the adjoining building of No. 6 St John's Wood Park, contrary to policy A1 (Managing the impact of development) of Camden Local Plan 2017.



**Proposed Frontage**

## **5 St. Johns Wood Park - Appeal Statement**

### **6.00 Considerations**

The planning rejection raises issues under four particular headings,

- a) Design.
- b) Transport and Parking.
- c) Flooding and Surface Water.
- d) Amenity.

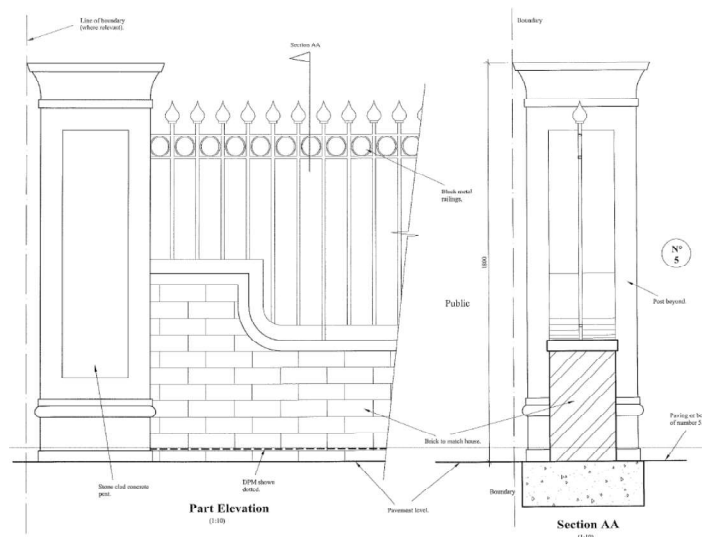
#### **A. Design**

Policy D1 (Design) of the Camden Local Plan states that The Council will require development to respect local context and character, integrate well with the surrounding streets, comprise details and materials that are of high quality and complement the local character, as well as incorporate high quality landscape design.

St. John's Wood Park has a variety of building types and layouts at the front of the premises, but generally has open front gardens with vegetation and low front garden walls. The site is located within a group of seven detached dwelling houses, of which five have boundary walls with railings, vehicle gates and hard standings to the front gardens to provide on-site parking.

The proposal seeks to infill the gap between numbers 4 and 6 with a congruous and appropriate railing, brick wall and gate arrangement. The piers, walls and railings would also be of a similar height to those of neighbouring properties and as is the case with most of the properties - there would be two gates. There are double vehicle entrances on all the other boundaries between 1 to 7 St. John's Wood Park.

The neighbouring boundary treatments generally consist of evenly spaced brick walls with and intermediate posts. The exact pattern varies and there are minor differences in style between the designs implemented by the neighbours. The general height and scale is however relatively homogenous. The proposed railings will respect the surrounding scale and character and fall within the family of and sizes adopted on the street.



**Proposed Front Post**

## **5 St. Johns Wood Park - Appeal Statement**

### **6.00 Considerations**

#### **B. Transport and Parking**

##### **B1 Footpath Use**

To promote walking The Council says it will seek to provide high quality footpaths. The alterations required for the dropped kerb and the vehicle crossover could, - according to the Council, disrupt pedestrian movement along the adjacent pavement due to vehicles entering & exiting the site.

They greatly exaggerate the issue. The proposed 'vehicle movement' would be one or two times a day. The owners commute to work by public transport. Moreover the pavement is only lightly used, and any disruption would be largely negligible.

What is more, having an additional dropped kerb will not affect the frequency of vehicles entering and exiting the site, as without the additional dropped kerb the owners would still be entering and exiting from the other side.

##### **B2 Safety**

Without the benefit of a second dropped kerb the current owners are forced to either reverse into the site to park, or exit in reverse. This constitutes a greater risk to pedestrian safety than the provision of a second dropped kerb that would allow parking manoeuvres to be always performed in forward gear. Council policy clearly favours exit and entry in forward gear and the proposal facilitates this.

##### **B3 Parking Spaces**

The proposal would not increase the space available within the site for car parking. Presently there are two parking spaces. With a new (second) access this is maintained

Council Policy T2 states that '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'.

The site is located in a controlled parking zone (CPZ) which operates on Monday to Friday between 0830 and 1800 hours. There are many free spaces and residents parking permits apply. As it is, the stress on parking on St John's Wood Park is not heavy and the blocks of flats have private underground parking lots. Virtually all houses have one or more off street parking space and a residents parking permit scheme applies.

Under the proposal one 'on street' space would be lost at the front.

The owners of number 5 presently have one on-street parking permit and are in the process of applying for a second, as the limitations of the current arrangement mean that it is much less practical for them to utilise off-street parking. (They do not like reversing over the kerb in at least one direction and prefer to keep a car on the street and turn another one around on the forecourt albeit not easily).

One resident permit suffices for number 5 if they have a second access point.

## **5 St. Johns Wood Park - Appeal Statement**

### **C. Flooding and Surface Water**

Policy CC3 (Water and Flooding) of the Local Plan states that, 'The Council will seek to ensure that development does not increase flood risk where possible and will require development to utilise Sustainable Drainage Systems (SuDS) in line with the drainage hierarchy to achieve a green field run-off rate where feasible'

Nothing about the current proposal will make the existing position worse or fail to be policy compliant. Indeed, it is a considerable improvement in respect of Policy CC3.

The new paving will be permeable and replace an old impervious surface

- New and much improved below ground drainage and soakaways will form part of the new scheme.
- There will be no added load to existing surface water drainage.
- No watercourses are known and as such affected.
- There will be no 'run off' impact on neighbouring properties.

### **D. Amenity**

Policy A1 (Managing the impact of development) states that The Council will seek to ensure that the amenity of existing and future occupiers and neighbours is protected and resist development that fails to adequately assess and address transport impacts affecting communities, occupiers and neighbours.

Factors to be considered are visual privacy and outlook, transport impacts, impact upon water and wastewater infrastructure.

As stated in Policy A2 (Open Space) and Policy A3 (Biodiversity) the Council will seek to protect gardens and will resist development that occupies an excessive part of the garden. The proposed additional hard standing within the front garden would result in approximately 85% of the front garden being hard landscaping with the remaining 15% forming a small amount of soft landscaping in the form of planting adjacent to the front and side boundary walls. Camden design guidance states that there should be a balance between hard and soft landscaping and that ideally no more than 50% of the frontage area should become hard landscaping. This is a policy for new build.

The existing paving occupies some 70% of the frontage and is impervious. The new proposal will increase the area of hard standing but add back better planters and be a permeable paving solution much more in keeping with Council policy for sustainable drainage. The scheme is in any case not new build.

The new railings will be purely for decorative purposes and are proposed across the front edge of the garage roof. The Council have expressed concerns that the flat roof space could be used as a terrace but there is no access and it is too small. The railings are unobtrusive and purely decorative they will not adversely affect anyone's outlook. No terrace is proposed or indeed requested.

### **Conclusion**

On the grounds listed above, the Planning Inspectorate is respectfully advised that each reason for rejection has been shown to be contrived and that this planning refusal ought not to have prevented a much improved, better built and more sustainable frontage from being created.

### **Ends**

August 23rd 2018