

# Planning, Design and Heritage Statement

7 Oakhill Avenue, Hampstead,  
London, NW3 7RD

*Prepared For*  
**Property Owner**

**9183**  
**May 2019**



**bell cornwell**

CHARTERED TOWN PLANNERS

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## 1 INTRODUCTION

- 1.1 This statement is written in support of an application for planning permission submitted to Camden Borough Council for the 'Installation of railings, gates and associated alterations to the front boundary wall (retrospective)' (the 'Proposed Development') at 7 Oakhill Avenue, Hampstead ('the Site').
- 1.2 The Site is located on the south side of Oakhill Avenue, within the Redington and Frogna Conservation Area. The areas character illustrates examples of Edwardian dwellings from the late 1800's, large, red brick-built properties with original front boundary walls and associated vegetation.
- 1.3 The Proposed Development considers this context and character of the Site and as well as the surrounding area.

### Supporting Information

- 1.4 The following documents have been prepared for this application based on the property location:
- Site Location Plan (1:1250)
  - 'As Built' Block Plan (1:500)
  - 'As Built' Front Street Elevation (1:100)
  - Planning, Design and Heritage Statement (this statement) (Bell Cornwell)
  - Application form (including ownership certificate)
  - CIL form
- 1.5 These documents are to be read in conjunction with the plans submitted to ensure an informed assessment of the proposed development.



## The Site and Character of the Area

- 1.6 The existing property is a two-storey, detached, residential dwelling, built in red brick with white painted windows and red cladding to the first-floor front projecting gable. Red/brown roof tiles are used with small dormer windows in the roof space and two tall chimneys to the centre of either flank fall. A low red brick wall, with associated piers, line the front boundary of the Site, set back from the highway, adjacent to the footpath. There is a central double pedestrian gate, a single sliding vehicle access gate and single pedestrian gate to the front boundary.
- 1.7 Front boundary treatment varies on Oakhill Avenue, adjoining Redington Road, Greenway Gardens and Bracknell Gardens. Properties that have retained the original red brick walls and piers have made small alterations. These include filling the space between the piers with black, iron railings and/or hedging and planting and raising the height of the piers to allow for the installation of a new pedestrian or vehicle gate.

## Relevant Planning History

- 1.8 In addition to the front boundary alterations evident on the street, several planning applications regarding walls and associated gates have been approved on Oakhill Avenue. We note that every application must be taken on its own merits but the following applications and consequent development on the street create a precedent within Oakhill Avenue and the Conservation Area.

Reference number	Address	Proposal
2017/1050/P	5 Oakhill Avenue London NW3 7RD	Installation of gates and erection of replacement railings and brick wall/pillars with associated landscaping.
2015/3747/P	3 Oakhill Avenue London NW3 7RD	Erection of new front garden wall and railings.



2014/2630/P	14 Oakhill Avenue London NW3 7RE	Alterations to driveway and front boundary wall for the provision of a new sliding gate, the provision of raised paved garden area and soft landscaping works to the front elevation
2018/4692/P	24 Redington Gardens London NW3 7RX	Details of tree protection, hard and soft landscaping required by conditions 4 and 6 of planning permission 2016/1015/P dated 22/07/2016 (for erection of a replacement dwelling house).
2017/3837/P	3 Greenaway Gardens London NW3 7DJ	Alterations to front boundary treatment



## 2 PLANNING POLICY CONTEXT

- 2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications should be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 2.2 The main policies for consideration are set out in the National Planning Policy Framework (NPPF) 2019, the London Plan 2016, Camden Local Plan 2017, Redington and Frognal Conservation Area Appraisal Statement 2000 and the Camden Planning Guidance on Design (Draft) 2018. Consideration of national policy and guidance set out in the NPPF alongside the legal tests of The Planning (Listed Buildings and Conservation Area) Act 1990, Section 66(1) and 72(1) are also of relevance.
- 2.3 The following planning policies need to be considered under the determination of this application.
- 2.4 National Policy Planning Framework 2019

- Paragraph 127 - Achieving well-designed places

Paragraph 127 of the National Planning Policy Framework 2018 (NPPF) states that '*Planning policies and decisions should ensure that developments:*

*a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities); d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; e) optimise the potential of the Site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and 39 f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of*



*amenity for existing and future users<sup>46</sup>; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience'*

- Paragraph 192 – Proposals affecting heritage assets

Paragraph 192 of the NPPF 2018 sets out that *'In determining applications, local planning authorities should take account of:*

*a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and c) the desirability of new development making a positive contribution to local character and distinctiveness.'*

## 2.5 The London Plan 2016

- Policy 3.5 Quality and design of housing developments

The London Plan (2016) Policy 3.5 states that *'Housing developments should be of the highest quality internally, externally and in relation to their context and to the wider environment, taking account of strategic policies in this Plan to protect and enhance London's residential environment and attractiveness as a place to live.'*

## 2.6 Camden Local Plan 2017

- Policy A1 - Managing the impact of development

The Council will seek to protect the quality of life of occupiers and neighbours. We will grant permission for development unless this causes unacceptable harm to amenity.

*'We will:*

*a. seek to ensure that the amenity of communities, occupiers and neighbours is protected; b. seek to ensure development contributes towards strong and successful communities by balancing the needs of development with the needs and characteristics of local areas and communities; c. resist development that fails to adequately assess and*



*address transport impacts affecting communities, occupiers, neighbours and the existing transport network; and d. require mitigation measures where necessary.*

*The factors we will consider include:*

*e. visual privacy, outlook; f. sunlight, daylight and overshadowing; g. artificial lighting levels; h. transport impacts, including the use of Transport Assessments, Travel Plans and Delivery and Servicing Management Plans; i. impacts of the construction phase, including the use of Construction Management Plans; j. noise and vibration levels; k. odour, fumes and dust; l. microclimate; m. contaminated land; and n. impact upon water and wastewater infrastructure’.*

- Policy D1 – Design

*‘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.'*

- Policy D2 – Heritage

The Council state that, *'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.'*

## 2.7 Redington and Frognal Conservation Area Appraisal Statement 2000

- Sub area five of the Redington and Frognal Conservation Area Appraisal

This part of the statement covers the area known as Heath Drive and Environs, including Oakhill Avenue. The road was laid in 1907 and known as Oakhill in 1912. The houses 'are two/three-storey, primarily in orange brick with areas of tile hanging and white painted render. Rounded bay windows are a particularly characteristic feature of Oakhill Avenue.' Elements that are considered to make a positive contribution to the Conservation Area is 'brick paving... used between areas of concrete paving and the kerb on Oakhill Avenue'.



## 2.8 Camden Planning Guidance: Design Draft 2018

- Heritage –

Paragraph 3.5 *'What is a conservation area? 3.5 A conservation area is defined in the Planning (Listed Buildings and Conservation Areas) Act 1990 as an area of special architectural or historic interest, the character or appearance of which it is desirable to preserve and, where possible, enhance. The National Planning Policy Framework (NPPF) identifies conservation areas as "heritage assets" and requires that proposals in conservation areas are assessed for their impacts on their historic significance.'*

Paragraph 3.9 states that, *'The Council will only permit development within conservation areas, and development affecting the setting of conservation areas, that preserves and where possible enhances the character and appearance of the area in lien with Local Plan policy D2 and the NPPF.'*



### **3 POLICY CONSIDERATIONS AND THE IMPACT OF THE PROPOSED DEVELOPMENT**

#### **Principle of Development**

- 3.1 After the review of policy, the principle of the Proposed Development is considered acceptable and in accordance with Paragraph 127 and 192 of the NPPF 2019, Policy 3.5 of the London Plan 2016 and Policy A1, D1 and D2 of Camden's Local Plan 2017. The proposed and existing development looks to protect the design and visual amenity of the Site, the amenity of the surrounding neighbours and the existing character of the local and wider environment, whilst protecting the Redington and Frognal Conservation Area.
- 3.2 This form of development is found at neighbouring 3 Oakhill Avenue (2015/3747/P), 5 Oakhill Avenue (2017/1050/P) and 12 and 15 Oakhill Avenue. As well as the front boundary of 22, 37A, and 39 Redington Road and Bracknell House, Bracknell Gardens (immediately adjoining Oakhill Avenue). These sites show similar examples of where pier heights have been raised and black iron gates and railings have been installed, whilst retaining a degree of openness and visibility (See Site photographs in Appendix).

#### **Conservation Area and Design**

- 3.3 As stated above, the Site is located within the Redington and Frognal Conservation Area. The proposed installation of railings, gates and associated alterations to the front boundary, consider the importance of preserving the Conservation Area, as required by Paragraph 192 of the NPPF 2019. The proposal is considered of in-keeping height, design and location relative to the existing development on Oakhill Avenue, to respect the Conservation Area, as well as ensuring good quality design.
- 3.4 The Proposed Development sits within the location of the existing boundary, retaining the set back from the highway and existing boundary line of the walls in the street. The wall materials remain as existing (red brick) with alteration to the height of the piers. The walls remain the original height and the piers measure 1.5 – 1.76m tall, in-keeping with that at 3 and 5 Oakhill Avenue. Also, the railings still allow visibility into the Site and retain a sense of openness within the street and allowing for natural surveillance into



the Site. This design is far more open than the tall brick side boundary walls found at number 37A and 39 Redington Road and the filled iron gate design at number 29 Bracknell Gardens (See photos in Appendix).

- 3.5 The materials to be used within the Proposed Development matches the existing brick used within original walls and piers. The railings and gates are well-spaced, black-painted, iron rails. This use of materials results in an in-keeping and complementary design, relative to number of red brick and black iron railings and gates on Oakhill Avenue and its adjoining roads, Redington Road and Bracknell Gardens.
- 3.6 Therefore, the Proposed Development complies with Paragraph 127 and 192 of the NPPF 2019, Policy 3.5 of the London Plan 2016, Policy D1 and D2 of Camden's Local Plan 2017, the Redington and Frognal Conservation Area Appraisal Statement 2000 and Camden Planning Guidance: Design Draft 2018.

#### **Access**

- 3.7 Access has been considered as part of the Proposed Development. Vehicular and pedestrian access, to the Site, will remain unchanged with continued use of off-street parking with use of a sliding gate. Internal alterations to the dwellinghouse do not form part of the Proposed Development and therefore the existing level of movement and ease of internal access are unaffected.

#### **Amenity**

- 3.8 Policy A1 of Camden's Local Plan 2017 seeks to protect the quality of life of occupiers and neighbours. This includes visual privacy, outlook, sunlight, daylight and overshadowing and impacts of the construction phase. The Proposed Development to the front boundary would not cause harm to amenity of neighbours due to the location and size of the alterations. Increasing the height of the piers and installing gates and railings would include very low levels of excavation or building methods, not causing unacceptable harm to neighbouring amenity. Therefore, this application would comply with policy stated above.



## 4 CONCLUSION

- 4.1 The Proposed Development ('Installation of railings, gates and associated alterations to the front boundary wall (retrospective)') by reason of in-keeping design, development type, use of materials, and acknowledgement of existing development in the street and adjoining roads, will not be to the detriment of the design, access and residential amenity. As a result, the Proposed Development will protect the character of the Site and the Redington and Frogna Conservation Area.
- 4.2 Therefore, it is considered that the Proposed Development complies with Paragraph 127 and 192 of the NPPF 2019, Policy 3.5 of the London Plan 2016, Policy A1, D1 and D2 of Camden's Local Plan 2017, the Redington and Frogna Conservation Area Appraisal Statement 2000 and Camden Planning Guidance: Design Draft 2018.
- 4.3 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications should be determined in accordance with the Development Plan unless material considerations indicate otherwise. As explained above, the proposed development accords with those relevant policies from the Development Plan.
- 4.4 Accordingly, we respectfully request that this application for planning permission is approved, in line with the set timescales.



## 5 APPENDIX OF SITE PHOTOGRAPHS

5.1 Photographs were taken of front boundary treatments closest to the Site, in Oakhill Avenue, Redington Road and Bracknell Gardens on 28<sup>th</sup> February 2019. Similar front boundary treatment has been installed at the following properties.



3 Oakhill Avenue



5 Oakhill Avenue



12 Oakhill Avenue



12 Oakhill Avenue (2)



15 Oakhill Avenue

5.2 Examples were also found at 20, 37A and 39 Redington Avenue, surrounding the junction with Oakhill Avenue.



20 Redington Road





37A Redington Road



39 Redington Road



Bracknell House, Bracknell Gardens

5.3 A poor example of front boundary treatment with a 'closed' visual appearance.



29 Bracknell Gardens