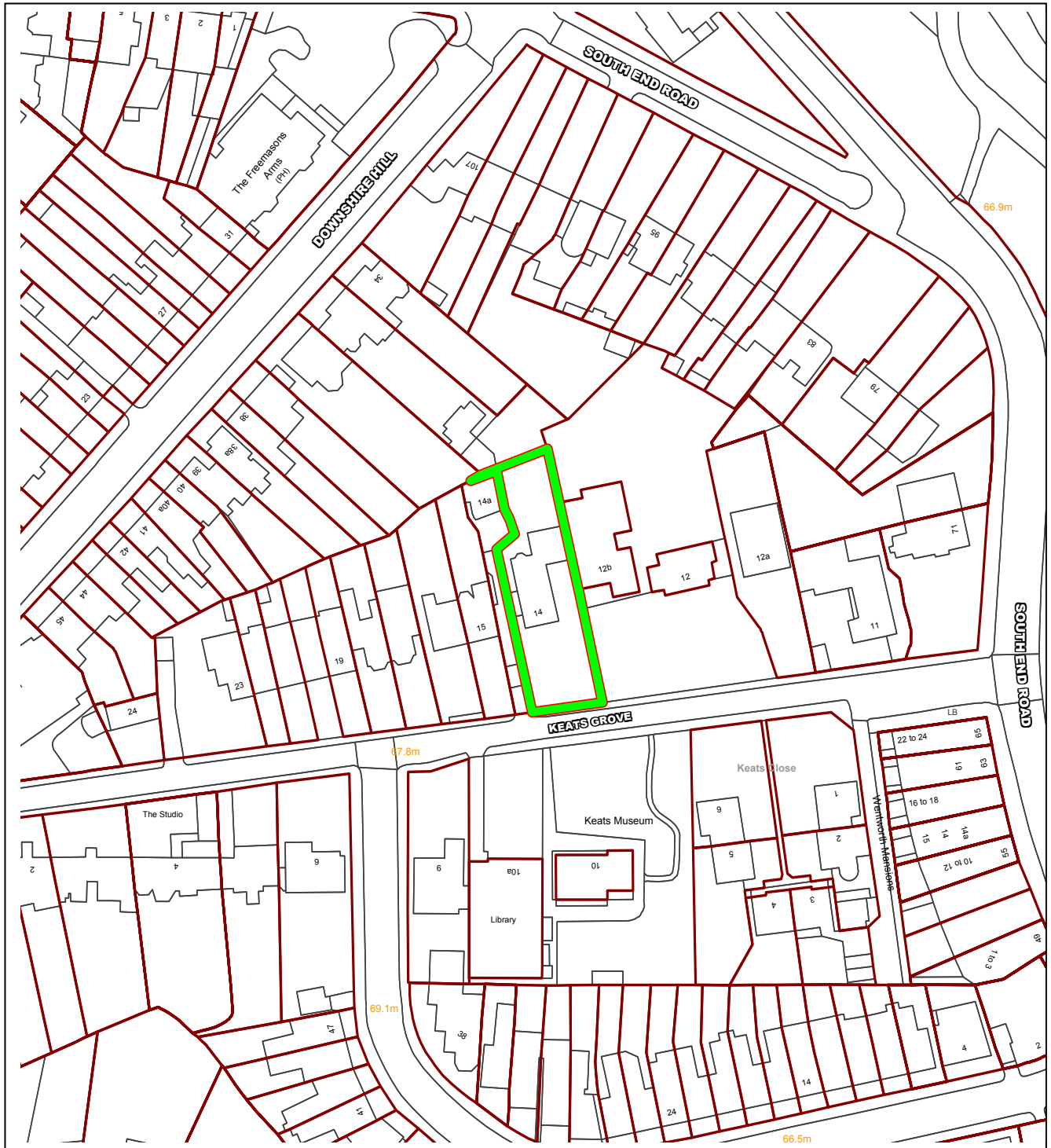


2018/3405/P – 14 Keats Grove



This material has been reproduced from Ordnance Survey digital map data with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright.

Photos 1 and 2 – side and front of property



Photos 3 and 4 – side and driveway entrance



Photos 5 and 6 – existing bin store area



Photos 7 and 8 – views towards the street



Delegated Report (Members' Briefing)		Analysis sheet		Expiry Date:	21/11/2018
		n/a		Consultation Expiry Date:	28/10/2018
Officer			Application Number(s)		
Tony Young			2018/3405/P		
Application Address			Drawing Numbers		
14 Keats Grove London NW3 2RS			Refer to draft decision notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Replacement and reconfiguration of bin storage area in front garden with associated landscaping alterations.					
Recommendation(s):		Grant Conditional Planning Permission			
Application Type(s):		Householder Application			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	0	No. of responses	0	No. of objections	0
			No. Electronic	0		
	Site notice was displayed from 03/10/2018 to 27/19/2018 Press notice was published on 04/10/2018 and expired 28/10/2018					
Summary of consultation responses from local residents, CAAC/Local groups, etc	The Heath and Hampstead Society objected to the proposals summarised as follows:					
	1. <i>There is already one parking space, probably dating from some time ago, when restrictions on such harm to front gardens was not fully recognised. The applicant seemingly seeks to justify an additional space on the basis that it is associated with an electrical car battery charging point. One house; one off-street parking space. Please ensure compliance with this rule, and refuse the application.</i>					
	2. <i>The proposal would remove a significant area of green space; grass, shrubs, flowers and trees.</i>					
	The Hampstead Conservation Area Advisory Committee objected to the proposal as follows:					
	3. <i>To add a car space on site in the front garden is against Camden Local Plan policy T 1.10.15, also diminishing the green space at this key location. Even a DAP space which should have a reserved space on the street for which there appears to be plenty of space.</i>					
	4. <i>The attempt to use concrete grids with grass as the medium is irrelevant and no substitute for true grass or other planting opportunity. The area concerned is small but the principle important and should be sustained.</i>					
	<u>Officer response to above:</u>					
	1 & 3. The provision of an additional car-parking space with an associated electric charging point is no longer part of the proposals (see section 2, and paragraphs 5.3 to 5.4;					
	2 & 4. Amended proposals now include the loss of a smaller amount of green garden space which is considered to be acceptable (see paragraphs 4.6 to 4.7).					

Site Description

The application site is a 2 storey detached building set back from the road and located on the northern side of Keats Grove, between Downshire Hill to the west and South End Road to the east.

The building isn't listed and is located within the Hampstead Conservation Area and Hampstead Neighbourhood Area.

Relevant History

Application site:

9005412 - The erection of 2 storey extension at the side and rear together with a side porch. Planning permission granted 19/12/1990

8971020 - Demolition of existing rear extension at ground floor. Conservation area consent granted 24/01/1990

Relevant policies

National Planning Policy Framework 2019

The London Plan March 2016

Camden Local Plan 2017

A1 - Managing the impact of development

A3 - Biodiversity

CC2 - Adapting to climate change

CC3 - Water and flooding

D1 - Design

D2 - Heritage

T2 - Parking and car-free development

Camden Planning Guidance

CPG Design (March 2019) - chapters 2 (Design excellence), 4 (Landscape and public realm) and 8 (Storage and collection of recycling and waste)

CPG Altering and extending your home (March 2019) - chapters 2 (Design excellence for houses and flats) and 5 (Gardens, garden buildings and biodiversity)

CPG Amenity (March 2018) - chapter 2 (Overlooking, privacy and outlook)

CPG Trees (March 2019) – chapter 2 (How the Council will protect trees)

CPG Water and flooding (March 2019) – chapter 3 (Flooding)

CPG Transport (March 2019) – chapters 5 (Parking and car-free development) and 6 (Car parking management and reduction)

Hampstead Conservation Area Statement (adopted October 2011)

Hampstead Neighbourhood Plan (adopted October 2018) - policies DH1 (Design), DH2 (Conservation areas and listed buildings), NE2 (Trees), NE3 (Biodiversity corridors) and NE4 Supporting biodiversity)

Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013

Assessment

1. Proposal

1.1 This application has been referred to the Members' Briefing panel following objections raised by the Heath and Hampstead Society and the Hampstead Conservation Area Advisory Committee to the original proposals. The objections centred on the provision of a new car parking space which has since been omitted from the proposed scheme; however, both objectors were also

concerned about a loss of garden space. Though the amount of space that would be lost is now smaller than originally proposed, and is considered to be acceptable by the case officer, the matter has been referred to the Members' Briefing panel given that the initial objections haven't formally been withdrawn by the objectors.

- 1.2 This application seeks to replace and reconfigure an existing bin storage area in the front garden with associated landscaping alterations.

2. Amendments / further information

- 2.1 The original proposal included the provision of an additional car-parking space in the front garden with an associated electric charging point. Following Council advice, this has now been omitted from the proposals and drawings were amended accordingly.

3. Assessment

- 3.1 The principal considerations material to the determination of this application are:

- a) the design and impact of the proposal on the character and appearance of the host building within the Hampstead Conservation Area, Hampstead Neighbourhood Area and wider locality; and
- b) the impact of the proposal on neighbouring amenity.

4. Design and appearance

- 4.1 Local Plan Policy D1 (Design) establishes that 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 in Camden which integrates into its surroundings. It advises that *"Good design takes account of its surroundings and preserves what is distinctive and valued about the local area"* and expects all development to specifically consider:

- character, setting, context and the form and scale of neighbouring buildings;
- the character and proportions of the existing building, where alterations and extensions are proposed;
- the prevailing pattern, density and scale of surrounding development;
- the impact on existing rhythms, symmetries and uniformities in the townscape;
- the composition of elevations;
- the suitability of the proposed design to its intended use;
- inclusive design and accessibility;
- its contribution to public realm and its impact on views and vistas; and
- the wider historic environment and buildings, spaces and features of local historic value.

- 4.2 Local Plan Policy D2 (Heritage) also states that the Council will only permit development within conservation areas that preserves and enhances the character and appearance of the area. The Hampstead Conservation Area Statement (adopted October 2011) supports this when stating that it's designation as a conservation area, *"provides the basis for policies designed to preserve or enhance the special interest of such an area."*

- 4.3 More specifically, Camden Planning Guidance (Design) and policy A3 (Biodiversity) recognise that the design of front gardens and forecourt areas make a large impact on the character and attractiveness of an area and that these are particularly important to the streetscene. As such, any development in these areas shouldn't result in any erosion of local character and amenity, biodiversity, and/or reduce their function as sustainable drainage systems.

Bin store area

- 4.4 The proposals to provide a replacement bin store area at the front of the property are intended to improve access to wheelies bins for both the owners and for collection purposes by moving the bins to a dedicated space off the street and nearer to the public footway. An existing access gate would allow for collection from within the new bin storage area with no adverse impact on pedestrian movement when open and in use.
- 4.5 Behind the gate, and within a small area of space in the western corner of the front garden, some existing hard and soft landscaping would be replaced by a permeable concrete surface and lintels to provide a foundation for new low retaining walls and surface on which several standard sized wheelie bins could be accommodated. The new permeable concrete surface (approximately 4sqm in area) would be covered with gravel and involves some minor works of excavation to accommodate the shallow foundations below ground level (approximately 0.3m in depth), but would not lower the finished surface level itself. As such, the bin store area would integrate well in this space and would be fully screened from public views behind the existing front and side boundary fence and gate, and would be mainly hidden when viewed from within the property by virtue of a new slatted timber trellis.
- 4.6 The proposed works also involve a reconfiguration of the garden and forecourt space in this corner of the front garden to provide improved access to the bin store area from within the property boundary by means of a small path made from black tumbled sandstone, as well as, alterations to the forecourt to allow for a slightly wider vehicle turning circle as a safety measure in response to recent accidents at this entry/exit junction. The new turning area measures approximately 4sqm and would use permeable brown brick and paving with soil-filled pockets to allow for grass growth in between pavers. Along with the provision of new flower beds, the remodelling of hardstanding amounts to an overall loss of soft landscaping of approximately 3sqm. This is considered to be sufficiently small in the context of this large front garden to be acceptable, particularly as over 50% of soft landscaping and the natural environment of the surrounding garden space would be retained in accordance with policies designed to protect garden spaces.
- 4.7 The proposed colour and materials of all materials are considered to be sympathetic to the character and appearance of the building and wider area. Natural stone, gravel trenches and permeable materials would also ensure that the majority of rain and surface water would drain away suitably within the property boundary in accordance with guidance and policy CC3 (Water and flooding), so providing an acceptable level of rainwater attenuation and sustainable drainage management.

Trees

- 4.8 Policy D1 states that, *"The Council will resist development which fails to preserve or is likely to damage trees on a site which make a significant contribution to the character and amenity of an area."* This is supported by CPG (Trees) and policy A3 which requires that all trees are *"satisfactorily protected during the demolition and construction phase of development in line with BS5837:2012 'Trees in relation to Design, Demolition and Construction' and positively integrated as part of the site layout."*
- 4.9 There are 2 Plane trees positioned within the front garden which have Tree Preservation Orders placed upon them; however, both trees are located in the eastern corner on the opposite side of the forecourt entrance, and as such, a Council Tree officer has confirmed that these would unlikely be affected by the proposed works given this position. Nevertheless, tree protection information has been submitted and confirmed by a Council Tree Officer as being sufficient to demonstrate that these, and any nearby trees, would not be adversely affected by the proposals, especially as the proposed scheme involves only minor excavation works within any possible root protection

areas. The degree of encroachment in these areas is considered to be minimal and would be undertaken mainly by hand with any significant roots (for instance, those over 25mm in diameter in line with BS5837:2012) to be retained. As such, the impact of the scheme on any trees is considered to be acceptable. A condition would be attached to any approval in order to ensure compliance with the above and that the development wouldn't have an adverse effect on existing trees, and the character and amenity of the wider area.

4.10 Overall therefore, in design terms, the proposals are considered would preserve the character and appearance of the Hampstead Conservation and Hampstead Neighbourhood Areas in accordance with Council policies and guidance, and would be acceptable.

4.11 Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the Hampstead Conservation Area, under s.72 of the Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

5. Amenity

5.1 Local Plan Policy A1 (Managing the impact of development) seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered and by only granting permission to development that would not harm the amenity of communities, occupiers and neighbouring residents. This is supported by Camden Planning Guidance (Amenity) that requires the potential impact on the amenity of neighbouring properties to be fully considered and seeks for developments to be "*designed to protect the privacy of both new and existing dwellings to a reasonable degree.*"

5.2 There are no amenity concerns as a result of these proposals in terms of loss of privacy or any increased sense of enclosure to neighbouring properties given that the level of activity associated with bin collections and use at the front of the property would remain predominantly the same.

Other matters

5.3 Original proposals included the provision of an additional car-parking space in the front garden with an associated electric charging point. While the principle of introducing an electric charging point itself can be appropriate under certain circumstances, the applicant was advised that the creation of an additional on-site parking space and consequent loss of a large amount of green garden space to provide the hardstanding wasn't considered to be appropriate and wouldn't accord with Council policies designed to reduce the car usage within the borough. It was also noted that the property already benefits from a large amount of space for parking at the side of the house, including 2 garages, and an on-street car parking space. An additional car parking space under these circumstances is considered to be excessive. Following this advice, the applicant confirmed that the additional of a car-parking space and associated alterations were omitted from the proposals.

5.4 The applicant was also advised that it might be possible to install an electric car charging point next to the existing car parking spaces at the side of the house, so allowing for an electric car to be charged within the property without the need to create an additional area and the consequent loss of a significant amount of green garden space, while also replacing a petrol fuelled car.

6. Recommendation

6.1 The proposed development is considered acceptable in terms of its design and impact on the Hampstead Conservation Area and Hampstead Neighbourhood Area, and there is no adverse

impact on the residential amenity of neighbouring occupiers. The development is also deemed consistent with the objectives, guidance and policies identified above.

6.2 It is therefore recommended that planning permission be granted.

DISCLAIMER

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 24th June 2019, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to www.camden.gov.uk and search for 'Members Briefing'.

Application ref: 2018/3405/P
Contact: Tony Young
Tel: 020 7974 2687
Date: 18 June 2019

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
Judd Street
London
WC1H 9JE

Phone: 020 7974 4444

planning@camden.gov.uk
www.camden.gov.uk

Celine David Garden Design Ltd
106 Mount View Road
London
N4 4JX

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Granted

Address:

**14 Keats Grove
London
NW3 2RS**

Proposal:

Replacement and reconfiguration of bin storage area in front garden with associated landscaping alterations.

Drawing Nos: Site location plan; site plan; EVT-1, EVT-2, FE-1, MP-3 (existing front garden plan), MP-3 (proposed front garden plan), SEC-1 (Arboricultural method statement & sections), L130-04; Marshall's permeable paving and London Stone specifications; Emails from Celine David Creative Landscapes dated 12/04/2019, 26/04/2019 and 30/04/2019.

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy D1 and D2 of the London Borough of Camden Local Plan 2017.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans: Site location plan; site plan; EVT-1, EVT-2, FE-1, MP-3 (existing front garden plan), MP-3 (proposed front garden plan), SEC-1 (Arboricultural method statement & sections), L130-04; Marshall's permeable paving and London Stone specifications; Emails from Celine David Creative Landscapes dated 12/04/2019, 26/04/2019 and 30/04/2019.

Reason:

For the avoidance of doubt and in the interest of proper planning.

- 4 All trees on the site, or parts of trees growing from adjoining sites, shall be retained and protected from damage during construction work in accordance with the approved drawings and protection details, and with guidelines and standards as set out in BS5837:2012, "Trees in Relation to Design, Demolition and Construction."

Reason: To ensure that the development will not have an adverse effect on existing trees and in order to maintain the character and amenity of the area in accordance with the requirements of policy A3 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).
- 2 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team London Borough of Camden 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444) . Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.
- 3 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website at <https://beta.camden.gov.uk/documents/20142/1269042/Camden+Minimum+Requirements+%281%29.pdf/bb2cd0a2-88b1-aa6d-61f9-525ca0f71319> or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town

Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2019.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

Director of Regeneration and Planning

DRAFT

DECISION