

<b>Delegated Report</b>		<b>Analysis sheet</b>	<b>Expiry Date:</b>	<b>29/07/2019</b>
		N/A / attached	<b>Consultation Expiry Date:</b>	<b>14/07/2019</b>
<b>Officer</b>			<b>Application Number(s)</b>	
Kristina Smith			2019/2860/P	
<b>Application Address</b>			<b>Drawing Numbers</b>	
28 Maresfield Gardens London NW3 5SX			Refer to Decision Notice	
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>	
<b>Proposal(s)</b>				
Variation of Condition 3 (approved plans) of planning permission ref. 2016/5374/P (dated 10/05/2017) for Excavation of single storey basement with rear lightwell; erection of rear extension at lower ground floor level; erection of front dormer; alterations to front and rear elevations including hard and soft landscaping works, namely alterations to hard and soft landscaping to front garden (retrospective)				
<b>Recommendation(s):</b>		Refuse planning permission and warn of enforcement action		
<b>Application Type:</b>	Variation or Removal of Condition(s)			

Conditions or Reasons for Refusal:	Refer to Decision Notice			
Informatives:				
<b>Consultations</b>				
Adjoining Occupiers:	No. of responses	00	No. of objections	00
Summary of consultation responses:	<ul style="list-style-type: none"> <li>• A site notice was displayed between 14/06/2019 and 08/07/2019</li> <li>• A press advert was published on 20/06/2019</li> </ul> <p>No responses</p>			
CAAC/Local groups comments:	<p><u>The Belsize Society objected on the following grounds:</u></p> <ul style="list-style-type: none"> <li>• The loss of a typical front garden and soft landscaping, created to soften the effect of a large building on the street, is regrettable and should be resisted</li> <li>• Contrary to Camden’s design guidelines to support large areas of hard landscaping in residential developments.</li> <li>• Proposal to create extensive private parking area in a borough which works hard to reduce its residents’ reliance on cars should be resisted.</li> </ul> <p><u>The Netherhall Neighbourhood Association objected on the following grounds:</u></p> <ul style="list-style-type: none"> <li>• Proposals are poor &amp; diminish appearance of building whilst allowing illegal vehicle access across the public footpath.</li> <li>• The submitted “Site plan as approved” &amp; “Front garden plan as approved” were not part of original approved application.</li> <li>• The new landscape proposals show narrow planting strips as seen on the site which are insufficient to introduce plants &amp; ensure its survival</li> <li>• Concrete haunching encroaches into these narrow beds leaving insufficient soil width and depth to support even small shrubs and certainly not the drawn 6 trees on the right hand side of the garden. Extended hard landscaping on the rh side should be reduced to retain more and achievable soft landscaping.</li> <li>• Original front garden walls have been demolished (foundations are evident on site). These walls would have defined access via the crossover. The current proposals show the loss of these wall/piers. This omission allows access to the proposed widened parking area across pavements either side of the crossover.</li> <li>• There will be continued damage to original York Stone paving, dangerous for pedestrians. The original pier/walls should be reintroduced either side of the crossover so as to define legal access for vehicles from the highway</li> </ul> <p><b>Officer response:</b> <i>It is not apparent that any alteration to boundary treatment has occurred as part of this application.</i></p> <p><u>Hampstead CAAC object on the following grounds:</u></p> <ul style="list-style-type: none"> <li>• Removal of green surface in favour of hard landscaping. If the</li> </ul>			

photograph submitted by the Applicant is current, there appears to exist considerable hard drive-in surface from front to rear of the property. The existing soft landscaping is not shown.

- Applicants' achieving consent and further applying to reduce environmentally beneficial features of the consented scheme.
- We should see details of the walls proposed as shown on the plan. It seems that any remaining soft landscaping is greatly constrained by the proposed walls.

## Site Description

The application site comprises a large four storey detached property on the east side of Maresfield Gardens close to the junction with Nutley terrace. The property belongs to the same building group with shared architectural language and frontage treatment as its neighbours at 24 to 30 Maresfield Gardens.

The building is not listed but is located within the Fitzjohns/ Netherall Conservation Area and is referred to as making a positive contribution.

## Relevant History

**2016/5374/P** - Excavation of single storey basement with rear lightwell; erection of rear extension at lower ground floor level; erection of front dormer; alterations to front and rear elevations including hard and soft landscaping works. **Granted Subject to a Section 106 Legal Agreement 10/05/2017**

## Relevant policies

### National Planning Policy Framework 2019

### The London Plan 2016

### *Draft London Plan 2018*

### Camden Local Plan 2017

**Policy D1** Design

**Policy D2** Heritage

**Policy A1** Amenity

**Policy T2** Parking and car-free development

### Camden Planning Guidance

CPG Design 2019

CPG Altering and extending your home 2019

CPG Amenity 2018

CPG Transport 2019

### **Fitzjohns/ Netherhall Conservation Area Character Appraisal and Management Strategy (2001)**

## Assessment

### 1. Proposal

- 1.1. Planning permission was granted on 10/05/2017 under planning reference 2016/5374/P for *Excavation of single storey basement with rear lightwell; erection of rear extension at lower ground floor level; erection of front dormer; alterations to front and rear elevations including hard and soft landscaping works.*
- 1.2. This application seeks to vary Condition 3 (approved plans). The proposed amendments involve reconfiguring the front landscaping, including losing a section in front of the property which would be given over to a driveway area thereby increasing the number of vehicles that can be parked on site.

### 2. Assessment

2.1. The planning considerations material to the determination of this application are as follows:

- Design (and impact on the Conservation Area)
- Transport
- Amenity

2.2. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) requires that local authorities pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.

### Design

- 2.3. The original application proposed to retain the pre-existing front layout which consisted of a clearly demarcated front garden across the full frontage of the property which was slightly raised above a side passage / driveway area that ran down the right hand side of the property. The same general arrangement of verdant front garden and secondary car parking area to the right hand side can be seen across the rest of the building group (no's 24, 26 and 30 Maresfield Gardens). Varying front boundary treatment can be seen at other properties on the street; however, this is of less relevance given the variation in the style of property.
- 2.4. Part (k) of policy D1 requires development to incorporate high quality landscape design and maximise opportunities for greening through planning of trees and soft landscaping. Similarly, policy D2 recognises the contribution that gardens, trees and landscape make to the character of conservation areas and resists development that causes the loss of garden space where this is important to the character and appearance of a conservation area. The Fitzjohns / Netherhall CAAMS confirms that it is important, stating that the character of Maresfield Gardens specifically is formed by the contribution of trees and vegetation in private front gardens. Whilst it acknowledges there is no predominant style, it notes the underlying consistency is that of front gardens behind a physical boundary that relates sensitively to the architecture behind. The statement infers that where this has been lost, the character of the street and conservation area has been harmed.
- 2.5. CPG Altering and extending your home provides further guidance on front gardens, advising that *'The design of front gardens and forecourt parking areas make a large impact to the character and attractiveness of an area and is particularly important to the streetscene'*. It urges the consideration of a balance between hard and soft landscaping and asserts that no more than 50% of the frontage area should be hardstanding. Approximately 30sqm of soft landscaping has been lost to driveway space, which has resulted in the frontage area being over 50% hardstanding.
- 2.6. Through the removal of soft landscaping, the character of the frontage area has shifted from that of a front garden with a side passage for car parking to a large formalised driveway with an area

for planting.

## **Transport**

- 2.7. The removal of approx. 30sqm of front garden area has widened the part of the driveway closest to the street, enabling more cars to be parked side by side. Policy T2 recognises how parking can cause damage to the environment through the replacement of traditional forms of enclosure and therefore resists development that seeks to replace garden areas for the purposes of providing on-site parking.
- 2.8. The applicant proposes a side gate to limit the number of potential cars that can be parked along the side passage to 4, i.e. the same number as in the consented scheme. Whilst this may be the case, there are now 3 car parking spaces with direct off-street access. By contrast, the approved version had only 2 spaces that were directly accessible from the street with a further 4 'blocked in' along the passageway. The proposed situation is therefore more conducive to private car use and as a result, fails to promote sustainable transport modes.

## **Amenity**

- 2.9. By virtue of the nature of the works, there would be no impact on the amenity of surrounding occupiers.

## **3. Conclusion**

- 3.1. The increase in hardstanding at the expense of front garden area has brought about harm to the character and appearance of the host property and the Fitzjohns Netherall Conservation Area and has also enabled more cars to be parked easily on site. The proposal is therefore contrary to policies D1, D2 and T2 of the Camden Local Plan 2017.

## **4. Recommendation**

- 4.1. Refuse planning permission and warn of enforcement action.