

Delegated Report (Refusal)		Analysis sheet N/A / attached		Expiry Date: 12/03/2020			
				Consultation Expiry Date: 2/03/2020			
Officer Alyce Jeffery			Application Number(s) 2019/6380/P				
Application Address 6 Lawn Road London NW3 2XS			Drawing Numbers 1818-S-OS-XP-0001; 1818-S-XP-SP-0001 REV A; 1818-S-GP-SP-0001 REV A.				
PO 3/4	Area Team Signature	C&UD Rose Todd	Authorised Officer Signature				
Proposal(s)							
Creation of a new crossover; partial removal of the front boundary brick wall; installation of new iron gates and railings; and alterations to front garden landscaping including bin store screening.							
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	03	No. of objections	00
				No. electronic	00		
Summary of consultation responses:		3 letters of support were received following consultation from adjoining neighbours at nos. 5, 7 and 78 Lawn Road.					
CAAC/Local groups comments:		Parkhill CAAC were consulted on 30/01/2020 and no response from them was received. No other comments were received from any other local/amenity groups.					

Site Description

The site relates to a three-storey plus lower ground floor semi-detached building on the eastern side of Lawn Road. It is located within the Parkhill and Upper Park Conservation Area and the building is identified as making a positive contribution to the character and appearance of the conservation area in the Parkhill and Upper Park Conservation Area Appraisal and Management Strategy.

No. 6 Lawn Road, a residential flat, is located directly adjacent to No. 6A Lawn Road, a one and a half storey building, and both properties share a front garden and entrance gate. The Italianate villas sit slightly back within reasonably generous, well vegetated, plots with front boundaries located at the back of the pavement. These front walls contribute strongly to a sense of enclosure as well as the character and appearance of the streetscape and hence that of the conservation area.

Relevant History

2019/1136/PRE - Formation of new driveway access including new vehicle crossover and associated boundary alterations including removal of existing wall and installation of new gates – **Not acceptable in principle**, advice issued 10/04/2019.

9460181 – Demolition of front wall and railings to create a new vehicular means of access to the front garden - **Conservation Area Consent Refused** 17/02/1995.

Reason for refusal: The proposal would be detrimental to the character and appearance of the Parkhill Conservation Area by reason of the loss of a traditional boundary wall.

Relevant policies

National Planning Policy Framework (2019)

London Plan (2016)

Draft New London Plan (2020) (full adoption is pending)

Camden Local Plan (2017)

G1 – Delivery and location of growth

A1 – Managing the impact of development

A3 – Biodiversity

D1 – Design

D2 – Heritage

T1 – Prioritising walking, cycling and public transport

T2 – Parking and car-free development

Camden Planning Guidance (CPG)

CPG – Altering and extending your home (2019)

CPG – Amenity (2018)

CPG – Design (2019)

CPG – Transport (2019)

Parkhill and Upper Park Conservation Area Appraisal and Management Strategy (2011)

Assessment

Proposal

The applicant proposes to create a new crossover in front of no. 6 Lawn Road. To facilitate this, part of the existing front boundary brick wall would be removed and new iron gates and railings would be installed in its place. In addition, alterations to soft and hard landscaping are proposed, and timber screening for bin storage would be installed within the front garden.

The main issues to consider in this case are as follows:

- Transport / Highways issues;
- Design and conservation;
- Neighbour amenity.

Transport

Policy T1 of the Camden Local Plan states that 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. In order to encourage walking, the Council will seek to ensure that developments improve the pedestrian environment.

Policy T2 states that in order to lead to reductions in air pollution and congestion and improve the attractiveness of an area for local walking and cycling, the Council will limit the availability of parking within the Borough. The policy also states that development of boundary treatments and gardens to provide vehicle crossovers and on-site parking will be resisted.

The site is located in the Belsize (CA-B) controlled parking zone (CPZ). The CPZ operates on Monday to Friday between 09:00 and 18:30 hours and on Saturday between 09:30 and 13:30 hours. The Council's Highways team has confirmed that the parking pressure in the CA-B CPZ is high, and one of the highest in the borough. The Council's most recent records show that parking pressure is at 121%, meaning there are 121 active permits per 100 available spaces. Reducing the length of the existing CPZ space outside no. 6 Lawn Road has the potential to lead to additional parking stress through the removal of kerbside parking capacity, contrary to policy T2.

Parking bays are located on Lawn Road directly adjacent to the property, including a resident's parking bay located immediately outside the property. Within the application submission the applicant states that the resident of no. 6 Lawn Road is a disabled driver and walking or cycle is not an option. The resident is applicable for a Blue Badge which allows people with severe mobility problems to park close to their destination, as a driver or passenger. It is noted that there are resident permit bays directly adjacent to the property and that there is no charge nor time limit (and no parking permit is required) for blue badge users to park in those bays. The proposed on-site parking is not deemed to be essential, and as such, the proposal and loss of the boundary treatment is contrary to policy T2. The proposal would contradict the Council's overall aims of reducing car parking, leading to sustainability and congestion benefits, as well as the potential to add to parking stress in the area by reducing the amount of on-street parking.

Furthermore, the introduction of the crossover would lead to disruption to the pedestrian movement along the adjacent pavement, and the provision of off-street parking would create a greater reliance on travel by private car which is not considered to promote walking or cycling in relation to the Council's road user hierarchy.

In conclusion, the creation of an on-site parking space and creation of a new crossover would be contrary to Policies T1 and T2. It is not considered that there are other planning considerations which would allow an exception being made in this instance, and as such, it is recommended the application is refused on this basis.

Officers also note that any crossover would require separate Highways Act approval. CPG Transport states that vehicular crossovers will not be acceptable where the installation of a crossover would

result in the loss of on-street parking provision. The proposed potential loss of on-street capacity within the CPZ could add to on-street parking demand. As such, any application for a crossover under the Highways Act would likely be refused as the proposal would not meet the Council's requirements with regards to the potential loss of on-street parking. Therefore, the planning position is consistent with the Council acting in its capacity as Highway Authority.

Design and conservation

The Council's design policies are aimed at achieving the highest standard of design in all developments. Policy D1 aims to ensure the highest design standards for developments and states that the Council will require all developments to consider the character, setting, context and the form and scale of neighbouring buildings; the quality of materials to be used; and the character and proportions of the existing building. Policy D2 additionally states that the Council will only permit development within conservation areas that preserves or enhances the character and appearance of the area, and will preserve garden spaces which contribute to the character and appearance of a conservation area. Policy D2 also advises that 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 application within conservation areas.

Guidance contained within CPG Altering and extending your home states that the design of front gardens and forecourt parking areas make a large impact on the character and attractiveness of an area and in particular the streetscene. The design of front gardens should retain or reintroduce original surface materials and boundary features, especially in conservation areas, such as walls, railings and hedges where they have been removed.

Section 6 of the Parkhill and Upper Park Conservation Area Appraisal and Management Strategy identifies that crossover parking has replaced many front gardens, and that this detracts from the character and appearance of the conservation area. It notes that existing/original architectural features and detailing characteristic of the conservation area should be retained and protected and states that the removal of boundary walls and gardens for parking will be resisted. It goes on to highlight that the reinstatement of front gardens and typical boundaries e.g. hedges and walls, is encouraged where crossover parking has been implemented in the past, as this is an important way of enhancing the streetscape and incrementally improving the quality of the area. The proposal would therefore be contrary to the above guidance within the Parkhill and Upper Park Conservation Area Appraisal and Management Strategy.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 ("the Listed Buildings Act") is relevant, which requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area when considering applications relating to land or buildings within that Area. The effect of this section of the Listed Buildings Act is that there is a statutory presumption in favour of the preservation of the character and appearance of Conservation Areas. Considerable importance and weight should be attached to their preservation. A proposal which would cause harm should only be permitted where there are strong countervailing planning considerations which are sufficiently powerful to outweigh the presumption.

Whilst there are existing front driveways along Lawn Road, including to the adjacent neighbouring properties Nos. 5 and 7, these are all either historic or were approved and implemented prior to the adoption of Camden's current planning policies (i.e. the Local Plan and relevant supporting documents). Notably, no. 7 Lawn Road was granted permission (F9/15/6/7974) for '*Erection of 2 storey extension on the south side at 7 Lawn Road, Camden, for use as residential and garage accommodation*' granted on 12/02/1970. The drawing shows a boundary gate and driveway down to the garage so officers can only assume the crossover was also created whilst the granted permission was carried out. More recently, permission (2017/5291/P) was granted for '*Garage conversion into a habitable room. New rear Juliette balcony at upper ground floor level. Removal of the external stairs to the rear. Insertion of 2x new doors to rear elevation at lower ground floor level. Internal reconfiguration,*' where refurbishment in terms of render and paint was applied to the two storey extension and former garage, albeit looking new.

Front gardens and boundary walls contribute strongly to a sense of enclosure as well as the character and appearance of the streetscape and hence that of the conservation area. The proposed removal of the existing low boundary wall and railings and replacement with high metal gates would result in the removal of the traditional boundary treatment and reduce opportunities for vegetation, contrary to the above guidance. Furthermore, installation of a driveway to the front of the property would reduce the opportunity for soft landscaping within the front garden, and would neither preserve nor enhance the character and appearance of the host building, the surrounding streetscape and the Parkhill and Upper Park Conservation Area.

Paragraph 196 of the NPPF states that where a development will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. The proposal would be to the sole benefit of the occupier of the property, and are not considered to provide any public benefits. As such, the proposal would be contrary to policies D1 and D2 of the Camden Local Plan.

Neighbour amenity

Policy A1 seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered. Policy A1 point c. states that the Council will resist development that fails to adequately assess and address transport impacts affecting communities, occupiers, neighbours and the existing transport network. Furthermore, Policy A1 paragraph 6.10 states that highway safety, with a focus on vulnerable road users should also be considered, including provision of adequate sightlines for vehicles leaving the site, and that development should also address the needs of vulnerable or disabled road users.

Policy A1 paragraph 6.9 also states that any development or works affecting the highway will be expected to avoid disruption to the highway network, particularly emergency vehicle routes and avoid creating a shortfall to existing on-street parking conditions or amendments to Controlled Parking Zones.

The creation of an on-site parking space is unacceptable in principle, as it would promote the use of private motor vehicles, fail to encourage the use of sustainable modes of transport, and create an unnecessary hazard on the public highway, contrary to Policy A1, T1 and T2.

Furthermore, the introduction of a forecourt vehicular parking space would result in the loss of front garden space and the traditional front boundary treatment, which contributes to the character and appearance of the conservation area, and as such would be harmful to the character and appearance of the Parkhill and Upper Park Conservation Area, contrary to policies A1, D1 and D2.

Conclusion

The introduction of a vehicular parking space would result in the loss of front garden space and part of the front boundary wall, which contributes to the character and appearance of the conservation area, and as such, would be harmful to the character and appearance of the streetscene and the wider Parkhill Conservation Area, contrary to policies D1 (Design) and D2 (Heritage) of the London Borough of Camden Local Plan 2017.

The creation of an on-site parking space would promote the use of private motor vehicles and fails to encourage the use of sustainable modes of transport, as well as has the potential to lead to additional parking stress through the removal of on-street parking capacity, 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 London Borough of Camden Local Plan 2017.

Recommendation

Refuse planning permission.