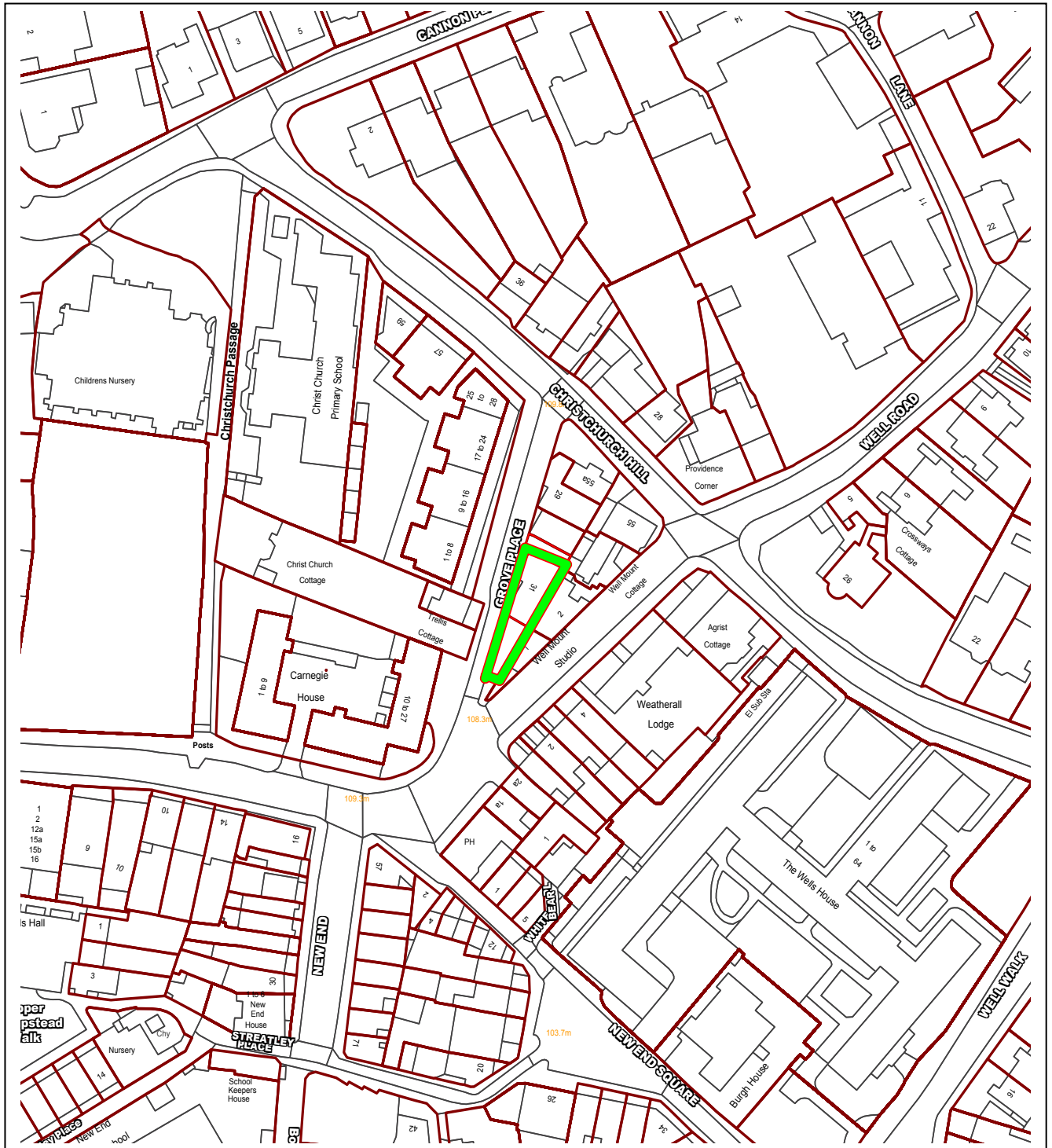


2019/5449/P 31 Grove Place, NW3 1JS



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1. Application site to the left showing fence to be replaced with wall



2. End of the site showing the existing hardstanding area

Delegated Report (Member's Briefing)		Analysis sheet		Expiry Date:	07/02/2020
		N/A		Consultation Expiry Date:	29/02/2020
Officer				Application Numbers	
Thomas Sild				2019/5449/P	
Application Address				Drawing Numbers	
31 Grove Place London NW3 1JS				Refer to draft decision notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposals					
Erection of front boundary wall to replace existing fence and erection of rear garden shed					
Recommendation:		Grant conditional planning permission			
Application Type:		Householder planning permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice			
Informatives:				
Consultations				
Adjoining Occupiers:	No. of responses	2	No. of objections No. of comments	2 0
Summary of consultation responses: <i>(Officer response in italics)</i>	<p>A site notice was displayed on 05/02/2020 (expiring on 29/02/2020) and a press notice was displayed on 09/012020 (expiring on 02/02/2020).</p> <p>Responses received from the following relating to the original proposals, since revised (see section 2 Revisions):</p> <ul style="list-style-type: none">• Well Mount Cottage• 30 Grove Place <p>Objections summarised as follows:</p> <ol style="list-style-type: none">1. No need for wall to exceed the height of the existing fence2. Parking space opposite used by non-resident, and should be enlarged to fit a standard sized vehicle3. Provision of parking space contrary to Council policy4. Replacing garden areas with hardstanding is contrary to Local Plan policy A35. No details of the proposed materials provided <p><i>Officer response:</i></p> <ol style="list-style-type: none">1. <i>The proposal has been revised to replicate the 2m height of the existing fence</i>2. <i>It is not accepted that the hardstanding is a regularised parking space. The Council will not permit the provision of further off street parking and as such the enlargement of the hardstanding has been omitted from the plans</i>3. <i>As above</i>4. <i>Proposals revised to omit any increase to existing hardstanding</i>5. <i>A planning condition would be attached requiring details of facing materials for approval by the Council</i>			
Public interest group comments:	<p><u>Hampstead Neighbourhood Forum</u></p> <ol style="list-style-type: none">1. Drawings are poor and cannot be used for assessment2. No context has been cited for how the wall would preserve or enhance the conservation area3. Provision of off street parking should be resisted <p><i>Officer response:</i></p> <ol style="list-style-type: none">1. <i>The original drawings were considered sufficient to show the proposed scale and siting of the scheme. Revised drawings have however since been received</i>2. <i>See section 4 on design and heritage</i>3. <i>Plans were revised to omit any enlargement to the existing hardstanding area</i>			

Heath & Hampstead Society

1. Prominent siting. Height of wall, brick and bonding type very important
2. Height – proposed 2.3m height too high in this location
3. Potentially structurally dangerous
4. Works would damage tree roots

Officer response

1. *A planning condition would be attached, requiring details of the brick and bonding for approval*
2. *The proposed height has been reduced to 2m, in line with the existing fence*
3. *Plans indicate buttressing on the inside of the wall. Structural integrity in this context is however not a material planning consideration.*
4. *A tree report with proposed tree protection measures has been provided and assessed by the Council's tree officer and the works considered acceptable subject to implementation of the tree protection during the works, to be secured by condition*

Site Description

The application relates to the rear garden of 31 Grove Place, a 2-storey dwellinghouse.

The rear garden forms a wedge shape, running along the west side of Grove Place and is situated within Hampstead Conservation Area.

Relevant History

- **May 2017 - 2017/0402/P** Planning permission granted for increase in height of the pitched roof and installation of new rooflights, alteration to the fenestration at the front and rear elevations (Class C3).

Relevant policies

National Planning Policy Framework 2019

The London Plan 2016

Draft New London Plan with consolidated changes (2019)

Camden Local Plan 2017

A1 Managing the impact of development

D1 Design

D2 Heritage

A3 Biodiversity

Camden Planning Guidance

Amenity (2018)

Design (2019)

Altering and extending your home (2019)

Hampstead Conservation Area Statement

Hampstead Neighbourhood Plan (2018)

DH1 Design

DH2 Conservation areas and listed buildings

NE2 Trees

Assessment

1. Proposal

- 1.1 Planning permission is sought for the replacement of the existing 2m high timber garden fence alongside Grove Place with a 2m brick wall
- 1.2 Permission is also sought for the erection of a 2m high timber garden shed within the rear garden located to towards the end of the site alongside an existing 2.6m high boundary wall, and measuring 2.4m x 1.2m in area.

2. Revisions

- 2.1 Following officer assessment, the proposals were revised to reduce the height of the wall to replicate that of the existing fence.

2.2 Plans were also revised to omit the planned enlargement of the existing roadside hardstanding area so as not to create additional off street parking capacity.

3. Assessment

3.1 The main material planning issues for consideration are:

- Design and heritage
- Neighbour Amenity
- Trees and biodiversity

4. Design and heritage

- 4.1 The Council's design policies are aimed at achieving the highest standard of design in all development. The following considerations contained within policy D1 are relevant to the application: development should consider the character, setting, context and form and scale of the neighbouring buildings, and the quality of materials to be used. Within areas of distinctive character or adjacent to one, development should reinforce those elements which contribute to and create the character, in line with policy D2.
- 4.2 Hampstead Neighbourhood Plan policy DH1 'Design' states proposals should demonstrate how they respect and enhance the character and local context of the relevant character area
- 4.3 The proposed garden wall would replace an existing 2m high timber fence which is not considered to make a positive contribution to the surroundings.
- 4.4 31 Grove Place is a brick constructed house, currently painted. Brick front boundary walls are fairly characteristic of the surroundings being noted adjoining on Well Road to Well Cottage and Well Mount Studio, and to the frontage of Carnegie House on New End. As such this proposal is considered to respect the local context.
- 4.5 A planning condition would require details of the proposed brick to ensure a suitable type is used appropriate to the surroundings.
- 4.6 The proposed timber garden shed would be modest in nature, appropriate to the size of the garden. The structure would measure 2m in height and with a footprint of 1.2m x 2.4m. The shed is sited alongside the existing 2.8m high boundary wall and the 2m height would mean it is not directly visible to the street and would not impact the character of the surrounding conservation area.
- 4.7 Special regard has been attached to the desirability of preserving or enhancing the conservation area, under s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

5. Trees and biodiversity

- 5.1 Local Plan policy A3 states the Council will resist the loss of trees and vegetation of significant amenity, historic, cultural or ecological value including proposals which may threaten the continued wellbeing of such trees and vegetation. The Council will require trees and vegetation which are to be retained to be satisfactorily protected during the demolition and construction phase of development.
- 5.2 Hampstead Neighbourhood Plan policy NE2 'Trees' indicates that development should protect trees that are important to local character, streetscape, biodiversity and the environment.
- 5.3 A privet tree has been identified in the rear garden, alongside the existing fence which is proposed to be replaced with a wall. The submitted arboricultural report has assigned the tree

to category C – trees which are of low merit. Nevertheless, the applicants are proposing to retain the tree and have submitted details of protection during the course of the construction. A planning condition would be attached requiring these tree protection measures are put in place.

- 5.4 The proposed garden shed would have a footprint of 3sqm, which would be small scale relative to the overall 48sqm rear garden size and include a sedum roof. The proposals are not considered to significantly impact on the garden's biodiversity.

6. Neighbour Amenity

- 6.1 Local Plan policy A1 seeks to ensure that development does not cause adverse amenity impacts upon neighbours in terms of sunlight, daylight, privacy and overlooking, noise and vibration and odour.
- 6.2 The proposed wall would replace an existing fence of the same height and as such would not result in new amenity impact by way of loss of daylight or outlook to neighbouring occupants.
- 6.3 The proposed shed would be located at the end of the garden, around 10m from the rear of the house and not in close proximity to any neighbour windows. As such it would not directly impact neighbour amenity. The small size of the shed relative to the garden would allow for the retention of a useable space.

7. Recommendation

- 7.1 Grant conditional planning permission

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 30th March 2020, 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: 2019/5449/P
Contact: Thomas Sild
Tel: 020 7974 3686
Date: 23 March 2020

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

Mr Denzil Rankine
31
Grove Place
London
NW3 1JS

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Granted

Address:

**31 Grove Place
London
NW3 1JS**

Proposal:

Erection of front boundary wall to replace existing fence and erection of garden shed

Drawing Nos: Site location plan; 100 EX; 200 P; 201 P; 101 EX; 722 Rev A; Arboricultural Impact Assessment GA-722

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 The development hereby permitted shall be carried out in accordance with the following approved plans and documents: Site location plan; 100 EX; 200 P; 201 P; 101 EX; 722 Rev A

Reason:

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

3 Details of materials to be approved

Before the relevant part of the work is begun, detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority:

a) Manufacturer's specification details of all facing materials (to be submitted to the Local Planning Authority) and samples of those materials (to be provided on site).

The relevant part of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course of the works.

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 and DH1 of the Hampstead Neighbourhood Plan.

4 Trees - Protection measures

Prior to the commencement of construction/demolition works on site, tree protection measures shall be installed in accordance with approved drawing 722 Rev A. The protection shall then remain in place for the duration of works on site, unless otherwise agreed in writing by the local authority.

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 policies A2 and A3 of the London Borough of Camden Local Plan 2017.

5 The outbuilding hereby approved shall only be used for purposes incidental to the residential use of 31 Grove Place and shall not be used as a separate independent Class C3 residential unit.

Reason: To ensure that the outbuilding does not adversely affect the amenity of adjoining residential premises and is not used for unauthorised purposes, in accordance with policies H6, H7 and A1 of the 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