

Delegated Report		Analysis sheet		Expiry Date:		17/02/2020			
		N/A		Consultation Expiry Date:		08/03/2020			
Officer				Application Number(s)					
Obote Hope				2019/6383/P					
Application Address				Drawing Numbers					
6 Rosecroft Avenue London NW3 7QB				See decision notice					
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature						
Proposal(s)									
Alteration to front boundary treatment, formation of hard standing for additional car parking space, and formation of bin store within the front curtilage.									
Recommendation(s):		Refuse and Warning of Enforcement Action to be taken							
Application Type:		Householder Planning Permission							
Conditions or Reasons for Refusal:		Refer to Decision Notice							
Informatives:									
Consultations									
Adjoining Occupiers:		No. of responses		02		No. of objections		00	
Summary of consultation responses:		<p>A site notice was displayed from 12/02/2020 to 07/03/2020.</p> <p>A press notice was published on 13/02/2020 to 08/03/2020.</p> <p>Two responses of 'no objection' were received from the owners/occupiers of nos. 88 Redington Road and 56 Platts Lane, summarized as follows:</p> <p>This is a major improvement from the previous overgrown eyesore Removal of gates/plating/boundary hedge is in-keeping with the conservation area and should be encouraged This will have a positive impact on the conservation area</p> <p><i>Officer Response: Noted.</i></p>							
Heath and Hampstead Society		<p>The Heath and Hampstead Society objects to the application on the following grounds:</p> <p>"This application to increase the width of the gates in the boundary wall and the also the area of hard paving in the front garden will enable more cars to park in what</p>							

	<p>should be a valuable green-space. Excessive parking in front gardens spoils the garden space that is an essential part of the character of the Conservation Area.</p> <p>This application that enables more cars to be park in front of the house and detracts from the Conservation Area.</p> <p>Please Refuse.”</p> <p><i>Officer Response: Noted.</i></p>
<p>Hampstead Conservation Area Advisory Committee (CAAC)</p>	<p>The Hampstead Conservation Area Advisory Committee objects to the application on the following grounds:</p> <p>“The existing 6-(minimum 5) pier boundary wall should be retained if at all possible of length wider than the house front projection to ameliorate the effect of a wide opening to the driveway.</p> <p>We welcome the absence in the proposed of metal gates which should be confirmed in an elevation which is not shown.</p> <p>We welcome the proposed planting shown on plan but are keen to see retained the small trees shown in the existing elevation.</p> <p>As usual, we are keen on maximising green and planting and minimising as far a possible hard landscaping even if permeable.”</p> <p><i>Officer Response: Noted.</i></p>

Site Description

The application site is a three-storey semi-detached dwelling, located on the east side of Rosecroft Avenue to the south of Platt's Lane. The site is located in the Redington/Frognal Conservation Area and is a positive contributor to the area.

The host building is afforded a reasonable sized front garden and the conservation area statement identifies the frontage as being distinctive. It notes that the brick walls and piers are considered as enormously important and removing these dramatically affect and harm the character and appearance of the Fitzroy/Netherhall Conservation Area. The works for the proposals have already commenced, but are not yet completed, and so the application is in part retrospective.

Relevant History

The subject site

2018/1371/P - Demolition of existing conservatory and rear extensions, erection of single storey side and rear extension at ground floor level; installation of 3 x roof lights to the rear elevation; installation of cycle storage area and associated works at ground/first floor levels all associated with the use as a residential dwelling (Class C3). **Granted on 20/06/2018.**

Other relevant sites:

11 Redington Road

2017/6010/P – LDC (Propose) for new vehicular sliding gate. Removal of the existing hedgerows and small garden area. New proposed hard and soft landscaping, including hard-standing for 2 no. cars. Replacement of obscured glazing to first floor leadlight with clear glazing (details to match existing). Existing gate and fence to be retained. Granted on 4/01/2018.

2018/3458/P – for the erection of a new front garden boundary enclosure including brick dwarf wall with metal railings, a sliding vehicular gate, brick gate piers and associated landscaping. **Granted** on 13/08/2019.

26 Rosecroft avenue

2018/0084/P - Planning permission for re-landscaping (hard and soft) and remodelling of the front garden and driveway/parking area, replacement of existing bin store and steps leading to the main entrance, rebuilding of existing and addition of new boundary treatment to front, side and parking area to residential (Class C3). **Granted** on 14/02/2018.

8 Rosecroft Avenue

2008/4257/P – Planning permission for the erection of a new front boundary wall and gates and the demolition of part of the existing garage to form a driveway and the conversion of the remainder into a service enclosure. **Granted** on 23/10/2008.

Relevant policies

National Planning Policy Framework 2019

- Chapters 103, 106, 130, 150, 193 to 202

London Plan March 2016

Draft London Plan 2019

Camden Local Plan 2017

Policy A1 Managing the impact of development Policy A4 Noise and Vibration

Policy D1 Design

- Chapters 7.4, to 7.6

Policy CC1 (Climate change mitigation)

- Chapters 8.4 and 8.14.

Policy CC2 (Adapting to climate change)

- Chapter 8.33

Policy D2 Heritage

- Chapters 7.31 to 7.42

Policy T1 Prioritising walking, cycling and public transport

- Chapters 10.1 to 10.14

Policy T2 Parking and car-free development

- Chapters 10.15 to 10.21

Camden Planning Guidance

CPG Altering and extending your home (2019):

- Chapter paragraph 3.7 (conservation areas)
- Chapter paragraph 9.7

CPG Amenity (2018)

Redington/Frogna Conservation Area Statement (2003)

Policies: RF8, RF9

Draft Redington and Frogna Neighbourhood Plan (2019)

BD 4 - design codes

BGI 2 - front boundary treatments

SD3 - Car free development

Assessment

1.0 Proposal

- 1.1 Planning permission is sought for the alterations to front garden to form off street parking for two cars, including alterations to existing boundary treatment with new bin store.

2.0 Assessment

2.1 The main issues for consideration are:

- Design and heritage
- Transport
- Sustainability
- Impact on the neighbouring amenity

3.0 Local context

- 3.1 The property is one of a number of substantially scaled properties with generous grounds to the front elevation. The semi-detached properties on the east side generally combine open or low boundary treatments some with front garages. Some of the pair of semi-detached properties consist of hard landscaping for parking, but also with localised areas of dense planting and areas of lawn.

4.0 Design and Heritage

- 4.1 The site is located within the Redington/Frognaal Conservation Area and must have regard to Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, which places a duty to the Local Planning Authority to give special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area. The Redington/Frognaal Conservation Area Statement recognises that the frontages within the public realm are important to the character and appearance of the conservation area and the loss of, alterations or replacement of boundary walls, gateposts, piers, railings and balustrade would result in cumulative attrition, to the detriment of the streetscape. Most notably, the conservation area statement also asserts that the inappropriate loss of front gardens to parking can dramatically affect and harm the character of the Conservation Area. Page 38 of the conservation area statement says *"The Council will resist the loss of soft landscaping with path, possible tiled that becomes hard surface. The principle is not accepted and further loss will be resisted"*.
- 4.2 Policy D1 in The Local Plan (2017) states that the Council will require all developments to be of the highest standard of design takes account of its surroundings and preserves what is distinctive and valued about the local area. 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, which integrates into its surroundings. Camden Planning Guidance on Alteration and extending your home states *"design should positively enhance the character of existing buildings on site and other building immediately adjacent and in the surrounding area"* and *"development in gardens should not detract from the open character and garden amenity of the neighbouring gardens and wider surrounding area"*.
- 4.3 Policy D1 is explicit in regards to the detrimental impact a development can have to the existing townscape and requires new development to respond creatively to its site and its context including the pattern of built form and urban grain, open spaces, gardens and streets in the surrounding area. Where townscape is particularly uniform, attention should be paid to responding closely to the prevailing scale, form, proportions and materials used.
- 4.4 Prior to beginning of the inappropriate works, the front garden strikes a balance between areas of soft with hard landscaping which would be loss given the extensive area of hard standing area being proposed here. Of utmost importance is the way how lawn helps to soften the otherwise dominant hard surfacing. This would be in contrast to the extensive amount of hard surface resulting in the significant decrease of the soft landscaping, when fully implemented this would significantly erode the balance between hard and soft landscaping that would set a dangerous precedent for future development. This would have harmful impact that would be detrimental to the local character and appearance.
- 4.5 The agent indicates that there are relevant precedents for the proposals, such as at 11 Redington Road and 26 Rosecroft Avenue. Whilst this assessment is of the application site, and each application is determined on its own planning merits, in any event, in regards to no 11 Redington Road the proposal was granted lawful development certificate (proposed) on 24th January 2018 (2017/6010/P). The later consent which the agent references (2018/3458/P) granted permission for the removal of the existing front boundary hedging and the erection of a new brick dwarf wall with black metal railings plus a sliding gate along the perimeter of the front garden. This solely relates to alterations to the boundary treatment and does not include the expansion of the hard standing area (as suggested by the agent).
- 4.6 In regards to 26 Rosecroft Avenue, this application is historic. Nevertheless, the previous case officer felt the scheme as submitted included a note for *"2 vehicle off-street parking area"*. *As the depth of the driveway is not sufficient depth to accommodate 2 standard vehicles, this note was removed from the plans"*. Therefore, for the reasons listed above it is considered that the examples noted by the agent do not represent a significant material consideration to outweigh the local planning policies which are

applicable in this instance.

- 4.7 The substantial increase of hard standing area and general design of the front garden landscaping would conflict with relevant planning policies. It would serve to cause less than substantial harm the heritage asset (conservation area) and would fail to provide demonstrable public benefits.
- 4.8 The front boundary treatment would fail to preserve or enhance the conservation area. The removal of fencing and gates on the north side would further unbalance the uniformity of the host building that has contributed to the streetscene and wider conservation area. It is acknowledged that the property is one of the few properties that has railings. However, the proposed reduction of half the railings and pillars would further erode this characteristic and detract from the character of the building in this setting. Moreover, CPG Altering and extending your home re-affirms that the Council would expect new development to make positive contribution to the area's character and the proposal would fail to enhance the existing qualities of the site and surrounding area.
- 4.9 The bin store would be discreetly located behind the proposed garden hedge and given the location to the flank (south) elevation and the material used, the proposal is considered appropriate in terms of its design and setting. No objection is raised to bin store to the flank elevation.
- 4.10 Given the above assessment it is considered that the proposal would serve to cause less than substantial harm the heritage asset (conservation area) and would fail to provide demonstrable public benefits. The proposal is contrary to policies D1 and D2 of the Camden Local Plan and the application warrants refusal on this basis.
- 4.11 Special attention has been paid to the desirability of preserving or enhancing the character or appearance of 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.

5.0 Transport

- 5.1 The NPPF 2019 stipulates that the planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations, which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. It is imperative the LPA work proactively to reduce congestion and emissions, and improve air quality and public health. Policy T1 aims to promote sustainable transport by prioritising walking, cycling and public transport in the borough. 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.
- 5.2 The proposal would be contrary to the aims of policy T1 and also to aims of the NPPF 2018 which requires Local Authorities to set parking standards for residential and non-residential development based on:
- the accessibility of the site, the availability of and opportunities for public transport;
 - local car ownership levels; and
 - the need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles.
- 5.3 The NPPF 2019 require proposal that address the three points as listed above to submit clear and compelling justification that they are necessary for managing the local road network. The planning statement identifies indicate that the use of majority of the front garden as hard standing would allow four part-time residents at 6 Rosecroft, whom are blue badge holders the proposal would ensures easier accessibility into the dwelling. However, Due to the climate crisis policy T2 aims to reduce car ownership and use and improve the attractiveness of areas for walking specifically resists "development of which leads to the loss of boundary treatments and gardens to provide vehicle crossovers and on-site parking".

6.0 Sustainability

- 6.1 Policy CC2 identifies that the Council will require development to be resilient to climate change and links resilience to (amongst other things) protection of green spaces, reduction of surface water run-off and

incorporation of biodiversity in development. Policy CC3 also requires development to consider its impact on flood risk and water runoff. The rationale that the proposal should be approved due to the existing lawn is already being used to park vehicles does not make the proposal any more sustainable and no detailed information has been submitted to demonstrate how the proposed loss of permeable green space would be mitigated by the development. The proposals are therefore contrary to policies CC2 and CC3 due to the lack of sufficient information/justification.

7.0 Impact on residential amenity

7.1 Development should not cause a loss of amenity to adjacent properties with regard to sunlight, daylight, outlook, overshadowing, light pollution/spillage, privacy/overlooking and sense of enclosure in accordance with CPG 6 and planning policy A1 of the Local Plan.

7.2 The proposal would not result in a reduction of sunlight, daylight, outlook or privacy to the neighbouring properties. The proposal is considered acceptable in this respect.

8.0 Refused and Warning of Enforcement Notice to be Issued

8.1 As the works are part retrospective and have commenced in part, it is recommended that the matter be referred to the Planning Enforcement Team for appropriate action. The action to be taken will be dependent on the amount of works undertaken at the time.

