

Delegated Report (Refusal)		Analysis sheet N/A / attached	Expiry Date: 20/04/2020	Consultation Expiry Date: 20/04/2020
Officer Jonathan McClue		Application Number(s) 2020/0924/P		
Application Address 12 Oakhill Avenue London NW3 7RE		Drawing Numbers Refer to Decision Notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
New metal gates and fencing to the existing front boundary low wall.				
Recommendation(s):	Refuse			
Application Type:	Householder Application			

Conditions or Reasons for Refusal:	Refer to Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	00	No. of responses	00	No. of objections	00
			No. electronic	00		
Summary of consultation responses:	<p>Site notice displayed (to the front of the application site) from 25/03/2020.</p> <p>Advertised in local press on 26/03/2020.</p> <p>No responses from adjoining occupiers.</p>					
Redington Frogna Neighbourhood Forum objection on 30/03/2020:	<p><i>‘Oakhill Avenue was laid out between 1907 and 1909.</i></p> <p><i>Metal railings are not and never have been a characteristic feature of the Redington Frogna and, indeed, are causing significant harm.</i></p> <p><i>Although the Neighbourhood Forum objects to the proposal to install metal railings, a traditional wooden picket fence or gate would be in keeping with the Conservation Area.</i></p> <p><i>Original elevations are attached for the building types in this part of the Conservation Area.</i></p> <p><i>Planting of a hedge and other vegetation would be encouraged’.</i></p>					
Hampstead CAAC objection on 04/06/20:	<p><i>‘HCAAC Objects to the proposed rebuilding of the boundary wall.</i></p> <p><i>We consider the proposal to be arguably unnecessary carbon-loaded building work.</i></p> <p><i>There are clearly precedents for the proposed transformation, However, the open character of the property appears different from its immediate neighbours and the generality of Oakhill Avenue and should be retained if possible.</i></p> <p><i>It is an exemplar of the sustainable character of the neighbourhood. Is such a well-maintained and attractively-frontaged property to be penalised for seeking greater security?</i></p> <p><i>In the context of the need to reduce carbon use and increase its absorption, we hope planning can look to the future rather than defensively to precedent.</i></p> <p><i>The present walling is not under stress.</i></p> <p><i>It may be in the future, but a ‘french drain’ in conjunction with the existing good weeps should prevent over-stressing.</i></p> <p><i>Regrettably neighbourhoods are put to defence of high-value cars</i></p>					

apparently requiring such sometimes heavy-handed railings and gates. All that is needed to deter car thieves is a common steering bar lock. That may be a slight inconvenience but better than adverse effect on the green area character into which people bought.

The proposed metal fencing and the height of the assembly seems innocuous on elevation and apparently in scale with the house. However, it is a major change to this part of the neighbourhood.

A more detrimental scheme at Redington Road was allowed on appeal, so there may seem to be a need to consent to this scheme. However, the areas and character are different, just as this house's setting offers diversity and example to its neighbourhood.

Should consent here be unavoidable we would ask for the metalwork to be as light as at no. 14 for maximum visibility of planting which is paramount.

The character-contribution of the existing front boundary and visible planting speaks for itself, but should not be regarded as of a bygone era.'

Officer comment: *The reference to another scheme of Redington Road is noted. This is a different proposal in a different context and this application should be judged on its own merits. Furthermore, existing harm in another area does not justify creating further harm in another.*

Site Description

12 Oakhill Avenue is a detached Arts and Crafts house that is located within the Redington Road/Froggnal Conservation Area. The Conservation Area Statement is clear that the building makes a positive contribution to the character and appearance of it. The property is set back from the pavement with a verdant front garden and an attractive low brick front boundary wall. This brick wall is considered to be of interest and makes a positive contribution to both the setting of the host building and to the character and appearance of the Conservation Area.

The application site is located in sub-area five (Heath Drive and environs) of the Conservation Area. The houses in this sub-area generally have light front boundary treatments, which creates an open and green character to the streetscape.

Relevant History

2008/1369/P: Retrospective application for the retention of engineering operations in connection with raising the ground level and landscaping of the rear garden, and alterations to the boundary treatment, including the retention of a condenser unit in the rearmost part of the garden. Granted on 31/03/2009.

2005/3285/P: Alterations to existing dwellinghouse including works to existing side extensions, extension to the front of existing side extension, alterations to the positioning of two existing side dormer windows on the east and west elevation, erection of a rear balcony at first floor level and external alterations to rear and side elevations of dwellinghouse. Granted 26/09/2005.

2005/3286/C: Demolition of ancillary building (housing swimming pool) in rear garden of dwellinghouse. Granted 15/11/2005.

Relevant policies

Section 72 of the Planning (Listed Buildings & Conservation Areas) Act 1990.

National Planning Policy Framework 2019.

The London Plan 2016

Policy 7.4 – Local character.

Draft New London Plan

Camden Local Plan 2017

D1 – Design.

D2 – Heritage.

A1 - Managing the Impact of Development.

T1 - Prioritising walking, cycling and public transport.

T2 - Parking and car-free development.

DM1 - Delivery and monitoring.

Redington Froggnal Neighbourhood Development Plan (2018)

BD 1 - New Developments and Refurbishment of Existing Housing Stock

BD 4 - Redington Froggnal Design Codes for Development Sites, Including New Buildings, Extensions and Alterations

BD 6 - Retention of Architectural Details in Existing Buildings

Redington and Froggnal conservation area appraisal and management strategy (2000)

Camden Planning Guidance (CPG)

Design (July 2015 Updated March 2019)

Altering and extending your home (March 2019)

Amenity (March 2018)

Transport (March 2019)

Developer Contribution (March 2019)

Assessment

1.0 Proposal

1.1 The proposal would see the existing brick wall demolished and rebuilt in an entirely different character and height. The proposed brick wall would have railings above, plus finials and interspersed with pillars. It would have a Victorian suburban character, more ornate in design than the existing modest brick wall.

1.2 The proposals include brick walls, piers, iron railings, 2 x electric sliding gates, and a single gate. The majority of the boundary wall is 2m, with the piers exceeding this height.

1.3 The main considerations of this proposal are considered to be design and heritage and transport implications.

2.0 Design and Heritage

2.1 CPG (Design) states that the Council encourages the combination of low brick boundary walls and hedges as a boundary treatment in conservation areas, were they make up the characteristic boundary treatment (this is considered to apply here). The guidance requires the design, detailing and materials used to provide a strong positive contribution to the character and distinctiveness of the area and integrate the site into the streetscene. There is a presumption in favour of retaining boundary treatments in conservation areas that are characterful or contribute positively to the character of the area (as is the case at the host property). CPG (Design) states that the Council will resist alterations to boundary treatments in conservation areas that do not preserve or enhance the existing qualities and context of the surrounding area. When boundary treatments are to be altered, the elements should be repaired or replaced to replicate the original design and detailing and comprise the same materials as the original features.

2.2 The Redington and Frogna conservation area appraisal states that works to front boundaries can dramatically affect and harm the character of the Conservation Area, this includes through the loss of trees and boundary planting and introduction of inappropriate boundaries (as proposed here).

2.3 The loss of the original boundary treatment fails to preserve the historic boundary treatment and character and appearance of the Conservation Area. The addition of high metal railings with sliding gates is regarded as an incongruous feature which is not in keeping with the historical form of boundary treatment on this road and the wider Conservation Area. The high metal gates and brick piers would also obscure the public views of the main building when viewed from the street.

2.4 As stated above the proposal would see the existing brick wall demolished and rebuilt in an entirely different character and height. The proposed brick wall would have railings above, plus finials and interspersed with pillars. It would have a Victorian suburban character, more ornate in design than the existing modest brick wall, which has been sensitively designed to complement the host building.

2.5 The applicant's Design and Access Statement mentions the stability of the front boundary wall. Looking at the photographs submitted and from undertaking a site visit, officers note there have been

localised repairs to the wall, but it appears to be in a good state, and not beyond repair. The Conservation Area Statement makes clear that proposals should respect the original style boundary and should generally be retained.

2.6 Whilst it is noted that several houses on Oakhill Avenue have modern boundary treatments, including the neighbouring property No.14 Oakhill Avenue, these illustrate the visual harm that can arise from more defensive boundary treatments, and creates a sense of enclosure that is uncharacteristic of this area. These should not be used as a precedent, as they are considered to detract from the aesthetic appeal of the area. Further development of this kind would lead to the formation of the impression of a more defensive, gated character which would dramatically alter the appearance and feeling of the conservation area.

2.7 As the existing wall is important to the streetscape, it should look to be retained. A Conservation Accredited Registered Engineer (CARE) should be considered to inform repairs. It may be worth exploring what the boundary treatment once was in order to inform changes to it. The introduction of gates in a treatment in keeping with the character of the house may also be worth considering.

2.8 The proposal would provide no public benefits to outweigh the less than substantial harm to the conservation area. Considerable importance and weight has been attached to the harm and special attention has been paid to the desirability of preserving or enhancing the character or appearance 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.

2.9 Government policy in respect of the historic environment is set out in the National Planning Policy Framework (NPPF). The NPPF recognises that historic assets are an irreplaceable resources that local authorities should conserve in a manner appropriate to their significance. Camden's Local Plan also places emphasis on development within conservation areas preserving, or where possible, enhancing the character or appearance of the area. It is considered there are no public benefits arising from the scheme that could be weighed against the harm that would be caused to the appearance of the street scene - and would not preserve the character and appearance of the conservation area.

3.0 Transport Implications

3.1 The footway directly adjacent to the site is likely to sustain damage because of the proposed reconstruction of the front wall. The Council would need to undertake remedial works to repair any damage following completion of the proposed development. A highways contribution would need to be secured as a section 106 planning obligation if planning permission were to be granted. This would allow the Council to repave the footway directly adjacent to the site and repair any other damage to the public highway in the general vicinity of the site. The highway works would be implemented by the Council's highways contractor on completion of the development. A cost estimate for the highway works has been requested from Council's Transport Design Team and will be forwarded once received.

3.2 The failure to enter into section 106 agreement to secure above would result in a further reason for refusal.

4.0 Other Matters

4.1 The applicant has noted that the purpose of the proposal is to improve security to the property. This is not considered to be a material planning consideration and in any event would not outweigh the harm established above.

5.0 Recommendation: Refuse Planning Permission

