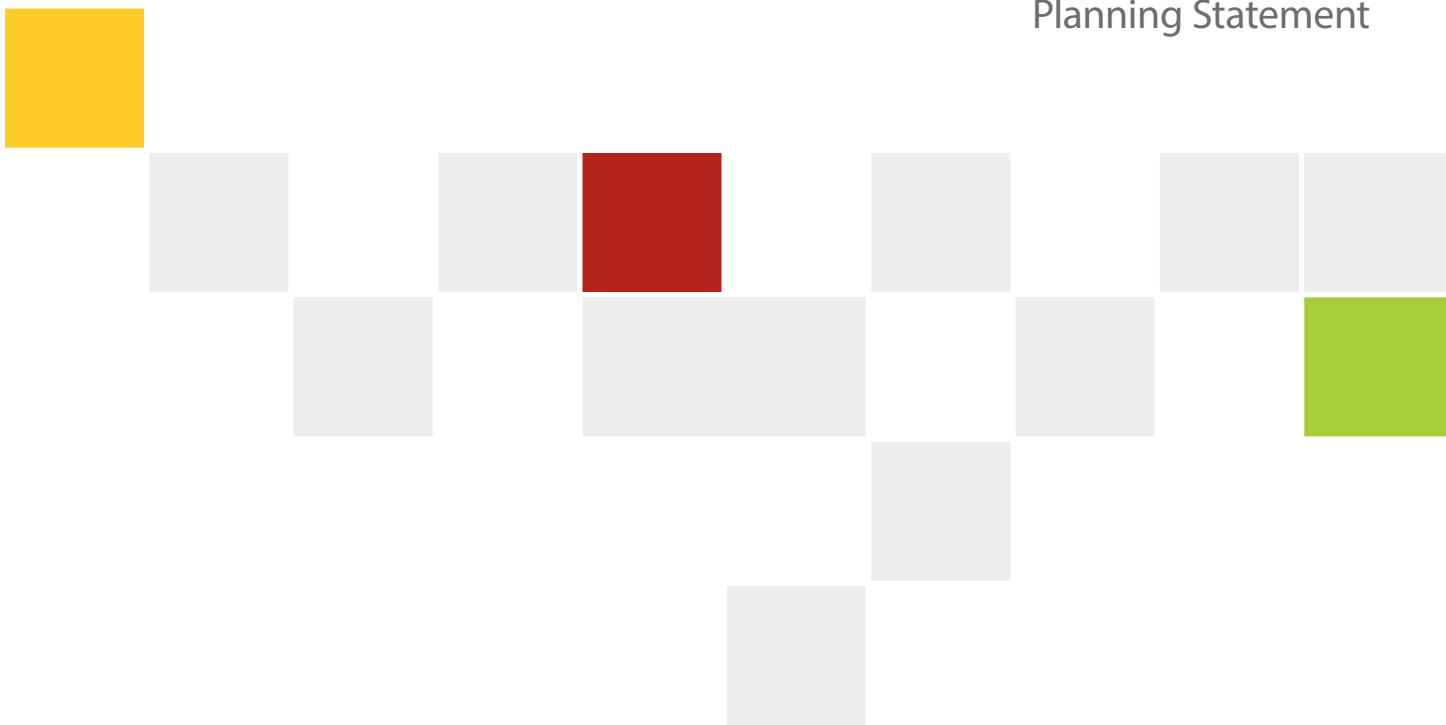


## Front Garden nos. 91 and 93 Hillway

Planning Statement



# Boyer

Report Control

Project:	91 and 93 Hillway, N6 6AB
Client:	Mr Rob Isaacs
Reference:	21.5059
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Primary Author:	James Doherty
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# 1. INTRODUCTION

- 1.1 Boyer have been instructed by Mr Rob Isaacs, to prepare and submit a full planning application in respect of development at 91 and 93 Hillway, London, N6 6AB (the Site).
- 1.2 This application seeks full planning permission for:  
  
*“Alterations to front gardens including provision of timber stores, new paving, white render walls, painted metal railings, sliding gate, introduction of steps between nos. 91 and 93 Hillway and replacement of garage door.”*
- 1.3 This Planning Statement sets out why the proposal is considered acceptable in planning terms and why planning permission should be granted.
- 1.4 In terms of structure, this Statement will provide a summary of the Site and its planning history before examining the planning justification for the proposal.
- 1.5 This Statement concludes that the proposed development is compliant with national, regional and local planning policy and is therefore considered acceptable in principle and, as such, planning permission should be granted without delay.

## 2. SITE AND SURROUNDINGS

- 2.1 The site comprises 2no. two-storey adjoining dwellings (nos. 91 and 93) located on the west side of Hillway (the “Properties”).
- 2.2 The Properties benefit from a generous front garden in use as a driveway and large rear gardens with the rear garden being well screened by a number of mature trees.
- 2.3 The character of the surrounding area is residential with neighbouring properties being typically two-storey houses of a generally common design, sharing similar characteristics such as front driveways and large rear gardens.
- 2.4 The site is located within easy walking distance of Hampstead Heath to the west and a number of local amenities.
- 2.5 The site has a PTAL score of 4 meaning that it is easily accessible by public transport.
- 2.6 Whilst the site is not listed and does not fall within the setting of any listed buildings, Camden’s Proposals Map does identify that it lies within the Holly Lodge Conservation Area (HLCA).
- 2.7 The site falls within Flood Zone 1, meaning it has a low probability of flooding.

### 3. BACKGROUND AND PLANNING HISTORY

#### Background

- 3.1 The applicant owns both nos. 91 and 93 Hillway and intends to amalgamate both units into a single family dwelling. In order to achieve this, a Certificate of Lawfulness for the Proposed Use for the amalgamation of both units has been submitted to the Council and is currently under determination (Ref: 2021/2844/P).
- 3.2 In addition to the Certificate of Lawfulness for the Proposed Use for the amalgamation of nos. 91 and 93 Hillway, the applicant has also submitted an application for a Certificate of Lawfulness for the Proposed Development of a barbeque in the rear garden of no. 91 Hillway. This is also currently being considered by the Council.
- 3.3 A full planning application has been submitted to the Council in order to regularise works in the rear garden, which includes a basement extension, the addition of a garden rill and monolith, condenser units and plant enclosure and ground floor corner window.

#### Planning History

- 3.4 We outline both dwellings' relevant planning history below.

##### 91 Hillway

- 3.5 In September 2013, planning permission was granted for the *“erection of a single storey ground floor rear extension, following removal of existing extension. Installation of a new door and balcony at rear first floor level, installation of a dormer window in the rear roofslope and a dormer window in the northwest side roofslope and enlargement of the single storey front ground floor side extension, all in connection with use as a dwelling (Class C3)”* (Ref: 2013/4512/P).
- 3.6 An application was granted for the *“erection of a single storey ground floor rear extension, following removal of existing extension. Installation of a new door and balcony at rear first floor level; installation of one rear and one side dormer window; installation of two roof lights within side roof slope and one roof light on existing first floor side extension; enlargement of first floor window on the front elevation; and enlargement of the single storey ground floor side extension on the front elevation to facilitate the reinstatement of the original garage in connection with use as a dwelling (Class C3) in August 2015 (Ref: 2015/0245/P).*
- 3.7 In November 2017 planning permission was granted pursuant to s.73 of the Town and Country Planning Act 1990 (“TCPA”) to amend the approved plans pursuant to permission 2015/0245/P described above (Ref: 2017/4770/P).

##### 93 Hillway

- 3.8 Planning Permission was granted in September 2013 for the *“erection of a single storey ground floor rear extension, following removal of existing extension, enlargement of the rear ground floor terraced area, installation of a dormer window on the side roof slope, extension of the existing front porch including enlargement of the terraced area at first floor level on the front elevation in connection with existing use as a single family dwelling (Class C3)”* (Ref: 2013/4511/P).
- 3.9 An application for the *“erection of single storey rear extension and associated excavation works to replace swimming pool internally”* was approved in November 2014 (Ref: 2013/7128/P).
- 3.10 In January 2015, permission was granted to *“extend partial front elevation at first floor and roof level”* (Ref: 2013/6887/P).
- 3.11 An application pursuant to s.73 of the TCPA for *“amendments to planning permission 2013/6887/P for the partial extension to the front elevation – to relocate an existing window on the front elevation; install two rooflights on the side elevation and on the flat roof at 2<sup>nd</sup> floor level; and to alter the windows at the existing rear dormer window”* was approved in February 2015 (Ref: 2015/0244/P).
- 3.12 Planning permission was granted in October 2017 pursuant to s.73 of the TCPA for *“amendment to approved plans associated with planning permissions 2013/6887/P (dated 12/03/2014) & 2015/0244/P (dated 25/02/2015), namely, enlargement of the fixed frame window of the approved dormer extension to the flank elevation”* (Ref: 2017/4295/P).

## 4. PROPOSED DEVELOPMENT

4.1 As detailed earlier within this Statement, the applicant is seeking to amalgamate both their properties into a single family dwelling and as such, is looking to “tidy up” the front gardens of both properties to ensure consistency.

4.2 The application seeks permission for the following works:

- Timber bin stores at both nos. 91 and 93;
- New paving including sawncut grey sandstone paving dark grey pavers with matching soldier course border;
- Low planter perimeter walls;
- Laminated glass balustrade between the front gardens of nos. 91 and 93;
- Painted iron railings fronting onto Hillway;
- Painted cast iron sliding gate;
- Perimeter hedging behind the gate and wall;
- Traditional timber cladding to be painted grey;
- Replacement of garage door with dark grey painted timber fixed side panels and centre French doors; and
- Front door with upper window and additional side frame.

4.3 Full details of the proposed works are available on the accompanying proposed garden street elevation drawing (Ref: 1900/PL.01).

4.4 The proposed works have been sensitively designed so as to ensure that they positively respect the existing character of the area and Conservation Area and result in a positive impact on the streetscene.

4.5 The small-scale nature of the works at the private dwelling, which comply with Local Plan provisions, are not considered to be in any way contentious and as such, planning permission should be granted without delay.



## 5. PLANNING POLICY

5.1 Section 38(6) of the Planning and Compulsory Purchase Act requires that an application for planning permission is determined in accordance with the Development Plan unless material considerations indicate otherwise.

5.2 The Development Plan for the site comprises:

- London Plan (2021); and
- Camden Local Plan (2017).

5.3 There are numerous planning policies, whose objectives are relevant to the determination of the application. The objectives of all relevant policies have been taken into account in the preparation of this application proposal and only those whose objectives are of greatest importance are discussed hereunder.

### **London Plan (March 2021)**

5.4 Policy D6 confirms that housing development should be of a high quality design and table 3.2 sets out key qualitative aspects such as that the built form should be appropriate for the surrounding context.

5.5 Amongst other things, Policy HC1 advises that development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings.

### **Camden Local Plan (July 2017)**

5.6 Policy A1 is in regards to managing the impact of development and confirms that the Council will seek to protect the quality of life of occupiers and neighbours and will grant permission for development unless this causes unacceptable harm to amenity.

5.7 Policy D1 confirms that the Council will seek to secure high quality design. Amongst other things, the Council will require that development respects local context and character, is sustainable in design and construction, and comprises details and materials that are of high quality and complement the local character.

5.8 With regard to Conservation Areas, Policy D2 advises that the Council will require development within a Conservation Area to at least preserve and where possible enhance the character of conservation areas.

### **Other Material Considerations**

#### **National Planning Policy Framework (NPPF) (2021)**

5.9 The NPPF sets out the Government's planning policies for England and how these should be applied.

- 5.10 Section 12 confirms that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 5.11 Amongst other things, paragraph 130 advises that developments:
- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
  - b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; and
  - c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities).
- 5.12 Section 16 is in relation to the historic environment and advises that heritage assets should be conserved in a manner appropriate to their significance.
- 5.13 Paragraph 195 confirms that Local Planning Authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal and should take this into account when considering the impact of a proposal on a heritage asset.

**Holly Lodge Estate Conservation Area Appraisal and Management Strategy (2012)**

- 5.14 The Holly Lodge Estate Conservation Area Appraisal and Management Strategy (HLECAAMS) appraises the Conservation Area and provides a strategy in order to preserve and enhance the character of the area and provide guidance for developments within the Conservation Area.
- 5.15 The HLECAAMS acknowledges that large and wide front gardens are a characteristic of properties on Hillway. Further to this, it is noted that the mock Tudor style is the prevalent style on Hillway.
- 5.16 In regards to front gardens, the HLECAAMS states that garden boundaries in the Conservation Area are predominantly formed by low walls, many with hedges and with a variety of original features. Proposals for alterations to existing boundaries should respect the original style of the boundary.
- 5.17 In regards to bin stores, the HLECAAMS advises that these should be located sensitively, set away from the main frontage of the building and utilise sensitive materials.

## 6. PLANNING JUSTIFICATION

- 6.1 As discussed earlier in this Statement, the nature of the works are considered to be of a small scale which take place at a private dwelling and are not considered to be contentious.
- 6.2 All the proposed works are considered to comply with the relevant planning policies and are of an appropriate scale in the context of the site and the surrounding area.
- 6.3 Nevertheless, we set out below what the works constitute as well as their impact on the surrounding area and Conservation Area.

### Front Elevation

- 6.4 Minor works are proposed for the front elevation, which include the painting of the timber cladding in dark grey, the replacement of the garage door with dark grey painted timber fixed side panels and centre French doors and the front door at no. 93 to have upper and side windows.
- 6.5 As can be seen on drawing Ref: 1900/PL/01, the works to the front elevation have been sensitively designed to ensure that they are reflective of, and complement, the existing style and character of the area.
- 6.6 As such, the proposed works to the front elevation are considered to be in full compliance with the criteria outlined within Local Plan Policy D1 as they respect the local context and character whilst enhancing the historic environment and comprise high quality details and materials that complement the locality.

### Front Sliding Gate

- 6.7 It is proposed to install a painted metal railing sliding gate across the driveway to no. 93. This sliding gate will allow the applicant to safely and securely park vehicles in their front garden.
- 6.8 Front gates, that allow secure vehicle parking, are a characteristic of this area of Hillway and the Conservation Area. As such, the provision of a sliding front gate at the subject site is not considered to be contentious.
- 6.9 The style of the gate will consist of painted metal railing which are a common feature of the area. This design will complement the painted metal railing that are situated on top of the white render walls. Perimeter hedging is proposed to sit behind the gate in order to soften the impact and create a visually attractive development.
- 6.10 The front sliding gate is considered acceptable and appropriate in the context of the character of the area and in full compliance with the criteria outlined within Policy D1 of the Local Plan. As such, permission should be granted without delay.

### Front Garden

- 6.11 The Applicant proposes to repave the front driveways of both nos. 91 and 93 to ensure consistency. As can be seen on the accompanying drawing (Ref: 1900/PL.01) the area at the front of the front garden, which will be used for parking, will be paved in dark grey with a matching solid course border. The area next to the front door will be paved with larger sawncut grey sandstone paving. The proposed paving is considered to be attractive and in keeping with the character of the area.
- 6.12 Further to the paving, it is also proposed to install low planter perimeter walls which will be a combination of white painted render, and sawn grey sandstone coping. A laminated glass balustrade will be located on the boundary of nos. 91 and 93.
- 6.13 The proposal also includes the provision of timber bin stores which will clad with dark horizontal wooden cladding. The location of these bin stores has been carefully selected to ensure that they are not easily viewed by members of the public so that they do not detract from the character of the locality.
- 6.14 Due to the amalgamation of the two properties, a staircase between the two is proposed in a sawn grey sandstone finish.
- 6.15 The proposed materials have been carefully selected to ensure that they complement the existing and positively reflect the character of the locality.
- 6.16 Overall, the proposal is considered to result in a much more attractive front garden which will result in a positive impact on the area and is in full compliance with the criteria outlined with Local Plan Policy D1. As such, planning permission should be granted without delay.

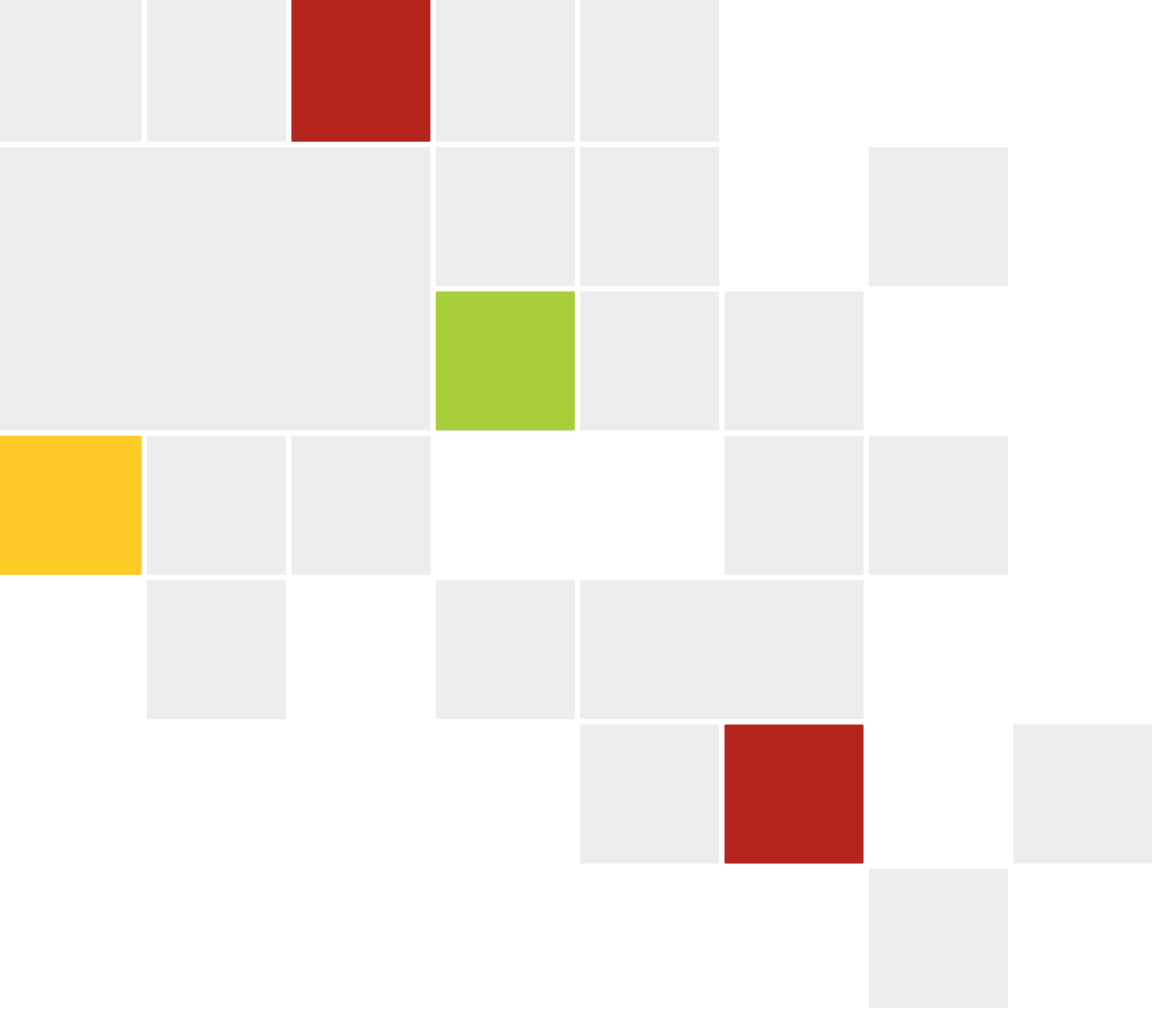
**Impact on Conservation Area**

- 6.17 Policy D2 of the Local Plan seeks to ensure that development does not result in any negative impacts on the Borough’s heritage assets, including Conservation Areas. Development is required to preserve or where possible, enhance, the character and appearance of a Conservation Area.
- 6.18 The NPPF, at paragraph 195, confirms that when determining applications that could impact a heritage asset, Local Planning Authorities should identify and assess the particular significance of how that heritage asset may be affected by the proposal.
- 6.19 The proposed works relate primarily to the front garden and are intended to make this a more attractive feature that reflects both the amalgamation of nos. 91 and 93 as well as the character of the surrounding area.
- 6.20 The proposal has followed the guidance outlined within the HLECAAMS to ensure that it is sensitive to the Conservation Area. The proposed materials are reflective of the existing character and the storage bins have been discretely located to ensure they are not easily visible to the public.

- 6.21 The proposed works are common features of the Conservation Area and are not considered to be contentious or to detract from the significance of the Conservation Area.
- 6.22 As can be seen on drawing Ref: 1900/PL.01, the proposal will not significantly alter the front elevation of the property and will still incorporate the traditional timber cladding. The proposal will not result in the loss of any traditional features.
- 6.23 The overall impact of the proposal on the setting of the Conservation Area is considered to be insignificant. Indeed, given that the proposals will give a refreshed look to the currently tired appearance of the front garden, they are considered to actually enhance the setting of the Conservation Area and will make a positive contribution to the streetscene.
- 6.24 As such, the proposal is considered acceptable in heritage terms, in line with all relevant planning policy and as such, planning permission should be granted without delay.

## 7. CONCLUSION

- 7.1 This planning application has been submitted on behalf of our client, Mr Rob Isaacs, for works to the front gardens of nos. 91 and 93 Hillway. This application seeks permission for *“alterations to front gardens including provision of timber stores, new paving, white render walls, painted metal railings, sliding gate, introduction of steps between nos. 91 and 93 Hillway and replacement of garage door.”*
- 7.2 As has been robustly demonstrated throughout this Statement, the works are not considered to be contentious and comply with all relevant planning policy. The works have primarily come about due to the amalgamation of the two properties into a single family dwelling (Ref: 2021/2844/P).
- 7.3 The primary consideration of this application is to “tidy up” the front gardens in order to make a more positive contribution to both the streetscene and wider Conservation Area.
- 7.4 Great care and consideration has gone into the design to ensure that the proposed works respect and reflect the established character of the area.
- 7.5 The Applicant has considered the relevant design guidance and has adhered to that as far as possible including by proposing timber bin stores that will be hidden from view from the public.
- 7.6 The minor nature of the works ensure that whilst they will not have a significant impact on the existing properties or streetscene, they will give the site a refreshed appearance that will better complement the surrounding area.
- 7.7 With regard to the sliding gate, front garden gates are a common feature throughout Hillway and so its inclusion is considered acceptable.
- 7.8 None of the works subject of this application will result in any negative impact on neighbour amenity and are in full agreement with the relevant planning policy and guidance.
- 7.9 In conclusion therefore, the Council should be fully supportive of this applicant and grant planning permission without delay.



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