

Delegated Report		Analysis sheet		Expiry Date:		15/12/2021	
		N/A / attached		Consultation Expiry Date:		26/12/2021	
Officer				Application Number			
Laura Dorbeck				2021/5134/P			
Application Address				Drawing Numbers			
24 Heath Drive London NW3 7SB				Please refer to decision notice			
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature	
Proposal							
Creation of an additional vehicular entrance with construction of associated crossover and dropped kerb							
Recommendation:		Refuse Planning Permission					
Application Type:		Householder Application					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:				No. of responses	00	No. of objections	00
Summary of consultation responses:		<p>The application was advertised by press advert placed on 02/12/2021 and site notice displayed on 01/12/2021.</p> <p>No responses were received from neighbouring residents.</p>					
CAAC/Local groups comments:		<p>The <u>Redington Froggnal Neighbourhood Forum</u> objected to the proposals on the following grounds:</p> <p>Concerns about the loss of the front boundary treatment to facilitate vehicular entry and exit into the front garden. The proposals are not compliant with the Neighbourhood Plan and are likely to cause harm to the garden setting of the listed building.</p>					

Site Description

The building is located on the east side of Heath Drive and is a detached Grade II listed property designed by CHB Quennell, dated 1907, in the Neo Georgian style. The house is a red brick two storey detached property with a tall tiled roof, its double-fronted symmetrical composition only disrupted by the later first floor extension over the original garage. External detailing includes rusticated pilasters, overhanging eaves with timber soffits and tall chimneys.

The house is part of a run of twelve houses (nos.22-33) designed by Quennell, built 1905-7, of which nos. 24-26 and 31-33 are Grade II listed. It remains in use as a single house.

The site is located within the Redington and Froggnal Conservation Area, which is characterised by the large number of high quality late 19th/early 20th century houses designed in a range of architectural styles. The site is also located within the Redington Froggnal Neighbourhood Plan area.

Relevant History

2018/0914/P & 2018/0981/L – *Full planning & LBC* - Demolition of 2 storey side garage and utility room; lowering of the ground levels of the existing basement and new basement extension; erection of single storey garage replacement; part double, part single storey side extension to north east elevation; rear glazed extension following removal of the bay window; front and side dormers and roof lights; internal alterations; tree works and landscaping including wooden shed to the rear. Approved 11/10/2018.

2019/1705/P & 2019/1696/L – *Minor material amendment & LBC* - Variation of condition 3 (approved plans) of planning permission 2018/0914/P dated 11/03/2019 for 'Demolition of 2 storey side garage and utility room; lowering of the ground levels of the existing basement and new basement extension; erection of single storey garage replacement; part double, part single storey side extension to north east elevation; erection of 1 x side dormer and roof lights; internal alterations; tree works and landscaping including wooden shed to the rear; namely, alterations to new basement layout, changes to approved garage door design and rear sash window glazing, increase width of approved side dormer and rooflights; changes to rear garden landscaping to introduce terraced levels; and various internal alterations including changes to staircase and internal partition walls. Approved 19/09/2019.

2021/5330/P – *Discharge of condition* - Landscaping details required by condition 12 of planning permission 2019/1705/P dated 19/09/2019 which itself varied planning permission 2018/0914/P dated 11/03/2019 (for the demolition of 2 storey side garage and utility room; lowering of the ground levels of the existing basement and new basement extension; erection of single storey garage replacement; part double, part single storey side extension to north east elevation; erection of 1 x side dormer and roof lights; internal alterations; tree works and landscaping including wooden shed to the rear). Approved 26/01/2022.

Relevant policies

National Planning Policy Framework 2021

London Plan 2021

Camden Local Plan (2017)

A1 - Managing the impact of development

- D1 - Design
- D2 - Heritage
- T1 - Prioritising walking, cycling and car-free development
- T2 - Parking and car free development

Redington Frognal Neighbourhood Plan 2021

- SD2 - Redington Frognal Conservation Area
- SD5 - Dwellings: Extensions and garden development

Supplementary Planning Policies

Camden Planning Guidance

- Amenity CPG 2021
- Design CPG 2021
- Transport CPG 2021

Redington and Frognal Conservation Area Statement (2003)

Draft Redington/Frognal Conservation Area Appraisal and Management Plan

Assessment

1. Proposal and Background

1.1 Planning permission and listed building consent were originally granted on 11th October 2018 (2018/0914/P & 2018/0981/L) for the refurbishment and extension of the host listed building and associated landscaping and tree works. Since then, the permission has been varied by 2019/1705/P and 2019/1696/L which approved a number of minor amendments to the original scheme. Final landscaping details were secured by condition, which was recently approved under 2021/5330/P dated 26th January 2022. The proposals included the re-landscaping of the front and rear gardens, and within the front garden, the proposals included alterations to the front boundary treatment, the removal of existing trees and the widening of the existing secondary entrance.

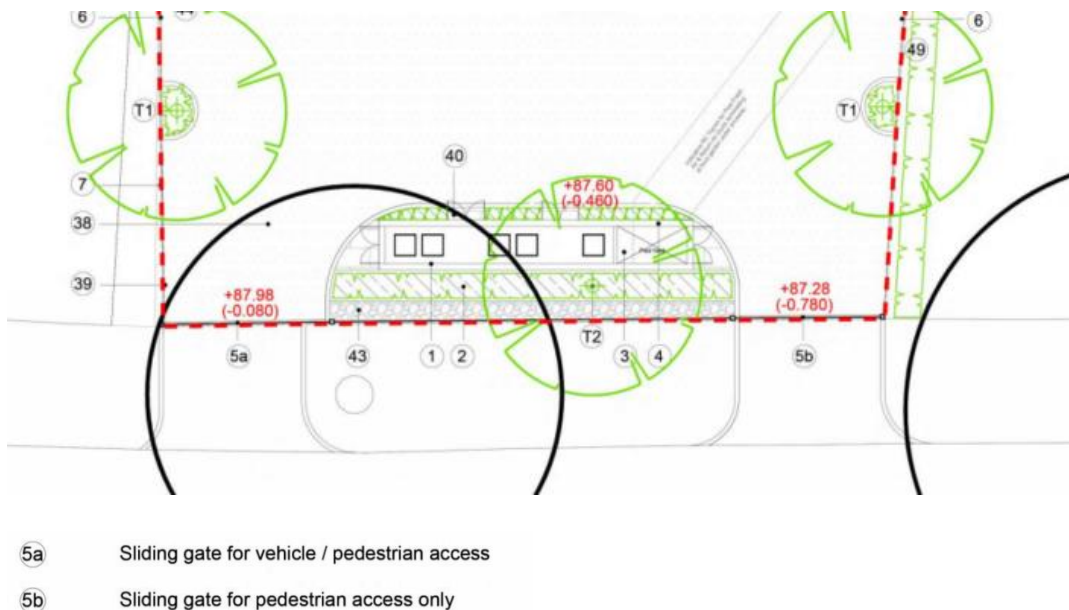


Figure 1: Approved landscaping plan (ref: 2021/5330/P) and excerpt from drawing key

- 1.2 The property currently benefits from two entrances – a vehicular entrance and separate pedestrian entrance. The latter currently is an open narrow access with no gates and partially covered by vegetation; there is no pavement crossover or dropped kerb. Historically, according to the submitted transport statement, the pedestrian access was also used as a vehicular access from 1952 until 2002 by the previous owners. It is claimed that, when the CPZ was adopted and the kerb raised in front of the secondary entrance, the previous owners were not aware of the change or did not have the ability to contest it.
- 1.3 The previous approval involved the widening of the secondary pedestrian entrance to match the width of the vehicular entrance, and the installation of matching gates. The second entrance was marked as a pedestrian entrance on the approved drawings.
- 1.4 The current application now seeks planning permission for the formalisation of this as a properly-functioning additional vehicular entrance by the construction of a dropped kerb and vehicular crossover. As the alterations to the front boundary treatment, tree removal and landscaping works have already been approved under the previous applications 2019/1705/P and 2019/1696/L and details discharged under 2021/5330/P, they are not assessed as part of the current application. The assessment will instead focus solely on the creation of a dropped kerb and vehicular crossover.

2. Assessment

2.1 The principal planning considerations are considered to be the following:

- Design and Heritage
- Transport considerations
- Amenity

3. Design and Heritage

Policy Framework

- 3.1 The Council's design policies are aimed at achieving the highest standard of design in all developments, including where alterations and extensions are proposed. Policy D1 of the Local Plan requires development to be of the highest architectural and urban design quality, which improves the function, appearance and character of the area; Policy D2 states that the Council will preserve, and where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas and listed buildings.
- 3.2 Policy SD2 of the Redington Froggnal Neighbourhood Plan requires development to preserve or enhance the green garden suburb character and appearance of the conservation area.
- 3.3 Camden's Development Policies Document is supported by CPG documents 'Design' and 'Altering and extending your home' and the Redington and Froggnal Conservation Area Statement. The Council is currently consulting on an updated Redington and Froggnal Conservation Area Appraisal and Management Strategy which has limited weight.
- 3.4 The application site is grade II listed and is located within the Redington / Froggnal Conservation Area. Sections 16, 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 ("the Listed Buildings Act") provide a statutory presumption in favour of the preservation of the character and appearance of Conservation Areas, and the preservation of Listed Buildings and their settings. 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.

3.5 The duties imposed by the Listed Buildings Act are in addition to the duty imposed by section 38(6) of the Planning and Compulsory Purchase Act 2004, to determine the application in accordance with the development plan unless material considerations indicate otherwise.

Assessment

3.6 The works comprise the lowering of the existing kerb in front of the pedestrian entrance, the removal of the existing flagstones and the creation of a sloped entrance across the pavement into the site. Given the works would be similar in appearance to the existing other vehicular entrance at the site and those seen to neighbouring properties, they are not considered to impact the character or appearance of the conservation area, nor the setting of the listed building.

4. Transport considerations

4.1 The site is located in the Redington & Frognaal (CA-S) Controlled Parking Zone (CPZ). The CPZ operates on Monday to Friday between 1230 and 1430 hours. Parking bays are located directly adjacent and on the opposite side of the road of the property on Heath Drive. The site benefits from a one vehicle garage and a hardstanding driveway with a crossover on the left hand side, which provide parking for at least 2 vehicles.

4.2 The proposal includes amendments to the front boundary on Heath Drive to create a vehicular driveway opening and crossover on the southwest side of the site. This would allow vehicles to enter and exit the site in forward gear. The application suggests that the construction of a crossover would result in the loss of one on-street parking space; however as visibility is a key issue, in reality the works would likely require the loss of two on-street parking spaces in order for drivers to exit the site safely.

4.3 A Transport Statement has been submitted with the application to assess the impact of the development on local parking. A parking survey was carried out overnight on Wednesday 18th and Thursday 19th January 2017 to identify the existing level of on-street parking demand in the immediate vicinity of the site. A further survey was undertaken overnight on Tuesday 16th and Wednesday 17th March 2021 with the following results:

	Parking Survey Results	
	Tuesday 16th March	Wednesday 17th March
Total Parked	77	76
Observed Spaces Available	75	76
Total Spaces	152	150
Parking Utilisation	51%	50%

4.4 It is concluded that the loss of on-street parking would have no material impact on the availability of parking along Heath Drive and the local area, and as such, there would be no detriment to the operation of the surrounding CPZ.

4.5 However, on-street parking pressure is not the only consideration in the assessment of the current proposals. Policy T1 of the Camden Local Plan states that the Council will promote sustainable transport by prioritising walking, cycling and public transport in the borough. The

supporting text notes in paragraph 10.8 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”.

4.6 Policy T2 states that the Council will limit the availability of parking and require all new developments in the borough to be car-free. It goes on to state that the Council support the redevelopment of existing car parks for alternative uses (paragraph c) and resist the development of boundary treatments and gardens to provide vehicle crossovers and on-site parking (paragraph d).

4.7 Although the host building already benefits from off-street parking and the proposals would not result in an increase in the number of parking spaces at the site, it will undoubtedly facilitate use of the driveway and encourage and aid car use. As described in the applicant’s transport statement, “the applicants have difficulty in being able to access their garage and parking space and so wish to secure an improved parking arrangement”. This goes against Camden’s Local Plan’s promotion of sustainable transport and resistance of car use. The loss of the on-street parking would also prevent opportunities for the Council to adapt the highway for future alternative sustainable transport measures such as bike hangars, car club bays, disabled parking bays, electric vehicle charging points, etc. Insofar as the proposals serve to benefit users of private motor vehicles, and reduce potential to install future sustainable transport measures, it is considered that the proposals fail to promote the use of sustainable modes of transport, contrary to policies T1 and T2.

5. Amenity

5.1 Policy A1 seeks to ensure that standards of amenity are protected, and 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. Paragraph 6.9 of the supporting text states that “Any development or works affecting the highway will also 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”. Paragraph 6.10 goes on to state that “Highway safety, with a focus on vulnerable road users should also be considered, including provision of adequate sightlines for vehicles leaving the site”.

5.2 The car parking survey which accompanies the application seeks to demonstrate that the proposals would not cause parking stress in the local area (approximately 50% of spaces were in use at the time of the survey); however, policy A1 seeks to avoid a shortfall to existing on-street parking and paragraph 7.5 of the Transport CPG states that vehicle crossovers will not be acceptable where their installation would result in the loss of on-street parking provision. The proposals would result in the loss of at least one on-street parking space.

5.3 Policy A1 also seeks to ensure that new connections to the highway network from developments do not cause harm to the existing network, to its users or the environment. Creation of new accesses on the highway must not negatively impact on highway safety, with a focus on vulnerable and disabled road users and their needs.

5.4 Paragraph 7.10 of the Transport CPG notes that “Vehicles joining the highway network need clear views of pedestrians, cyclists and other traffic, and users of the highway network need clear views of those joining it. Applications where sightlines are obstructed resulting in a detrimental impact on safety will be unacceptable”.

5.5 The proposed crossover would also create an unnecessary hazard on the public highway. The Council’s Transport Officer has confirmed that the removal of one on-street car parking space would not provide adequate visibility or sightlines for vehicles leaving the property, and the existing street tree would also be likely to reduce visibility when exiting the driveway, which

would be hazardous for road users and pedestrians, contrary to policy A1.

6. Conclusion

- 6.1 In conclusion, the proposed additional vehicular entrance with associated works would create a shortfall to existing on-street parking conditions and detrimental amendments to the Controlled Parking Zone. It would also create an unnecessary hazard on the public highway and remove the available space for the Council to provide sustainable transport developments. The proposal would therefore be contrary to Policies T1, T2 and A1.
- 6.2 The proposal does not accord with the development plan (for the reasons outlined above) and there are no other material planning considerations (i.e. planning benefits) that indicate that planning permission should be granted, as required under Section 38(6) of the Planning and Compulsory Purchase Act (PCPA) 2004. As such, it is recommended that planning permission is refused for the following reason:
 1. The development, by reason of the promotion of car use and the creation of an unnecessary hazard on the public highway, would encourage the use of unsustainable modes of transport and harm local amenity, 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 Camden Local Plan 2017.