

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>	29/08/2022
		N/A		<b>Consultation Expiry Date:</b>	31/07/2022
<b>Officer</b>			<b>Application Number(s)</b>		
Ewan Campbell			2022/1756/P		
<b>Application Address</b>			<b>Drawing Numbers</b>		
5 Rochester Road London NW1 9JH			Please refer to draft decision notice		
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>		
<b>Proposal(s)</b>					
Installation of driveway, off-street electric vehicle charging point and dropped kerb					
<b>Recommendation(s):</b>		Refuse Planning Permission			
<b>Application Type:</b>		Householder Application			
<b>Conditions or Reasons for Refusal:</b>		Refer to Draft Decision Notice			
<b>Informatives:</b>					
<b>Consultations</b>					
	No. of responses	00	No. of objections	00	
<b>Neighbour Consultation</b>	<p>A site notice was put up on 06/07/2022 expired on the 30/07/2022 and an advert was placed in the local press on 07/07/2022 and expired on 31/07/2022</p> <p>No objections or comments have been made from neighbours</p>				
<b>Rochester Conservation Area Advisory Committee (CAAC)</b>	<p>An objection was raised by the Rochester CAAC. Concerns include:</p> <ul style="list-style-type: none"> <li>- As per Conservation Area Statement loss of railings and garden walls will be resisted and car parking in front gardens will not be supported.</li> <li>- NHS workers are valued members of community in area however does not fully justify parking.</li> </ul> <p><i>Officer Comment: comments from RCAAC are noted and all remain material considerations. These are discussed in section 3.</i></p>				
<b>Site Description</b>					

Rochester Road runs east west between Camden Road and Kentish Town Road in the Cantelowes Ward of Camden, it is located a short walk north of Camden Road Station and the centre of Camden Town with its tube station, shops, market and many other facilities.

No.5 is a semi-detached four storey house built in the mid-19th Century. It is one of a pair with the neighbouring No. 4. The property has a lower ground floor with access to the rear garden and side passageway. The ground floor level is accessed at the front by steps up to the front door. There is an existing two storey partial back projection, built in the 60's or 70's that currently houses a small kitchen & utility room at Ground and Lower Ground levels. The existing rear projection provides poorly lit and disjointed living space. The flank wall of the projection acts as the boundary wall to No.4.

The area is characterised by residential properties. The site is located in the Rochester Conservation Area and, while not listed, the building on the site is identified in the Conservation Area Statement as making a positive contribution to the character and appearance of the Conservation Area.

## **Relevant History**

### Application site

2017/6121/P - Replacement of existing timber door with a new timber door to communal entrance (Class C3). – Granted (26/04/2018)

2021/4311/P - Demolition of 2 storey rear wing and erection of a new lower ground floor rear extension with roof terrace and green roof and a part width upper ground floor rear extension with partially glazed roof – Granted (27/10/2021)

2021/5550/P - Non-material amendment to approved application 2021/4311/P dated 27/10/21 for Demolition of 2 storey rear wing and erection of a new lower ground floor rear extension with roof terrace and green roof and a part width upper ground floor rear extension with partially glazed roof. The change includes extending the width of the glazed roof. – Granted (21/12/2021)

## **National Planning Policy Framework 2021**

### **The London Plan 2021**

#### **Camden Local Plan 2017**

Policy D1 Design

Policy D2 Heritage

Policy A1 Managing the impact of development

Policy A3 Biodiversity

Policy T1 Prioritising walking, cycling and public transport

Policy T2 Parking and car free development

#### **Camden Planning Guidance (CPG)**

CPG Home Improvements (January 2021)

CPG Biodiversity (March 2018)

CPG Amenity (January 2021)

CPG Transport (January 2021)

### **Rochester Conservation Area Statement (2001)**

## **Assessment**

## 1. PROPOSAL

1.1. The applicant seeks the following:

- Removal of boundary wall
- New driveway with dropped kerb
- Electric vehicle charging point

## 2. CONSIDERATIONS

2.1. The material considerations for this application are as follows:

- Design and Heritage
- Amenity
- Transport

## 3. ASSESSMENT

### Design and Heritage

3.1.1. The application site is located within Rochester Conservation area and is identified as a positive contributor to the character and appearance of the Conservation area. The distinct quality of Rochester is that it largely retains its homogenous mid-19th century architectural character. For this reason, most of the buildings make a positive contribution to the character and appearance of the Conservation Area..

3.1.2. The Local Plan policies D1 (Design) and D2 (Heritage) are aimed at achieving the highest standard of design in all developments. Policy D1 requires development to be of the highest architectural and urban design quality, which improves the function, appearance and character of the area; and 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.

3.1.3. Pages 21 and 22 of the RCAS note that car parking within front gardens and the loss of garden walls has led to the erosion of the character and appearance of the Conservation Area. Such further loss by way of this development should therefore be strongly resisted.

3.1.4. Guideline R8 (Front Gardens and Boundaries) of the RCAS states that:

*“Alterations to the front boundaries between the pavement and houses can dramatically affect and harm the character of the Conservation Area. The original features of the boundary vary but are predominantly formed by traditional iron railings, in some cases mounted on low walls. Proposals should respect the original style of boundary and these should generally be retained and reinstated where lost. Particular care should be taken to preserve the green character of the Conservation Area. The walls alongside the road and within properties add to the attractive appearance of the front gardens and architectural settings of the 19th century buildings. The loss of front boundaries where it has occurred detracts from the appearance of the front garden by reducing the area for vegetation in this urban residential area. Furthermore, the removal of walls, railings and the paving of front gardens to provide parking space for cars adversely affects the setting of the building and the general street/scene. **The Council will resist any further loss of front boundary walls and railings, and conversion of front gardens into hardstanding parking areas.**”*

3.1.5. The proposed crossover, off-street parking space and the associated loss of part of the low front boundary wall and hedge are considered detrimental to the character and

appearance of both the host property and the Rochester Conservation Area. This is also reflected in the objection by the Rochester CAAC and the Conservation Officer who have objected to the proposal also. Appendix 1 shows photos of the site and area which demonstrate this strong characteristic. The historic picture also demonstrates that this has been an historic feature on the street which should be retained. Whilst the photos do show the boundary walls may have been rebuilt they still exist in some form to this day and there is clear pattern of development within this Conservation area. Very few, if any at all, have been removed along the street and as such, from a design and heritage perspective, the proposal is unacceptable.

- 3.1.6. In terms of the electrical charging point, this alone would not significantly impact the character of the area or property however it is within the context of the proposal, which includes the removal of the dwarf wall and dropped kerb which means it is unacceptable.
- 3.1.7. The proposed alterations are considered unacceptable in terms of the heritage impacts and would harm the character and appearance of the host building, streetscene and conservation area. It would cause 'less than substantial' harm to the Rochester Conservation Area and its positively contributing host building. In accordance with paragraph 202 of the NPPF, where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. There are no substantial public benefits from the proposal and therefore refusal is recommended on this basis.
- 3.1.8. 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 2013.

#### Amenity

- 3.1.9. Policy A1 seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered. It seeks to ensure that development protects the quality of life of occupiers and neighbours by only granting permission for development that would not harm the amenity of neighbouring residents. This includes privacy, outlook and implications on daylight and sunlight. This is supported by the CPG Amenity.

- 3.1.10. Policy A1 of the adopted Local Plan states that:

*The Council will seek to protect the quality of life of occupiers and neighbours. We will grant permission for development unless this causes unacceptable harm to amenity. We will:*

*c. resist development that fails to adequately assess and address transport impacts affecting communities, occupiers, neighbours and the existing transport network;*

- 3.1.11. Paragraph 6.9 of the accompanying text states that:

*Any development or works affecting the highway will also be expected to ... avoid creating a shortfall to existing on-street parking conditions or amendments to Controlled Parking Zones.*

- 3.1.12. It is clear this proposal would be in contravention of this part of policy A1 as the works would be affecting the highway and create a shortfall of on street parking. Whilst the proposal does not impact neighbours in terms of privacy outlook or daylight, the proposed crossover is contrary to the Council's adopted policy

- 3.1.13. Therefore fails to proposal complies with policy A1 of the 2017 Camden Local Plan and the Amenity CPG.

## Transport

- 3.1.14. Policy T1 aims to promote sustainable transport by prioritising walking cycling and public transport. This is achieved by improving pedestrian friendly public realm, road safety and crossings, contributing to the cycle networks and facilities and finally improving links with public transport. All these measure are in place to ensure the Council meets their zero carbon targets.

- 3.1.15. Policy T2 limits the availability of parking in the borough and requires all new developments in the borough to be car free. This will be done through not issuing par permits, resisting development of boundary treatments and using legal agreements to secure these actions.

- 3.1.16. The accompany text of policy T2 in paragraph 10.21 states that:

*Parking can cause damage to the environment. Trees, hedgerows, boundary walls and fences are often the traditional form of enclosure on Camden's streets, particularly in conservation areas, contributing greatly to their character, as recognised in Camden's Conservation Area Appraisals and Management Strategies. This form can be broken if garden features are replaced by areas of paving or hard standing. Development of boundary treatments and gardens to provide on-site private parking often requires the loss of much needed public on-street parking bays to create vehicle crossovers. Areas of paving can also increase the volume and speed of water run-off. This adds to the pressure upon the drainage system and increases the risk of flooding from surface water. Developments seeking to replace garden areas and/or boundary treatments for the purposes of providing on-site parking will therefore be resisted.*

- 3.1.17. Along with the highways team who have also objected to the proposal, it is clear that this proposal clearly contravenes this policy and the removal of boundary treatments and consequential loss of on-street parking is not acceptable in relation to this policy. This is affirmed within chapter 7 of the Council's Transport CPG which states that:

*The Council will not approve applications that would cause unacceptable parking pressure, add to existing parking problems or result in negative impacts on amenity.*

- 3.1.18. Paragraph 7.5 goes on to state that:

*Applicants should note that vehicular crossovers will not be acceptable:*

*Where the installation of a crossover would result in the loss of on-street parking provision;*

*Where the alterations to the boundary treatment would have a visually detrimental impact on the street; or*

*Where there is a detrimental impact on amenity, such as felling of valuable trees.*

- 3.1.19. In relation to both the guidance and policies related to this proposal, it has failed to consider these issues and therefore there is a principle objection to this kind of development on this site. In relation to transport considerations the proposal fails to comply with the Transport CPG and policy T2 of the Local Plan

## **4. RECOMMENDATION**

### **4.1. Refuse Planning Permission for the following reason:**

The proposed development, by virtue of the loss of the front boundary wall and soft landscaping and its replacement with a large area of incongruous hard landscaping, results in the loss of a traditional front garden landscape and boundary treatment thus harming the character and appearance of the host property, streetscene and Rochester Conservation Area, contrary to policies D1 (Design) and D2 (Heritage) of the Local Borough of Camden Local Plan 2017.

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

## Appendix 1:











