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## Appeal Decision

Site visit made on 16 December 2019

**by Rachael Pipkin BA (Hons) MPhil MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 30<sup>th</sup> December 2019**

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**Appeal Ref: APP/X5210/D/19/3237771**

**59 Redington Road, Hampstead, London NW3 7RP**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr Udi Sheleg against the decision of the Council of the London Borough of Camden.
  - The application Ref 2019/1908/P, dated 2 April 2019, was refused by notice dated 2 July 2019.
  - The development proposed is front boundary treatment and pavement crossover proposals.
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### Decision

1. The appeal is allowed and planning permission is granted for front boundary treatment and pavement crossover at 59 Redington Road, Hampstead, London NW3 7RP in accordance with the terms of the application, Ref 2019/1908/P, dated 2 April 2019 and subject to the following conditions:
  - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
  - 2) The development hereby permitted shall be carried out in accordance with submitted plans: Location Plan, 1506 PL-01, 1506 PL-05A Rev A, 1506 PL-11 Rev C, 1506 PL-13A Rev A and 1506 PL-15 Rev B.
  - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those of the existing building. They shall be retained as such thereafter.

### Main Issue

2. The main issue is whether the proposed development would preserve or enhance the character and appearance of the Redington and Frognal Conservation Area (RFCA).

### Reasons

3. The Redington and Frognal Conservation Area Appraisal and Management Statement (RFCAAMS) states that there is no consistent architectural style on Redington Road although red brickwork, clay tiles, dormer and sash windows are common features. The RFCAAMS identifies that the relationship between buildings and the street varies along the length of Redington Road with some properties set far back from the pavement and other behind dense vegetation.

4. No 59 is a traditional, red brick detached house set back behind a deep front garden. At the time of my site visit the property was largely enclosed by hoarding due to building works being undertaken. However, photographic evidence submitted shows the property to be partially enclosed by a low brick wall with an open 'in and out' driveway.
5. The house, due to its characteristic features typical of the conservation area; and its position set back from the pavement, contributes to the special character of the area. However, the existing boundary treatment which is a low wall finished in a lighter colour brickwork than the characteristic red brick of the RFCA with some limited planting behind it does not integrate with surrounding development. Consequently, in my view, the contribution of the existing boundary treatment to the significance of the RFCA is only derived from it providing definition between public and private space.
6. The proposed development would replace the existing boundary treatment with a low wall, brick piers, black steel railings and reconstituted stone copings, with bi-fold gates for vehicular access. The brick piers are indicated to be 2.3 metres high with the metal gates being 2 metres high.
7. The proposed development, due to its height and full extent across the frontage of the property, would be significantly more enclosing of the front garden than the existing boundary treatment. However, the house would still be visible from the street both above the railings and piers as well as through the railings of the gates. Its contribution to the special character of the RFCA would not therefore be harmed.
8. There is a significant amount of variation in boundary treatments along Redington Road both in terms of height and style. These include similar forms of enclosure to the appeal proposal as well as brick walls, wooden fencing and hedges. As such, there is no prevailing style of boundary treatment along Redington Road. In this context, the proposal would continue to provide definition between public and private space, and whilst being of a more defensive, gated character would not be out of keeping with the character of other properties in this part of the conservation area.
9. I note that there is no recorded planning permission granted for the boundary treatment to the adjacent property at 57 Redington Road which the appeal scheme would share some similarities with. However, I observed that this is not unique within the street and that there are other equally or more enclosing boundary treatments along the road.
10. I acknowledge that the Council encourages the combination of low brick boundary wall and hedges as a boundary treatment in the conservation area where that is the prevailing character. However, whilst there are some examples of this type of boundary treatment along Redington Road, it is not a dominant feature of the streetscene. Given the significant variation in boundary treatments along the street, the proposed development would not harm the character and appearance of the conservation area.
11. I conclude that the proposed development would preserve the character and appearance of the RFCA. It would therefore comply with Policies D1 and D2 of the Camden Local Plan 2017. These policies together require development to be high quality design which respects local character and preserves the historic environment.

### **Conditions**

12. The Council has proposed a number of conditions should the appeal be allowed. I have considered these and imposed them where they meet the tests set out in Paragraph 55 of the National Planning Policy Framework, amending where necessary for the sake of simplicity, clarity and precision.
13. A condition requiring the development to be carried out in accordance with approved plans is necessary in the interests of certainty. I have imposed a condition requiring external materials to match those of the existing building, in the interests of the appearance of the area.

### **Conclusion**

14. For the reasons set out above, I conclude the appeal should be allowed.

*Rachael Pipkin*

INSPECTOR