

LOCATION: R/O 3 -5 Corringway, London, NW11 7ED
REFERENCE: F/03844/13 **Received:** 27 August 2013
WARD(S): Garden Suburb **Accepted:** 27 August 2013
Final Revisions: **Expiry:** 22 October 2013

APPLICANT: Mr Edwards

PROPOSAL: Retention of existing tennis court including laying of new surface, hard and soft landscaping. Replacement fencing and gates. Retention of replacement of existing timber loggia.

RECOMMENDATION: Approve Subject to Conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:
Site Location Plan; H/11.12/1- Existing Layout; H/11.12/2- Proposed Landscaping
Reason:
For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the plans as assessed in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS NPPF and CS1 of the Adopted Barnet Core Strategy DPD (2012).
- 2 A scheme of hard and soft landscaping, including details of existing trees to be retained, shall be submitted to and agreed in writing by the Local Planning Authority before the development, hereby permitted, is commenced.
Reason:
To ensure a satisfactory appearance to the development in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and 7.21 of the London Plan 2011 and CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012).
- 3 All work comprised in the approved scheme of landscaping shall be carried out before the end of the first planting and seeding season following occupation of any part of the buildings or completion of the development, whichever is sooner, or commencement of the use.
Reason:
To ensure a satisfactory appearance to the development in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012) and 7.21 of the London Plan 2011.
- 4 Any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of the completion of development shall be replaced with trees or shrubs of appropriate size and species in the next planting season.
Reason:
To ensure a satisfactory appearance to the development in accordance with policies DM01 of the Adopted Barnet Development Management Policies DPD (2012) and CS5 and CS7 of the Adopted Barnet Core Strategy DPD (2012) and 7.21 of the London Plan 2011.

- 5 The tennis courts hereby permitted shall at all times be used privately and shall not at any time be used as a public facility.

Reason:

To ensure that the development does not prejudice the character of the locality and the amenities of occupiers of adjoining residential properties in accordance with policy DM01 of the Adopted Barnet Development Management Policies DPD (2012).

- 6 No external floodlighting shall be erected on site.

Reason:

To safeguard the character and appearance of the Conservation Area in accordance with policy DM06 of the Adopted Barnet Development Management Policies DPD (2012).

- 7 Before the courts hereby permitted are used, details of the proposed fencing and gates shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with such details as approved.

Reason:

To protect the character of the house and the Hampstead Garden Suburb Conservation Area in accordance with policy DM06 of the Adopted Barnet Development Management Policies DPD (2012).

INFORMATIVE(S):

- 1 i) In accordance with paragraphs 186 and 187 of the NPPF, the Council takes a positive and proactive approach to development proposals, focused on solutions. The Local Planning Authority has produced planning policies and written guidance to guide applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered. The Local Planning Authority has negotiated with the applicant / agent where necessary during the application process to ensure that the proposed development is in accordance with the Council's relevant policies and guidance.
- 2 This application relates solely to the tennis courts and not the erected basket ball hoops.

1. MATERIAL CONSIDERATIONS

National Planning Policy Framework

The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another.

The 'National Planning Policy Framework' (NPPF) was published on 27 March 2012. This is a key part of the Governments reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

The NPPF states that "good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people". The NPPF retains a presumption in favour of sustainable

development. This applies unless any adverse impacts of a development would "significantly and demonstrably" outweigh the benefits.

The Mayor's London Plan July 2011

The London Development Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital to 2031. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

The London Plan provides a unified framework for strategies that are designed to ensure that all Londoners benefit from sustainable improvements to their quality of life.

The Mayor's Housing Supplementary Planning Guidance (November 2012) provides guidance on how to implement the housing policies in the London Plan.

Relevant Local Plan (2012) Policies

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents (DPD). Both DPDs were adopted on 11 September 2012.

Relevant Core Strategy DPD (2012): Policies CS NPPF, CS1, CS5.

Relevant Development Management DPD (2012): Policies DM01, DM02, DM06

Supplementary Planning Documents and Guidance

The Council has adopted the following two supporting planning documents to implement the Core Strategy and Development Management Policies DPDs. These are now material considerations:

- The Residential Design Guidance SPD (2013) and
- Sustainable Design and Construction SPD (2013).

Hampstead Garden Suburb Conservation Area Character Appraisal and Design Guide (2010)

The Council Guide 'Hampstead Garden Suburb Conservation Area Design Guidance' as part of the Hampstead Garden Suburb Character Appraisals was approved by the Planning and Environment Committee (The Local Planning Authority) in October 2010. This leaflet in the form of a supplementary planning guidance (SPG) sets out information for applicants on repairs, alterations and extensions to properties and works to trees and gardens. It has been produced jointly by the Hampstead Garden Suburb Trust and Barnet Council. This leaflet was the subject of separate public consultation.

Relevant Planning History:

Site history for current landparcel :

76248 - R/O 3 -5 Corringway, London, NW11 7ED

Case Reference: **F/03844/13**

Application:	Planning	Number:	C/07502/A/07
Validated:	22/10/2007	Type:	APF
Status:	DEC	Date:	12/12/2007
Summary:	APC	Case Officer:	Claire Thorley
Description:	Add branch to existing rear soil vent pipe.		

Consultations and Views Expressed:

Neighbours Consulted:	84	Replies:	11
Neighbours Wishing To Speak	0		

The objections raised may be summarised as follows:

- object to unsightly basket ball hoops
- basket ball hoops an eye sore
- loss of community facility goes against principles of Hampstead Garden Suburb
- noise pollution
- visual obstruction from basketball hoops
- impact on drainage systems
- loss of privacy from CCTV
- floodlighting inappropriate
- security issues
- concerns with the hours of use
- rights of way
- increase parking congestion
- inappropriate useage
- impact on setting of listed buildings

Two letters of support were received stating;

- site was previously derelict and attracted vagrants and criminals, now is a valuable addition to the area.

One letter was received stating;

- No objection to tennis court being restored but do object to addition of basket ball hoops, potential future lighting and entertaining.

Internal /Other Consultations:

Urban design and heritage- No objection

Date of Site Notice: 05 September 2013

2. PLANNING APPRAISAL

Site Description and Surroundings:

The application site is located behind numbers 3-5 Corringway, within Area 5 of the Hampstead Garden Suburb Conservation Area.

The site has historically been used as a community tennis court for the use of residents of Hampstead Garden Suburb.

Within the last decade the site fell into disrepair and became over-grown with

vegetation.

The Conservation Area Character Appraisal notes;

"Coringway is a cul-de-sac with a block of flats at its head. The immediate impression is pleasingly green. Privet hedges dominate, though some are laurel, while shrub frontages and low wooden gates have been generally retained. Attractive shrubs and trees in beds now line the road and there are no hardstandings to diminish front gardens. Burglar alarms, clamping warning notices, CCTV cameras and views of the phone mast over the roofscape detracts from the appearance of the close. "

Proposal:

This application seeks consent for the retention of the existing tennis court including laying of new surface, hard and soft landscaping, replacement fencing and gates.

The tennis court has been bought by a private individual who has reinstated a tennis court, with surrounding hard-standing and planting, for his personal use.

The erected basket ball hoops have not been applied for and it is intended that they will be removed from the site in due course.

Planning Considerations:

The main issue in this case is whether or not the alterations would be visually obtrusive forms of development which would detract from the character and appearance of the street scene and this part of the Hampstead Garden Suburb Conservation Area and have an adverse and visually obtrusive impact upon the amenity of the occupiers of the neighbouring property.

The supplementary planning guidance for the Suburb is the Hampstead Garden Suburb Design Guidance which has been the subject of public consultation and Local Planning Authority approval. The guidance says:

Hampstead Garden Suburb is one of the best examples of town planning and domestic architecture on a large neighbourhood or community scale which Britain has produced in the last century. The value of the Suburb has been recognised by its inclusion in the Greater London Development Plan, and subsequently in the Unitary Development Plan, as an "Area of Special Character of Metropolitan Importance". The Secretary of State for the Environment endorsed the importance of the Suburb by approving an Article 4 Direction covering the whole area. The Borough of Barnet designated the Suburb as a Conservation Area in 1968 and continues to bring forward measures which seek to preserve or enhance the character or appearance of the Conservation Area.

The ethos of the original founder was maintained in that the whole area was designed as a complete composition. The Garden City concept was in this matter continued and the architects endeavoured to fulfil the criteria of using the best of architectural design and materials of that time. This point is emphasised by the various style of building, both houses and flats, in this part of the Suburb which is a 'who's who' of the best architects of the period and consequently, a history of

domestic architecture of the period of 1900 – 1939.

The choice of individual design elements was carefully made, reflecting the architectural period of the particular building. Each property was designed as a complete composition and design elements, such as windows, were selected appropriate to the property. The Hampstead Garden Suburb, throughout, has continuity in design of doors and windows with strong linking features, giving the development an architectural form and harmony. It is considered that a disruption of this harmony would be clearly detrimental to the special character and appearance of the Conservation Area. The front of the properties being considered of equal importance as the rear elevation, by the original architects, forms an integral part of the whole concept.

Council's policies and guidelines in respect of alterations to residential properties seek to ensure that they respect the scale, character and design of any building on which they are to be placed and are compatible with the character of the locality. Alterations will not be permitted if they do not have regard to the amenities enjoyed by neighbours.

Policy DM01 of the Development Management Policies (Adopted) 2012 states that all development should represent high quality design and should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining occupiers.

Policy DM02 states that where appropriate, development will be expected to demonstrate compliance to minimum amenity standards and make a positive contribution to the borough. The development standards set out in Policy DM02 are regarded as key for Barnet to deliver the highest standards of urban design.

Policy DM06 of the Development Management Policies (Adopted) 2012 states that development proposals must preserve or enhance the character and appearance of 16 Conservation Areas in Barnet.

The reinstatement of the tennis court at the application site is supported. It is considered that the removal of overgrown vegetation can only be a benefit to the significance, character and appearance of the Conservation Area. Conditions have been suggested to ensure no floodlighting is erected and that the site is used as a private facility rather than a community one to minimise potential noise and disturbance to adjoining neighbours.

At present a temporary gate and trellis exists at the entrance to the site. A condition requesting details of the proposed permanent gate and fencing has been suggested to ensure an appropriate addition to this part of the Conservation Area.

It is noted that the erected basket ball hoops have caused significant concern to neighbouring occupiers. These are not subject of this application and the intention is to have them removed in due course.

The proposed reinstated tennis court is not considered to detrimentally impact on the qualities of the application site and protect the character of this part of the Hampstead Garden Suburb Conservation Area. As conditioned, it would preserve

the amenities of the occupiers of the neighbouring properties and the character and appearance of the individual property, street scene, conservation area and area of special character.

3. COMMENTS ON GROUNDS OF OBJECTIONS

Planning matters are covered in the above report.

4. EQUALITIES AND DIVERSITY ISSUES

The proposals do not conflict with either Barnet Council's Equalities Policy or the commitments set in our Equality Scheme and supports the council in meeting its statutory equality responsibilities.

5. CONCLUSION

Having taken all material considerations into account, the proposal would not detrimentally impact on the qualities of the adjacent buildings and protect the character of this part of the Hampstead Garden Suburb Conservation Area. The proposed alterations are such that, as conditioned, they preserve the amenities of the occupiers of the neighbouring properties and the character and appearance of the individual site, street scene, conservation area, and area of special character. **APPROVAL** is recommended.

SITE LOCATION PLAN: R/O 3 -5 Corringway, London, NW11 7ED

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