

<b>LDC (Proposed) Report</b>		<b>Application number</b>	2024/0544/P
<b>Officer</b>		<b>Expiry date</b>	
Christopher Smith		16/05/2024	
<b>Application Address</b>		<b>Authorised Officer Signature</b>	
Swiss Cottage Open Space Land Between Avenue Road and Winchester Road London NW3 3EX			
<b>Conservation Area</b>		<b>Article 4</b>	
Belsize Park		None relevant	
<b>Proposal</b>			
<p>Various improvement works to Swiss Cottage Open Space, to include new seating, landscaping and play area upgrades.</p> <p>For the avoidance of doubt the proposed works include the following improvements to the open space referenced above:</p> <ul style="list-style-type: none"> <li>• New hard and soft landscaping</li> <li>• New seating, refuse bins and lighting provision</li> <li>• New signage and wayfinding provision</li> <li>• New children's play equipment (with all structures within the required guidelines)</li> <li>• New outdoor fitness and recreation provision (with all structures within the required guidelines)</li> <li>• New tree planting and existing tree removals/relocations (in consultation with the Council's Tree officer)</li> <li>• New fencing and handrails (with all structures within the required guidelines)</li> </ul>			
<b>Recommendation:</b>		Grant lawful development certificate	
<b>Class A Part 12 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015.</b>			
<b>Class A</b>			
If NO to any of the questions below the proposal is not permitted development:			Yes/No
The erection or construction and the maintenance, improvement or other alteration by a local authority or by an urban development corporation of—			
A.(a)	any small ancillary building, works or equipment on land belonging to or maintained by them required for the purposes of any function exercised by them on that land otherwise than as statutory undertakers;		Yes

A.(b)	lamp standards, information kiosks, passenger shelters, public shelters and seats, telephone boxes, fire alarms, public drinking fountains, horse troughs, refuse bins or baskets, barriers for the control of people waiting to enter public service vehicles, electric vehicle charging points and any associated infrastructure, and similar structures or works required in connection with the operation of any public service administered by them.	Yes
Interpretation of Class A		
A.1	For the purposes of Class A, “urban development corporation” has the same meaning as in Part 16 of the Local Government, Planning and Land Act 1980 (urban development)	N/A
A.2	The reference in Class A to any small ancillary building, works or equipment is a reference to any ancillary building, works or equipment not exceeding 4 metres in height or 200 cubic metres in capacity.	Yes

**Assessment:**

The works proposed as part of this application involve a range of alterations and improvements to the Swiss Cottage Open Space including, but not restricted to: new and replacement hard and soft landscaping including works to existing trees, installation of new trees and installation of sustainable drainage measures; the provision of new play equipment including the installation of a climbing frame, trampolines and table tennis tables; new ancillary features such as benches, bins and signage, and; relocation of existing drinking fountain.

The works constitute Phases 1 (a-c), 2 and 5 of wider improvement proposals to the Open Space and are focussed on the entrance areas adjacent to Avenue and Winchester Roads and the main body of the park south of Hampstead Theatre.

The proposed works are all considered to fall within the definitions of construction, maintenance, improvement or other alteration undertaken by a Local Authority of works, equipment or infrastructure on land belonging to or maintained by them required for the purposes of any function exercised by them on that land, or works required in connection with the operation of any public service administered by them.

As such, the proposed works are considered to be permitted development.

**Summary of Recommendation:**

The proposed development is considered to satisfy all criteria as set out under Class A Part 12 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015, and as such would be permitted development and is therefore lawful.

**Recommendation:** Grant Certificate of Lawful Development (Proposed)