

PLANNING and ACCESS CONSIDERATIONS STATEMENT

29A FITZROY ROAD (ALSO KNOWN
AS FITZROY YARD) NW1 8TP

Installation of security gates in entrance
passageway.

1.0 Preamble

- 1.1 This statement accompanies a planning application proposing the installation of a new gate at the entrance to 29a Fitzroy Road (also known as Fitzroy Yard) NW1 8TP

2.0 Introduction

- 2.1 Section 62 to the Planning Act 1990 requires that a statement covering design concepts and access issues is submitted with all applications.
- 2.2 The current regulations on such statements are given in the Town and Country Planning (Development Management Procedure)(England)Order 2010. It sets out a number of exceptions.
- 2.3 The application property is in a conservation area and a formal statement would seem to be required.

3.0 Location and description

- 3.1 The premises are on the east side of Fitzroy Road. The main premises are a former industrial unit in the 'backland' between Fitzroy Road and Manley Street. The property was converted (with planning permission) to residential a few years ago. The premises are in a conservation area but are not listed.
- 3.2 The access to the building is an alley way or passage passing between 31 Fitzroy Road and 29 Fitzroy Road. The property has been variously known as 29A Fitzroy Road and as Fitzroy Yard.
- 3.3 The access is narrow – approximately 2.5m wide - and at a slight gradient, the building to the rear being at a lower level than the street.
- 3.4 The entrance is initially bounded by the front garden walls of the 2 adjoining properties. This section forward of the established building line extends for approximately 4 metres. The entrance then passes between the two neighbouring buildings. Neither building has windows looking onto the alleyway and this stretch of the entrance way is therefore not overlooked.

3.5 The section between the two houses extends for perhaps 9m and then opens out into a courtyard between the backs of 29 and 31 Fitzroy Road and the main premises.

3.6 At the entrance between the adjoining buildings there is a sign, in concrete on an iron support, with lettering advising that the premises are occupied by the Gordon Fraser Gallery Limited. It is assumed that this marked the original entrance gates to the factory.

4.0 **The need for the gates.**

4.1 As noted above, the property has been converted to a family dwelling. The access way through from Fitzroy Road is not overlooked and anyone with criminal intent accessing the site would either be able to hide or possibly try and gain access to the property or one of the neighbouring properties without being seen from the street.

4.2 Metropolitan Police records show that while not a high crime area – it scores as average for the London area - there were over 1100 reported incidents in December 2012 within 1400 metres (1 mile) of the location and 325 within 720 metres (½ mile). The total included 84 burglaries, 31 robberies, 37 incidents of criminal damage or arson, 67 vehicle crimes and over 250 incidents of anti social behaviour.

4.3 There is therefore a genuine concern about the possibility of crime at this location.

4.4 With that in mind, when the property was being converted to residential in 2006 a specialist report was commissioned. A copy is attached as appendix A. It advises at para 39 that a gate should be provided at the street end of the alleyway (the gate now proposed is not as described in that document, which recommended a powered roller shutter).

4.5 It should be noted that under the Crime and Disorder Act 1998 Section 17, the Council are under a duty to 'exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area.'

4.6 This requirement under the 1998 Act includes the exercise of the function of a local planning authority.

5.0 Policy context.

5.1 The 'development plan' for the London Borough of Camden comprises the London Plan, the Core Strategy and the Development Policies document of the Local Development Framework.

5.2 Para 17.1 of the Core Strategy notes that;-

'Crime and fear of crime is a primary concern for many of Camden's residents and businesses, and can undermine people's quality of life and well-being. Tackling this critical issue is one of the key challenges facing the Council and its partners.' (Our emphasis)

5.3 Para 17.4 of the Core Strategy further notes that;-

'Consideration of how crime, disorder and fear of crime can be addressed is an important element in good design. This can create safe and attractive places to live and work, reduce the opportunity for crime and allow for better maintenance and management of buildings and spaces. The Council will require all development to include appropriate design, layout and access measures to help reduce opportunities for crime, the fear of crime and to create a more safe and secure environment.' (Our emphasis)

5.4 Core Strategy Policy CS17 then advises;-

The Council will aim to make Camden a safer place. We will:

- a) work with our partners to tackle crime, *fear of crime* and anti-social behaviour;
- b) encourage appropriate security and community safety measures in buildings, spaces and the transport system;
- c) require developments to demonstrate that they have incorporated design principles which contribute to community safety and security, particularly in areas with relatively high levels of crime, in particular Camden Town, King's Cross, Bloomsbury, Covent Garden and Kilburn;

- d) ensure Camden's businesses and organisations take responsibility for reducing the opportunities for crime through effective management and design;
- e) promote safer streets and public areas; and
- f) address the impact of food, drink and entertainment uses, particularly in Camden Town, Central London and other centres.

5.5 The Development Management Plan does not expand on Policy CS17

5.6 Policy DP24, securing high quality design, advises that

The Council will require all developments, including alterations and extensions to existing buildings, to be of the highest standard of design and will expect developments to consider:

- a) character, setting, context and the form and scale of neighbouring buildings;
- b) the character and proportions of the existing building, where alterations and extensions are proposed;
- c) the quality of materials to be used;
- d) the provision of visually interesting frontages at street level;
- e) the appropriate location for building services equipment;
- f) existing natural features, such as topography and trees;
- g) the provision of appropriate hard and soft landscaping including boundary treatments;
- h) the provision of appropriate amenity space; and
- i) accessibility.

5.7 London Plan policy 7.3, 'Designing out crime' advises that Boroughs and others should seek to create safe, secure and appropriately accessible environments where crime and disorder, *and the fear of crime* do not undermine quality of life or community cohesion. (Our emphasis)

5.8 It continues in respect of planning decisions that (our emphasis in italic):-

Development should reduce the opportunities for criminal behaviour and contribute to a sense of security without being overbearing or intimidating. In particular:

- a) routes and spaces should be legible and well maintained, providing for convenient movement without compromising security
- b) *there should be an indication of whether a space is private, semi-public or public*, with natural surveillance of publicly accessible spaces
- c) design should encourage a level of human activity that is appropriate to the location, incorporating a mix of uses where appropriate, to maximize activity throughout the day and night, creating a reduced risk of crime and a sense of safety at all times
- d) *places should be well designed to promote a sense of ownership and respect*
- e) *places, buildings and structures should incorporate appropriately designed security features*
- f) schemes should be designed with on-going management and future maintenance costs of the particular safety and security measures proposed in mind.

5.9 The London Plan continues at para 7.10 that development should reduce the opportunities for criminal and anti-social behaviour and contribute to a sense of security without being overbearing or intimidating.

5.10 It continues that places and buildings should incorporate well-designed security features as appropriate to their location and use, which maximise the security of people and property without compromising the quality of the local environment.

5.11 It then says that all spaces 'should have clear ownership'. It continues on this theme at para 7.11 where it advises that buildings and spaces should be designed in a way that clearly defines whether they are public, semi-public or private, and provides opportunities for activity and casual surveillance of publicly accessible spaces.

6.0 National Planning Policy Framework

6.1 Para 58 of the National Planning Policy Framework advises that planning decisions should aim to ensure that developments

- will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

- establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;
- optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green
- and other public space as part of developments) and support local facilities and transport networks;
- respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;
- *create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; (our emphasis)* and
- are visually attractive as a result of good architecture and appropriate landscaping.

7.0 Considerations.

- 7.1 It is clear from the National Planning Policy Framework, from the London Plan and Camden's own Core Strategy that the occupiers' fear of crime and the risk of crime is a material planning consideration.
- 7.2 The 'fear of crime' must be stressed. There is no need for the applicants to show that they have been the victims of crime or to wait until they have been. The *fear* of crime itself is accepted both National Planning Policy and in Camden's own Core Strategy to be a consideration.
- 7.3 Indeed, Camden's Core Strategy notes that crime and the fear of crime is a *critical* issue, and one of the key challenges facing the Council and its partners. The Core Strategy says that the Council will therefore require all development to include appropriate measures to help reduce opportunities for crime.
- 7.4 We have already noted that this is, in any event, a statutory duty. The Crime and Disorder Act requires that in exercising their planning function Camden Council must do all they reasonably can to combat crime. That must include the grant of permission for security measures wherever 'reasonably' possible.
- 7.5 The need for security is therefore a given.

- 7.6 The general approach adopted by publications such as *secure by design* is to ensure that streets and even alleyways are overlooked or in public view so as not to afford either corners where people can lurk or places where they can break into houses unobserved.
- 7.7 That may be possible in the design of a large housing estate but is not possible when you get to a single property such as the application premises. The access is not over-looked by other properties and because of the narrow angle relative to the courtyard at the other end passers-by, and more importantly those entering the property, do not get a clear view of whoever may be in the yard.
- 7.8 The London Plan advises at para 7.10/7.11 that all spaces should have 'clear ownership' and should clearly define whether they are public, semi-public or private.
- 7.9 Given that this is a secluded property, set well back from the street, this definition of 'ownership', of private space, can only realistically be achieved by a gate set as far forward as reasonably possible.
- 7.10 Such a gate would also accord with the further advice of the London Plan that buildings should incorporate 'well-designed security features as appropriate to their location and use, *which maximise the security of people* and property without compromising the quality of the local environment.
- 7.11 The test set therefore by the London Plan is to *maximise security* without compromising the local environment.
- 7.12 Fitzroy Yard is one of a large number of former 'backland' industrial premises found in Primrose Hill and in the wider area. The form of Fitzroy Yard, with a narrow entrance between two frontage properties is by no means uncommon, there is even another example in Fitzroy Road.
- 7.13 A further variation, also found in the local area and more widely across inner London is for the entranceway to pass under one of the frontage buildings.
- 7.14 It is normal for such premises to have been gated, and examples of gates to former (and existing) industrial premises are shown on the photographs on drawings FYC/P304 and 305.

- 7.15 It will be seen that a wide variety of gate styles are found across the local area. Most of the gates are quite tall, except where under buildings, and a wide variety of style has been permitted. The gates shown on the Primrose Hill Business centre are perhaps closest in form to the traditional gates for such a backland site (and are shown on the Business Centre's website as being those of the original dairy) being tall wooden gates. However, the area has a range of styles from open ironwork to modern horizontal metal slats.
- 7.16 With regard to the impact on the street environment, the starting point therefore has to be that gated entrances are a common feature of the area. As such the principle of some form of gate is assumed not to be an issue.
- 7.17 The architects in this case have opted to adopt the approach successfully applied at Gloucester Studios in Gloucester Avenue. These comprise vertical wooden slats which look contemporary but at the same time fit with the architectural style of the Primrose Hill area, which has a mix of the modern and the traditional.
- 7.18 The gates will be installed in the entranceway slightly recessed from the building line established by the terrace of properties at 31 to 39 Fitzroy Road. In this location the gates are not unduly prominent but also it aligns with the former sign over the entrance way. A gate position either forward or behind the sign would look odd.
- 7.19 For similar reasons the height of the gates fills the space under the sign. Gates that are appreciably lower would look out of scale, particularly bearing in mind the scale of other gates in the area.
- 7.20 Finally, tall gates achieve the objective of the London Plan in maximising security without compromising local character.

8.0 Conclusion

- 8.1 This is a very minor application for gates at the entrance to a backland site.
- 8.2 The gates are necessary to reduce the opportunity for crime but also the occupiers fear of crime.

- 8.3 National and local planning policy makes clear that reducing opportunities for crime and reducing the *fear* of crime are proper planning objectives. Indeed, the Camden Core Strategy refers to it as a 'critical issue' the tackling of which is a 'key objective.'
- 8.4 Given the layout of the property, the most appropriate position for the gates is towards the front of the entrance beneath the existing sign.
- 8.5 This is believed to be in keeping with the layout of the surrounding area and achieves the London Plan guidance of maximising security while respecting character.
- 8.6 Gates are found on many similar sites in the area and the form of gate chosen follows the example of other gates in the immediate area.