

<b>Delegated Report (Members Briefing)</b>		<b>Analysis sheet</b>	<b>Expiry Date:</b>	<b>23/09/2010</b>
		N/A	<b>Consultation Expiry Date:</b>	<b>07/09/2010</b>
<b>Officer</b>			<b>Application Number(s)</b>	
Eimear Heavey			2010/4315/P	
<b>Application Address</b>			<b>Drawing Numbers</b>	
Replacement Station Building Iverson Road London NW6			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>	
		Charles Rose		
<b>Proposal(s)</b>				
Amendments to previous scheme granted on 18 December 2009 (ref: 2009/5114/P) for erection of new station building on Iverson Road, to include changes in design and materials.				
<b>Recommendation(s):</b>		Grant Prior Approval of detailed plans and specifications under Paragraph A1, Part 11, Schedule 2 of the General Permitted Development Order (1995).		
<b>Application Type:</b>		GPDO Prior Approval Determination		

<b>Conditions or Reasons for Refusal:</b>	<b>Refer to Draft Decision Notice</b>					
<b>Informatives:</b>						
<b>Consultations</b>						
<b>Adjoining Occupiers:</b>	No. notified	<b>103</b>	No. of responses	<b>03</b>	No. of objections	<b>02</b>
<b>Summary of consultation responses:</b>	<p><b>Site notices</b> were placed at the entrance to West Hampstead Thameslink Station, at the corner of West End Lane and Iverson Road and opposite 220 Iverson Road. The site notice period ran from 17/08/2010 until 07/009/2010.</p> <p>An objection was received from the occupants of 102 Fordwych Road (2 letters of objection sent from this address) and an email objecting to the proposal but not detailing why. The comments raised are as follows:</p> <ul style="list-style-type: none"> <li>• Object to the removal of the environmentally friendly aspects of the building. I am particularly concerned that the sedum roof will no longer put in the place.</li> <li>• What is now proposed is little more than a tin shack, which will be a detriment to the local area.</li> </ul> <p>Objection also received from <b>Councillor John Bryant</b> (West Hampstead Ward)          The reduced specification of the resubmitted application on cost grounds really means that the widespread consultation exercise undertaken at public meetings in West Hampstead has now misled my local constituents. Significant design features which would have made this rather utilitarian building more pleasing to the eye have been removed, in particular the sedum roof which would have complimented the retention of most of the existing trees and the painting scheme to the wall adjacent to the embankment. It was these features that won over local opinion to support this building's erection in a very prominent position on the visible landscape, as seen from West End Lane, Iverson Road and the Black Path opposite. What we have now is a tin box in a prominent position. I think the Committee should consider blocking this re-submitted application and request that the applicants retain the design features now withdrawn.</p> <p><u>Response:</u> Please see assessment section of report for comment.</p>					
<b>CAAC/Local groups* comments:</b> <small>*Please Specify</small>	<p><b>West Hampstead Local Consultation Group</b>          No objection (letter dated 07/09/2010).</p> <p><b>West End Green CAAC</b>          No response to date.</p> <p><b>Transport for London (TFL)</b>          No response to date.</p> <p><b>Natural England</b>          No response to date.</p>					

## Site Description

The application site is located at the junction of Iverson Road and West End Lane in West Hampstead. The site is not located within a Conservation Area, but is in an area of open space designated as a *Borough Site of Nature Conservation Importance*. There is a dense band of mature trees located along the southern boundary of the application site, some of which are protected by Tree Preservation Orders (TPO's). Iverson Road is mainly made up of late 20<sup>th</sup> century low rise brick built development; however the surrounding area lacks distinction in its built form.

## Relevant History

**2008/4319/P** – Planning permission *granted* in March 2009 for the erection of a new footbridge, stairs, step free access and lifts at West Hampstead Station. This permission was subsequently implemented during the summer months and the proposed station building will integrate directly with this bridge.

**2009/5114/P** – Prior approval *granted* in December 2009 for erection of new station building (Class Sui Generis) on Iverson Road and associated works including landscaping and installation of bicycle parking facilities.

## Relevant policies

*As the draft LDF Core Strategy and Development Policies documents have now been published, they are material planning considerations.*

### Local Development Framework

#### Core Strategy Proposed Submission

CS1 – Distribution of growth

CS5 – Managing the impact of growth and development

CS14 – Promoting high quality places and conserving our heritage

CS15 – Protecting and improving our parks and open spaces and encouraging biodiversity

#### Core Development Policies Proposed Submission

DP24 – Securing high quality design

DP26 – Managing the impact of development on occupiers and neighbours

**London Borough of Camden Replacement Unitary Development Plan (2006)** requires high standards of design in all cases and seeks effective protection of the historic environment and designated conservation areas, with particular reference to policy B1 (General Design Principles).

The UDP also states that harmful effects to the amenity of existing and future occupiers on a development site and to nearby properties should be avoided, especially in the case of residential buildings. Policy SD6 (Amenity for occupiers and neighbours) outlines the factors to consider when assessing proposals.

Policies N5 (Biodiversity), N6 (Nature Conservation Sites) and N8 (Trees and Landscaping) are also relevant and are concerned with the promotion and protection of the flora and fauna on development land.

## Assessment

### Prior approval

The Town and Country Planning (General Permitted Development) Order (GDPO) 1995 sets out the details of the types of developments for which planning permission is 'deemed' to be granted, more commonly known as 'permitted development'. A vast amount of the work carried out by a railway undertaker will be permitted development under either Part 11 or Part 17 of Schedule 2 of the GDPO (1995). In this instance, the construction of a new station building falls outside the remit of Part 17 and therefore an assessment under Part 11 is required. Part 11 permits development authorised by a local or private Act or Order. The Act which is relevant in this case is 'The Railway Clauses Consolidation Act 1845'.

Notwithstanding the above, the erection, construction, alteration or extension of any building under Part 11 of Schedule 2 of the GPDO requires **prior approval** from the appropriate planning authority of the detailed plans and specifications. Part 11 of the GPDO also states that prior approval must **not be refused** by the appropriate authority nor should conditions to be imposed **unless** they are satisfied that:

- a) The development ought to be and could reasonably be carried out elsewhere on the land; or
- b) The design or external appearance of any building [...] would injure the amenity of the neighbourhood and is reasonably capable of modification to avoid such injury.

### **Reason for this new application**

The principles of siting and design for the new station building at Iverson Road have already been established by virtue of a previous application for prior approval which was approved in December 2009 (Ref: 2009/5114/P). However due to severe financial constraints, as well as time constraints, Network Rail have had to scale back some design features of the station building in order to ensure that proposal represents value for money as well as ensuring that it is delivered on time, within their allocated budget. As a result of these design changes a further prior approval application is required.

Network Rail have stated in their briefing note to the Council that this project is being managed and delivered as part of the Thameslink Programme, and whilst it is not operationally essential for the start of the 50% longer trains from December 2011, the station will need to be completed by then as the team delivering the project will then be disbanded. Network Rail have stressed that they have explored every avenue with regards to ensuring the proposed design changes do not digress significantly from what was previously approved or impact detrimentally on the functionality of the station and are adamant that they can only deliver the station building in the form that is proposed in this application.

It is noted that no new issues regarding the siting of the station have arisen and as such the only objection the Council can make to this application are to the design or external appearance of the building and if it would injure the amenity of the neighbourhood. It is also noted that the application site is not located within a Conservation Area.

### **Proposed design changes**

The design changes which are proposed for the station building include the following:

- Remove the sedum roof and replace with profiled metal aluminium standing seam systems;
- Flat brick cladding instead of facing brick in public realm area outside the station;
- Flat brick instead of facing brick in the concourse;
- Replace zinc cladding in concourse roof to aluminium;
- Reduce height of wall from 2.4 metres to 1.8metres in public realm area;
- Replace zinc cladding with metal flat panel cladding on railway side of building;
- Exposed steel sheet piles instead of brickwork on railway side of public realm area;
- Reduce the windows on the railway side of the building by 50%;
- Remove the rain water harvesting system from the proposal;
- Remove lighting from public realm wall and remove the lights from the canopy soffits;
- Remove the rain water attenuation tank and basement tanking from the proposal;
- Remove the access staircase and door in north wall and remove the undercroft from the proposal.

### **Consideration of design changes**

#### Loss of green roof

The green roof was initially proposed to mitigate against the loss of the designated area of nature conservation importance which surrounds the application site. Network Rail have stated that the sedum roof itself is not a major cost saving but the underlying roof structure necessary to maintain the sedum. As a result of this it has been removed from the proposal and the roof will now comprise of metal aluminium standing seams. The loss of the green roof is obviously regrettable and was initially objected to by the Councils tree and landscape officer, however Network Rail will mitigate against this loss by replanting the area between the public realm retaining wall and the track side embankment with a grass seed mix in order to attract biodiversity. The area to be replanted will cover approx 285sq metres, as opposed to 230sq metres of sedum roof. Given that the application site is located within operational land owned by Network Rail, this mitigation measure is considered to be acceptable. In terms of design it is acknowledged that roof would not be readily visible from the public realm and as such the Councils design officer raises no objection.

#### Flat brick cladding in public realm area outside station

The glazed brick in the public realm area (i.e. on walls) will be exactly the same specification to what was proposed in the original prior approval submission, with the exception of the sawtooth profile, i.e. the profile will now be flat. It will still remain as a glazed brick with off-set coursing and colour graduating along the length of the wall. The brickwork will provide visual interest and create a natural wayfinding device between the West End

Land and the station, drawing the pedestrian's eye westward as the colours lighten toward the station entrance. The Council's design officer raises no objection to this aspect of the proposal.

It is noted that the nesting boxes which were to be placed on the railway side of the wall will be relocated to the trees within the application site. This is also considered to be acceptable and no objection raised by the Council's tree and landscape officer.

#### Flat brick instead of facing brick on walls of the concourse

The concourse inside the station building will be flat white tiles instead of profile brick. As the tiles will still be glazed, it is not dissimilar to what was previously approved and as such no objection is raised.

#### Replacement zinc cladding in concourse roof to aluminium

Although it is accepted that zinc is a better quality material and more robust, the proposed aluminium cladding will not change the profile of the concourse roof as the aluminium will be flat panels also. In terms of design this is a minor internal change and no objection is raised.

#### Reduction in height of wall in public realm area to 1.8metres

Although the wall will be approx 0.6metres lower, the fact that it will now comprise of flat brick and will not include a sawtooth profile it will now be more difficult for people to climb over the wall and as such there are no issues raised regarding Community safety.

The remainder of the changes set out above are considered to be minor, and include changes to the railway side of the proposed building and would not be seen from the public realm. As such the changes will not impact detrimentally on the surrounding area or on the functionality of the station.

#### **Conclusion**

Objections were raised to the loss of the 'green' aspects of the proposal, however Network Rail have agreed to mitigate this loss to some extent by replanting an area of 285sq metres between the retaining wall and the railway tracks and the nesting boxes will still be included in the scheme. It is noted that the benefits of a new station building for West Hampstead far outweighs the benefits which would be gained from insisting upon a green roof for the station and as such its loss is considered to be a small compromise for what is urgently needed for the inhabitants of West Hampstead.

Furthermore, as the application site is on operational land owned by Network Rail, the Council cannot object to this proposal unless it is considered that the proposed design changes will *injure the amenity of the neighbourhood and are reasonably capable of modification to avoid such injury*. It is considered that the proposed design changes will not injure the amenity of the neighbourhood and it is not considered to be essential for the changes to be modified in this instance.

**Recommendation:** Grant prior approval under Paragraph A1, Part 11, Schedule 2 of the General Permitted Development Order (1995).

#### **DISCLAIMER**

**Decision route to be decided by nominated members on Monday 13<sup>th</sup> September 2010.**

**For further information see**

<http://www.camden.gov.uk/ccm/navigation/environment/planning-and-built-environment/planning-applications/development-control-members-briefing/>