

Delegated Report		Analysis sheet		Expiry Date:		25/08/2010	
		N/A		Consultation Expiry Date:		16/08/2010	
Officer				Application Number			
John Sheehy				2010/3266/P			
Application Address				Drawing Numbers			
1- 4 Telegraph Hill London NW3 7NU				Refer to decision notice			
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature				
Proposal							
The replacement of existing timber gate with a new sliding gate at the entrance to Telegraph Hill.							
Recommendation:		Refuse Permission					
Application Type:		Full Planning Permission					
Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:	No. notified	6	No. of responses No. electronic	1 1	No. of objections	1	
Summary of consultation responses:	Site notice displayed from 21 st of July to 11 th of August. On objection received from 56 Platt's Lane: "The existing gate is always folded back and is part of Hampstead's charm and character... We will be left with a new sterile neighbourhood if we continue to let all these small pieces of history (be) taken away. Can the existing gate not be refurbished to keep it in place with the charm of the village? Also, access with timing delays on a sliding gate will be very dangerous on this blind fast corner."						
CAAC/Local groups comments:	No response received.						
Site Description							
The application relates to the entrance to a group of five 2-storey houses located on Telegraph Hill (nos. 1-5), a cul-de-sac elevated above Platt's Lane. The area is characterised by substantial vegetation and generous garden buffers to substantial properties. Due to the local topography and street layout, the entrance to Telegraph Hill is visible in long views, particularly from the southwest within Platt's Lane and West Heath Close. The site is located within the Redington/ Frognaal Conservation Area. Numbers 1-5 Telegraph Hill are identified in the Conservation Area Statement as properties that make a positive contribution to the Conservation Area.							
Relevant History							
May 2007 Permission was granted for basement and rear extensions to nos. 1-4 Telegraph Hill ref. 2007/0987/P (No. 1); 2007/1010/P (No. 2); 2007/1012/P (No.3); and 2007/1015/P (No. 4). Permission was subsequently granted in 2009 and 2010 for revisions to the above permissions for 3 and 4 Telegraph Hill as an amendment to the previously approved scheme, refs. 2009/1099/P and 2009/1096/P. September 2009 Advertisement consent <u>refused</u> for display of an externally illuminated sign on the hoarding fronting Platt's Lane for the duration of construction works, ref. 2009/2695/A. Reason for refusal: <i>The proposed advertisement by reason of location, size and illumination would be detrimental to visual amenity and to the character and appearance of the conservation area contrary to policies B4B (advertisements and</i>							

signs) and B7 (conservation areas) of the London Borough of Camden Replacement Unitary Development Plan 2006 and supporting Camden Planning Guidance 2006.

March 2010 Advertisement consent refused for display of an internally illuminated sign fronting Platt's Lane for the duration of 1 year, ref. 2010/0329/A. Reason for refusal:

The proposed advertisement, by reason of location, size and method of illumination would add significantly to visual clutter in the immediate area to the detriment of visual amenity, the appearance of the streetscape and the character and appearance of Redington/ Frognal Conservation Area. This would be contrary to policies B4B (Advertisements and Signs) and B7A (Conservation Areas- Character and Appearance) of the London Borough of Camden Unitary Development Plan (2006).

Relevant policies

Camden Replacement Unitary Development Plan 2006

SD1 Quality of life
SD6 Amenity for occupiers and neighbours
B1 General design principles
B7 Conservation areas
N8 Trees
T3 Pedestrians and cycling
T12 Works affecting highways
T13 Adoption of highways and other access routes

Camden Planning Guidance 2006

Redington/ Frognal Conservation Area Statement

LDF Core Strategy and Development Policies

As the draft LDF Core Strategy and Development Policies documents have now been published, they are material planning considerations. However, as a matter of law, limited weight should be attached to them at this stage.

DP17 Walking, Cycling and Public Transport
DP21 Development Connecting to the Highway Network
DP24 Securing High Quality Design
DP26 Managing the impact of development on occupiers and neighbours
DP29 Improving access

Assessment

Proposal: erection of replacement gates at the entrance to the lane.

Assessment

The principal material planning considerations are as follows:

- Design and Conservation Area Impact
- Transport;
- Crime; and
- Sustainable Communities.

Design and Conservation Area Impact

Background

In assessing this proposal regard has been had to UDP policies B1 'General Design Principles' and B7 'Conservation Areas'.

Policy B1 states that the Council will grant permission for development that is designed to a high standard. With particular reference to this proposal, the following points contained within this policy are relevant:

- that development should respect its site and setting;
- development should improve the spaces around and between buildings, particularly open spaces;
- development should improve the attractiveness of an area and not harm its amenity or appearance;
- the Council will consider the existing pattern of routes and spaces.

Policy B7 'Conservation Areas' states that within Conservation Areas, the Council will only grant permission for development that preserves or enhances the special character and appearance of the Conservation Area. Other than the existing relatively unobtrusive and very lightweight gate, there are no historic examples of gates to streets in the immediate context of the site.

Existing gate

The existing gate is 0.95m in height and comprises a horizontal timber bar with a shorter curved supporting bar underneath. The applicant's drawings indicate the gate as being in 2 parts with a timber post on the northern side adjacent to a narrower pedestrian element. During the course of a site visit, officers did not find the smaller pedestrian section of the gate or the gatepost at the junction of the 2 sections. It is not clear whether these were removed to facilitate the works to the buildings currently under way or whether they were removed at an earlier stage. The vehicular side may also have been removed from the site – its location is currently hidden behind high hoardings.

It would appear that the gate has been kept in an open position for a significant period of time: this assertion is based on the absence of a gatepost, the consultation response received from a neighbouring occupier and evidence gathered during site visits by officers in connection with the above applications on the properties within Telegraph Hill (see Relevant History section above).

Proposed gate:

The proposed new gate would span the full width of the carriageway at the entrance to Telegraph Hill at a position abutting two low flank walls, set well back from the position of the existing gates.

The gate would be 2.2m in height and would be in 2 parts, a smaller section to the south which would allow pedestrian access and a larger section which would slide open to allow vehicular access. A section of the adjacent wall and bank would be removed to make space for the gate when sliding open. The pedestrian element of the gate would appear to have a lock; however it is not clear how this section of the gate would be operated and whether it would allow free movement in and out of the lane during the day and at night-time. It is also not clear whether the vehicular gate would operate electronically or manually.

Position of gates

The traditional street pattern of the Conservation Area and the wider context is characterised by unobstructed freedom of movement where primary and secondary streets flow into each other. Notwithstanding, the existing gate is not considered to detract from the character and appearance of the Conservation Area due to its relatively unobtrusive appearance and the fact that it would appear to have been generally kept open.

The addition of gates of this height and form is considered to represent a far more obtrusive and prominent feature within the streetscape than the existing. The gates would significantly alter the open character of the street and would read as a barrier to entry to the lane. The gates would be in a prominent location, visible over long distances from the southwest. They are considered cause harm to the character and open appearance of the Redington/Frognaal Conservation Area.

The section of Platt's Lane at the entrance to Telegraph Hill is characterised by soft boundaries with generous mature planting and low walls. The proposed gates would detract from the prevailing treatment by adding a hard edge to the street, albeit set back from the street frontage. In addition to the concerns raised above, by failing to respect the prevailing soft boundary treatment, the proposed gate is considered to impact negatively on the character and appearance of the Conservation Area.

A small number of individual houses in this area have gates to their vehicular entrance; however this is not considered to justify the current proposal as there is a significant difference in townscape terms between erection of gates to an individual property (which is a relatively commonplace arrangement) and to the entrance to a street which is unusual, especially in this location.

Detailed design of gates

The gates would be constructed from metal with an oak finish. The vehicular gate would consist of an openwork grid, stepping up to a centre where the grid would be finished in a curved element; the pedestrian gate would be lower in height. The vehicular gate would rise to its highest point at the centre, suggesting a double-leaf design; however the gate would slide open: the design does not reflect the functionality of the gate. This is considered to result in an ill-conceived design, and one that is not considered to be acceptable in design terms for a new feature in a Conservation Area. In addition, the detailed design of the gates with a subdivided pattern would reduce views through to Telegraph Hill.

The Council has the ability to attach conditions to any permission to control the way in which a development is

operated. The proposal would create an environment with reduced pedestrian, vehicular and cycle access. It is considered that the Council would have serious difficulties in controlling the operation of the gates and preventing the incremental reduction or elimination of free pedestrian access to this part of the Conservation Area. Any condition to prevent incremental reduction/ elimination of free pedestrian access to the lane is considered to be unenforceable in practice.

Transport

Telegraph Hill is classified as a private road. It has, however, historically been available to all for use as an access route: it is therefore considered to be a public right of way.

Development and alterations to buildings should be designed to improve access and use for all (Policy SD1, T3 and T13). The Council will also resist 'gated communities' to ensure that access routes are available to the public as rights of way. Access to areas, use of the footway and the attractiveness of travelling by walking and cycling are also taken into consideration in the assessment of planning applications. The proposal to gate off Telegraph Hill is not considered to be consistent with the above objectives as it would segregate Telegraph Hill from the highway, restrict public access, and provide an unattractive walking and cycling environment in and around the lane.

Due to the width of the roadway (7.5m at its entrance) and the fact that the proposed gate would be set well back from the carriageway on Platt's Lane, it is considered that vehicles would have the enough space to turn around in the case of being denied access to the lane. In addition, the street does not experience heavy pedestrian footfall. On balance, it is considered that there would not be any detrimental impact on highway safety as a result of the proposal.

Crime

Officers are not in possession of any statistics or evidence to support a refusal of the application on the basis of impact on crime or community safety: the reduction of visibility to the lane as a result of the proposal, while noticeable, would not be extremely significant. Nevertheless, officers are of the view that the gates are unlikely to improve community safety outside the lane and the recess created by their installation may lead to the fear of crime. The proposed gates would also have a negative impact of the perception of community safety in the vicinity of the lane suggesting an embattled place where gating is required to protect residents and properties: this may lead to the fear of crime.

Sustainable Communities

As noted above, the Council will seek to ensure that development fosters sustainable communities which meet the needs of existing and future residents, their children and other users; contribute to a high quality of life; and provide opportunity and choice. To achieve this, development should, among other things, enhance the environment and promote social cohesion. It is considered that the gating of the lane as proposed would result in an inward-looking enclave and would separate the residents of the lane from the surrounding community of which it currently forms a part. The proposal would fail both to enhance the environment and to promote social cohesion.

Trees

The proposal would involve works to the bank adjacent to the proposed gate to create space for the gate to slide into when opened. This may impact on trees and biodiversity on this bank, although it is noted that the trees immediately adjacent to the wall are low and would not appear to be fully mature. The applicant has not provided any details as to whether the root protection zone of any trees located in this area would be affected by the proposal and, if so, what attenuation measures would be taken. No details of any replacement trees to be planted have been provided. The applicant is advised, by way of informative, that, in the case of a future application which would entail works to the planted bank and potential impact on trees (which is considered to be the case here) an independent Arboricultural Report should be submitted, following the guidelines set out in British Standard 3998.

Recommendation: Refuse.

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