



Appeal Decision

Site visit made on 5 August 2014

by **P Eggleton BSc(Hons) MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 26 August 2014

Appeal Ref: APP/X5210/A/14/2219624

Entrance to St Crispin's Close, London NW3 2QF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr B Splitt – BrightSplit Ltd against the decision of the Council of the London Borough of Camden.
 - The application Ref 2013/5360/P, dated 6 August 2013, was refused by notice dated 26 November 2013.
 - The development proposed is vehicular and pedestrian gates to the entrance of St Crispin's Close.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect on social cohesion.

Reasons

3. The proposal would result in vehicle and pedestrian gates at the entrance of this cul-de-sac which is located between a public house and the station on the busy main road. The Council is concerned that the introduction of a gated area would be perceived as dividing the community and would reinforce negative perceptions of the area.
 4. The design and layout of St Crispin's Close has been influenced by the narrow form of the land which is constrained to one side by the railway and to the other by housing. The entrance has an adjacent open area with a high wall to the main road boundary. The wall ensures that the open area behind lacks surveillance. Its relatively secluded nature is apparent from the road and is easily accessible. This arrangement results in it being ideally suited to anti-social activity.
 5. The catalogue of evidence supplied by residents appears to relate to anti-social activity within the open area at the entrance of the Close and more serious crime within the housing area. I am unclear of the scale of evidence submitted to the Council with the application but the information before me is substantial and is supported by photographs.
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6. Policy CS17 advises that the Council will aim to make Camden a safer place. It includes a range of measures to reduce crime and promote safer places. The supporting text advises that the design of streets, public areas and the spaces between buildings needs to be accessible, safe and uncluttered. It goes on to advise that proposals which restrict movement, such as gated developments, will not be permitted.
7. The proposal clearly conflicts with the policy advice with regard to gated developments. However, the existing layout also fails to meet the design objectives of the policy. It facilitates anti-social behaviour. The clear policy objective of making Camden a safer place has to be weighed against the concerns with regard to gated developments.
8. Camden Planning Guidance: Design CPG1 2011 also emphasises that gating and other ways of restricting access to developments can have a divisive effect on communities, creating separate residential areas and often necessitating long alternative routes. As this is a private road with no linkages through to adjacent areas, limiting access would not result in long alternative routes. The gates would however, particularly given their prominence, reinforce negative perceptions of the area. The guidance advises that gating should be seen as a last resort.
9. The difficulties that result from the position of the open area have not been resolved by the introduction of CCTV. However, I am not persuaded that this proposal represents a last resort as restricting access to the open space may reduce concerns or could at least allow for gates, if ultimately necessary, to be set further from the main road, so reducing their intrusiveness within the public domain.
10. The Council refer to Policy CS6 of the Core Strategy 2010 which relates to the provision of quality homes and the need to make full use of Camden's capacity for housing. It seeks to minimise social polarisation and create mixed and inclusive communities. It includes measures to achieve these objectives and these relate to the provision of a range of housing products and a mix of house sizes and tenures. The policy is not directly relevant to this proposal but it does offer support for the need to engender mixed and inclusive communities.
11. The Council have permitted gates at Maryon Mews. These have a more stark design than those currently proposed. I acknowledge that these were accepted some time ago and before the current policy framework was adopted. However, the Council advise that the application was supported by evidence of considerable levels of crime and anti-social behaviour. That entrance is directly opposite this site. The open area at the entrance to St Crispin's Close would appear to offer greater encouragement for anti-social activity.
12. Reference has been made to an appeal that was dismissed in 2011 relating to gates at Gower Mews. I have not been provided with full details of that case but the decision notice indicates that those circumstances differed significantly from this proposal. In that case, the benefits to crime prevention were not found to outweigh the harmful effect on social cohesion. I have to consider that balance, on the basis of the evidence before me, with regard to the specific details of this case.

13. There are other gates in the vicinity and although they are not of a similar character, they do indicate a general concern with regard to crime and the potential for anti-social activity. The proposed gates would be uncharacteristic new features in the street scene and would increase the prominence of crime prevention measures within the public domain. They would reinforce a negative perception of the area with regard to crime and they may result in a greater perception of a divided community.
14. The evidence with regard to anti-social activity, particularly with regard to the open area adjacent to the main road, is compelling. This area provides a refuge for those seeking to avoid surveillance. The historic activity described in relation to the development opposite and the prevalence of security measures locally, supports the concerns of the residents. The introduction of CCTV appears not to have addressed these concerns. The gates would bring significant benefits to the residents of the Close and this weighs in favour of the proposal.
15. I consider it likely that measures, other than gates, to prevent access to the open area at the entrance of the Close, would assist in reducing anti-social behaviour. I do not find therefore that this proposal can be considered as a last resort as envisaged by CPG1. There is considerable support for the need to address concerns with regard to crime, as encouraged by Policy CS17, but I am not persuaded that these gates are the only way to address issues relating to the entrance and open space area. General crime beyond this area may also be reduced if the anti-social activity at the entrance is addressed.
16. Although there would be a number of benefits to the proposal, I am not satisfied that these outweigh the general concern with regard to the impact on the wider community with regard to social cohesion or the need to engender mixed and inclusive communities. On balance, despite the support for making Camden a safer place, I find conflict with the overall objectives of Policy CS17 and CPG1.
17. The Council's policies are consistent with the requirements of the *National Planning Policy Framework* with regard to high quality and inclusive design. They also allow for a balance to accommodate the *Framework's* requirements for safe and accessible environments, where crime and disorder and the fear of crime, do not undermine quality of life or community cohesion. I therefore afford them considerable weight.
18. Whilst the existing layout encourages anti-social behaviour and results in a fear of crime, other measures could be incorporated to address this concern without the harm that would result from such intrusively located and prominent gates. Having considered all the correspondence and information before me, although I afford considerable weight to the evidence relating to crime and anti-social behaviour, I am not satisfied that the benefits to crime prevention are sufficient, in these circumstances, to outweigh the harmful effect on social cohesion. I therefore dismiss the appeal.

Peter Eggleton

INSPECTOR