



Director of Regeneration, Planning & Development
London Borough of Camden
Town Hall
Judd Street
London
WC1H 8ND

Our ref: 14-252JW

9th December 2014

Dear Sir/Madam

Town and Country Planning Act 1990

Thames Water AMP5

Provision of GRP 'FLIP' control kiosk enclosure on footpath as
part of works to alleviate sewer flooding of local residential property

Footpath at side of no.7 Willow Road, London, NW3 1TH

On behalf of Thames Water Utilities Ltd, please find enclosed a planning application for the development described briefly above. I trust that this will be sufficient for the Council to validate and register the application, though should you have any queries please let me know.

The application comprises the following:

- Planning application forms and Certificate B (Notice has been served on the City Council as Highway Authority)
- Supporting information to explain the scheme forming the second part of this letter
- Drawing no. B805-A1-00248 Rev B - Site Location Plan (1:1250)
- Drawing no. B805-A1-00249 Rev B - Site Layout Plan (1:100)
- Drawing no. B805-A1-00250 Rev B - FLIP control kiosk - plan, elevations & photomontage (1:20)

- Planning application fee cheque for £195.00

I look forward to your earliest registration of the application. It would also be appreciated if your case officer would contact me if there are any issues arising from consultations and your officer's planning appraisal. As with other similar schemes, there is a strict timetable to adhere to for the delivery of the works, so any opportunity for an early decision ahead of the 8 week deadline will be welcome. The applicant needs to avoid pre-commencement conditions and a second application and I trust that the submitted details will be sufficient to avoid the need for any PCCs.

Part 2 - Supporting information

1 As the Council may be aware, AMP5 is a 5-year funding programme being undertaken by Thames Water to provide significant improvements to waste and clean water networks and infrastructure. The programme of works covers the whole Thames Water region including north London and involves individual improvement projects with wide ranging sizes and costs. The proposed works will be undertaken by Optimise on behalf of Thames Water.

2 The application site comprises a small section of public footpath that backs onto a wall forming part of the return frontage of no. 7 Willow Road. Its footprint is only 0.75 sq m. The location of the proposed kiosk enclosure is on Pilgrim's Lane to the south of its junction with Willow Road (see submitted drawing no. B805-A1-00248 Rev B). The area lies within the Hampstead Conservation Area and is characterised by mainly residential development.

3 The application site is separated from Hampstead Heath by highways (Pilgrim's Lane and Willow Road) with street parking on the southern side of the Heath itself.



Image 1 Aerial view of the application site showing approximate location of the proposed control kiosk

4 The kiosk is required to provide a weatherproof and vandal-proof secure enclosure to accommodate electrical control equipment for the 'FLIP' unit (an underground pump system) designed to relieve a current sewer flooding problem affecting residential property in the immediate vicinity. The pump installation, associated cabling and related works are all below ground level and are considered to be 'permitted development' under Part 16 Class A (a) of the Town and Country Planning (General Permitted Development) Order 1995 as amended being:

"development not above ground level required in connection with the provision, improvement, maintenance or repair of a sewer, outfall pipe, sludge main or associated apparatus"

The kiosk being above ground does not share these permitted development rights and is therefore the subject of this planning application.

5 The kiosk is a typical roadside unit that is common in urban and rural locations and is widely used by utility companies. Other similar units exist in close proximity to that proposed - see images 3 and 4 below. The kiosk will be finished in black (as opposed to the more usual dark green) as this is felt to be more appropriate in a Conservation Area and is consistent with the finish of the units close by.



Image 2 Location of proposed kiosk seen from Willow Road to the west showing existing street furniture in 'conservation black'

6 In addition there are a number of comparable units in the vicinity of the application site, which are shown in the following images 2 and 3 below.

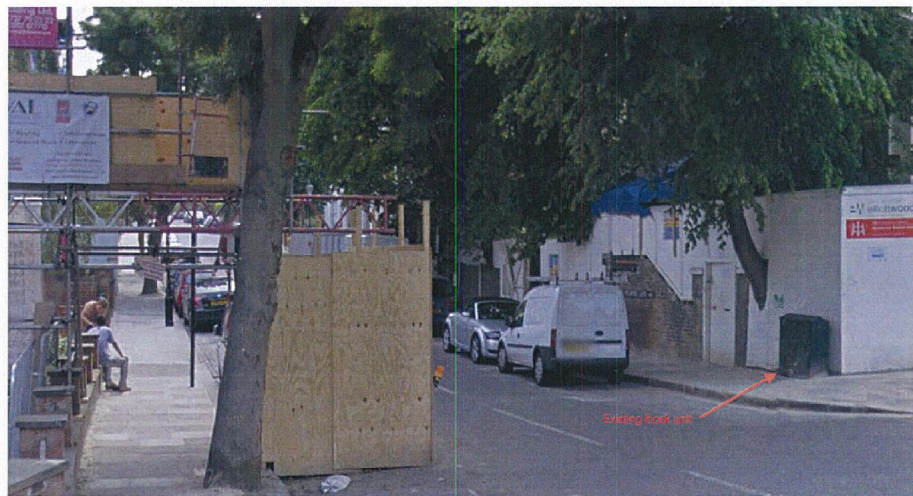


Image 3 Existing black kiosk unit located directly opposite the application site



Image 4 Existing black kiosk unit located on Willow Road to the east of the application site

7 In keeping with the existing units in the vicinity, the colour of the proposed unit is black to reflect its location in a Conservation Area, which is considered to be an appropriate and consistent approach. The unit has been kept to the lowest design height and size possible to accommodate the essential electrical panels and is designed to avoid being prominent in the location. Its dimensions are 1450mm wide, 1100mm high and 400mm deep. The unit will be set against an existing wall with railings and will not stand proud in the street scene.

8 The unit has access doors to the front for maintenance and a fixed side vent as shown on the submitted details. It will be set on a concrete base that provides slight elevation above the footpath level to avoid ingress of surface water. Any future maintenance can be carried out from the footpath.

9 The position against a wall with the dwelling behind will provide a backcloth for the unit that will help to reduce any visual impact. There will be no interference with pedestrian use of this part of the footpath or to car parking/car doors opening. It is felt that no material harm will result from the installation which is necessary to resolve an ongoing sewer flooding problem affecting residential premises. The benefits associated with this solution are considered to outweigh any possible harm that may otherwise be perceived. The kiosk has to be located in close proximity to the pumps and connections as shown on submitted drawing no. 00249 Rev B.

10 The position of the control kiosk is dictated by the function that it needs to perform - see drawing 00249 Rev B, however it is positioned to avoid any possible interference with the existing street tree. Because of its small size and limited groundworks that will be necessary for the installation of the kiosk, it is considered that there will be no impact on that tree.

11 Given that the purpose of the application is to alleviate a sewer-flooding problem, the proposal is considered to be 'sustainable development' in the context of advice in the NPPF and as such should be allowed to progress without delay.

12 Other key legislation of relevance is Circular 17/91 – Water Industry Investment, which highlights that water infrastructure is constrained by the location of the relevant water resources. In particular, paragraph 15 of the circular identifies that due to this constraint, the scope for altering the scale, location or elevation of plant is limited. On this basis, the circular states, *"such considerations may be sufficient to outweigh planning considerations which would otherwise give grounds for refusal for planning permission"*.

13 The proposal is considered to meet the aims of applicable policies in the Camden Core Strategy where Policy CS13 seeks to reduce surface water flooding and requires development to avoid harm to the water environment, water quality or drainage systems and prevents or mitigates local surface water and downstream flooding, especially in areas up-hill from, and in, areas known to be at risk from surface water flooding such as South and West Hampstead, Gospel Oak and King's Cross. The whole purpose of the proposal is to alleviate an existing sewer flooding problem to existing residential premises and is considered to meet the aims of the Policy.

14 The control kiosk is an essential part of the scheme and is required to accommodate and protect the necessary electronic panels that control the operation of the system's pumps. Every effort has been made in terms of the kiosk's design, finish and position to be sensitive to its location and surroundings in terms of Policy CS14 and to avoid interference with any features mentioned in the Council's Hampstead CA streetscape audit (wherein no. 7 Willow Road does not appear to be specifically mentioned). The kiosk will not impact of the open space to the north from which it is effectively separated by highways and parking. Consequently the proposal will not harm the aims and objectives of Policy CS15.

15 In terms of the Council's adopted Development Policies, the proposal is considered to meet the requirements of Policies DP23 (water - floodrisk), DP24 - (design), and DP25 - (conserving Camden's heritage) as well as SPG (CPG1) - Design.

16 Because the land on which the control kiosk is to be situated comprises pavement and the excavation needed to install the unit is limited and shallow, there are felt to be no archaeological issues raised with this proposal (Development Policy paragraph 25.18).

We will be happy to work with Officers to resolve any issues that may arise from the planning application and consultations within the statutory 8 week determination period should that be necessary, though we trust that sufficient information has been submitted for the application to be duly considered and determined without issue.

Yours faithfully

A black rectangular box redacting the signature of Jon Williams.

Jon Williams BA/TP (MRTP) Partner
Kember Loudon Williams LLP

cc. Optimise; Thames Water Planning Team

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