

Delegated Report		Analysis sheet		Expiry Date:		06/05/2016	
		N/A / attached		Consultation Expiry Date:		07/04/2016	
Officer				Application Number(s)			
Jagdish Akhaja				2016/1328/P			
Application Address				Drawing Numbers			
1 - 8 Harmood Grove London NW1 8DH				Refer to decision notice			
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature	
Proposal(s)							
Installation of additional fence above existing fence and gates (part retention).							
Recommendation(s):		Refuse Planning Permission and Enforcement Action to be taken					
Application Type:		Full Planning Permission					
Conditions or Reasons for Refusal:		Refer to Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	34	No. of responses	00	No. of objections	00
Summary of consultation responses:		N/A					
CAAC/Local groups comments:		N/A					

Site Description

The fairly new part-two and part-three storey development at Harmood Grove contains both residential and office units. The site is surrounded by the rear of properties along Harmood Street to the west, Clarence Way to the north and Hartland Road to the east. Although the neighbouring buildings on Harmood Grove and Clarence Way are within the Harmood Street Conservation area, the applications site itself falls outside of the boundary.

Relevant History

15/08/2013 – granted (2013/3548/P) GPDO prior approval class J change of use B1 to C3 - for the Change of use of ground floor from office use (Class B1a) to 8 residential units (x3 1 bed and x5 2 bed) (Class C3).

22/04/2011 – pp granted (2011/1005/P) for the erection of new boundary treatment including vehicular and pedestrian gates and railings above a metal clad wall, hard and soft landscaping and additional lighting and CCTV cameras.

- This particular permission is of relevance to the application and will be discussed within the body of the report below.

09/03/2011 – p.p. granted (2010/6101/P) for the change of use of 2 x non self-contained work/live units and 2 x self-contained work/live units (Sui Generis) to form 4 x office units (Class B1) at ground floor level and 4 x residential units (Class C3) at first floor level.

05/08/2008 – p.p. granted (2007/5126/P) for the Retention of mixed use development, comprising 10x residential units, 4x work/live units, and 4x Class B1 units as built (as a variation to a permission granted on 17/01/2005, reference 2004/4568/P), plus provision of timber privacy screens on part of the boundary wall of the site.

17/01/2005- p.p. granted (2004/4568/P) for the Demolition of existing buildings and redevelopment of the site to include a mixed use development, comprising 10 residential units, 4 work/live units, and offices B1.

Relevant policies

National and Regional Policy

National Planning Policy Framework (2012)

The London Plan 2016

LDF Core Strategy and Development Policies

CS5 – Managing the impact of growth and development

CS14 – Promoting high quality places and conserving heritage / conservation areas

CS17 – Making Camden a safer place

Development Policies

DP24 - Securing high quality design

DP26 - Managing the impact of development on occupiers and neighbours

Camden Planning Guidance 2015

CPG 1 (Design) Chapter 6

Assessment

1.0 Proposal: Planning permission is sought for the following;

- Installation of Galvanised/stainless steel fence (1.1m in height) on the top of the existing boundary fence (2.2m height) and above the vehicular west side gates.
- Increasing 1.1m height to west side gate pillar.
- The retention of metal fence (1.1m in height) on top of existing southern boundary and pedestrian gate.

2.0 Design:

2.1 The main issues considered are the impact the proposed fence has on the character and appearance of the street scene and surrounding area and the appearance of the host building, Policies DP24 advises that the Council will require for development to “respect the character and appearance of the local area”. Camden Planning Guidance CPG 1 (Chapter 6.35 to 6.38) states that “due to the prominence of the boundary treatments in the street scene we will expect the design, detailing and materials used to provide a strong positive contribution to the character and distinctiveness of the area and integrate the site into the street scene.”

2.2 The fence was not part of the original development which was granted on 17/01/2005 for “the demolition of existing buildings and redevelopment of the site to include a mixed use development, comprising 10 residential units, 4 work/live units, and offices B1”, but installed later on in 2011. The officer report states that its purpose would prevent unauthorised persons entering the site which will help to tackle the safety and security issues; the design of the railings at this height and with gaps between the irregular metal rods would ensure adequate visibility between vehicles and pedestrians.

2.3 The majority of the existing metal fence (1.6m) is seated on the metal dwarf wall (0.6m) resulting in a total height 2.2m. The proposal would increase the total height up to 3.3m, by virtue of adding a horizontally designed 1.1m metal fence above the existing fence and gates. A boundary wall is typically around 2m in height, this can be higher in some other locations however the resultant fence would be 3.3m which is considered detrimentally significant and uncharacteristic of a mixed use building in a predominantly residential area. The proposed height is therefore incongruous and represents an unduly prominent addition, which would harm the character, appearance and integrity of the host building and streetscene. It is considered the proposed fence addition would significantly increase the height of the boundary, its apparent nature and its dominance in relation to the streetscene. Due to its resultant height it would unduly fortify the building and obscure or cover a significant part of the host building, particularly the window openings at 1st floor level.

2.4 As such, the proposed metal fence is considered significantly out of character with the surrounding area and fails to complement the style and detailing of the host building. As a result the proposed additional fence appears overly dominant and an unsympathetic intrusion into the appearance of the street, an outcome of the excessive height of part of the fence which undermines the visual harmony of the street scene, to the detriment of both the interest of the building and the character and appearance of the surrounding area.

2.5 The retention of a fence (1.1m height) on the top of the south side pedestrian gate, in mind of the above assessment, is also considered unacceptable. Although the detailed design different, it is considered the resulting increase in height unduly fortifies the boundary and represents an unsympathetic addition. As this element has been installed, an informative shall be attached notifying that this element be removed or required the permission to remain.

2.6 The applicant has also failed to adequately demonstrate that the additional fencing is required or further prevents instances of various types of anti social behaviour or crime. It is also not

explained, why this could not be achieved with more appropriate boundary vegetation.

- 2.7 Although the application site is not located within a Conservation Area, its entrance leads onto Clarence Way which is in the Harmood Street Conservation Area and is adjacent to the Harmood Street Conservation Area. The site therefore is located immediately to adjoining and partly surrounded by the Conservation area and therefore an assessment of its impact upon its setting in this respect shall take place. The CA statement draws attention to “the alterations to the front boundaries between the pavement and houses can dramatically affect and harm the character of the Conservation Area; as the walls/railings alongside the road and within properties add to the attractive appearance of the front gardens and architectural setting of the building in the Conservation Area”.
- 2.8 The resulting height would be an unsympathetic alteration which would unduly fortifies the boundary and would be very apparent from the adjacent vistas along the residential roads and harmful to the adjacent to Harmood Street Conservation Area.

Amenity

- 2.9 Although the proposed development increases height of the fence by 1.1m, it would be partially open between the metal rods allowing light through at ground and partial cover the windows at first floor level; it is therefore considered that the proposal would not detrimentally harm the level of the light to these residential units, nor would it result in any detrimental harm upon adjacent levels of privacy, daylight or sunlight or outlook.

Recommendation:

1. Refuse planning permission
2. That the Head of Legal Services be instructed to issue an Enforcement Notice under Section 172 of the Town & Country Planning Act 1990 as amended to remove the metal fence on top of the southern boundary and to pursue any legal action necessary to secure compliance and officers be authorised in the event of non-compliance, to prosecute under section 179 or appropriate power and/or take direct action under 178 in order to secure the cessation of the breach of planning control.

The Notice shall allege the following breach of planning control:

Installation of a metal fence on top of the southern boundary.

The Council requires that within a period of three months of the Notice taking effect the following steps are taken:

- i. Completely remove the metal fence on top of the southern boundary;

REASON WHY THE COUNCIL CONSIDER IT EXPEDIENT TO ISSUE THE NOTICE:

- a) It appears the metal fence on top of the southern boundary has been erected less than 4 years ago
- b) The proposed development, by reason of its height, bulk and detailed design would be detrimental to the character and appearance of the host building and adjacent Harmood Street Conservation Area. The proposal is therefore contrary to CS14 (Promoting high quality places and conserving our heritage) of the London Borough of Camden Local Development Framework Core Strategy; and policy DP24 (Securing high quality design) and 25 (Conserving Camden's Heritage) of the London Borough of Camden Local Development Framework Development Policies.