

Delegated Report		Analysis sheet		Expiry Date:	30/11/2017
		N/A / attached		Consultation Expiry Date:	02/11/2017
Officer			Application Number(s)		
Raymond Yeung			2017/5504/P		
Application Address			Drawing Numbers		
44-44A Gloucester Avenue London NW1 8JD			See decision notice.		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
The erection of green wall fencing along the western site boundary between 44-44a Gloucester Avenue and Sunny Mews.					
Recommendation(s):		Refuse planning permission			
Application Type:		Full planning application			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	Site notice displayed from 11/10/17-01/11/17	00	No. of responses	00	No. of objections	00
	Press advert published from 12/10/17-02/11/17		No. electronic	00		
Summary of consultation responses:	None received to date					
CAAC comments:	<p>Primrose Hill Conservation Area Advisory Committee (CAAC) submitted the following comments:</p> <ul style="list-style-type: none"> • No objection to the screen in general. • Object to the incorporation of vertical lighting elements within the screen. This would lead to light pollution and loss of amenity for neighbours. We advise that low level horizontal lighting could be incorporated which would light the footway/roadway, and allow minimal up-lighting of the hedge. • Expect to see the maintenance of the planting included in the landscape maintenance plan for the whole site, and its effective operation subject to legal agreement. 					

Site Description

The application site is located on the north side of Gloucester Avenue opposite the junctions with Edis Street and Princess Road. The application site is not listed but is located within the Primrose Hill conservation area. The existing buildings on the site are described as making a positive contribution to the conservation area due to their industrial character and materials in the Primrose Hill Conservation Area Appraisal.

The proposals relate to a 5 storey residential building which was granted conditional planning permission subject to S106 Legal Agreement on 30/11/2015 (ref:2015/1243/P). The Council's Building Control records indicate works commenced on site on 13/01/2017.

Relevant History

- 2010/6627/P and 2010/6629/C - Planning and Conservation Area Consent applications refused in April 2011 for demolition of the 2-storey building at the northwest corner of the site and the single-storey building at the eastern corner of the site and re-development of the site by refurbishment of existing buildings and erection of new 4 and 5 storey buildings at the northwest corner of the site and new 3 storey building at the eastern corner (following demolition of existing) to create 15 new residential units (Class C3) and additional office floor space (Class B1).

Planning application refused on grounds of land use, design, amenity, transport, lifetime homes and absence of a Section 106 legal agreement. **The applications were subsequently allowed on appeal (ref: APP/X5210/E/11/2161889) on 20/03/2012.** These permissions were not implemented and have now expired.

- 2015/1243/P - Granted 30/11/2015 for the demolition of existing buildings identified as Number 2 at the northwest corner of the site and Number 4 at the eastern corner of the site to provide a new ground plus 5 upper storey building along the north west part of the site and a ground plus 2 storey building at the eastern corner and refurbishment of existing building on site to create 40 residential units, employment floor area (Class B1a), car parking and landscaping within the courtyard with ancillary works. This permission is extant.
- 2017/2928/P - Details pursuant to Condition 23 (privacy screens) of planning permission 2015/1243/P – Withdrawn following officer advice that the proposals were unacceptable.
- 2017/5505/P - Details pursuant to Condition 23 (privacy screens) of planning permission 2015/1243/P – Pending determination.

Relevant policies

National Planning Policy Framework 2012

The London Plan 2016

London Borough of Camden Local Plan 2017

A1 (Managing the impact of development)

D1 (Design)

D2 (Heritage)

Camden Supplementary Planning Guidance

CGP1 (Design) 2015 – Chapters 2 and 6

CPG2 (Housing) 2016 – Chapter 4

CPG6 (Amenity) 2011 – Chapters 5, 6 and 7

CPG7 (Transport) 2011 – Chapter 6

Primrose Hill conservation area statement December 2000

Assessment

1. Proposal and background

1.1 Planning permission is sought for the erection of a red cedar timber fence with inbuilt linear lighting. It would measure 2m high and 24.3m long, and would be positioned along the western boundary line, so that at certain points it would abut the flank elevation (including ground floor windows). The fencing is necessary to screen views from ground floor flats G.03 and G.04 within building 2 of the previously permitted scheme (ref: 2015/1243/P).

1.2 Planning permission was granted for the erection of 44-44a Gloucester Avenue subject to the following condition:

Condition 23: Prior to occupation of the development, details of the privacy screens to be fitted to the ground floor fenestration on the western elevation facing No.48 Gloucester Avenue and Sunny Mews shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented and thereafter maintained in accordance with the approved details.

Reason: To safeguard the amenities of the future occupants of the development in accordance with the requirements of policy DP26 of the London Borough of Camden Local Development Framework Development Policies.

1.3 The condition was necessary to prevent views between the new residential flats and the nearest neighbouring properties at nos. 48-50 Gloucester Avenue and 1 Sunny Mews.

1.4 The documents approved under ref: 2015/1243/P depict opaque glass privacy screens to the ground floor west-facing units which are non-openable below 1.7m. Condition 23 required additional detailed drawings and information of the privacy screens to be fitted to the ground floor fenestration.

1.5 Although this information was secured by condition, the current proposals for a green wall and fencing is considered to be materially different to the obscure-glazed screens which were originally considered during the determination of the original application at planning committee. Therefore, full

planning permission is now sought for the works, rather than an approval of details application.

2. Assessment

2.1 The principle planning considerations material to the determination of this application are considered to be the following:

- Design (Impact on the host building and wider Primrose Hill Conservation Area);
- Residential Standards; and
- Amenity (Impact on the amenity of neighbouring occupants in terms of outlook, daylight and privacy).

3. Design, conservation and heritage

3.1 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that *“(1) In the exercise, with respect to any buildings or other land in a conservation area, of any powers under any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. (2) The provisions referred to in subsection (1) are the planning Acts and Part I of the Historic Buildings and Ancient Monuments Act 1953.”*

3.2 The Council's design policies are aimed at achieving the highest standard of design in all developments, including where alterations and extensions are proposed. Policy D1 of the Local Plan requires development to be of the highest architectural and urban design quality, which improves the function, appearance and character of the area; and Policy D2 states that the Council will preserve, and where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas and listed buildings.

3.3 Camden's Development Policies Document is supported by CPG1 (Design) and the Primrose Hill Conservation Area Statement.

3.4 Planning permission is sought for the erection of a red cedar fence with evergreen panels. It would measure 2m high and 24.3m long with linear lighting, and would abut the boundary line of the application site, and in places would sit adjacent to the flank elevation of the host building.

3.5 Although the fencing includes panels of evergreen hedging, no maintenance plan or planting details including detailed design, layout, species and size have been submitted with the application.

3.6 Similarly, no details of the proposed linear lighting have been included with the application submission. Without this information, the Council cannot assess the possible harm caused to the character of the host building and wider conservation area due to potential excessive luminance. Nevertheless, the lighting is considered non-traditional and would not be in keeping with the character of the host buildings, causing harm to the character and appearance of the conservation area.

3.7 The design of the fence would bear no relation to the approved redeveloped buildings 1 and 2 in terms of its design, materials or size. It is considered to cause harm to the character and appearance of this elevation and its industrial character, would be a highly visible, incongruous addition, which would cause harm to the character and appearance of the host building and wider Primrose Hill

Conservation Area, contrary to policies D1 and D2 of the Camden Local Plan.

4. Residential Standards

4.1 Permission condition 23 attached to the original consent required privacy screens to be fitted to the ground floor fenestration on the western elevation facing No.48 Gloucester Avenue and Sunny Mews to safeguard the amenities of the future occupants of the development as well as the occupants of neighbouring properties.

4.2 The applicant states that the height, density and siting of the proposed green wall fencing has been designed in order to provide privacy to both the new residential units at 44-44a Gloucester Avenue (units G.03 and G.04) and existing residential properties in Sunny Mews, whilst maximising the quality of residential accommodation, including daylight to the new residential apartments.

4.3 Although it is acknowledged that the proposed screening would prevent views between neighbouring buildings; it would also significantly impact the outlook and light levels for units G.03 and G.04 at the application site. At certain points, the proposed fence would abut the flank elevation and sit directly in front of the west facing windows of these flats. At 2m high, the fencing would be significantly higher than that usually required for privacy screens (1.7-1.8m high) and would completely obliterate all outlook from these flats. Flat G.03, is a single aspect flat, with all windows facing west. The proposals are likely to block almost all daylight and outlook for this flat, and are considered wholly inappropriate.

4.4 Further to the above, the proposals include lighting within the fencing but no illumination or manufacturer details have been provided. Without such information, the Council is not assured that the proposals would not result in harmful levels of light pollution to the occupiers of the host building and neighbouring buildings.

4.5 On balance, the proposals are considered to result in an unsatisfactory standard of living accommodation for the occupiers of host building, contrary to policy A1 of the Camden Local Plan.

5. Amenity

5.1 Policy A1 seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered and would not harm the amenity of neighbouring residents. This includes privacy, outlook, noise, daylight and sunlight.

5.2 Due to the location and nature of the proposals, they are considered to have limited impact on neighbouring amenity.

6. Conclusion

6.1 The proposed fence, by reason of its detailed design, height and siting, would be an inappropriate development, causing harm to the character and appearance of the host building and Primrose Hill Conservation Area, contrary to policies D1 and D2 of the Camden Local Plan 2017.

6.2 The proposed fence, by reason of its height and proximity to the ground floor windows of units

G0.3 and G0.4, would have a harmful impact on light levels and outlook and would result in substandard living accommodation for future occupiers, contrary to policy A1 of the Camden Local Plan 2017.

7. Recommendation

7.1 Refuse planning permission