



The Planning Inspectorate
Temple Quay House
2 The Square
Bristol
BS1 6PN

Our ref: E/4345

23th September 2019

Dear Sir

CAMDEN: 59 REDINGTON ROAD NW3 5AD: COUNCIL REFERENCE 2019/1908/P

1. This letter is the appellant's statement in respect of a householder appeal against the Council's refusal of an application for *Installation of new boundary treatment comprising of metal gates with brick piers, alteration to existing vehicle cross-over, demolition of existing boundary wall*
2. The application was refused on 2 July 2019 for this reason: *The proposed metal gates with brick piers would cause unacceptable harm to the character and appearance of the host building, streetscene and the Redington and Frogna conservation area, contrary to policies D1 and D2 of the Camden Local Plan*

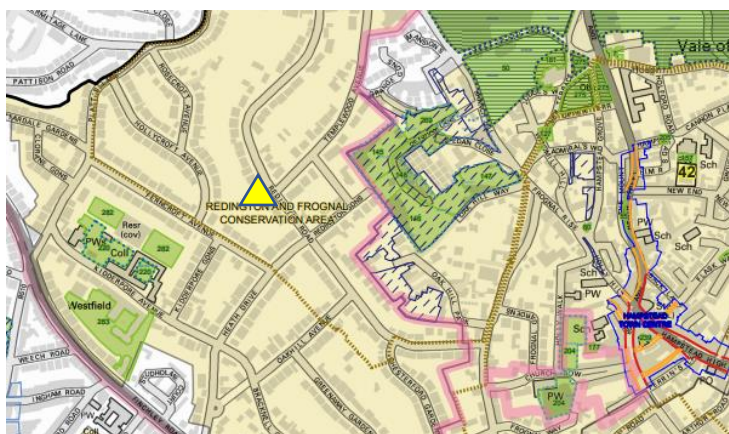
Application Documents

Plans	
	OS 1:1250 site plan
PI01	Existing street elevation
P05a	Existing and proposed site and block plan
P11c	Proposed street elevation
P13a	Proposed plan
P15B	Proposed elevation and plan
	Design, Access and Heritage Statement

CONTEXT

General Location

3. The proposal is within the Redington/Frognaal Conservation Area about 1km north-west of Hampstead Shopping Centre and underground station. Its position (yellow triangle) is shown on the extract from the Council's Policies Map below.



4. The brown wash shows the Conservation Area. There are no listed or locally listed buildings in the immediate vicinity (No. 50 further north on the opposite side of the road is a 1960s locally listed building that the Council has recently granted consent to replace).
5. The Conservation Area appraisal identifies No 5-95 (odd) as positive contributors to the Conservation Area.

The Site

6. No 59 is opposite the junction of Templewood Avenue with Redington Road.



7. Its original frontage is shown below. Obviously, this is far from a secure frontage – it fails to provide any security at all:

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8. This is now concealed behind a hording while extensive renovation of the house takes place. This includes raising the front wall to 1m height as permitted development.



The Immediate Area

9. The Council's Conservation Area Appraisal comments on the historic character of the Reddington Road are below:

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Redington Road was laid out in 1875 and developed slowly starting from the Froggnal (southern) end. It is the longest road in the Conservation Area and features a wide range of primarily early 20th century domestic architecture along its length. Whilst there is no consistent architectural style, red brickwork, clay tiles, dormer and sash windows are common elements to Arts and Crafts, Queen Anne, Edwardian and neo-Georgian houses alike. Of particular interest on Redington Road are Nos. 2 & 4 designed by Philip Webb in 1876 in a rural Arts and Crafts style (listed II*); No. 16 One Oak, a fine example of the work of Arthur H. Mackmurdo (listed); Nos. 35-37 by Horace Field; No. 39, a well embellished house designed by W.W. Bull; No. 66, The Wabe, an eclectic mix of styles and elements designed by for himself by the Educational Advisor Dr William Garnett and Nos. 54 & 56 (listed) by Quennell. The main stretches of Redington Road that are of consistent architectural style are those sections designed by Quennell at Nos. 41-49 and Nos. 71-77. The former are typical examples of the Quennell/Hart partnership



between 1898 and 1914 mixing orange and red brickwork with gables, oriels and occasional classical features to create a relaxed style loosely reminiscent of English architecture of the mid 17th and early 18th centuries. The latter houses are in a formal neo-Georgian style and indicate that the northern part of the road was the latest to be developed.

The relationship between buildings and the street varies along the length of Redington Road. For example, Nos. 7-15 are within ten metres of the back of the pavement, whilst Nos. 16-28 are set back behind dense vegetation. Redington Road rises and falls a number of times along its

length with its lowest point being at the junction with Heath Drive and highest point close to its north-eastern end. There are limited views between houses on the lower part of the road towards west London and longer distance views across roof and treetops can be gained from its northern end.

- As the CAS says, the relationship between buildings and the street varies along the length of Redington Road. The front boundary treatment varies with it. The road has about 50 houses on either side and in the immediate area of the appeal site the following that will be seen on the site inspection with gates between 1.5 and 2m in height:

No. 57



No. 69



North Corner of Heath Drive and Redington Road



South Corner of Heath Drive and Redington Road



11. As far as the application of policy is concerned, as recently as 19 September 2019 the Council permitted application **2018/3458/P** at 11 Redington Road for the front boundary shown below, with 1.5m piers and a sliding car gate. The application was taken to Members Briefing because of the number of objections and so the decision was made with specific Member authority.

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12. This should be contrasted with its previous incarnation - a neat hedge:



THE PROPOSAL

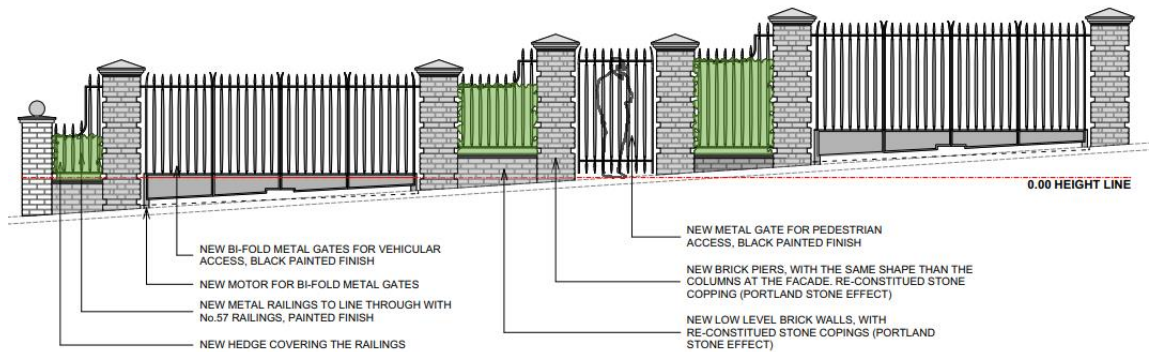
13. This involves replacing the existing front boundary treatment and installing a new boundary comprising black steel railings and reconstituted stone copings, with bi-fold gates for vehicular access. The brick piers are 2.3m high to the top of the stone coping, with the metal gates measuring 2m from ground level.
14. As the application elevation shows, they closely resemble the front boundary at No. 57, adjoining to the south (photo at para 10 above).



No. 57

No. 59

15. The reason for refusal is necessarily specific and makes it clear that it only objects to *the proposed metal gates with brick piers*. It follows that it does not object to the areas of 2-1.8m railing above the dwarf wall on either side of the pedestrian entrance. This sets a baseline against which the Council's objection can be judged.

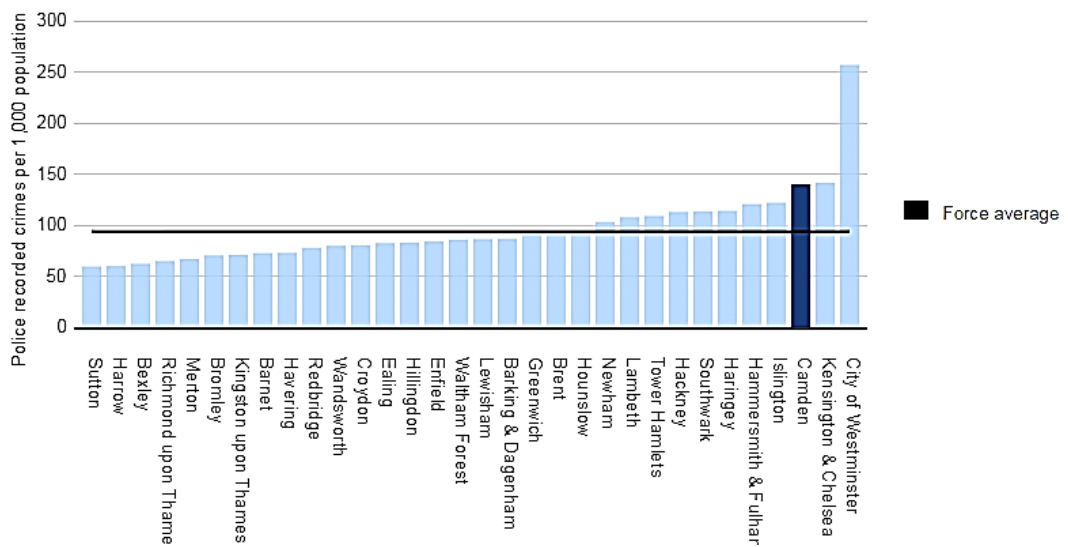


16. No objections were received in response to the site notice displayed from the 1 May 2019 and press notice advertised between 2 May 2019 and 26 May 2019. The Design Out Crime Officer (DOCO) (Metropolitan Police Service) did not comment on the application

POLICY

17. The Camden Local Plan recognises at **para 4.14** that: *crime and fear of crime is a significant concern for many of Camden's residents and businesses and can undermine people's quality of life, health and wellbeing. At para 4.87 it saysThe Council will require all developments to incorporate appropriate design, layout and access measures to help reduce opportunities for crime, the fear of crime and to create a more safe and secure environment....*
18. This leads to two policies that apply across the Borough:
- **Policy D1 Design** says: *The Council will seek to secure high quality design in development. The Council will require that development: ...i. is secure and designed to minimise crime and antisocial behaviour...*
 - **Policy C5 Safety and security** says: *The Council will aim to make Camden a safer place. We will: ...b. require developments to demonstrate that they have incorporated design principles which contribute to community safety and security...*
19. However, **Camden Planning Guidance 1 Design para 4.57** says *For boundary treatments around listed buildings or in a conservation area we will expect that:*
- *the elements are repaired or replaced to replicate the original design and detailing and comprise the same materials as the original features;*
 - *the works preserve and enhance the existing qualities and context of the site and surrounding area.*

20. There is an obvious inconsistency between the Local Plan and the Design Guidance. The first prioritises measures in design that reduce opportunities for crime and fear of crime, while the second seeks to deny this opportunity in conservation areas by promoting non-secure front boundary treatments.
21. In 2018 crime in Camden was about 40% higher than the London average. The Metropolitan Police graph below shows this:



22. **Annexe 1** shows there have been 17 crimes in Redington Road investigated by the Police over the past year, including vehicle crime, criminal damage, burglary and violence. Growing awareness and concern about increased crime in this area is the reason why the appellant wishes to replace the open frontage with no gates with a secure fence and gates.
23. The Design and Access statement identified that the appellant was assaulted in the street close to the house recently whilst with his wife and daughter. Their fear of crime is very real, and they need a secure boundary to feel their children are protected. The height and design of the proposal is necessary to secure this.
24. The Council has the difficult task of explaining why residents of conservation areas should have lower security than elsewhere and so are forced to experience a higher degree of fear of crime, contrary to its own Local Plan Policies.

THE CASE OFFICER'S REPORT

25. This is at **Annexe 2**. It makes the following points that the appellant agrees with:
- *The proposal would cause less than substantial harm to the character or appearance of the Conservation Area (2.6).*
 - *Given the nature of the proposal there would not be impacts on residential amenity (3.6);*
 - *The site benefits from two existing vehicle crossovers and it appears the forecourt can accommodate space for two vehicles (4.1).*
 - *The crossover would be repositioned slightly, however not increased in size and is therefore not likely to alter off-street car parking (4.1).*
 - *The proposal would not lead to increased off-street car parking and is therefore compliant with policy T2 (4.1).*
26. These points in the Case Officer's report underpin the Council's refusal and are considered below:
- *The prevailing character of Redington road is of low brick walls with hedges. The loss of the original boundary treatment fails to preserve the historic boundary treatment and wider appearance of the conservation area (2.4).*
 - *The addition of high metal railings with sliding gates is an incongruous feature which is not in keeping with the historical form of boundary treatment on this road and the wider Conservation Area (2.4).*
 - *The high metal gates and brick piers would also obscure the public views of the main building when viewed from the street (2.4).*
 - *there is no recorded planning history for the black painted steel gates and railings at no. 57. This ...would not be considered as a precedent to support further development of this kind (2.5).*
 - *Further development of this kind would lead to the formation of the impression of a more defensive, gated character which would dramatically alter the appearance and feeling of the conservation area (2.5).*
 - *The proposal would provide no public benefits to outweigh the less than substantial harm to the conservation area (2.6)*

PLANNING ISSUES

27. The appellant's response to the Case Officer's points is below.

The prevailing character of Redington Road is of low brick walls with hedges. The loss of the original boundary treatment fails to preserve the historic boundary treatment and wider appearance of the conservation area... The addition of high metal railings

with sliding gates is an incongruous feature which is not in keeping with the historical form of boundary treatment on this road (2.4)

28. It is evident from the photo above that the appeal site's front boundary was never a low brick wall with a hedge and so has always been inconsistent with the identified character of the Conservation Area.
29. This contrasts with the Council's recent decision at No. 11, where there was previously a hedge with dwarf wall consistent with the identified character of the Conservation Area that the Council has permitted to be replaced with brick piers and railing (paras 11 and 12 above).
30. The Council has a duty to be consistent in its application of policy and its identification of what materially harms the Conservation Area. Plainly the Council's refusal in this case is wholly inconsistent with its subsequent consent for a similar front boundary at No. 11. The appeal proposal does not involve removing a hedge and so will be less harmful to the Conservation Area than the approval at No. 11.
31. It is significant that the reason for refusal does not identify the height of the proposed railings as an objection to the proposal and so these set an important context to the proposal. This context is reinforced by the existing high gates, which are a significant feature of the area around the appeal site.

The high metal gates and brick piers would also obscure the public views of the main building when viewed from the street (2.4).

32. The application elevation above shows that the building would be fully visible from the street.
33. The boundary treatment does not restrict vision and still allows the occupier to see what is outside their building line when they are leaving on foot or with their car.

There is no recorded planning history for the black painted steel gates and railings at no. 57. This ...would not be considered as a precedent to support further development of this kind (2.5).

34. No. 57's front boundary has been in place since at least 2008 (the earliest Google Streetview image) and so is well established. There has been plenty of time for the Council to have taken enforcement action if it considered it materially harmed the appearance of the Conservation Area.

Further development of this kind would lead to the formation of the impression of a more defensive, gated character which would dramatically alter the appearance and feeling of the conservation area (2.5).

35. The Case Officer's report seems to wish to set the Conservation Area in aspic. But, as the No. 11 decision and the many other front railings on the street show, Redington Road's appearance has altered since the Conservation Area Appraisal was published in 2001. This has occurred with the Council's active or passive acquiescence.
36. The increase in railings and gates as a front boundary treatment in the area is driven entirely by concern about safety in view of the high and rising crime rate in the area identified above.

The proposal would provide no public benefits to outweigh the less than substantial harm to the conservation area (2.6)

37. Plainly the Case Officer and the members who approved the recent application at No. 11 were satisfied that the public benefit of increased safety for the local residents was sufficient to outweigh any harm to the Conservation Area. It would be wholly irrational for the Council to take a different view in this case.

CONCLUSIONS

38. For all the reasons set out above, the proposal is consistent with recent Council decisions and will not materially harm the character or appearance of the Conservation Area. The Inspector is respectfully invited to allow the appeal.

Yours faithfully

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Annex 1

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Annex 1 – Crimes in Redington Road

Crime ID	Month	Location	Category	Outcome status
35c88ee4963a877d6cc8b571c14ba55d464cd1ba99bcca44c35f827dd54986b5	2019-07	On or near Redington Road	Vehicle crime	Under investigation
b3f90b105a5fc8b8a1e9b257b2eaebdaebb7e5e8eded46871e34ea4fdad62915	2019-07	On or near Redington Road	Vehicle crime	Under investigation
dcccfb9b5b256cba1062f5735a95156f85c2801fa24d0d6fe2dde13fe7f8a2fa	2019-07	On or near Redington Road	Violence and sexual offences	Under investigation
dcccfb9b5b256cba1062f5735a95156f85c2801fa24d0d6fe2dde13fe7f8a2fa	2019-07	On or near Redington Road	Violence and sexual offences	Under investigation
dcccfb9b5b256cba1062f5735a95156f85c2801fa24d0d6fe2dde13fe7f8a2fa	2019-07	On or near Redington Road	Violence and sexual offences	Under investigation
322e3814e90e3933d5a9019b1a87d7c7466baa1fad14bcd96a208e10d369c255	2019-06	On or near Redington Road	Vehicle crime	Under investigation
e4f7699e829c8aad268672cc8cf7dbf7eac42f3313a6dec603d00bc6a44ac7	2019-06	On or near Redington Road	Violence and sexual offences	Under investigation
f4e0c9c4b0c83bdb8986f92fb77279862e85639ae314d59dcabc9fcc2bbf9be3	2019-04	On or near Redington Road	Violence and sexual offences	Under investigation
c37328ef6ce85b6f66575d1bc6c8614e2a0bea437b646d757eachbedeaaaf0fb91	2019-02	On or near Redington Road	Robbery	Status update unavailable
6ee718e573447e767eaa155b39d29ae667565d7f64065e581e0a538242ad7475	2019-02	On or near Redington Road	Vehicle crime	Status update unavailable
892a80c5065d69b7f94e82d1fe1e316f1a6db837d5001d1f6f8b8087f21044f	2018-11	On or near Redington Road	Burglary	Status update unavailable
5c287f71af6b3b8582f77955f86e6e14f2d396a73b0728afa41730ee8fdef0c1	2018-11	On or near Redington Road	Burglary	Investigation complete; no suspect identified
037d1b8582492c09bb3668e821524edf6867ece360c451201461220679b708b8	2018-11	On or near Redington Road	Other theft	Status update unavailable
016e174a89f26fa1d115417fe834c428aa8fd6142c82189c3cf557c678d1d11b	2018-10	On or near Redington Road	Vehicle crime	Status update unavailable
037769ed2746a05533ef896cb93d7c2426a8e01e52548eb2efc26b1ed68fb818	2018-09	On or near Redington Road	Vehicle crime	Investigation complete; no suspect identified
37685f5e7be5dba1bb800fb0583416535b214580adea4d826405ede4f9ccdd28	2018-08	On or near Redington Road	Burglary	Status update unavailable

Annex 2

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Delegated Report		Analysis sheet		Expiry Date:	19/06/2019
		N/A		Consultation Expiry Date:	26/05/2019
Officer			Application Number(s)		
Josh Lawlor			2019/1908/P		
Application Address			Drawing Numbers		
59 Redington Road London NW3 7RP			See decision notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Installation of new boundary treatment comprising of metal gates with brick piers, alteration to existing vehicle cross-over, demolition of existing boundary wall					
Recommendation(s):	Refuse Planning Permission				
Application Type:	Householder Planning Permission				

Conditions or Reasons for Refusal:	Refer to Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	00	No. of responses	00	No. of objections	00
Summary of consultation responses:	<p>A site notice was displayed from the 01/05/2019</p> <p>A press notice was advertised between 02/05/2019 to the 26/05/2019</p> <p>No comments or objections were received from neighbouring occupiers</p>					
Local Amenity and Conservation Groups	<p>A letter was sent out to the Redington and Frognal Conservation Area Advisory Committee on the 25/04/2019</p> <p>No comment was received</p> <p>A letter was sent out to the Redington and Frognal Neighbourhood Forum on the 25/04/2019</p> <p>The Redington and Frognal Neighbourhood Forum objected to the proposal on the following grounds:</p> <ul style="list-style-type: none"> • The metal gates are not an appropriate boundary treatment for the Conservation Area • Object to the loss of low brick wall • Harm to streetscape <p><i>Officer response: Please see design and heritage, section of this report.</i></p>					

Site Description

The host property relates to a two storey with dormer detached dwellinghouse. It is located within the Redington and Frogna Conservation Area and is identified as making a positive contribution to the character and appearance of the conservation area. The Redington and Frogna conservation area appraisal and management strategy states that whilst there is no consistent architectural style on Redington road, red brickwork, clay tiles, dormer and sash windows are common features. The site is also located within the Redington and Frogna Neighbourhood Forum.

Relevant History

Relevant Planning History:

PWX0103903 Construction of replacement front entrance canopy and alterations to steps
Refused 15/01/2002

Reason for Refusal:

The proposed replacement front entrance canopy by reason of its design and size, would cause unacceptable harm to the appearance of the house and character and appearance of the Redington and Frogna conservation area

2015/2820/P Extension of existing rear bays at ground and first floor, changes to rear fenestrations, replacement rear dormer and alterations to front lightwells Granted 16/09/2015

2016/4230/P Variation of condition 3 (approved plans) of planning permission 2015/2820/P granted 16/09/2015 (for extension of existing rear bays at ground and first floor, changes to rear fenestrations, replacement rear dormer and alterations to front lightwells) namely for alterations to fenestration details at front, both side elevations and rear elevation (including revised balustrades) and installation of additional rooflights.

A replacement canopy and replacement door were removed from this application. The door and canopy were regarded as part of the character of the house and therefore ought to be retained.

2017/0323/P Excavation of front forecourt to create underground car parking car with hydraulic lift platform. Refused 17/08/2017

Reasons for refusal:

- 1) failure to demonstrate that the proposed excavation would maintain the structural stability of building and neighbouring properties, avoid adversely affecting drainage and run-off, causing other damage to the water environment and cumulative impacts upon structural stability or the water environment in the local area*
- 2) The creation of an additional onsite parking space would promote the use of private motor vehicles, fail to encourage the use of sustainable modes of transport and exacerbate local traffic conditions*
- 3) The proposal, in the absence of a legal agreement to secure highway contributions to undertake external works outside the application site, would fail to secure adequate provision for the safety of pedestrians, cyclists and vehicles*
- 4) The proposed development, in the absence of a legal agreement to secure a Construction Management Plan, would be likely to give rise to conflicts with other road users, and be*

detrimental to the amenities of the area generally

- 5) *The proposed development, in the absence of a financial contribution secured to cover the costs of reviewing the Construction Management Plan, would be likely to give rise to conflicts with other road users, and be detrimental to the amenities of the area generally*

2019/0388/P Erection of metal gates to front boundary, alterations to front elevation including installation of railings over light well, new door, alterations to canopy – Withdrawn by applicant 21/03/2019

The application was withdrawn as the application was to be refused due to harm to the harm the proposal would cause to the character and appearance of the Conservation Area

Relevant policies

The National Planning Policy Framework 2019

London Plan 2016, consolidated with alterations since 2011

Camden local Plan 2017

- Policy D1 Design
- Policy D2 Heritage
- Policy A1 Managing the Impact of Development
- Policy T2 Parking and car-free development

Redington Froggnal Neighbourhood Development Plan (2018)

- BD 1 New Developments and Refurbishment of Existing Housing Stock
- BD 4 Redington Froggnal Design Codes for Development Sites, Including New Buildings, Extensions and Alterations
- BD 6 Retention of Architectural Details in Existing Buildings

This plan has not been inspected or formally adopted and therefore holds very limited weight in decision making.

Redington and Froggnal conservation area appraisal and management strategy (2000)

Camden Planning Guidance (CPG)

- CPG Design (July 2015 Updated March 2019)
- CPG Amenity (March 2018)
- CPG Transport (March 2019)

Assessment

1. Proposal

- 1.1. The installation of new boundary treatment comprising black steel railings and reconstituted stone copings, with bi-fold gates for vehicular access. The brick piers would have a height of 2.3m from ground level to the top the re-constituted stone coping, with the metal gates measuring 2m from ground level. The existing low brick wall with coping stone would be demolished.

2. Design and Heritage

- 2.1. CPG1 states that the Council encourages the combination of low brick boundary walls and hedges as a boundary treatment in conservation areas, where they make up the characteristic boundary treatment. Due to the prominence of the boundary treatments in the streetscene the council 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 streetscene
- 2.2. There is a presumption in favour of retaining boundary treatments in conservation areas that are characterful or contribute positively to the character of the area. Council will resist alterations to boundary treatments in conservation areas that do not preserve or enhance the existing qualities and context of the surrounding area (CPG1). When boundary treatments are to be altered, the elements should be repaired or replaced to replicate the original design and detailing and comprise the same materials as the original features.
- 2.3. The Redington and Froggnal conservation area appraisal states that works to front boundaries can dramatically affect and harm the character of the conservation area. The loss of trees and boundary planting and introduction of inappropriate boundaries is also likely to harm the conservation area.
- 2.4. The prevailing character of Redington road is of low brick walls with hedges. The loss of the original boundary treatment fails to preserve the historic boundary treatment and wider appearance of the conservation area. The addition of high metal railings with sliding gates is regarded as an incongruous feature which is not in keeping with the historical form of boundary treatment on this road and the wider Conservation Area. The addition of railings and sliding gates would be an incongruous addition which would harm the character of the conservation area. The high metal gates and brick piers would also obscure the public views of the main building when viewed from the street which is supported.
- 2.5. It is noted that there is no recorded planning history for the black painted steel gates and railings at no. 57. This boundary treatment is out character with the prevailing boundary treatments on Redington road and would not be considered as a precedent to support further development of this kind. Further development of this kind would lead to the formation of the impression of a more defensive, gated character which would dramatically alter the appearance and feeling of the conservation area.
- 2.6. The proposal would provide no public benefits to outweigh the less than substantial harm to the conservation area. Considerable importance and weight has been attached to the harm and special attention has been paid to the desirability of preserving or enhancing the character or appearance conservation area, under s. 72 of the Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.
- 2.7. Para 196 of the NPPF (2018) states that 'where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use'. The proposal would result in 'less than substantial harm' to the character, appearance and historic interest of the conservation area as well as to the host property. There is no demonstrable public benefit created as a result of the proposal.

3. Amenity

- 3.1. The Council will seek to ensure that the amenity of neighbours is protected from development. The factors the Council will consider the impact on daylight/sunlight, noise, overlooking, outlook, and artificial light levels (light pollution).
- 3.2. Given the nature of the proposal there would not be impacts on residential amenity.

4. Transport

- 4.1. Policy T2 states the Councils will resist the development of boundary treatments and gardens to provide vehicle crossovers and on-site parking. The site benefits from two existing vehicle crossovers and it appears the forecourt can accommodate space for two vehicles. The crossover would be repositioned slightly, however not increased in size and is therefore not likely to alter off-street car parking. The proposal would not lead to increased off-street car parking and is therefore compliant with policy T2

5. Recommendation

For the above reasons the application is **refused** planning permission.