

Planning Department

Camden Council
5 Pancras Square
Kings Cross
London
N1C 2AG

London

Holmes House
4 Pear Place
London SE1 8BT

nexusplanning.co.uk

24th January 2020

Dear Patrick,

Planning application for new boundary treatment along College Crescent at South Hampstead High School

On behalf of our client Girls' Day School Trust (GDST), we submit this planning application for the erection of a new boundary treatment along College Crescent at South Hampstead High School ("the site").

This application seeks to replace the existing temporary hoarding (required in the interest of safety) along College Crescent with permanent bollards, railings and fencing which reflect the character of the area (which is located within the Frongal and Fitzjohn Conservation Area).

This application is supported by the following drawings which should be considered in conjunction with this letter:

- Site Location Plan (Drawing no. 1805-P_04 Rev A)
- Existing and Proposed Elevations (Drawing no. 1805 P_02 Rev B)
- Existing and Proposed Plans (Drawing no. 1805 P_01 Rev C)
- Materials and Precedents (Drawing no. 1805 P_04 Rev A)

Application Background

This planning application is submitted following the approval of planning application 2017/6770/P for: *'Erection of brick wall, pillars and metal railings along College Crescent boundary to include 2x pedestrian gates, 1x vehicular gate and 1x gate for refuse/recycling facilities and associated alterations to adjacent kerb to secondary school'* which was granted approval on 14th May 2018.

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Following the approval of application reference 2017/6770/P, on site investigation works identified that the foundations for the approved wall would interfere with the existing below ground drainage and road curb and could not be safely constructed.

Subsequently an application to vary Condition 3 (approved drawings) was submitted in April 2019 (application reference 2019/1682/P). The application sought to alter the approved boundary treatment (wall, pillar and metal railings) to a combination of bollards, fencing and railings.

Following submission of this application, a Court of Appeal decision (Finney v Welsh Ministers [2019] EWCA Civ 1868) ruled that it is no longer possible for Section 73 applications to make changes to a planning application if it will result in the development differing from the description of development. Therefore, as application reference 2019/1682/P sought changes (in relation to bollards and fencing) that deviated from the original description of the development, they were now required to be dealt with under a separate application.

Consequently, this application seeks changes to the boundary treatment and application 2019/1682/P has been withdrawn.

Prior to the withdrawal of application reference 2019/1682/P, officer feedback was sought to confirm the Council were comfortable with the proposal. At this time, the Council requested that the number of proposed bollards along the boundary were revisited as they were identified as having the potential to cause a cluttered appearance along College Crescent.

The proposal has since been revisited and this application proposes a reduction in the number of proposed bollards from 25 fixed bollards and 4 rising bollards to 12 bollards (8 fixed and 4 rising) allowing for a reduced overall visual impact. Officers have confirmed that the reduced number of bollards is favourable. The material and precedents of the proposed bollards fencing and railings can be seen in Drawing no. Drawing no. 1805 P_04 Rev A submitted alongside this application.

The proposed number of bollards is the minimum required to ensure that suitable levels of safety remain on site. The bollards (alongside the fencing and railings) will safeguard the school from the adjacent road providing a clear boundary between the school and the highways. The proposed boundary treatment will also reduce the risk of vehicles from mounting the pavement. The importance of the boundary treatment in this regard was acknowledged by officers in application 2017/6770/P where the decision notice states: "*The boundary wall would help secure the Secondary School from user and vehicular safety*".

Planning History

Although there is an extensive planning history for the school, the planning applications of relevance to this planning application are detailed in the table below:

Planning application reference	Proposal	Decision
2019/1682/P	Variation of condition 3 (approved drawings) of planning permission 2017/6770/P dated 14/05/2018 for the erection of brick wall, pillars and metal railings along College Crescent boundary to include 2x pedestrian gates, 1x vehicular gate and 1x gate for refuse/recycling facilities and associated	Withdrawn

	alterations to adjacent kerb to secondary school; namely alterations to the boundary to include bollards, railings and fences	
2017/6770/P	Erection of brick wall, pillars and metal railings along College Crescent boundary to include 2x pedestrian gates, 1x vehicular gate and 1x gate for refuse/recycling facilities and associated alterations to adjacent kerb to secondary school	Granted 14/05/2018

Planning Policy Context

The development plan document for Camden Council consists of the Camden Local Plan (2017) and below we assess the proposals against the policies within this plan.

Under application 2017/6770/P the principle of development for the boundary wall has been established as acceptable.

Policy D1 (Design) of the Local Plan identifies that the Council will seek development of high quality designs that integrate with the surrounding streets and respect the local context and character. Due to the site's location within the Frognal and Fitzjohn Conservation Area, (as required under Policy D2 (Heritage)) all development in these areas must preserve, or where possible, enhance the character or appearance of the conservation area. The bollards have been designed to reflect the character of the area, and the number of bollards (which has reduced from the previous proposal) is the minimum required to ensure pedestrian and vehicular safety with limited visual impact on the street scene. The proposed development will also provide a significant improvement to the streetscene, through the removal of the temporary hoarding. Therefore the proposals are considered to meet the requirements of Policies D1 and D2.

Policy A1 (Managing the impact of development) seeks to protect the quality of life of occupiers and neighbours. The design of the boundary treatment has been mindful of the visual impact on local residents and is reflective of the local character of the area. The proposal allows for the removal of the existing temporary hoarding, ultimately providing an improvement to the street scene. In line with this policy, the proposals also allow for the protection of users. Overall the proposals are considered to be compliant with Policy A1.

Summary and Conclusion

The proposal seeks to change the design of the boundary treatment along College Crescent which was granted consent under application ref:2017/6770/P. Changes are required due to on site investigation works identifying below ground drainage issues.

Due to the Court of Appeal decision *Finney v Welsh Ministers* [2019] EWCA Civ 1868 these changes cannot be made under a S.73 application and are the subject of a new application.

The proposed new boundary treatment, which is in line with local planning policy, will safeguard both pedestrian and vehicular users whilst visually respecting the street scene.

Overall it can be concluded that the proposals are acceptable and the application should be determined without delay.

Yours sincerely

A handwritten signature in black ink, consisting of a stylized, scribbled initial followed by a long horizontal line extending to the right.

Amy Stone
Principal Planner