

Delegated Report		Analysis sheet		Expiry Date:		01/03/2022	
(Members Briefing)		N/A / attached		Consultation Expiry Date:		30/03/2022	
Officer				Application Number(s)			
Leela Muthoora				2021/5659/P			
Application Address				Drawing Numbers			
22 Avenue Road London NW8 6BU				See draft decision			
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature	
Proposal(s)							
Installation of an automated vehicle gate, pedestrian gate and railings to the front boundary.							
Recommendation(s):		Grant conditional planning permission					
Application Type:		Full Planning Permission					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. of responses		01		No. of objections	
						01	
Summary of consultation responses:		<p>A site notice was displayed near to the site on the 07/02/2022 with the incorrect consultation end date. Therefore, it was displayed again on 06/03/2022 with an extended consultation end date until 30/03/2022.</p> <p>The development was also advertised in the local press, The Ham & High, on the 10/02/2022 with consultation end date 06/03/2022.</p>					
CAAC/Local groups comments:		<p>A letter of objection was received on behalf of the Belsize CAAC. Their objection comments were as follows:</p> <ol style="list-style-type: none"> Object to the over-elaborate design of the proposed new gates and railings, the number of vertical supports and bars and the solid backing sheets. <p><u>Officer's response:</u> (1) Please see section 3.5, 5.3 and 5.4 of the assessment.</p>					

Site Description

The application site is a six-storey detached building with basement car parking, located on the north-eastern side of the street. The building is divided into five flats. This application relates to the shared vehicle and pedestrian entrance and boundary treatment facing Avenue Road.

The site is not statutorily listed but is located within the Elsworthy Conservation Area. However, it is identified in the Elsworthy Conservation Area Appraisal and Management Strategy as detracting from the character and appearance of the conservation area.

The southern section of Avenue Road marks the boundary between Camden and Westminster.

Relevant History

- **2018/2252/P**: Planning permission was **granted** on the 21/06/2018 for the '*Installation of new roof above existing conservatory to ground floor flat*' (Flat 1)
- **8804367**: Planning permission was **granted** on the 30/08/1988 for '*The erection of a single storey conservatory at rear of ground floor flat*'
- **8703046**: Planning permission was **granted** on the 16/09/1987 for the '*Provision of stairs from rear balcony at first floor level down to rear garden*'
- **37339/R4**: Planning permission was **granted** on the 09/12/1983 for the '*Erection of a block of five flats with basement car parking*'

Relevant policies

National Planning Policy Framework (2021)

London Plan (2021)

Camden Local Plan (2017)

G1 Delivery and location of growth

A1 Managing the impact of development

D1 Design

D2 Heritage

CC2 Adapting to Climate Change

CC3 Water and Flooding

Camden Planning Guidance

CPG Design (January 2021)

CPG Amenity (January 2021)

CPG Water and flooding (March 2019)

Elsworthy Conservation Area Appraisal and Management Strategy (2009)

Camden Geological, Hydrogeological and Hydrological Study (2010)

Assessment

1. Proposal

1.1. Planning permission is sought for the installation of an automated vehicle gate, pedestrian gate and railings to the front boundary.

Revisions

1.2 During the course of the assessment revisions to the proposed scheme were requested in order to address concerns raised by officers. The revision made to the proposed scheme was:

- Installation of additional brick pier with coping stone, to match the existing, located between the proposed pedestrian and vehicle gates.

2. Assessment

The principal considerations material to the determination of this application are as follows:

- The visual impact upon the character and appearance of the host property, street scene, local area and the Elsworthy Conservation Area (Design and Heritage)
- The impacts caused upon the residential amenities of any neighbouring occupier (Amenity)
- The impact of the adaptation measures to mitigate the risks of flooding. (Water and Flooding)

3. Design and Heritage

- 3.1. The Council's design policies are aimed at achieving the highest standard of design in all developments. The following considerations contained within policy D1 are relevant to the application: development should respect local context and character; comprise details and materials that are of high quality and complement the local character. Policy D2 'Heritage' states that to maintain the character of Camden's conservation areas, the Council will not permit development within conservation area that fails to preserve or enhance the character and appearance of that conservation area. Camden's Local Plan policies are supported by CPG (Design) and the Elsworthy Conservation Area Appraisal and Management Strategy.
- 3.2. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013 ("the Listed Buildings Act") requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area when considering applications relating to land or buildings within that Area. As such, there is a statutory presumption in favour of the preservation of the character and appearance of Conservation Areas, and a proposal which would cause harm should only be permitted where there are strong countervailing planning considerations which are sufficiently powerful to outweigh the presumption.
- 3.3. Planning permission was granted for the erection of the host building on 04/05/1984 (see Planning history section above), before the site was designated as part of the Elsworthy Conservation Area on 01/11/1985.
- 3.4. The significance of the CA derives from the spacious leafy streets and large plot sizes, as well as some important views including those highlighting the area's relationship to the high ground of Primrose Hill, none of which are impacted by the proposal. The site is located at the southern end of the Conservation Area, and the Elsworthy Conservation Area Appraisal and Management Strategy (Elsworthy CAAMS) highlights that this area appears to have no architectural or remaining historic interest. It notes that the area is now entirely modern in character, and that the host building and the surrounding buildings – Primrose House, 24-26 Avenue Road and 1-5 Rudgwick Terrace – are of a design and scale that are at odds with the surrounding character of the Conservation Area. The host building is therefore identified in the Elsworthy CAAMS as having a detrimental impact on the character and appearance of the Elsworthy Conservation Area.
- 3.5. The Elsworthy CAAMS identifies the loss of original boundary treatments as an issue that could influence change in the character and appearance of the area. While the host building is identified as detracting from the conservation area, it comprises of similar materials to the surrounding area. The

revision to the proposal includes an additional brick pier with coping stone which reduces the number of supports, helps to integrate the gates into the existing boundary treatment and lessen the impact of the width of the gates and solid panels to the lower section. As a result, the revised proposals are appropriate in size, design and materials for the character of the host building and surrounding conservation area. The proposals are therefore considered to comply with policies D1 and D2 of the Camden Local Plan 2017.

4. Amenity

- 4.1. Policies 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 factors such as loss of outlook, privacy, daylight and sunlight.
- 4.2. The proposals would prevent water ingress to the host building and would read as continuous boundary treatment allowing views between the site and street. Given the minor nature of the proposals, and their distance to the host building and neighbouring ones they would not negatively impact the amenity of occupiers nor neighbours in terms of loss of outlook, privacy, or light. The proposals comply with policy A1 of the Camden Local Plan 2017.

5. Water and Flooding

- 5.1. The Councils' climate change policies involve preparing for the effects of climate change. Policy CC3 requires development to be resilient to climate change and Policy CC2 identifies that flooding is one of the key risks which require mitigation and adaptation measures in the borough.
- 5.2. The key flood risk to Camden is from surface water flooding, when intense rainfall exceeds the capacity of the drainage system, resulting in localised flooding. The area is identified as a historically flooded street and at risk from surface water flooding, with the most recent event in 2021. (Site photos 5 and 7).
- 5.3. The entrance is at a lower ground level than the highway accessed approximately 700mm below the footway (by a ramp and three steps); the vehicle entrance to the basement car park and is accessed by a ramp with vents to the basement plant room on the side elevation. (Site photo 4). The applicant is currently using temporary plastic barriers to prevent surface flood water from entering the building. (Site photos 2 and 3).
- 5.4. The proposal seeks to reduce the amount flood water entering the building. It would not provide flood proofing, as there remains a risk of water ingress through other boundaries on site. However, a flood barrier is one of the measures recommended in the submitted Flood Mitigation Report, the barrier in the form of vehicle and pedestrian gates would be sympathetic to the host building and surrounding conservation area. On balance, the proposals would help reduce flood water ingress to the building and be complementary to the street scene. The proposals comply with policy CC2 and CC3 of the Camden Local Plan 2017.

6. Conclusion

- 6.1. The proposed development is considered acceptable in terms of design, amenity and incorporates mitigation measure to the risk of surface water flooding. Due to the characteristics of this particular site, the development is deemed to comply with the policies and guidance identified.
- 6.2. **Recommendation:** Grant Conditional Planning Permission.

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 20th June 2022, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to www.camden.gov.uk and search for 'Members Briefing'.