

Location **Alleyway/Service Road Rear Of 2-18 Grange Avenue/ 29-51 Burlington Rise/ 53-67 Burlington Rise Barnet EN4 8NL**

Reference: **14/07920/FUL** Received: 12.12.2014
Accepted: 17th December 2014

Ward: Brunswick Park Expiry 11th February 2015

Applicant: Residents' Committee

Proposal: Installation of 3no. single opener security gates at three locations on the alleyway between Burlington Rise (29-67) and Grange Avenue (2-18). One gate to the rear of 51 and 53 Burlington Rise, one to the rear of 67 Burlington Rise and 18 Grange Avenue, and one to the rear of 29 Burlington Rise and 2 Grange Avenue

Recommendation: Approve subject to conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan BRG/EN4/COVOALLEY, Drawing CF/GB/AG/003 Rev A, CF/GB/AG/004 Rev A, CF/GB/AG/005 Rev A.

Reason: For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the plans as assessed in accordance with Policies CS NPPF and CS1 of the Local Plan Core Strategy DPD (adopted September 2012) and Policy DM01 of the Local Plan Development Management Policies DPD (adopted September 2012).

- 2 This development must be begun within three years from the date of this permission.

Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

- 3 The gates hereby approved shall be finished in black in accordance with the details on the submitted application form.

Reason: To safeguard the visual amenities of the building and surrounding area in accordance with Policy DM01 of the Development Management Policies DPD (adopted September 2012) and Policies CS NPPF and CS1 of the Local Plan Core Strategy (adopted September 2012).

Informative(s):

- 1 In accordance with paragraphs 186 and 187 of the NPPF, the Local Planning Authority (LPA) takes a positive and proactive approach to development proposals, focused on solutions. The LPA has produced planning policies and written guidance to assist applicants when submitting applications. These are all available on the Council's website. A pre-application advice service is also offered. The LPA has negotiated with the applicant/agent where necessary during the application process

to ensure that the proposed development is in accordance with the Development Plan.

- 2 The applicant is reminded that the relevant consents will be required to be obtained from any land owner and any persons who have a right of way over the access way prior to the works taking place.
- 3 The applicant is reminded that any gate operation equipment must be located within the site boundaries and must not encroach onto the public highway.
- 4 The applicant is advised to contact London Fire Brigade and London Ambulance Service to discuss their access requirements prior to the installation of the gates.
- 5 The applicant is advised that proposed gates should not open outwards toward the access road, to ensure they allow vehicles to wait for gates to open within the private access road.
- 6 The Waste and Cleansing Department must be consulted regarding any impact on refuse collection arrangements.

Officer's Assessment

1. Site Description

The application relates to the construction of gates to enclose a vehicular access route to the rear of the rear gardens of properties which front Grange Avenue and Burlington Rise.

2. Site History

None relevant to the current scheme. However, entrance gates to alleys have been approved in other locations in this part of the borough, including at the following locations:

- Across the rear service road between East Walk and Ferney Road, with gates located to the rear of Nos. 7/8 East Walk & 6/8 Ferney Road, 25/26 East Walk & 42/44 Ferney Road, 27/28 East Walk & 46/48 Ferney Road, and 65 East Walk/31 Uplands Road (Application reference B/02489/12).
- To the rear access roads servicing Lincoln Avenue, Mandeville Road and Hampden Way (N14) in 2007 (Application reference N15846/07).
- Three iron security gates for garage access roads and access roads fronting: Mandeville Road, Underne Avenue and Hampden Way. (Application reference N15285/06).
- Four iron security gates for private service alleyways accessing Hampden Way and Whitehouse Way. (Application reference B/01707/11).

3. Proposal

This application proposes the construction of three sets of entrance gates on the alleyway between Burlington Rise (29-67) and Grange Avenue (2-18), as follows:

- One gate to the rear of 51 and 53 Burlington Rise
- One to the rear of 67 Burlington Rise and 18 Grange Avenue
- One to the rear of 29 Burlington Rise and 2 Grange Avenue

The proposed entrance gates would measure 2.1 metres in height. They would be constructed of metal railings and would be set back from the highway to allow vehicles to wait clear of the highway. They would be powder coated in black.

4. Public Consultation

Consultation letters were sent to 53 neighbouring properties. A site notice was also displayed.

11 responses have been received, comprising 9 letters of objection and 2 letters of support.

The objections received can be summarised as follows:

- Gates will result in restricted access and create unsafe conditions.
- Access for commercial vehicles would be impeded.
- Opening width of 2.5 metres will prevent us from having full and unrestricted access to gardens.
- Opening will impede access to emergency vehicles.
- Gates are inappropriate for the area, which has a lower crime rate than suggested in the Design and Access Statement.
- The gates will not stop burglaries
- Fly tipping and anti-social behaviour are rare.
- Resident's should be responsible for their own security arrangements.
- Long term maintenance has not been addressed.
- Access will be compromised

The letters of support received can be summarised as follows:

- Gates will prevent many incidents including burglaries, theft and vandalism, and would prevent fly tipping.

Traffic and Development

The proposal is for the installation of gates on the entrances of private access roads accessed from Burlington Rise and Grange Avenue. The location of the gates will be on private land. The gates are set back a minimum of 7 metres from the public highway allowing for a vehicle entering the site to wait 'off' the public highway and the operation of the gates will not affect the public highway. The proposal is considered acceptable on highways grounds as the location of the gates and their operation is not expected to have a detrimental effect on the public highway.

5. Planning Considerations

5.1 Policy Context

National Planning Policy Framework and National Planning Practice Guidance

The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another.

The National Planning Policy Framework (NPPF) was published on 27 March 2012. This is a key part of the Governments reforms to make the planning system less complex and more accessible, and to promote sustainable growth.

The NPPF states that 'good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people'. The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits.

The Mayor's London Plan July 2011

The London Development Plan is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital to 2031. It forms part of the development plan for Greater London and is recognised in the NPPF as part of the development plan.

The London Plan provides a unified framework for strategies that are designed to ensure that all Londoners benefit from sustainable improvements to their quality of life.

Barnet's Local Plan (2012)

Barnet's Local Plan is made up of a suite of documents including the Core Strategy and Development Management Policies Development Plan Documents. Both were adopted in September 2012.

- Relevant Core Strategy Policies: CS NPPF, CS1, CS9.
- Relevant Development Management Policies: DM01, DM17.

The Council's approach to development as set out in Policy DM01 is to minimise the impact on the local environment and to ensure that occupiers of new developments as well as neighbouring occupiers enjoy a high standard of amenity. Policy DM01 states that all development should represent high quality design.

Supplementary Planning Documents

Sustainable Design and Construction SPD (adopted April 2013)

- Provides detailed guidance that supplements policies in the adopted Local Plan, and sets out how sustainable development will be delivered in Barnet.

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Whether harm would be caused to the character and appearance of the existing building, the street scene and the wider locality;
- Whether harm would be caused to the living conditions of neighbouring residents.

5.3 Assessment of proposals

The Council's Design Guidance Note No.9 - Walls, Fences and Gates deals with boundary treatment or means of enclosure around properties. Whilst not directly applicable to the application, the note does state that 'in considering the design and siting of fencing a balance has to be struck between privacy, safety and security on the one hand and aesthetic considerations on the other. The need for security does not outstrip other relevant considerations such as the visual impact and effects on local amenity'. This proposal is considered to strike a balance between the security requirements of the residents and the streetscene of the area. The introduction of the gates is not considered to detract from the quality and character of the locality. The proposed gates would be set back from the main roads, and would not appear clearly visible unless approached head-on along the access road. Given their setback, the proposed gates would not appear as prominent features within the street scene, and would not adversely affect the character or appearance of the area or the wider locality.

The proposed gates would be set back from the highway to enable a vehicle to pull clear of the highway before opening the gates.

5.4 Response to Public Consultation

Matters of rights of access, and security, are not material planning considerations. The Traffic and Development Team have raised no objections to this proposal.

6. Equality and Diversity Issues

The proposal does not conflict with either Barnet Council's Equalities Policy or the commitments set in the Equality Scheme and supports the Council in meeting its statutory equality responsibilities.

7. Conclusion

The proposal is considered to accord with the requirements of the Development Plan and is therefore recommended for approval.

