

Location **Tennis Court Rear Of 3 - 5 Corringway London NW11 7ED**

Reference: **18/4122/FUL** Received: 3rd July 2018

Accepted: 3rd July 2018

Ward: Garden Suburb Expiry 28th August 2018

Applicant: Ms Sarah Robinson

Proposal: Installation of 2no. CCTV cameras in the tennis court area

Recommendation: Approve subject to conditions

AND the Committee grants delegated authority to the Service Director – Planning and Building Control or Head of Strategic Planning to make any minor alterations, additions or deletions to the recommended conditions/obligations or reasons for refusal as set out in this report and addendum provided this authority shall be exercised after consultation with the Chairman (or in his absence the Vice- Chairman) of the Committee (who may request that such alterations, additions or deletions be first approved by the Committee)

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:

Site Location Plan;
Plan showing positioning of cameras within site;
Photos showing location of cameras;
Camera specification details - HIK VISION DS-2CD2385FWD-I - 8 MP Network Turret Camera;
Design and Access Statement.

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.

Informative(s):

- 1 In accordance with paragraphs 38-57 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 permission of the New Hampstead Garden Suburb Trust Ltd may also be necessary and this can be obtained from: The Trust Manager, The New Hampstead Garden Trust Ltd, 862 Finchley Road, London NW11 6AB (Telephone 020 8455 1066). See <http://www.hgstrust.org/> for more information.

Officer's Assessment

The application was deferred from the previous meeting to allow Members of the committee to undertake a site visit.

1. Site Description

The application site is located behind properties in Corringway accessed through a passage positioned between 3-5 Corringway, within Area 5 of the Hampstead Garden Suburb Conservation Area.

The site has historically been used as a community tennis court for the use of residents of Hampstead Garden Suburb. Within the last decade the site fell into disrepair and became over-grown with vegetation. The site is now privately owned.

The Conservation Area Character Appraisal notes;

"Corringway is a cul-de-sac with a block of flats at its head. The immediate impression is pleasingly green. Privet hedges dominate, though some are laurel, while shrub frontages and low wooden gates have been generally retained. Attractive shrubs and trees in beds now line the road and there are no hardstandings to diminish front gardens. Burglar alarms, clamping warning notices, CCTV cameras and views of the phone mast over the roofscape detracts from the appearance of the close. "

2. Site History

Reference: F/03844/13

Address: R/O 3 -5 Corringway, London, NW11 7ED

Decision: Approved subject to conditions

Decision Date: 10/10/2013.

Description: Retention of existing tennis court including laying of new surface, hard and soft landscaping. Replacement fencing and gates. Retention of replacement of existing timber loggia

3. Proposal

This application seeks consent for the installation of 2no. CCTV cameras in the tennis court area.

The cameras will be positioned with one on the rear of the entrance door to the tennis courts, and the second on the front of the wooden shed at the southern corner of the site.

4. Public Consultation

A site notice was erected on 19/7/2018

A press notice was published on 12/7/2018

25 consultation letters were sent to neighbouring properties.

7 responses have been received, comprising of 6 objections and 1 comment

The views of objectors can be summarised as follows;

- No need for cameras as gates, fences and high hedges
- Loss of privacy

- Concerns that CCTV requires electricity supply which will be used for unspecified uses if the owner wanted to develop the site further
- Intrusive
- Impact on traffic and parking

HGS CAAC - No objection.

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 updated in 2018. 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 2016

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, CS5.
- Relevant Development Management Policies: DM01, DM02, DM06.

The Council's approach to extensions as set out in Policy DM01 is to minimise their 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 and should be designed to allow for adequate daylight, sunlight, privacy and outlook for adjoining occupiers. Policy DM02 states that where appropriate, development will be expected to demonstrate compliance to minimum amenity standards and make a positive contribution to the Borough. The

development standards set out in Policy DM02 are regarded as key for Barnet to deliver the highest standards of urban design.

ul Supplementary Planning Documents

The Council Guide 'Hampstead Garden Suburb Conservation Area Design Guidance' as part of the Hampstead Garden Suburb Character Appraisals was approved by the Planning and Environment Committee (The Local Planning Authority) in October 2010. This leaflet in the form of supplementary planning guidance (SPG) sets out information for applicants on repairs, alterations and extensions to properties and works to trees and gardens. It has been produced jointly by the Hampstead Garden Suburb Trust and Barnet Council. This leaflet was the subject of separate public consultation.

Residential Design Guidance SPD (2016)
Sustainable Design and Construction SPD (2016)

5.2 Main issues for consideration

The main issues for consideration in this case are:

- Whether the alterations would be a visually obtrusive form of development which would detract from the character and appearance of the street scene and this part of the Hampstead Garden Suburb Conservation Area.
- Whether harm would be caused to the living conditions of neighbouring residents;
- Whether harm would be caused to trees of special amenity value.

5.3 Preamble

Hampstead Garden Suburb is one of the best examples of town planning and domestic architecture on a large neighbourhood or community scale which Britain has produced in the last century. The value of the Suburb has been recognised by its inclusion in the Greater London Development Plan, and subsequently in the Unitary Development Plan, as an 'Area of Special Character of Metropolitan Importance'. The Secretary of State for the Environment endorsed the importance of the Suburb by approving an Article 4 Direction covering the whole area. The Borough of Barnet designated the Suburb as a Conservation Area in 1968 and continues to bring forward measures which seek to preserve or enhance the character or appearance of the Conservation Area.

The ethos of the original founder was maintained in that the whole area was designed as a complete composition. The Garden City concept was in this matter continued and the architects endeavoured to fulfil the criteria of using the best of architectural design and materials of that time. This point is emphasised by the various style of building, both houses and flats, in this part of the Suburb which is a 'who's who' of the best architects of the period and consequently, a history of domestic architecture of the period of 1900 - 1939.

The choice of individual design elements was carefully made, reflecting the architectural period of the particular building. Each property was designed as a complete composition and design elements, such as windows, were selected appropriate to the property. The Hampstead Garden Suburb, throughout, has continuity in design of doors and windows with strong linking features, giving the development an architectural form and harmony. It is considered that a disruption of this harmony would be clearly detrimental to the special character and appearance of the Conservation Area. The front of the properties being

considered of equal importance as the rear elevation, by the original architects, forms an integral part of the whole concept.

5.3 Assessment of proposals

Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 states that 'In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of 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.

It is one of the core principles of the NPPF that heritage assets should be conserved in a manner appropriate to their significance. Chapter 12 of the National Planning Policy Framework at para 129 sets out that the local planning authority should identify and assess the particular significance of any heritage asset...They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.

Paras 131-135 sets out the framework for decision making in planning applications relating to heritage assets and this application takes account of the relevant considerations in these paragraphs.

In line with the Planning (Listed Building and Conservation Area) Act 1990 special regard is given to preserving the heritage asset. In this instance, it is considered that there is no harm associated with the proposal to the heritage asset and is therefore acceptable having regard to the provisions of Policy DM06 of the Development Management Policies and Section 16, 72 of the Planning (Listed Building and Conservation Areas) Act 1990. Accordingly, it is recommended that planning permission should be granted.

This application seeks consent for the installation of two white CCTV cameras within the boundary of the tennis court site to the rear of properties in Corringway. Access to the tennis court is through a gated path positioned between 3- 5 Corringway.

The first camera is shown to be positioned above the entrance gate to the tennis court at an approximate height of 2.5m directly facing on to the tennis court. The second camera is shown to be sited on the front face of the existing timber shed within the site, again at an approximate height of 2.5m directly facing towards the main entrance gate.

It should be noted that the Hampstead Garden Suburb Trust has given approval for the cameras on the condition that the background imagery is removed to respect the privacy of neighbours. The type of camera proposed (HIK VISION DS-2CD2385FWD-I - 8 MP Network Turret Camera) can provide this restriction. Furthermore, it should be noted that the Conservation Area Advisory Committee raised no objection to the proposals.

The small nature and discreet positioning of the cameras are considered to ensure that these additions do not detrimentally impact on the character and appearance of the application site, wider Conservation Area or amenity of neighbouring occupiers. There has been an increase in applications for CCTV with in the Conservation Area, but through negotiation none have been refused. The details provided are considered to be acceptable and demonstrate that the cameras will not appear too prominent in their position, or detract from the overall character and appearance of the application site.

Given the positioning of the proposed cameras, the proposals are not considered to give rise to any detriment to trees of a high amenity value.

Having taken all material considerations into account, the proposed alterations would not detrimentally impact on the qualities of the application site and protect the character of this part of the Hampstead Garden Suburb Conservation Area. The proposed alterations are such that, as conditioned, it preserves the amenities of the occupiers of the neighbouring properties and the character and appearance of the individual site, street scene, conservation area, and area of special character.

5.4 Response to Public Consultation

The concerns raised that there is no need for cameras as gates, fences and high hedges is noted, however, the need for the cameras is not a material planning consideration.

The concerns raised that the proposed CCTV cameras will result in a loss of privacy and will be intrusive are noted, however, the cameras will not be positioned in a way that will overlook any neighbouring site.

The concerns that CCTV requires electricity supply which will be used for unspecified uses if the owner wanted to develop the site further are not a material planning consideration.

There is not considered to be any impact on traffic and parking as a result of the proposals.

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 support the Council in meeting its statutory equality responsibilities.

7. Conclusion

Having taken all material considerations into account, the proposed alterations would not detrimentally impact on the qualities of the application site and protect the character of this part of the Hampstead Garden Suburb Conservation Area. The proposed alterations are such that, as conditioned, it preserves the amenities of the occupiers of the neighbouring properties and the character and appearance of the individual site, street scene, conservation area, and area of special character.

