

Application ref: 2024/1032/P  
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Date: 15 May 2024

**Development Management**  
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L B Camden - Property Management  
79 Holmes Road  
Kentish Town  
London  
NW5 3AP  
United Kingdom

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Granted**

Address:  
**36-40 Primrose Hill Primary School**  
**Princess Road**  
**London**  
**Camden**  
**NW1 8JL**

Proposal:  
Renewal of chain link fencing to car park/garden area and removal of timber trellis.  
Drawing Nos: 01/R2 (exist and propo), design & access statement, location plan

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

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

01/R2 (exist and propo), design & access statement, location plan

Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of policy D2 of the Camden Local Plan 2017.

- 3 All new work and work of making good shall be carried out to match the existing adjacent work as closely as possible in materials and detailed execution.

Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of policy D2 of the Camden Local Plan 2017.

Informative(s):

- 1 The site is a grade-II-listed primary school of 1885 making a positive contribution to the Primrose Hill Conservation Area.

The applicant wishes to replace an existing 1.8m tall chain link fence separating part of one side of the rear playground from the back gardens of adjoining houses. He further wishes to extend the chain link fence along the full length of the wall, replacing a missing section said to have collapsed, to include a section of the wall currently topped with neighbours' trellis.

An initial proposal which would have used much thicker posts of square tubing has been revised to use twisted flat bar, as is currently the case.

The proposed works will not harm neighbouring amenity.

The application has been advertised in the press and by means of a site notice, whereby there were three objections.

The first starts by questioning the ownership of the wall. This is not a planning consideration and one does not have to own a site to make planning applications related to it. The objector goes on to note that the proposal has been changed without re-consultation. As an intended sop to residents, additional trellis was proposed to screen the chain link fence and help preserve the ivy. This has now been removed from the proposal, which has been returned to its original design. The objector questions the need for the fence. This is not a planning consideration. The objector questions the conservation merit and aesthetics of the fence. It is not argued that the chain link fence has conservation merit; however, the application reinstates a pre-existing situation that is considered lawful and to provide a public benefit, namely being related to the operation of a primary school. Lengthy negotiation has resulted in the uprights of the chain link fence being more or less like-for-like replacements, rather than the very heavy square posts originally proposed. The objector goes on to mention the loss of the ivy. While regrettable, this is not a planning matter.

A second objector mentions the loss of the ivy. See above. He goes on to discuss the ownership of the wall. See above. The objector states that the site notice was not shown in neighbouring streets to the application site. The site notice was displayed in the usual fashion and did its job, as objections have been received and responded to. In addition, a notice was published in the press and e-alerts were sent. It was agreed to hold the case open for comments until 9 May, its closing date, rather than 13 April, the earliest point at which it could be determined. No matter how many objections are received, the planning system is not a plebiscite and, if an application is considered acceptable in planning terms it must be granted consent.

A third objection relates to ownership of the wall. See above. It goes on to ask whether the school has planning permission to use the playground for car parking. It is likely that such a use would be considered to be ancillary to the use as a school, so would not be a change of use. However, if the applicant believes a breach of planning control has occurred, he should contact the Planning Enforcement Team.

The CAAC has responded with no objection.

The site's planning history has been taken into account in making this decision.

Special regard has been attached to the desirability of preserving the character and appearance of the conservation area and special interest of the listed building, under s.66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

As such, the proposal is in general accordance with policy D2 of the Camden Local Plan 2017. The proposed development also accords with the London Plan 2021. In dealing with the application, the Council has sought to work with the applicant in a positive and creative way in accordance with paragraph 38 of the National Planning Policy Framework 2021.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2021.

You can find advice about your rights of appeal at:

<https://www.gov.uk/appeal-planning-decision>.

If you submit an appeal against this decision you are now eligible to use the new [submission form](#) (Before you start - Appeal a planning decision - GOV.UK).

Yours faithfully

A handwritten signature in black ink, appearing to read 'DPope', is positioned in the upper left corner of the page.

Daniel Pope  
Chief Planning Officer