

<b>Delegated Report</b>	<b>Analysis sheet</b>	<b>Expiry Date:</b>	03/11/2023
	N/A	<b>Consultation Expiry Date:</b>	24/12/2023
<b>Officer</b>		<b>Application Numbers</b>	
Ben Greene		2023/3631/P	
<b>Application Addresses</b>		<b>Drawing Numbers</b>	
107E Bartholomew Road London NW5 2AR		Please refer to draft decision notice	
<b>Proposal</b>			
Erection of a 2.4m boundary fence			
<b>Recommendation(s):</b>	Refuse Planning Permission		
<b>Application Type:</b>	Full Planning Permission		
<b>Reasons for Refusal:</b>	Refer to Draft Decision Notice		
<b>Informatives:</b>			
<b>Consultations</b>			
<b>Adjoining Occupiers:</b>	No. notified	<b>00</b>	No. of responses
			<b>00</b>
	No. of objections		<b>00</b>
<b>Summary of consultation responses:</b>	<p>A site notice was displayed from 29/11/2023 to 23/12/2023.</p> <p>The development was also advertised in the local press from 20/11/2023 to 24/12/2023.</p> <p>No responses were received from adjoining occupiers.</p>		
<b>CAAC / Local Groups comments:</b>	<p><b>Bartholomew Estate and Kentish Town CAAC</b></p> <p>The Batholomew Estate and Kentish Town CAAC submitted and objection to the proposed fence as is it out of keeping with area and its proposed height 2.4m is far too high for this area.</p> <p>The fence would be a target for graffiti which would detract from the area.</p> <p><u>Officer response:</u></p> <ul style="list-style-type: none"> <li>- The fence would be out of character and so the proposal is recommended to be refused.</li> <li>- This is not a material planning consideration.</li> </ul>		

## Site Description

The application site is a triangular plot of land located to the north of 107 Bartholomew Road, to the east of the road itself. The site contains a single storey garage building and is covered in hard surfacing. The application form states that the site is in use as a van hire business, assumably associated with the van hire business to the north of the site. To the east of the site is a railway line.

The site is located within the Bartholomew Estate Conservation Area and is noted in the Bartholomew Estate Conservation Area Statement as having a negative impact on the character and appearance of the conservation area, with 'the combination of the boundary treatments and general degradation resulting in this area being perhaps characterful but an unsatisfactory contrast in the Conservation Area'.

## Relevant History

### Application Site:

**2022/3767/P** – Change of use from Sui Generis (Van Rental) to B8 and temporary permission of storage container. **Application has not yet been determined.**

**2023/3630/P** – Proposed temporary storage for three mobile units. **Application has not yet been determined.**

**EN22/0594** – Alleged unauthorised change of use of the site for a fast-food kitchen being operated without planning permission.

## Relevant Policies

### National Planning Policy Framework (2024)

### The London Plan (2021)

### Camden Local Plan (2017)

- A1 Managing the impact of development
- D1 Design
- D2 Heritage
- C5 Safety and Security

### Camden Planning Guidance:

- CPG Amenity (2021)
- CPG Design (2021)

### Kentish Town Neighbourhood Plan (2016)

- Policy D3 Design Policies

### Bartholomew Estate and Kentish Town Conservation Area Appraisal and Management Strategy (2011)

## Assessment

### 1.0. Proposal

1.1 Planning permission is sought for replacement of the existing black wire fence with a wooden fence with a height of 2.4m. No plans have been provided to show the location/extent of the

fence, but the application form provided states the proposal would cover the whole existing site and so it can be assumed it would enclose the site.

The main planning considerations for the proposal are:

- Design and Heritage
- Neighbouring Amenity

## 2 Design and Heritage

- 2.1 Local Plan Policy D1 of the Camden Local Plan 2017 (Design) is aimed at achieving the highest standard of design in all developments. Policy D1 requires development to be of the highest architectural and urban design quality, which improves the function, appearance and character of the area and development should respect local context and character. Policy D2 (Heritage) states that in order 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. Policy D2 also advises that in order to maintain the character of Camden's Conservation Areas, the Council will take account of conservation area statements, appraisals and management strategies when assessing application within conservation areas.
- 2.2 Section 72 of the NPPF (2024) states in respect to any buildings within a conservation area, that special attention be given to preserving or enhancing the character or appearance of the conservation area.
- 2.3 The Bartholomew Estate Conservation Area Statement notes that boundaries within the conservation area are inconsistent but are predominantly formed by walls, either with railings or hedges set behind.
- 2.4 The application proposes removal of the existing boundary fence to be replaced with a 2.4m tall wooden fence. The extent to which this covers the site is unclear as no floor plans or elevations have been provided. Details of the materials such as type of wood or finish have not been provided either, other than an image of a site with a fence of similar height. It must be noted that the example given, 53 Islip Street does not appear to have planning permission for this fence.
- 2.5 The proposed fence would be in a prominent feature at the intersection of Bartholomew Road, Oseney Crescent, and Gaisford Street and would be a dominant feature that would go against the established pattern of wire fences that provide a level of openness not afforded by a solid wooden fence. The CAAC's concerns that the fence would be used for graffiti while possible, would not be a reason for refusal itself as any flat space in the area could be used as a canvas for graffiti, and it is not within the power of Camden Council's Planning department to stop someone from adding graffiti.
- 2.6 Policy D1 of the Local Plan states that development must be designed to minimise crime and antisocial behaviours. The proposed taller fence with its solid frontage, unlike the existing wire fence, would not allow for passive surveillance of the site which would create a perceived reduction in safety for residents, while also increasing possibility for antisocial behaviour.
- 2.7 The fence is excessive in height, with no justification as to why the 2.4m height would be necessary in this location. Neither the existing Sui Generis use as a van hire, and the pending planning application for a change of use to temporary storage would require a height well above the standard 1.8m-2.0m. The additional height would cause further harm and exacerbate the issues of being an overly dominant feature in the streetscene.

2.8 In summary, the proposed demolition of the boundary wall and replacement with 2.4m wooden fence would harm the character and appearance of the site, the street scene, and the Bartholomew Estate Conservation Area and the Applicant has not provided any evidence of public benefit to outweigh this harm. As such, the proposal would be contrary to policy D1 (Design) and policy D2 (heritage) of the Camden Local Plan and the Batholomew Estate Conservation Area appraisal and management strategy (2011) and the Kentish Town Neighbourhood Plan (2016) and Section 72 of the NPPF 2024.

### 3 **Amenity**

- 3.1 Policy A1 of the Local Plan 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 privacy, outlook, noise, daylight and sunlight.
- 3.2 The proposed fence, while being excessive in height would not have an impact on any neighbouring windows or open space in terms of outlook, over shadowing or overlooking. The adjacent no. 107 to the south of the site has as existing a boundary fence in approximately 2.0m-2.5m at the boundary with the site and so the proposed fence would not have a significant impact.
- 3.3 The proposed development would not lead to a significant impact upon the amenities of any neighbouring residents. The development is thus considered to be in accordance with policies A1 of the Camden Local Plan 2017.

### 4 **Recommendation**

#### **Refuse Planning Permission for the following reasons:**

1. The proposed boundary treatment, by reason of its design, materials, and excessive height and would appear out of character with the street scene, and would therefore be harmful to the character and appearance of the host site and wider Batholomew Estate Conservation Area. It would also create a perceived reduction in safety for residents, while also increasing possibility for antisocial behaviour. It is therefore contrary to policies C5 (Safety and security), D1 (Design) and D2 (Heritage) of the Camden Local Plan 2017, policy D3 of the Kentish Town Neighbourhood Plan and the NPPF 2024.