

21st February 2012

Ref: JS/12/006/RPA1

The Director of Planning and Development  
London Borough of Camden  
Planning Department  
6th floor  
Town Hall Extension  
(Culture and Environment)  
Argyle Street  
London WC1H 8EQ

Dear Sirs

Town and Country Planning Act 1990 (as amended)  
Town and Country Planning Act (Conservation Areas) 1990

Planning Statement with Regards to Retrospective Planning Application for  
Erection of Timber Trellis Along the Internal Face of the Original Site Boundary Wall  
20 Thurlow Road, NW3 5PP

I am writing on behalf of my clients, Mr. M. Fowler, as owner of the above property and with regard to the completed work.

Set within the Fitzjohns Netherall Conservation Area, the garden flat of No. 20 Thurlow Road occupies the lower ground & raised ground floors of a former four storey town house sub divided into individual flats.

My clients have employed me to prepare the attached documents which identify their ambition to keep the erected timber trellis in place and realise their intention to enhance the security of the property whilst ensuring the safety of their family when using the back garden. This is due to the substantial difference in height of the existing retaining wall between the garden side (varying between 900mm and 1100mm high) and the public highway side (varying between 2m and 3.45m high). The installation has been made with the building's original standing within the Conservation Area in mind.

It is with these objectives in mind that I have prepared the accompanying documents which can be supported within the context of the above planning legislation, national policy guidance and Camden Council's Planning Guidance.

Following the careful preparation of the appropriate drawings and documents my clients have instructed me to submit a formal retrospective application to the Council for Full Planning Permission to secure consent for their proposals. Due to the fact that no part of the installation has involved the demolition of any part of the original structure, it is considered that an application for Conservation Area consent is not required.

The application is supported by a Design and Access Statement which describes the existing condition of the original boundary treatment and the impact of the timber trellis upon this. This accompanies a set of my drawings numbered 12/006/001 to 12/006/005 inclusive which fully describe the impact of the trellis on the property and the wider conservation area.

This application follows an enforcement notice served on my client which was to take effect from 20th May 2010. He subsequently appealed this decision with this which was rejected on 23rd November 2010.

Following this decision the applicant can testify to verbal advice, given by the original planning officer, Simon Cullen, who dealt with the case, that reducing the height of the trellis to its current height would ensure the enforcement notice would be invalidated and an application for planning permission would be granted. We understand Mr. Cullen has now left your department and can confirm that no formal written record of this advice exists. The applicant has, however, supplied written testament in the form of an email that confirms his response to the advice where he instructed his landscape gardener to lower the height of the trellis in accordance with Mr Cullen's instructions. My drawing, No. 12/006/004, shows the original height on which the enforcement notice was served and the height of it as it stands at the moment. He has also supplied a written affidavit in support of this claim.

The proposals are made with particular reference to the Camden's replacement UDP Policy B1 & paragraph 3.16 where the boundary treatment complies with the standard of high quality and sustainable materials enhanced by landscape biodiversity.

*'Designs should respond to the natural assets of a site and its surroundings, such as slopes and height differences, trees and other vegetation. There is a general need for more greenery, and to enhance wildlife habitats in our urban environment, particularly in densely built-up parts of the Borough.'*

The photographs in document No. 12/006/005 demonstrate that existing planting will, in time, reduce the impact of the trellis. Reference is also made to CPG 4.16 where the height of it remains below the height of the existing front porch and indeed the cill level of the existing upper ground floor windows. This is also in line with national planning policy guidelines where it is also deemed to be acceptable to have a boundary wall or fence height of 2m above ground level. We recognise that this is in relation to adjoining properties but the adjoining property is a public highway and there is no material affect on the daylight amenity of any individual private property. The photographs also demonstrate where a similar boundary condition occurs in two neighbouring properties.

The proposals seek to benefit both the client and the property for future generations and it is with regard to the above policies and supporting documentation I commend this application to the Council. In doing so I trust that there is sufficient information to allow you to properly consider its merits and that a favorable view will precede a positive response which enables permission to be granted within the statutory time period. If further information or amendments to the proposals are required please inform me immediately.

This high quality development intends to enhance and secure the longer term future of this local asset and I look forward to working with the case officer(s) in achieving a mutually agreeable decision on the application. I would welcome any comments they may have that would ensure a positive outcome.

Thank you in anticipation of your favorable assessment of the proposals as presented.

Yours Faithfully



James A. Sloan  
JAS Design