

Mrs Sara Jane Rothwell
London Garden Designer
16 Highgate West Hill
London
N6 6NP

Application Ref: **2017/1050/P**
Please ask for: **Raymond Yeung**
Telephone: 020 7974 **4546**

6 June 2017

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Granted Subject to a Section 106 Legal Agreement

Address:
5 Oakhill Avenue
London
NW3 7RD

Proposal:

Installation of gates and erection of replacement railings and brick wall/pillars with associated landscaping.

Drawing Nos: Site location plan, 740A-00, 740A-04Rev6, 740A-05, 740A-05b, 740A-06 rev5, Front garden visual rev 5.

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 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

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

Site location plan, 740A-00, 740A-04Rev6, 740A-05, 740A-05b, 740A-06 rev5, Front garden visual rev 5.

Reason:

For the avoidance of doubt and in the interest of proper planning.

- 4 All hard and soft landscaping works shall be carried out in accordance with the approved landscape details [by not later than the end of the planting season following completion of the development or any phase of the development] [, prior to the occupation for the permitted use of the development or any phase of the development], whichever is the sooner. Any trees or areas of planting which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced as soon as is reasonably possible and, in any case, by not later than the end of the following planting season, with others of similar size and species, unless the local planning authority gives written consent to any variation.

Reason: To ensure that the landscaping is carried out within a reasonable period and to maintain a high quality of visual amenity in the scheme in accordance with the requirements of policy CS14 and CS15 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

Informative(s):

- 1 Reason for granting permission.

The proposal seeks to alter the boundary wall fronting the residential property at the site. The proposal seeks to remove one of the vehicular crossovers and install vehicular gates to the other whilst retaining an existing pillar. Pedestrian gates and vehicle gates are an established characteristic of boundary treatment on this street and in the area.

The front boundary treatment shall include bricks to match the existing wall and main property and steel replacement railings and vehicle gates consistent with the

existing and other properties nearby. Therefore the development would not impact on the character and appearance of the Redington Froggnal Conservation Area of which it forms a part.

A landscaping scheme is proposed to replace the tarmac forecourt with the inclusion of the planting of trees and hedging consisting of a variety of species which shall soften the boundary treatment. Overall the proposed development is considered acceptable in design terms and an enhancement overall to the property and conservation area, subject to the relevant landscaping condition.

Following the removal of one of the vehicle openings, this would mean vehicles would only enter and leave from one access through the newly installed pedestrian gate, this is not uncommon on this unclassified road. There is some concern with regards to the car having to wait on the pedestrian footway to open the vehicle gate each time, however as it would be for a brief period only and the removal of existing car parking spaces of approximately 3 down to 1 is welcome by highways, such activity from one vehicle is unlikely to be often enough to become a transport hazard.

Due to the nature of the proposed changes they are not harmful in terms of neighbouring amenity and therefore no concerns regarding loss of light or overlooking would result. The front boundary alterations and forecourt changes do not affect neighbouring amenity.

The proposed works could lead to damage to the footways and carriageway directly adjacent to the site. Camden would need to undertake highway remedial works following completion of the proposed development and a financial contribution for highway works should be secured as a Section 106 planning obligation. The highway works will also include reinstating the pedestrian footway directly adjacent to the site in place of the redundant crossover.

Considerable importance and weight has been attached and special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under and s.72 of the Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

Press and site notices were displayed. No objections have been received prior to making this decision but one letter of support has been received. The site's planning history was taken into account in coming to this decision.

As such, the proposed development is in general accordance with policies CS5, CS11, CS14 and CS15 of the London Borough of Camden Local Development Framework Core Strategy, policies, DP16, DP17, DP24, DP21, DP25 and DP26 of the London Borough of Camden Local Development Framework Development Policies and policies A1, T2, D1 and D2 of the London Borough of Camden Draft Local Plan Submission Draft 2016. The proposed development also accords with the London Plan 2016 and the National Planning Policy Framework.

- 2 You are advised that the Transport Strategy Team should be consulted regarding

the crossover on the public highway and any other work to, under, or over, the public highway. tel: 020-7974 5543 for further advice and information.

- 3 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Argyle Street WC1H 8EQ, (tel: 020-7974 6941).
- 4 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Noise and Licensing Enforcement Team, Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en> or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.
- 5 Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which this permission is granted. Information/drawings relating to the discharge of matters covered by the Heads of Terms of the legal agreement should be marked for the attention of the Planning Obligations Officer, Sites Team, Camden Town Hall, Argyle Street, WC1H 8EQ.
- 6 The emerging London Borough of Camden Local Plan is reaching the final stages of its public examination. Consultation on proposed modifications to the Submission Draft Local Plan began on 30 January and ended on 13 March 2017. The modifications have been proposed in response to Inspector's comments during the examination and seek to ensure that the Inspector can find the plan 'sound' subject to the modifications being made to the Plan. The Local Plan at this stage is a material consideration in decision making, but pending publication of the Inspector's report into the examination only has limited weight.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

David T. Joyce

David Joyce
Director of Regeneration and Planning

