

Application ref: 2018/1082/P  
Contact: Patrick Marfleet  
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Date: 25 May 2018

**Development Management**  
Regeneration and Planning  
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Mr Guy Wingate  
10 Hampstead Square  
London  
NW3 1AB

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Variation or Removal of Condition(s) Granted**

Address:  
**10 Hampstead Square**  
**London**  
**NW3 1AB**

Proposal: Variation of condition 3 (approved plans) and removal of condition 4 (material samples) of permission reference 2016/4186/P dated 27/10/2016 (Replacement and enlargement of existing garage and replacement of existing timber boundary fence with brick wall structure) namely to replace the approved brick boundary wall with a solid timber fence.

Drawing Nos: HS-SC-01, HS-SC-02, HS-SC-03, HS-SC-04, HS-SC-05, HS-MH-06, HS-MH-07, HS-SC-08, HS-SC-09, HS-SC-10, HS-SC-11, HS-MH-12, HS-MH-13, CB/16/SC, SAV/10HMQ/AIM/01, Design & Access Statement, cover letter dated 28th February 2018.

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 the original permission reference 2016/4186/P dated 27/10/2016.

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.

To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy D1 and D2 of the London Borough of Camden Local Plan 2017.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans: HS-SC-01, HS-SC-02, HS-SC-03, HS-SC-04, HS-SC-05, HS-MH-06, HS-MH-07, HS-SC-08, HS-SC-09, HS-SC-10, HS-SC-11, HS-MH-12, HS-MH-13, CB/16/SC, SAV/10HMQ/AIM/01, Design & Access Statement, cover letter dated 28th February 2018.

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

- 4 Prior to commencement of works, details shall be submitted to and approved by the Council to demonstrate how all trees on the site, or parts of trees growing from adjoining sites, unless shown on the permitted drawings as being removed, shall be retained and protected during construction. Such details should follow the guidelines and standards set out in BS5837:2012. Tree protection measures shall be installed in accordance with the approved drawings and shall remain in place for the duration of works on site, unless otherwise agreed in writing by the Council.

Reason: To ensure that the development will not have an adverse effect on existing trees and in order to maintain the character and amenity of the area in accordance with the requirements of policies A2 and A3 of the London Borough of Camden Local Plan 2017.

#### Informative(s):

- 1 Reasons for granting permission.

The application seeks to replace the brick boundary wall approved under application 2016/4186/P with a solid timber fence. The proposed fence would measure 2.1m at its highest point and would replace the existing dilapidated timber fence at the site which varies in height from 1.9 to 2.1 metres.

The size, design and fabric of the timber fence would largely match that of the existing boundary treatment at the site and is considered acceptable in terms of its impact on the character and appearance of the host dwelling and surrounding conservation area, particularly given the prevalence of similar sized boundary treatments in the street.

The proposed alterations to the boundary treatment would not harm neighbouring amenity in terms of loss of light, outlook or privacy.

No objections were received following statutory consultation. The site's planning history and relevant appeal decisions were taken into account when coming to this decision.

Special regard has been attached to the desirability of preserving or enhancing the conservation area, under s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

As such, the proposal is in general accordance with policies D1, D2, A1 and A3 of the Camden Local Plan 2017. The proposed development also accords with the policies of the London Plan 2016 and National Planning Policy Framework 2012.

- 2 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 Compliance and Enforcement team [Regulatory Services], 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.
- 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 Please be advised in relation to condition 5 details shall include:
  - a) details of the design of building foundations
  - b) a tree protection plan (TPP) showing the location and nature of tree protection measures
  - c) appropriate working processes in the vicinity of trees
  - d) details of an auditable system of site monitoring
  - e) details, including dimensions and levels, of service trenches and other excavations on site in so far as these items may affect trees on or adjoining the site.

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