

JP/GJRS/DP3636

22nd August 2018

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Dear Sir/Madam,

41 FROGNAL, LONDON, NW3 6YD

APPLICATION FOR A LAWFUL DEVELOPMENT CERTIFICATE FOR A PROPOSED USE OR DEVELOPMENT

TOWN AND COUNTRY PLANNING ACT 1990: SECTION 192, AS AMENDED BY SECTION 10 OF THE PLANNING AND COMPENSATION ACT 1991. TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015

We write on behalf of our client, Renough Ltd, to apply a certificate of lawful development certificate for a proposed use or development.

The applicant is proposing to erect a boundary fence at the front of the property and accordingly is seeking confirmation through this certificate that the proposed works benefit from permitted development in accordance with The Town and Country Planning (General Permitted Development) (England) Order 2015 Schedule 2, Part 2, Class A - gates, fences, walls etc.

Description of the Works

The proposed works, as detailed in the submitted drawing pack and visuals provided by Bowles & Wyer comprise a front boundary fence, pedestrian access gate and vehicular access gate. The height of fence is 1.8m and the brick fence posts are 2m. The fence and gates are set back from the public highway 3.4m at its closest point.

Lawfulness of Proposed Works

The GDPO states Part 2 deals with Minor operations with Class A covering gates, fences, walls.

The below section outlines the legislation and provides a commentary of the proposed development outlining the reasons why the development benefits from the permitted development rights;



Permitted development

A. The erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure.

Development not permitted

A.1 Development is not permitted by Class A if—

- a) the height of any gate, fence, wall or means of enclosure erected or constructed adjacent to a highway used by vehicular traffic would, after the carrying out of the development, exceed—
 - i) for a school, 2 metres above ground level, provided that any part of the gate, fence, wall or means of enclosure which is more than 1 metre above ground level does not create an obstruction to the view of persons using the highway as to be likely to cause danger to such persons;

Not applicable – not proposed for a school

- ii) in any other case, 1 metre above ground level;

Not applicable - the proposed fence is not adjacent to the highway being set back 3.4 m at its closest point

- b) the height of any other gate, fence, wall or means of enclosure erected or constructed would exceed 2 metres above ground level;

The fence is not adjacent to the highway and is less than 2m

- c) the height of any gate, fence, wall or other means of enclosure maintained, improved or altered would, as a result of the development, exceed its former height or the height referred to in paragraph (a) or (b) as the height appropriate to it if erected or constructed, whichever is the greater; or

There is no existing fence in the proposed location

- d) it would involve development within the curtilage of, or to a gate, fence, wall or other means of enclosure surrounding, a listed building.

The fence is not within the curtilage of a listed building

The application has been submitted via planning portal ref (PP-07216158) and the fee of £117 (being 50% of the application fee) has been paid online via credit card.

I trust the above is clear and sufficient information had been provided to allow a certificate of lawful proposed use or development to be issued.

If you have any queries or require any further information, please do not hesitate to contact George Smith at this office.

Yours faithfully

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