

Application ref: 2020/1439/P
Contact: Matthew Dempsey
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Date: 16 June 2020

Development Management
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Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Granted and Warning of Enforcement Action

Address:
7 Oakhill Avenue
London
NW3 7RD

Proposal:
Erection of side boundary timber fencing.

Drawing Nos: Site Location Plan 0500, Block Plan 2000, 3000, 3001, 3002, 3003, 3100, 3101.

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 Within six months of the date of the decision the development hereby permitted must be completed in its entirety.

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 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 Site Location Plan 0500, Block Plan 2000, 3000, 3001, 3002, 3003, 3100, 3101.

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

Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that 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, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).
- 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 Noise and Licensing Enforcement Team, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (Tel. No. 020 7974 4444 or search for 'environmental health' on the Camden website 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 Reasons for granting permission:

This site has undergone various recent alterations to the front drive, garden and boundary treatments. These include the erection of timber fencing to the side boundaries which does not benefit from planning permission. This application seeks permission to retain the timber fencing, albeit of a reduced height, to the north side boundary with No.5, and also inside the south side boundary with No.9.

The fencing is the subject of an enforcement case and the lower height was negotiated with the case officer to ensure that it does not protrude any higher than the existing front boundary treatment which was granted on appeal under ref: 2019/2592/P dated 26/02/2020. The fencing replaces hedging on the north side and a new boundary treatment to the south side. Whilst the previous treatment was more inkeeping with the wider streetscene and conservation area, it is considered that in the context of the wider works to the hard and soft landscaping, the side fencing would not bring about any additional harm and as such is acceptable.

The proposed works would not result in any harmful loss of amenity to any neighbouring resident. Similarly, the works would not result in any detrimental impact to local traffic or highways conditions.

No objections were received in relation to the development during public consultation. The site planning history has been taken into account when coming to this decision.

A condition would be attached to require the work to be carried out within 6 months from the date of permission. The timescale has been informed by current extenuating circumstances (COVID-19 pandemic) which means that work cannot be carried out in the short term.

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

As such, the proposed development is in general accordance with policies A1, D1, and D2 of the Camden Local Plan 2017. The development also accords with the London Plan 2016 as well as the NPPF 2019.

4 ENFORCEMENT ACTION TO BE TAKEN

The Director of Culture and Environment will instruct the Borough Solicitor to issue an Enforcement Notice alleging a breach of planning control if the unauthorised boundary treatment is not amended in accordance with the approved drawings within 6 months of the date of this permission.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2019.

You can find advice about your rights of appeal at:

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

Yours faithfully



Daniel Pope
Chief Planning Officer