

Application ref: 2020/2864/P
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Date: 11 September 2020

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
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Phone: 020 7974 4444

planning@camden.gov.uk
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Francesco Toschi
5 Ploughmans Close
London
NW1 0XH

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

**Footpath adjacent to and land at
5 Ploughmans Close
London
NW1 0XH**

Proposal:

Conversion of unused footpath adjacent to no.5 Ploughmans Close to private garden space associated with existing residential use of the dwelling house (Class C3).

Drawing Nos: Site location plan; Site plan; UK Land Registry Plan (ref. NGL689598); Supporting photographs.

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 The development hereby permitted shall be carried out in accordance with the

following approved plans/documents: Site location plan; Site plan; UK Land Registry Plan (ref. NGL689598); Supporting photographs.

Reason:

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

Informative(s):

1 Reasons for granting planning permission:

The relevant short section of pathway runs from north to south alongside the host property and rear garden of no. 5 Ploughmans Close. It was formerly used as a public footpath within the locality; however, it has been locked and gated at each end for at least 12 years in agreement with the Council, and as such, has been closed to the public and has remained unused as a footpath since this time.

The UK Land Registry documents confirm that this section of land falls within the ownership of no.5 Ploughmans Close. As such, the applicant seeks permission to convert this section of footpath into private garden space as part of the existing rear garden of no.5 Ploughmans Close and ancillary to the existing residential use of the dwelling house (Class C3). In addition to the benefits for the owner from the additional rear garden space this would provide, the conversion would also bring into use a small section of unused land previously closed off for safety and security reasons associated with criminal and anti-social behaviour.

The Council's Transport Service have reviewed the proposal and raise no objections. Furthermore, having visited the site, they have confirmed that the footpath does not constitute a public right of way and has been locked for a significant period of time without complaint. As such, a stopping up order would not be necessary.

Given that the relevant section of land falls within the same ownership as the host property and does not constitute a public right of way nor has it been used as such for a significant period of time, the proposal is considered to be acceptable.

There are no amenity concerns associated with the proposal given that no external works are proposed in planning terms and the relevant section of land has been unused as a public access route for many years.

The site's planning and appeal history has been taken into account when coming to this decision. An objection has been recorded in the Consultation Summary sheet associated with this decision.

As such, the proposal is in general accordance with policies A1, C5, C6, D1 and T1 of the Camden Local Plan 2017, policies CS-DQ1 and DQ2 of the Camley Street Neighbourhood Plan (Referendum version) February 2020, the London Plan 2016, the Draft London Plan (Intend to publish) 2019 and the National Planning Policy Framework 2019.

- 2 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team London Borough of Camden 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444) . Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.
- 3 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).
- 4 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website at <https://beta.camden.gov.uk/documents/20142/1269042/Camden+Minimum+Requirements+%281%29.pdf/bb2cd0a2-88b1-aa6d-61f9-525ca0f71319> or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

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 must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

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
Director of Economy, Regeneration and Investment