

Application ref: 2020/3706/P
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Date: 11 November 2020

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
Judd Street
London
WC1H 9JE

Phone: 020 7974 4444

planning@camden.gov.uk
www.camden.gov.uk/planning

Mark Westcott
London
W1G 8DZ

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:
366-366A Kilburn High Road
London
NW6 2QH

Proposal:
Installation of front boundary enclosure and decking and front facade fenestration alterations (Retrospective); installation of window security grilles at first floor
Drawing Nos: FAY/2803; FAY/2804; FAY/2805; Site location plan.

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 D1 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: FAY/2803; FAY/2804; FAY/2805; Site location plan.

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

Informative(s):

- 1 Reasons for granting permission:

The proposal is for the retention of front boundary fencing and raised timber decking on the forecourt plus fenestration alterations. The decking is 0.175m high and occupies the corner of Kilburn High Road and Maygrove Road, serving the existing restaurant. The decking is enclosed by a 1.1m high timber balustrade. It is observed that boundary treatment of a similar scale and design has been in place at this site since at least 2012. It is considered on balance, given the historic siting of the enclosure and marginal height of the decking, that it does not detract from the character and appearance of the host property or the wider streetscene.

The front entrance has been relocated from the corner to the elevation fronting Maygrove Road. It is considered that the installed fenestration is similar to the existing and does not represent a significant change to the elevations. This element would be acceptable. On the rear at first floor, new window security grilles are proposed; it is noted that the site is underneath a railway bridge and this element would not be visible from the public realm. Given its location, lack of visibility from the public realm and industrial character of the area, the grilles would be acceptable.

Overall the development, in terms of its siting, scale and detailed design, would not have a detrimental impact on the character and appearance of the host property, streetscene or the adjoining bridge which is on the local list.

Given the minor nature of the development, it will have no impact on either adjoining neighbours in terms of loss of light, privacy or light.

The Council's Highways Team have assessed the development and raise no objection. It is noted that the site is located directly adjacent to signalised pedestrian crossings on both Kilburn High Road and Maygrove Road. However the boundary treatment does not appear to significantly affect the operation of the crossings or the general passage of pedestrians travelling around the site.

As the scheme represents the stopping up of part of a Public Right of Way but not the public highway, an informative is attached advising the applicant to contact the highways team separately on this matter.

One objection was received during the statutory consultation period and taken into consideration. The planning history of the site has been taken into account

when coming to this decision.

As such, the proposed development is in general accordance with policies A1, D1, D2 and T1 of the Camden Local Plan 2017. The proposed development also accords with policies of the London Plan 2016 and 2019 (intended to publish) and of the National Planning Policy Framework 2019.

- 2 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).
- 3 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.
- 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.

- 5 You are advised that this development on a public right of way may require a stopping up order and you should contact the Council's Highway Team.

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

A handwritten signature in black ink, appearing to read 'DP', is positioned above a light grey rectangular background.

Daniel Pope
Director of Economy, Regeneration and Investment