

Application ref: 2021/0408/P
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Rosenfelder Associates
10-12 Perrin's Court
London
NW3 1QS

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Variation or Removal of Condition(s) Granted

Address:

**Pavement outside 11 West Heath Road
London
NW3 7QX**

Proposal:

Variation of Condition 2 (Approved Drawings) of planning permission reference 2016/1436/P dated 26/11/2019, as amended by 2020/2947/P dated 17/08/2020 (for the erection of pairs of poles with clear wire between the poles at 37 locations across the Borough), namely to relocate 2 poles refs 24A and 24B.

Drawing Nos: 868.24A rev C, 868.24B rev C

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 2016/1436/P approved 26/11/2019).

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 For the purposes of this decision, condition no.2 of planning permission 2020/2947/P shall be replaced with the following condition:

REPLACEMENT CONDITION 2

The development hereby permitted shall be carried out in accordance with the following approved plans:

868.001 rev. B, 868.002 rev. B, 868.01 rev. B, 868.02 rev. B, 868.03A rev. C, 868.03B rev. C, 868.04A rev. B, 868.04B rev. B, 868.05A rev. B, 868.05B rev. C, 868.06 rev. B, 868.07 rev. B, 868.08, 868.23 rev. A, 868.24A rev. C, 868.24B rev. C, 868.25A rev. A, 868.25B rev. B, 868.26 rev. C, 868.27A rev. B, 868.27B rev. B, 868.28A&B.1 rev. A, 868.28C&D.1 rev. A, 868.30 rev. C, 868.31A rev. A, 868.31B rev. A, 868.31B rev. A, 868.32A rev. B, 868.32B rev. B, 868.33A rev. B, 868.33B rev. B, 868.34A rev. C, 868.34B rev. D, 868.35A rev. C, 868.35B rev. C, 868.37A rev. D, 868.37B rev. D, 868.38A rev. B, 868.38B rev. B, 868.40A rev. A, 868.40B rev. A, 868.41A rev. B, 868.41B rev. C, 868.42A rev. B, 868.42B rev. B, 868.43A rev. D, 868.43B rev. D, 868.43C rev. D, 868.43D rev. D, 868.47A, 868.47B, 868.48 rev. A, 868.49 rev. B, 868.50 rev. C, 868.51 rev. A, 868.52 rev. A, 868.53 rev. D, 868.54 rev. A, 868.54.1, 868.54.2, 868.54.3, 868.54.4, 868.54.5, 868.54.6, 868.55A rev. D, 868.55B rev. D, 868.55.1 rev. A, 868.55.2, 868.57 rev. A, 868.61B rev. B, 868.SK.53; 868.27A rev. C, 868.27B rev. C, 868.37A rev. F and Design, Heritage, Social Cohesion and Access Statement ref: C.868.

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

- 3 Pole 28A must be painted white to match the side elevation of Capo di Monte.

Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of policy D2 of the Camden Local Plan 2017.

- 4 Pole 41B shall be painted in accordance with details approved under reference 2019/5978/P dated 03/03/2020 or other such details as submitted to and approved in writing by the local planning authority.

Reason: In order to safeguard the special architectural and historic interest of the building and streetlamp in accordance with the requirements of policy D2 of the Camden Local Plan 2017.

- 5 The heritage poles shall be erected in accordance with the final technical details and schedule approved under reference 2019/5978/P dated 03/03/2020 or other such details submitted to and approved in writing by the local planning authority before the relevant part of the work is begun.

Reason: In order to safeguard the special significance of the heritage assets in accordance with the requirements of policy D2 of the Camden Local Plan 2017.

- 6 The temporary poles shown on drawing reference numbers 868.27A rev. C, 868.27B rev. C, 868.37A rev. F hereby approved shall be removed on or before one year from the date of this decision, the parking sign in front of 16 Christchurch Hill shall be reinstated as per the existing condition, and all sites shall be made good.

Reason: The structures are not such as the local planning authority is prepared to approve, other than for a limited period, in view of their location and appearance. The permanent retention of the structures would be contrary to the requirements of policies D1 and D2 of the London Borough of Camden Local Plan 2017.

Informative(s):

1 Reasons for granting permission:

The proposed amendment to relocate two approved poles 24A and B, one on each side of Redington Road, is considered to be acceptable. The approved poles are to be relocated to the rear of the footpath on each side of Redington Road, replacing existing signposts, and closer to the junction with West Heath Road alongside the adjacent houses. Pole A will be adjacent to the flank site boundary of 13 West Heath Road and Pole B will be adjacent to the flank site boundary of 11 West Heath Road. The design, scale, siting and materials of the relocated poles would be in keeping with the character and appearance of the streetscene and wider conservation area, and as such the character and appearance of conservation area would remain preserved.

There would be no detrimental impact to residential amenity. The proposed location would not be in close proximity to neighbouring habitable windows.

There would be no detrimental transport impact. Sufficient pavement space would remain unobstructed for pedestrian flow.

One objection was received following statutory consultation opposing an increase in street clutter. The proposal would involve relocating poles as opposed to increasing the number of poles, and so there would be no increase in street clutter as a result of the proposal. One comment was received stating that there was the registered address was inaccurate- the address issue has since been corrected. 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 T1 of the Camden Local Plan 2017 and policies DH1 and DH2 of the Redington Frognal Neighbourhood Plan 2020. The proposed development also accords with the policies of the London Plan 2021 and National Planning Policy Framework.

- 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, 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 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website (search for 'Camden Minimum Requirements' at www.camden.gov.uk) 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

A handwritten signature in black ink, appearing to read 'DPope', is written over a light grey rectangular background.

Daniel Pope
Chief Planning Officer