

Application ref: 2023/1829/P
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Date: 15 June 2023

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Gerald Eve LLP
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Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Grant of Non-Material Amendments to planning permission

Address:
82 Fitzjohn's Avenue
London
NW3 6NP

Proposal: Amendments (Alteration and enlargement of approved dormer to the SE corner and replacement of existing rooflights; change to second floor window and roof design over spiral stair on NE elevation; change to design of second floor window to SE elevation) to planning permission ref. 2021/1787/P granted 12/01/2022 for 'Alterations and extensions including erection of 2 storey extensions, increased ridge height, alterations to fenestration, erection of dormer windows to roof and creation of sunken terrace, removal of existing pool house and erection of new orangery involving basement excavation for new pool, and other associated works; hard and soft landscaping including replacement sheds and garage and removal of trees'.

Drawing Nos:

Superseded drawings: A-PL-00-304, A-PL-00-322 rev A, A-PL-00-311, A-PL-00-312

Amended drawings: A-PL-00-304 rev C, A-PL-00-322 rev B, A-PL-00-311 rev D, A-PL-00-312 rev A

The Council has considered your application and confirms that the proposals are acceptable as non-material amendments to the planning permission set out above.

For the purposes of this decision, condition no.2 of planning permission 2021/1787/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: A-PL-00-300, A-PL-00-301 rev A, A-PL-00-302, A-PL-00-304 rev C, A-PL-00-308, A-PL-00-310 rev A, A-PL-00-311 rev D, A-PL-00-312 rev A, A-PL-00-321 rev A, A-PL-00-322 rev B, A-PL-00-310 (Proposed Typical Window Details).

Documents: Design and Access Statement dated April 2021, Heritage assessment dated March 2021, letter from Gerald Eve dated 13 April 2021, Whole life carbon assessment rev A dated 01/04/2021, Thermal comfort analysis rev A dated 01/04/2021, Energy and Sustainability Statement rev A dated 01/04/2021, Photographic survey dated February 2021, Cellweb TRP Installation guide, Tree survey and Arboricultural method statement dated March 2021, Tree constraints and protection plan dated March 2021.

Informative(s):

1 Reason for granting approval

The following amendments are proposed:

- Changes to the second floor window and roof design over the spiral staircase on north east elevation;
- alteration and enlargement of approved dormer to the south east corner, and replacement of existing rooflights; and
- changes to the two windows at second floor level to the south east elevation to install a single window instead.

The proposed changes to the north east stair would see the alteration of the existing pitched roof with a new flat roof, and the relocation of the windows slightly higher. It is considered to be a minor design change in the context of the approved scheme.

The original proposals saw the replacement of the existing box dormer to the south east corner with a new pitched roof to match the adjacent roofslope and small decorative dormer. This application originally proposed to retain the existing extension as built because the approved design would not allow for sufficient internal head height; however, after concerns were raised by officers due to the unsympathetic design and massing of the existing extension and the loss of the design benefits delivered by the approved scheme, the applicant agreed to revise the proposals. It is now proposed to install the pitched roof as approved with a larger dormer window that would deliver the internal headspace required, whilst matching the appearance of the revised window and roof design over the spiral staircase.

The final change involves the installation of one larger stepped window to the south east elevation at second floor level rather than two separate windows to take account of the internal staircase. The detailed design is in keeping with the rest of the building and appropriate for the character and era of the building. Visually, it is

a minor change.

The proposed amendments are considered to be non-material as they do not; change the nature or description of development; change the application site area, increase the height of the approved extensions or increase their footprint; do not result in changes to external details that would materially compromise the overall design of the building or materially impact on the character and appearance of the Fitzjohns Netherhall Conservation Area; change windows or doors in any elevation facing any neighbour which may raise issues of greater visual intrusion, result in an increased loss of light or feeling of enclosure; and do not materially impact on any neighbours or other statutory and non-statutory bodies.

Given the nature of the application as a non-material amendment to a previously approved scheme, no consultations were undertaken. No responses were received prior to determination.

The site's planning history was taken into account when coming to this decision. The full impact of the proposed development has already been assessed by virtue of the approved scheme granted on 12/01/2022 under reference 2021/1787/P.

- 2 You are advised that this decision relates only to the changes highlighted on the plans and set out in the description and shall only be read in the context of the substantive permission granted on 12/01/2022 under reference number 2021/1787/P and is bound by all the conditions and obligations attached to that 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 2021.

Yours faithfully

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

Daniel Pope
Chief Planning Officer

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