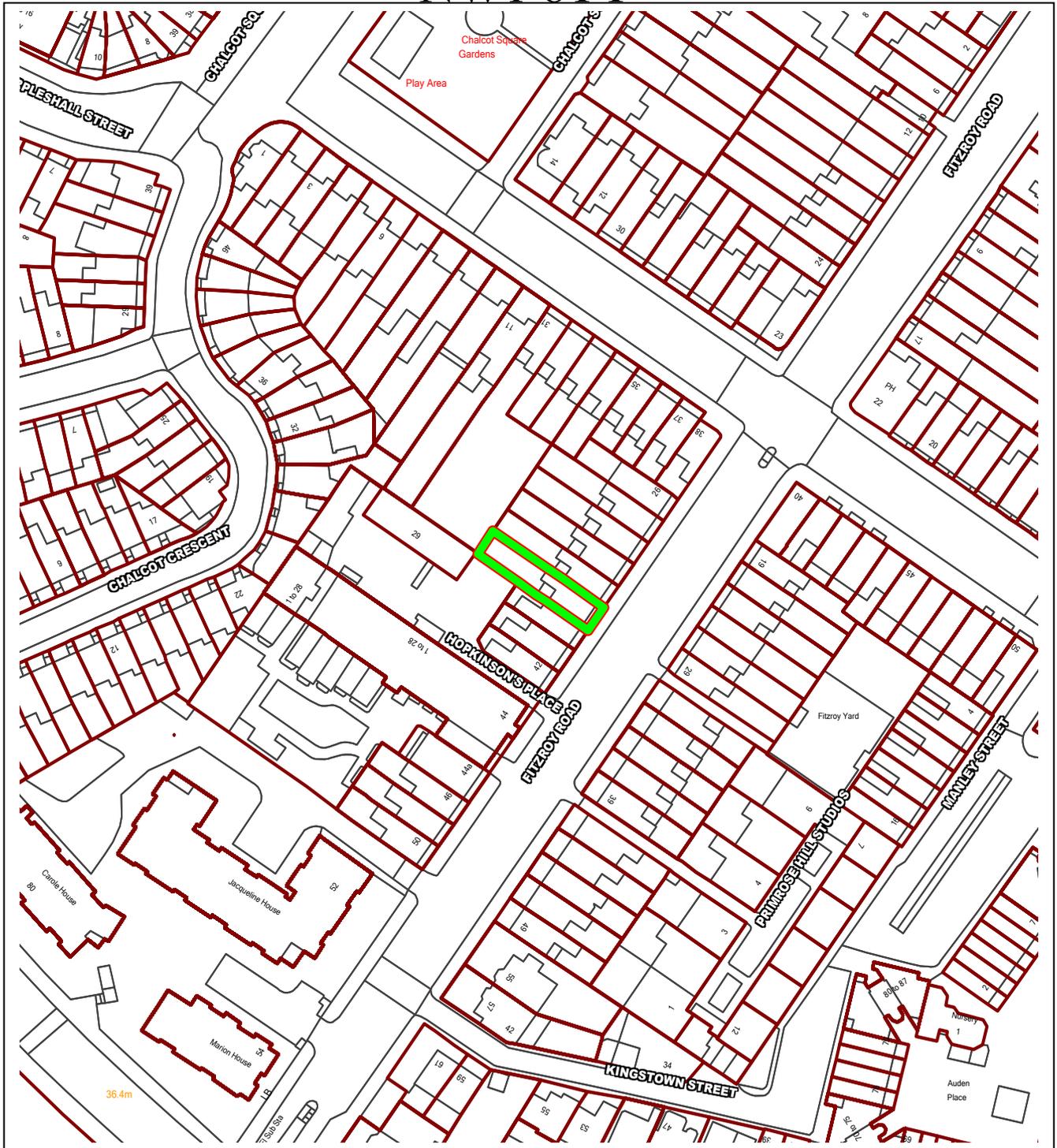


# 2023/1247/P - 36 Fitzroy Road, London, NW1 8TY



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*Figure 1: Site location with red outline.*



*Figure 2: Existing rear elevation.*

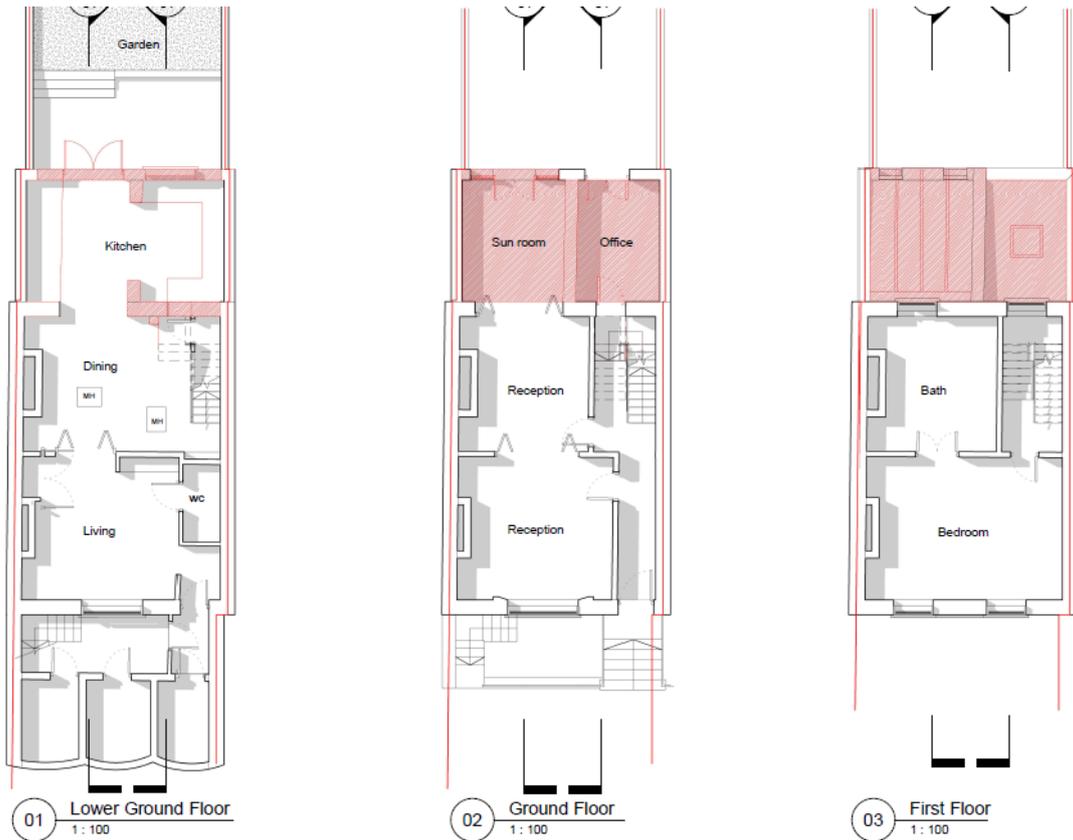


Figure 3: Existing floor plans (red highlight indicating structure to be demolished).



Figure 4: Proposed floor plans.



Figure 5: Existing and Proposed rear elevation (high highlight indicating structure to be demolished).



Figure 6: Rear elevations of neighbouring properties including application site with proposed scheme (right of image).



*Figure 7: Proposed rear elevation with materials.*

<b>Delegated Report</b>		<b>Analysis sheet</b>	<b>Expiry Date:</b>	<b>19/05/2023</b>
<b>(Members Briefing)</b>		N/A / attached	<b>Consultation Expiry Date:</b>	<b>15/05/2023</b>
<b>Officer</b>			<b>Application Number(s)</b>	
Jennifer Dawson			2023/1247/P	
<b>Application Address</b>			<b>Drawing Numbers</b>	
36 Fitzroy Road London Camden NW1 8TY			<i>See draft decision notice</i>	
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>	
<b>Proposal(s)</b>				
Proposed replacement of existing rear extension at lower ground and ground floor with Juliet balcony to a double storey full width rear extension with rooflight and glazed openings. Introduction of an external metal staircase from ground floor to rear garden.				
<b>Recommendation:</b>	<b>Grant conditional planning permission</b>			
<b>Application Type:</b>	<b>Householder Planning Permission</b>			

<b>Conditions or Reasons for Refusal:</b>	<b><i>Refer to Draft Decision Notice</i></b>			
<b>Informatives:</b>				
<b>Consultations</b>				
<b>Summary of consultation:</b>	<ul style="list-style-type: none"> <li>• A press advert was published on 20/04/2023 (expiry 14/05/2023)</li> <li>• Multiple site notices were displayed around the site on 21/04/2023 (expiry 15/05/2023)</li> </ul>			
<b>Adjoining Occupiers:</b>	No. of responses	<b>00</b>	No. of objections	<b>00</b>
<b>Summary of consultation responses:</b>	None			
<b>Primrose Hill CAAC:</b>	<p>A letter of objection was received on behalf of the Primrose Hill CAAC. Their objection can be summarised as follows:</p> <ul style="list-style-type: none"> <li>• There is a harmful impact of the scheme on adjacent residential occupiers from overlooking from the new steps to the garden (especially overlooking no 34 Fitzroy Road),</li> <li>• Light pollution from the large rooflight to the proposed rear extension.</li> </ul> <p><u>Officer's response:</u></p> <ul style="list-style-type: none"> <li>• The existing rear garden has mature vegetation which screens the view from the application site to neighbouring properties, namely 34 Fitzroy Road. The southern boundary consists of a boundary brick wall that leads onto a car park. The external staircase would have the same level as the finished floor level of the ground floor of the proposed rear extension, which is the same level as the existing rear extension, which was occupied by a Juliet balcony. As a result, it is considered there would be no privacy impacts to the neighbouring properties.</li> <li>• The existing rear extension already possesses an existing roof light which is considerably smaller than the proposed rooflight, and a pitched conservatory style roof which causes similar levels of light pollution. It is also noted, multiple adjoining properties have similar sized conservatory style roofs.</li> </ul>			

## Site Description

The application site a is a four storey mid Victorian terrace (C3 Dwellinghouse).

The property is not listed but is situated within the Primrose Hill Conservation Area and is noted in the conservation appraisal as making a positive contribution to the character of the area.

## Relevant History

The planning history for the application site can be summarised as follows:

**P9602775R2** - The extension of an existing upper ground floor conservatory and the enlargement of 3 openings at rear basement and ground floor level. **Granted 21-02-1997**

**C9602776R2** - Demolition of an existing conservatory, in connection with the erection of a larger conservatory. **Granted 21-02-1997**

Neighbouring properties

Basement Flat 40 Fitzroy Road

**2003/1094/P** - Alterations to basement residential flat, to include a new entrance door and the creation of an internal lobby area, a replacement window to front elevation and the replacement of a window with french doors in the rear elevation. **Granted 02/10/2003**

32 Fitzroy Road

**8500563** - The construction of an extension to the rear of the basement and the enlargement of the conservatory to the rear of the ground floor together with the erection of a small extension to the rear of the first floor to accommodate a bathroom. **Granted 19-06-1985**

30 Fitzroy Road

**J10/1/1/4726**- Alterations and additions at rear of No.30 Fitzroy Road. **Granted 14-02-1968**

**8500563** - The construction of an extension to the rear of the basement and the enlargement of the conservatory to the rear of the ground floor together with the erection of a small extension to the rear of the first floor to accommodate a bathroom. **Granted 19-06-1985**

**8802177** - Erection of a rear extension at first floor level – **Granted 19-10-1988**

28 Fitzroy Road

**2013/6377/P** - Erection of rear extensions at lower ground and ground floor levels as replacement of existing, and replacement of door with window and installation of balustrade at rear elevation of dwelling. **Granted 11-10-2013**

26 Fitzroy Road

**PEX0100976** - Alterations to rear of single family dwelling house including a glass parapet wall at roof first floor level of rear addition enclosing roof terrace. **Granted 11-03-2002**

## Relevant policies

National Planning Policy Framework (2021)

The London Plan (2021)

## **Camden Local Plan (2017)**

- **A1** Managing the impact of development
- **D1** Design
- **D2** Heritage

## **Camden Planning Guidance:**

- CPG Amenity (2021)
- CPG Design (2021)
- CPG Home Improvements (2021)

## **Conservation Statements:**

- Primrose Hill Conservation Area appraisal and management strategy 2000

## **Assessment**

### **1. The proposal**

- 1.1. Planning permission is sought for the replacement of existing rear extension at lower ground and ground floor with Juliet balcony to a double storey full width rear extension with rooflight and glazed openings. Introduction of an external metal staircase from ground floor to rear garden.
- 1.2. The width and length of the proposed extension will remain the same and will occupy the same footprint of the existing rear extension. The existing extension is 6.4m at the tallest point (due to a pitched conservatory style roof. The proposed extension measures 5.2m high with a flat roof.

### **2. Design and Conservation**

- 2.1. The Council's design policies are aimed at achieving the highest standard of design in all developments. The following considerations contained within policy D1 are relevant to the application: development should respect local context and character; comprise details and materials that are of high quality and complement the local character; and respond to natural features. Policy D2 'Heritage' states that in order to maintain the character of Camden's conservation areas, the Council will not permit development within conservation area that fails to preserve or enhance the character and appearance of that conservation area.
- 2.2. The proposed development will replace an existing 2 story extension at the rear. The replacement will be a modern full width 2 storey addition to the property and will amalgamate the different rear extensions that have been added over time. This will create a more coherent design which would contribute to the enhancement of the host building. It is considered the proposed development is of high quality and will enhance the appearance of the host building.
- 2.3. The materials used will be brick (to match the existing) and new windows and doors will be timber bifold made to a high standard. These are appropriate for this building and will preserve the appearance of the conservation area. A condition has been added to ensure the materials being used safeguard the appearance of the premises and the character of the immediate area.
- 2.4. The proposed replacement extension will not exceed the height of the existing extension and is sympathetic to the existing forms and materials.
- 2.5. There are rear extensions on several of the neighbouring properties with similar levels of glazing, some are modern some are more traditional. Number 26 is a more modern extension, however the variety of design styles shows that that the proposal will not be out of character.
- 2.6. As such, the proposal would not have any detrimental impact on the character and appearance of the property and the Primrose Hill conservation area and complies with policies D1 and D2 of the Camden Local Plan 2017.

2.7. Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under s.72 of the Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

### **3. Residential Amenity**

- 3.1. Policy A1 seeks to protect the quality of life of occupiers and neighbours by only granting permission to development that would not harm the amenity of residents. This includes factors such as privacy, outlook, implications to natural light, artificial light spill, odour and fumes as well as impacts caused from the construction phase of development.
- 3.2. The proposal will increase the glazing at the rear at the property, however, the existing glazing measures approx. 11.6sqm and the proposed glazing measures approx. 16.2sqm which is not considered as a significant increase.
- 3.3. The rooflight will create a new opening that could lead to some minor light pollution. However, this has been determined to be minimal as the existing rear extension already possesses an existing roof light which is considerably smaller than the proposed rooflight, and a pitched conservatory style roof which causes similar levels of light pollution. It is also noted, multiple adjoining properties have similar sized conservatory style roofs. As such, it is considered that the proposed roof light will not cause detrimental impacts to neighbouring amenity.
- 3.4. The external metal staircase will be located on northern boundary of the application site and will connect the existing rear garden to the proposed ground floor of the rear extension. A privacy screen is not proposed on the staircase. The existing rear garden has mature vegetation which screens the view from the application site to neighbouring properties, namely 34 Fitzroy Road. The southern boundary consists of a boundary brick wall that leads onto a car park. As a result, no privacy concerns are raised to the properties to the south. The external staircase would have the same level as the finished floor level of the ground floor of the proposed rear extension, which is the same level as the existing rear extension, which was occupied by a Juliet balcony. As such, any overlooking/privacy impacts are considered acceptable as it will be reciprocated by that currently existing from the host building.
- 3.5. Due to the location, size and nature of the proposal it would not significantly harm the neighbour's amenity in terms of the loss of natural light, light spill or loss of privacy.
- 3.6. Neighbours have not objected to the proposal or raised any amenity concerns.
- 3.7. The proposed development is not considered to lead to a significant impact upon the amenities of any neighbouring resident. The development is thus considered to be in accordance with planning policies A1.

### **4. Recommendation**

- 4.1. Grant conditional Planning Permission.

***The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 26<sup>th</sup> June 2023, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to [www.camden.gov.uk](http://www.camden.gov.uk) and search for 'Members Briefing'.***

Application ref: 2023/1247/P  
Contact: Jennifer Dawson  
Tel: 020 7974 8142  
Email: [Jennifer.Dawson@camden.gov.uk](mailto:Jennifer.Dawson@camden.gov.uk)  
Date: 22 June 2023

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

Phone: 020 7974 4444

[planning@camden.gov.uk](mailto:planning@camden.gov.uk)  
[www.camden.gov.uk](http://www.camden.gov.uk)

Mr Adam Rothwell  
30  
Newbury Road  
CHINGFORD  
E4 9JH

# DRAFT

Dear Sir/Madam

**DECISION**

Town and Country Planning Act 1990 (as amended)

## Householder Application Granted

Address:  
**36 Fitzroy Road**  
**London**  
**Camden**  
**NW1 8TY**

# DECISION

Proposal:

Proposed replacement of existing rear extension at lower ground and ground floor with Juliet balcony to a double storey full width rear extension with rooflight and glazed openings. Introduction of an external metal staircase from ground floor to rear garden.

Drawing Nos: the super lux bifold, product data, Design and Access Statement , 0722-PL-A-06 P1, 0722-PL-A-05, 0722-PL-A-03 P1, 0722-PL-A-02 P1, 0722-PL-A-00 P1

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 the super lux bifold, product data, Design and Access Statement , 0722-PL-A-06 P1, 0722-PL-A-05, 0722-PL-A-03 P1, 0722-PL-A-02 P1, 0722-PL-A-00 P1

Reason:

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

- 3 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 policies D1 and D2 of the London Borough of Camden Local Plan 2017.

- 4 The flat roof of the double storey full width rear extension is not to be used as a roof terrace and should only be accessed for the purpose of maintenance.

Reason: To protect the amenity of adjoining properties in accordance with the requirements of policy A1 of the London Borough of Camden Local Plan 2017.

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 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](http://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 2021.

You can find advice about your rights of appeal at:

<https://www.gov.uk/appeal-householder-planning-decision>.

If you submit an appeal against this decision you are now eligible to use the new *submission form* (Before you start - Appeal a planning decision - GOV.UK).

Yours faithfully

Chief Planning Officer

**DRAFT**

**DECISION**