

Application ref: 2023/5003/P  
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Date: 5 January 2024

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

Phone: 020 7974 4444

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Extension Architecture  
First Floor  
Cobden House  
231 Roehampton Lane  
London  
SW15 4LB

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Granted**

Address:

**Flat 5**  
**30 Fitzjohn's Avenue**  
**London**  
**NW3 5NB**

Proposal:

Installation of metal balustrade on second floor flat roof for the provision of a roof terrace.  
Replacement of rear window with timber patio doors.

Drawing Nos: 10DC-PL-00, 10DC-PL-01, 10DC-PL-02, 10DC-PL-03, 10DC-PL-04,  
10DC-PL-05, 10DC-PL-06, 10DC-PL-07, 10DC-PL-08, 10DC-PL-09, 10DC-PL-12,  
Location Plan, Design Access and Heritage Statement

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:

10DC-PL-00, 10DC-PL-01, 10DC-PL-02, 10DC-PL-03, 10DC-PL-04, 10DC-PL-05, 10DC-PL-06, 10DC-PL-07, 10DC-PL-08, 10DC-PL-09, 10DC-PL-12, Location Plan, Design Access and Heritage Statement

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.

#### Informative(s):

- 1 Reasons for granting permission:

The proposed roof terrace covers the entirety of the flat roof at the rear of the building and would be enclosed by a raised brick parapet of 0.35m in height, and a metal balustrade of 0.5m in height. Although the alterations would be visible from the public realm, the use of matching brick and metal balustrades are traditional materials and are considered appropriate for use on the historic host building and wider Conservation Area.

The proposed timber framed external door is acceptable in terms of design, materiality, size and scale. It is not considered to have any detrimental impact on the rear elevation of the building nor wider Conservation Area.

Special regard has been attached to the desirability of preserving or enhancing the Fitzjohns Netherhall 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.

Given the location of the roof terrace and the distance to neighbouring occupiers, it is not considered to cause significant harm to neighbouring amenity in terms of overlooking, privacy and noise and any views would be oblique. Roof terraces are already established adjacent to the application site.

No responses were received following statutory consultation. The site's planning history and relevant appeal decisions were taken into account when coming to this decision.

As such, the proposal is in general accordance with Policies A1, D1, and D2 of the Camden Local Plan 2017. The proposed development also accords with the policies of the London Plan 2021 and National Planning Policy Framework 2023.

- 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 Your proposals may be subject to control under the Party Wall etc Act 1996 which covers party wall matters, boundary walls and excavations near neighbouring buildings. You are advised to consult a suitably qualified and experienced Building Engineer.
- 4 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.
- 5 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 2023.

You can find advice about your rights of appeal at:

<https://www.gov.uk/appeal-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

A handwritten signature in black ink, appearing to read 'DPope', written in a cursive style.

Daniel Pope  
Chief Planning Officer