

Application ref: 2024/1432/P
Contact: Daren Zuk
Tel: 020 7974 3368
Email: Daren.Zuk@camden.gov.uk
Date: 2 July 2024

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

Barbara Weiss Architects
Millbank Tower
21-24 Millbank
London
SW1P 4QP

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:
41 Rosslyn Hill
London
NW3 5UJ

Proposal:
Proposed demolition and replacement of retaining wall along side (Thurlow Road) elevation.
Drawing Nos: PL-EX(01)01, PL-EX-(02)01, PL-PR(01)01, PL-PR(02)01, PL-PH01,
Location Plan, Design and Access Statement (prepared by Barbara Weiss Architects, dated 10 April 2024)

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:

PL-EX(01)01, PL-EX-(02)01, PL-PR(01)01, PL-PR(02)01, PL-PH01, Location Plan, Design and Access Statement (prepared by Barbara Weiss Architects, dated 10 April 2024)

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 proposal comprises the demolition and replacement of a retaining wall located along the side (Thurlow Road) elevation of the host building. The existing brick boundary wall will remain in situ.

The existing retaining wall is considered to be in poor condition and at risk of collapsing. The wall is also located close to the lower ground floor side elevation, which has led to issues of maintenance access and damp to the lower ground floor residential unit. The replacement retaining wall will be of a similar height and constructed of concrete faced with matching London stock brick slips. It will be located further away from the side elevation to allow for sufficient maintenance access and reduce the risk of damp. The works are considered minor in scale and will not harm the character of the host building nor that of the wider Fitzjohns Netherhall Conservation Area.

Due to the scale and scope of the proposed works, they would not cause any adverse impacts on the amenity of adjoining or nearby residential occupiers in terms of loss of light, outlook or privacy.

No objections were received following statutory consultation. The planning history of the site has been taken into account when coming to this decision.

Special attention has been paid to the desirability of preserving or enhancing the character or appearance of 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.

As such, the proposed development is in general accordance with policies A1, D1 and D2 of the Camden Local Plan 2017 and policies DH1 and DH2 of the Hampstead Neighbourhood Plan 2018-2033. The proposed development also accords with the London Plan 2021 and the 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 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.
- 4 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 2021.

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



Daniel Pope

Chief Planning Officer