

Application ref: 2024/0361/P  
Contact: Ewan Campbell  
Tel: 020 7974 5458  
Email: Ewan.Campbell@camden.gov.uk  
Date: 2 October 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](mailto:planning@camden.gov.uk)  
[www.camden.gov.uk/planning](http://www.camden.gov.uk/planning)

FARROW SILVERTON  
6  
Hale Lane  
Mill Hill  
London  
NW7 3NX  
United Kingdom

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Granted Subject to a Section 106 Legal Agreement**

Address:

**Flat 1-2**  
**34 Fitzjohn's Avenue**  
**London**  
**NW3 5NB**

Proposal:

Creation of an additional unit on lower ground floor, single storey rear extension at lower ground floor level, installation of new side windows and ramped access. Relocation of front entrance door and replacement with window and landscaping to the front and rear

Drawing Nos: 05-1134-PLAN-100, 05-1134-PLAN-105, 05-1134-PLAN-110-A, 05-1134-PLAN-111, 05-1134-PLAN-112-A, 05-1134-PLAN-113-A, 05-1134-PLAN-120-A, 05-1134-PLAN-121-D, 05-1134-PLAN-122-B, 05-1134-PLAN-123-B, 05-1134-PLAN-124-C, 05-1134-PLAN-145-A, 05-1134-PLAN-146, 05-1134-PLAN-147, 05-1134-PLAN-150 and Planning, Design and Access 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 05-1134-PLAN-100, 05-1134-PLAN-105, 05-1134-PLAN-110-A, 05-1134-PLAN-111, 05-1134-PLAN-112-A, 05-1134-PLAN-113-A, 05-1134-PLAN-120-A, 05-1134-PLAN-121-D, 05-1134-PLAN-122-B, 05-1134-PLAN-123-B, 05-1134-PLAN-124-C, 05-1134-PLAN-145-A, 05-1134-PLAN-146, 05-1134-PLAN-147, 05-1134-PLAN-150 and Planning, Design and Access 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 policy D1 and D2 of the London Borough of Camden Local Plan 2017.

- 4 The windows, joinery on the original building excluding the extension hereby approved shall be timber, as shown in drawings 05-1134-PLAN-121-D and 05-1134-PLAN-122-B shall be timber framed and traditionally fenestrated to match.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy D1 and D2 of the London Borough of Camden Local Plan 2017.

- 5 Prior to the commencement of any works on site, details demonstrating how trees to be retained shall be protected during construction work shall be submitted to and approved by the local planning authority in writing. Such details shall follow guidelines and standards set out in BS5837:2012 "Trees in Relation to Construction". All trees on the site, or parts of trees growing from adjoining sites, unless shown on the permitted drawings as being removed, shall be retained and protected from damage in accordance with the approved protection details.

Reason: To ensure that the development will not have an adverse effect on existing trees and in order to maintain the character and amenity of the area in accordance with the requirements of policies A2 and A3 of the London Borough of Camden Local Plan 2017.

- 6 Before the use commences sound insulation shall be provided for the building in accordance with the approved scheme by the local planning authority in writing. The use shall thereafter not be carried out other than in accordance with the approved scheme.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies G1, CC1, D1, A1, and A4 of the London Borough of Camden Local Plan 2017.

- 7 Before the development commences, details of secure and covered cycle storage area for two cycles shall be submitted to and approved by the local planning authority. The approved facility shall thereafter be provided in its entirety prior to the first occupation of any of the new units, and permanently retained thereafter.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy T1 of the London Borough of Camden Local Plan 2017.

- 8 The development hereby approved shall achieve a maximum internal water use of 110litres/person/day. The dwelling/s shall not be occupied until the Building Regulation optional requirement has been complied with.

Reason: To ensure the development contributes to minimising the need for further water infrastructure in an area of water stress in accordance with Policies CC1, CC2, CC3 of the London Borough of Camden Local Plan 2017.

- 9 The flat roof of the single storey rear extension approved under 2024/0361/P shall not be used as a roof terrace, sitting out area or other amenity space and only be accessed for maintenance purposes.

Reason: To protect the amenity of adjoining occupiers and the area in accordance with policies A1, D1 and D2 of the Camden Local Plan 2017

#### Informative(s):

- 1 Reasons for granting permission:

Policy H1 of the Local Plan aims to secure a sufficient supply of homes to meet the needs of existing and future households and will seek to exceed the target for additional homes in the borough by regarding self-contained housing as the priority land use of the Local Plan.

The application proposes an additional unit with separate access to the front at basement level to accommodate a carer for the residents of the main house who will be on site. The principle of the additional unit on site is accepted and is supported under the Public Sector Equality Duty. The provision of a new dwelling unit is welcomed as housing is the priority land use in line with policies G1 and H1 of the Local Plan. In relation to the location, whilst within the Fitzjohns/Netherhall Conservation Area, the site and property is big enough to accommodate a small flat. Therefore the principle of the development is accepted.

Policy H4 aims to maximise the supply of affordable housing however the proposal does not include an increase of floorspace of 100sqm and therefore a contribution is not required.

Policy H7 of the Local Plan aims to secure a range of homes of different sizes that will contribute to the creation of mixed, inclusive and sustainable communities. The proposal includes a two and four bed property and therefore generally meets the requirements of policy H7.

The extension would be appropriately scaled in its height and depth to align with the approved neighbouring developments, and is not full width with a stepped rear elevation. The lower ground floor rear extension would be clad in brickwork matched to the host building and have aluminium/timber joinery which is supportable in this specific location. A condition is attached to ensure the windows in the bulk of the dwelling house are timber and match the traditional fenestration. Overall the scale and materiality is acceptable and preserves the character of the Conservation area.

Since Pre-Application the proposed scheme has been amended to omit the upper ground floor level extension and so the new rear extension will be kept solely at lower ground level. This means that the rear elevation will retain the key architectural feature of the rear elevation, the cantered bay which is welcome.

The internal lift proposed will only serve the lower and upper ground floors and there would not be alterations required to the roof form in order to facilitate the developments. Alterations to the front elevation joinery (reinstatement of a sash window in place of a door, reglazing of an upper sash where there is an extract) are considered to improve to the existing condition by reinstating a more traditional arrangement to the positive contributor, and would therefore enhance the character and appearance of the Conservation Area. All new joinery located in the host building would be timber framed and proportioned and fenestrated to match the rest of the adjacent traditional units.

In terms of quality of accommodation both units comfortably exceed the Nationally Described Space Standards minimum and bedroom sizes. The larger unit to the rear is dual aspect, with numerous windows and provides good quality living space, whilst accommodating an accessible resident. There is enough outlook, privacy and natural light.

For the smaller unit to the front, because of the proposed landscaping and new windows, the lower ground floor unit will have an acceptable level of outlook and daylight whilst retaining the same level of privacy as afforded in the existing flat.

- 2 In relation to outlook and sense of enclosure, the new extension would be broadly in the same location as the neighbouring extensions meaning that any impact would be limited. This assessment would also apply to issues of daylight/sunlight, privacy and overlooking. The proposed unit to the front would not impact on the amenities of neighbours due to its small scale and lower ground location. A condition is attached to ensure the flat roof is not used as a roof terrace.

The site is a sloping site and because the minimal excavation works are only to the rear it is not considered to be at basement level. Therefore the proposal complies with policy A5 of the 2017 Local Plan.

In line with Policy T1, for residential units with 2 or more bedrooms the requirement for cycle parking is 2 spaces per unit. At present no cycle parking is shown on the submitted plans. The provision and details of cycle parking is secured by condition.

In accordance with Policy T2 of the Camden Local Plan, the additional residential unit being created is secured as on-street Residents parking permit (car) free by means of a Section 106 Agreement. This will prevent the future occupants from adding to existing on-street parking pressures, traffic congestion and air pollution, whilst encouraging the use of more sustainable modes of transport such as walking, cycling and public transport.

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 Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

The planning history of the site was taken into account when coming to this decision. One comment was made in relation to dangerous nature of trees on site and their potential impact to neighbours but objections were received.

As such, the proposal is in general accordance with policies A1, A4, A5, H1, H4, H6, H7, D1, D2, C6, T1 and T2 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.

- 3 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).
- 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 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

A handwritten signature in black ink, appearing to read 'DPope', is positioned above the typed name and title.

Daniel Pope  
Chief Planning Officer