

Application ref: 2024/3325/P
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Montagu Evans
70 St Marys Axe
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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:
39 Fitzjohn's Avenue
London
NW3 5JY

Proposal: Non-material amendment to planning permission 2020/2169/P dated 16/11/2022 for the 'Erection of replacement side, rear and roof extensions, excavation of basement and various other alterations associated with conversion of existing dwelling (Class C3) into 35 flats (2x studio, 9x1bed, 20x2bed and 4x3bed)', NAMELY for changes to the proposed landscape and access plans to align with neighbouring planning permission 2024/0728/P.

Drawing Nos: 3169_050 Rev P2, 3169_051 Rev P2, 3169_052 Rev P2, 3169_053 Rev P1, 3169_060 Rev P1, Covering Letter (prepared by Montagu Evans, dated 6 August 2024), Addendum to paragraph 7 of the Design and Access Statement under ref. 2020/2169/P (prepared by Bowles & Wyer, dated 3 June 2024)

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 2 of planning permission 2020/2169/P (dated 16/11/2022) 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:

Existing: 3169_001 Rev A, 3169_003, 3169_004, 3169_005, 3169_006, 3169_007, 3169_010 Rev B, 3169_011 Rev B, 3169_012 Rev B, 3169_013 Rev B

Demolition: 3169_103 Rev A, 3169_104 Rev A, 3169_105 Rev A, 3169_106 Rev A, 3169_107 Rev A

Proposed: 3169_050 Rev P2, 3169_051 Rev P2, 3169_052 Rev P2, 3169_053 Rev P1, 3169_054, 3169_055, 3169_056, 3169_057, 3169_060 Rev P1, 3169_070, 3169_071, 3169_076 ASHP, 3169_080, 3169D-A Statement

Supporting documents:

Planning Statement, Savills, May 2020; Addendum to paragraph 7 of the Design and Access Statement under ref. 2020/2169/P June 2024; Employment and Training Strategy, Savills, July 2020; Transport Statement, Motion, April 2020; Crime Impact Statement, Savills, July 2020; Health Impact Assessment, Savills, May 2020; Daylight and Sunlight, GIA, Letter dated 27.04.2020; Daylight and Sunlight, GIA, Internal Daylight and Sunlight Assessment 27.04.2020; Air Quality Assessment, WYG, May 2020; Updated Air Quality Assessment, Tetra Tech, August 2021 Rev2; Updated to include additional information on energy strategy; Affordable Housing Viability, HEDC, May 2020; Additional Letter To Savills Dated 14 Jan 2021; Tree Plan, DCCLA, June 2020, TP/39FAL/01B; Tree Protection Construction Phase, DCCLA, June 2020, CPTPP/39/FAL010 B2; Arboricultural Method Statement, DCCLA, June 2020; Basement Impact Assessment, RWA London, REV E, May 2018; Addendum to BIA, LBH Wembley Engineering, Ver 1.3, April 2019; Further addendum to BIA, LBHGEO, Ver 1.0 dated March 2020; Energy Statement, DSA Engineering, rev 0.1, May 2021; Sustainability Statement, DSA Engineering, May 2021; BREEAM Pre-Assessment, DSA Engineering, Rev 5, July 2021; Whole Life Cycle Carbon Emissions Assessment, Hodkinson, May 2021; Construction Management Plan Pro-Forma, Version A, 22 July 2020; Surface Water Drainage and Outline SUDs Strategy, LBHGEO, Version 3.1, 20 Sept 2021

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

Informative(s):

- 1 Reason for granting approval-Reason for granting approval.

The proposed amendments to the approved scheme comprise amendments to the main entrance area and access arrangement including replacement of a long ramp with two sets of steps and provision of a shorter ramp with landings edged by planting beds to either side to provide DDA access; relocation of a cycle and refuse store from the front entrance to the rear of the building, including relocation of a temporary bin holding area along Nutley Terrace; addition of external plant enclosure to the rear courtyard which will be separated from the private courtyards; and reconfiguration of the previous approved rear garden area to integrate the site into the wider landscape masterplan under the neighbouring application (ref. 2024/0728/P).

The proposed amendments will ensure delivery of a site wide integrated approach

for the landscape and access strategies to improve the sense of arrival and maximise opportunities for soft landscaping, sustainable technologies, and pedestrian access.

The proposed amendments are minor in scope and scale and do not alter the overall dimensions or intent of the scheme and would therefore not impact the character of the building or proposed alterations. They would not have any material impact on the character and appearance of the host property or the Fitzjohn's Netherhall Conservation Area.

The amendments would not have any material impact on the amenity of neighbouring occupiers, including impacts on daylight/sunlight, outlook, noise, or privacy.

The full impact of the scheme has already been assessed by virtue of the previous approval granted on 16/11/2022 under ref. 2020/2169/P. In the context of the permitted scheme, it is considered that the amendments would not have any material effect on the approved development in terms of appearance and neighbour impact. It is considered that the changes are relatively minor in the context of the approved scheme and can therefore be regarded as non-material variation of the approved scheme.

- 2 You are advised that this decision relates only to the changes highlighted on the plans and/or set out in the description and on the application form and shall only be read in the context of the substantive permission granted on 16/11/2022 under reference number 2020/2169/P and is bound by all the conditions 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 the National Planning Policy Framework. The council publishes its adopted policies online, along with detailed Camden Planning Guidance. It also provides advice on the website for submitting applications and offers a pre-application advice service.

Yours faithfully



Daniel Pope
Chief Planning Officer

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