

Planning and Borough Development
London Borough of Camden
5 Pancras Square
London
N1C 4AG

Date: 05 February 2025

Our ref: NTH/CHST/HDA/U0013857

Your ref: PP-13718146

Dear Sir / Madam

82 Fitzjohn's Avenue, London, NW3 6NP

Town and Country Planning Act 1990 (as amended)
Non-Material Amendment Application pursuant to Condition 2 of Full Planning Permission (ref. 2023/3626/P)

We write on behalf of our client, Mr Ross ('the Applicant'), to enclose a Non-Material Amendment application in respect of the above permission in order to secure adjustments to the approved landscaping scheme. The adjustments are sought to provide a more biodiverse and accessible landscaping scheme.

This application is submitted concurrently to an approval of details application to re-discharge Condition 6 (Landscaping Details) attached Full Planning Permission (ref. 2023/3626/P) to ensure consistency.

The Site

The Site, comprising a residential home, is situated to the rear of 84 Fitzjohn's Avenue.

The Site is located within the Fitzjohn's and Netherhall Conservation Area and within the Hampstead Neighbourhood Plan Area.

Planning History

The relevant planning history to which this request relates is set out below for ease of reference.

Reference	Development	Status	Notes
<u>82 Fitzjohn's Avenue</u>			
2019/4229/P	Erection of two storey side, front and rear extensions, replacement pool house, and associated works	Approved 04 Oct 2019	This permission was not implemented.

2021/1394/P	Alterations and extensions including erection of 2 storey extensions, increased ridge height, alterations to fenestration, erection of dormer windows to roof and creation of sunken terrace, removal of existing pool house and erection of new orangery, and other associated works; hard and soft landscaping including replacement sheds and garage and removal of trees	Approved 01 June 2021	This permission was not implemented.
2021/1787/P	Alterations and extensions including erection of 2 storey extensions, increased ridge height, alterations to fenestration, erection of dormer windows to roof and creation of sunken terrace, removal of existing pool house and erection of new orangery involving basement excavation for new pool, and other associated works; hard and soft landscaping including replacement sheds and garage and removal of trees	Approved 12 Jan 2022	This was the extant permission which is being built out on site (in addition to the subsequently approved amendment applications set out below) which was updated via Section 73 application (ref. 2023/3626/P) below.
2022/0190/P	Dismantling of the existing boundary wall for site access and construction purposes in association with development at 82 Fitzjohn's Avenue and like for like reconstruction following completion of works.	Approved 23 May 2022	This was a standalone application to enable the works approved above to be built out.
2022/5132/P	Amendments to Full Planning Permission (ref. 2021/1787/P), namely the addition of a low	Approved 13 Dec 2022	Non-Material Amendment

	boundary wall and minor extension of the consented hermitage in the northeast corner.		
2023/1829/P	Amendments to Full Planning Permission (ref. 2021/1787/P), namely the alteration and enlargement of the approved dormer to the southeastern corner and replacement of existing rooflights, changes to the second floor window and roof design over the spiral stair on the northeastern elevation and a change to the design of the second floor window to the southeastern elevation.	Approved 15 June 2023	Non-Material Amendment
2023/3626/P	Variation of conditions 2 (approved drawings) and 4 (tree protection details) and approval of condition 6 (landscaping details) of planning permission 2021/1787/P granted 12/01/2022 for alterations and extensions including erection of 2 storey extensions, increased ridge height, alterations to fenestration, erection of dormer windows to roof and creation of sunken terrace, removal of existing pool house and erection of new orangery involving basement excavation for new pool, and other associated works; hard and soft landscaping including replacement sheds and garage and removal of trees; namely, amendments to proposed garage, changes to	Approved 10 July 2024	As agreed with Officers prior to submission, this Section 73 application picked up both amendments to the permission i.e., removal of additional trees, and the details of the hard and soft landscaping required to be submitted pursuant to Condition 6 attached to Full Planning Permission (ref. 2021/1787/P). This permission is now the extant permission. It is this permission which is sought to be

	landscaping and driveway, removal of consented shed, changes to tree protection method and removal of additional trees.		amended by this application.
2023/4543/P	Erection of a greenhouse, installation of 3 x ASHPs (1x ASHP within the garden and 2 x ASHP at roof of existing dwelling), a generator and associated acoustic enclosures.	Approved 20 Aug 2024	This is a standalone application for plant equipment.

Proposed Development

As a result of further detailed design development, it is proposed to amend the works approved under Full Planning Permission (ref. 2023/3626/P) in order to secure adjustments to the approved landscaping scheme.

Full Planning Permission (ref. 2023/3626/P) was a Section 73 application to a previous scheme which secured the removal of additional trees at the Site to facilitate a landscaping scheme. The details of this landscaping scheme were submitted pursuant to Condition 6 as part of this Section 73 application.

The Applicant has carefully reviewed the approved position and seeks the following amendments to the approved landscaping scheme in order to ensure that the area is more accessibly configured:

- Increase in the number of retained trees by 3;
- Increase in the number of new trees by 3;
- Reconfiguration of the driveway to remove the approved turning circle;
- Creation of a distinct plant enclosure area away from the boundary with Spring Walk;
- Erection of gates at access points; and
- Improved accessibility measures into the property.

The proposed adjustments have been considered by the Applicant in the context of wider proposed adjustments to the approved landscaping scheme at the Site, which are subject to separate applications. The proposed adjustments are shown on the plans submitted in support of this application to provide context for information purposes only, but it is understood that only the works sought under this application would be approved.

When compared to the approved position, the proposals would result in an increase in soft landscaping and a reduction in hard landscaping and built elements within the garden, which is considered to be a betterment. It is proposed to retain a greater number of trees (3) when compared to the approved position, as well as planting a greater number of new, replacement trees (3). A Plant Species List and Landscaping Maintenance Plan are included within the submission detailing proposed measures to ensure the proposed landscaping details are well maintained in the long term.

Furthermore, it is proposed to create a distinct plant enclosure area away from the boundary with Spring Walk. The details of the plant enclosure and plant equipment are subject to a separate application submitted concurrently to this application.

Pre-Application Discussions

A Pre-Application Meeting was held with the Camden Case Officer and Design Officer on Thursday 16 January 2025. Officers were comfortable with the proposed adjustments in principle and agreed that the changes could be dealt with through a Non-Material Amendment application in addition to a concurrent submission of an approval of details application to re-discharge Condition 6 (Landscaping Details).

Documentation

On the basis of the above, and in addition to this cover letter, the following documentation is submitted in support of this application:

- Application Forms (ref. PP-13718146), prepared by Newmark Gerald Eve LLP;
- Comparison Table - Hard vs Soft Landscaping;
- General Arrangement Changes Comparison Plan (ref. LA-046-003 Rev A);
- General Arrangement Changes Plan (ref. LA-046-002 Rev B);
- Landscaping Maintenance Plan;
- Plant Species List;
- Proposed GA Plan - Hard vs Soft (ref. LA_046_001_82 Rev 0);
- Proposed GA Plan (ref. LA_046_001_82 Rev D);
- Proposed General Arrangement Tree Plan (ref. LA-046-004 Rev A);
- Proposed Section A from Spring Walk (ref. LA-046-005 Rev A);
- Proposed Section B (ref. LA-046-006 Rev A);
- Sections C and D (ref. LA_046_007 Rev C); and
- Tree Comparison Table.

The requisite fee of £43.00 has been paid concurrently to the submission of this application.

We trust that the above is acceptable for the purposes of the registration and validation of this application and look forward to confirmation of receipt and validation in due course. Please do not hesitate to contact Chloe Staddon (0203 486 3417) or Hannah Davies (0207 333 6221) of this office should you have any questions in the meantime.

Yours faithfully,

Newmark Gerald Eve LLP

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