

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

Date: 18 February 2025

Our ref: NTH/CHST/HDA/U0013857

Your ref: PP-13774951

Dear Sir / Madam

84 Fitzjohn's Avenue, London, NW3 6NP

**Town and Country Planning Act 1990 (as amended)
Planning (Listed Buildings and Conservation Areas) Act 1990
Application for Full Planning Permission**

We write on behalf of our client, Mr Ross ('the Applicant'), to enclose an application for Full Planning Permission in respect of the installation of a boundary treatment at the above address.

Specifically, Full Planning Permission is sought for the following:

"Erection of a boundary treatment including a brick wall, railings and gates; provision of soft landscaping; part retrospective application for a bin store; and associated works."

The Site

The Site is block of residential apartments which fronts Fitzjohn's Avenue and includes a number of residential flats. 82 Fitzjohn's Avenue, a residential home, is located to the east of 84 Fitzjohn's Avenue.

The Site is not listed but 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.

On 25 September 2020, Full Planning Permission (ref. 2020/1225/P) was approved for the **"replacement of rear and side windows with double glazed timber windows on upper ground floor (retrospective)."**

Proposed Development

It is proposed to reconfigure the front yard of 84 Fitzjohn's Avenue, which also serve as the access to 82 Fitzjohn's Avenue.

As part of these works, it is proposed to erect a new brick wall with black metal railings and gates and create a bin store. It is proposed that the bin store would be screened by a proposed hedge behind the metal railings.

As the application relates to a householder application, the statutory requirement to deliver 10% Biodiversity Net Gain does not apply.

Pre-Application Discussions

A Pre-Application Meeting was held with the Camden Case Officer and Design and Conservation Officer on Thursday 16 January 2025.

Subsequent correspondence has taken place between the Applicant and the Design and Conservation Officer via email. Officers requested the use of brick piers with either a bullnose detail or a coping detail. Consequently, a coping detail has been incorporated into the brick wall design.

Officers requested that the existing railings along the Public Walkway boundary are retained and adapted where they meet the new brick pier. This feedback has been incorporated into the design.

Officers confirmed they could assess a sample panel of the brickwork and details of the railings and lamps via condition.

The Applicant has confirmed that they are unable to modify the level change as doing so would result in the railings become significantly higher due to the ground level drop.

Planning Policy Framework

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the statutory Development Plan unless material considerations indicate otherwise.

Planning policy operates at national, regional, and local levels. At a national level, Central Government updated the National Planning Policy Framework (NPPF) in December 2024. The statutory development plan for the Site comprises, at a regional level, the London Plan (March 2021) and at the local level Camden's Local Plan (2017).

Planning Considerations

Design and Heritage - Policy

Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (“the Listed Buildings Act”) requires that special attention be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area when considering applications relating to land or buildings within that Area.

Policy D4 of the London Plan requires development to incorporate exemplary standards of high-quality and sustainable urban design. Policy D1 of the Camden Local Plan seeks to secure high quality design in development, which respects the local context and character, and preserves or enhances the historic environment and heritage assets. The Policy goes on to require the use of high-quality materials which complement the local character and contribute positively to the street frontage.

Policy D2 (Part E) of the Camden Local Plan requires that development within conservation areas preserves or, where possible, enhances the character or appearance of the area.

Policy DH1 of the Hampstead Neighbourhood Plan expects development proposals to demonstrate how they respond and contribute positively to the distinctiveness and history of the area and should respect and enhance the character and local context of the relevant character area. Policy DH2 states that new development should take advantage of opportunities to enhance the Conservation Area by protecting and, where appropriate, restoring original architectural features, including walls, windows, doors, etc., that would make a positive contribution to the Conservation Area.

Design and Heritage – Assessment

The detail of the boundary treatment has been subject to significant correspondence between the Applicant and the Design and Conservation Officer and has been amended to reflect the feedback provided.

As set out above, Officers have confirmed they could assess a sample panel of the brickwork and details of the railings and lamps via condition to ensure that the proposals deliver a high-quality boundary treatment.

The bin store was installed at the property prior to the current Owner (between July 2017 and March 2018) as shown on Google Street View. This application therefore seeks part retrospective permission to regularise this bin store, which would, in any case be screened by the proposed wall, railings and soft landscaping.

The submitted design seeks to replicate a traditional style to preserve and enhance the wider Conservation Area. The proposals are a benefit compared to the existing situation due to the absence of boundary treatment and modern posts and are therefore considered acceptable on this basis.

Summary

It is for these reasons that Full Planning Permission should be granted accordingly. For the avoidance of doubt, the proposals do not comprise over 100 sqm of GIA and therefore do not trigger the requirement for CIL.

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, prepared by Newmark;
- CIL Form, prepared by Newmark;
- Site Location Plan (ref. LA_046_011 Rev C);
- Existing Front Elevation (ref. LA_046_015 Rev 0);
- Proposed Bin Store 01 (ref. LA_046_207 Rev 0);
- Proposed Section E (ref. LA_046_012 Rev B); and
- Photographs of the existing situation and bin store.

The requisite fee of £363.00 (including the £70.00 Planning Portal fee) 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