

Application ref: 2025/0498/P
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Newmark Gerald Eve LLP
One Fitzroy
6 Mortimer Street
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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:

**82 Fitzjohn's Avenue
London
NW3 6NP**

Proposal: Amendment involving the relocation of proposed plant enclosure into a dedicated plant room within the rear garden and removal of proposed generator from scope of works, and to alter the description of development to remove reference to omitted generator, as approved by planning permission 2023/4543/P dated 20/08/2024 for '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.'

Drawing Nos: Drawing Nos: Plans: A-PL-00-000; LA-046-001, rev A; LA-046-008, rev 0;
LA-046-009, rev 0;
LA-046-010, rev A;

Supporting information: Cover letter prepared by Newmark, 5/02/2025; City Multi R2 Series VRF Heat Recovery system document; Plant Noise Impact Assessment prepared by EEC, AO/EC18269-41, 25/10/2024; Arboricultural Impact Statement prepared by Tree Frontiers, 190809-200-RPT-AIS-NMA-PEE, rev 1, 7/03/2025

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, the description of planning permission ref. 2023/4543/P, granted 20/08/2024, shall be replaced with the following description:

REPLACEMENT DESCRIPTION

'Erection of a greenhouse, installation of 3 x ASHPs (1x ASHP within the garden and 2 x ASHP at roof of existing dwelling) and associated acoustic enclosures.

For the purposes of this decision, condition no.2 of planning permission 2023/4543/P 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- A-PL-00-000; LA-046-001, rev A; LA-046-008, rev 0; LA-046-009, rev 0; LA-046-010, rev A; 496.PL.201;

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

Informative(s):

1 Reason for granting approval-

The proposal is to remove the approved generator from the scope of works and relocate the plant enclosure from the southern boundary of the garden into a dedicated plant area away from the public walkway (Spring Walk). The description of development for planning permission 2023/4543/P would also be amended to reflect the proposed generator now being omitted from the scope of works.

The proposed plant enclosure is much reduced in height compared to the approved garage and as a result of its relocation away from the boundary with the public walkway, the proposed plant enclosure will not be visible from the public realm, thereby protecting the character of the surrounding Conservation Area.

There are no concerns associated with the omission of the generator from the scheme. As such, the associated changes proposed to the application description are appropriate.

The Council's Environmental Health Officer has reviewed the submitted acoustic submission, and is satisfied the proposed updated plant would continue to meet Camden Local Plan 2017 guidelines. Therefore, the proposed plant is acceptable in Environmental Health terms. The noise conditions attached to the extant permission 2023/4543/P remain appropriate in ensuring the proposed plant meets noise and vibration and other Environmental Health criteria.

The footprint of the new plant equipment and enclosure is proposed within the rooting environment of one tree. However, this is in an area that has existing permission (2021/1787/P dated 12/01/2022 (as later amended by 2023/3626/P

dated 10/07/2024) for a new driveway. The encroachment area is smaller than that of existing approved layouts, which includes a new driveway, and therefore will provide an improvement to the rooting area of this tree. In accordance with the existing aforementioned permissions, any retained trees will be protected throughout the construction phase. This primarily consists of tree protective fencing, but will also require specific construction techniques (as detailed in the approved arboricultural documents under the aforementioned permissions) to ensure that the trees remain sustainable post-construction.

All other aspects of the development would be undertaken in accordance with the approved plans as part of 2023/4543/P and any subsequent approved variations.

- 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 20/08/2024 under reference number 2023/4543/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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