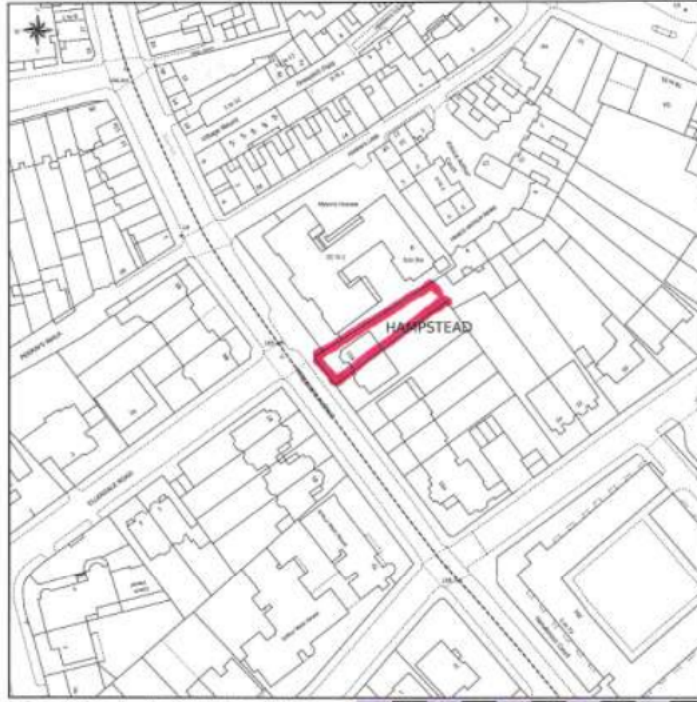


114 Fitzjohn's Avenue



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Scale: 1:1250, paper size: A4

plans ahead by **emapsite**

Prepared by: dan_carr_23-03-2013



Side elevation



Rear elevation garden space



Existing Patio Area

Delegated Report		Analysis sheet		Expiry Date:	14/10/2013	
Members Briefing		N/A / attached		Consultation Expiry Date:	19/09/2013	
Officer			Application Number(s)			
Obote Hope			2013/5103/P			
Application Address			Drawing Numbers			
Flat 1, 114 Fitzjohn's Avenue London NW3 6NT			Refer to decision notice			
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature			
Proposal(s)						
Erection of a single storey rear extension at ground floor level of existing garden flat (Class C3)						
Recommendation(s):		Grant Planning Permission				
Application Type:		Full Planning Permission				
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice				
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	18	No. of responses No. electronic	12 12	No. of objections	10
Summary of consultation responses:	<p>Advert placed in Ham & High on 29th August 2013 expired 19th September 2013 Site notice displayed on 23rd August 2013 and expired 13/09/2013</p> <p>Objections received from flat 2 114 Fitzjohn's Avenue: The extension would be almost 8m long and would unbalance the architectural uniformity of the projection in terms of its built and un-built landscape. Increased in noise, loss of privacy with the skylight, light emitting from the extension below.</p> <p>112 Fitzjohn's Avenue Flat 5 Objection: The garden is used for by all the residents occupying 112 and the proposed extension would be blocking the light if the extension is allowed at 114 Fitzjohn's Avenue.</p> <p>112 Fitzjohn's Avenue Flat 2 Objection:</p>					

No formal notice of the application, inadequate information to assess the application, the increase in height would have an affect with light and air.

112 Fitzjohn's Avenue Objection:
Object similar to flat 2 in regards to light and air, inadequate information, the loss of amenity space and contrary to good planning principles.

Objector
Camden's site has no reference to a current application for the above address, which is strange. The last entry appears as 1986.

I was not present when this application was reviewed by Hampstead CAAC colleagues, but I would concur with their points.

We are keen on prevention of rear garden take-up quite apart from any views on design, for which on that occasion colleagues lacked sufficient drawings on which to comment.

Please refer to section 5 below:

CAAC/Local groups* comments:
*Please Specify

Fitzjohns/Netherhall CAAC Objection
The extension would be 4m in violation of the property line with 114 and 112 that read as a pair, the creation of a terrace is in violation, proposed settlement/subsidence if supported to the existing structure, the extension and the impact with the party wall of 116 to the party wall of 112 which is over the extension compared with 110, concern with possible creating a new unit. Proposed fumes, privacy issues, alteration of use, loss of sunlight, security. Projecting beyond the neighbours backline and loss of open space.

Site Description

The application site is located to the east of Fitzjohn's Avenue in close proximity to the junction with Perrin's Lane that lies to the north. The site comprises of a four storey building that has been separated into flats.

The site is located within the Fitzjohn's/Netherhall Conservation Area

Relevant History

Planning history
Full planning application, reference **2009/2282/P**, was granted on **18/09/2009** for: Installation of wheelchair platform lift to front external stair to residential flats (Class C3).

Relevant policies

National Planning Policy Framework 2012

LDF Core Strategy and Development Policies 2010
CS5 – Managing the impact of growth and development
CS14 – Promoting high quality places and conserving our heritage

Development Policies
DP22 – Promoting sustainable design and construction
DP24 – Securing high quality design
DP25 - Conserving Camden's heritage
DP26 – Managing the impact of development on occupiers and neighbours

Camden's Planning Guidance 2013
1-Design & appearance
6-Amenity

Fitzjohn's/Netherhall Conservation Area Statement

Assessment

1. Proposal & background

1.1 The proposed new extension will incorporate an infill-extension that wraps around the lower ground floor and will not include any excavation works to the existing lower ground floor flat. The rear lower ground floor currently houses the living/dining room and bedrooms. There is currently a rear bay window with French doors that provides access to the garden and the property has its own access through the side elevation.

1.2 The applicant has proposed the following works:

- The erection of a rear lower ground floor extension with 3 x rooflights;
- The erection of a side infill extension
- Proposed green roof
- Creation of a new entrance following the bricking-up of the existing door to the side elevation

2. Revision

2.1 The plans were revised to set back of the infill extension by approximately 1.1m in depth in order to retain a bay window shape more in line with the existing; revisions to the door and rooflights; and inclusion of a for green roof.

3. Main Planning Considerations

- Impact on proposal on host property and on surrounding conservation area; and
- Impact on the proposal on neighbouring amenity

4. Design & appearance

4.1 Policies CS14, DP24 and DP25 are of relevance, as is CPG1. The council's design planning guidance provides guidance on rear extensions in chapter 4. Rear extensions should be subordinate to the original building in terms of scale and situation and should be designed to:

- be secondary to the building being extended, in terms of location, form, scale, proportions, dimensions and detailing;
- respect and preserve the original design and proportions of the building, including its architectural period and style;
- respect and preserve existing architectural features, such as projecting bays, decorative balconies or chimney stacks;
- respect and preserve the historic pattern and established townscape of the surrounding area, including the ratio of built to un-built space;
- not cause a loss of amenity to adjacent properties with regard to sunlight, daylight, outlook, overshadowing, light pollution/spillage, privacy/overlooking, and sense of enclosure;
- allow for the retention of a reasonable sized garden; and
- retain the open character of existing natural landscaping and garden amenity, including that of neighbouring properties, proportionate to that of the surrounding area.

4.2 The proposed rear extension measures approximately 3.0m (height) x 4.1m (width) x 4.0m in depth from the existing bay window, along the existing patio area. The proposal will retain approximately 13.4m of garden space to the rear and replicate the existing bay window extension in design. The proposed scheme includes a side infill extension, which has been revised and reduced in depth by 1.1m, and now measures approximately 2.3m in width with a depth of 7.5m at its longest point, and a new door to the rear garden. Combined the proposed extensions are approximately 7.4m in width (the width of the main house). The proposed walkway measuring between 1.0m to 1.1m at the northwest elevation would be retained. The proposed obscured glazing conservation style rooflight would measure approximately 1.4m in width x 0.9 in length and would be virtually flush with the proposed flat roof and the 2 additional rooflights measure approximately 1.0m in height x

1.0m in width.

4.3 The extension would be approximately 0.5m higher than the existing party wall, would be no less than 2.0m from the nearest windows or door of the adjoining property and 1.5m below the existing first floor balcony of the flat above. The extension would include a sliding door measuring approximately 2.1m in width. The materials that would compliment the host building and the general conservation area .i.e. timber sash windows and wooden sliding doors, and green roof to match the aesthetics of the host building and reduce any visual impact. A substantial amount of the garden space will be retained (approximately 13.4m) and the proposed rear extension is therefore considered to accord with Planning Policies DP22, DP24, DP25, CS14 and CPG 1 of the Camden Planning Guidance.

5. Officers comments

5.1 The concerns raised by the neighbouring occupiers stipulate that the extension would unbalance the uniformity of the building, however, the extension has been amended to respect the uniformity of the building. The extension is considered to be subordinate to the main building. In terms of built and un-built land, the extension would make good of the unused space to the side elevation whilst retaining a significant amount of the garden area. The proposed extension is not considered to impact on daylight, sunlight, outlook or privacy when considerations are taken in terms of the height, width and position of the neighbouring properties.

5.2 A condition is recommended to restrict the use of the flat roof of the extension, which will overcome some objections raised regarding potential roof terraces. With regard to the use of the garden at 112 Fitzjohn's Avenue, the extension would project approximately 0.5m into the garden with a total depth of 7.5m to the side infill. This would not lead to overshadowing to a south facing garden area, would leave a substantial garden area and there would be no additional overlooking. The rooflights are relatively small and it is not considered that there would be any significant light pollution to the upper floor flats.

5.3 The details of any party wall agreement or the settlement/subsidence of the building structure is not a material consideration when determining this planning application as this is dealt with by other legislation (party wall agreements, building regulations etc).

5.4 The relocation of the entrance by bricking up of the existing door would have no design or amenity impacts. It is not anticipated from the floor plan and elevation drawing that a separate flat would be created, the floor plan indicate that access to the rest of the flat would be retained as part of the proposed scheme.

6. Amenity

6.1 The proposed rear extension does not have any windows or doors which face the neighbouring properties and therefore it will not result in loss of privacy. The extension would not create a tunnel effect that would lead to the loss of daylight and sunlight. The Flat roof is approximately 3.0m from the proposed rooflight with the 1st floor balcony and an additional 3.1m lower than the existing 1st floor window. A condition is recommended to prevent the use of the flat roof as a terrace.

7. Conclusion

7. 1 The proposed extensions are considered to be respectful of the character and appearance of the host property, would not be unobtrusive in its surroundings and would not be detrimental to the amenity of the surrounding Conservation Area or the amenity of surrounding properties. The proposal broadly complies with policies therefore it is considered to be acceptable in relation to policies: CS14; DP24; DP25 & DP26 of Camden's LDF.

8. Recommendation: Grant conditional permission

DISCLAIMER

Decision route to be decided by nominated members on 4th November 2013. For further information please go to www.camden.gov.uk and search for 'members briefing'

Mr Dan Carr
61c High Road
London
N2 8ABApplication Ref: **2013/5103/P**
Please ask for: **Obote Hope**
Telephone: 020 7974 **2555**

30 October 2013

Dear Sir/Madam

DRAFT
DECISIONTown and Country Planning Act 1990 (as amended)
Town and Country Planning (Development Management Procedure) Order 2010
Town and Country Planning (Applications) Regulations 1988**Full Planning Permission Granted**Address:
114 Fitzjohn's Avenue
London
NW3 6NT**DECISION**

Proposal:

Erection of a single storey rear extension at ground floor level of existing garden flat (Class C3)

Drawing Nos: 114FITZ_EXISTING_ELEVATIONS, 114FITZ_existing plans,
114FITZ_FULL_PLAN_003REVISION2A, 114FITZ_FULL_PLAN_003REVISION2A,
114FITZ_REAR_ELEVATION_01AREVISION1A, 114FITZ_SECTION_01AREVISED.

The Council has considered your application and decided to grant permission subject to the following condition(s):

Conditions and Reasons:

- 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 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 CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans 114Fitz_elevation_01arevision1A, 114Fitz_full_plan_003revision2A, 114Fitz_section_01A, 114fitz_existing_elevations, 114Fitz_existing_plan_01.

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

- 4 The flat roof of the extension hereby approved, shall not be used as a roof terrace and shall only be accessed for maintenance purposes only.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 of the London Borough of Camden Local Development Framework Development Policies.

- 5 Full details in respect of the green roof in the area indicated on the approved roof plan shall be submitted to and approved by the local planning authority before the relevant part of the development commences. The buildings shall not be occupied until the approved details have been implemented and these works shall be permanently retained and maintained thereafter.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies CS13, CS15 and CS16 of the London Borough of Camden Local Development Framework Core Strategy and policies DP22, DP23 and DP32 of the London Borough of Camden Local Development Framework Development Policies.

Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which 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, Argyle Street WC1H 8EQ, (tel: 020-7974 6941).
- 2 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 are advised to consult the Council's Compliance and Enforcement team [Regulatory Services], Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en> or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

Your attention is drawn to the notes attached to this notice which tell you about your Rights of Appeal and other information.

DRAFT

Yours faithfully

Culture and Environment Directorate
(Duly authorised by the Council to sign this document)

DECISION