

Mr Sebastian Sandler
Xul Architecture
33 Belsize Lane
London
NW3 5AS

Application Ref: **2015/1327/P**
Please ask for: **Darlene Dike**
Telephone: 020 7974 **1029**

20 April 2015

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:
Flat 1
36 Fitzjohn's Avenue
London
NW3 5NB

Proposal: Erection of single storey ground floor rear infill extension, alterations to ground floor side fenestration, replacement side door with glass canopy, replacement of rear window and door with bi-folding doors.

Drawing Nos: Site Location Plan (Ref. ESP-01); EX-01 Rev 01; EX-02 Rev 01; EX-03 Rev 01; PA-01 Rev 01; PA-02 Rev 01; PA-03 Rev 01; Design and Access Statement

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

Condition(s) and Reason(s):

- 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; Site Location Plan (Ref. ESP-01); EX-01 Rev 01; EX-02 Rev 01; EX-03 Rev 01; PA-01 Rev 01; PA-02 Rev 01; PA-03 Rev 01; Design and Access Statement

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

Informative(s):

- 1 Reasons for granting permission.

The proposed single storey rear infill extension is subordinate to the host building in terms of its form, and proportions, and results in minimal additional bulk as it is located in a narrow void formed by the existing rear elevation and the boundary fence. The contemporary glass construction is lightweight and thus does not detract from the setting of neighbouring buildings or the property's positive traditional contribution to the Fitzjohns/Netherhall conservation area. Though proposals result in the loss of a small void which delineates the visual separation between no's 36 and 38 Fitzjohn's Avenue, the resultant level of harm is considered minimal, as the loss in visual separation is mitigated by the fact that the extension is constructed of a lightweight glazed addition. The proposed extension also allows for the retention of a reasonable proportion of the garden.

The formation of two new windows and installation of a new door with canopy is considered to be acceptable as they are located on the closed off side elevation of the property, not readily visible from the public realm. The proposed bi-folding doors to the rear are considered to be acceptable as they are at ground level, replace non-original doors and windows, and are generally in keeping with the fenestration pattern of the building.

The height of the proposed extension has been kept to a minimum on the boundary and as such is not considered to have an unacceptable impact on the amenity of any adjoining residential occupiers in terms of the loss of natural light, outlook or sense of enclosure. The new side windows are close to the boundary wall, at ground floor level, preventing the opportunity for overlooking, loss of privacy or light spill to neighbouring properties.

No objections were received prior to making this decision. The planning history of the site and relevant appeal decisions were taken into account when coming to this decision.

Considerable importance and weight has been attached and special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under section 72 of the Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

As such, the proposed development is in general accordance with policies CS5 and CS14 of the London Borough of Camden Local Development Framework Core Strategy, and policies DP24, DP25 and DP26 of the London Borough of Camden Local Development Framework Development Policies. The proposed development also accords with policies 7.4, 7.6 and 7.8 of the London Plan 2015; and paragraphs 14, 17, and 56-66 and 126-141 of the National Planning Policy Framework.

- 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 Noise and Licensing Enforcement Team, 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.
- 3 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).

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.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully



Ed Watson
Director of Culture & Environment