

Mr. Steve York  
Steven York  
East Lodge  
Essex Lane  
Kings Langley  
Herts  
WD4 8PN

Application Ref: **2016/0703/P**  
Please ask for: **Emily Whittredge**  
Telephone: 020 7974 **2362**

22 April 2016

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Granted**

Address:

**Flat 2  
28 Fitzjohn's Avenue  
London  
NW3 5NB**

Proposal:

Erection of conservatory extension to rear elevation.

Drawing Nos: SHT. No.1 (Amended 24/3/16), SHT. No. 2 (Amended 24/3/16), Design and Access Statement, Daylight and Sunlight Assessment by T16 Design Ltd., Site Location Plan

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 on the approved plans.

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: SHT. No.1 (Amended 24/3/16), SHT. No. 2 (Amended 24/3/16), Design and Access Statement, Daylight and Sunlight Assessment by T16 Design Ltd., Site Location Plan.

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

Informative(s):

- 1 Reasons for granting permission.

The application relates to a ground floor flat (Flat 2) within a much larger period building comprising 10 flats, within the Fitzjohn's and Netherhall Conservation Area. The application property occupies the south side of the ground floor, with front and rear aspects. The relevant neighbouring ground floor property occupies the north east part of the ground floor, which projects 7m beyond the rear of the No. 2. A small kitchen 3.4m deep and 2.5m wide directly adjoins the site boundary, with one south-facing obscure glazed window and one east-facing glazed door.

The application proposes the construction of a timber-framed conservatory at the rear of the flat across its full width. The conservatory would measure 3.4m deep (in line with the neighbour's kitchen) and 5.25m wide. The structure is L-shaped and provides a gap 1.5m wide and 2.2m deep in front of the neighbouring kitchen window to protect amenity. A sunlight/daylight study has been submitted with the application and demonstrates that the proposed development would have an acceptable impact on the adjoining kitchen window. The window glazing was obscured by the current occupier for privacy, so there would be no impact on outlook.

The proposed conservatory would be subservient to the host building, and incorporates timber framing to match that used in the doors and windows of the original building. The design would not be harmful to the original building or to the surrounding conservation area. The original proposal was revised during the course of the application to change the external material to timber, and to eliminate the smaller of the two gaps along the flank wall for design reasons. The larger inset gap in front of the neighbouring window was retained. The development will not require any relocation of services.

The planning and appeal history of the site has been taken into account when coming to this decision. One objection was received from the occupier of the adjoining flat relating to a loss of light to their south-facing kitchen window. For the reasons described above, the proposed development would not have a significant detrimental impact on the amenity of neighbours and a refusal of the application could not be justified on amenity grounds.

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

The proposed development is in general accordance with the London Borough of Camden Local Development Framework Core Strategy, with particular regard to policies CS5 and CS14 and the London Borough of Camden Local Development Framework Development Policies, with particular regard to policies DP24, DP25 and DP26. The proposed development also accords with policies 7.4, 7.6 and 7.8 of the London Plan March 2015, consolidated with alterations since 2011; and paragraphs 14, 17, 56-66 and 126-141 of the National Planning Policy Framework.

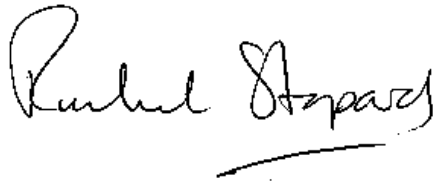
- 2 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Argyle Street WC1H 8EQ, (tel: 020-7974 6941).
- 3 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.

You can find advice about your rights of appeal at:

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

Yours faithfully

Handwritten signature of Rachel Stopard in black ink, featuring a stylized 'R' and 'S'.

Rachel Stopard  
Director of Supporting Communities