

Willingale Associates  
56 Clerkenwell Road  
London  
EC1M 5PX

Application Ref: **2017/2974/P**  
Please ask for: **Obote Hope**  
Telephone: 020 7974 **2555**

4 September 2017

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Variation or Removal of Condition(s) Granted**

Address:  
**43-45 Fitzjohn's Avenue**  
**London**  
**NW3 5JU**

Proposal:

Details pursuant to condition 2 (approved plans) of planning permission 2010/6824/P dated 06/01/2011 for: Additions and alterations including a two storey rear extension at lower ground and ground floor level, two storey glazed infill extension, alterations to both front and rear fenestration and facades to existing residential building that provides a combination of self-contained (Class C3) and non self-contained flats (Sui Generis) and ancillary manager's office. Namely, the reduction of the angled rear infill extension between the lower-ground and ground floor and reduction of the depth of the full width extension at upper ground floor extension.

Drawing Nos: Superseded drawing: 2000D, 2001D, 2100C, 2101C, 2102C, 2103C, 2104A, 2105A, 2110C and 2111B,

Revised drawing: 2000E, 2001E, 2100C, 2101C, 2102D, 2103D, 2104B, 2105B, 2110D and 2111C.

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 No development shall take place until sample panels of the materials to be used in the construction of the external surfaces of the development hereby approved have been erected on-site for viewing and approval in writing by the local planning authority. The sample panel should include facing brickwork (colour, texture, facebond and pointing), glazing, window framing, balustrading, step block and roof slate. The development shall be carried out in full and strict accordance with the approved thus approved materials and the sample panel shall be retained on site until the work has been completed.

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 D1 and D2 of the London Borough of Camden Local Plan 2017.

- 3 No development shall take place until full details of hard and soft landscaping of the rear garden (including replacement tree planting) have been submitted to and approved by the local planning authority. Such details shall include details of any proposed earthworks including grading, mounding and other changes in ground levels. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Reason: To ensure that the development achieves a high quality of landscaping which contributes to the visual amenity and character of the area in accordance with the requirements of policies A2, A3, A5, D1 and D2 London Borough of Camden Local Plan 2017.

- 4 All hard and soft landscaping works shall be carried out to a reasonable standard in accordance with the approved landscape details by not later than the end of the planting season following completion of the development or any phase of the development, whichever is the sooner. Any trees or areas of planting which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced as soon as is reasonably possible and, in any case, by not later than the end of the following planting season, with others of similar size and species, unless the Council gives written consent to any variation.

Reason: To ensure that the landscaping is carried out within a reasonable period and to maintain a high quality of visual amenity in the scheme in accordance with the requirements of policies A2, A3, D1 and D2 of the London Borough of Camden Local Plan 2017.

- 5 All trees on the site, or parts of trees growing from adjoining sites, unless shown on

the permitted drawings as being removed, shall be retained and protected from damage to the satisfaction of the Council. Details shall be submitted to and approved in writing by the local planning authority before works commence on site to demonstrate how trees to be retained shall be protected during construction work: such details shall follow guidelines and standards set out in BS5837:2005 "Trees in Relation to Construction".

Reason: To ensure that the development will not have an adverse effect on existing trees and in order to maintain the character and amenity of the area in accordance with the requirements of policies A2 and A3 of the London Borough of Camden Local Plan 2017.

- 6 The development hereby permitted shall be carried out in accordance with the following approved plans Revised drawing: 1000A, 1002, 1100, 1101, 1102, 1103, 1104, 1105, 1110, 2000E, 2001E, 2100C, 2101C, 2102D, 2103D, 2104B, 2105B, 2110D, 2111C, Arboricultural Report dated 26 February 2010 by AAIS - The Tree Advice Ltd; Details of Glass Link by e-mail from Kyson dated 13th April 2011; and E-mail from Kyson dated 10th June 2011.

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

#### Informative(s):

- 1 Reasons for granting permission.

The scheme varies the previous permission by reducing the bulk and scale of the angled extension at lower-ground and ground floor level to the flank elevation and the depth of the upper ground floor (west) elevation. The proposed smaller extension is considered appropriate in scale, bulk and design and would not harm the plan form or volume of the property. The 2 x side extensions would be an oval shape with windows to the north and south elevation.

The amendment will have no additional impact on setting and appearance of the host building. The smaller extension will remain entirely subordinate in scale and proportion, The proposal would allow recognition of the rear garden space and would allow a set back from the original building line and the full width extension at upper-ground floor would be reduced by a minimum of 2.2m. The proposal would relate well to the buildings and the streetscene and would maintain the character of the host building. All other aspects of the scheme remain the same as approved and these were assessed and considered acceptable as part of the previous planning permission.

The full impact of the assessment has already been assessed by virtue of the previous approval granted under appeal on the 14/09/2011 under planning permission ref: 2010/6824/P. In the context of the approved scheme, it is considered that the amendments would have a minor material effect on the approved development.

One comment has been received prior to making this decision and addressed

separately. The planning history of the site and relevant appeal decisions were taken into account when coming to this decision.

The proposed amendments are therefore in general accordance with policies A1, D1, D2 and DM1 of the London Borough of Camden Local Plan 2017. The proposed amendments also comply with the London Plan 2016 and the National Planning Policy Framework.

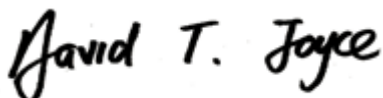
- 2 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (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 Noise and Licensing Enforcement Team, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (Tel. No. 020 7974 4444 or search for 'environmental health' on the Camden website 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.
- 4 The offices hereby permitted shall only be used as ancillary offices to the residential use of the property.

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



David Joyce  
Director of Regeneration and Planning