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Our ref. JCC/6137/CJ/Fitzjohns/R English 140619

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Ms Rachel English
Senior Planner
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2nd Floor
5 Pancras Square
London N1C 4AG

14th June 2019

Dear Ms English

39 FITZJOHNS AVENUE, LONDON NW3

Your e-mail of 5th June states that the proposals for the refurbishment of the above property do not comply with Criteria (f) and (g) of Local Plan Policy A5 and the basement CPG pages 10 and 11.

I attach the following plans:

3169.60B
3169 001/002/003B/004/005/006A
007A/010B/013B/11B/12B
3169.50/51B/52B/53A/54
55A/56A/57A/90A/60B
70B/72B

The existing plans, sections and elevations have been revised to clearly show the existing cellar throughout the house and the existing accommodation at garden level. Note we have renamed the existing lower floors as **Raised Ground Floor level** and **Garden Level**. The Garden level floor corresponds to ground level on the Nutley Terrace boundary and in the rear garden.

The proposed plans and sections have also been revised with floors renamed as above and we have added a dimension down to the new **Basement Level** from the existing garden level. We have also raised the floor level at both Garden level and new Basement levels by 1m / 0.5m respectively to reduce the proposed excavation overall by 1m.

The proposed excavation for the new Basement level is now a maximum of 3.5m below the existing garden - equivalent to 3m plus the 1m step up to the existing cellar visible on site. The new Basement level is only 3.5m below the existing garden level, not 4.5m. This complies with Camden's requirement for new basements to have a maximum depth of 4m.

We also have added a further drawing 3169-90 titled Comparison of existing and proposed floor levels – this clearly shows the existing Garden level plan overlaid over the proposed new Basement floor,

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clearly showing the new basement is **entirely below the existing garden level**, not under the main house or its cellars, and that there is no double basement. The earlier overlapping area containing lifts down to basement level has been omitted from the scheme.

The proposed lightwell along Nutley Terrace has been considerably reduced in size and set back from the west elevation in order to retain the existing horse chestnut tree along Nutley Terrace as shown in drawing number 3169_51 rev B.

These drawings now clearly demonstrate the scheme has one additional 'basement' storey, not two basements and complies with Camden planning policy.

The effect of these clarifications and amendments to the scheme is to render the proposals fully compliant with Local Plan Policy A5. Criterion (f) not more than one storey below ground; (g) not built under an existing basement; (h) not exceed 50% of the rear garden; (i) would be less than 1.5 times the footprint of the host building; (j) would not extend into the garden further than 50% of the host building; (k) would not extend into the garden further than 50% of the depth of the garden; (l) would be set back from neighbouring property boundaries where it extends beyond the footprint of the host building; (m) would avoid loss of garden space or trees of townscape or amenity value.

The proposals do not contravene Figure 2 of CPG pages 10 and 11 as demonstrated on the plans listed above.

In summary, the proposals as clarified and amended are fully compliant with Development Plan Policy A5, criteria (f) to (m) in relation to their siting, location, scale and design.

The BIA submitted with the application demonstrates compliance with criteria (a) to (e) and (n) to (u) of Policy A5.

The above letter and the attached plans clearly demonstrate that the proposals are in full compliance with Policy A5 of the Development Plan and therefore planning permission should be granted.

Yours sincerely

A solid black rectangular box used to redact the signature of Joe Cunnane.

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Encs