

Application ref: 2019/4229/P  
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Date: 4 October 2019

**Development Management**  
Regeneration and Planning  
London Borough of Camden  
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Gerald Eve LLP  
72 Welbeck Street  
LONDON  
W1G 0AY

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Householder Application Granted**

Address:

**82 Fitzjohn's Avenue  
London  
NW3 6NP**

Proposal: Erection of two storey side, front and rear extensions, replacement pool house, and associated works.

Drawing Nos: X\_00\_000\_001 rev P1, X\_00\_001\_001 rev P1, X\_00\_100\_001 rev P1, X\_00\_101\_001 rev P1, X\_00\_102\_001 rev P1, X\_00\_103\_001 rev P1, X\_00\_200\_001 rev P1, X\_00\_300\_001 rev P1, P\_00\_001\_001 rev P1, P\_00\_100\_001 rev P1, P\_00\_101\_001 rev P1, P\_00\_102\_001 rev P1, P\_00\_103\_001 rev P1, P\_00\_200\_001 rev P1, P\_00\_300\_001 rev P1, Design & Access Statement dated 14 August 2019, Tree survey and arboricultural method statement dated July 2019.

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 policies D1 and D2 of the London Borough of Camden Local Plan 2017 and policies DH1, and DH2 of the Hampstead Neighbourhood Plan 2018

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans: X\_00\_000\_001 rev P1, X\_00\_001\_001 rev P1, X\_00\_100\_001 rev P1, X\_00\_101\_001 rev P1, X\_00\_102\_001 rev P1, X\_00\_103\_001 rev P1, X\_00\_200\_001 rev P1, X\_00\_300\_001 rev P1, P\_00\_001\_001 rev P1, P\_00\_100\_001 rev P1, P\_00\_101\_001 rev P1, P\_00\_102\_001 rev P1, P\_00\_103\_001 rev P1, P\_00\_200\_001 rev P1, P\_00\_300\_001 rev P1, Design & Access Statement dated 14 August 2019, Tree survey and arboricultural method statement dated July 2019.

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

- 4 Before the relevant part of the work is begun, detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority:

a) Details including sections at 1:10 of all new windows (including jambs, head and cill) and external doors.

b) Manufacturer's specification details of all new facing materials.

The relevant part of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course of the works.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy D1 and D2 of the London Borough of Camden Local Plan 2017.

- 5 Trees to be retained shall be protected during construction work in accordance with the method statement outlined in Tree survey and arboricultural method statement by Tretec dated July 2019. Tree protection measures shall follow guidelines and standards set out in BS5837:2012 "Trees in Relation to Construction". 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 in accordance with the approved protection details.

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 and policies NE2 and NE4 of the

Hampstead Neighbourhood Plan 2018.

- 6 Prior to the relevant works, full details in respect of the living roof in the area indicated on the approved roof plan shall be submitted to and approved by the local planning authority. The details shall include
- i. a detailed scheme of maintenance
  - ii. sections at a scale of 1:20 with manufacturers details demonstrating the construction and materials used
  - iii. full details of planting species and density

The living roofs shall be fully provided in accordance with the approved details prior to first occupation and thereafter retained and maintained in accordance with the approved scheme.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies G1, CC1, CC2, CC3, D1, D2 and A3 of the London Borough of Camden Local Plan 2017 and policies DH1, DH2, NE2 and NE4 of the Hampstead Neighbourhood Plan 2018.

Informative(s):

- 1 Reasons for granting permission.

The application site comprises a two storey, 11 bedroom single dwelling house which is set back from Fitzjohn's Avenue and accessed by a long driveway running along the southern edge of the site boundary. The proposals involve the demolition of an existing 60s rear extension which is welcomed given it is of limited architectural character and considered to cause harm to the appearance of the existing building. A replacement larger two storey extension would be constructed in its place to the rear of the east wing. Although fairly large, the extension would be of a significantly greater quality, constructed of matching painted brickwork, gabled roof and fenestration. The ridge height would sit lower than the main roof to ensure the extension's subservience to the main building. The existing harmful two storey flat roof extension to the south end of the east wing would also be removed and a more sympathetic gabled roof would be erected which would be reduced in size and an improvement on the existing arrangement. The north wing would be extended westwards in the same architectural character as existing and is considered a minor addition with limited impact on the character and appearance of the building.

To the north of the site, the existing pool house would be demolished and a new larger pool house would be constructed, extending eastward to provide a roof over the existing swimming pool in this location. The new pool house would be more modern in appearance which is considered an appropriate design that would clearly differentiate the development as a modern addition to the historic building. The pool house would include a green roof which is welcomed and would retain a sense of verdancy in the garden setting.

Taken together, the proposed extensions would be fairly large and would

significantly increase the footprint of the host building. However, given that the building is a standalone architectural design, it is set well back from Fitzjohn's Avenue where there are no public views of the building, it sits within a spacious verdant setting, the development would remove more modern harmful extensions and provide replacement extensions which would be more sympathetic to the host building and of greater design quality, overall, the development is considered to preserve the character and appearance of the host building and Fitzjohn's/Netherhall Conservation Area.

The Council's Conservation Officer has assessed the proposed development and considers it to be acceptable.

The nearest neighbouring property is The Fitzjohn's Primary School to the north of the site. The proposed extension to the north wing would sit fairly close to the south facing windows of this building, but given the existing boundary fencing and vegetation screening in this location, the proposals would not cause material harm to the light levels to these rooms. The nearest residential properties are to the south of the site on Thurlow Road; however, given the distance between them, the proposals would not impact neighbouring amenity by way of loss of daylight, outlook or privacy.

The Council's Transport Officer has confirmed a construction management plan would not be required, due to the nature of the application site and the fact that construction-related activity can be accommodated on-site without causing disruption to users of the public highway.

The proposals include the removal of 3 category C trees (2 Lawson trees and 1 small Cherry). The trees in question are fairly small and of low amenity value and the Council's Trees and Landscaping Officer does not object to their removal. Details of tree protection measures are provided to ensure the existing trees on site are adequately protected during construction works and will be secured by condition.

No objections were received following public consultation. The planning history of the site and surrounding area were taken into account when coming to this decision.

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 Planning (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 A1, A3, D1, D2 and T4 of the Camden Local Plan and policies DH1, DH2, NE2, NE4, BA3 of the Hampstead Neighbourhood Plan 2018. The proposed development also accords with The London Plan March 2016, and the National Planning Policy Framework 2019.

- 2 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant

licence from the Council's Streetworks Authorisations & Compliance Team London Borough of Camden 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444) . Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.

- 3 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website at <https://beta.camden.gov.uk/documents/20142/1269042/Camden+Minimum+Requirements+%281%29.pdf/bb2cd0a2-88b1-aa6d-61f9-525ca0f71319> or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

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 must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

- 4 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).

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2019.

You can find advice about your rights of appeal at:

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

Yours faithfully



Daniel Pope  
Chief Planning Officer