

Application ref: 2019/4784/P  
Contact: Emily Whittredge  
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Date: 16 January 2020

**Development Management**  
Regeneration and Planning  
London Borough of Camden  
Town Hall  
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WC1H 9JE

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Lewis Berkeley Limited  
92 Banner Street  
London  
EC1Y 8JU

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Granted**

Address:

**106 Fitzjohn's Avenue  
London  
NW3 6NT**

Proposal:

Installation of safety handrail at roof level.

Drawing Nos: 0/6934/19-03, 0/6934/19-02 Rev A, 0/6934/19-02 Location Plan, Design Access Statement (Lewis Berkeley Ltd).

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.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans 0/6934/19-03, 0/6934/19-02 Rev A, 0/6934/19-02 Location Plan.

Reason:

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

Informative(s):

- 1 Reasons for granting permission.

The proposed addition of safety railings at roof level is considered to be a minor change to the roof form that would not appear prominent nor harm the character of this part of the conservation area. The railings would be limited to the flat area of the mansard roof, and would only cover the area furthest from the terrace end. As such, the railings would be set away from the most visible areas of the roof and would have limited impact on wider public and private views.

Similar safety railings have previously been installed at nos. 110, 108 and 104 Fitzjohn's Avenue, and are not overly dominant within the streetscene. The railings' utilitarian design would be in keeping with established development at neighbouring buildings, and is relatively discrete. On balance, the proposed development would not cause material harm to the conservation area, the host building or the terrace.

The proposed safety railings would not facilitate the creation of a roof terrace, and a condition has been added to prevent amenity use. As such, the development will not result in a loss of privacy to neighbouring occupiers. The railings are lightweight and will not appear overbearing or impact sunlight to surrounding properties.

No objections have been received, and the planning history of the site has been taken into account when coming to this decision.

As such, the proposed development is in general accordance with policies A1, D1 and D2 of the London Borough of Camden Local Plan 2017. The proposed development also accords with the Policy DH1 and DH2 of the Hampstead Neighbourhood Plan, the London Plan 2016 and the National Planning Policy Framework 2019.

- 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 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.
- 5 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)

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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

A handwritten signature in black ink, appearing to read 'DPope', is positioned in the upper left corner of the page.

Daniel Pope  
Chief Planning Officer