

Application ref: 2020/1315/P  
Contact: David Peres Da Costa  
Tel: 020 7974 5262  
Email: David.PeresDaCosta@camden.gov.uk  
Date: 9 July 2020

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

Phone: 020 7974 4444

[planning@camden.gov.uk](mailto:planning@camden.gov.uk)  
[www.camden.gov.uk/planning](http://www.camden.gov.uk/planning)

Cadmonkies  
Studio ONE  
19 Westminster Croft  
Brackley  
NN13 7ED  
Northants

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Granted**

Address:  
**Garden Flat**  
**91 Fitzjohn's Avenue**  
**London**  
**NW3 6NX**

Proposal:  
Proposed single storey rear glazed extension at lower ground floor.

Drawing Nos: P/20/062/001; P/20/062/002; P/20/062/003; P/20/062/004 Rev A;  
P/20/062/005 Rev A

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 policy 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:

P/20/062/001; P/20/062/002; P/20/062/003; P/20/062/004 Rev A; P/20/062/005 Rev A

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

- 4 Prior to the end of the next available planting season, replacement tree planting (for one tree) shall be carried out in accordance with details of replanting species, position, date and size, where applicable, that have first been submitted to and approved by the local planning authority in writing.

Should the replacement tree, within a period of 5 years from the completion of the development, die, be removed or become seriously damaged or diseased, it 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 another of similar size and species.

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, D1 and D2 of the London Borough of Camden Local Plan 2017; and policy NE2 of the Hampstead Neighbourhood Plan.

#### Informative(s):

- 1 Reason for granting permission

The proposed fully glazed extension would be full width and would project 3.8m from the rear elevation. The height of the extension would be 3.3m at the top of the pitched roof and 2.38m at the eaves. The extension has been reviewed by conservation officers. The bay window would be retained internally. Given the extension's size and location, it would not be visible from nearby Ellerdale road. The glazed extension would have a lightweight appearance and is considered to preserve the character and appearance of the Conservation Area. The extension would still allow the majority of the garden to be retained.

Given the height of the extension and the pitched roof, the impact on neighbouring amenity would be minimal in terms of daylight, sunlight and overlooking.

Permission has already been granted for the removal of the Scots Pine tree in the rear garden (ref: 2020/1413/T). Policy NE2 of the Hampstead Neighbourhood Plan emphasizes the importance of trees. A replacement tree

would be secured by condition in accordance with Policy NE2.

The planning and appeal history of the site has been taken into account when coming to this decision. No objections were received prior to making this decision. Two comments have been received. The maintenance and cleaning of the glass is a matter for the applicant and is not a material planning consideration.

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.

As such, the proposed development is in general accordance with policies D1, D2 and A1 of the Camden Local Plan 2017; and policies DH1, DH2 and NE2 of the Hampstead Neighbourhood Plan. The development also accords with the NPPF and the London Plan 2016.

- 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 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.
- 4 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.

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 'DP', is positioned above the typed name and title.

Daniel Pope  
Director of Economy, Regeneration and Investment