

Application ref: 2021/1787/P
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Date: 12 January 2022

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 Subject to a Section 106 Legal Agreement

Address:

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

Proposal:

Alterations and extensions including erection of 2 storey extensions, increased ridge height, alterations to fenestration, erection of dormer windows to roof and creation of sunken terrace, removal of existing pool house and erection of new orangery involving basement excavation for new pool, and other associated works; hard and soft landscaping including replacement sheds and garage and removal of trees.

Drawing Nos:

Existing drawings: A-PL-00-000, A-PL-00-100, A-PL-00-101, A-PL-00-102, A-PL-00-103, A-PL-00-104, A-PL-00-105, A-PL-00-106 rev C, A-PL-00-107, A-PL-00-108.

Proposed drawings: A-PL-00-300, A-PL-00-301, A-PL-00-302, A-PL-00-304, A-PL-00-308, A-PL-00-310 rev A, A-PL-00-311, A-PL-00-312, A-PL-00-321, A-PL-00-322 rev A, A-PL-00-310 (Proposed Typical Window Details),

Comparison drawings: A-PL-00-401, A-PL-00-402, A-PL-00-404, A-PL-00-405, A-PL-00-407, A-PL-00-410 rev C, A-PL-00-411 rev A, A-PL-00-412 rev B, A-PL-00-413, A-PL-00-414 rev C, A-PL-00-501, A-PL-00-502, A-PL-00-503, A-PL-00-504, A-PL-00-505.

Supporting documents: Design and Access Statement dated April 2021, Heritage assessment dated March 2021, letter from Gerald Eve dated 13 April 2021, Whole life

carbon assessment rev A dated 01/04/2021, Thermal comfort analysis rev A dated 01/04/2021, Energy and Sustainability Statement rev A dated 01/04/2021, Photographic survey dated February 2021, Cellweb TRP Installation guide, Tree survey and Arboricultural method statement dated March 2021, Tree constraints and protection plan dated March 2021.

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 The development hereby permitted shall be carried out in accordance with the following approved plans: A-PL-00-300, A-PL-00-301, A-PL-00-302, A-PL-00-304, A-PL-00-308, A-PL-00-310 rev A, A-PL-00-311, A-PL-00-312, A-PL-00-321, A-PL-00-322 rev A, A-PL-00-310 (Proposed Typical Window Details).

Documents: Design and Access Statement dated April 2021, Heritage assessment dated March 2021, letter from Gerald Eve dated 13 April 2021, Whole life carbon assessment rev A dated 01/04/2021, Thermal comfort analysis rev A dated 01/04/2021, Energy and Sustainability Statement rev A dated 01/04/2021, Photographic survey dated February 2021, Cellweb TRP Installation guide, Tree survey and Arboricultural method statement dated March 2021, Tree constraints and protection plan dated March 2021.

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

- 3 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.

- 4 Prior to the commencement of construction/demolition works on site, tree protection measures shall be installed in accordance with the Tree survey and arboricultural method statement by Tretec dated March 2021. The protection shall then remain in place for the duration of works on site, unless otherwise agreed in writing by the local authority.

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.

- 5 Prior to the relevant works, full details in respect of the pool house living roof 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 demonstrating a biodiverse array of plants.

The living roof 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.

- 6 Prior to commencement of the relevant works, full details of hard and soft landscaping and means of enclosure of all un-built, open areas shall be submitted to and approved by the local planning authority in writing. Such details shall include details of replacement planting, including a list of species and maintenance schedule. The relevant part of the works shall not be carried out other 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, D1 and D2 of the London Borough of Camden Local Plan 2017 and policies DH1, DH2, NE2 and NE4 of the Hampstead Neighbourhood Plan 2018.

- 7 All hard and soft landscaping works shall be carried out in accordance with the approved landscape details by not later than the end of the planting season following completion of the development. Any trees or areas of planting (including trees existing at the outset of the development other than those indicated to be removed) 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 local planning authority 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 and policies DH1, DH2, NE2 and NE4 of the Hampstead Neighbourhood Plan 2018.

- 8 Harrison Shortt Structural Engineers Ltd. shall inspect, approve and monitor the critical elements of both permanent and temporary basement construction works throughout their duration to ensure compliance with the design which has been checked and approved by a building control body. Should there be a subsequent change or reappointment, the replacement shall be a suitably qualified chartered engineer with membership of the appropriate professional body and details of the appointment and the appointee's responsibilities shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. Any subsequent change or reappointment shall also be confirmed forthwith for the duration of the construction works.

Reason: To safeguard the appearance and structural stability of neighbouring buildings and the character of the immediate area in accordance with the requirements of policies D1, D2 and A5 of the London Borough of Camden Local Plan 2017 and policy BA1 of the Hampstead Neighbourhood Plan 2018.

- 9 The basement development shall be completed in accordance with Ground Investigation & Basement Impact Assessment Report (BIA) by GEA Ltd, Ref J20158, Rev 5, dated 1 November 2021 and Structural Report by Harrison Shortt, Ref 2092-BIA-Revisions D and E, dated April 2021 (submitted July and August 2021 respectively), and the recommendations made in Campbell Reith's Basement Impact Assessment Audit rev F1 dated 02/12/2021.

Reason: To safeguard the appearance and structural stability of neighbouring buildings and the character of the immediate area in accordance with the requirements of policies D1, D2 and A5 of the London Borough of Camden Local Plan 2017 and policy BA1 of the Hampstead Neighbourhood Plan 2018.

Informative(s):

- 1 Reasons for granting permission.

The extension to the east-west wing would be of a similar footprint, height and form as the previous 2019 approval, but would feature a larger Dutch gable to the west elevation, additional window openings to the ground floor of a more uniform design, and a central gable feature. The principal of the extension is considered acceptable given the previous consent, and the proposed design and fenestration are in keeping with the original architectural design of the house. This wing would feature a larger lower ground floor than the previous permission which would extend up to the north boundary, however, this would be set well below the boundary line and would be subject to very limited views, and as such, would not harm the character and appearance of the building or this part of the conservation area. The proposed fenestration would include more window openings at ground level, however, they are of an appropriate design for the building and are considered acceptable.

The existing single storey breezeblock extension to the rear of the north-south wing would be demolished and replaced with a new two storey extension. There is no objection to the loss of the existing extension as it is considered to be of low architectural quality and constructed of unsympathetic materials. A two storey extension was proposed and considered acceptable as part of the

2019 approval, and as such, there is no objection to the principle of a similar extension. Although taller than the previously consented extension, it remains subordinate to the original building. The proposals include the removal of the modern gabled extension which is welcomed, and the creation of a sunken terrace at roof level which would be shielded from views. An infill extension is proposed to the front elevation of this wing. It would be set back slightly from the central gable which would help to ensure the gable remained the prominent feature of this elevation.

The proposals involve the demolition of the existing pool house and the erection of new orangery-style enclosure, pool and associated ground excavations. The proposed extension is more sympathetic than the existing pool house and the design of the previously approved pool house, and would be set down so that it appeared less prominent. There is no objection to this element of the works. The size, layout and depth of the basement would comply with Policy A5 and CPG Basement guidance and a Basement Impact Assessment has been submitted and audited by Campbell Reith who confirm the BIA accords with policy and guidance and would not harm the built or natural environment, local ground conditions or the stability of the host or neighbouring buildings. Damage to neighbouring properties would be no greater than Burland Category 1, in accordance with policy requirements.

The proposed extensions at lower ground level both feature green roofs which is welcomed. A condition will secure the submission and approval of final details to ensure it is appropriately designed from a biodiversity and sustainability perspective.

There are no residential properties in the immediate vicinity of the site, and as such, the proposals would not impact their amenity. The site is located in very close proximity to the school to the north of the site, but due to the relationship between the two sites and the school being located at a higher level, it would not be unduly impacted by the development.

2 Reason for granting cont.

At present, the site benefits from off-street car parking in the form of an existing garage serving no.82 with space for two cars, as well as a hard-landscaped area in front of the house where cars could park. Although there is no formal parking proposed (aside from the retention of the existing garage), the area of hard landscaping would be reduced, limiting the potential for off-site car parking, which is welcomed.

The proposals involve the removal of 9 trees on site. Three of the trees to be removed were approved as part of the previously approved scheme. The submitted details have been reviewed by the Council's Trees & Landscaping Officer who has confirmed the trees to be removed are of low amenity value and there is no objection to their removal subject to a condition securing landscaping details to include replacement planting and a species and maintenance schedule. 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.

A Whole Life Carbon Assessment and Energy and Sustainability Statement have been prepared to justify the elements of demolition. The proposed development would achieve a reduction of more than 35% CO2 emissions with over 20% reduction from onsite renewable energy. The Whole Life Carbon Assessment sets out the embodied and operational carbon emissions for the proposed development, showing that the proposals will have a cradle to grave emission of 1108.72 tonnes CO2e, which is less than that associated with the retained and extended refurbished scenario.

In order to minimise the construction impact on the local community, a Construction Management Plan would be secured by S106 agreement, alongside an associated CMP Implementation Support Contribution of £3,920 and Construction Impact Bond of £7,500.

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, A5, D1, D2 and T4 of the Camden Local Plan and policies DH1, DH2, NE2, NE4, BA1, BA3 of the Hampstead Neighbourhood Plan 2018. The proposed development also accords with the London Plan 2021, and the National Planning Policy Framework 2021.

- 3 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).
- 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, 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 (search for 'Camden Minimum Requirements' at www.camden.gov.uk) 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.

- 6 Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which this permission is granted. Information/drawings relating to the discharge of matters covered by the Heads of Terms of the legal agreement should be marked for the attention of the Planning Obligations Officer, Sites Team, Camden Town Hall, Argyle Street, WC1H 8EQ.

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 2021.

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