

Application ref: 2021/6241/P  
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Date: 19 August 2022

**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)

Savills (UK) Limited  
33 Margaret Street  
London  
WG1 0JD

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Variation or Removal of Condition(s) Granted Subject to a Section 106 Legal Agreement**

Address:

**62 Avenue Road  
London  
NW8 6HT**

Proposal:

Variation of condition 1 (approved plans) and condition 7 (hard and soft landscaping) of planning permission 2019/5573/P, dated 01/05/2020, which itself amended 2016/4931/P, dated 15/03/2017 (as also amended by 2019/3045/P, dated 18/10/2019) (for: replacement dwelling), namely to allow an additional dormer window on side elevation, repositioning of the 2 consented dormer windows on the side elevation, installation of 5 additional skylights at roof level, repositioning of basement roof light at ground level, erection of service enclosure above the basement exit and a pergola over the existing stairs to the basement in the rear garden.

Drawing Nos: Superseded plans: 19021-EZR-34-REVB; 9021-EZR-36-REVA; 9021-EZR-39-REVA; 19021-EZR-40-REVA; 2643-11-01 (Landscape) and 2643-11-02 (Landscape).

Proposed plans: 19021-EZR-34-REVC; 19021-EZR-36-REVB; 19021-EZR-39-REVB; 9021-EZR-40-REVB; 2643-11-0-RB (Landscape); 2643-13-02-RA (Landscape) and Cover letter from Savills dated 21 December 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 shall be carried out in accordance with the following approved plans- Site Location Plan at 1:1250; 1636/01/00; 1636/001/001; EZR-032 Rev C; EZR-033 Rev B; EZR-034 Rev. C; EZR-035 Rev. A; EZR-036 Rev. B; EZR-037 Rev. A; EZR-038 Rev. A; EZR-039 Rev. B; EZR-040 Rev. B; EZR-041 Rev. B; EZR-042 Rev B; EZR-043 Rev C; 2643-11-0-RB (Landscape); 2643-13-02-RA (Landscape); Cover letter from Savills dated 21 December 2021; Basement Impact Assessment (as amended); Acoustic Report (dated 20/01/2012); Arboricultural Impact Assessment (updated 17th November 2016); Preliminary Ecological Appraisal Report (dated December 2016); Surface Water Drainage Strategy (dated December 2016); Sustainability Report and Energy Statement (dated 28th January 2017).

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

- 2 The details of facing materials shall be as approved under reference 2021/3892/P on 27/09/2021. The relevant part of the works shall be carried out in accordance with the approved details 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 of the Camden Local Plan 2017.

- 3 Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 as amended by the (No. 2) (England) Order 2008 or any Order revoking and re-enacting that Order, no development within Part 1 (Classes A-H) [and Part 2 (Classes A-C)] of Schedule 2 of that Order shall be carried out without the grant of planning permission having first been obtained from the local planning authority.

Reason: To safeguard the visual amenities of the area and to prevent over development of the site by controlling proposed extensions and alterations in order to ensure compliance with the requirements of policies G1, D1, D2(if in CA) and A1 of London Borough of Camden Local Plan 2017.

- 4 The approved cycle storage facility shall be provided in its entirety prior to the first occupation of the new dwelling, and permanently retained thereafter.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of Policy T1 of the Camden Local Plan 2017.

- 5 The details of any external mechanical plant shall be as approved under ref. 2021/6244/P dated 14/07/2022. The approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: To safeguard the amenities of adjoining premises and the area generally in accordance with the requirements of Policies A1 and A4 of the Camden Local Plan 2017.

- 6 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 details approved in connection with planning application reference 2019/2609/P, dated 18/09/2019. Tree protection measures shall be implemented prior to the commencement of development and retained throughout the construction period.

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 D1 and A3 of the Camden Local Plan 2017.

- 7 The hard and soft landscaping and means of enclosure of all un-built, open areas shall not be carried out other than in accordance with the details as shown on the approved plan(s).

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 D1, A2 and A3 of the Camden Local Plan 2017.

- 8 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 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 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 D1 and A3 of the Camden Local Plan 2017.

- 9 The sustainable urban drainage system shall not be carried out other than in accordance with the details approved in connection with planning application reference 2019/2963/P, dated 06/11/2019.

Reason: To reduce the rate of surface water run-off from the buildings and limit the impact on the storm-water drainage system in accordance with Policy CC3 of the Camden Local Plan 2017.

- 10 The basement construction works shall be overseen by the suitably qualified chartered engineer with membership of the appropriate professional body, as approved in connection with planning application reference 2019/2450/P, dated 18/09/2019.

Any subsequent change or reappointment shall 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 Policy A5 of the Camden Local Plan 2017.

- 11 The works hereby approved shall be carried out in accordance with the methods outlined in the Basement Impact Assessment (as amended) unless otherwise agreed in writing with the Local Planning Authority.

Reason: To safeguard the appearance and structural stability of neighbouring buildings and the character of the immediate area in accordance with the requirements of Policy A5 of the Camden Local Plan 2017.

- 12 The development hereby approved shall achieve a maximum internal water use of 110litres/person/day. The dwelling/s shall not be occupied until the Building Regulation optional requirement has been complied with.

Reason: To ensure the development contributes to minimising the need for further water infrastructure in an area of water stress in accordance with Policy CC3 of the Camden Local Plan 2017.

#### Informative(s):

- 1 Reasons for granting permission:

- Erection of an additional dormer window on the southern side elevation and repositioning of the two consented dormer windows.

It is proposed to relocate the approved dormer windows and provide an additional dormer window on this elevation. The new dormers would be built to match the design of the approved dormers and would be a similar size, scale to the previous approved dormer extensions which were considered acceptable in design and appearance. Whilst there would be an additional dormer extension, the proposed amendment would not detract unduly from the varied character of roof addition on Avenue Road and the proposed dormer extension would not cause any harm to the appearance of the host building and wider conservation area.

- Installation of five additional roof lights at roof level;

The five additional roof lights would be installed on the main roof of the dwelling which would allow additional natural daylight into the rooms on the second floor. The additional rooflights would be a minor alteration that would not cause any harm to the character and appearance of the host building. Moreover, the location of the proposed rooflights would not have an impact on neighbouring amenity.

- Repositioning and enlargement of the basement roof light in the rear garden;

The relocation/enlargement of the approved rooflight is considered acceptable given its location at garden level the proposal would not be harmful to the host building and wider conservation area. The rooflight would be appropriately integrated into the building in a non-invasive manner and would not have a

material impact upon the overall appearance of the building.

- Low level service enclosure above basement exit

The low level service enclosure would not detract from the character and appearance of the host building or cause undue harm to neighbouring properties. It would appear as part of the wider landscape proposals.

- Installation of a Pergola to the rear;

Minor changes have been proposed for the installation of a pergola measuring 4.6m long, 5.3m wide and 1.2m high. The overall size and height of the proposed pergola is acceptable which would represent a subordinate addition that would not cause harm to the character and proportions of the existing dwelling. Its size, design and location in this garden setting would not cause harm to the character of the property or the surrounding area.

The application also seeks to make minor material amendments to the approved landscape works, the proposal would consolidate the changes as approved as well as provide some enhanced landscaping measures throughout the site. Whilst the proposal would introduce some additional hard landscaping works to the front elevation this would not contribute to additional parking space and the scheme would continue to be acceptable. It's proposed to install a bin store with Sedum roof, the proposed bin store would minimal visual impact. Moreover, the design would be sympathetic and the design would preserve the character and appearance of the subject building and the wider conservation area. It is proposed to install a water feature to the front elevation and the would be a welcomed addition to the host building and wider area. The soft landscaping would cover the low level service enclosure which would not be visually obtrusive and forms part of the wider consented landscape proposals. The tree officer was consulted and raised no objection to the proposed works.

## 2 Reasons for granting (contd)

It is not considered that the proposed development would cause undue harm to the residential amenities of nearby and neighbouring properties, due to the nature of the proposed works.

No objections were received following statutory consultation. The site's planning history and relevant appeal decisions were taken into account when coming to this decision.

The proposed development is in general accordance with Policies A1, A3, A5 and D1 of the Camden Local Plan 2017. The proposed development also accords with the London Plan 2016; and the provisions of the National Planning Policy Framework 2019.

- 3 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.

- 4 This approval under Section 73 of the 1990 Act effectively varying the relevant condition of the previous planning permission is subject otherwise to the same terms, drawings, conditions (and obligations where applicable) as attached to the previous planning permission. This includes condition 1 providing for a 3 year time period for implementation which for the avoidance of doubt commences with the date of the original decision (and not this variation).
- 5 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).
- 6 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.
- 7 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](http://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.

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

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

Daniel Pope  
Chief Planning Officer