

Application ref: 2022/2885/P
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Date: 6 September 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

www.camden.gov.uk/planning

Chris Ford
189 Adelaide Road
London
NW3 3NN

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Granted

Address:

**37C Fitzjohn's Avenue
London
NW3 5JY**

Proposal:

Alterations and extensions to dwellinghouse including erection of a ground floor extension, a side extension at 1st and 2nd floors, a rear infill at 2nd floor, a front infill at 1st and 2nd floors, and a third floor roof extension with rear roof terrace, lift overrun and plant room.

Drawing Nos: 22034-X002; 22034-X100; 22034-X110; 22034-X120; 22034-X201;
22034-X301; 22034-X302; 22034-X303; 22034-P002; 22034-P100; 22034-P110;
22034-P120; 22034-P130; 22034-P140; 22034-P201; 22034-P301; 22034-P302;
22034-P303.

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- 22034-P002; 22034-P100; 22034-P110; 22034-P120; 22034-P130; 22034-P140; 22034-P201; 22034-P301; 22034-P302; 22034-P303.

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.

- 4 The use of the rear 3rd floor roof terrace shall not commence until the privacy wall, as shown on the approved drawings, has been constructed. The screen shall be permanently retained thereafter.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policy A1 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 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).

- 2 Reasons for granting permission.

The proposal consists of minor infills at front and rear to straighten the existing elevational profiles thus creating a full width ground floor extension, a rear side extension at 1st and 2nd floors, a rear infill at 2nd floor, a front infill at 1st and 2nd floors, and the addition of a setback third floor with roof terrace to match the adjoining properties to the south at 37A and 37B Fitzjohn's Avenue. The proposal will remain as a 5 bedroom dwelling.

As part of the internal alterations, the proposal incorporates a lift with overrun on roof plus a plant room next to it. The plant room has a height of 2.4m and is setback 14m from Fitzjohn's Avenue and 6m from Nutley Terrace. The visibility of these roof projections from the street is considered to be minimal due to the significant setback proposed, and is therefore considered acceptable.

The proposed third floor and associated alterations would have a modern design with simple detailing to match the adjoining properties. Similar roof extensions have been built at no. 37A and 37B Fitzjohn's Avenue. Given the nature of neighbouring development, its design and appearance is considered

acceptable and would not be out of character in this context. In terms of location, form, scale and design, the various proposed alterations, infills and extensions are considered subordinate and appropriate in bulk and design to the host property and would respect and preserve the character and appearance of the host property, this terrace of buildings, the surrounding streetscene and conservation area. Given that the proposal would be largely screened by the surrounding trees, it would not be intrusive.

The proposal is considered to preserve the character and appearance of the conservation area. 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 2013.

The proposal is not considered harmful to the amenities of the neighbouring properties in terms of loss of daylight, outlook and privacy or noise disturbance. The roof extension and infill side and front extensions would not affect neighbouring light or outlook. The ground floor rear extension would be only marginally above the height of the existing boundary wall and, as confirmed by a submitted daylight and sunlight report, would not materially affect light or outlook to the adjoining property. A 2m high privacy wall will be erected between the existing and proposed two roof terraces on the rear third floors of nos 37B and 37C in order to prevent overlooking and will not result in undue loss of light or outlook. There will be no motorised machinery located within the plant room or on the roof. The anticipated noise level is considered acceptable and will not adversely impact the adjoining dwellings.

One objection was received prior to the determination of this application. This and the site's planning history was 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 Camden Local Plan 2017. The proposed development also accords with the London Plan 2021 and the National Planning Policy Framework 2021.

- 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, 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 (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.

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:

<https://www.gov.uk/appeal-householder-planning-decision>.

Yours faithfully

A handwritten signature in black ink, appearing to read 'DPope', is written over a light grey rectangular background.

Daniel Pope
Chief Planning Officer