

Application ref: 2022/5132/P
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Date: 13 December 2022

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Gerald Eve LLP
One Fitzroy
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Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Grant of Non-Material Amendments to planning permission

Address:

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

Proposal: Amendments to planning permission ref. 2021/1787/P granted 12/01/2022 (for 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), namely the addition of a low boundary wall and minor extension of the consented hermitage in the northeast corner.

Drawing Nos:

Superseded drawings: A-PL-00-301, A-PL-00-321

Amended drawings: A-PL-00-301 rev A, A-PL-00-321 rev A.

The Council has considered your application and confirms that the proposals are acceptable as non-material amendments to the planning permission set out above.

For the purposes of this decision, condition no.2 of planning permission 2021/1787/P shall be replaced with the following condition:

REPLACEMENT CONDITION 2

The development hereby permitted shall be carried out in accordance with the following approved plans: A-PL-00-300, A-PL-00-301 rev A, 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 rev A, 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.

Informative(s):

1 Reason for granting approval-

Permission is sought for the following amendments to the previously approved scheme:

- The erection of a low boundary wall along the north-eastern edge of the site.
- Minor extension of the consented hermitage at the north-eastern end of the site.

The boundary wall would replace an existing low quality chain link fence with a new brick built boundary wall measuring between 1.3 and 1.7m tall and as such, would be permitted development not requiring planning permission. The wall would face the car parking garages of the Royal Mail Hampstead Depot and would not be visible from the public realm. The approved scheme involved a number of hard and soft landscaping works across the site, and the proposed wall would be a non-material change in the context of the original scheme.

It is also proposed to extend the approved hermitage outbuilding by approximately 1.6sqm into the northeast corner of the site to prevent having an unused and unreachable space between the building and site boundary. The extension would not materially alter the appearance of the extension or be visible from the public realm given its location.

The proposed amendments are considered to be non-material as they do not change the nature or description of development; do not change the application site area, increase the height of the approved extension or significantly increase its footprint; do not result in changes to external details that would materially compromise the overall design of the building or materially impact on the character and appearance of the Conservation Area; do not change any elevation facing any neighbour which may raise issues of greater visual intrusion or loss of light; and do not materially impact on any neighbours or other bodies.

Given the nature of the application as a non-material amendment to a previously approved scheme, no neighbour consultations were undertaken. The site's planning history was taken into account when coming to this decision. The full

impact of the proposed development has already been assessed by virtue of the approved scheme granted on 12/01/2022 under reference 2021/1787/P. It is considered that the changes are relatively minor in the context of the approved scheme and can therefore be regarded as a non-material variation of the approved scheme.

- 2 You are advised that this decision relates only to the changes highlighted on the plans and set out in the description and shall only be read in the context of the substantive permission granted on 12/01/2022 under reference number 2021/1787/P and is bound by all the conditions and obligations attached to that permission.

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.

Yours faithfully

A handwritten signature in black ink, appearing to read 'DP', is positioned above the typed name and title.

Daniel Pope
Chief Planning Officer

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