

Application ref: 2023/0848/P
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Date: 20 July 2023

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

SM Planning
80-83 Long Lane
London
EC1A 9ET

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

Flat 2

16 Lyndhurst Gardens

London

NW3 5NR

Proposal:

Alterations to existing windows on rear/side elevations at lower ground floor and ground floor levels to create door openings, including addition of Juliet balcony at ground floor level.

Drawing Nos: (00-PA-)01, 02; (0000W-PA-)001-EX, 002-EX, 011-EX, 013-EX, 021-EX, 022-EX; (1W-PA-)101-PRO, 102-PRO; (2W-PA-)201-PRO, 203-PRO; (3W-PA-)301-PRO, 302-PRO; (4W-PA-)401-Demo, 402-Demo, 411-Demo, 413-Demo, 421-Demo, 422-Demo; Cover Letter from SM Planning dated 27/02/2023; Heritage Statement from Cogent Heritage (ref. 0454) dated 24/02/2023.

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: (00-PA-)01, 02; (0000W-PA-)001-EX, 002-EX, 011-EX, 013-EX, 021-EX, 022-EX; (1W-PA-)101-PRO, 102-PRO; (2W-PA-)201-PRO, 203-PRO; (3W-PA-)301-PRO, 302-PRO; (4W-PA-)401-Demo, 402-Demo, 411-Demo, 413-Demo, 421-Demo, 422-Demo; Cover Letter from SM Planning dated 27/02/2023; Heritage Statement from Cogent Heritage (ref. 0454) dated 24/02/2023.

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 Detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority before the relevant part of the work is begun:

a) Plan, elevation and section drawings of all new doors with top-light or leaded light as appropriate at a scale of 1:10 (including jambs, head, cill, glazing bar and brick arch details as appropriate at scale 1:1);

b) Detailed drawings (at scale 1:10/1:20) and/or manufacturer's specification as appropriate showing the Juliet balcony railing.

The relevant part of the works shall be carried out in accordance with the details thus approved, and thereafter be permanently retained and maintained as such. 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 policies D1 and D2 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting planning permission:

It is firstly noted that the proposed alterations relate to the side elevation of an existing tall bay window at the rear of the host property which is a non-original and contemporary addition to the main Grade II listed building. As such, while the bay window is considered to form an integral part of the architectural composition of the house as a whole, in terms of its design, style and appearance, it does not directly contribute to the historic significance of the main listed building.

The proposed works would create a door opening with a Juliet style railing at ground floor level to the living room area of Flat 2 and another door opening at lower ground floor level to provide direct access from the master bedroom into the rear garden. The cills of two window openings would be lowered for this purpose, involving the removal of small sections of brickwork.

The applicant has confirmed that both doors would be timber framed, double-glazed units, sympathetic in detailing and appearance to the traditional appearance of the bay window and rear of the building generally. An existing top-light/leaded light above the ground floor level casement window has also been confirmed as being retained. The proposed Juliet style railing would be metal in material and black powder coated, appropriate to the architectural style of the house. Conditions will be attached to any approval requiring details to be provided and approved in writing for the proposed doors and railing.

In sustainability terms, double glazed units are noted as having the potential to reduce energy costs, provide more thermal efficiency and insulation, offset the need for powered heating and so reduce carbon emissions, and improved passive flow of ventilation in some cases.

Overall, therefore, subject to additional details provided by condition, the alterations would appear to be in keeping with the general appearance of fenestration at the rear of the property and would continue to allow an appreciation of the existing rear bay window. It is also noted that the ground and lower ground floor positions of the proposed works at the rear of the property are not widely visible, except from within restricted private views. As such, the proposal would preserve the character and appearance of the host property and wider Fitzjohns Netherhall Conservation Area.

There would be no loss or harm to any historic features or fabric of the building as a result of the proposal and no material change in the relationship between the rear of the property and the main listed building. In this regard, therefore, the alterations are also considered to be sympathetic to the architectural and historic interest of the Grade II listed building and its' setting.

There are no amenity concerns as a result of this proposal given the minor nature of the alterations to existing window openings towards the rear of the property.

The site's planning and appeal history has been taken into account when coming to this decision. No objections have been received in relation to the proposals following statutory consultation.

Special regard has been attached to the desirability of preserving the listed building, its setting and its features of special architectural or historic interest, under s.66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013. Special attention has also been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under s.72 the same legislation.

As such, the proposal is in general accordance with policies A1, D1 and D2 of the Camden Local Plan 2017, the London Plan 2021 and the National Planning Policy Framework 2021.

- 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, 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-planning-decision>.

If you submit an appeal against this decision you are now eligible to use the new [submission form](#) (Before you start - Appeal a planning decision - GOV.UK).

Yours faithfully

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

Daniel Pope
Chief Planning Officer