

Application ref: 2023/2761/P  
Contact: Laura Dorbeck  
Tel: 020 7974 1017  
Email: [Laura.Dorbeck@camden.gov.uk](mailto:Laura.Dorbeck@camden.gov.uk)  
Date: 7 August 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](mailto:planning@camden.gov.uk)  
[www.camden.gov.uk/planning](http://www.camden.gov.uk/planning)

Lichfields  
The Minster Building  
21 Mincing Lane  
London  
EC3R 7AG

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Grant of Non-Material Amendments to planning permission**

Address:

**17 Lyndhurst Gardens  
London  
NW3 5NU**

Proposal: Amendments (Changes to the trigger for condition 9 (landscaping details) and 11 (green roof details)) to planning permission 2019/6151/P granted 29/09/2021 for the Change of use from Class D1 use (non-residential institution) to Class C3 Use (residential) as 1 x 5 bedroom unit, 1 x 5 bedroom unit and 1 x 4 bedroom unit, internal alterations, external alterations including a new glass link element and lowering of basement level, hard and soft landscaping including the removal of 10 trees, a summer house with internal cycling parking, a bin store, a cycle store and other associated works.

Drawing Nos: Cover letter by Lichfields dated 3rd July 2023.

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.9 of planning permission 2019/6151/P shall be replaced with the following condition:

#### **REPLACEMENT CONDITION 9**

Prior to practical completion, 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 any proposed

earthworks including grading, mounding and other changes in ground levels, and details of number, species and location of replacement trees including details of planting method and maintenance. The relevant part of the works shall not be carried out otherwise 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.

For the purposes of this decision, condition no.11 of planning permission 2019/6151/P shall be replaced with the following condition:

#### REPLACEMENT CONDITION 11

Prior to practical completion, full details in respect of the green roof in the area indicated on the approved roof plan shall be submitted to and approved in writing by the local planning authority. Details of the green roof provided shall include: species, planting density, substrate and a section at scale 1:20 showing that adequate depth is available in terms of the construction and long term viability of the green roof, as well as details of the maintenance programme for green roof. The buildings shall not be occupied until the approved details have been implemented and these works shall be permanently retained and maintained thereafter.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies A3, CC2 and CC3 of the London Borough of Camden Local Plan.

#### Informative(s):

##### 1 Reason for granting approval

Permission is sought for amendments to planning permission reference 2019/6151/P which proposed the change of use from Class D1 use (non-residential institution) to three residential dwellings (Class C3 use), internal alterations, external alterations including a new glass link element and lowering of basement level, hard and soft landscaping, and associated works.

Permission was granted subject to a number of conditions, including condition 9 requiring full details of hard and soft landscaping and condition 11 requiring details of green roofs to be submitted for approval. Both conditions included a trigger which requires the information to be submitted and approved prior to commencement of above-ground development (excluding demolition and any site preparation works). The reason for condition 9 was to ensure that the development achieves a high quality of landscaping which contributes to the visual amenity and character of the area, and the reason for condition 11 was to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment.

This application seeks permission to amend the triggers of these conditions to allow a greater proportion of the development to be completed prior to the submission of this information, so that the details are required to be submitted prior to practical completion of the overall development. The reason given is because the procurement of the details for these conditions are yet to be secured as they related to external works which will happen much later in the construction programme. It is also the applicant's preference to not install landscaping works until after the main construction works are concluded to prevent damage to the landscaping and planting.

This amendment would still ensure the approved green roof and landscaping were secured, but that their sign off would be allowed at a later date allowing the majority of the works to proceed on site. The change to the trigger would ensure the development still achieves a high quality of landscaping which contributes to the visual amenity and character of the area, and undertakes reasonable measures to take account of biodiversity and the water environment as specified in the reasons for these conditions. By securing them prior to practical completion, the landscaping and green roofs would still need to be delivered prior to the completion of the development.

The proposed amendment is considered to be non-material as it does not change the nature or description of development; does not change the application site area, the size or footprint of the extension; does not result in changes to external details that would materially compromise the overall design of the building or materially impact on the significance of the building or the character and appearance of the conservation area; does not change windows or doors in any elevation facing any neighbour which may raise issues of greater visual intrusion, loss of light or feeling of enclosure; and does not materially impact on any neighbours or other statutory and non-statutory 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 2019/6151/P granted 29/09/2021.

- 2 You are advised that this decision relates only to the changes set out in the description and on the application form and shall only be read in the context of the substantive permission 2019/6151/P granted on 29/09/2021 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



Daniel Pope  
Chief Planning Officer

It's easy to make, pay for, track and comment on planning applications on line.  
Just go to [www.camden.gov.uk/planning](http://www.camden.gov.uk/planning).