

Application ref: 2023/2522/P
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Date: 11 August 2023

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
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WC1H 9JE

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planning@camden.gov.uk
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)

Full Planning Permission Granted

Address:

17 Lyndhurst Gardens
London
NW3 5NU

Proposal: Stabilising works to the northern boundary wall and associated works.

Drawing Nos: 1004 rev A, 1021 rev D, 1041 rev D, 1042 rev A, 1051 rev C, 1421 rev A, 1441 rev A, 1451 rev B, 1142 rev A, cover letter dated 15 June 2023, Heritage Impact Assessment ref. 60656/01/NG/HMa dated June 2023, Design and Access Statement rev A dated April 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: 1004 rev A, 1021 rev D, 1041 rev D, 1042 rev A, 1051 rev C, 1421 rev A, 1441 rev A, 1451 rev B, 1142 rev A, cover letter dated

15 June 2023, Heritage Impact Assessment ref. 60656/01/NG/HMa dated June 2023, Design and Access Statement rev A dated April 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.

Informative(s):

- 1 Reasons for granting permission.

Planning permission is sought for stabilisation works to the northern boundary wall after it has become dilapidated due to tree growth. The wall in question is a tall retaining boundary wall along the side of 17 Lyndhurst Gardens which is Grade II listed. It has historically been braced against the side of the house with girders which are now affecting the northern elevation of the listed building. The works would involve the addition of 10 ground anchors, the repair and repointing of the wall and removal of the existing steel struts.

The machine necessary to drill the cores for these anchors is too large to be operable within the alley. Consequently, it will be necessary to remove parts of the wall of the listed house in order to deploy the drill from within its rooms.

Two of the proposed holes are at the position of two consented new windows and four holes can be drilled from outside the listed building, thus creating four holes through the house's wall. These will be reinstated like for like once the anchor holes have been drilled, using bricks removed from the consented new window openings. The retaining wall too will be remediated like for like, with the anchors terminating in pattress plates.

The proposals have been assessed by the Council's Conservation Officer who has confirmed that the development is acceptable. The existing situation is damaging the listed structures, and the proposed remedial works are sensitive and conservative, ensuring the long term preservation and retention of the listed building and wall without necessitating the complete demolition and reconstruction of the very substantial retaining wall. The works would repair the wall and northern elevation of the building on a like for like basis, thereby ensuring there was no impact to the visual appearance of these structures.

The proposal is therefore acceptable and would preserve and enhance the appearance of the wall and the listed building, preserving its significance and special interest. Likewise, the proposals would preserve the character and appearance of this part of the conservation area.

Due to the minor nature of the proposals they would not impact on

neighbouring amenity by way of a loss of outlook, daylight or privacy.

Two comments were received prior to the determination of this application querying the exact location of the ground anchors and whether these would impact on adjacent land. These comments have been reviewed and passed on to the relevant contacts. As mentioned above, no detrimental impact to the amenity of neighbouring properties is anticipated. The planning history of the site has been taken into account when coming to this decision.

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

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

- 2 You are advised that this approval relates only to works to the northern boundary wall at the site, and associated alterations to the northern elevation of no.17. It does not include previously approved development to no.17 itself as shown on proposed drawings 1421 rev A, 1441 rev A, 1451 rev B, 1142 rev A.
- 3 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).
- 4 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.
- 5 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.

- 6 Your proposals may be subject to control under the Party Wall etc Act 1996 which covers party wall matters, boundary walls and excavations near neighbouring buildings. You are advised to consult a suitably qualified and experienced Building Engineer.

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 written over a light grey rectangular background.

Daniel Pope
Chief Planning Officer