

Delegated Report		Analysis sheet		Expiry Date:		04/01/2013	
		N/A / attached		Consultation Expiry Date:		13/12/2012	
Officer				Application Number(s)			
Rachel Miller				2012/5904/P			
Application Address				Drawing Numbers			
29-30 Lyndhurst Road London NW3 5PB				Please refer to decision notice			
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature	
Proposal(s)							
Variation of condition 6 (development built in accordance with approved plans) as a minor material amendment to planning permission granted as Ref: 2011/0174/P dated 09/03/2011 (the redesign of 2 semi-detached properties with extensions to front, rear & basement) namely to replace existing landscaping plan and include a retaining wall and tiled courtyard area to the rear garden accessible by the basement units.							
Recommendation(s):		Refuse					
Application Type:		Variation or Removal of Condition(s)					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	02	No. of responses	00	No. of objections	00
				No. electronic	00		
Summary of consultation responses:		Site notice displayed from 16/11/2012 until 07/12/2012 Press notice displayed from 22/11/2012 until 13/12/2012 No responses received					
CAAC/Local groups* comments: *Please Specify		Fitzjohns/Netherhall CAAC – insufficient information received.					

Site Description

The site is located on the south side of Lyndhurst Road close to the junction with Akenside Road. The site comprises a pair of semi-detached three storey properties with lower ground floor level in use as flats, totalling 8. The buildings are not listed but are located within the Fitzjohns/Netherhall Conservation Area. The buildings are noted as creating a positive contribution to the character and appearance of the conservation area. The street is characterised by large, semi-detached dwellings, mostly in brick with prominent gable details.

Relevant History

2011/0174/P Remodelling of 2 semi-detached properties with extensions and alterations, including erection of a front and rear roof extension with four front velux windows and four rear dormer windows to create a new attic floor; excavation to create a new basement floor; demolition of rear facade and erection of a rear extension at lower ground, upper ground, first floor and 2nd floor levels; creation of external terraces with balustrades at lower ground and raised ground floors; replacement of existing fenestration; creation of 2 front lightwells and alterations to existing lightwell; alterations to front garden including removal of driveway and internal garage and replacement of front boundary treatment; all in association with rearrangement of existing 8 self-contained flats (Class C3).

Approved on 09/03/2011.

2012/3461/P Details required by condition 3 (Hard and Soft landscaping and means of enclosure), 5 (trees to be retained on or adjoining site), 7 (drainage plans) of planning permission 2011/0174/P decided 12/01/2011 for: Remodelling of 2 semi-detached properties with extensions and alterations, including erection of a front and rear roof extension with four front velux windows and four rear dormer windows to create a new attic floor; excavation to create a new basement floor. **Refused** on 22/08/2012 for the following reasons:

Condition 3

The proposed frontage hard surfacing, by reason of the amount, material and colour, would be detrimental to the character and appearance of the host properties, streetscene and the wider Fitzjohns/Netherhall Conservation Area, contrary to London Borough of Camden Local Development Framework Core Strategy 2010 policies CS5 (Managing the impact of growth and development) and CS14 (Promoting high quality places and conserve heritage) and the London Borough of Camden Local Development Framework Development 2010 Policies with particular regard to policies DP24 (Securing high quality design) and DP25 (Conserving Camden's Heritage)

Condition 5

Insufficient information has been submitted with regard to the tree protection measures to demonstrate that the development will not have an adverse impact on the existing trees and would maintain and preserve the character and appearance of the conservation area contrary to policy CS14 (Promoting high quality places and conserving our heritage) of the London Borough of Camden Core Strategy 2010 and policy DP25 (Conserving Camden's heritage) of the London Borough of Camden Local Development Framework 2010.

Condition 7

Insufficient information has been submitted with regard to the surface water tank. The Council is therefore unable to determine that the works proposed would not have an adverse impact on retained trees and thus the character and appearance of the building and the wider conservation area. The application is therefore contrary to policy CS14 (Promoting high quality places and conserving our heritage) of the London Borough of Camden Core Strategy 2010 and policies DP24 (Securing high quality design) and DP25 (Conserving Camden's heritage) of the London Borough of Camden Local Development Framework 2010.

2012/4938/P Details required by conditions 3 (Hard and Soft landscaping and means of enclosure), 5 (trees to be retained on or adjoining site) and 7 (drainage plans) of planning permission granted on 09/03/2011 (Ref: 2011/0174/P) for: Remodelling of 2 semi-detached properties with extensions and alterations, including erection of a front and rear roof extension with four front velux windows and four rear dormer windows to create a new attic floor; excavation to create a new basement floor. **Refused** on 09/11/2012 for the following reasons:

The proposed details shown on drawing LS-1000 Rev B, by reason of inaccurate and inconsistent plans in

comparison with plans approved as part of planning permission granted on 09/03/2011 (Ref. 2011/0174/P), would be detrimental to the character and appearance of the buildings and wider Fitzjohns / Netherhall Conservation Area, existing trees and fails to demonstrate that the proposals shown would not cause harm to the built and natural environment and local amenity and would not result in flooding or ground instability, contrary to policies CS5 (Managing the impact of growth and development), CS14 (Promoting high quality places and conserving our heritage) of the London Borough of Camden Local Development Framework Core Strategy and policies DP23 (Water), DP24 (Securing high quality design), DP25 (Conserving Camden's heritage) and DP27 (Basements and lightwells) of the London Borough of Camden Local Development Framework Development Policies.

Condition 7

Insufficient information has been submitted with regard to the surface water tank. The Council is therefore unable to determine that the works proposed would not have an adverse impact on retained trees and thus the character and appearance of the building and the wider Fitzjohns / Netherhall Conservation Area. The application is therefore contrary to policy CS14 (Promoting high quality places and conserving our heritage) of the London Borough of Camden Local Development Framework Core Strategy and policies DP24 (Securing high quality design) and DP25 (Conserving Camden's heritage) of the London Borough of Camden Local Development Framework Development Policies.

Enforcement

EN12/0993- Works not done in accordance with permission 2011/0174/P

Relevant policies

LDF Core Strategy and Development Policies

Core Strategy

CS1 (Distribution of growth)

CS5 (Managing the impact of growth and development)

CS13 (Tackling climate change)

CS14 (Promoting high quality places and conserving our heritage)

CS15 (Projecting and improving our parks and open spaces and encouraging biodiversity)

Development Policies

DP23 (water)

DP24 (Securing high quality design)

DP25 (Conserving Camden's heritage)

DP26 (Managing the impact of development on occupiers and neighbours)

DP27 (Basements and lightwells)

Camden Planning Guidance 2006

Fitzjohns/Netherhall Conservation Area Statement

Assessment

Permission is sought to replace the garden level drawing 1112/AP-20 previously approved under reference 2011/0174/P with a new drawing number 1800 and vary condition 6 (development built in accordance with approved plans) as a minor material amendment.

The Applicant has made changes to the scheme by erecting a 2+metre retaining wall at the rear of the building to create an extended tiled basement courtyard area and shown changes to the front garden area by adding gates and a bin store.

This application stems from an enforcement complaint that the development was not being carried out with the approved drawings from application number 2011/0174/P.

Two applications for approval of details have been refused for inaccurate and inconsistent drawings and insufficient information which was considered to be detrimental to the character and appearance of the building and the conservation area.

Only a single layout plan has been provided with this application to vary condition 6 (drawing numbers). The CAAC considers that insufficient information has been received. Officers agree that the application submission falls below the level of information required for such details to be fully considered. It is unclear as to the height of the retaining wall at the rear and the gates and bin store at the front therefore the application cannot be fully assessed in terms of impact on neighbouring properties and the impact on the appearance of the building or the conservation area. At the very least detailed sections and elevations illustrating full details of the proposals, should be submitted.

It is therefore recommended that the application is refused.

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