

Ms Michelle Rowihab  
Stiff + Trevillion  
16 Woodfield Road  
London  
W9 2BE

Application Ref: **2016/4885/P**  
Please ask for: **Tessa Craig**  
Telephone: 020 7974 **6750**

22 November 2016

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Variation or Removal of Condition(s) Granted Subject to a Section 106 Legal Agreement**

Address:  
**26 Lyndhurst Road**  
**London**  
**NW3 5PB**

Proposal:

Variation to condition 8 (approved drawings) of planning permission 2015/2548/P for 'conversion of existing 4x flats into 1x6bed maisonette and 2x1bed flats. Alterations at rear to include single storey extension and part first floor extension; enlargement of terraces, creation of inset roof terrace and excavation for swimming pool. Alterations at front to include excavation of lightwell' namely for a replacement entrance canopy, replacement roof tiles, installation of double glazing, metal framed doors to the rear and new window layouts to the side elevations. Installaton of rooflight to east side elevation.

Drawing Nos: Superseded Plans:  
(4399/SK) P1001; P1002; P8001 H; P8002 G; 8003 A.

Revised Plans:

100P, 101P, 102P, 103P, 104P, 105P, 200P, 201P, 210P, 211P, 212P, 213P and  
Planning, Design & Access Document.

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 shall be carried out in accordance with the following approved plans:

100P, 101P, 102P, 103P, 104P, 105P, 200P, 201P, 210P, 211P, 212P, 213P and Planning, Design & Access Document, Arboricultural Assessment and Protection Method Statement (dated 12th June); Basement Impact Assessment (Dated 2015); Factual Report on Ground Investigation (Dated September 2015); Phase 1 Preliminary Risk Assessment (Dated September 2015); Structural Report (Hockley & Dawson); Internal Daylight Analysis Planning Application Report (March 2015); Construction Method Statement (dated 16th September 2015).

Reason: For the avoidance of doubt and in the interest of proper planning.

- 2 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 policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 3 Noise levels at a point 1 metre external to sensitive facades shall be at least 5dB(A) less than the existing background measurement (LA90), expressed in dB(A) when all plant/equipment (or any part of it) is in operation unless the plant/equipment hereby permitted will have a noise that has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or if there are distinct impulses (bangs, clicks, clatters, thumps), then the noise levels from that piece of plant/equipment at any sensitive façade shall be at least 10dB(A) below the LA90, expressed in dB(A).

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policies DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies.

- 4 The 3 x residential units as indicated on the plans hereby approved shall be designed and constructed in accordance with Building Regulations Part M4 (2), evidence demonstrating compliance should be submitted to and approved by the Local Planning Authority prior to occupation.

Reason: To ensure that the internal layout of the building provides flexibility for the accessibility of future occupiers and their changing needs over time, in accordance with the requirements of policy CS6 of the London Borough of Camden Local Development Framework Core Strategy and policy DP6 of the London Borough of

Camden Local Development Framework Development Policies.

- 5 The development hereby approved shall achieve a maximum internal water use of 105litres/person/day, allowing 5 litres/person/day for external water use (110l,p,d). Prior to occupation, evidence demonstrating that this has been achieved shall be submitted to and approved by the Local Planning Authority.

Reason: To ensure the development contributes to minimising the need for further water infrastructure in an area of water stress in accordance with policies CS13 (Tackling climate change through promoting higher environmental standards), DP22 (Promoting sustainable design and construction) and DP23 (Water)

- 6 A 1.8 metre high screen, details of which shall have been submitted to and approved in writing by the local planning authority, shall be erected on the western side of the first floor terrace prior to commencement of use of the roof terrace and shall be permanently retained.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 of the London Borough of Camden Local Development Framework Development Policies.

- 7 Prior to the commencement of any works on site, details demonstrating how trees to be retained shall be protected during construction work shall be submitted to and approved by the Council in writing. Such details shall follow guidelines and standards set out in BS5837:2012 "Trees in Relation to Construction". All trees on the site, or parts of trees growing from adjoining sites, unless shown on the permitted drawings as being removed, shall be retained and protected from damage in accordance with the approved protection details.

Reason: To ensure that the development will not have an adverse effect on existing trees and in order to maintain the character and amenity of the area in accordance with the requirements of policy CS15 of the London Borough of Camden Local Development Framework Core Strategy.

- 8 The development hereby permitted shall be carried out in accordance with the following approved plans: (4399/SK) P1002; P1002; P8001 H; P8002 G; 8003 A; Arboricultural Assessment and Protection Method Statement (dated 12th June); Basement Impact Assessment (Dated 2015); Factual Report on Ground Investigation (Dated September 2015); Phase 1 Preliminary Risk Assessment (Dated September 2015); Structural Report (Hockley & Dawson); Internal Daylight Analysis Planning Application Report (March 2015); Construction Method Statement (dated 16th September 2015)

Reason: For the avoidance of doubt and in the interest of proper planning.

- 9 The development hereby approved shall not commence until such time as a suitably qualified chartered engineer with membership of the appropriate

professional body has been appointed to inspect, approve and monitor the critical elements of both permanent and temporary basement construction works throughout their duration to ensure compliance with the design which has been checked and approved by a building control body. Details of the appointment and the appointee's responsibilities shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. Any subsequent change or reappointment shall be confirmed forthwith for the duration of the construction works.

Reason: To safeguard the appearance and structural stability of neighbouring buildings and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Development Policies and policy DP27 (Basements and Lightwells) of the London Borough of Camden Local Development Framework Development Policies.

- 10 The new critical windows serving the east elevation stairwell and the third floor west elevation window shall be obscure glazed and installed in accordance with the details shown on the plans hereby approved. The obscure glazing shall be retained in perpetuity.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 of the London Borough of Camden Local Development Framework Development Policies.

#### Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which 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, Argyle Street WC1H 8EQ, (tel: 020-7974 6941).
- 2 Reasons for granting approval:

The proposed amendments to the approved scheme are considered acceptable in design terms. The canopy over the front door is a sympathetic design and appropriate materials (black metal) as is the proposed balustrading. The roof reconstruction shall match the existing roof. The window frames throughout shall be replaced with timber frames to match the existing or to replace the existing upvc windows. Double glazing shall be installed except where the windows are lead (front elevation and rear ground floor) which shall be retained. The metal framed glazed screens in the rear elevation shall not be visible from the streetscene and shall not be harmful to the host building which currently includes metal framed windows to be removed. The proposed rooflight and side elevation windows shall be sympathetic additions which do not harm the host building.

The proposed development is not considered to raise any amenity concerns. There are already windows in the side elevation and the proposed stairwell window on the east elevation shall be frosted. The windows on the west elevation shall serve bathrooms and will therefore be opaque glazed (secured via condition). If the side elevation rooflight omits light it will be directed toward the stairwell of the main property and is not considered harmful in terms of light pollution.

No objections were received in relation to the amendments. Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under s.72 of the 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 CS5 and CS14 of the London Borough of Camden Local Development Framework Core Strategy CS5, CS13, CS14, and policies DP16, DP20, DP21, DP22, DP24, DP25, DP26, DP27, DP28 and DP32 of the London Borough of Camden Local Development Framework Development Policies. The proposed development also accords with the London Plan 2016; and the National Planning Policy Framework.

- 3 You are advised that this decision relates only to the changes highlighted on the plans and set out in the description and on the application form, and shall only be read in the context of the substantive permission granted on 18/05/2016 under reference number 2015/2548/P and is bound by all the conditions attached to that permission.
  
- 4 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 are advised to consult the Council's Compliance and Enforcement team [Regulatory Services], Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en> or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.
  
- 5 The Mayor of London introduced a Community Infrastructure Levy (CIL) to help pay for Crossrail on 1st April 2012. Any permission granted after this time which adds more than 100sqm of new floorspace or a new dwelling will need to pay this CIL. It will be collected by Camden on behalf of the Mayor of London. Camden will be sending out liability notices setting out how much CIL will need to be paid if an affected planning application is implemented and who will be liable.

The proposed charge in Camden will be £50 per sqm on all uses except affordable housing, education, healthcare, and development by charities for their charitable

purposes. You will be expected to advise us when planning permissions are implemented. Please use the forms at the link below to advise who will be paying the CIL and when the development is to commence. You can also access forms to allow you to provide us with more information which can be taken into account in your CIL calculation and to apply for relief from CIL.

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

We will then issue a CIL demand notice setting out what monies needs to paid when and how to pay. Failure to notify Camden of the commencement of development will result in a surcharge of £2500 or 20% being added to the CIL payment. Other surcharges may also apply for failure to assume liability and late payment. Payments will also be subject to indexation in line with the construction costs index.

Please send CIL related documents or correspondence to [CIL@Camden.gov.uk](mailto:CIL@Camden.gov.uk)

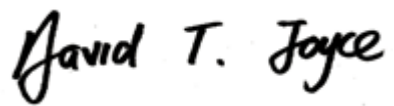
- 6 You are reminded that this decision only grants permission for permanent residential accommodation (Class C3). Any alternative use of the residential units for temporary accommodation, i.e. for periods of less than 90 days for tourist or short term lets etc, would constitute a material change of use and would require a further grant of planning permission.
- 7 If a revision to the postal address becomes necessary as a result of this development, application under Part 2 of the London Building Acts (Amendment) Act 1939 should be made to the Camden Contact Centre on Tel: 020 7974 4444 or Environment Department (Street Naming & Numbering) Camden Town Hall, Argyle Street, WC1H 8EQ.
- 8 Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which this permission is granted. Information/drawings relating to the discharge of matters covered by the Heads of Terms of the legal agreement should be marked for the attention of the Planning Obligations Officer, Sites Team, Camden Town Hall, Argyle Street, WC1H 8EQ.
- 9 You are reminded of the need to provide adequate space for internal and external storage for waste and recyclables. For further information contact Council's Environment Services (Waste) on 020 7974 6914/5 or see the website <http://www.camden.gov.uk/ccm/content/environment/waste-and-recycling/twocolumn/new-recycling-rubbish-and-reuse-guide.en>.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

A handwritten signature in black ink that reads "David T. Joyce". The signature is written in a cursive, slightly slanted style.

David Joyce  
Executive Director Supporting Communities