

# 2018/0499/P- Flat A, 3 Lyndhurst Gardens



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**1. Location of proposed rear extension (note bay and outbuilding to be replaced by proposals)**



**2. Rear elevation (Note bay window and outbuilding to be replaced by proposals)**





**3. Side/rear doors/window of Flat B (Note proposal would be positioned 1.58m to the right of this side elevation)**



**4. Side elevation of No. 3 Lyndhurst Gardens (Note bay window to be replaced by the proposals)**



**5. Rear view from No. 3 Lyndhurst Gardens (Note outbuilding to be replaced by proposals)**



**6. Bay of Flat A and side elevation of Flat B (Note bay window to the right and outbuilding to the left to be replaced by the proposals)**

<b>Delegated Report</b> (Members' Briefing)	<b>Analysis sheet</b>	<b>Expiry Date:</b>	<b>04/05/2018</b>
	N/A	<b>Consultation Expiry Date:</b>	<b>31/05/2018</b>
<b>Officer</b>		<b>Application Numbers</b>	
Samir Benmbarek		2018/0499/P	
<b>Application Address</b>		<b>Drawing Numbers</b>	
Flat A 3 Lyndhurst Gardens London NW3 5NS		See draft decision notice	
<b>Proposal(s)</b>			
Erection of single storey part width glazed rear extension and the enlargement of 2x rear windows at 1 <sup>st</sup> floor to form juliet balconies.			
<b>Recommendation:</b>	<b>Grant Conditional Planning Permission</b>		
<b>Application Type:</b>	<b>Full Planning Permission</b>		



Conditions or Reasons for Refusal:	<b>Refer to Draft Decision Notice</b>					
Informatives:						
<b>Consultations</b>						
Adjoining Occupiers:	No. notified	<b>00</b>	No. of responses	<b>06</b>	No. of objections	<b>06</b>
Summary of consultation responses:	<p>3x site notices were displayed from 15/03/2018 (expiring on 05/04/2018) and a notice was displayed in the local press from 15/03/2018 (expiring on 05/04/2018).</p> <p>Re-consultation was undertaken with 3x updated site notices displayed from 09/05/2018 (expiring on 30/05/2018) and an updated notice displayed in the local press from 10/05/2018 (expiring on 31/05/2018).</p> <p>To date, seven objections have been received from the addresses listed below:</p> <ul style="list-style-type: none"> <li>• 1 Lyndhurst Gardens</li> <li>• Flat E, 3 Lyndhurst Gardens</li> <li>• 15 Wedderburn Road</li> <li>• 7 Wedderburn Road</li> <li>• Flat 1, 7 Wedderburn Road</li> <li>• Flat 2, 7 Wedderburn Road</li> <li>• Flat 3, 11 Wedderburn Road</li> </ul> <p>The comments are summarised as below:</p> <ol style="list-style-type: none"> <li>1. Concerns of light pollution due to the majority glazed design of the extension.</li> <li>2. Concerns of noise pollution as a result of the proposal.</li> <li>3. Concerns of overlooking and privacy as a result of the proposal.</li> <li>4. A rear barrier/boundary to be erected between the application site and the rear gardens of Wedderburn Road.</li> <li>5. Inappropriate choice of materials, in particular the glazing which would reflect during the daytime.</li> <li>6. Proposal would contribute to the density of construction in the area leading to the reduction of green spaces that would create a negative precedent.</li> </ol> <p><i>Officer's Response:</i></p> <ol style="list-style-type: none"> <li>1. <i>Please refer to paragraph 3.6 of this report.</i></li> <li>2. <i>Please refer to paragraph 3.7 of this report.</i></li> <li>3. <i>Please refer to paragraph 3.4 of this report.</i></li> <li>4. <i>It is considered that the proposal would not cause any adverse impacts to adjoining residential occupiers and alterations to the boundary would not be required nor is part of the application.</i></li> <li>5. <i>The glass would reflect but not to an extent that would be detrimental to the design or to neighbouring amenity. Please refer to paragraph 2.5 of this report.</i></li> <li>6. <i>Each planning application is determined on its own merits. The proposed extension is a small development which is considered to</i></li> </ol>					

*not affect the provision of green space.*

**CAAC/ National Amenity Society comments:**

The Fitzjohns and Netherall CAAC was formally consulted. To date no response has been received.

**Site Description**

The application site comprises of a two-storey self-contained flat within a detached building located on the northern side of Lyndhurst Gardens nearby the junction with Akenside Road. The building contains 3x self-contained flats including the application flat. The garden is in ownership of Flat A which encompasses the north, west and south of the site.

The building is located within the Fitzjohns and Netherall Conservation Area. It is not a listed building, but is described within the Conservation Area Statement as a building that makes a positive contribution to the area. The immediate area is a suburban located characterised by large detached villas within large garden plots.

**Relevant History**

No relevant planning application history.

**Relevant policies**

**National Planning Policy Framework, 2012**

**The London Plan 2016**

**London Borough of Camden Local Plan 2017**

A1 (Managing the impact of development)

D1 (Design)

D2 (Heritage)

**Camden Supplementary Planning Guidance**

CGP1 (Design) (Updated March 2018)

CPG6 (Amenity)

**Fitzjohns and Netherall Conservation Area Statement 2001**

### 1. Proposal

1.1 Planning permission is sought for the following:

- Erection of a single storey rear extension following the removal of the existing outbuilding;
- Enlargement of 2x rear windows at first floor level to form doors with juliet balconies.

1.2 The single storey rear extension would measure at 3.4m in depth from the rear elevation of Flat A, and a width of 4.39m. The proposed extension would have a terminating height of 3.3m on the western elevation sloping down to 3.01m on its eastern elevation where it faces Flat B. It would be constructed of stock brick on its eastern elevation with glazing on all other elevations as well as the roof.

1.3 The separation distance between the proposed extension and the western (side) elevation of Flat B is 1.58m.

1.4 At first floor level the new doors in association with the enlarged opening would be constructed from timber with metal railings for the juliet balconies.

1.5 The main issues for consideration are:

- The impact of the proposal upon the character or appearance of the host building and the surrounding conservation area and;
- The impact the proposal may have upon the amenity of the occupiers of the neighbouring properties.

### 2. Considerations on Design

2.1 The Council's design policies are aimed at achieving the highest standard of design in all developments. The following considerations contained in policy D1 are relevant to the application; development should consider the character, setting, context and the form and scale of neighbouring buildings, and the quality of materials used. Policy D2 will preserve, and where appropriate, enhance Camden's diverse assets and their settings including conservation areas.

2.2 CPG1 (Design) recommends alterations and/or extensions to take into account the character and design of the host building and surroundings. Windows door and materials should complement the existing building and rear extensions should be secondary to the main building.

2.3 The Fitzjohns and Netherall Conservation Area Statement states that all new development should respect existing features such as building lines, roof lines, elevation design, and where appropriate, architectural characteristics, detailing, profile, and materials of adjoining buildings. Extensions can alter the balance and harmony of a property or group of properties by insensitive scale, design and inappropriate materials.

2.4 The proposed rear extension is considered acceptable in its scale, design and form to the host building. The scale of the proposed extension is considered as secondary and subordinate to both Flat A and the building as a whole due to its modest depth and height as well as its subordinate location at the rear of the building. The building would not be visible from the street



scene because of its rear location. The rear extension would retain the majority of garden space which surrounds the building to the west and south.

- 2.5 The detailed design of the rear extension is considered as appropriate. The use of stock brick and glazing be contemporary in design and would respect and preserve the character of the original building while providing some contrast with its style. The original building can still be read as a result of the proposal and the extension is considered to be of a mostly lightweight appearance by the use of its materials. Further details of the design of the extension, in particular materials, will be secured by condition upon approval.
- 2.6 The removal of the existing rear bay to accommodate the proposed extension raises no objections on design grounds as it is considered that the bay is of no particular merit.
- 2.7 The rear elevations of the group of buildings along Lyndhurst Gardens has no evident uniformity of rear fenestration or appearance. Due to this context, it is considered that the proposed enlargement of the 2x rear window openings to form doors with the associated juliet balconies is considered acceptable in this instance.
- 2.8 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 Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013. The detailed design is considered to be appropriate, would not detract from the appearance of the building and would preserve the character and appearance of the Conservation Area.

### **3. Considerations on Neighbouring Amenity**

- 3.1 Policy A1 seeks to ensure that development protects the quality of life of occupiers and neighbours by only granting permission to development that would not harm the amenity of neighbouring residents. This includes privacy, overlooking, outlook and implications on daylight and sunlight. CPG6 seeks for development to be “designed to protect the privacy of both new and existing dwellings to a reasonable degree” and that the Council “will aim to minimise the impact of the loss of daylight caused by a development on the amenity of existing occupiers.”

#### Outlook

- 3.2 In regards to outlook, the main residential occupier of concern is Flat B, No. 3 Lyndhurst Gardens as it is located 1.58m to the east of where the extension would be proposed with 3x side windows/doors and 1x rear window that services a bedroom in proximity to the development. There is currently an outbuilding in the same location as the proposed extension and therefore it is considered that the impact on outlook from the 2 affected windows in flat B would not be significantly harmful.
- 3.3 It is considered that the proposed extension would not adversely affect the outlook of any other adjoining residential properties, nor would the proposed window enlargements and juliet balconies. The extension would be at a slightly higher terminating height than the existing outbuilding but would be located further back from the rear boundary shared with No.9 and No. 7 Wedderburn Road.

#### Overlooking

- 3.4 There are no windows proposed on the eastern elevation of the extension and therefore there would be no overlooking into Flat B. Also due to its location at ground floor level, large gardens plots and dense amount of vegetation between the application and neighbouring sites, it is considered that there would be no impact on overlooking to neighbouring properties.

#### Daylight/Sunlight

3.5 It is not considered the proposal would materially impact the access and enjoyment of daylight and sunlight from the residential occupiers at Flat B in comparison to the existing situation. It is further considered that the development would not impact this access to the other adjoining residential occupiers.

#### Light Spill/Pollution

3.6 As the proposed extension would be largely glazed, concerns have been raised in regards to light spill from the proposed extension. It is considered that the proposed extension would result in some degree of light spill that is typical of residential settings with rear glazed conservatories but it would not be intrusive or sufficient to constitute light pollution. The ground floor extension is 26m from the rear of the nearest neighbouring properties on Wedderburn Road and therefore there would be no significant light spill experienced by the buildings along Wedderburn Road.

#### Noise Pollution

3.7 Also due to the use of glazing within the rear extension, concerns have been raised on noise pollution from activity within the extension. The noise generated from the extension would be everyday noise as expected from a dwelling and would not be at adverse levels and use of glazing is further considered to not worsen levels of noise due to “less noise insulation” in comparison to masonry.

#### **4. Recommendation**

Grant Conditional Planning Permission.

#### ***DISCLAIMER***

***The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 09<sup>th</sup> August 2018, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to [www.camden.gov.uk](http://www.camden.gov.uk) and search for ‘Members Briefing’.***

Application ref: 2018/0499/P  
Contact: Samir Benmbarek  
Tel: 020 7974 2534  
Date: 5 July 2018

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

Phone: 020 7974 4444

[camden.gov.uk](http://camden.gov.uk)

[planning@camden.gov.uk](mailto:planning@camden.gov.uk)

[www.camden.gov.uk](http://www.camden.gov.uk)

An Caladh  
12A King Street  
Hilton Tain  
IV20 1UZ  
Scotland

# DRAFT

Dear Sir/Madam

## DECISION

Town and Country Planning Act 1990 (as amended)

### Full Planning Permission Granted

Address:

**Flat A**  
**3 Lyndhurst Gardens**  
**London**  
**NW3 5NS**

# DECISION

Proposal: Erection of single storey part width glazed rear extension and the enlargement of 2x rear windows at 1st floor to form juliet balconies

Drawing Nos: 3ALG: 001\_R1; 002; 003; 004; Design and Access Statement.

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 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 D1 and D2 of the London Borough of Camden Local Plan 2017.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans:

3ALG: 001\_R1; 002; 003; 004; Design and Access Statement.

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

- 4 Before the relevant part of the work is begun, 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:

Manufacturer's specification details of all facing materials (to be submitted to the Local Planning Authority) and samples of those materials (to be provided on site or submitted to the Local Planning Authority).

The relevant part of the works shall be carried out in accordance with the details thus approved and 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 policy D1 and D2 of the London Borough of Camden Local Plan 2017.

- 5 Before the relevant part of the work is begun, 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:

a) Details including elevations and sections at 1:20 of the glazed extension;

b) Manufacturer's specification details of all facing materials (to be submitted to the Local Planning Authority) and samples of those materials (to be provided on site or submitted to the Local Planning Authority).

The relevant part of the works shall be carried out in accordance with the details thus approved and 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 policy D1 and D2 of the London Borough of Camden Local Plan 2017.

Informative(s):



- 1 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).
- 2 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 Noise and Licensing Enforcement Team, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (Tel. No. 020 7974 4444 or search for 'environmental health' on the Camden website 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.

**DRAFT**

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

David Joyce  
Director of Regeneration and Planning

**DECISION**