

STATEMENT OF COMMON GROUND

Version 5 – 30th January 2019

APPEAL REFERENCE APP/X5210/W/18/3198010

DATE OF HEARING/INQUIRY 7th February 2019

SITE ADDRESS AND DESCRIPTION OF THE DEVELOPMENT

15 Lyndhurst Terrace, London, NW3 5QA

APPELLANT Mr & Mrs Mond

LOCAL PLANNING AUTHORITY London Borough of Camden

This statement addresses the following areas of common ground:

1. Description of the site (including agreed dimensions)
2. Description of the area
3. Planning history of site
4. Development plan (including relevant policies) & any draft development plan (including stage reached and weight to be attached).
5. Relevance of any supplementary planning guidance published by LPA (and /or of supplementary planning guidance published under previous provisions and still in place.)
6. Others [eg. where applicable, agreed traffic (and/or other) data and circumstances]
7. Agreed list of application documents refused and the subject of the appeal

It will be helpful also to identify matters which are the subject of specific disagreement

Enter text of common grounds. Please sign at the end.

1. Description of the site

The Site is 15 Lyndhurst Terrace, London, NW3 5QA. The existing residential dwelling at the site is part single and part two storey. The existing dwelling spans that full width of the site. There is a driveway and combination of hard paving and gravel surface to the front garden, providing parking space for three cars. The rear garden is part hard surface, part gravel.

There are no trees located within the front or rear gardens of the site.

2. Description of the area

The Site is located within the Fitzjohns / Netherall Conservation Area.

The Fitzjohns / Netherall Conservation Area Statement (2001) ("FNCAS") identifies 'Sub-Area Two: Rosslyn' within which the Site is located.

The FNCAS describes Sub-Area Two: Rosslyn in summary as '*The street layout in this sub-area has a smaller and more intimate character, with gentler gradients, and the architecture ranges from the earlier period of the 1860s to the 1880s*'.

3. Planning history of site

There is no planning history held by LB Camden relating to the existing building at the Site.

Application reference 2012/0653/T in relation to a Section 211 Notice of Works to Trees in a Conservation Area was approved on the 12th March 2012 and allowed the removal of two trees within the rear garden.

Application reference 2015/6278/P in relation to full planning permission for development described as 'Demolition of existing house to provide a new dwelling' was refused on the 12th February 2016.

4. Development plan (including relevant policies) & any draft development plan (including stage reached and weight to be attached).

The Development Plan for the Site comprises:

Camden Local Plan (2017)

The London Plan – the spatial development strategy for London consolidated with alterations since 2011 (March 2016)

Relevant policies are:

Camden Local Plan (2017)

G1 Delivery and location of growth
H1 Maximising housing supply
H6 Housing choice and mix
A1 Managing the impact of development
A2 Open space
A3 Biodiversity
A4 Noise and vibration
A5 Basements and Lightwells
D1 Design
D2 Heritage
CC1 Climate change mitigation
CC2 Adapting to climate change
CC3 Water and flooding
CC5 Waste
T1 Prioritising walking, cycling and public transport
T2 Parking and car-free development
T3 Transport infrastructure
T4 Sustainable movement of goods and materials
DM1 Delivery and monitoring

The London Plan – the spatial development strategy for London consolidated with alterations since 2011 (March 2016)

Policy 3.5 Quality and Design of Housing Developments

5. Relevance of any supplementary planning guidance published by LPA (and /or of supplementary planning guidance published under previous provisions and still in place.)

Relevant adopted LB Camden supplementary planning guidance:

Fitzjohns / Netherall Conservation Area Statement (2001)

CPG1 Design (2015)
CPG2 Housing (2018)
CPG3 Sustainability (2015)
CPG4 Basements (2018)
CPG6 Amenity (2018)
CPG7 Transport (2011)
CPG8 Planning Obligations (2015)
CPG Public open space (2018)

Local List (2015)

Relevant London Mayor's supplementary planning guidance:
Housing SPG (March 2016)

6. Others [eg. where applicable, agreed traffic (and/or other) data and circumstances]

Matters that are agreed:

- a) The proposed basement element of the development would not cause harm to neighbouring properties or the structural, ground, or water conditions of the area and therefore complies with Local Plan policy A5 parts (a) and (b)
- b) The proposed development would not cause undue harm to any trees or vegetation adjacent to the application site, including the mature Horse Chestnut tree at no.17.
- c) The proposed development would not result in a reduction of biodiversity at the Site
- d) The proposed development would provide a good standard of internal residential accommodation for future occupiers
- e) The proposed development would not cause undue harm to the visual and residential amenities of nearby and neighbouring residential properties
- f) The proposed building will be more energy-efficient than the existing building
- g) ~~Restriction of on-street parking permits, a final Construction Management Plan, and highways contributions to undertake repair works outside of the application site can be secured by a legal agreement~~

Matters the subject of disagreement:

- h) The contribution of the existing building at the site to the character and appearance of the Conservation Area, and the resulting impact of demolition upon the significance of the Conservation Area
- i) Whether the existing building at the site was designed by architect Ted Levy
- j) The correct application of NPPF paragraph 196
- k) Whether the proposed replacement building would preserve or enhance the character and appearance of the Conservation Area
- l) Whether the proposed basement element of the development would cause harm to the character and amenity of the area, the

- architectural character of the building, and the significance of heritage assets
- m) Whether the proposed development provides adequate private outdoor amenity space for future occupiers


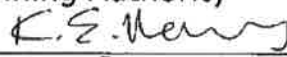
7. Agreed list of application documents refused and the subject of the appeal

Drawings

- 305/4000 Site location plan
- 305/4001 Block plan existing
- 305/4002 Block plan proposed
- 305/4101 Existing upper ground floor
- 305/4102 Existing first floor
- 305/4103 Existing roof plan
- 305/4150 Long section AA (existing)
- 305/4151 Short section BB (existing)
- 305/4170 East street elevation (existing)
- 305/4171 West garden elevation (existing)
- 305/4172 North elevation (existing)
- 305/4173 South elevation (existing)
- 305/4200b Proposed basement
- 305/4201a Proposed upper ground floor
- 305/4202a Proposed first floor
- 305/4203a Proposed roof plan
- 305/4250a Long section AA (proposed)
- 305/4251a Short section BB (proposed)
- 305/4252 Long section CC (proposed)
- 305/4270 East street elevation (proposed)
- 305/4271 West garden elevation (proposed)
- 305/4272 South lateral elevation (proposed)
- 305/4273 North lateral elevation (proposed)

Documents

- Design and Access Statement (provided in 2 parts and dated 26th April 2017)
- Heritage Assessment (dated April 2017)
- Planning Statement (dated 2nd May 2017)
- ~~Structural Basement Report (Structural Engineering Report in support of BIA) Rev D (dated 14th April 2017)~~
- Basement Impact Assessment (amended, dated March 2017)
- Energy Statement (dated 21st March 2017)
- Construction Management Plan
- Arboricultural Assessment (dated February 2017)
- Letter from consulting engineer dated 14th July 2017

Signed on behalf of Appellant 	Signed on behalf of Local Planning Authority 
Date 30.1.19	Date 30.1.19
Position AGENT FOR APPELLANT.	Position SENIOR PLANNING OFFICER