

Application ref: 2019/0718/P  
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Date: 24 June 2019

**Development Management**  
Regeneration and Planning  
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Andris Berzins + Associates  
4 Dartmouth Park Road  
London  
NW5 1SY

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Householder Application Granted**

Address:  
**3 Lyncroft Gardens**  
**London**  
**NW6 1LB**

Proposal: Excavation and alterations to existing basement and installation of 1x front window at basement level to dwelling house (use C3)

Drawing Nos: 08-255: 01A; 02B; 03B; 05B; 06B; 07B; 09B; 10B; 11C; Design and Access Statement dated January 2019. Ground Investigation & Basement Impact Assessment by LMB Geosolutions Ltd dated February 2019. 18K01: 01B; B/04A. Basement Impact Assessment Audit Rev F1 (Project No: 12985-44) by Campbell Reith dated May 2019.

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 policies 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: 08-255: 01A; 02B; 03B; 05B; 06B; 07B; 09B; 10B; 11C; Design and Access Statement dated January 2019. Ground Investigation & Basement Impact Assessment by LMB Geosolutions Ltd dated February 2019. 18K01: 01B; B/04A. Basement Impact Assessment Audit Rev F1 (Project No: 12985-44) by Campbell Reith dated May 2019.

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

- 4 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 policies D1, D2(if in CA) and A5 of the London Borough of Camden Local Plan 2017.

#### Informative(s):

- 1 Reasons for granting permission:

The proposed development includes excavating the existing cellar by increasing its head height to provide a usable basement space with the installation of a front window to service the basement space.

The size and depth of the excavation is considered acceptable as it does not extend further beyond the footprint of the building and no lightwells are proposed in conjunction with the basement excavation. The excavation seeks to solely increase the head height of the existing basement/cellar for it to be a useable space.

The application was accompanied by a Basement Impact Assessment which was externally audited and it has been confirmed that the potential impacts from the basement construction have been identified and sufficient mitigation proposed. A condition secures further details of a suitable qualified engineer to

carry out the basement works.

In association with the basement works, the small timber framed white painted window would be installed at lower ground floor level at the front bay. Upon a survey of the street, there is no uniformity in the appearance of the bays at basement level with a mixture of full length windows, small windows and in some cases, the bay removed to make space for parking. As such, within the existing context, the installation of the window is considered acceptable and due to its positioning upon the bay would not be prominent when viewed along the street.

No trees would be removed or affected as part of the works as the excavation works are contained within the footprint of the existing basement.

The proposed development is considered to not impact upon the residential amenity of any adjoining occupiers. The basement works are modest and a minor external manifestation is proposed in relation to the basement works (the proposed window) which is very minimal in its scale.

Due to the minimal scale of the excavation and that there would be no excavation outside of the floorplate of the existing cellar, it is not considered that a construction management plan, approval in principle or highways contribution is required in this instance. This is following review by the Council's transport officer.

One objection was received which was duly noted. The application site's history and relevant appeal decision were taken into account when coming to this decision.

Considerable importance and weight has been paid to the desirability of preserving and enhancing the character and 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 (ERR) Act 2013.

As such, the proposed development is in general accordance with policies A1, A5, D1, D2 and T4 of the London Borough of Camden Plan 2017. The proposed development also accords with the London Plan 2016 and the National Planning Policy Framework 2019.

- 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.
- 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).

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 2019.

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, appearing to read 'DPope', is written over a light grey rectangular background.

Daniel Pope  
Chief Planning Officer