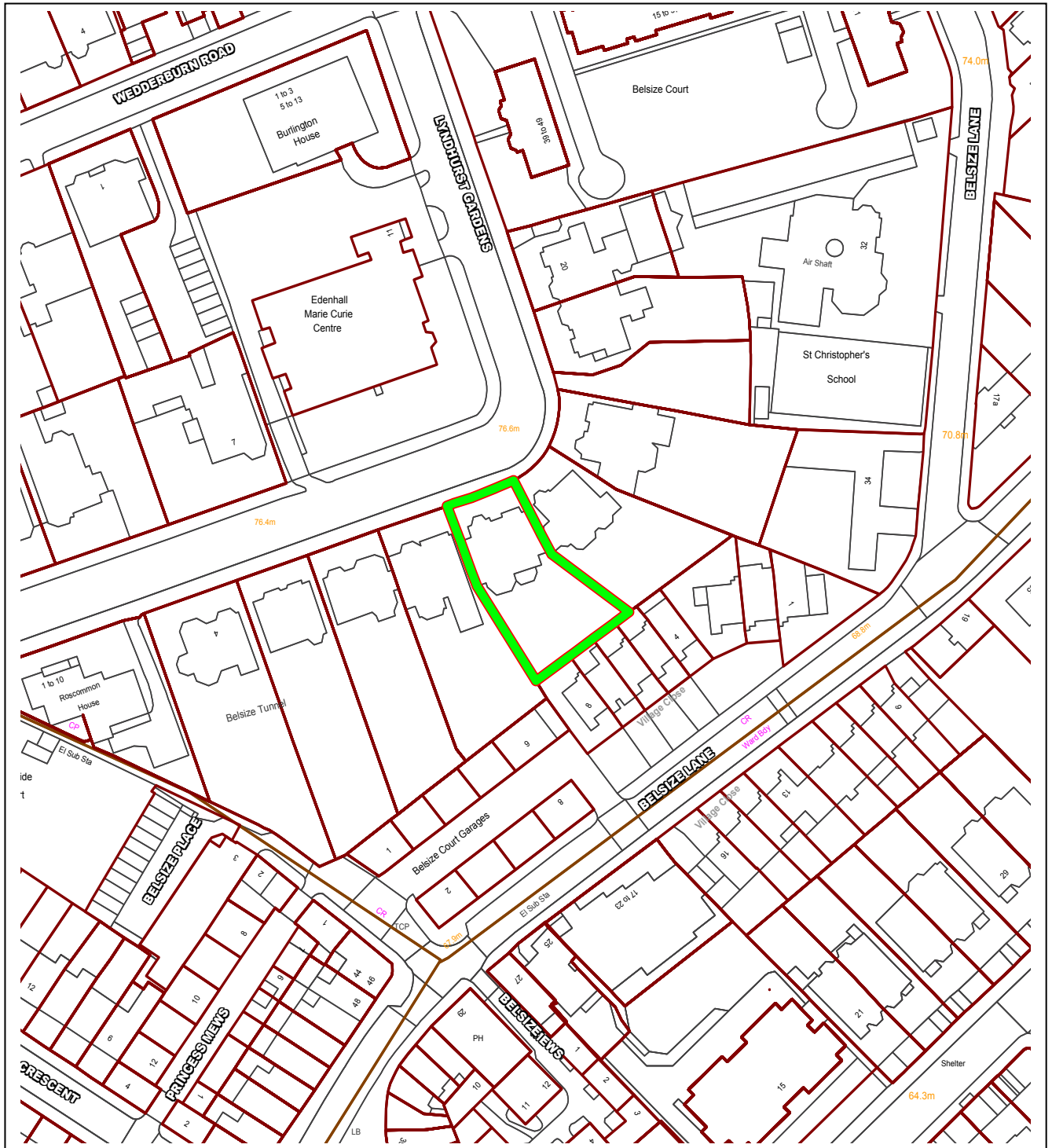


# 2019/3147/P - Flat 2, 12 Lyndhurst Gardens, London, NW3 5NR



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Existing Front Elevation





**View of the Front garden**





View of the existing side entrance



View of the front patio





View of the internal staircase



View of the internal staircase



View of the internal staircase





View of the existing Home office area at lower ground level



View of the existing Home office area at lower ground level





View of the existing lower ground floor hallway



View of the existing lower ground floor living area





View of the existing lower ground floor living area



View of the existing ground floor bedroom 02





View of the existing ground floor bedroom 01





*View of the rear elevation*



*View of the rear garden*





*View of the rear elevation from the garden*



<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>	<b>13/08/2019</b>
<b>(Members Briefing)</b>		N/A		<b>Consultation Expiry Date:</b>	<b>25/09/2019</b>
<b>Officer</b>				<b>Application Number(s)</b>	
Jaspreet Chana				1) 2019/3147/P 2) 2019/3290/L	
<b>Application Address</b>				<b>Drawing Numbers</b>	
Flat 2, 12 Lyndhurst Gardens London NW3 5NR				Please refer to draft decision notices	
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>		
<b>Proposal(s)</b>					
1) Single storey rear extension to replace existing single storey rear extension; two storey side extension to replace existing two storey side extension; creation of basement below new extensions and part of host building, with side lightwell; removal of upper ground floor bay window and replacement with 2x windows  2) Single storey rear extension to replace existing single storey rear extension; two storey side extension to replace existing two storey side extension; creation of basement below new extensions and part of host building, with side lightwell; removal of upper ground floor bay window and replacement with 2x windows; internal alterations to lower ground floor level					
<b>Recommendation(s):</b>		1) Grant conditional planning permission 2) Grant listed building consent			
<b>Application Type:</b>		1) Full Planning Permission 2) Listed Building Consent			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notices			
Informatives:				
Consultations				
Adjoining Occupiers:	No. of responses	02	No. of objections	01
Summary of consultation responses:	<p>Site notices were displayed on 02/07/2019 (expiry 26/07/2019) and notices were published in the press on 04/07/2019 (expiry 28/07/2019).</p> <p>1 letter of objection has been received. The comments are summarised as follows:</p> <ul style="list-style-type: none"><li>Contemporary response to the new extension is welcome but the height of the side extension is excessive and competes with the volume of the main building.</li><li>The extension will be visible from the road due to the bend in the road and will appear overbearing.</li><li>The rear extension, due to its orientation and turning away from the original rear bay extension, results in splitting the host building in two as it was semi-detached, which is contrary to its original form as a single family dwelling.</li></ul> <p>1 letter of support has been received. The comments are summarised as follows:</p> <ul style="list-style-type: none"><li>Well designed and sympathetic to the host building and the conservation area.</li><li>Much better use of the space.</li></ul> <p><u>Officer Response:</u></p> <ul style="list-style-type: none"><li><i>Please refer to sections 3 and 5 of the report below.</i></li></ul>			
Hampstead Conservation Area Advisory Committee (CAAC)	<p>The Hampstead CAAC objects on the following grounds:</p> <ol style="list-style-type: none"><li>Trees removal to be avoided – Pre-app seems to accept their removal – HCAAC would prefer their retention and ongoing proper maintenance or replacement by viable trees – semi-mature specimens if at all possible. While the DAS states trees will be retained, only one tree is shown on the proposed plan and that appears to be a neighbour’s tree TR3. “An arboriculture specialist has been involved to preserve the existing trees”</li><li>HCAAC agrees with the stated requirements of the latest Pre-app advice and asks for evidenced confirmation of the rear ground floor bay status and statement of its retention if indicated. The applicant states it is not original (evidence?) and it could be seen as not fitting the rear if it was.</li><li>The pre-app requirement for a limit on extension depth does seem to have been overtaken by recent legislation allowing 6m without consent if applicable within a CA. The applicant has made much of comparison with other approved schemes!</li><li>The area has a history of flooding and any proposal for a basement should deal thoroughly with measures to avoid groundwater obstruction and diversion which would exacerbate the already critical underground situation and likely surface flooding’ HCAAC considers</li></ol>			

the proposed basement is unnecessary given its necessarily limited extent and its less than essential contribution to the scope and space of the planned flat. This does appear to be an investment proposal rather than an existing family's need for additional space.

5. The DAS states there will be a deep planting base over the proposed basement although half of that area seems to be for hard landscaping. The extension's green roof will presumably be sedum-based which we believe does not support wildlife. Can this be changed if so?

Officer Response:

- *Please refer to sections 2, 3, 4 & 5 below.*



## Site Description

The application site is Flat 2, 12 Lyndhurst Terrace. The host building is a four storey, detached residential building on the southern side of the road, near to a bend in the road. Flat 2 occupies part of the lower ground and part of the upper ground floor levels of the building. The main entrance is at lower ground floor level, to the front of the building, accessed from a flight of stairs leading from street level. The garden to the rear slopes downwards, away from the building.

The host building is Grade II listed and dates from 1886. It features red and buff bricks with rubbed brick dressings and string courses and hoods, timber windows and a tiled roof. The application site is within the Fitzjohns Netherhall Conservation Area.

## Relevant History

### Flat 2, 12 Lyndhurst Gardens

**2014/4740/P:** Erection of single storey timber clad garden room in the rear garden in connection with existing use as a flat (Class C3). **Refused 30/10/2014. Appeal dismissed 30/10/2014.**

### 12 Lyndhurst Gardens

**2018/2351/L:** (Flat 1) Replacement of the lower ground floor windows and external doors to match existing. **Granted 29/08/2018.**

**LW9902765 & LW9902766:** Erection of a two storey rear extension, as a variation to the planning permission and listed building consent dated 9th August 1999 (Refs. PW9802389R2 & LW9802516R2) for conversion to five flats and erection of side and rear extensions. **Refused 09/11/1999.**

**PW9902734 & PW9902735:** Erection of a two storey rear extension, as a variation to the planning permission and listed building consent dated 9th August 1999 (Refs. PW9802389R2 & LW9802516R2) for conversion to five flats and erection of side and rear extensions. **Refused 09/11/1999.**

**PW9802389/ & LW9802516/:** Change of use from nursing home to 5 self-contained dwelling units, together with the erection of side and rear extensions on ground and first floors and new rear roof dormer, removal of fire escape staircase and lift motor room and associated internal and external alterations. **Granted 09/08/1999.**

**9005503:** Continued use as a residential home for the elderly. **Granted 24/01/1991.**

**8500255:** The erection of a new external staircase to act as a secondary means of escape. **Granted 04/04/1985.**

**10345:** The erection of a lift motor room on the roof and the making of other external alterations at 12 Lyndhurst Gardens, NW3. **Granted 03/03/1971.**

**6946:** Change of use from guest house to residential polyclinic and treatment centre at 12 Lyndhurst Gardens, Camden. **Refused 19/06/1969.**

## **Relevant policies**

**National Planning Policy Framework (2019)**

**London Plan (2016)**

**The London Plan Intend to Publish (2019)**

**Camden Local Plan (2017)**

A1 Managing the impact of development

A3 Biodiversity

A4 Noise and vibration

A5 Basements

CC2 Adapting to climate change

CC3 Water and flooding

D1 Design

D2 Heritage

T4 Sustainable movement of goods and materials

**Camden Planning Guidance**

CPG Altering and extending your home (2019)

CPG Design (2019)

CPG Amenity (2018)

CPG Basements (2018)

CPG Biodiversity (2018)

CPG Transport (2019)

CPG Trees 2019

CPG Water and flooding (2019)

**Fitzjohns/Netherhall Conservation Area statement (2001)**

## Assessment

### 1. Proposal

#### 1.1 Planning permission is sought for the following:

- Single storey rear extension to replace existing single storey rear extension
- Two storey side extension to replace existing two storey side extension (smaller footprint)
- Creation of basement below new extensions and part of host building, with side lightwell
- Removal of upper ground floor bay window and replacement with 2x windows

#### 1.2 Listed building consent is sought for the above works, plus the following:

- Internal alterations to lower ground floor level
- Demolition of internal partitions
- Erection of new internal partitions / wall
- New joinery etc.

#### 1.3 Revisions

#### 1.4 The following revisions were made during the course of the application:

- The number of proposed rear windows at upper ground floor level has changed from 3 to 2 following negotiation with the Council's Conservation Officer.

#### 1.5 Planning considerations

#### 1.6 The principal considerations material to the determination of this application are summarised as follows:

- Heritage and design
- Trees and landscaping
- Impact on neighbours
- Basement
- Transport considerations

### 2. Heritage and design

2.1 The application building is grade II listed, and the Council has a statutory duty to have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses, under s.66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

2.2 The application site is within the Fitzjohns / Netherhall Conservation Area, wherein the Council has a statutory duty to pay special attention 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 (ERR) 2013.

#### Single storey rear extension

2.3 The existing single storey rear extension extends out from the rear of the host building by up to 2.2 metres and measures 5.4 metres wide. It abuts the shared boundary with the neighbouring garden (Flat 1) and sits below the bay window feature at upper ground floor level. The proposed replacement single storey rear extension would extend out from the host building by 6 metres and would measure 4.6 metres wide and 2.8 metres tall. It would be set away from the shared boundary by 0.7 metres. The existing bay window feature would be removed. This is discussed in detail in paragraphs 2.20-2.22 below.



- 2.4 Although the replacement rear extension would be larger than the existing, it would be highly contemporary in style and appearance and would thus read as a later addition to the building more successfully than the existing extension. Furthermore, given the large scale of the host building, the proposed extension would appear as a subordinate addition to the host building.
- 2.5 The extension would feature a green roof above, which would improve its appearance when viewed from above, whilst also contributing to biodiversity in the area.
- 2.6 It is considered that the listed building is significant in historic, aesthetic and evidential terms (i.e. due to its age, its attractive architectural character and appearance and detailing and its historic fabric). However, it is worth noting that the building has undergone significant changes in its lifetime and the original plan form has been much altered. It is not considered that the proposed rear extension would cause harm to the significance of the host building as it would not detract from its appearance, or involve a loss of historic fabric.
- 2.7 The Fitzjohns Netherhall Conservation Area is considered to be significant due to its character, which is described in the relevant Conservation Area Statement as: “...*substantially scaled properties and generous grounds to create an imposing district*”. The statement also refers the range of architectural styles in the area and the level of detailing on individual buildings. It is not considered that the proposed rear extension would cause harm to the significance of the Fitzjohns / Netherhall Conservation Area as it would not detract from the generously scaled host building or its detailing. Furthermore, this part of the proposal would not be visually prominent within the public realm and it is noted from planning history that other examples of similarly designed modern extensions have been approved at neighbouring properties along this street.

#### Two storey side extension

- 2.8 The existing two storey side extension is set back from the front elevation of the host building by 2.2 metres and it extends along the shared boundary line with No. 14 Lyndhurst Gardens for approximately 10 metres. The shared boundary line is not perpendicular to the host building (as the building is located near to a bend in the road), which gives the side extension an irregular footprint which is narrow at the front and wide at the rear. At most, the side extension measures 3 metres wide. The side extension measures up to 6.2 metres tall. Although it is two storeys tall, the upper storey has a pitched roof and the rooms are located within the sloping roofspace.
- 2.9 The proposed replacement side extension would be set back from the front elevation of the host building by 5.5 metres and would extend back along the shared boundary with no.14 by approximately 5 metres. It would also measure up to 6.2 metres tall above ground level, with a pitched roof. It would measure up to 2.4 metres wide. On the basis that the replacement side extension is set further back from the front elevation of the host building, thereby reducing its prominence in the streetscene, and has a much smaller footprint (5 metres front to back instead of 10 metres) it is considered to be acceptable in terms of its impact on the character and appearance of the host building and wider area.
- 2.10 It is not considered that the proposed side extension would cause harm to the significance of the listed building nor the conservation area. This is because the extension would not detract from the character and appearance of the building, nor involve a loss of historic fabric, and although this part of the extension would be partly visible in the streetscene along Lyndhurst Gardens, it would not detract from the sense of scale and grandeur of the host building and neither would it impact on its architectural detailing.

#### Basement and lightwell

- 2.11 Policy A5 of the Local Plan relates specifically to basements and discourages basement proposals which would cause harm to:
- c. *the character and amenity of the area;*
  - d. *the architectural character of the building; and*

*e. the significance of heritage assets*

- 2.12 The proposed basement would extend under part of the host building and would also extend out to the rear and side of the host building. The basement would extend out to the rear by the same extent as the proposed single storey rear extension above ground (6 metres) and it would extend out to the side by the same extent as the proposed side extension above ground (up to 2.4 metres). There would be a lightwell to the side of the host building, located at the rear of the replacement two storey side extension, which would measure 4.2 metres front to back and between 2.4 and 3.1 metres wide (due to its irregular footprint as a result of its location on the shared boundary with No. 14).
- 2.13 The proposed basement would not manifest itself above ground except by way of the lightwell. The lightwell would feature full height glazing to facilitate natural light and ventilation at basement level.
- 2.14 The proposed lightwell would be visible in private views from the host property and the flats on the floors above; it would not be visually prominent from within the public realm. Officers consider that the lightwell would represent a discreet and modest addition to the host building that would not detract from the character and appearance of the host building or the wider area.
- 2.15 The addition of a level beneath the original lowest floor level of a listed building (basement, cellar, or vault) may affect the hierarchy and historic integrity of the floor levels within the building. The development of a basement beneath a listed building can also necessitate the removal of significant parts of the original structure and fabric of the building. In this case, although the proposed basement introduces an additional level below the host building, as the host building has been significantly altered over time, particularly as a result of its sub-division to 5 flats, and it is not considered that creating the basement would cause undue harm to the special architectural and historic interest of the host building sufficient to warrant a refusal of the application on this basis.
- 2.16 As such, it is not considered that the proposed basement and lightwell would cause harm to the significance of the listed building or the conservation area, in accordance with policies D1, D2 and A5 of the Local Plan.
- 2.17 Policy A5 goes on to set out specific criteria against which to assess basement development. It notes that basement development should:

***f. not comprise of more than one storey;***

The basement would be single storey in depth.

***g. not be built under an existing basement;***

The basement would not be constructed beneath an existing basement.

***h. not exceed 50% of each garden within the property;***

The garden of the property is approximately 225sqm and the proposed basement would occupy approximately 69sqm this would be 31% of the rear garden and therefore complies with the above criteria.

***i. be less than 1.5 times the footprint of the host building in area;***

The total floor space of the building as existing is approximately 120sqm and the proposed basement extension would be 100sqm and so would be less than 1.5 times the footprint of the existing building.

***j. extend into the garden no further than 50% of the depth of the host building measured from the principal rear elevation;***

The depth of the host building would be 12m of which 50% would be 6m. The proposed basement would extend into the garden to a maximum depth of 6m and therefore would comply with the above criteria.

The subject garden has a maximum depth of 20m, 50% of which would be 10m, the proposed basement beneath the rear garden would extend into the garden by 6m.

The basement extension would be set in 1m from both side boundaries with Nos.10 and 14 Lyndhurst Gardens.

Please see section 4 trees and landscaping below.

- ### Removal of upper ground floor bay window and replacement with 2x windows

- 
- Architectural drawing of the existing rear elevation of a three-story building. The drawing shows a complex facade with multiple windows, doors, and a central chimney. Annotations include "EXISTING REAR ELEVATION" at the bottom, "EXISTING CHIMNEY" pointing to a chimney on the left, and "EXISTING DOOR" pointing to a door on the right. The drawing is a black and white line drawing with various dimensions and labels.

- 2.22 On the basis that the bay window is non-original, it is not considered that the proposed removal



of the bay window and its replacement with two windows would cause harm to the significance of the listed building or the conservation area.

#### Internal alterations

- 2.23 As noted, the host building has undergone significant changes over time, particularly as it has been subdivided into 5 flats, and much of the lower and upper ground floor floorplans are not original. Insofar as the proposals would seek to partially reinstate some of the original historic plan form, the proposals are welcomed in listed building terms and it is not considered that the proposed works would impact on the significance of the listed building.
- 2.24 Suitable planning conditions are suggested to ensure that the works are carried out to an appropriate high standard and would be added to the listed building consent permission.
- 2.25 Overall, the proposed works are considered acceptable in terms of their design and impact on the listed building and wider conservation area.

### **3.0 Trees and landscaping**

- 3.1 Policy D1 of the Local Plan requires development which incorporates high quality landscape design and maximises opportunities for greening, for example through planting of trees and other soft landscaping. Policy A3 of the Local Plan seeks to protect and secure additional trees and vegetation. The policy notes that the Council will resist the loss of trees and vegetation of significant amenity, historic, cultural or ecological value including proposals which may threaten the continued wellbeing of such trees and vegetation. The Council will also require trees and vegetation which are to be retained to be satisfactorily protected during the demolition and construction phase of development.
- 3.2 Policy A5 of the Local Plan requires applicants to demonstrate that proposals for basements:
- (r) provide satisfactory landscaping, including adequate soil depth;*
  - (u) do not prejudice the ability of the garden to support trees where they are part of the character of the area*
- 3.3 The application is accompanied by an Arboricultural Survey and Impact Assessment (dated April 2019), which assesses the impact on 4x trees (T1-T4). Trees T1 and T3 are protected by TPOs. Tree T3 is in a neighbouring property's garden (No. 14), tree T4 is located to the front of the host building and trees T1 and T2 are at the rear. Tree T4 is identified as a Category B tree (i.e. of moderate quality with an estimated remaining life expectancy of at least 20 years) and trees T1, T2 and T3 have been identified as Category C trees (i.e. of low quality with an estimated remaining life expectancy of at least 10 years or young trees with a stem diameter below 150mm).
- 3.4 The scheme involves the removal of a sycamore tree and an ash tree (both category C in line with BS5837:2012) from the rear garden of the property. The sycamore tree is in poor structural condition and has a much reduced safe useful life as a result. The ash tree is subject to a TPO (served in 1973); however it is not a noteworthy example of its species and is no longer considered to be of sufficient quality to justify the designation.
- 3.5 The Council's Tree Officer has reviewed the Arboricultural Survey and Impact Assessment and considers that the loss of amenity and canopy cover provided by both trees would be mitigated against via the replacement planting of three new trees; one in the front garden and two in the rear garden. The species have been selected by the Council and are considered appropriate replacements.
- 3.6 Suitable conditions are recommended to ensure the submission of tree protection and replanting details (replanting) and a further condition is suggested to ensure that full details of the proposed green roof are submitted to and approved in writing by the local planning authority prior to the

commencement of development.

#### **4.0 Impact on neighbours**

- 4.1 Policy A1 of the Local Plan seeks to protect the quality of life of occupiers and neighbours. The factors to consider include: visual privacy and outlook; sunlight, daylight and overshadowing; artificial light levels; noise and vibration; Policy A4 seeks to ensure that noise and vibration is controlled and managed and Policy A5 (q) of the Local Plan requires applicants to demonstrate that proposals for basements do not harm the amenity of neighbours.
- 4.2 The main properties that are likely to be affected are the other flats at No. 12 Lyndhurst Gardens and properties at No. 14 Lyndhurst Gardens.
- 4.3 It is not considered that the proposed single storey rear extension would cause undue harm. Although it would be longer than the rear extension it would replace, it would be set away from the shared boundary with Flat 1 (by 1m metres) and would not feature windows on the side elevation facing Flat 1. Flat 1 would still benefit from a good outlook to the rear and as the rear of the host building is south-facing, there is unlikely to be an impact on sunlight and daylight at the neighbouring properties.
- 4.4 It is not considered that the proposed two storey side extension would cause undue harm, particularly as it is smaller in bulk and massing than the existing extension it would replace.
- 4.5 It is not considered that the proposed basement and lightwell would cause undue harm. The basement would only manifest itself by way of the lightwell and although the lightwell is located on the shared boundary with No. 14, it would be below-ground level and screened from view by the intervening boundary treatment. Furthermore, the use of the lightwell is not likely to be any more harmful than the use of the existing outdoor space at the rear of the host property.
- 4.6 The removal of the upper ground floor bay window and its replacement with 2x windows is not considered to cause undue harm. In fact, the level of overlooking is likely to be reduced. A condition to prohibit the use of the flat roof of the proposed rear extension as a terrace is also recommended to prevent loss of privacy to neighbouring residents through overlooking into neighbouring habitable windows.
- 4.7 Overall, the proposal is considered to be acceptable in this respect.

#### **5.0 Basement**

- 5.1 Policy A5 of the Local Plan notes that the Council will only permit basement development where it is demonstrated to its satisfaction that the proposal would not cause harm to:
- a. neighbouring properties;*
  - b. the structural, ground, or water conditions of the area;*
- 5.2 The policy goes on to note that applicants will need to demonstrate that proposals for basements:
- n. do not harm neighbouring properties, including requiring the provision of a Basement Impact Assessment which shows that the scheme poses a risk of damage to neighbouring properties no higher than Burland Scale 1 'very slight';*
  - o. avoid adversely affecting drainage and run-off or causing other damage to the water environment;*
  - p. avoid cumulative impacts*
- 5.3 In determining proposals for basements and other underground development, policy A5 notes that the Council will require an assessment of the scheme's impact on drainage, flooding, groundwater conditions and structural stability in the form of a Basement Impact Assessment (BIA). The application is accompanied by a BIA, which has been independently audited by

Campbell Reith, in line with the requirements of CPG Basements. The BIA screening exercise identified potential issues that were carried forward to scoping. Subsequent to the issue of the initial audit, additional information was provided by the applicant.

5.4 Campbell Reith conclude that the BIA adequately identifies the potential impacts from the basement proposals and provides suitable mitigation. The audit report stated the following:

- *The basement will be formed by single stage underpinning. Temporary and structural information has been provided.*
- *A site investigation has confirmed that the proposed basement will be founded within the London Clay. Interpretative geo-technical parameters are presented.*
- *A revised damage category assessment is presented indicating damage to neighbouring structures will be a maximum of Burland category 1 (Very Slight).*
- *The updated structural monitoring strategy has been provided. Monitoring and visual inspection should be implemented to ensure close control of the works.*
- *SUDs strategies are proposed to mitigate the impact to the wider hydrological environment.*
- *A flood risk assessment and appropriate mitigation measures are presented.*
- *It is accepted that the development will not impact on the wider hydrogeology or hydrology of the area.*

5.5 Given the above it is considered that the BIA and additional information submitted meets the requirements of the CPG Basements and policy A5 of Camden Local Plan 2017.

5.6 A suitably worded condition would be applied to the permission to ensure that the works are carried out in accordance with the methods outlined in the BIA. A further condition would be recommended to ensure that a suitably qualified engineer is appointed to oversee the works.

5.7 Network Rail was consulted on the scheme as national railway tunnels run beneath/in close proximity to the development. No response was received, however an informative has been added advising the applicant to consult Network Rail in good time prior to the commencement of excavation works, and to work with national rail engineers throughout the construction process.

## **6.0 Transport considerations**

6.1 Policy T4 of the Local Plan promotes the sustainable movement of goods and materials and seeks to minimise the movement of goods and materials by road, and Policy A4 seeks to minimise the impact on local amenity from the demolition and construction phases of development.

6.2 The proposal would involve the excavation and removal of materials for the basement extension and would generate vehicle movements to and from the site. The Council's Transport Officer has considered this application and has concluded that neither a Construction Management Plan nor a highways contribution would be necessary given the minor scale of the proposed development. However, the Transport Officer has confirmed that contractors working at the site are likely to require a parking bay suspension, building licences and a skip licence. Details on how to obtain these licences can be found on the Council's website.

## **7.0 Recommendation:**

1. Grand conditional planning permission
2. Grant listed building consent

***The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 2<sup>nd</sup> November 2020, 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: 2019/3147/P  
Contact: Jaspreet Chana  
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NW3 4UH

# DRAFT

Dear Sir/Madam

## DECISION

Town and Country Planning Act 1990 (as amended)

### Full Planning Permission Granted

Address:

**Flat 2, 12 Lyndhurst Gardens  
London  
NW3 5NR**

Proposal: Single storey rear extension to replace existing single storey rear extension; two storey side extension to replace existing two storey side extension (smaller footprint); creation of basement below new extensions and part of host building, with side lightwell; removal of upper ground floor bay window and replacement with 2x windows.

Drawing Nos: A1001, A1002, A1003, A1004, A1005, A1006, A1007, A1008, A1009, A1010, A4001, A4002, A4003, A4004, A4005, A4006, A4007, A4008, A4009, A4010, A4011, A2001 Rev 05, A2002 Rev 05, A2003 Rev 05, A2004 Rev 05, A2005 Rev 05, A2006 Rev 05, A2007 Rev 05, A2008 Rev 05, A2009 Rev 05, A2010 Rev 05, A2011 Rev 05, A2012 Rev 05, A2013 Rev 05, A2014 Rev 05, A2015 Rev 05, A2016 Rev 05, A2017 Rev 05, Design and Access Statement, Heritage Statement 4480A, Basement Impact Assessment Rev F including Structural Engineers Statement and Calculations; Ground Investigation Report May 2019; Ground Movement Assessment (Rev 1) June 2019; SuDs Strategy (Rev A) May 2019, Arbicultural Survey & Impact Assessment (BS5837:2012), Replacement Tree Planting Specification\_12 Lyndhurst Gardens\_300920, Basement Impact Assessment Audit Rev F1 July 2020.

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: A1001, A1002, A1003, A1004, A1005, A1006, A1007, A1008, A1009, A1010, A4001, A4002, A4003, A4004, A4005, A4006, A4007, A4008, A4009, A4010, A4011, A2001 Rev 05, A2002 Rev 05, A2003 Rev 05, A2004 Rev 05, A2005 Rev 05, A2006 Rev 05, A2007 Rev 05, A2008 Rev 05, A2009 Rev 05, A2010 Rev 05, A2011 Rev 05, A2012 Rev 05, A2013 Rev 05, A2014 Rev 05, A2015 Rev 05, A2016 Rev 05, A2017 Rev 05, Design and Access Statement, Heritage Statement 4480A, Basement Impact Assessment Rev F including Structural Engineers Statement and Calculations; Ground Investigation Report May 2019; Ground Movement Assessment (Rev 1) June 2019; SuDs Strategy (Rev A) May 2019, Arbicultural Survey & Impact Assessment (BS5837:2012), Replacement Tree Planting Specification\_12 Lyndhurst Gardens\_300920, Basement Impact Assessment Audit Rev F1 July 2020.

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

- 4 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 local planning authority 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 policies A2 and A3 of the London Borough of Camden Local Plan 2017.

- 5 Prior to commencement of development, full details in respect of the living roof in the area indicated on the approved roof plan shall be submitted to and approved by the local planning authority. The details shall include
  - i. a detailed scheme of maintenance
  - ii. sections at a scale of 1:20 with manufacturers details demonstrating the construction and materials used
  - iii. full details of planting species and density

The living roofs shall be fully provided in accordance with the approved details prior to first occupation and thereafter retained and maintained in accordance with the approved scheme.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies G1, CC1, CC2, CC3, D1, D2 and A3 of the London Borough of Camden Local Plan 2017.

- 6 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 and A5 of the London Borough of Camden Local Plan 2017.

- 7 The basement shall be constructed in accordance with the details, recommendations, methodologies and mitigation measures in the Basement Impact Assessment Revision F by Symmetrys Ltd dated 16/03/2020, and its supporting documents hereby approved.

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 and A5 of the London Borough of Camden Local Plan 2017.

- 8 No flat roofs within the development shall be used as terraces unless marked as such on the approved plans, without the prior express approval in writing of the Local Planning Authority.

Reason: To safeguard the amenities of the future occupiers and adjoining neighbours in accordance with the requirements of policy A1 of the Camden Local Plan.

- 9 No development shall take place until full details of hard and soft landscaping and means of enclosure of all un-built, open areas have been submitted to and approved by the local planning authority in writing. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Reason: To ensure that the development achieves a high quality of landscaping which contributes to the visual amenity and character of the area in accordance

with the requirements of policies A2, A3, A5, D1 and D2 of the London Borough of Camden Local Plan 2017.

- 10 All hard and soft landscaping works shall be carried out in accordance with the approved landscape details by not later than the end of the planting season following completion of the development or any phase of the development, or prior to the occupation for the permitted use of the development or any phase of the development, whichever is the sooner. Any trees or areas of planting (including trees existing at the outset of the development other than those indicated to be removed) which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced as soon as is reasonably possible and, in any case, by not later than the end of the following planting season, with others of similar size and species, unless the local planning authority gives written consent to any variation.

Reason: To ensure that the landscaping is carried out within a reasonable period and to maintain a high quality of visual amenity in the scheme in accordance with the requirements of policies A2, A3, A5, 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.
- 3 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team London Borough of Camden 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444) . Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.
- 4 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website at



<https://beta.camden.gov.uk/documents/20142/1269042/Camden+Minimum+Requirements+%281%29.pdf/bb2cd0a2-88b1-aa6d-61f9-525ca0f71319>  
or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

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 must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

- 5 You must carry out basement excavation work only: between 08.00 and 18.00 Monday to Friday; and not at all on Saturdays, Sundays, bank holidays and public holidays.
- 6 At least 21 days prior to the commencement of any site works, all occupiers surrounding the site should be notified in writing of the nature and duration of works to be undertaken. The name and contact details of a person responsible for the site works should be made available for enquiries and complaints for the entire duration of the works and updates of work should be provided regularly. Any complaints should be properly addressed as quickly as possible.
- 7 You are advised that railway tunnels run in close proximity of the development hereby approved, and you should contact Network Rail in good time prior to commencing any underground works, and continue to work with Network Rail engineers throughout the construction process. You can contact Network Rail at [TownPlanningSouthern@NetworkRail.co.uk](mailto:TownPlanningSouthern@NetworkRail.co.uk)

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

Director of Economy, Regeneration and Investment

Application ref: 2019/3290/L  
Contact: Jaspreet Chana  
Tel: 020 7974 1544  
Email: [Jaspreet.Chana@camden.gov.uk](mailto:Jaspreet.Chana@camden.gov.uk)  
Date: 5 October 2020

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

Phone: 020 7974 4444

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

LBMVarchitects  
27 Elizabeth Mews  
London  
Nw3 4UH

# DRAFT

Dear Sir/Madam

## DECISION

Planning (Listed Building and Conservation Areas) Act 1990

### Listed Building Consent Granted

Address:  
**Flat 2, 12 Lyndhurst Gardens**  
**London**  
**NW3 5NR**

# DECISION

Proposal: Single storey rear extension to replace existing single storey rear extension; two storey side extension to replace existing two storey side extension (smaller footprint); creation of basement below new extensions and part of host building, with side lightwell; removal of upper ground floor bay window and replacement with 2x windows; internal alterations to lower ground floor level.

Drawing Nos: A1001, A1002, A1003, A1004, A1005, A1006, A1007, A1008, A1009, A1010, A4001, A4002, A4003, A4004, A4005, A4006, A4007, A4008, A4009, A4010, A4011, A2001 Rev 05, A2002 Rev 05, A2003 Rev 05, A2004 Rev 05, A2005 Rev 05, A2006 Rev 05, A2007 Rev 05, A2008 Rev 05, A2009 Rev 05, A2010 Rev 05, A2011 Rev 05, A2012 Rev 05, A2013 Rev 05, A2014 Rev 05, A2015 Rev 05, A2016 Rev 05, A2017 Rev 05, Design and Access Statement, Heritage Statement 4480A, Basement Impact Assessment Rev F including Structural Engineers Statement and Calculations; Ground Investigation Report May 2019; Ground Movement Assessment (Rev 1) June 2019; SuDs Strategy (Rev A) May 2019, Arbicultural Survey & Impact Assessment (BS5837:2012), Replacement Tree Planting Specification\_12 Lyndhurst Gardens\_300920, Basement Impact Assessment Audit Rev F1 July 2020.

The Council has considered your application and decided to grant subject to the following condition(s):

Conditions And Reasons:

- 1 The works hereby permitted shall be begun not later than the end of three years from the date of this consent.

Reason: In order to comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: A1001, A1002, A1003, A1004, A1005, A1006, A1007, A1008, A1009, A1010, A4001, A4002, A4003, A4004, A4005, A4006, A4007, A4008, A4009, A4010, A4011, A2001 Rev 05, A2002 Rev 05, A2003 Rev 05, A2004 Rev 05, A2005 Rev 05, A2006 Rev 05, A2007 Rev 05, A2008 Rev 05, A2009 Rev 05, A2010 Rev 05, A2011 Rev 05, A2012 Rev 05, A2013 Rev 05, A2014 Rev 05, A2015 Rev 05, A2016 Rev 05, A2017 Rev 05, Design and Access Statement, Heritage Statement 4480A, Basement Impact Assessment Rev F including Structural Engineers Statement and Calculations; Ground Investigation Report May 2019; Ground Movement Assessment (Rev 1) June 2019; SuDs Strategy (Rev A) May 2019, Arbicultural Survey & Impact Assessment (BS5837:2012), Replacement Tree Planting Specification\_12 Lyndhurst Gardens\_300920, Basement Impact Assessment Audit Rev F1 July 2020.

Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of policy D2 of the Camden Local Plan 2017.

- 3 All new work and work of making good shall be carried out to match the existing adjacent work as closely as possible in materials and detailed execution.

Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of policy D2 of the Camden Local Plan 2017.

- 4 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 before the relevant part of the work is begun:

- a) Typical details of new railings to go around lightwell at a scale of 1:10, including materials, finish and method of fixing.
- b) Plan, elevations.sections and manufacturing details, including jambs, head and cill, of all new window and door openings.
- c) Plan, elevation and section drawings of all new windows at a scale of 1:10 with typical glazing bar details at 1:1.
- d) Samples and/or manufacturer's details of new facing materials.
- e) Details on construction of rear and side extensions, including roof, walls, junctions with existing building and include roof finish, solid wall finishes, glazing details. Plans, sections, elevations at a minimum scale of 1:20 with full annotated details at a scale of 1:1 / 1:2.

Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of policy D2 of the 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 You are advised that any works of alterations or upgrading not included on the approved drawings which are required to satisfy Building Regulations or Fire Certification may require a further application for listed building consent.
- 3 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.
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- 5 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website at <https://beta.camden.gov.uk/documents/20142/1269042/Camden+Minimum+Requirements+%281%29.pdf/bb2cd0a2-88b1-aa6d-61f9-525ca0f71319> or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

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 must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.



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

Director of Economy, Regeneration and Investment

**DRAFT**

**DECISION**