

Application ref: 2020/3169/P
Contact: Nathaniel Young
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Date: 11 May 2021

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

Phone: 020 7974 4444

planning@camden.gov.uk
www.camden.gov.uk/planning

Whymark & Moulton Chartered Surveyors
14 Cornard Road
Sudbury
Suffolk
CO10 2XA

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:
11 Lyndhurst Road
London
NW3 5PX

Proposal:
Demolition and replacement of side boundary wall in front garden.
Drawing Nos: 15/039-08, 15/039-09, Photo document by Whymark Moulton Ltd,
Arboricultural method statement ref: AMS/MF/022/21

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 wall, 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 and policies DH1 and DH2 of the Hampstead Neighbourhood Plan 2018.

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

15/039-08, 15/039-09, Photo document by Whymark Moulton Ltd,
Arboricultural method statement ref: AMS/MF/022/21

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

- 4 Prior to the commencement of works on site, tree protection measures shall be installed and working practices adopted in accordance with the arboricultural report by Marcus Foster Arboricultural Design and Consultancy dated February 2021 ref: AMS/MF/022/21. 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 BS5837:2012 and with the approved protection details. The project arboriculturalist shall supervise and monitor the works in accordance with the approved arboricultural report.

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 Camden Local Plan and policy NE2 of the Hampstead Neighbourhood Plan 2018.

Informative(s):

- 1 Reasons for granting permission:

The proposed replacement boundary wall would replicate the existing one in height and design. It is considered to be acceptable in terms of design. The design, scale, siting and materials of the replacement wall would be in keeping with the character and appearance of the host property and wider conservation area, and as such the character and appearance of conservation area would remain preserved.

There would be no detrimental impact to residential amenity as the replacement wall would be of a similar scale, siting and materiality as the existing.

The Council's tree and landscaping officer has reviewed the submitted arboricultural method statement and is satisfied that the proposal is acceptable and would cause no significant harm. Compliance with the submitted arboricultural method statement is to be secured by way of a condition.

Four support comments were received. It was requested that the existing tree be removed to prevent future damage. However the subject tree is protected by a Tree Preservation Order (TPO) and cannot be removed. The site's planning history and relevant appeal decisions were taken into account when

coming to this decision.

Special regard has been attached to the desirability of preserving or enhancing 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.

As such, the proposal is in general accordance with Policies D1, D2, A1 and A3 of the Camden Local Plan 2017 and Policies NE2, DH1 and DH2 of the Hampstead Neighbourhood Plan 2018. The proposed development also accords with the policies of the London Plan 2021 and National Planning Policy Framework.

- 2 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, 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.
- 3 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website (search for 'Camden Minimum Requirements' at www.camden.gov.uk) 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.

- 4 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 centered within a light gray rectangular box.

Daniel Pope
Chief Planning Officer