

Application ref: 2021/1643/P
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Date: 6 July 2021

Development Management
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HGH Consulting
45 Welbeck Street
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Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Granted

Address:
21 Lyndhurst Road
London
NW3 5NX

Proposal:
Erection of a pergola, bike and storage sheds and associated hard and soft landscaping works within rear garden.

Drawing Nos: Location plan (OS 1), Existing ground floor/site plan, 5181-PL-01 C, Design, Access & Heritage Statement, Arboricultural Method Statement dated 18.6.21 by Mazzullo & Russell and Tree Protection Plan dated June 2021

The Council has considered your application and decided to grant permission subject to the following conditions:

Conditions and Reasons:

- 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 The development hereby permitted shall be carried out in accordance with the

following approved plans:

Location plan (OS 1), Existing ground floor/site plan, 5181-PL-01 C, Design, Access & Heritage Statement, Arboricultural Method Statement dated 18.6.21 by Mazzullo & Russell and Tree Protection Plan dated June 2021.

Reason:

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

- 3 Prior to the commencement of any works on site, tree protection measures as set out in the approved documents Arboricultural Method Statement dated 18.6.21 by Mazzullo & Russell and Tree Protection Plan dated June 2021 shall be installed. Such details shall follow the 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.

Informatives:

- 1 Reasons for granting permission:

21 Lyndhurst Road is one of a terrace of three (nos. 19, 20 & 21) Grade II Listed buildings located on the south side of Lyndhurst Road. The site and the surrounding area is in the Fitzjohn's/Netherhall Conservation Area.

The existing site has a rear patio, lawn with trees and a shed at the rear. The rear garden is not included in the statutory listing.

The 2.5m high pergola located along the side boundary with No.20 and 2m high (2.4 sq m) bike shed and storage shed at the rear of the site would be sited at least 4.5m from the listed house and of natural timber construction which is acceptable. All structures are modest in scale and proportionate to the rear garden and they retain sufficient usable garden space. There will be no views from the public realm and it is noted that there is a high hedge to the side boundary with No.20 Lyndhurst Road and a 2.3m high fence to the rear, which will screen the development from the neighbouring properties. The landscaping is considered appropriate in this setting.

The development in terms of its scale, siting and detailed design is not considered to harm the character, appearance or setting of the listed house, streetscene or Conservation Area. The Council's Conservation Team has raised no objection.

An arboricultural report, tree protection plan and landscaping details have been

submitted and reviewed by the Council's Tree Team who raised no objection subject to a condition to ensure that tree protection measures are installed.

Special regard has been attached to the desirability of preserving the listed building, its setting and its features of special architectural or historic interest, under s.66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

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.

Given the existing boundary screening present in the rear garden and the siting/height of the development, it is not considered to have a detrimental impact on neighbouring properties' amenity in terms of loss of light, privacy or a sense of enclosure.

The planning history of the site has been taken into account when coming to this decision.

As such, the proposed development is in general accordance with policies A1, A2, A3, CC2, D1 and D2 of the Camden Local Plan 2017. The proposed development also accords with the London Plan 2021 and the National Planning Policy Framework 2019.

- 2 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).
- 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, 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 (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.

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 positioned above the printed name and title.

Daniel Pope
Chief Planning Officer