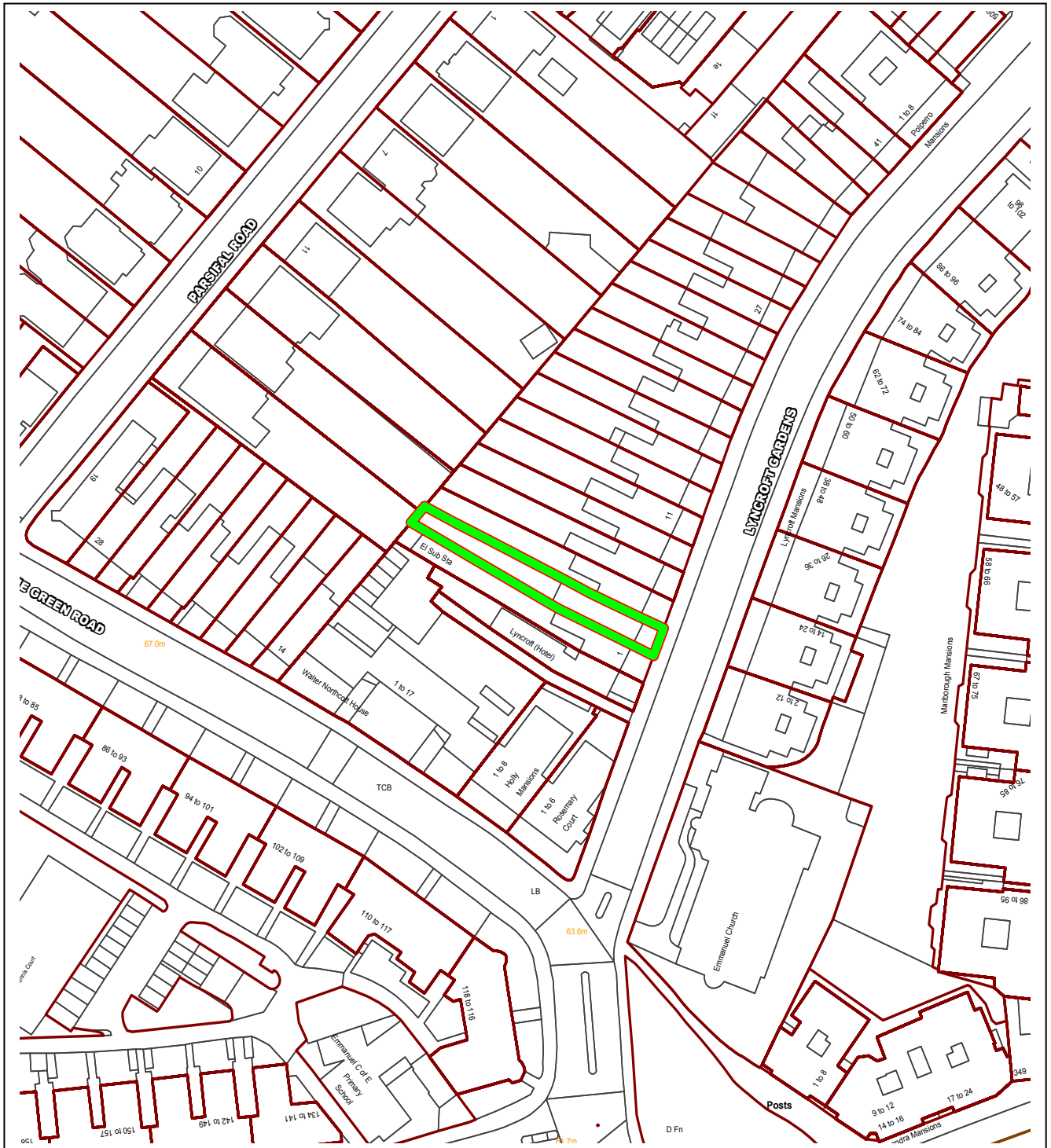


# 2020/4556/P - 3 Lyncroft Gardens



This material has been reproduced from Ordnance Survey digital map data with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright.

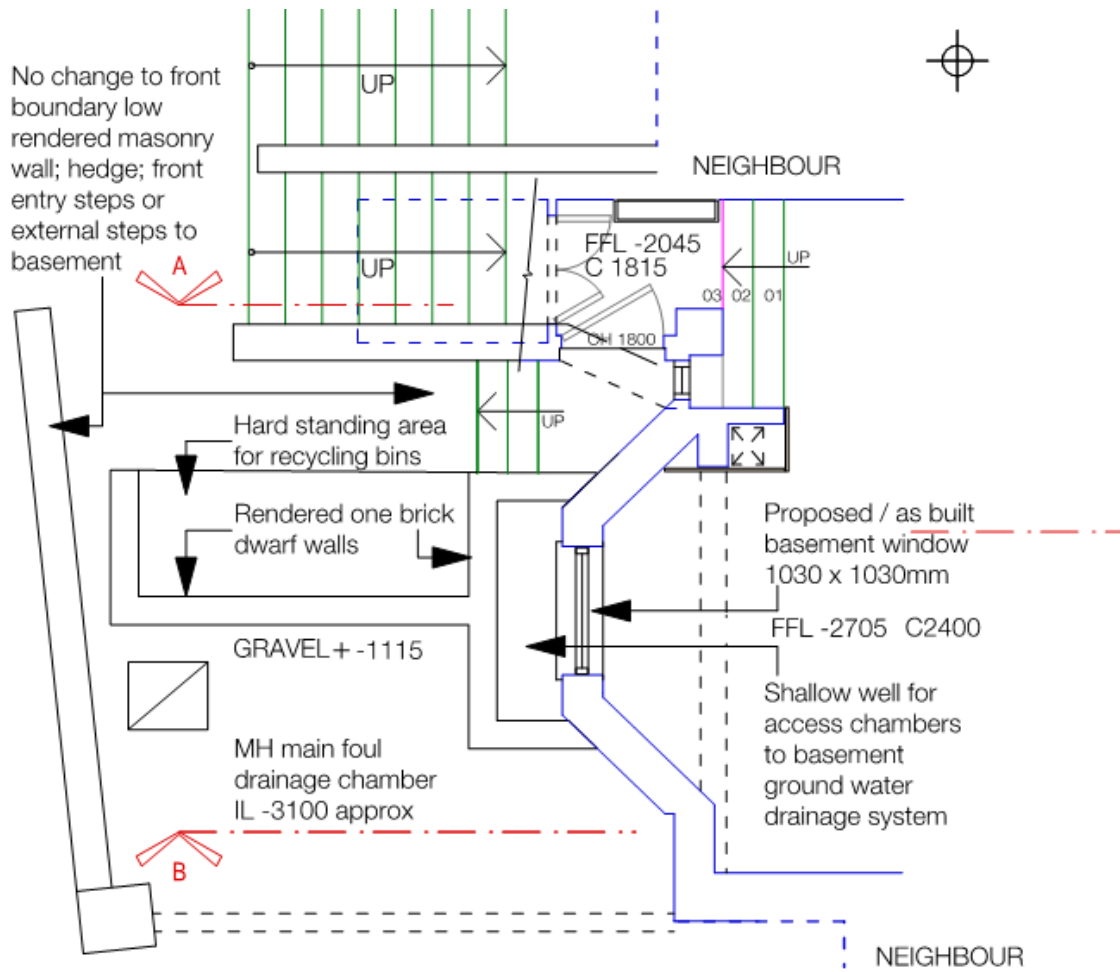


*1. View from street and view of as built bay with window and shallow well*



*2. Pre-existing arrangement*





5. Plan (as built)

<b>Delegated Report (Members Briefing)</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>	27/11/2020
		N/A		<b>Consultation Expiry Date:</b>	29/11/2020
<b>Officer</b>			<b>Application Number(s)</b>		
Josh Lawlor			2020/4556/P		
<b>Application Address</b>			<b>Drawing Numbers</b>		
3 Lyncroft Gardens London NW6 1LB			See decision notice		
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>		
<b>Proposal(s)</b>					
Retrospective application for window to basement bay front wall with associated dwarf retaining walls in front yard.					
<b>Recommendation(s):</b>		Grant Conditional Planning Permission			
<b>Application Type:</b>		Householder application			

<b>Conditions or Reasons for Refusal:</b>	<b>Refer to Draft Decision Notice</b>			
<b>Informatives:</b>				
<b>Consultations</b>				
<b>Adjoining Occupiers:</b>	No. of responses	<b>4</b>	No. of objections	<b>4</b>
<b>Summary of consultation responses:</b>	<p>One site notice was displayed outside the site on 29/10/2020 (expiring 22/11/2021). The application was also publicised in the local press from the 05/11/2021 (expiring 29/11/2021)</p> <p>Four objections were received:</p> <ul style="list-style-type: none"> <li>• Works do not meet criteria for conservation area</li> <li>• The enlargement of originally agreed window size is out of keeping with conservation area</li> <li>• The creation of the lightwell included the unauthorised demolition of an existing retaining wall</li> </ul> <p>Officer response:</p> <ul style="list-style-type: none"> <li>• See design and heritage section of this report for full response. It is noted that there was no demolition of an existing retaining wall which would harm the conservation area</li> </ul>			
<b>CAAC/Local groups*comments</b>	A consultation letter was sent to the West End Green CAAC on 27/10/2021 – no response was received			

## Site Description

The application building is a three storey with basement level terraced house located on the western side of Lyncroft Gardens. The building is located within the West End Green Conservation Area and is identified as making a positive contribution to the character and appearance of the conservation area.

## Relevant History

**2018/3377/P** Extension and lowering of the existing basement floor below the whole footprint of the building; installation of new window to front elevation at lower ground floor level; replacement of the rear infill extension roof with a new pitched roof and replacement aluminium sliding doors; replacement rear patio doors with new aluminium sliding doors. **Granted 05/09/2019**

## Relevant policies

### National Planning Policy Framework 2021

### The London Plan 2021

### Camden Local Plan (2017)

A1 Managing the Impact of Development  
D1 Design  
D2 Heritage  
A5 Basements

### Fortune Green and West Hampstead Neighbourhood Plan

- Policy 2 Design and character

### Camden Planning Guidance (CPG):

- [Amenity](#) - January 2021
- [Design](#) - January 2021
- [Home improvements](#) - January 2021

## Assessment

### 1. The proposal

1.1. This is a retrospective application for an alteration to the front bay at lower ground floor level. The previous permission approved a window in this location but it has been built out slightly differently. The consented 1100 x 700mm top hung casement windows would change to double hung sash window in an opening of 1030 x 1030mm a metal grill. A shallow well which is approx. 200-300mm deep has been formed in front of the bay with the retaining wall the same height as the pre-existing garden level and the retaining walls to the existing external steps leading the basement level. This alteration allows for the bins to be stored in the forecourt area as opposed to the street. The excavation to create this small well is minimal (less than 500mm) and would not require an update to BIA approved under Ref. 2018/3377/P.

### 2. Assessment

2.1. The principal considerations material to the determination of this application are as follows:

- The effects upon the character and appearance of the host property, and surrounding West End Green Conservation Area (Design and Heritage)
- The effects on the residential amenities of neighbouring occupiers (Residential Amenity)

### 3. Revisions



3.1. No revisions were sought for this application.

#### **4. Design and Heritage**

4.1. Policy D1 requires development to be of the highest architectural and urban design quality, which improves the function, appearance and character of the area. Policy D2 requires development to either preserve or enhance the character and setting of Camden's conservation areas.

4.2. The enlargement of the previously approved window to the lower ground floor bay is minor and would not harm the appearance of the building. The use of a sash window rather than a casement window is acceptable. The windows would be timber framed and the size would increase marginally. The addition of a grille would increase the solidity of the window which is welcomed.

4.3. The well/retaining wall is a functional and utilitarian alteration to the front garden. The excavation to create this small well is minimal (less than 500mm) in scale and sufficiently minor for there to be no structural / hydrological implications. The section of retaining wall is original as it provides access to the basement level. The small section of retaining wall which is no higher than the pre-existing garden level. The provision is a modest hard-landscaped area to store bins which is considered acceptable in terms of size and appearance. There would be no change to the low front boundary dwarf wall and hedge which screens the front garden area / well from public view. As a result the works are not readily visible from the street, but it is noted that on this street there is little uniformity in the appearance of the bays at basement level with a mixture of full length windows, small windows and in some cases, bays have been removed to make space for parking. The proposal would therefore preserve the character and appearance of the West End Green Conservation Area.

4.4. Considerable importance and weight has been attached to the to the desirability of preserving or enhancing the character or appearance conservation area, under s. 72 of the Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

#### **5. Residential Amenity**

5.1. Policy A1 of the Camden Local Plan seek to protect the quality of life of occupiers and neighbours by only granting permission to development that would not harm the amenity of residents. This includes factors such as privacy, outlook, implications to natural light, artificial light spill, as well as impacts caused from the construction phase of development.

5.2. The proposal would not give rise to adverse impacts on neighbouring residential amenity.

#### **6. Conclusion**

6.1. The proposed development is considered acceptable in terms of design and impact on neighbouring residential amenity. The development is deemed consistent with the objectives and policies identified above.

***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> August 2021, 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: 2020/4556/P  
Contact: Josh Lawlor  
Tel: 020 7974 2337  
Email: [Josh.Lawlor@camden.gov.uk](mailto:Josh.Lawlor@camden.gov.uk)  
Date: 22 July 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](mailto:planning@camden.gov.uk)  
[www.camden.gov.uk](http://www.camden.gov.uk)

Andris Berzins + Associates  
4 Dartmouth Park Road  
London  
NW5 1SY

# DRAFT

Dear Sir/Madam

**DECISION**

Town and Country Planning Act 1990 (as amended)

## **Householder Application Granted**

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

# DECISION

Proposal:  
Retrospective application for window to basement bay front wall with associated dwarf retaining walls in front yard.

Drawing Nos: 01-C, 09-E, 12-A, 13-A.

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 shall be carried out in accordance with the following approved plans 01-C, 09-E, 12-A, 13-A.

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

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 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](http://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

Chief Planning Officer