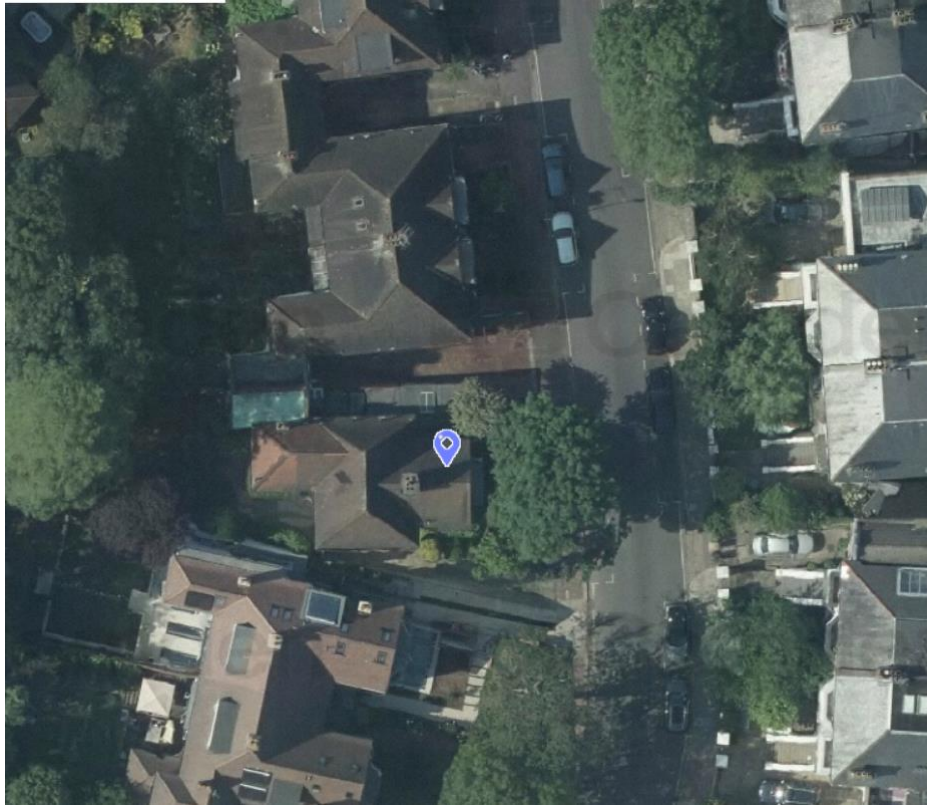


2021/4221/P – 76 Lawn Road

1. Aerial View showing tree in front garden



2. Street view of raised garden, concrete driveway (southern) and existing tree



3. Street view of garden, driveway with inset steps (northern) and existing tree



4. Street view of garden, driveway (northern), tree and on street parking



5. Street view of tree growth leaning into street



Photograph 1. T1, sycamore, located to the west of Lawn Road in raised front garden. Viewed looking towards the north.



Photograph 2. T1, viewed looking towards the south.

6. Applicant photos of cracking to retaining wall next to tree



Photo 3 – Vertical tapering crack at approximately 2.4m from the tree towards the driveway



Photo 4 – Tapering vertical crack at about 2.3m the other side of the tree



Photo 5 – Cracking at the tree location

Delegated Report (Members Briefing)		Analysis sheet		Expiry Date:	26/10/2021
		N/A / attached		Consultation Expiry Date:	06/12/2021
Officer				Application Number(s)	
Leela Muthoora				2021/4221/P	
Application Address				Drawing Numbers	
76 Lawn Road London NW3 2XB				See draft decision notice	
PO 3/4	Area Signature	Team	C&UD	Authorised Signature	Officer
Proposal(s)					
Alterations to front boundary, including fell and removal of 1 x Sycamore tree (TPO Ref: 36H), partial demolition and rebuilding of wall, widening of southern driveway and crossover, re-landscaping of northern driveway to steps, and re-location of on-street parking bay.					
Recommendation:		Grant conditional planning permission (subject to a Section 106 Legal Agreement)			
Application Type:		Householder			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice			
Informatives:				
Consultations				
Summary of consultation:	<p>A site notice was displayed near to the site on the 12/11/2021 (consultation end date 06/12/2021).</p> <p>The development was also advertised in the local press on the 11/11/2021 (consultation end date 05/12/2021).</p>			
Adjoining Occupiers:	No. of responses	01	No. of objections	01
Summary of consultation responses:	<p>1 letter of objection were submitted from, or on behalf of the owners/occupiers of 77 Lawn Road. Their objection comment can be summarised as follows:</p> <ol style="list-style-type: none"> (1) This mature sycamore is protected by a TPO. It makes a very positive impact on the street providing greenery, shadow, and place for the birds. I would think a solution can be found to rebuild the retention wall while keeping the tree. (2) Replanting is not a reasonable solution as it would take decades for the young tree to mature (if it does survive). That's what TPO is about. Plenty of other trees are been removed within this application (and across Camden), we should at least keep the ones under TPO, else I don't understand the purpose of having a TPO. It is the council duty to enforce this protection. (3) Aside from the removal of this tree, I do not have any other objection regarding the planning proposal. <p>Officer's response:</p> <ol style="list-style-type: none"> (1) <i>Please see tree section of the report – alternative engineering solutions have been explored by the applicants' engineers and arboriculturist and the Councils tree officers, transport planners and highways engineers.</i> (2) <i>Please see transport section of the report – potential engineering solutions to strengthen the retaining wall would require highway interventions that would result in loss of pavement width and on street parking. Considerations have been made based on the lifetime of the tree, potential risk of its failure, and potential risk of structural failure of the retaining wall, and have been balanced against the proposed removal of the tree and replacement replanting.</i> 			
Parkhill CAAC Belsize Society comments:	<p><u>Parkhill/Upper Park CAAC</u> The Parkhill/Upper Park Conservation Area Advisory Committee (CAAC) confirmed they had no objection.</p> <p><u>Belsize Society</u> A letter of objection was received on behalf of the Belsize Society. Their objection comments are as follows:</p> <ol style="list-style-type: none"> 1. This mature attractive sycamore, protected by a TPO, makes a major positive contribution to the streetscape and every option should be explored to preserve it. 2. The tree should be given priority over the boundary wall. The garden wall 			

will clearly need to be rebuilt and it should be reconstructed in a manner that accommodates the tree. There are plenty of examples in the Belsize area of adjustments made to walls of different types to accommodate the growth of trees. If necessary, Camden Council should co-operate with the owners to preserve the tree, if the solution involves any encroachment on to the pavement.

Officer's response: as above

(1) Please see tree/transport sections of the report

(2) Please see section tree sections of the report

Site Description

The application site lies to the west of Lawn Road which is predominantly residential, consisting of two-storey houses on the west side and five-storey town houses to the east side of the street. The site is a two-story garden suburb style link detached house typical of the Arts & Crafts movement built in the inter-war years. Unlike other properties on the street it is not one of a pair. The house is set back from the road with a raised front garden and steep brick lined driveways. The front garden includes two driveways to the north and south with a mature Sycamore tree adjacent to the front boundary wall.

The dwelling is not statutorily listed but is characteristic of the local area, being defined within its group (70-85 consecutive) as making a positive contribution to the character of the Conservation Area by the Parkhill / Upper Park Conservation Area Appraisal and Management Strategy (2011).

There are two trees protected by Tree Preservation Orders, a Sycamore tree (T1) to the front garden and a Swamp Cypress tree (T7) to the rear garden.

The site is located within an area of underground constraints (slope stability).

Relevant History

The planning history for the application site can be summarised as follows:

App ref	Development Description	Decision & Date
2022/0344/T	REAR GARDEN: 1 x Swamp Cypress (T1) - Reduce crown by 2m - 2.5m on all aspects, ensuring a natural canopy outline.	Refusal 23/05/2022
2022/3714/P	Details of condition 4b (new window openings) pursuant to planning permission 2020/0348/P dated 11/08/2021 for construction of single storey basement with front and rear lightwells, erection of a two storey rear extension and first floor single storey side extension; installation of side and rear dormer windows and rooflights to create additional habitable accommodation within the existing roofspace, fenestration alterations; front railings, and associated landscaping works.	Granted 10/11/2022
2021/1664/P	Variation of condition 2 (approved drawings) of permission ref: 2020/0348/P dated 05/03/2021 for the 'Construction of a single storey basement with front and rear lightwells, erection of a two storey rear extension and first floor single storey side extension etc' namely to install an external air condenser at basement level.	Withdrawn 08/11/2021
2021/1329/P	Details of conditions 6 (landscaping), 9 (tree protection) and 10 (engineer appointment) of permission ref: 2020/0348/P dated 05/03/21 for the 'Construction of a single storey basement with front and rear lightwells, etc...'	Granted 21-04- 2021
2021/0211/P	Relocation of the existing principal entrance door from the side elevation to the front elevation; partial infill of the existing entrance door opening and installation of new casement window; installation of a brick and timber frame open porch structure to the front elevation; increase in height of the existing side elevation parapet at ground floor level; and reconfiguration of the existing front garden steps.	Granted 10-03- 2021
2020/0348/P	Construction of a single storey basement with front and rear lightwells, erection of a two storey rear extension and first floor single storey side extension; installation of side and rear dormer windows and rooflights to create additional habitable accommodation within the existing roofspace, fenestration alterations; front railings, and associated landscaping works	Granted Subject to a Section 106 Legal Agreement 01-03- 2020
2013/4342/T	REAR GARDEN: 1 x Swamp Cypress - Fell to ground level and treat stump.	Refuse TPO works

		27/08/2013
F9/14/1/158 2	Erection of garage and car port at side and formation of new means of vehicular access to the highway.	Conditional 08/02/1966
TP.77472/C/ 14831	Change in external appearance in connection with the reinstatement after war damage of the two-storey addition at the side.	12/10/1955

Relevant policies

National Planning Policy Framework (2021)

The London Plan (2021)

Camden Local Plan (2017)

- **A1** - Managing the impact of development
- **A2** - Open space
- **A3** - Biodiversity
- **D1** - Design
- **D2** - Heritage
- **CC1** - Climate change mitigation
- **CC2** - Adapting to climate change
- **T1** - Prioritising walking, cycling and public transport
- **T2** - Parking and car-free development

Camden Planning Guidance:

- Amenity CPG (January 2021)
- Biodiversity CPG (March 2018)
- Design CPG (January 2021)
- Developer contributions CPG (March 2019)
- Home improvements (January 2021)
- Transport CPG (January 2021)
- Trees CPG (March 2019)

Conservation Statements:

- Parkhill and Upper Park Conservation Area Appraisal and Management Strategy 2011

Assessment

1. The proposal

1.1. Planning permission is sought for the alterations to front boundary including:

- Relocation of retaining wall to southern driveway by 660mm faced in soft-red brickwork slips in Flemish bond topped with soldier course;
- Widening of existing southern driveway and crossover by approximately 0.60m to approx. 2.9m (adjacent to the drive of 77 Lawn Road);
- Removal of existing northern crossover of approx. 2.6m and re-landscaping of driveway and central steps by to Portland Stone steps (adjacent to the drive of 75 Lawn Road);
- Re-location of one on-street parking bay from in front of southern driveway to in front of removed northern driveway;
- Partial demolition and rebuilding of retaining wall to street elevation; and
- Fell and remove 1 x Sycamore tree (Tree Preservation Order (TPO) Ref: 36H) including planting of replacement tree to the front garden

2. Revisions

2.1. It should be noted that during the course of the application revisions to the proposed scheme were requested in order to address concerns raised by officers'. The revision made to the proposed scheme can be summarised as follows:

- The northern driveway replacement steps were reduced in width and materials amended to red brick paved landings and steps and brick planters.
- The replacement tree to the front garden agreed as a Hawthorn and the approved replacement Magnolia tree, (as a condition of the original basement application) also agreed to be a Hawthorn.
- Discussions about engineering options to retain the tree were unsuccessful but resulted in a proposed replacement Hawthorn.

2.2. The revisions made to the scheme did not material affect the scheme and as such were accepted as amendments under the current application.

3. Assessment

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

- The visual impact upon the character and appearance of the host property, streetscene, local area and the Parkhill/Upper Park Conservation Area (Design and Conservation)
- The impacts caused upon the residential amenities of any neighbouring occupier (Residential Amenity)
- The implications upon nature conservation and biodiversity (Trees / Biodiversity)
- The implications upon local transport and highways conditions and relevant planning obligations (Transport / Planning Obligations)

3.2. The application site is currently in residential use as a single-family dwelling and the proposal would not affect its current use. This application follows previous permission for alterations and extensions to the house (2020), a variation to that permission to amend the steps, porch and windows to the side elevation (2021) and an approval of details included tree protection measures. Further information is detailed in the site history section. The 2020 permission includes conditions to retain and replace trees on site within the front and rear gardens. Discussed further in tree section

4. Design and Conservation

4.1. The Council's design policies are aimed at achieving the highest standard of design in all

developments. The following considerations contained within policy D1 are relevant to the application: development should respect local context and character; comprise details and materials that are of high quality and complement the local character; and respond to natural features. Policy D2 'Heritage' states that in order to maintain the character of Camden's conservation areas, the Council will not permit development within conservation area that fails to preserve or enhance the character and appearance of that conservation area. The relevant supplementary planning guidance in respect of design are Camden Planning Guidance (CPG) Design and CPG Home improvements.

- 4.2. The Parkhill and Upper Park Conservation Area Appraisal and Management Strategy 2011 advises that the loss of front gardens and boundary treatments and parking courts has been detrimental to the conservation area. CPG Design advises the built elements of boundary treatments should be considered together with the potential for elements of soft landscaping.
- 4.3. The driveways along this section of Lawn Road are often without boundary structure and neighbouring drives appear as one wide drive creating the access and a gap between pairs of houses, forming a rhythm along the street. The application site has two driveways to each side, north and south of the site, adjoining the neighbours' driveways without a boundary structure.
- 4.4. The relocation of the retaining wall to southern driveway by 660mm would widen the driveway, which is considered appropriate in this instance, given the removal of the northern driveway. This is further discussed in the transport section. The rebuilding of the southern driveway retaining wall would strengthen and maintain the raised front garden. It would be faced in soft-red brickwork slips in Flemish bond topped with soldier course in keeping with the host building.
- 4.5. The proposals would allow for the removal of the secondary driveway (north) and reinstatement of the crossover. During the application, the design and materials of the northern driveway have been amended in width from approx. 2.5m to 1.2m and materials amended from Portland Stone to red brick paved landings, steps with brick planters either side to match the host building and character of neighbouring buildings. The revised proposals allow for opportunities for planting, in raised planters as would have existed originally.
- 4.6. The front of the site is defined by a 1-meter-high red-brick retaining wall adjacent to the public footway forming a raised garden to the front elevation. The double skin brickwork retaining wall shows signs of damage and has been assessed in a subsidence structural report. The images below have been taken from the report. A mature Sycamore tree, under a Tree Preservation Order (TPO), is located next to it. This is further discussed in the tree section.



6. Cracks to retaining wall at base of Sycamore tree. [July 2021]

- 4.7. The partial demolition and rebuilding of the retaining wall to the street elevation is accepted; and has been justified in this instance. Due to the loads on the retaining wall, the rebuilt retaining walls would be reinforced concrete with new foundations faced in soft-red brickwork slips in Flemish bond topped with soldier course. The brick, bond, mortar, and pointing are to match the existing condition of the main house. A condition has been attached to secure the submission of these details.
- 4.8. The revised design and materials are considered sympathetic and discreet in appearance. The

red-brick steps would be typical of the area and Arts and Crafts architectural style. The Councils' Conservation Officer has reviewed the proposals and accepts the reasoning for strengthening the retaining wall. They recommend the existing wall be hand-demolished and bricks salvaged and stored on site for reconstruction work. Any shortfall should be made good with matching bricks of traditional reclaimed masonry for the rebuild of the boundary wall. The proposed replacement brickwork for the retaining walls would match the existing brickwork, bond, mortar and pointing. A method statement regarding the demolition and rebuilding of the wall would be secured by condition to ensure that the wall is rebuilt with a coherent design and identical pallet of materials to retain consistency and reinforce the contribution that the building makes as part of a group of properties within the conservation area.

- 4.9. Subject to the recommended conditions for brick details, the proposed boundary alterations: removal of a driveway, repair and maintenance to the retaining walls, and introduction of steps and planters will help preserve the existing qualities and context of the character of site and surrounding conservation area. Considerable importance and weight has been attached to the harm and 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 Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.
- 4.10. Subject to the recommended conditions for brick details, the proposed boundary alterations: removal of a driveway, repair and maintenance to the retaining walls, and introduction of steps and planters will help preserve the existing qualities and context of the character of site and surrounding conservation area. The proposals are therefore acceptable in design terms, in accordance with policy D1 and D2 of the Camden Local Plan 2017.

5. Residential Amenity

- 5.1. Policy A1 seeks 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, odour and fumes as well as impacts caused from the construction phase of development. CPG Amenity relevant with regards to the impact on the amenity of residential properties in the area.
- 5.2. The proposed development may have limited impact upon the adjacent properties adjoining the host dwelling at nos. 75 and 77 Lawn Road that lie to the north and south respectively. The proposals to the southern boundary seek to widen the vehicular access adjacent to the drive with number 77 Lawn Road and rebuild the retaining wall. The proposals to the northern boundary with number 75 Lawn Road would result in brick planters bordering the reinstated steps. These step down to the footway to approx. 0.5m in height which would allow for visibility when accessing and exiting the drive of number 75 Lawn Road. In addition, the drive of number 75 is approx. 4m wide which allows for further manoeuvrability to enable sightlines.
- 5.3. As a result, the proposed development is not considered to lead to a significant impact upon the amenities of any neighbouring residents. The development is thus considered to be in accordance with planning policy A1.

6. Trees and landscaping

- 6.1. Policy A3 Biodiversity and CPG Trees states the Council will protect and enhance sites of nature conservation and biodiversity, including gardens. The Council will resist the loss of trees and expect replacement trees to be provided where the loss of significant trees has been justified in the context of the proposed development. Camden Planning Guidance on Design sets out the safeguarding of trees during and following the construction process.
- 6.2. The Parkhill and Upper Park Conservation Area Appraisal and Management Strategy 2011 advises the Council would generally resist the removal of trees within the conservation area

unless they were, among other things, causing damage to buildings. The Council will seek to protect trees within the Borough and will include a planning condition on any planning permission to require replacement trees to be planted.

- 6.3. The site includes a mature Sycamore tree under a Tree Preservation Order (TPO) located adjacent to the front boundary retaining wall and footway. TPO's legally protect specific trees that provide public amenity and work other than the removal of deadwood requires the Council's consent. The felling of protected trees will only be permitted in exceptional circumstances. In conservation areas, the Council will pay special attention to the desirability of preserving or enhancing the character of that area.
- 6.4. The trees on the west side of the road are prominent in the streetscape as they contribute positively to the character of the street due to the curve in the road and the raised garden level. The large trees within the front gardens of numbers 76, 77 and 78 contribute to the character of the street in the absence of street trees. Unfortunately, the proximity of the Sycamore, front boundary wall and footway has resulted in damage to the structural integrity of the brick wall. The tree leans towards the road and the retaining wall is cracked; loss of roots could cause the tree to fail.
- 6.5. The Council Tree officer has reviewed the revised Arboricultural Impact Assessment (AIA) and is satisfied all feasible engineering solutions have been explored and discounted on grounds of practicality and longevity of the tree. Potential solutions such as reinforced sections of the wall or a steel plate would encroach beyond the site boundary onto the footway, reducing its width. The interventions investigated would require increased excavation and materials that could lead to disturbance to the tree's roots. Furthermore, should the tree fall by natural causes the Council would not be able to control the specification of its replacement.
- 6.6. The Sycamore tree makes an important contribution to the character of the conservation area. The CAAMS (Conservation Area Appraisal and Management Strategy) states important views of the curve of the road, the mature tree to the curve forms a prominent feature of street scape. In this instance, the loss of the Sycamore tree is considered unavoidable, and its removal justified. The character and appearance of the street and conservation area would be weakened by its loss and therefore, an appropriate replacement is required on-site. An appropriate replacement could compensate for the loss of this tree over time. On balance, we will accept the loss of the tree on the grounds that it is not sustainable in its position relative to the retaining wall. However, this is subject to the loss of public amenity being re-provided by a suitable replacement i.e., a tree of a similar ultimate size in a similar, albeit set back slightly, position.
- 6.7. The Council require suitable replacements capable of providing at least equal amenity and ecological value, as a result, the Tree officer has accepted the planting of a Hawthorn as a replacement.
- 6.8. For clarity, the removal of 4 trees: T3 (Magnolia), T4 (Apple), T5 (Yew) and T6 (Cherry) was approved under planning permission ref: 2020/0348/P to facilitate the proposed development, and the protection of T7 (Swamp Cypress) to the rear garden. The removal of a further tree T2 (Cotoneaster) approved under approval of details ref: 2021/1329/P, to prevent property damage. See planning history.
- 6.9. This application seeks the removal of T1 (Sycamore). The previous planning permission for the basement in 2020 included conditions to retain and replace trees on site within the front and rear gardens. Condition 6 included replacement trees to compensate for the loss of those removed to facilitate the development. Specifically, a replacement Yew to the rear garden and a Magnolia to the front garden.
- 6.10. The location of the replacement tree to compensate for the loss of the Sycamore would be compromised as it they would be in close proximity to each other and the host building's underground structures. Therefore, this application seeks to amend the approved replacement

Magnolia to an additional Hawthorn in the front garden, set further back from the retaining wall.

- 6.11. The applicant has submitted a tree replacement plan and maintenance plan. The Council Tree officer considers the two Hawthorns appropriate replacements subject to the conditions attached to this decision detailing type, size, and location. Their biodiversity and amenity value, contribution to the local character and important views, and availability of space within the private front garden, are considered sufficient to mitigate the loss of amenity provided by the existing sycamore tree.
- 6.12. The robust management regime for newly planted trees ensures that if within five years from the date of planting trees or vegetation are removed, uprooted, destroyed, dies, or becomes seriously damaged, the Council will expect replacement planting of the same size and species, unless it gives its written consent to any variation. This decision will be subject to a condition to secure replacement trees planted in the event that any replacement trees die within 5 years of planting.
- 6.13. In conclusion, due to the key views along the curved residential street, it is important to retain the verdant qualities of the conservation area. Subject to the recommended conditions, the replacement planting and planters will help maintain those qualities. The loss of the tree, which is limited in longevity due to position, will be compensated by the planting of a younger tree in a more appropriate position to the front garden.

7. Transport

- 7.1. Camden Local Plan policies A1, T1, T2, CPG Transport are relevant concerning transport issues. Policy T1 seeks to promote walking in the borough and ensure that developments improve the pedestrian environment by supporting high quality public realm improvement. Policy T2 & CPG's Transport and Amenity states The Council will resist the development of boundary treatments and gardens to provide vehicle crossovers and on-site parking as they often require the loss of public on-street parking bays. CPG Design requires appropriate pavement widths for the anticipated pedestrian use, and minimising barriers to movement.
- 7.2. It is noted that vehicular crossovers would not typically be acceptable due to the loss of on-street parking provision and the loss of boundary treatments would have a visually detrimental impact on the street. In this instance, the removal of the northern crossover to enable the widening of the southern crossover would not result in the loss of on-street parking and the boundary treatment would be partially reinstated.
- 7.3. CPG Transport states that applications that involve a change in the way that a site is accessed from the highway, must have the consent from the local highway authority under the Highways Act (1980), which is in addition to planning permission granted by the planning authority.
- 7.4. Any work on Camden's public highway would be undertaken by the Council at the applicant's expense. In which case a financial contribution for the anticipated works will be secured as a planning obligation through a legal agreement. A financial contribution would be secured via a combined Section 106 and Section 278 legal agreement for the highway works that the developer will be required to pay before commencing development. The applicant will also be required to pay the Council's costs in respect of any necessary Traffic Management Orders (TMO).
- 7.5. The highway works will seek to repair any construction damage to transport infrastructure; reinstate road and footway surfaces; and changes to vehicular access. In this case, the Council's contractors will remove the redundant crossover, reinstate the pedestrian footway, and relocate the on-street parking bays. The fee for Highways and Streetworks would be identified by the Transport Team and secured through a Section 106 agreement if planning permission is granted.
- 7.6. A substantial length of pavement is laid in matching red brick to complement the houses. There are two parking bays in front situated between the two driveways. The proposals seek to widen the existing southern crossover (adjacent to the drive of 77 Lawn Road) and remove the existing northern crossover (adjacent to the drive of 75 Lawn Road), with reinstatement of the footway.

The proposed arrangement of the new crossovers and on-street parking are shown on drawing numbers 2021-4252-001 and 2021-4252-002 of Appendix B in TTP Consulting.

- 7.7. The existing on-street parking of 10.8 meters would be relocated from its current position in front of southern driveway to a position in front of removed northern driveway. It would not result in any loss of parking and would not add to local parking pressure. Overall, there would not be a detrimental impact on parking capacity in the local area.
- 7.8. The proposals will require amendments to existing Traffic Management Orders, which is the local traffic regulation which governs the yellow/white lines and parking enforcement. The applicant is prepared to fund the Council's reasonable costs for implementing changes required to make the necessary changes to the existing crossovers including revisions to the kerb line, provision of additional crossover space and reinstatement of footway space. This could be secured by condition via a Section 278 and Section 106 agreement.
- 7.9. The alterations to the new means of access would not cause harm to the safety of the users of the development and the adjacent highway. The neighbouring properties at numbers 75 and 77 Lawn Road, continue to be served by an appropriate access, and the proposals would not lead to any harmful change in terms of sightlines.
- 7.10. The Council's Transport team had no objections to the proposals subject to the applicant entering into a Section 106 Agreement in respect of the required highway works to the crossovers and the TMO.

8. Recommendation

- 8.1. Grant conditional Planning Permission subject to section 106 legal agreement.
- 8.2. Legal agreement heads of term: Planning permission is recommended subject to the securing of the following heads of terms via a section 16 legal agreement:
 - Highways and streetworks associated with repositioning of the on-street parking bays, including kerbs, crossovers and reinstatement of the footway
 - Highways contribution to streetworks in case of damage

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 30th January 2023, 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 and search for 'Members Briefing'.

Application ref: 2021/4221/P
Contact: Leela Muthoora
Tel: 020 7974 2506
Date: 26 January 2023

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

Cousins & Cousins Architects
125-133 Camden High Street
London
NW1 7JR

Dear Sir/Madam

DRAFT
FOR INFORMATION ONLY - THIS IS NOT A FORMAL DECISION
Town and Country Planning Act 1990 (as amended)

DECISION SUBJECT TO A SECTION 106 LEGAL AGREEMENT

Address:
76 Lawn Road
London
NW3 2XB

Proposal:

DECISION
Alterations to front boundary, including fell and removal of 1 x Sycamore tree (TPO Ref: 36H), partial demolition and rebuilding of wall, widening of southern driveway and crossover, re-landscaping of northern driveway to steps, and re-location of on-street parking bay.

Drawing Nos: Design and Access Statement Ref: 20007_RP_210714 (dated August 2021); AGB Arboricultural Impact Assessment Ref: P3430.1.3 (dated 25 August 2021); Artemis Tree Services Decay Detection Ref: DD-24430 (dated 11 May 2022); Jampel Davison & Bell Consulting Engineers Structural Appraisal of front wall Report Ref: R11438 (dated 27 July 2021); TTP Consulting Transport Statement Ref: R01-DF (dated 06 August 2021); Liz Lake Associates Replacement Tree Management Plan Ref: 2667-LLA-ZZ-GF-RP-L-0800-P01 (dated Nov 2022); Replacement Tree Planting Plan Ref: 2667-LLA-ZZ-GF-DR-L-0200-P01; (20007_PA4_)10_001 REV P1; 10_002; EX_105 REV P1; EX_110; EX_200 REV P1; EX_300 REV P1; 20_105 REV P3; 20_110; 20_200 REV P1; 201 REV P1; 20_300 REV P1

The Council has considered your application and decided to grant permission subject to the conditions and informatives (if applicable) listed below **AND** subject to the successful conclusion of a Section 106 Legal Agreement.

The matter has been referred to the Council's Legal Department and you will be contacted shortly. If you wish to discuss the matter please contact **Aidan Brookes** in the Legal Department on **020 7 974 1947**.

Once the Legal Agreement has been concluded, the formal decision letter will be sent to you.

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

Design and Access Statement Ref: 20007_RP_210714 (dated August 2021); AGB Arboricultural Impact Assessment Ref: P3430.1.3 (dated 25 August 2021); Artemis Tree Services Decay Detection Ref: DD-24430 (dated 11 May 2022); Jampel Davison & Bell Consulting Engineers Structural Appraisal of front wall Report Ref: R11438 (dated 27 July 2021); TTP Consulting Transport Statement Ref: R01-DF (dated 06 August 2021); Liz Lake Associates Replacement Tree Management Plan Ref: 2667-LLA-ZZ-GF-RP-L-0800-P01 (dated Nov 2022); Replacement Tree Planting Plan Ref: 2667-LLA-ZZ-GF-DR-L-0200-P01; (20007_PA4_)10_001 REV P1; 10_002; EX_105 REV P1; EX_110; EX_200 REV P1; EX_300 REV P1; 20_105 REV P3; 20_110; 20_200 REV P1; 201 REV P1; 20_300 REV P1

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

- 3 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.

- 4 All hard and soft landscaping works shall be carried out in accordance with the approved landscape details approved by (Liz Lake Associates Replacement Tree Management Plan Ref: 2667-LLA-ZZ-GF-RP-L-0800-P01 (dated Nov 2022) and Replacement Tree Planting Plan Ref: 2667-LLA-ZZ-GF-DR-L-0200-P01) by not later than the end of the planting season following completion 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, D1 and D2 of the London Borough of Camden Local Plan 2017.

- 5 Prior to the commencement of construction/demolition works on site, tree protection measures shall be installed in accordance with the approved Arboricultural Method Statement and Tree Protection Plan (AGB Arboricultural Impact Assessment Ref: P3430.1.3 (dated 25 August 2021). The protection shall then remain in place for the duration of works on site and recommendations made in the method statement followed, unless otherwise agreed in writing by the local authority.

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.

- 6 Replacement tree planting shall be carried out in accordance with details of replanting species, position, date and size, approved landscape details (Liz Lake Associates Replacement Tree Management Plan Ref: 2667-LLA-ZZ-GF-RP-L-0800-P01 (dated Nov 2022) and Replacement Tree Planting Plan Ref: 2667-LLA-ZZ-GF-DR-L-0200-P01). The two hawthorn trees (*Crataegus monogyna*) should be planted no less than 2m from the proposed front boundary wall and any structure and no less than 6m apart. The trees should be 16-18cm in diameter at 1m above the base of the stem. The trees should be planted between the November and March following the completion of development and planted and maintained in accordance with BS8545:2014.

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 and A3 and D2 of the London Borough of Camden Local Plan 2017.

- 7 Before the works associated with the rebuilding of the front boundary brick wall is commenced, a sample panel of the facing brickwork demonstrating the proposed colour, texture, face-bond, mortar mix and pointing shall be provided on site and shall be approved in writing by the local planning authority. The development shall be carried out in accordance with the approval given. The approved panel shall be retained on site until the work has been completed.

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.

Informative(s):

- 1 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.

- 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 You are advised that the Transport Strategy Team should be consulted regarding the construction of the crossover on the public highway and any other work to, under, or over, the public highway, including vaults and thresholds. tel: 020-7974 5543 for further advice and information.
- 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.

- 5 Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which this permission is granted. Information/drawings relating to the discharge of matters covered by the Heads of Terms of the legal agreement should be marked for the attention of the Planning Obligations Officer, Sites Team, Camden Town Hall, Argyle Street, WC1H 8EQ.

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 2021.

You can find advice about your rights of appeal at:

<https://www.gov.uk/appeal-householder-planning-decision>.

Yours faithfully

Supporting Communities Directorate