

Application ref: 2024/2312/P
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Date: 3 October 2024

Development Management
Regeneration and Planning
London Borough of Camden
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London
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Life U Ltd
33 Manor Way
CHESHAM
HP5 3BH

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Granted

Address:
12 Burrard Road
London
NW6 1DB

Proposal: Erection of side infill extension with mono-pitched glazed roof and rear extension with flat roof and skylight.

Drawing Nos: Design and Access Statement dated June 2024; (24016) EX01, EX02, EX03, PL01, PL02, PL03.

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 The development hereby permitted shall be carried out in accordance with the following approved plans: Design and Access Statement dated June 2024; (24016) EX01, EX02, EX03, PL01, PL02, PL03.

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 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission.

The site comprises a two-storey terrace house located on the south-eastern side of the street. The house is within the Fortune Green and West Hampstead Neighbourhood Plan Area but is not designated as a heritage asset.

The proposed extension is considered subordinate in scale and footprint to the host building. It would be constructed in materials to match, while the fenestration differs, it would have limited visibility at rear ground level and is considered acceptable within a modern addition. Overall, the detailed design and materials are sympathetic to the character and appearance of the host building.

While the neighbouring extension is a partial infill glazed extension, there are side infill and rear extensions nearby on this side of the street. The location at rear ground level would limit visibility to neighbouring private views from gardens and would be limited by boundary walls, fences, and trees. Overall, the development is considered to preserve the character and appearance of the neighbouring buildings and surrounding area.

The nearest residential properties that would be affected by the proposal numbers 10 and 14 Burrard Road, south and north, respectively. The extension would be slightly deeper than the neighbouring rear extensions. The mono-pitch roof ensures that the proposal would not encroach on the natural light reaching neighbouring extension and is considered sufficient to protect the existing outlook from neighbouring windows.

The proposed extension would be sited due south of number 14 Burrard Road's glazed extension. Due to the neighbours' extension being at slightly higher ground level and fully glazed, any impact on light would not be considered harmful. The mono-pitch roof slopes down to the boundary, reducing the bulk of the extension to the side return and mitigating any increased sense of enclosure that may arise from a new boundary wall. Furthermore, while the extension deepens the rear building line, it is less than one metre and is lower than the existing two-storey projecting wing. Overall, the proposals are not considered to harm neighbouring residential amenity in terms of loss of privacy, daylight or outlook or an increased sense of enclosure.

The extension would be located within the side return where the garden consists of hardstanding, and the existing area is limited in terms of amenity and biodiversity impact, and a reasonable sized rear garden would be retained. Accordingly, based on the information available this permission will not require the approval of a Biodiversity Gain Plan before development is begun because it is below the de minimis threshold (meaning it does not impact an onsite priority habitat and impacts less than 25sqm of onsite habitat with biodiversity value greater than zero and less than 5 metres in length of linear habitat. As such, the proposal accords with the BNG requirements and Local Plan policy A3.

The council received one objection prior to making this decision which has been addressed in the associated consultation summary. The council also considered the area's planning history and relevant appeal decisions when coming to this decision.

As such, the proposal is in general accordance with policies A1 and D1 of the Camden Local Plan 2017 and Policies 2 and 3 of the Fortune Green and West Hampstead Neighbourhood Plan 2019. The proposed development also accords with the London Plan 2021 and the National Planning Policy Framework 2023.

- 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 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 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.

5 Biodiversity Net Gain (BNG) Informative:

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition ("the biodiversity gain condition") that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The local planning authority (LPA) that would approve any Biodiversity Gain Plan (BGP) (if required) is London Borough of Camden.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are summarised below.

Based on the information available it appears this permission will not require the approval of a BGP before development is begun because it is a Householder application.

++ Summary of statutory exemptions for biodiversity gain condition:

1. The planning application was made before 12 February 2024.
2. The planning permission is retrospective.
3. The planning permission was granted under section 73 of the Town and Country Planning Act 1990 and the original (parent) planning permission to which it relates was granted before 12 February 2024, or, the original (parent) planning permission to which it relates was made before 12 February 2024.
4. The permission is exempt because:
 - It is not 'major development' and the application was made or granted before 2 April 2024, or planning permission is granted under section 73 and the original (parent) permission was made or granted before 2 April 2024.
 - It is below the de minimis threshold because it does not impact an onsite priority habitat AND impacts less than 25 square metres of onsite habitat with biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat.
 - The application is a Householder Application.
 - It is for development of a Biodiversity Gain Site.
 - It is Self and Custom Build Development (for no more than 9 dwellings on a site no larger than 0.5 hectares, and consists exclusively of dwellings which are Self-Build or Custom Housebuilding.
 - It forms part of, or is ancillary to, the high speed railway transport network (High Speed 2).

+ Irreplaceable habitat:

If the onsite habitat includes Irreplaceable Habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements.

The BGP must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat.

The LPA can only approve a BGP if satisfied the adverse effect on the irreplaceable habitat is minimised and appropriate arrangements have been

made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

- 6 + The effect of section 73D of the Town and Country Planning Act 1990
- If planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 and a BGP was approved in relation to the previous (parent) planning permission ("the earlier BGP") there are circumstances when the earlier BGP is regarded as approved for the purpose of discharging the biodiversity gain condition subject to which the section 73 planning permission is granted.
- Those circumstances are that the conditions subject to which the section 73 permission is granted:
- do not affect the post-development value of the onsite habitat as specified in the earlier Biodiversity Gain Plan, and
 - in the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat the conditions do not change the effect of the development on the biodiversity of that onsite habitat (including any arrangements made to compensate for any such effect) as specified in the earlier Biodiversity Gain Plan.

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>.

If you submit an appeal against this decision you are now eligible to use the new [submission form](#) (Before you start - Appeal a planning decision - GOV.UK).

Yours faithfully



Daniel Pope
Chief Planning Officer