

Application ref: 2024/3461/P
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Date: 10 October 2024

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

Doyle Town Planning & Urban Design
86-90 Paul Street
London
EC2A 4NE

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:
72 Heath Street
London
NW3 1DN

Proposal:
Demolition of existing conservatory and erection of a replacement single-storey rear extension and associated internal alterations.

Drawing Nos:
3072(PRE)000, 3072(PRE)100, 3072(PRE)110, 3072(PRE)200, 3072(PRE)210,
3072(PRE)211, 3072(PRE)501, 3072(PRE)502, 3072(PRE)503, Proposed rear and flank elevation/sections (14/08/2024), Proposed Side elevation/sections (14/08/2024), Proposed floor plans (REV A 8 10 2024), Side elevation illustrating materials palette, Planning, Design and Access Statement (August 2024)

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:

3072(PRE)000, 3072(PRE)100, 3072(PRE)110, 3072(PRE)200, 3072(PRE)210, 3072(PRE)211, 3072(PRE)501, 3072(PRE)502, 3072(PRE)503, Proposed rear and flank elevation/sections (14/08/2024), Proposed Side elevation/sections (14/08/2024), Proposed floor plans (REV A 8 10 2024), Side elevation illustrating materials palette, Planning, Design and Access Statement (August 2024)

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 policies D1 and D2 of the London Borough of Camden Local Plan 2017.

- 4 Prior to commencement of development, detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority before the relevant part of the work is begun:

a) Plan, elevation and section drawings of all new windows at a scale of 1:10 with typical glazing bar details at 1:1.

b) Samples and/or manufacturer's details of new facing materials for the rear extension, including a sample panel of the brickwork (to be provided on site and retained on site during the course of the works).

The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

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.

- 5 Prior to commencement of development, full details in respect of the living roof in the area indicated on the approved roof plan shall be submitted to and approved by the local planning authority. The details shall include:

- i. a detailed scheme of maintenance
- ii. sections at a scale of 1:20 with manufacturers details demonstrating the construction and materials used
- iii. full details of planting species and density

The living roofs shall be fully provided in accordance with the approved details prior to first occupation and thereafter retained and maintained in accordance with the approved scheme.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies G1, CC1, CC2, CC3, D1, D2 and A3 of the London Borough of Camden Local Plan 2017.

Informative(s):

1 Reasons for granting permission.

The building forms part of an irregular terrace of four terrace houses dating from c1740-60. Its overall form remains largely intact, although there have been alterations including a later shopfront. Internally, at ground floor level, the building has been stripped of most of its historic features, although semblances of the original layout is still clearly legible. They are of special interest as small scale houses, of a vernacular style of the pre 19th Century Hampstead and for their group value.

The existing conservatory at the rear was approved in 1998 and is constructed from timber. It is a non original structure and not based on any historic precedent, so its removal would not cause any harm. Since pre-application stage the design of the extension has been revised to rearrange the massing and reduce the overall floor area. It is now designed to appear as a series of incremental additions which is keeping with the character of this type of building, which would have been adapted as it evolved.

The existing rear elevation of the building will be maintained with a clear distinction maintained between the original building and the new extension, which will maintain the sense of scale of the existing building. The overall scale and form, with stepped extensions with slightly different material palettes and designs, is accepted. Further details of the green roof and materials will be secured by condition.

Given the densely built up rear context on this part of Heath Street, and due to the local topography, the rear of the building is largely not overlooked; therefore, the character and appearance of Hampstead Conservation Area would be preserved. Given the densely built up rear context of the group of buildings at 70-76 Heath Street, the size and design of the extension sits comfortably and does not harm either the special interest of 72 Heath Street or the setting of 70 and 74-76 Heath Street.

Special regard has been attached to the desirability of preserving the listed building, its setting and its features of special architectural or historic interest, and the desirability of preserving or enhancing the character or appearance of the Conservation Area, under s.66 and s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

The conservatory will replace the existing extension meaning any impact on amenity from this would be small. The garden is set down lower and therefore the ground floor extension in the garden would not cause any significant impact on neighbouring amenity in relation to outlook, enclosure, daylight/sunlight or privacy.

The planning history of the site was taken into account when coming to this decision. No objections were received.

As such, the proposal is in general accordance with policies D1, D2, A1, A3, and CC2 of the Camden Local Plan 2017 and policies DH1, DH2, DH3, and NE1 of the Hampstead Neighbourhood Plan. The proposed development also accords with the policies of the London Plan 2021 and 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 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.

5 Biodiversity Net Gain (BNG)

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 ("1990 Act") is that planning permission granted in England is 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, this will not require the approval of a BGP before development is begun because 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).

If the onsite habitat includes Irreplaceable Habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements. In addition to information about minimising adverse impacts on the habitat, the BGP must include information on compensation for any impact on the biodiversity of the irreplaceable habitat. The LPA can only approve a BGP if satisfied that the impact on the irreplaceable habitat is minimised and appropriate arrangements have been made for compensating for any impact which do not include the use of biodiversity credits.

If planning permission is granted under section 73, and a BGP was approved in relation to the previous planning permission (“the earlier BGP”), the earlier BGP may be regarded as approved for the purpose of discharging the biodiversity gain condition on this permission. It will be regarded as approved if the conditions attached (and so the permission granted) do not affect the post-development value of the onsite habitat, or any arrangements made to compensate irreplaceable habitat, as specified in the earlier BGP.

In the case of phased development, the BGP will be required to be submitted to and approved by the LPA before development can begin (the overall plan), and before each phase of development can begin (phase plans). The modifications in respect of the biodiversity gain condition in phased development are set out in Part 2 of the Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024.

- 6 Your proposals may be subject to control under the Party Wall etc Act 1996 which covers party wall matters, boundary walls and excavations near neighbouring buildings. You are advised to consult a suitably qualified and experienced Building Engineer.

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 2023.

You can find advice about your rights of appeal at:

<https://www.gov.uk/appeal-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

A handwritten signature in black ink, appearing to read 'DPope', is written over a light grey rectangular background.

Daniel Pope
Chief Planning Officer