

Application ref: 2024/3393/P  
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Date: 11 October 2024

**Development Management**  
Regeneration and Planning  
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Edwards Rensen Architects  
24 Sotheby Road  
London  
N5 2UR  
United Kingdom

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Householder Application Granted**

Address:  
**3 Brookfield Park**  
**London**  
**Camden**  
**NW5 1ES**

Proposal:  
Replacement single storey rear extension with solar panels on roof and solar panels and skylight on rear main roof.

Drawing Nos: P-E-01, P-E-02, P-E-03, P-E-04, P-E-05, P-E-06, P-E-07, P-E-08, P-P-01, P-P-02, P-P-03, P-P-04, P-P-05, P-P-07, P-P-08, Location Plan, Design Statement

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:

P-E-01, P-E-02, P-E-03, P-E-04, P-E-05, P-E-06, P-E-07, P-E-08, P-P-01, P-P-02, P-P-03, P-P-04, P-P-05, P-P-07, P-P-08, Location Plan, Design Statement

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.

#### Informative(s):

- 1 Reasons for granting permission:

Planning permission is sought for a replacement single storey extension with solar panels on the roof and the installation of solar panels and skylight on the rear main roof of the dwelling.

The proposed replacement extension would have a similar footprint to the existing extension which is currently 4.7m in depth. Part of the new extension would extend to approximately 5.2m, with the width remaining unchanged. The extension would feature a slanted roof design, that matches the height of the existing extension. The level of glazing is consistent with the existing design. The exterior would be clad in zinc and powder coated aluminium, with aluminium framed windows, offering a modern contrast to the host property, alike the current structure, and as such would be considered to compliment its character and appearance. It is noted that there is no consistency with the design of the rear elevations and the proposed extension respects the height and depth of neighbouring rear extensions. Overall, the proposed extension is considered acceptable by virtue of its siting, size, design and materials and would not harm the character or appearance of the host property and Conservation Area.

Given the footprint of the extension would be similar to the existing, its scale and massing would not give rise to any adverse residential amenity impacts by means of overshadowing or increased sense of enclosure. No new views would be created into neighbouring habitable rooms.

A total of 9 solar panels are proposed, with 3 to be installed on the roof of the extension and 6 on the rear main roof. The solar panels are appropriately sized and positioned. They would not detract from the appearance or the character of the property or the Conservation Area, given they will not be visible from the streetscene, and will have limited visibility from the rear as there are no properties directly behind. The solar panels are acceptable in terms of both design and on sustainability grounds. Additionally, a roof light is proposed towards the front of the rear main roof which is appropriate in size and location.

No comments or objections have been received prior to the determination of the application. The site's planning history was taken into account when determining this application.

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.

As such, the proposed development is in general accordance with policies D1, D2 and A1 of the Camden Local Plan 2017 and Policies DC1, DC2, DC3 and DC4 of the Dartmouth Park Neighbourhood Plan 2020. The proposed development also accords with 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 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.

- 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 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 this permission will not require the approval of a BGP before development 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 was made or granted 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).

6 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. 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.

The effect of section 73(2D) of the Town and Country Planning Act 1990:

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.

**Phased development:**

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.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with the National Planning Policy Framework.

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

A handwritten signature in black ink, appearing to read 'DPope', is positioned above the printed name and title of the signatory.

Daniel Pope  
Chief Planning Officer