

Application ref: 2024/4002/P
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Date: 22 October 2024

Development Management
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Mutiny Architecture
Work.Life Camden
13 Hawley Crescent
London
NW1 8NP

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Granted

Address:
89 Arlington Road
London
NW1 7ES

Proposal:

Erection of two-storey rear extension at basement and ground floor levels.

Drawing Nos: (Prefix 292) EX-10-01, EX-100-02, EX-101-02, EX-102-02, EX-200-02, EX-300-02, EX-301-02, PL-100-02, PL-101-02, PL-102-02, PL-200-02, PL-300-02, PL-301-02, Design and Access / Planning Statement (prepared by Mutiny Architecture Ltd, dated 09/09/24)

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:

(Prefix 292) EX-10-01, EX-100-02, EX-101-02, EX-102-02, EX-200-02, EX-300-02, EX-301-02, PL-100-02, PL-101-02, PL-102-02, PL-200-02, PL-300-02, PL-301-02, Design and Access / Planning Statement (prepared by Mutiny Architecture Ltd, dated 09/09/24)

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, 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 proposed two-storey rear extension at basement and ground floor levels is considered to represent a proportionate addition that would not cause harm to the character or setting of the host and neighbouring properties. The proposed extension would replace an existing small rear extension, which is not of historic significance and therefore its removal does not raise concern. The extension features a depth similar to those of other properties along Arlington Road and would be set in from the north boundary by 1m at ground floor level. The result is a full width extension at basement level and partial width extension at ground floor level that is similar in size and height to several extensions along Arlington Road, including at adjoining no.91. Two rooflights are proposed on the rear extension, which is considered acceptable and will not impact the character of the host building.

The use of aluminium framed windows/doors, brickwork and soldier course to match existing, and black metal handrail/balustrades would ensure that the extension's appearance would be complementary to the appearance of the property, while allowing for legibility between the original building and the extension. Given the lack of visibility of the proposed extension, it is not considered to cause harm to the character of the wider Camden Town Conservation Area.

A green roof is proposed for the roof of the rear extension, which is welcomed and would help improve biodiversity and water abatement on the site. Conditions of the green roof will be secured by condition.

Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the Camden Town 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.

The main bulk of the extension would be sited along the southern boundary with neighbouring no.87, which features an existing large extension encompassing the entirety of the rear garden. The height of the proposed extension would not extend beyond that of the extension at no.87, thus it is not anticipated that it would have a material impact on the amenity of the neighbouring occupier. Along the northern boundary with neighbouring no.91, the ground floor portion of the extension is set in by 1m, thus minimising any amenity impacts. Therefore, due to the scale and scope of the proposed extension they are not likely to impact the amenity of adjoining or nearby residential occupiers in terms of loss of light, outlook, or privacy.

One response was received from the neighbouring occupier at no.87 who raised questions regarding details about any surveys provided to support the extension including basement impact assessment (BIA), technical, party wall, and engineering surveys. It was determined that given the level of excavation required, the basement portion of the extension was below the threshold for a basement impact assessment. Thus, engineering and technical details were not required as part of the submitted documents. However, the proposals will be subject to Building Regulations and an informative has been included to advise the applicant of this, as well as the fact that the proposals may be subject to control under the Party Wall Act 1996. The Camden Town CAAC was consulted and did not provide a response. No further comments or objections were received following statutory consultation. The planning and appeals history of the site has been taken into account when coming to this decision.

As such, the proposed development is in general accordance with Policies D1, D2, A1 and A3 of the Camden Local Plan 2017. The proposals also comply 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 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.
- 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 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.

- 6 Biodiversity Net Gain (BNG) Informative (1/2):

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 the application 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).

7 Biodiversity Net Gain (BNG) Informative (2/2):

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. 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. The council publishes its adopted policies online, along with detailed Camden Planning Guidance. It also provides advice on the website for submitting applications and offers a pre-application advice service.

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 of the Chief Planning Officer.

Daniel Pope
Chief Planning Officer