

Application ref: 2024/3231/P  
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Date: 23 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](mailto:planning@camden.gov.uk)  
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Finkernagel Ross Architects  
Unicorn House  
221-222 Shoreditch High Street  
London  
E1 6PJ  
United Kingdom

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Granted**

Address:

**61 Dartmouth Park Road  
London  
Camden  
NW5 1SL**

Proposal: Amalgamation of three existing flats to create one studio flat and one four-bedroom flat. Lower ground floor rear extension and single storey side 'infill' extension. Roof replacement with new rooflights (side and rear roofslopes). New windows in side elevation. Window alterations and provision of upper ground floor level balustrade and trellis on rear elevation. New front boundary wall with railings and gate. Alterations to the front garden and rear patio. Replacement tree at front.

Drawing Nos: 61DAR:- 000 Rev 2, 001, 002, 003, 020, 021, 030, 031, 032 Rev 2, 100 Rev 2, 101 Rev 2, 102 Rev 2, 103 Rev 2, 200 Rev 2, 201 Rev 2, 300, 301 Rev 2, 302 Rev 2.

Heritage, Design and Access Statement (Rev A | Ref: 61DAR-A-4-ST\_240731),  
Daylight & Sunlight Summary Report (Delva Patman Redler), Arboricultural Impact  
Assessment, Method Statement & Tree Protection Plan - Trevor Heaps Arboricultural  
Consultancy Ltd - TH 4675 - 20/06/2024)

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 documents and drawings;

61DAR:- 000 Rev 2, 001, 002, 003, 020, 021, 030, 031, 032 Rev 2, 100 Rev 2, 101 Rev 2, 102 Rev 2, 103 Rev 2, 200 Rev 2, 201 Rev 2, 300, 301 Rev 2, 302 Rev 2

Heritage, Design and Access Statement (Rev A | Ref: 61DAR-A-4-ST\_240731), Daylight & Sunlight Summary Report (Delva Patman Redler), Arboricultural Impact Assessment, Method Statement & Tree Protection Plan - Trevor Heaps Arboricultural Consultancy Ltd - TH 4675 - 20/06/2024)

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 and policies DC1, DC2, DC3, of DC4 of the Dartmouth Park Neighbourhood Plan 2020.

- 4 No development shall take place until full details of hard and soft landscaping and means of enclosure of all un-built, open areas have been submitted to and approved by the local planning authority in writing. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

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, A3, A5, D1 and D2 of the London Borough of Camden Local Plan 2017 and policies ES2 and ES3 of the Dartmouth Park Neighbourhood Plan 2020.

- 5 Prior to the commencement of works on site, tree protection measures shall be installed and working practices adopted in accordance with the document entitled Arboricultural Impact Assessment, Method Statement & Tree Protection Plan - Trevor Heaps Arboricultural Consultancy Ltd - TH 4675 - 20/06/2024). All trees on the site, or parts of trees growing from adjoining sites, unless shown on the permitted drawings as being removed, shall be retained and protected from damage in accordance with BS5837:2012 and with the approved protection details. The development shall be monitored by the project arboriculturalist in accordance with the approved report.

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 Camden Local Plan and policies ES2 and ES3 of the Dartmouth Park Neighbourhood Plan 2020.

Informative(s):

1 Reasons for granting

A change of use from 1 x 2 bedroom flat and 2 x 1 bedroom flat to a 1 bed studio unit and 1 x 4 bedroom house is proposed. Local Plan policy H3 seeks to resist development that would involve the net loss of two or more homes (from individual or cumulative proposals).

The proposed 4 bedroom house would exceed the minimum size requirement in the National Housing Standards and it would be of a good size and layout with naturally lit habitable rooms and private rear garden. The 1 bedroom studio unit would be sufficiently sized and it would also have a naturally lit bedroom /living room. The proposal would see the loss of one flat but would provide a new larger family home which is meeting Camden's housing needs and accords with policy H3.

The original proposal was for a two storey rear extension (lower and upper ground floors). However, following concerns raised from the Conservation Officer, this was amended to a lower ground floor rear extension only.

At 5.5m beyond the rear elevation of the original building (i.e. 2.75m beyond the existing rear extension to be removed) this would not be excessive in terms of the appearance and heritage value of the existing building or the character or appearance of the Conservation Area. There are other similar sized single storey elements to the rear of nos. 55 and 57 Dartmouth Park Road and the proposal would not detract from the architectural or heritage value of the building within the Conservation Area.

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.

The extension would not project significantly above the existing boundary with 63 Dartmouth Road and consequently there would be no undue overshadowing or overbearing effects on the occupiers at this site. The existing lower ground floor rear extension has French windows and a terrace atop. The situation would not change and no increased overlooking would arise as a result of the proposal.

The side extension next to 59 Dartmouth Park Road would not sit in front of any habitable room windows or amenity space at this site.

As such, the proposed extensions would not cause any adverse impacts on the amenity of adjoining or nearby residential occupiers in terms of loss of light,

outlook or privacy, noise or disturbance.

The hard surfaced patio area at the rear would not be significantly increased and there would be no significant loss of verdant character or nature. The proposals would not exceed the threshold for Biodiversity Net Gain.

The scheme involves the removal of a Magnolia tree from the front garden and a cherry plum from the rear garden in order to facilitate development. Both trees are category C low quality in accordance with BS5837:2012 and are not considered to significantly contribute to the character and appearance of the conservation area. The loss of canopy cover and amenity can be mitigated against through replacement planting, details of which shall be secured by condition.

The impact of the scheme on the trees to be retained will be of an acceptable level. The tree protection details are considered sufficient to demonstrate the trees to be retained will be adequately protected throughout development.

No objections were received following statutory consultation on the application. The site's planning history and the planning history of neighbouring sites has been taken into consideration.

As such, the proposed development is in general accordance with Policies D1, D2, A1 and H3 of the Camden Local Plan 2017 and policies DC1, DC2, DC3, DC4, ES2 and ES3 of the Dartmouth Park Neighbourhood Plan 2020. 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 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](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.

5 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, but you should check the legislation yourself and ensure you meet the statutory requirements.

Based on the information provided, 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).

++ Summary of transitional arrangements and exemptions for biodiversity gain condition

The following are provided for information and may not apply to this permission:

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 of one or more of the reasons below:
  - 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 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 both the post-development value of the onsite habitat and 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-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 in the upper left corner of the page.

Daniel Pope  
Chief Planning Officer