

Application ref: 2024/3375/P  
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**Development Management**  
Regeneration and Planning  
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Brian O'Reilly Architects  
31 Oval Road  
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United Kingdom

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Granted**

Address:  
**42 Albert Street**  
**London**  
**Camden**  
**NW1 7NU**

Proposal:

Conversion of two self-contained flats into a single-family dwelling, involving relocation of the lower ground entrance door, demolition of a small lower ground extension, replacement with a sash window, enlargement of the rear patio door, and rear ground floor window to the outrigger, along with internal alterations.

Drawing Nos: PROPOSED/562-101-P Rev:A (Proposed Ground and lower ground floor plan); EXISTING/562-201-E (Existing Front and Side elevation); EXISTING/562-103-E (Existing third floor and roof plan); EXISTING/562-200-E (Existing Street and rear elevations); EXISTING/562-102-E (Existing First and Second Floor Plans); EXISTING/562-101-E (Existing Upper and Lower Ground Floor Plans); PROPOSED/562-102-P (Proposed first and second floor plans); PROPOSED/562-103-P (Proposed third floor and roof plan); PROPOSED/562-200-P Proposed Street and rear elevations); PROPOSED/562-201-P (Proposed Front and Side elevations); Location Plan; Design and access statement including Heritage statement.pdf

The Council has considered your application and decided to grant permission subject to the following conditions:

Conditions and Reasons:

- 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-

PROPOSED/562-101-P Rev:A (Proposed Ground and lower ground floor plan); EXISTING/562-201-E (Existing Front and Side elevation); EXISTING/562-103-E (Existing third floor and roof plan); EXISTING/562-200-E (Existing Street and rear elevations); EXISTING/562-102-E (Existing First and Second Floor Plans); EXISTING/562-101-E (Existing Upper and Lower Ground Floor Plans); PROPOSED/562-102-P (Proposed first and second floor plans); PROPOSED/562-103-P (Proposed third floor and roof plan); PROPOSED/562-200-P (Proposed Street and rear elevations); PROPOSED/562-201-P (Proposed Front and Side elevations); Location Plan; Design and access statement including Heritage 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 policies D1 and D2 of the London Borough of Camden Local Plan 2017.

#### Informative(s):

- 1 Reasons for granting permission

The application site comprises a two-storey plus roof space, mid-terrace property located on eastern side of Albert Street at No. 42, which has been split into two flats (1 x 3 bedrooms and 1 x 1 bedroom). The application property is within a terrace of 13 houses on the eastern side of Albert Street built c1845. The buildings are of yellow stock brick with rusticated stucco ground floors. The buildings are flat fronted and 2 windows wide with cast iron balconies to the first floor. The buildings are Grade II listed and are within the Camden Town Conservation Area.

The proposal includes the conversion of two self-contained flats into a single-family dwelling, including the relocation of the lower ground entrance door, removal of a small lower ground extension, and replacement of the existing lower ground extension with a sash window. The project also involves enlarging the rear patio door at the lower ground floor level and enlarging the existing rear ground floor window to the outrigger.

Policy H3 of the Camden Local Plan seeks to resist development that would result in the loss of two or more homes. In this instance, the proposal would result in the loss of one home and therefore would not be contrary to this policy.

The proposed external works will involve the relocation of the lower ground entrance door, removal of a small lower ground extension, and replacement of the existing lower ground extension with a sash window. The project also involves enlarging the rear patio door at the lower ground floor level and enlarging the existing rear ground floor window to the outrigger. The proposed modest external works will focus on maintenance and necessary work for conversion, providing an opportunity to enhance the overall quality of the Grade II listed building and the character of the surrounding historic environment in a sympathetic manner. The alterations would not significantly affect the character of the building or the wider streetscape and conservation area. The proposal would not result in any overall harmful increase in terms of the external appearance impact, listed building and would help preserve the Camden Town Conservation Area.

The proposals have been reviewed by the Council's Conservation Officer who considers that, due to the size and nature of the proposals, the impact is neutral, and they would preserve the character and appearance of this Grade II listed building. The impact of the internal alterations is assessed as part of the associated application for listed building consent (ref. 2024/3824/L). In terms of amenity, given the nature, siting and scale of the proposed external refurbishment and internal works, these elements are not considered to cause any adverse impacts on the amenity of adjoining residential occupiers in terms of loss of light, outlook or privacy.

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

In line with Policy T2 new development would usually need to be secured as car free through a S106 legal agreement. However, the agent has confirmed that the applicant will live in the property following completion of the development so in this instance car-free development does not need to be secured. Furthermore, whilst the proposed home would be a new unit of occupation, it would not represent an increased impact in terms of car parking and parking stress which accords with the overall aims of Local Plan Policy T2.

No objections have been received prior to making this decision. The planning history of the site has been taken into account when coming to this decision.

Based on the information available this permission will not require the approval of a Biodiversity Gain Plan before development is begun because of the nature and size of the application proposal.

As such, the proposed development is in general accordance with Policies A1, T2, D1 and D2 of the London Borough of Camden Local Plan 2017. The proposed development also accords with the London Plan 2021 and the

## National Planning Policy Framework 2023.

- 2 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.

- 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 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.
- 5 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).

- 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, 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).

## 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 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



Daniel Pope  
Chief Planning Officer