

Application ref: 2024/4362/P  
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Date: 19 November 2024

**Development Management**  
Regeneration and Planning  
London Borough of Camden  
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Judd Street  
London  
WC1H 9JE

Phone: 020 7974 4444

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Fraher and Findlay  
Unit 3, Mercy Terrace  
Ladywell  
London  
SE13 7UX  
United Kingdom

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Householder Application Granted**

Address:

**The Lodge**  
**North End Avenue**  
**London**  
**NW3 7HP**

Proposal:

Erection of part two storey and part single storey rear extension.

Drawing Nos:

FF 018 - PL 001 P04, FF 018 - PL 002 P04, FF 018 - PL 003 P04, FF 018 - PL 004 P04, FF 018 - PL 005 P04, FF018 - PL 006 P04, FF 018 - PL 007 P07, FF 018 - PL 008 P04, FF 018 - PL 009 P04, FF 018 - PL 010 P04, FF 018 - PL 011 P04, FF 018 - PL 012 P04, FF 018 - PL 013 P04, FF 018 - PL 014 P04, FF 018 - PL 015 P04, PL 016, Technical Datasheet - Wildflower Species (prepared by Wallbarn), Technical Datasheet - M-Tray Care & Maintenance (prepared by Wallbarn), Wallbarn M-Tray System Build-up, WallbarnLtd.M-Tray.v1 Dwg 1, Planning Statement (prepared by The Plannery, dated October 2024), Design & Access Statement FF23 - 018 (prepared by Fraher and Findlay Architects, dated 27/06/2024), Arboricultural Survey, Impact Assessment & Method Statement: AIA/MF/0184/24 (prepared by Marcus Foster Arboricultural Design & Consultancy, dated October 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:

FF 018 - PL 001 P04, FF 018 - PL 002 P04, FF 018 - PL 003 P04, FF 018 - PL 004 P04, FF 018 - PL 005 P04, FF018 - PL 006 P04, FF 018 - PL 007 P07, FF 018 - PL 008 P04, FF 018 - PL 009 P04, FF 018 - PL 010 P04, FF 018 - PL 011 P04, FF 018 - PL 012 P04, FF 018 - PL 013 P04, FF 018 - PL 014 P04, FF 018 - PL 015 P04, PL 016, Technical Datasheet - Wildflower Species (prepared by Wallbarn), Technical Datasheet - M-Tray Care & Maintenance (prepared by Wallbarn), Wallbarn M-Tray System Build-up, WallbarnLtd.M-Tray.v1 Dwg 1, Planning Statement (prepared by The Plannery, dated October 2024), Design & Access Statement FF23 - 018 (prepared by Fraher and Findlay Architects, dated 27/06/2024), Arboricultural Survey, Impact Assessment & Method Statement: AIA/MF/0184/24 (prepared by Marcus Foster Arboricultural Design & Consultancy, dated October 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 the commencement of works on site, tree protection measures shall be installed and working practices adopted in accordance with the document entitled "Arboricultural Survey, Impact Assessment and Method Statement" by Marcus Foster Arboricultural Design and Consultancy' dated October 2024 ref. AIA/MF/0184/24. 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 London Borough of Camden Local Plan 2017.

- 5 The green roof hereby approved shall be fully installed on the extension in accordance with the approved details prior to first occupation and thereafter retained and maintained in accordance with the approved scheme for the

duration of the development.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with Policies A3 and CC3 of the London Borough of Camden Local Plan 2017.

- 6 The flat roof of the extension hereby approved shall not be used at any time as amenity space, and any access out onto this area shall be for maintenance purposes only.

Reason: To safeguard the amenities of the adjoining neighbours in accordance with the requirements of policy A1 of the London Borough of Camden Local Plan 2017.

#### Informative(s):

- 1 Reasons for granting permission:

The proposal involves the erection of a part two storey and part single storey rear extension to the existing dwelling. The site comprises a detached two storey residential dwelling located on the east side of North End Avenue in Hampstead. The property is an L-shaped dwelling which is accessed via a private driveway, which also serves the neighbouring properties, Northstead and Northgate. The garden is located to the south of the plot and has boundary with a footpath which runs between North End Avenue and North End Way. The property is Arts and Crafts style and includes decorative red terracotta tiles and natural pebble dash render. The Lodge is unlisted but noted as making a positive contribution to the Hampstead Conservation Area.

The proposed extension consists of a nearly full-width extension at ground level and a smaller projecting extension at first floor, which is integrated into the roof. Due to the variation in levels of the garden, the first floor and ground floor both open feature doors leading into the garden. The first floor extension takes the form of the existing ridge height and matches the other dormer ridge to the property, respecting the architectural features of the host building and reinforcing its historic characteristics. The extension extends approximately 4m in depth and 9.4m in width at ground floor and 3m in depth and 4m in width at first floor level. The ground floor element of the proposal has rendered and glazed walls and a flat green roof containing a rooflight. Full details of planting to the green roof have been provided and are secured by condition. The extension is finished in a palette of materials to complement the existing dwelling.

The proposals are considered to be supportable under the Council's policies for the management of the Hampstead Conservation Area. The scale, form, design and location of the current proposals are considered to be appropriate in their degree of subservience to the host building, thereby preserving its positive contribution to the character and appearance of the conservation area.

Due to the nature of the external works and design of the extension, as well as the established planting within the proximity of the property, it is considered

that the proposal would not result in any harm to the amenities of neighbouring occupiers. Neither extension would introduce any new opportunities for overlooking, nor would they be of a scale or position that they would result in significant impacts on daylight and sunlight or outlook from neighbouring properties. A condition prevents the use of the flat roof of the extension as an amenity space.

The proposal has been reviewed by the Council's Trees and Landscaping Officer, who has confirmed that the works will not have an adverse effect on existing trees and will maintain the character and amenity of the area. A condition will ensure that the proposal is carried out in accordance with submitted tree protection measures.

Two neighbour objections were received prior to the determination of this application. The objections raised issues concerning existing works being undertaken at the property, access rights, and concern over the accuracy of survey plans submitted. These are private civil matters that are not planning considerations, though the applicant has confirmed that they had used accurate survey data when drawing up the proposal. Objections were also raised regarding the loss of views to the Heath and the impact on daylight to neighbouring properties, however as noted above, the scale and positioning of the extensions are not such that they would have a significant impact on outlook or daylight and sunlight. Hampstead CAAC and Neighbourhood Forum were consulted and made no comments.

The planning history of the site and surrounding area were taken into account when coming to this decision.

- 2 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 Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

As such, the proposed development is in general accordance with policies A1, A2, A3, D1 and D2 of the Camden Local Plan 2017 and policies DH1, DH2, and NE4 of the Hampstead Neighbourhood Plan 2018. The proposed development also accords with The Hampstead Neighbourhood Plan 2025 (Emerging), The London Plan 2021, and the National Planning Policy Framework 2023.

- 3 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).
- 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](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.

- 6 Biodiversity Net Gain (BNG)

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 is begun 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).

#### 7 + 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-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 'DP', is centered on the page.

Daniel Pope  
Chief Planning Officer