

Application ref: 2024/4210/P  
Contact: Lauren Ford  
Tel: 020 7974 3040  
Email: [Lauren.Ford@camden.gov.uk](mailto:Lauren.Ford@camden.gov.uk)  
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**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)  
[www.camden.gov.uk/planning](http://www.camden.gov.uk/planning)

betterPAD  
31 Melbourne Grove  
Southwark  
LONDON  
SE22 8RG  
United Kingdom

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Householder Application Granted**

Address:  
**72 Lawn Road**  
**London**  
**NW3 2XB**

#### Proposal:

Erection of single storey rear extension , erection of dormer to rear elevation, erection of an outbuilding in the rear garden, installation of ASHP in rear garden, replacement of existing windows to front, side and rear elevations, replacement front door, erection of bin enclosure to front yard, installation of 4x solar panels on roof, erection of metal railings to front staircase, replacement of brick with brickslips to first floor rear elevation.

Drawing Nos: 2403/PL.00; 2403/09, Rev 02; 2403/PL.01; 2403/PL.02; 2403/PL.03; 2403/PL.04; 2403/PL.05, Rev 01; 2403/PL.06; 2403/PL.07; 2403/PL.08; 2403/PL.09; 2403/PL.10, Rev 02; 2403/PL.11, Rev 04; 2403/PL.12, Rev 02; 2403/PL.13; 2403/PL.14; 2403/PL.15, Rev 01; 2403/PL.18; Design & Access Statement, August 2024; Heritage Statement, September 2024; Plant Noise Assessment Report, 17 September 2024; Technical datasheet, product-no 236643.

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 2403/PL.00; 2403/09, Rev 02; 2403/PL.01; 2403/PL.02; 2403/PL.03; 2403/PL.04; 2403/PL.05, Rev 01; 2403/PL.06; 2403/PL.07; 2403/PL.08; 2403/PL.09; 2403/PL.10, Rev 02; 2403/PL.11, Rev 04; 2403/PL.12, Rev 02; 2403/PL.13; 2403/PL.14; 2403/PL.15, Rev 01; 2403/PL.18; Design & Access Statement, August 2024; Heritage Statement, September 2024; Plant Noise Assessment Report, 17 September 2024; Technical datasheet, product-no 236643.

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 The external noise level emitted from plant, machinery or equipment at the development with specified noise mitigation hereby approved shall be lower than the typical existing background noise level by at least 10dBA, by 15dBA where the source is tonal, as assessed according to BS4142:2014 at the nearest and/or most affected noise sensitive premises, with machinery operating at maximum capacity and thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise from mechanical installations/ equipment in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017

- 5 Prior to use, machinery, plant or equipment at the development shall be mounted with proprietary anti-vibration isolators and fan motors shall be vibration isolated from the casing and adequately silenced and maintained as such.

Reason: To ensure that the amenity of occupiers of the development site and surrounding premises is not adversely affected by vibration in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017

- 6 Prior to first use of the air source heat pump hereby approved, the active cooling function shall be disabled on the factory setting and the air source heat pump shall be used for the purposes of heating only.

Reason: To ensure the proposal is energy efficient and sustainable in accordance with policy CC1 and CC2 of the London Borough of Camden Local Plan 2017.

- 7 Before the relevant part of the work is begun, detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority:
- a) Details including sections at 1:10 of all windows (including jambs, head and cill);

The relevant part of the works shall be carried out in accordance with the details thus approved.

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.

- 8 Prior to commencement of development, full details in respect of the living roof on the rear extension and outbuilding, 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 manufacturer's 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 CC1, CC2, CC3, D1, D2 and A3 of the Camden Local Plan 2017.

#### Informative(s):

- 1 Reasons for granting permission.

The application site is located on the western side of Lawn Road and comprises a semi-detached two-story dwelling. The site is within the Parkhill Conservation Area and is identified as a positive contributor.

The proposed scope of works has been amended to omit a previously proposed side dormer, and the rear dormer has been amended whereby it has been reduced in size and materials changed to timber and the design of the replacement garage door has been amended so that its fenestration is the same as the existing door.

The rear extension is single storey and located at ground floor level. It has been sized, designed and located appropriately such that it would preserve the character and appearance of the host building and surrounding area. It is subordinate in size, would not be visible from the public realm and sufficient garden space would be retained. The extension would retain the stepped layout of the ground floor, ensuring the bulk and mass of the extension is limited and not appear visually dominant. The proposed materials, which includes brick to match the existing is also appropriate.

The rear dormer has been reduced in size so that it now respects the hierarchy of the façade and is subordinate, and the proposed materials have been changed to include timber to complement the existing roof materials and lend it as a lightweight addition.

The proposed outbuilding is similar in size and scale to the existing shed in which it would replace and is acceptable. A condition has been attached stating that the outbuilding shall only be used for the purposes ancillary to the enjoyment of the house, and that it cannot be used for separate business or living means.

A green roof is proposed for the rear extension and outbuilding which is a positive, helping the structures visually blend in with the garden setting, and mitigating against the loss of gardens space. A condition has been attached requiring details of the green roofs to be submitted for approval. The proposed replacement windows are acceptable, as they would be the same as those in which they would replace. A condition has been attached requiring details of new windows to be submitted for approval.

4x solar panels are proposed on the roof to the building's side elevation, which would not be readily visible from the public realm and are considered acceptable.

Works to the front elevation such as the replacement front door, replacement roller door, metal railing and bin storage are all considered acceptable. The style of the front door and roller door would be in keeping with the existing and are therefore sympathetic to the host building and the bin storage area is sufficiently limited in size.

The proposed ASHP would be located in the rear garden, is limited in size and is considered acceptable.

Overall, it is considered that the proposed development would preserve the character and appearance of the host building and 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 proposal is not considered to cause any adverse impacts on the amenity of adjoining residential occupiers in terms of loss of daylight, sunlight, privacy or sense of enclosure. The rear extension is single storey and limited in height. The 45-degree test has been undertaken with respect to the living room door at 73 Lawn Road which demonstrates that the doors fail the plan test but pass the elevation test. On this basis it is not considered that the rear extension would result in an adverse impact on the daylight or sunlight received to 73 Lawn Road.

- 2 With respect to noise, a noise assessment was submitted which has been

reviewed by Council's Environmental Health (Pollution) officer who is satisfied that the acoustic submission meets Local Plan guidelines and is therefore acceptable in environmental health terms. Conditions around noise limited and anti-vibration isolators have been attached.

The applicant has confirmed that the ASHP is not to be used for cooling, and a condition surrounding this has been attached.

A comment has been received from the CAAC which makes reference to the side dormer and lighting. The side dormer has been omitted from the proposal, and planning permission is not required for lighting. The planning 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 A1, A4, 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.

- 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 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 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 the application is a householder application.

#### ++ 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 + 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



Daniel Pope  
Chief Planning Officer