



Figure 1: Location Plan



Figure 2: Existing Site Plan



Figure 3: Proposed Site Plan

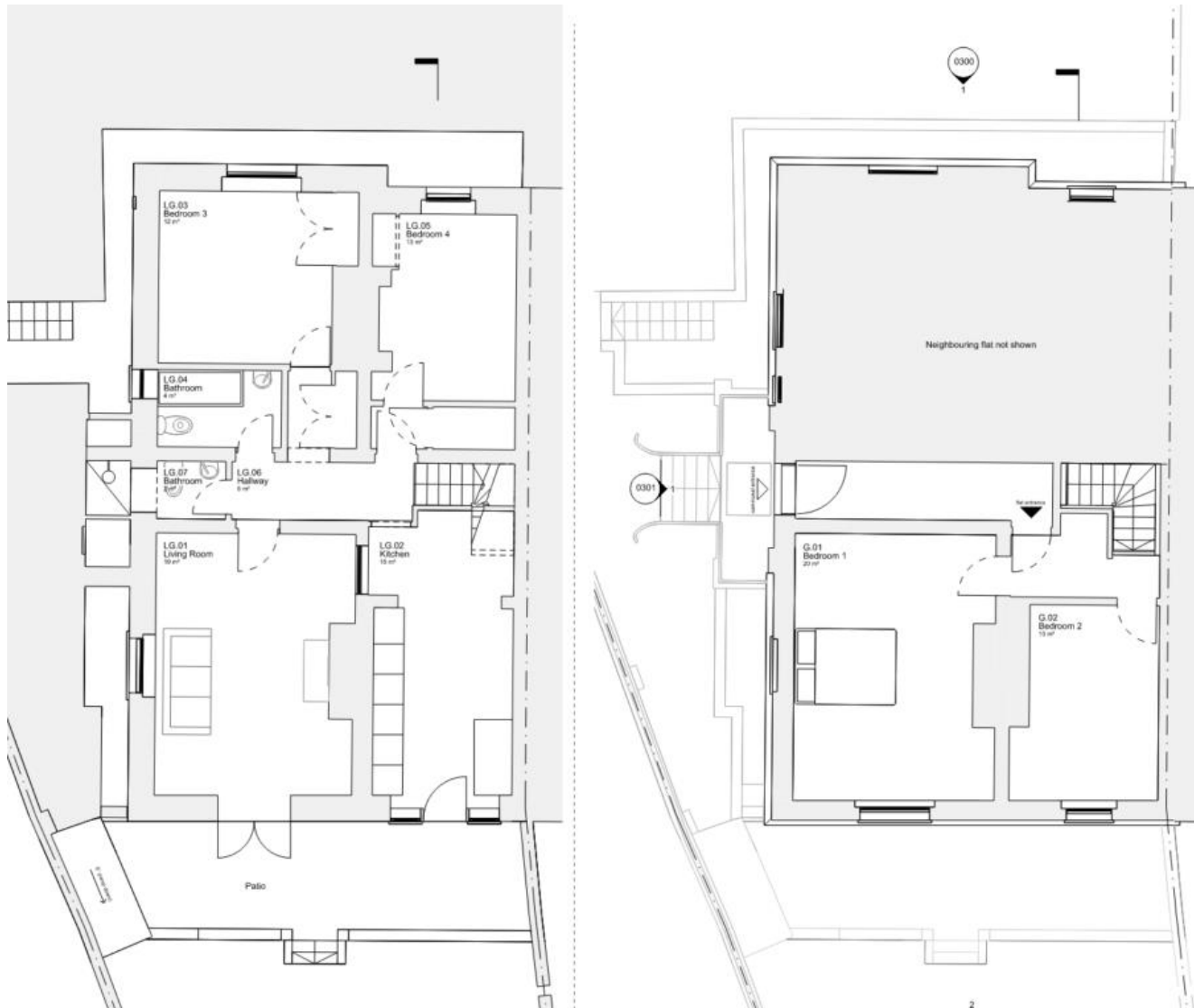


Figure 4: Existing Lower Ground and Ground Floor plans

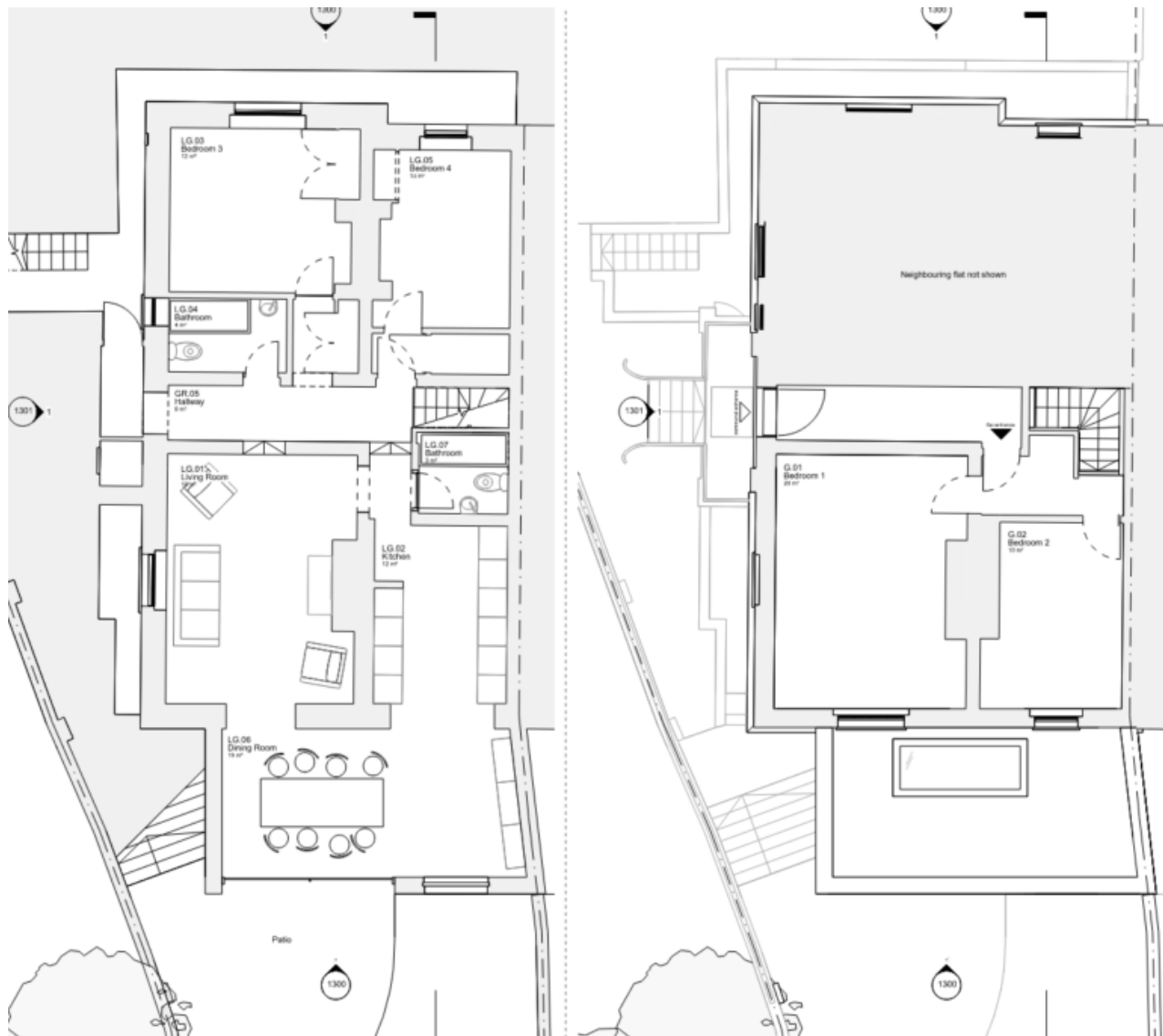


Figure 5: Proposed Lower Ground and Ground Floor plans (Rear extension)

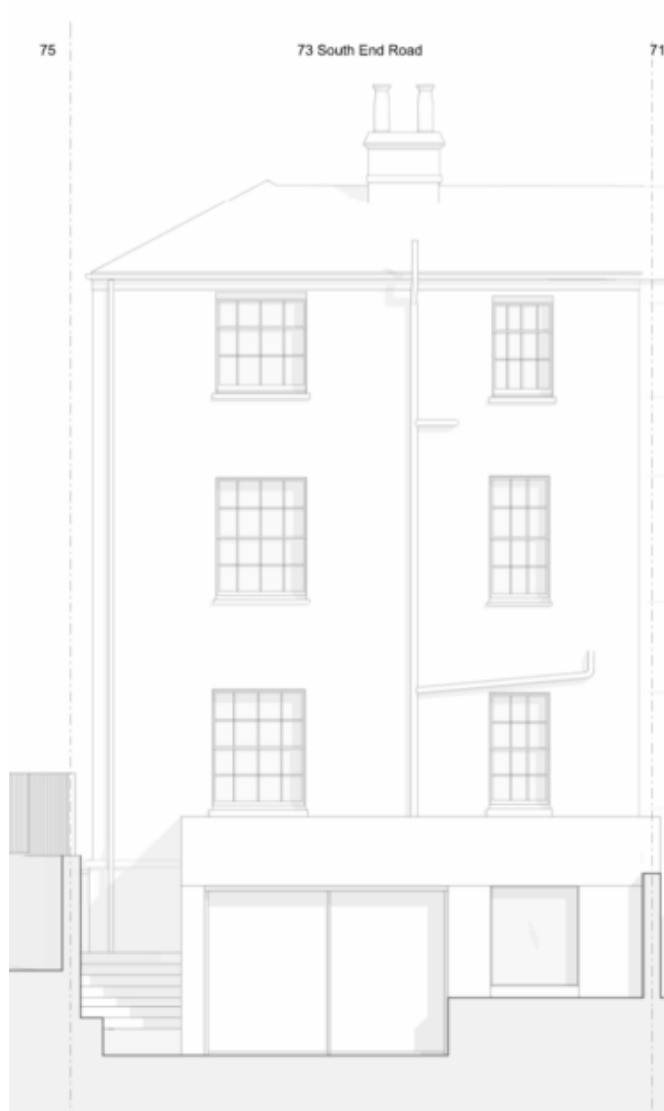


Figure 6: Proposed Rear elevation (rear extension)

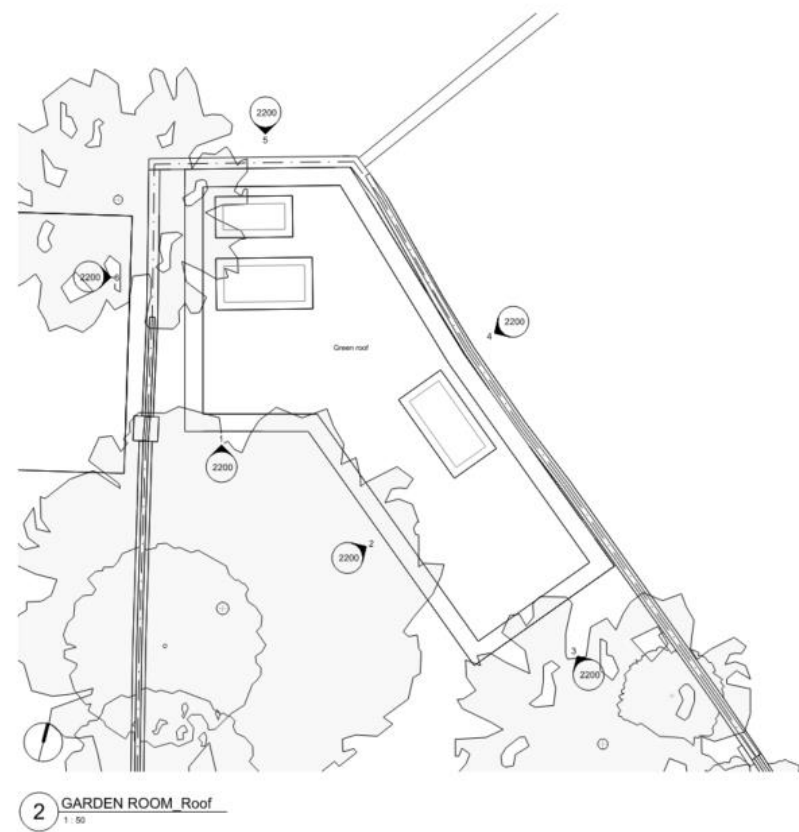
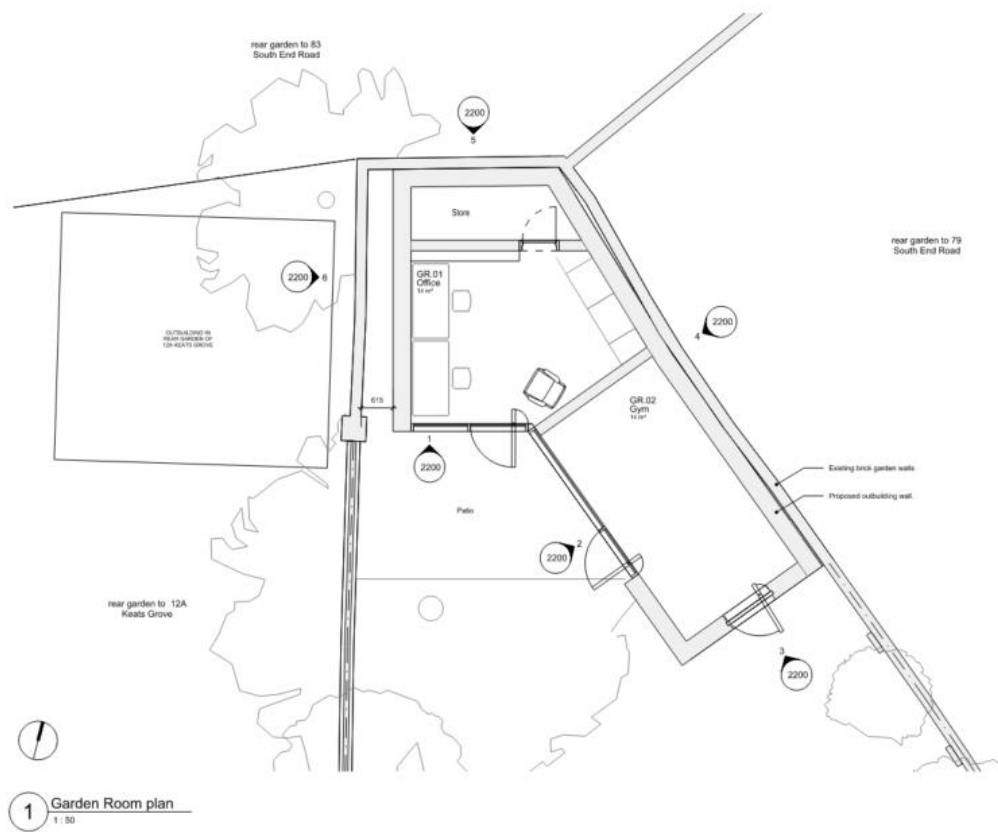
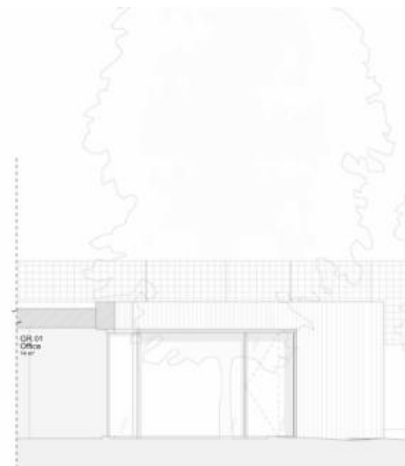


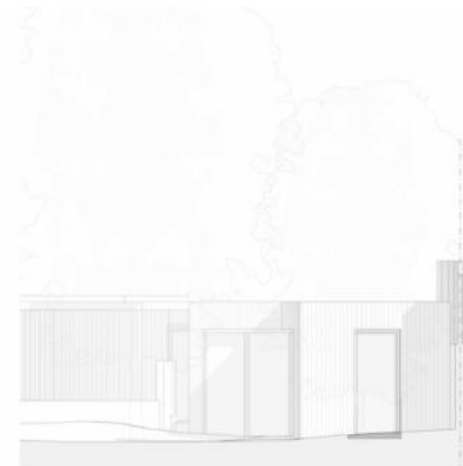
Figure 7: Proposed Outbuilding floor and roof plans



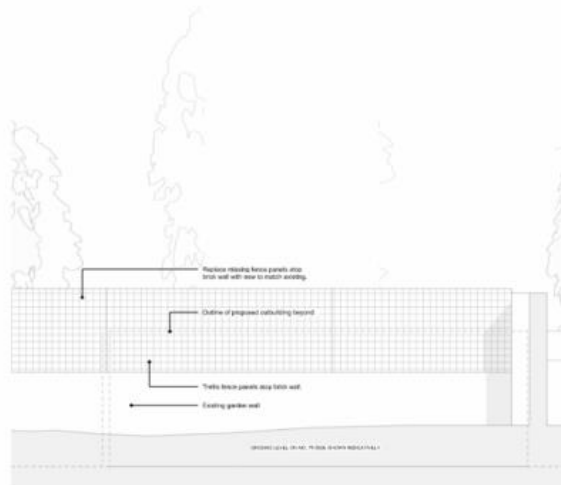
1 Outbuilding South Elevation - Proposed  
1:50



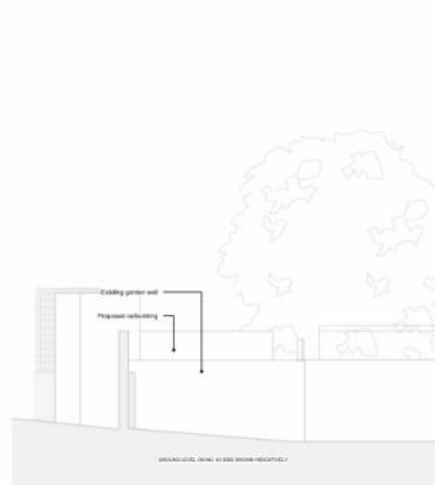
2 Outbuilding South-west Elevation - Proposed  
1:50



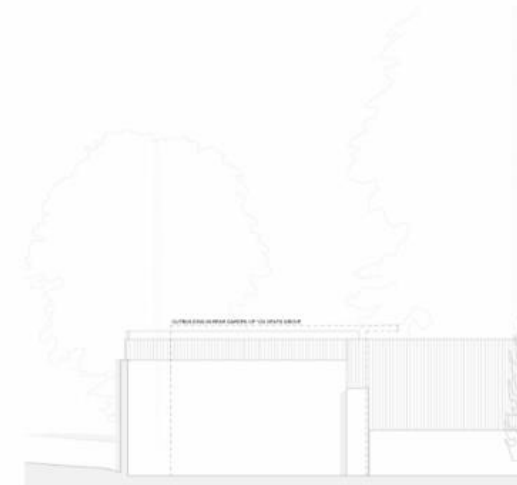
3 Outbuilding South-east Elevation - Proposed  
1:50



4 Outbuilding North-East Elevation - Proposed  
1:50



5 Outbuilding North Elevation - Proposed  
1:50



6 Outbuilding West Elevation - Proposed  
1:50

Figure 8: Proposed Outbuilding elevations





Figure 3: Proposed Landscaping Plan (indicative)

<b>Delegated Report</b> <b>(Members Briefing)</b>		Analysis sheet		Expiry Date:	24/05/2024
		N/A / attached		Consultation Expiry Date:	07/07/2024
Officer				Application Number(s)	
Brendan Versluys				2024/1274/P 2024/2098/L	
Application Address				Drawing Numbers	
Leigh House (Lower Ground Floor Flat) 73 South End Road London NW3 2RJ				See draft decision notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
<p><u>Planning permission:</u> Erection of rear extension to lower ground floor; erection of outbuilding in the rear garden.</p> <p><u>Listed building consent:</u> Erection of rear extension to lower ground floor; internal alterations at lower ground floor.</p>					
Recommendation:		1. Grant conditional planning permission 2. Grant listed building consent			
Application Type:		1. Full Planning Permission 2. Listed Building Consent			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice			
Informatives:				
Consultations				
Summary of consultation:	Site notice(s) were displayed near to the site on 05/06/2024 (consultation end date 29/06/2024).  A press notice was advertised 13/06/2024 (consultation end date 7/07/2024).			
Adjoining Occupiers:	No. of responses	15	No. of objections	15
Summary of consultation responses:	<u>Objections:</u>  15 objections were received following statutory consultation. A summary of responses are as follows: <ul style="list-style-type: none"><li>Concern with loss of trees in relation to biodiversity/amenity/visual privacy benefits they provide, can the existing trees be replanted.</li><li>The outbuilding will be very high and oversized, in very close proximity to neighbouring properties</li><li>The use/purpose of the outbuilding is unclear, it could be used as a stand-alone residence.</li><li>Concern the outbuilding may cause damage to adjoining boundary walls.</li><li>The outbuilding will block views and may affect light.</li><li>Consenting to an application which allows gardens to be razed and replaced by large structures (we are not talking garden sheds) is that it opens the floodgates to other developers to do likewise.</li><li>The previously quiet garden will now be used for louder activities and the foot traffic to and from this building will create noise not previously experienced.</li><li>It appears to include removing/replacing the fencing of these surrounding properties which is unacceptable and implies that the building will reach to our fencing.</li><li>The loss of garden will impact negatively on the local flood risks</li></ul> <u>Officer response:</u> <ul style="list-style-type: none"><li>Trees and landscaping effects are assessed in section 4 of this report.</li><li>Design and heritage effects are assessed in section 3.</li><li>Amenity effects are assessed in section 5.</li><li>A condition is attached to the draft decision restricting the outbuilding from being occupied at any time other than for purposes incidental to the residential use of the dwelling at the application site.</li><li>There are existing outbuildings in rear gardens on other sites in the locality, the proposed outbuilding subject to this application would therefore not set a precedent.</li><li>Aside from adding trellises to one of the existing boundary walls, the applicant does not propose any works to the boundary walls as part of the construction of the outbuilding. An informative is attached to the</li></ul>			

	<p><i>draft decision drawing the applicant's attention that the 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. They are advised to consult a suitably qualified and experienced Building Engineer.</i></p> <ul style="list-style-type: none"><li>• <i>A green roof is proposed over the outbuilding. Given the amount of garden space to be retained together with the provision of a green roof over the outbuilding, the proposal would not exacerbate flooding.</i></li></ul>
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<p><b>South End Residents Group</b></p>	<p>The South End Residents Group objected as follows:</p> <p><i>The proposed building would not be in line with and respectful of the existing character of local and heritage assets, historical landscape put forward to policy D2 heritage. It does not blend in well with the neighbouring historical assets, and open spaces. The proposed height of the building would detract from their outlook. It is far too tall at 2.9m and would stick out like a sore thumb.</i></p> <p><i>The proposed building would be detrimental to open spaces that have been designated as protected. It is also inconsistent with the policy of conserving the heritage value of such open spaces and other aspects that contribute to the setting of existing heritage assets.</i></p> <p><i>The proposed building would be unsympathetic to the historical landscape of the neighbouring heritage assets, the neighbourhood and the area. Given that the proposed building is within the curtilage of a grade II listed building, the proposed building is contradictory with its existing historical context and would result in a lack of harmony to its surrounding listed neighbouring properties.</i></p> <p><i>The proposed development involves the dismantling of existing walls. These are listed and cannot be touched. It does not respond to the existing heights, scales, storey heights and materials of surrounding neighbouring properties. It is far too large and out of context. The proposed building would involve the cutting down of 8 trees to make way for the development. It threatens the biodiversity and nature corridors of the historic conservation area. It disrupts the local habitat and adjacent protected green space.</i></p> <p><u>Officer response:</u></p> <ul style="list-style-type: none"> <li>• <i>Trees and landscaping effects are assessed in section 4 of this report.</i></li> <li>• <i>Design and heritage effects are assessed in section 3.</i></li> </ul>
<p><b>Downshire Hill Residents Association</b></p>	<p>The Downshire Hill Residents Association objected as follows:</p> <p><i>At the AGM of DHRA on 30 June it was resolved to object to the above application on an 'in principle basis' in respect to the intrusion into, and dilution of, the protected open space bounded by the properties in Downshire Hill, Keats Grove and South End Road.</i></p> <p><i>Notwithstanding the historic erosion of this space by other outbuildings, this accretion has to be ceased in order to protect a valuable visual and functional amenity space.</i></p> <p><i>Attempts had been made previously to create an independent dwelling in this backland to maximise value, and whilst the scale of this proposal is less, it is nevertheless an unwarranted and inappropriate intrusion, rising substantially above established boundary walls.</i></p> <p><i>The usage pattern and noise intrusion associated with such a facility inevitably conflicts with the tranquillity of the existing protected environment. The destruction of, and threat to existing trees as well as vegetation, is</i></p>

	<p><i>completely unacceptable in this setting.</i></p> <p><i>Other affected residents have presented detailed policy criteria in regards to this application.</i></p> <p><i>Our overriding overview is the necessity to protect a valuable resource in a conservation area against undue built form , destruction of, and ongoing threat to trees and vegetation , as well as associated noise and other amenity intrusion to a protected open space.</i></p> <p><i>We trust the quality of this environment can be protected, and the proposal refused.</i></p> <p><u>Officer response:</u></p> <ul style="list-style-type: none"><li>• <i>Trees and landscaping effects are assessed in section 4 of this report.</i></li><li>• <i>Design and heritage effects are assessed in section 3.</i></li><li>• <i>Amenity effects are assessed in section 5.</i></li></ul>
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**Hampstead  
Neighbourhood  
Forum**

A letter of objection on behalf of Hampstead Neighbourhood Forum was received on 23/07/2024:

*The garden building proposed at 73 South End Road is overlarge, damaging to biodiversity and fails to utilise sustainable materials or methods of construction. The proposal is contrary to Hampstead Neighbourhood Plan policies NE4 Supporting Biodiversity, DH1 Design and DH2 Conservation Areas and Listed Building.*

*The emerging drafts of the Camden Local Plan and the Hampstead Neighbourhood Plan, available to view on the Forum's website, place great emphasis on protecting biodiversity and on sustainability. We note that the garden occupies an important location directly adjoining an area listed as Private Open Space. NE1 of the draft new Hampstead Plan supports development that provides a minimum of 10% Biodiversity Net Gain and states that development, where feasible, should include the following measures:*

- a) Increasing canopy cover and volume as part of any landscaping scheme*
- b) Increasing biomass through the planting of hedges and shrubs and necromass through establishing wood piles and other dead plant life.*
- c) Living green roofs and walls.*
- d) Using restrained lighting in low blue content white or yellow light to minimise impact on humans and wildlife and to reduce light pollution.*
- e) The protection or enhancement of the status or population of priority habitats, species, and wildlife movement.*
- f) Increasing the area of permeable surfaces, particularly those that include biodiversity-enhancing features, and reducing the area of impermeable surfaces, including artificial grass.*

*Providing a green roof would not on its own mitigate the loss the garden to development or the loss of trees. Further garden would be lost to surfacing and the proposed rear extension.*

*Little space would be left for the movement of wildlife. Draft NE1 urges all garden buildings to leave a 1-metre gap between any garden building and the boundary to provide for the movement of wildlife. The proposed garden building would be built up to the boundaries of three different gardens, all of which are designated as Private Open Space.*

*Draft Policy NE2 states that acceptable garden buildings should be constructed on piled foundations or point supports (i.e., not reinforced concrete slab foundations). As the Plan explains: "Concrete slabs permanently degrade the garden surface, reduce trees' rooting areas by removing opportunities for them to absorb oxygen, and damage the environment when removed, degrading the ability of gardens to support biodiversity".*

*The revised Neighbourhood Plan according to Draft Policy DH3 supports net-zero carbon development and expects all new build to achieve at least net zero. The revised Plan expects development to prioritise sustainable design and materials and, where possible, increase permeable surface areas. It further states that applicants should slow water run-off, using a sustainable drainage system where appropriate, such as attenuation tanks. The proposal does not seem to address these priorities.*

*For these reasons, we would urge Camden to refuse.*

**Officer response:**

- *Trees and landscaping effects are assessed in section 4 of this report.*
- *Design and heritage effects are assessed in section 3.*

## Site Description

The application site relates to a semi-detached, four storey residential building, known as 'Leigh House'

The building comprises four flats, with the subject application relating to a lower ground and ground floor maisonette dwelling. The maisonette has sole use / access to the garden at the rear.

The site is located in the Hampstead Conservation Area and the host building is Grade II listed (ref. no. 1378672). The adjoining property, no. 71 (Russell House) is also Grade II listed and is included in the same list entry as no. 73.

## Relevant History

None relevant.

## Relevant policies

### National Planning Policy Framework (2023)

### The London Plan (2021)

### Camden Local Plan (2017)

- H7 Large and small homes
- A1 Managing the impact of development
- A3 Biodiversity
- D1 Design
- D2 Heritage
- CC1 Climate change mitigation
- CC2 Adapting to climate change

### Camden Planning Guidance:

- CPG Amenity (2021)
- CPG Design (2021)
- CPG Housing (2021)

### Hampstead Conservation Area Conservation Area Appraisal and Management Strategy (2001)

### Hampstead Neighbourhood Plan

- DH 1: Design
- DH2: Conservation areas and listed buildings
- NE2: Trees
- NE3: Biodiversity Corridors
- NE4: Supporting biodiversity

### Draft Camden Local Plan

The council has published a new [Draft Camden Local Plan](#) (incorporating Site Allocations) for consultation (DCLP). The DCLP is a material consideration and can be taken into account in the determination of planning applications but has limited weight at this stage. The weight that can be given to it will increase as it progresses towards adoption (anticipated 2026).



## Assessment

### 1. The proposal

The application seeks permission for the following works:

- Erection of a new single storey rear extension at the lower ground floor. The extension would be constructed with stucco to match the existing building, zinc roofing and aluminium framed windows.
- Erection of an outbuilding in the rear garden, at the northwest corner of the site adjoining the party walls with nos. 79 and 83 South End Road. The outbuilding would be constructed with timber cladding. The floor plan includes a gym, office and store.

A new pathway, with stair and planter would be constructed between the rear extension and outbuilding, see images below:



Sketch of proposal, view from garden



Sketch of proposal, view from garden

The proposal would require the removal of 8 x trees within the rear garden.

### Revisions

The following revisions have been made to the proposal during the course of the application:

- The outbuilding's footprint has been reduced to be set in approximately 0.615m from the western boundary with 12A Keats Grove.
- A green roof is proposed over the outbuilding.

## **2. Assessment**

2.1. The principal considerations material to the determination of this application are as follows:

- Design and Heritage
- Trees and landscaping
- The impacts caused upon the residential amenities of any neighbouring occupier (Residential Amenity)
- Biodiversity Net Gain (BNG)

## **3. Design and Heritage**

3.1. The Council's design policies are aimed at achieving the highest standard of design in all developments. The following considerations contained within policies D1 and D2 are relevant to the application: development should respect local context and character; preserve or enhance the historic environment and heritage assets; comprise details and materials that are of high quality and complement the local character; and respond to natural features.

3.2. CPG Home Improvements states the siting, location, scale, and design of an outbuilding should have a minimal visual impact on and be visually subordinate within the host garden. Outbuildings should preserve or enhance the character of conservation areas and should not detract from the open character and garden amenity of neighbouring gardens and the wider surrounding area. Space suitable for soft landscaping and an acceptable amount of garden space should be retained.

3.3. CPG Home Improvements states rear extensions should:

- Be subordinate to the building being extended, in relation to its location, form, footprint, scale, proportions, dimensions and detailing;
- Be built from materials that are sympathetic to the existing building wherever possible;
- Respect and preserve the original design and proportions of the building, including its architectural period and style;
- Respect and preserve existing architectural features, such as projecting bays, decorative balconies, cornices and chimney stacks;
- Be carefully scaled in terms of its height, width and depth;
- Allow for the retention of a reasonably sized garden;

### Extension and internal alterations

3.4. The rear extension would be a modest and proportionate addition to the building, it would be offset from the northern building line of the existing building, ensuring there is a delineation between the old and the new and avoiding a potentially more dominant full-width rear extension which could compromise the appearance and setting of the listed building. As such, the rear extension is acceptable in terms of its size and location.

3.5. The rear extension is designed with a low profile and the roof would not protrude above the modest raised parapet at the edge of extension. The general composition of the outbuilding is simple and unobtrusive to the host building.

3.6. The extension would be constructed with white stucco to match the materiality of the existing host building. The aluminium framed windows would be consistent with the contemporary form of the rear extension, which is distinct from the traditional fenestration of the remainder of the building.

3.7. The windows and doors in the main elevation of the building are removed in order to access the extension, these elements are not historic, their removal is therefore not contentious.

3.8. The internal alterations include the relocation of a bathroom (at lower ground floor) and the lowering of the floor to the two rear rooms. The relocation of the bathroom allows the side entrance to be reopened, improving the plan form and to some extent reinstating the circulation of this part of the building. The new bathroom is located on the other side of the staircase, which in this instance is the least intrusive position. The floors to the rear two rooms are lowered by 40cms. The floor to ceiling height (of the lowered two rear rooms) will be lower than the floors above in order to maintain the buildings hierarchy, and there is no historic flooring or joinery to this part of the building which would be impacted by these works.

### Outbuilding

3.9. The outbuilding would be located at the northern tip of the rear garden, wrapping around a small kink to the boundary with 83 South End and then continuing along approximately two thirds of the rear boundary of no. 79 (see Figure 1 below).



Figure 1: Precedent image of proposed outbuilding

3.10. The outbuilding would be located well-clear of the existing house, and together with it being discreetly located at the northern end of the rear garden, the outbuilding would be a secondary feature of the property and as such it would not compromise the setting of the listed building.

3.11. The outbuilding and rear extension would together reduce the amount of garden space, however the total proportion of garden space lost is modest and an acceptable amount of garden space would remain. Trees and landscaping effects are discussed in more detail in section 4 of this report.

3.12. The footprint of the outbuilding is relatively large, however given combination of; the large size of the rear garden, the existing planting to remain and proposed replacement planting, and the structure being designed to carefully wrap around the northern tip of the rear garden (instead of standing in a more prominent, isolated position within the garden), the bulk and mass of the outbuilding structure can be absorbed within the verdant setting of the rear garden. The footprint of the outbuilding has been slightly reduced with a setback from the boundary with 12A Keats Grove. Consequently, the sense of enclosure arising from the garden outbuilding has been reduced to an acceptable level.

3.13. Further, garden buildings are not uncommon within the local area, and as such are an

accepted part of the character of the conservation area.

- 3.14. The outbuilding would be constructed in timber and would incorporate a green roof which further assists with mitigating the bulk of the structure in the rear garden context and would be sympathetic to the character and appearance of the conservation area.
- 3.15. Overall, the outbuilding would read as subordinate to the host property and an acceptable amount of garden space would remain. The outbuilding would be visible in views from neighbouring gardens however by virtue of its scale, design and materiality, it is not considered to harm the character and appearance of the conservation area.

#### Conclusion:

- 3.16. It is considered that the proposed outbuilding, rear extension and internal alterations would not cause a detrimental impact upon the character and appearance and historical features and settings of the host property and would preserve the special character of the conservation area. Special attention has been paid to the desirability of preserving the listed building and its setting or any features of special architectural or historic interest which it possesses, and to preserving or enhancing the character or appearance of the conservation area, under s.16, s.66 and s72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

## **4. Trees and landscaping**

- 4.1. Policies A3 and D1 advise that the Council seek to protect gardens and resist the loss of trees and vegetation of significant amenity, historic, cultural or ecological value. Hampstead Neighbourhood Plan policy NE2 seeks to ensure development protects trees that are important to local character, streetscape, biodiversity and the environment, policy NE3 seeks to ensure development proposals, where appropriate, include measures to protect and assist in the restoration of Hampstead's tree lines and biodiversity corridors, and policy NE4 seeks to ensure development proposals are encouraged to increase canopy cover as part of any landscaping scheme, increase where feasible the area of permeable surfaces, and should protect or enhance the status or population of priority habitats, species and wildlife movement.
- 4.2. The proposal involves the removal of 8 x smaller Category C and Category U trees located within the rear garden. Works would also occur within the Root Protection Area of a tree to remain (an Evergreen Magnolia). The application is exempt from Biodiversity Net Gain requirements due to it being submitted on 29/03/2024 and the BNG requirements came into effect for small sites on the 02/04/2024.
- 4.3. While the trees have limited visibility from the public realm, their removal could have some degree of have collective impact however the trees are not of sufficient quality or significance for their removal to be resisted.
- 4.4. The loss of canopy cover and amenity would be mitigated against through replacement planting.
- 4.5. An indicative replacement planting/landscaping plan has been provided, with full details of the replacement planting/landscaping to be secured as a condition of planning permission. The initial landscaping scheme includes five new trees to be planted along with areas for planting beds, ornamental grasses, small shrubs and flowering perennials, and a grassed lawn. The proposed replacement planting, along with the provision of a green roof over the new outbuilding, would mitigate the loss of amenity and enhance the biodiversity of the site.
- 4.6. A green roof would also be implemented over the outbuilding, softening the bulk of the structure and offsetting the loss of garden space from the outbuilding.

- 4.7. Council's Tree Officer has advised the impact of the scheme on the trees to be retained will be of an acceptable level provided appropriate tree protection measures are secured. The applicant has agreed to a condition of consent that prior to the commencement of any works on site, details demonstrating how trees to be retained shall be protected during construction work to be submitted to and approved by Council. The condition would stipulate 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 the approved protection details.
- 4.8. As discussed under section 3.12, the footprint of the outbuilding has been slightly reduced with a setback from the boundary with 12A Keats Grove. This will ensure a wildlife corridor is maintained and the passage of wildlife is not unduly obstructed by the outbuilding.
- 4.9. In light of the above, the proposed scheme is considered to have an acceptable impact on the biodiversity of the site and landscaped character of the wider area.

## **5. Amenity**

- 5.1. Policy A1 seeks to protect the quality of life of occupiers and neighbours by only granting permission for development that would not harm the amenity of residents. This includes factors such as privacy, outlook, implications to natural light, artificial light spill, as well as impacts caused from the construction phase of development.
- 5.2. The proposed outbuilding would not give rise to overlooking or loss of privacy issues, as the outbuilding would be single storey in height, sited at the rear of the garden, and would have no windows fronting onto neighbouring properties.
- 5.3. Views of the top of the outbuilding may be possible from some adjoining properties, but this is principally due to some parts of the existing boundary walls having a low profile. The outbuilding would stand at a height of approximately 2.9m, which is an acceptable height for a garden outbuilding. The applicant proposes to replace missing fence panels (trellises) attached to the boundary wall with 79 South End Road, immediately to the north-east of the outbuilding. The outbuilding would be partially screened by existing and proposed boundary treatments (including the boundary wall and attached trellises) which would limit its visibility from adjacent sites.
- 5.4. Given the outbuilding is a single storey structure and not out of scale with the rear garden, together with the boundary treatments and setback from the main outdoor living spaces and habitable rooms of adjoining properties, the outbuilding would not appear as an overly dominant structure or adversely affect outlook or sunlight/daylight access to occupiers of adjoining properties.
- 5.5. A condition would be attached to any planning permission to ensure the garden building would not be used as a separate dwelling and would be ancillary to the enjoyment of the maisonette dwelling.
- 5.6. Similarly, the rear extension is single level and would largely sit below adjacent boundary walls and would therefore not impact upon the amenity of neighbouring residents.
- 5.7. Overall, the proposal would result in acceptable amenity effects.

## **6. Biodiversity Net Gain (BNG)**

- 11.1 It is important to note that this development is not subject to Biodiversity Net Gain (BNG) requirements as the application was submitted on 29/03/2024 and the BNG requirements came into effect for small sites on the 02/04/2024. An informative has been added to the decision notice

in relation to Biodiversity Net Gain and the applicant's obligations.

## **7. Recommendation**

- Grant conditional Planning Permission.

***The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 9<sup>th</sup> December 2024, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to [www.camden.gov.uk](http://www.camden.gov.uk) and search for 'Members Briefing'.***



Application ref: 2024/1274/P  
Contact: Brendan Versluys  
Tel: 020 7974 1196  
Email: [Brendan.Versluys@camden.gov.uk](mailto:Brendan.Versluys@camden.gov.uk)  
Date: 4 December 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)  
[www.camden.gov.uk](http://www.camden.gov.uk)

DLBP Ltd  
23-26 St Dunstan's Hill  
London  
EC3R 8HN  
United Kingdom

# DRAFT

Dear Sir/Madam

## DECISION

Town and Country Planning Act 1990 (as amended)

### Full Planning Permission Granted

Address:

**Leigh House (Lower Ground Floor Flat)**  
**73 South End Road**  
**London**  
**NW3 2RJ**

# DECISION

Proposal:

Erection of rear extension to lower ground floor; erection of outbuilding in the rear garden.

Drawing Nos: Plans: CF-213-DR -0010 -A, rev A; CF-213-DR -0050 -A, rev A; CF-213-DR -0100 -A, rev A; CF-213-DR -0101 -A, rev A; CF-213-DR -0200 -A, rev A; CF-213-DR -0300 -A, rev A; CF-213-DR -0301 -A, rev A; CF-213-DR -1050 -D, rev D; CF-213-DR -1100 -B, rev B; CF-213-DR -1200 -C, rev C; CF-213-DR -1300 -B, rev B; CF-213-DR -1301 -A, rev A; CF-213-DR -2100 -D, rev D; CF-213-DR -2200 -C, rev C

Supporting information: Design and Access Statement prepared by Cooke Fawcett Architects, 27/03/2024; Planning Statement prepared by DLBP Ltd., March 2024; Heritage Statement prepared by Place Services, March 2024; Structural Statement prepared by AMP Structures

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 CF-213-DR -0010 -A, rev A; CF-213-DR -0050 -A, rev A; CF-213-DR -0100 -A, rev A; CF-213-DR -0101 -A, rev A; CF-213-DR -0200 -A, rev A; CF-213-DR -0300 -A, rev A; CF-213-DR -0301 -A, rev A; CF-213-DR -1050 -D, rev D; CF-213-DR -1100 -B, rev B; CF-213-DR -1200 -C, rev C; CF-213-DR -1300 -B, rev B; CF-213-DR -1301 -A, rev A; CF-213-DR -2100 -D, rev D; CF-213-DR -2200 -C, rev C

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 policy D1 and D2 of the London Borough of Camden Local Plan 2017.

- 4 All work shall be carried out in accordance with the relevant recommendations of British Standard 3998: 2010. (Recommendation for Tree Work)

Reason: To ensure the preservation of the amenity value and health of the tree(s).

- 5 Prior to the commencement of any works on site, details demonstrating how trees to be retained shall be protected during construction work shall be submitted to and approved by the local planning authority in writing. Such details shall follow guidelines and standards set out in BS5837:2012 "Trees in Relation to Construction". 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 the approved protection details.

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.

- 6 No development shall take place until full details of hard and soft landscaping, including at least 5no. trees, and means of enclosure of all un-built, open areas have been submitted to and approved by the local planning authority in writing. [Such details shall include details of any proposed earthworks including grading, mounding and other changes in ground levels.] 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, D1 and D2 of the London Borough of Camden Local Plan 2017.

- 7 All hard and soft landscaping works shall be carried out in accordance with the approved landscape details by not later than the end of the planting season following completion of the development or any phase of the development, whichever is the sooner. Any trees or areas of planting (including trees existing at the outset of the development other than those indicated to be removed) which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced as soon as is reasonably possible and, in any case, by not later than the end of the following planting season, with others of similar size and species, unless the local planning authority gives written consent to any variation.

Reason: To ensure that the landscaping is carried out within a reasonable period and to maintain a high quality of visual amenity in the scheme in accordance with the requirements of policies A2, A3, 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 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.

- 9 The outbuilding hereby permitted shall not be occupied at any time other than for purposes incidental to the residential use of the dwelling known as Maisonette (Basement and Ground floors, Rear), 73 South End Road.

Reason: To protect amenity of adjoining occupiers and also ensure the outbuilding permitted does not become a self-contained dwelling, separate and apart from the original dwellinghouse known as Maisonette (Basement and Ground floors, Rear), 73 South End Road in accordance with policies H1, H6, A1 and A4 of the Camden Local Plan 2017.

Informative(s):

- 1 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).
- 2 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.
- 3 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.

- 4 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 was submitted on 29/03/2024 and the BNG requirements came into effect for small sites on the 02/04/2024.

- 5 + 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.

- 6 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.

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>.

Yours faithfully

Chief Planning Officer

Application ref: 2024/2098/L  
Contact: Brendan Versluys  
Tel: 020 7974 1196  
Email: [Brendan.Versluys@camden.gov.uk](mailto:Brendan.Versluys@camden.gov.uk)  
Date: 4 December 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)  
[www.camden.gov.uk](http://www.camden.gov.uk)

DLBP Ltd  
23-26 St Dunstan's Hill  
London  
EC3R 8HN  
United Kingdom

# DRAFT

Dear Sir/Madam

## DECISION

Planning (Listed Building and Conservation Areas) Act 1990

### Listed Building Consent Granted

Address:  
**Leigh House (Lower Ground Floor Flat)**  
**73 South End Road**  
**London**  
**NW3 2RJ**

# DECISION

Proposal:  
Erection of rear extension to lower ground floor; internal alterations at lower ground floor.

Drawing Nos: Plans: CF-213-DR -0010 -A, rev A; CF-213-DR -0050 -A, rev A; CF-213-DR -0100 -A, rev A; CF-213-DR -0101 -A, rev A; CF-213-DR -0200 -A, rev A; CF-213-DR -0300 -A, rev A; CF-213-DR -0301 -A, rev A; CF-213-DR -1050 -D, rev D; CF-213-DR -1100 -B, rev B; CF-213-DR -1200 -C, rev C; CF-213-DR -1300 -B, rev B; CF-213-DR -1301 -A, rev A; CF-213-DR -2100 -D, rev D; CF-213-DR -2200 -C, rev C

Supporting information: Design and Access Statement prepared by Cooke Fawcett Architects, 27/03/2024; Planning Statement prepared by DLBP Ltd., March 2024; Heritage Statement prepared by Place Services, March 2024; Structural Statement prepared by AMP Structures

The Council has considered your application and decided to grant subject to the following condition(s):

## Conditions And Reasons:

- 1 The works hereby permitted shall be begun not later than the end of three years from the date of this consent.

Reason: In order to comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: CF-213-DR -0010 -A, rev A; CF-213-DR -0050 -A, rev A; CF-213-DR -0100 -A, rev A; CF-213-DR -0101 -A, rev A; CF-213-DR -0200 -A, rev A; CF-213-DR -0300 -A, rev A; CF-213-DR -0301 -A, rev A; CF-213-DR -1050 -D, rev D; CF-213-DR -1100 -B, rev B; CF-213-DR -1200 -C, rev C; CF-213-DR -1300 -B, rev B; CF-213-DR -1301 -A, rev A; CF-213-DR -2100 -D, rev D; CF-213-DR -2200 -C, rev C

Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of policy D2 of the Camden Local Plan 2017.

- 3 All new work and work of making good shall be carried out to match the existing adjacent work as closely as possible in materials and detailed execution.

Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of policy D2 of the Camden Local Plan 2017 and policy DH2 of the Hampstead Neighbourhood Plan.

- 4 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), and external doors for the rear extension;

b) Manufacturer's specification details of all facing materials for the rear extension and outbuilding (to be submitted to the Local Planning Authority) and samples of those materials (to be provided on site).

c) Details of new flooring for the rear extension

d) Details of new servicing for the rear extension

The relevant part of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course of the works.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy D1 and D2 of the London Borough of Camden Local Plan 2017 and policy DH2 of the Hampstead Neighbourhood Plan.

Informative(s):

- 1 You are advised that any works of alterations or upgrading not included on the approved drawings which are required to satisfy Building Regulations or Fire Certification may require a further application for listed building consent.

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:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

Chief Planning Officer

**DRAFT**

**DECISION**