

Application ref: 2024/4418/P  
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Date: 9 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)  
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Emil Eve Architects Ltd  
51 Regent Studios  
8 Andrews Road  
London  
E8 4QN

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Granted**

Address:

**160 Leighton Road  
London  
NW5 2RE**

Proposal:

Reinstatement of Victorian terrace property as a single dwelling house; erection of a single-storey rear infill extension with replacement of the rear lower and upper floor extensions; roof alterations, works to upgrade windows and doors; new bike and refuse store to front of house and two outbuildings in the rear garden.

Drawing Nos:

124\_EX\_001; 124\_EX\_050; 124\_EX\_109; 124\_EX\_110; 124\_EX\_111; 124\_EX\_112;  
124\_EX\_113; 124\_EX\_200 P2; 124\_EX\_201; 124\_EX\_202; 124\_EX\_203;  
124\_EX\_300; 124\_EX\_301; 124\_PR\_050; 124\_PR\_051; 124\_PR\_109; 124\_PR\_110;  
124\_PR\_111; 124\_PR\_112; 124\_PR\_113 P3; 124\_PR\_200 P2; 124\_PR\_201;  
124\_PR\_202; 124\_PR\_203; 124\_PR\_300; 124\_PR\_301; 124\_PR\_302 P3;  
124\_PR\_350; 124\_PR\_351; 124\_PR\_352; 124\_PR\_353 & 119\_PR\_550, Eonic  
Energy Statement dated 13.09.24; Sky Garden Green Solutions Installation Guidelines;  
Sky Gardens Wildflower Blanket System Plan No. WBSD01 and Sky Garden Green  
Solutions Operations and Maintenance Manual

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:

124\_EX\_001; 124\_EX\_050; 124\_EX\_109; 124\_EX\_110; 124\_EX\_111; 124\_EX\_112; 124\_EX\_113; 124\_EX\_200 P2; 124\_EX\_201; 124\_EX\_202; 124\_EX\_203; 124\_EX\_300; 124\_EX\_301; 124\_PR\_050; 124\_PR\_051; 124\_PR\_109; 124\_PR\_110; 124\_PR\_111; 124\_PR\_112; 124\_PR\_113 P3; 124\_PR\_200 P2; 124\_PR\_201; 124\_PR\_202; 124\_PR\_203; 124\_PR\_300; 124\_PR\_301; 124\_PR\_302 P3; 124\_PR\_350; 124\_PR\_351; 124\_PR\_352; 124\_PR\_353 & 119\_PR\_550, Econic Energy Statement dated 13.09.24; Sky Garden Green Solutions Installation Guidelines; Sky Gardens Wildflower Blanket System Plan No. WBSD01 and Sky Garden Green Solutions Operations and Maintenance Manual

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 of the London Borough of Camden Local Plan 2017.

- 4 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 and A3 of the London Borough of Camden Local Plan 2017.

- 5 Prior to occupation, evidence showing the location, extent (five no. panels) and predicted energy generation capacity (at least 2.5kWp) and associated equipment installed on the building in accordance with the approved details as part of the development as well as details of the maintenance programme shall be submitted to the Local Planning Authority and approved in writing. The systems shall thereafter be retained and maintained in accordance with the approved maintenance plan. The measures shall include the installation of a meter to monitor the energy output from the approved renewable energy systems.

Reason: To ensure the development provides adequate on-site renewable energy facilities in accordance with the requirements of policy CC1 of the London Borough of Camden Local Plan 2017.

Informative(s):

#### 1 Reasons for granting permission

The proposal seeks permission for the amalgamation of the two existing flats to create one single dwellinghouse, as well as the erection of a single storey rear infill extension at lower ground floor level, the replacement of the rear lower and upper ground floor extension, roof alterations including solar panels, works to upgrade windows and doors, a new cycle and refuse store at the front and small garden outbuildings at the rear.

The amalgamation of the two existing flats would lead to the loss of one dwelling which is considered acceptable and in accordance with policy H3 which resists proposals that would result in the loss of two or more homes. While internal alterations are proposed to reinstate the building back into one single dwellinghouse, planning permission is not required for these.

The proposed rear infill extension and alterations to the existing two storey outrigger are considered to be of an acceptable siting, scale and design and would not cause harm to the character of the host property or the appearance of the surrounding area. The proposed materials include new handmade brick to match the existing and glazed tile cladded frieze above and below the new windows on the redesigned rear elevation of the outrigger and the infill extension. These will contrast well with the existing materials. The new windows in the extensions at the rear will be aluminium framed windows which contrast well with the existing.

The proposed roof extension is acceptable in principle as the terrace has several large roof extensions of similar size and design which have impaired the roofline and which set a precedent for future extensions. The removal of some rooflights and addition of solar panels is also considered to be also acceptable on this main roof.

Existing sash windows will be replaced front and rear with heritage style double glazed timber sashes, which are welcomed.

At the front, the wrought iron railings are proposed to be re-introduced to the upper ground floor window sills, which is welcomed. In addition, bin and refuse stores are proposed at the front behind the front railings and hedge, which will be made of slatted timber and will have a solid roof with biodiverse green roof on top of both. The front garden area will also be excavated by about 0.8m to allow more light into the existing lower ground floor front windows. This is considered acceptable and far enough away not to require an Approval in Principle from the Councils Highways Structures team.

Two modest sized rear outbuildings are proposed in the rear garden which will be used as a sauna and a storage shed. Both will be timber clad and have mono pitched metal roofs. The garden is approximately 54sqm and the two

outbuildings will cover approximately 7sqm combined, which takes up 12% of the garden space, and as such sufficient rear amenity space will remain. No trees will be lost in the rear garden and neither impact on root protection areas from trees in the host or neighbouring gardens. Neither are considered to harm the site context or local area.

2 Reasons for granting permission continued.

Given the size, scale and depth of the proposed infill extension and remodelled outrigger, these are not considered to cause harm to the neighbouring amenity of adjoining occupiers in terms of loss of light, outlook or privacy. Existing flank windows already overlook the neighbours, therefore the proposed situation makes this relationship no worse.

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.

As such, the proposed development is in general accordance with policies H3, A1, A3, CC1, CC2, CC3 and D1 of the Camden Local Plan 2017, the Kentish Town Neighbourhood Plan 2016, 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 08.00-18.00 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 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, it is not possible to indicate whether this planning permission will require the approval of a BGP before development is begun. This is 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).

Before commencing development, you should consider whether a Biodiversity Gain Plan needs to be submitted and approved. Commencing development which is subject to the biodiversity gain condition without an approved BGP could result in enforcement action.

#### ++ 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.

8 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>.

If you submit an appeal against this decision you are now eligible to use the new [submission form](#) (Before you start - Appeal a planning decision - GOV.UK).

Yours faithfully

A handwritten signature in black ink, appearing to read 'DPope', is positioned above the printed name and title.

Daniel Pope  
Chief Planning Officer