

Application ref: 2024/1938/P  
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Date: 18 December 2024

**Development Management**  
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True Associates  
32 Chamberlayne Road  
Kensal Rise  
London  
NW10 3JE

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Granted**

Address:

**Flat B**  
**36 Hollycroft Avenue**  
**London**  
**NW3 7QN**

Proposal:

Alterations to the side elevation, including, replacement porch, fence and gate with reconfiguration of steps and path to entrance of the upper floor flat.

Drawing Nos: Site location plan; Design and Access Statement July 2023; (A17658PA-) 001, 101, 102, 103, 104, 201 Rev A, 202 Rev B, 203, 204.

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: Site location plan; Design and Access Statement

July 2023; (A17658PA-) 001, 101, 102, 103, 104, 201 Rev A, 202 Rev B, 203, 204.

Reason: For the avoidance of doubt and in the interest of proper planning.

- 3 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

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

Informative(s):

- 1 Reasons for granting permission:

The site comprises a three-storey semi-detached building split into two maisonettes. The proposal relates to the upper floor unit with its entrance located to the side elevation of 36 Hollycroft Avenue. The building is not listed but is identified as making a positive contribution to the Redington Frogna Conservation Area.

The proposal seeks to replace the porch and alter the external steps, fence, and gate to the entrance to the upper floor flat. The alterations are considered appropriate in location, size, design and materials for the character of the host building. The new canopy is a modest addition that replaces a larger timber porch. The canopy would be constructed of timber with steel brackets and lead roof. The open slatted timber gate is complementary to the streetscape and Conservation area as it retains views between buildings. The reconfigured external steps would be of permeable limestone paving which complement the streetscape. Due to the location, detailed design and materials the proposal would be sympathetic and discreet in appearance and consistent with the materials of the existing dwelling and area. The Council has had special regard to the desirability of preserving the character and appearance of the Conservation Area. The proposals are considered to preserve the character and appearance of the host building and this part of the Redington Frogna Conservation Area overall.

Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under s72 of the Planning (Listed Buildings and Conservation Areas Act) 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

The nearest dwellings that would be affected by the proposal are within the host building and the neighbouring building. Given the minor nature of the development and that the proposal would not alter the relationships to any greater extent than the existing situation, there would be no impact upon the residential amenity of neighbouring occupiers, in terms of loss of privacy, light or outlook.

Based on the information available this permission will not require the approval of a Biodiversity Gain Plan because it is below the 'de minimis' threshold, meaning it does not impact an on-site priority habitat and impacts less than 25sqm of on-site habitat with biodiversity value greater than zero and less than 5 metres in length of linear habitat.

The Council received one objection from the Redington Frogнал Neighbourhood Forum, prior to making this decision. The proposal was revised during the application and following these amendments the Forum removed their objection to the proposal.

The Council also considered the area's planning history and relevant appeal decisions when coming to this decision.

As such, the proposal is in general accordance with policies A1, A3, D1 and D2 of the Camden Local Plan 2017 and policies SD4 and SD5 of the Redington Frogнал Neighbourhood Plan 2021. The proposed development also accords with the London Plan 2021 and the National Planning Policy Framework 2024.

- 2 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).
- 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 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 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.

## 6 Biodiversity Net Gain (BNG) Informative (1/2):

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 ("1990 Act") is that planning permission granted in England is subject to the condition ("the biodiversity gain condition") that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The local planning authority (LPA) that would approve any Biodiversity Gain Plan (BGP) (if required) is London Borough of Camden.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are summarised below, but you should check the legislation yourself and ensure you meet the statutory requirements.

Based on the information provided, this will not require the approval of a BGP before development is begun because it is below the de minimis threshold.

### ++ Summary of transitional arrangements and exemptions for biodiversity gain condition

The following are provided for information and may not apply to this permission:

1. The planning application was made before 12 February 2024.
2. The planning permission is retrospective.
3. The planning permission was granted under section 73 of the Town and Country Planning Act 1990 and the original (parent) planning permission was made or granted before 12 February 2024.
4. The permission is exempt because of one or more of the reasons below:
  - It is not "major development" and the application was made or granted before 2 April 2024, or planning permission is granted under section 73 and the original (parent) permission was made or granted before 2 April 2024.
  - It is below the de minimis threshold (because it does not impact an onsite priority habitat AND impacts less than 25 square metres of onsite habitat with biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat).
  - The application is a Householder Application.
  - It is for development of a "Biodiversity Gain Site".
  - It is Self and Custom Build Development (for no more than 9 dwellings on a site no larger than 0.5 hectares and consists exclusively of dwellings which are Self-Build or Custom Housebuilding).
  - It forms part of, or is ancillary to, the high-speed railway transport network (High Speed 2).

## 7 Biodiversity Net Gain (BNG) Informative (2/2):

+ Irreplaceable habitat:

If the onsite habitat includes Irreplaceable Habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements. In addition to information about minimising adverse impacts on the habitat, the BGP must include information on compensation for any impact on the biodiversity of the irreplaceable habitat. The LPA can only approve a BGP if satisfied that the impact on the irreplaceable habitat is minimised and appropriate arrangements have been made for compensating for any impact which do not include the use of biodiversity credits.

++ The effect of section 73(2D) of the Town and Country Planning Act 1990  
If planning permission is granted under section 73, and a BGP was approved in relation to the previous planning permission ("the earlier BGP"), the earlier BGP may be regarded as approved for the purpose of discharging the biodiversity gain condition on this permission. It will be regarded as approved if the conditions attached (and so the permission granted) do not affect both the post-development value of the onsite habitat and any arrangements made to compensate irreplaceable habitat as specified in the earlier BGP.

++ Phased development

In the case of phased development, the BGP will be required to be submitted to and approved by the LPA before development can begin (the overall plan), and before each phase of development can begin (phase plans). The modifications in respect of the biodiversity gain condition in phased development are set out in Part 2 of the Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024.

- 8 Notwithstanding, the alterations subject to this decision, due to the historic alterations to the front garden, the Council will resist any further loss of front boundary walls and garden.

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 be 'DRP', is written over a faint circular stamp.

Daniel Pope  
Chief Planning Officer