

Application ref: 2024/4333/P
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Date: 18 December 2024

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
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London
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Charlton Brown Architects
The Belvedere
2 Back Lane
London
NW3 1HL

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

Moreton Lodge
Holly Walk
London
NW3 6RA

Proposal:

Demolition of existing modern two-storey rear extension and erection of replacement two-storey rear extension.

Drawing Nos:

1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 16, 17, Location Plan, Design and Access Statement (prepared by Charlton Brown Architecture, dated June 2024), Heritage Statement (prepared by Heritage Information Ltd., dated June 2024), Stage 1&2 (Screening & Scoping) Basement Impact Assessment Report (prepared by Jomas Associated Ltd., dated 19 September 2024), Structural Planning Report (prepared by Harrison Shortt Structural Engineers Ltd., dated 20 June 2024); Basement Impact Assessment Audit F1 (prepared by Campbell Reith, dated 5 December 2024).

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

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 16, 17, Location Plan, Design and Access Statement (prepared by Charlton Brown Architecture, dated June 2024), Heritage Statement (prepared by Heritage Information Ltd., dated June 2024), Stage 1&2 (Screening & Scoping) Basement Impact Assessment Report (prepared by Jomas Associated Ltd., dated 19 September 2024), Structural Planning Report (prepared by Harrison Shortt Structural Engineers Ltd., dated 20 June 2024); Basement Impact Assessment Audit F1 (prepared by Campbell Reith, dated 5 December 2024).

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

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

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

- 4 The development hereby approved shall not commence until such time as a suitably qualified chartered engineer with membership of the appropriate professional body has been appointed to inspect, check for compliance with the design (as approved by the local planning authority and building control body) and monitor the critical elements of both permanent and temporary basement construction works throughout their duration. Details of the appointment and the appointee's responsibilities shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. Any subsequent change or reappointment shall be confirmed forthwith for the duration of the construction works.

Reason: To ensure proper consideration of the structural stability of neighbouring buildings and to safeguard the appearance and character of the immediate area in accordance with the requirements of policies D1, D2, and A5 of the London Borough of Camden Local Plan 2017.

- 5 The development shall not be carried out other than in strict accordance with the methodologies, recommendations and requirements of the Basement Impact Assessment Report (prepared by Jomas Associated Ltd., dated 19 September 2024) and Basement Impact Assessment Audit F1 (prepared by Campbell Reith, dated 5 December 2024) hereby approved, and the confirmation at the detailed design stage that the damage impact assessment would be limited to Burland Category 1.

Reason: To ensure proper consideration of the structural stability of neighbouring buildings and to safeguard the appearance and character of the

immediate area in accordance with the requirements of policies D1, D2, and A5 of the London Borough of Camden Local Plan 2017.

Informative(s):

1 Reasons for granting permission.

The application site, Moreton Lodge, is a Grade II listed detached house which makes a positive contribution to the Hampstead Conservation Area. The proposed works have also been assessed under parallel listed building consent ref. 2024/4345/L.

The proposed works relate to the removal of the existing 1970s conservatory, and its replacement with a contemporary two-storey rear extension. The existing 1970s extension is not considered to be of any heritage or architectural significance; thus, its removal and replacement is accepted.

The proposed replacement extension would enlarge the existing building footprint further into the garden area; however, the junctions and elevation alignment with the existing building on the north and west façades will be maintained, such that the relationship with the existing external joinery features and materials (pebbledash render and stone base) will not be altered. The enlarged footprint will not significantly encroach into the garden maintaining the verdant setting.

The new extension has been designed as a modern idiom of the current conservatory and would therefore maintain the clear delineation from the historic fabric and form of the main building. The materiality and design of the new structure would be an improvement of the current deteriorating condition and so while its footprint and bulk will be enlarged, these will be balanced by the improved quality of construction. The timber cladding will help the new enlarged built volume to integrate into the garden setting, the details of which will be secured by condition on the associated listed building consent.

The extension would be accessed from the main house through the former billiards room that currently steps up into the conservatory. The new extension would be lowered in depth to allow for additional head height and for the floorplates to align with the main house. The existing timber leadlight double door with fanlight would be removed and reinstated with associated making good of the interior and no internal detailing would be impacted by the works.

Existing exposed pebbledash and stonework would be covered over with new wall linings. Whilst leaving this historic material visible would have maintained a link to the historic character detail of the host building and delineated the external walls, it has been adequately demonstrated that the historic fabric will be protected and retained behind the new studwork.

When considered cumulatively, the proposed development to Moreton House would present with similar impacts in its bulk and massing as compared to the existing condition and improve the general material and design quality of the building. The proposed works will therefore not harm the special architectural

or historic interest of the Listed Building, nor the character and appearance of the Hampstead Conservation Area.

- 2 Policy A5 requires basements, by way of their siting, location, scale, and design to have minimal impact on and be subordinate to the host property. The proposed basement complies with all points in relation to the policy requirements. It comprises of one storey partially underneath the proposed extension, is less than 1.5 times the footprint of the host building, and avoids the loss of garden space or trees of townscape or amenity value.

Furthermore, the application is supported by a Basement Impact Assessment (BIA). This was subjected to an independent audit by Campbell Reith (CR). Following their assessment, CR confirmed that the proposed basement complies with policy A5 and the CPG Basements document. Compliance with the approved BIA is secured by condition.

Due to the footprint and height of the replacement extension being similar to existing, the proposal is unlikely to result in any adverse or significant impacts on the amenity of neighbouring occupiers, including with regards to loss of daylight/sunlight, outlook, or privacy.

The Hampstead CAAC and Hampstead Neighbourhood Forum were consulted and did not provide a response. No objections were received following statutory consultation. The planning history of the site has been taken into account when coming to this decision.

Special regard has been attached to the desirability of preserving the listed building, its setting and its features of special architectural or historic interest, and the desirability of preserving or enhancing the character or appearance of the Hampstead Conservation Area, under s.66 and s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

As such, the proposed development is in general accordance with policies A1, A5, D1, and D2 of the London Borough of Camden Local Plan 2017 and policies DH1, DH2, and BA1 of the Hampstead Neighbourhood Plan (2025-2040). The proposed development also accords with the London Plan 2021 and the National Planning Policy Framework 2024.

- 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) or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

- 6 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.
- 7 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 (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).

+ 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).

8 + 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-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 written over a light grey rectangular background.

Daniel Pope
Chief Planning Officer