

Application ref: 2024/2632/P
Contact: Obote Hope
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Date: 16 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
www.camden.gov.uk/planning

YOOP Architects
Office 128
28A Church Road
Stanmore
HA7 4AW

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

**310 Kilburn High Road
London
NW6 2DG**

Proposal:

The erection of a single storey extension at ground floor and a new infill extension at first floor all to the rear elevation.

Drawing Nos: 023/EX/001; 011/EX/100 REVA; 011/EX/101 REVA; 011/EX/102 REVA;
011/EX/120; 011/EX/121 REVA; 011/EX/122; 011/EX/123; 011/PR/200 REVA;
011/PR/205 REVA; 011/PR/206 REVA; 011/PR/207 REVA and 011/PR/208.

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: 023/EX/001; 011/EX/100 REVA; 011/EX/101 REVA;

011/EX/102 REVA; 011/EX/120; 011/EX/121 REVA; 011/EX/122; 011/EX/123; 011/PR/200 REVA; 011/PR/205 REVA; 011/PR/206 REVA; 011/PR/207 REVA and 011/PR/208.

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.

Informative(s):

- 1 Reasons for granting permission:

Planning permission is sought for the erection of a single storey infill extension to the rear ground floor and a part first floor rear extension for ancillary residential accommodation to the existing flats. The proposed extension would be constructed in matching brickwork and painted render.

The ground floor extension would extend within a small proportion of the rear garden and would be a proportion addition within the garden settings. The proposed first floor extension would infill the width of the first floor. The staggered design of the extension would not appear prominent when viewed in context with the development of the other properties within this location. The proposed extensions would be contained within the existing building line to the rear and would not be visible from the public domain. Overall the proposed ground and first floor extension are considered acceptable in this location and would be read as subordinate additions, given the contrast in development to the rear of the neighbouring properties.

The proposed new rear windows and the use of render materials are considered appropriate that would match the design and appearance of the host building.

In terms of amenity effects to adjoining properties, the ground floor infill addition would not have any material impact that would be harmful with daylight/sunlight given the extension would be lower than the neighbouring properties boundary wall. Similarly the proposal is not considered harmful in terms of privacy given the separation distance of the rear extensions' new windows to adjoining properties. The infill addition at first floor level would be built within the building envelope along the (south) boundary with 308 Kilburn High Road and would be set back along the (north) boundary with no 312 Kilburn High Road. Moreover, the 45 degree line on plan and elevation indicate that the proposed first floor extension would not be harmful with the neighbouring amenity. This means issues of outlook, enclosure, daylight or privacy are not significant.

In terms of internal amenity, while the proposal would remove one of the two rooflights serving the Ground floor Bedroom 2, on balance the overall home would still receive adequate light with the improvements made to the light access for Bedroom 1.

In England, BNG is mandatory from 12 February 2024 under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). Developers must deliver a BNG of 10%. This means a development will result in more or better quality natural habitat than there was before development. Based on the information available this permission will not require the approval of a Biodiversity Gain Plan before development is begun due to the proposal being 25sqm of onsite habitat that has biodiversity value greater than zero and less than 5m in length of onsite linear habits.

No comments/objections were received during consultation. The planning history of the site has been taken into account when coming to this decision.

As such, the proposed development is in general accordance with policies A1, A4, and D1 of the Camden Local Plan 2017. The proposed development also accords with the London Plan 2021 and the National Planning Policy Framework 2023.

- 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 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444). Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.
- 4 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website (search for 'Camden Minimum Requirements' at www.camden.gov.uk) or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays

and Public Holidays. You must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

5 PT1

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

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

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

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

Based on the information provided, this will not require the approval of a BGP before development is begun because the planning application was made before 12 February 2024.

++ 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).

6 PT 2

6 + 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.](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 'DP', is centered within a light gray rectangular box.

Daniel Pope
Chief Planning Officer