

Application ref: 2024/5150/P
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Date: 30 December 2024

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
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WC1H 9JE

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planning@camden.gov.uk
www.camden.gov.uk/planning

Lucy Pritchard Architects
35 Church Garth
Pemberton Gardens
London
N19 5RN

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:
40 Leighton Road
London
NW5 2QE

Proposal:

Erection of a first floor rear extension with rear window, new window and green roof at first floor level, new front railings, new juliette balcony to the rear, replacement of windows to the front and rear, new rooflights on the rear roofslope and alterations to fenestrations.

Drawing Nos:

010_PL_01, 010_PL_02, 010_PL_03, 010_PL_04, 010_PL_05, 010_PL_06,
010_PL_07, 010_PL_08, 010_PL_09, 010_PL_10, 010_PL_11, 010_PL_12,
010_PL_13, 010_PL_14, 010_PL_15, 010_PL_15, 010_PL_16, 010_PL_17,
010_PL_18, 010_PL_19, 010_PL_20, 010_PL_21, 010_PL_22, Site Location Plan,
Block Plan; Tree Impact Plan, Arboricultural Impact Assessment and Design and
Access Statement (November 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:

010_PL_01, 010_PL_02, 010_PL_03, 010_PL_04, 010_PL_05, 010_PL_06, 010_PL_07, 010_PL_08, 010_PL_09, 010_PL_10, 010_PL_11, 010_PL_12, 010_PL_13, 010_PL_14, 010_PL_15, 010_PL_15, 010_PL_16, 010_PL_17, 010_PL_18, 010_PL_19, 010_PL_20, 010_PL_21, 010_PL_22, Site Location Plan, Block Plan; Tree Impact Plan, Arboricultural Impact Assessment and Design and Access Statement (November 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 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.

- 5 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, cill)
- b) Section and elevation drawings as well as product specification details of the proposed railings and juliette balcony
- c) Manufacturer's specification details of all facing materials (to be submitted to the Local Planning Authority) and samples of those materials (to be provided on site).

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 policies D1 and D2 of the 2017 Camden Local Plan

- 6 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.

- 7 The proposed front roof lights as shown in drawing 010_PL_12 shall be conservation style. These shall be permanently retained as such thereafter.

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.

- 8 The flat roof of the first floor rear extension as approved shall not be used as a roof terrace, sitting out area or other amenity space and only be accessed for maintenance purposes.

Reason: To protect the amenity of adjoining occupiers and the area in accordance with policies A1 and D1 of the Camden Local Plan 2017

Informative(s):

- 1 Reasons for granting permission.

The scale of the first floor rear extension is considered appropriate for the location and relative size of the host building, being kept at part width and not exceeding the eaves of the existing roof. The surrounding houses feature a variety of two-storey rear additions meaning this preserves the areas character and that the fenestration is of generally appropriate form. The green roof will also help soften its impact, which will be secured by condition.

The other elements of the scheme are relatively minor. Replacement and addition of roof lights to the main roof are acceptable and not publically visible. The introduction of a Juliet balcony is acceptable and the replacement of windows would also preserve the character of the wider Conservation Area. The introduction of front railings is also acceptable, given their prominence on the street and withi the wider area. The elevations provide little detail on materiality, therefore details will be secured by condition.

The proposal would preserve the character and appearance of the Conservation Area overall. The council has had special regard to the desirability of preserving the character and appearance of the Conservation Area.

Given the minor scope and scale of the proposed works and location of the first floor rear extension it is not considered that they would create any new impacts to neighbouring residential amenity with regards to loss of daylight/sunlight, outlook, or privacy. A condition has been included to ensure the flat roof of the extension is not used as a terrace.

The development is also within close proximity to mature street trees to the front. In consultation with the council's Tree Officer, the impact on the street tree (T5), high value tree on highway will likely be of an acceptable level subject to full tree protection details including a method statement secured by condition.

The planning history of the site was taken into account when coming to this decision. No objections were received; the Kentish Town Neighbourhood Forum have no comments.

As such, the proposal is in general accordance with policies A1, A3, D1 and D2 of the Camden Local Plan 2017 and policy D3 of the Kentish Town Neighbourhood Plan 2016. The proposed development also accords with the policies of the London Plan 2021 and 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 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 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 the application is a Householder Application.

++ 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 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.

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



Daniel Pope
Chief Planning Officer