

Application ref: 2024/4816/P
Contact: Adam Greenhalgh
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Date: 10 January 2025

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
Judd Street
London
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Phone: 020 7974 4444

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

TGN Architects Ltd.
21 Coldfall Avenue
London
N10 1HS

Dear Sir/Madam,

DECISION

Town and Country Planning Act 1990 (as amended)
Householder Application Granted

Address:
20 Swain's Lane
London
Camden
N6 6QS

Proposal: Conversion of integral garage with new pitched roof, demolition of existing rear conservatory and terrace and replacement with two-storey pitched roof rear extension (incorporating a balcony with rear dormer access thereto), hip-to-gable extensions on both sides of roof and adjustments to a number of existing external window/door openings to the side and rear, rendering of rear and side (west facing) elevations.

Drawing Nos: Location Plan, 2408: BP-1, S-1, S-2, P 1A, P 2A, P3, Design and Access Statement (TGN Architects Lt - 01/11/2024)

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 document and drawings:

Location Plan, 2408: BP-1, S-1, S-2, P 1A, P 2A, P3, Design and Access Statement (TGN Architects Lt - 01/11/2024)

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 and policies DC1, DC2, DC3 and DC4 of the Dartmouth Park Neighbourhood Plan 2020.

- 4 The 'en-suite' window on the side of the east facing gable sided roof shall be of obscure glass up to 1.7m above the finished floor level (that part being non-openable). The window shall be permanently retained as such.

Reason: To prevent overlooking of any rooms or private spaces at 22 Swain's Lane in accordance with policy A1 of the Camden Local Plan 2017 and policy DC4 of the Dartmouth Park Neighbourhood Plan 2020.

Informative(s):

- 1 Reasons for granting permission:

On 03/10/2024 planning permission 2024/3079/P was granted for 'Conversion of integral garage with new pitched roof, demolition of the existing rear conservatory and terrace and replacement with a two storey pitched roof rear extension, a hip to gable roof extension with hipped side dormer and roof lights and adjustments to a number of existing external window/door openings to the side and rear to receive new windows'

The application proposal is for the same development with the addition of a hip to gable roof on the east facing roof slope (in addition to the west facing roof slope) and the rendering of the rear (south) and west elevations.

The garage conversion, two storey rear extension and window alterations are fundamentally the same as previously approved - although the two storey rear extension would now have a half-hipped roof with a flat central part enabling the formation of a balcony at roof level (accessible from French windows in the roof). The neighbouring building has a similar balcony at a similar height and location and the proposed two storey rear extension with balcony atop would not result in an excessive loss of light, an unduly overbearing appearance of development or overlooking of any rooms/balconies at the rear of 18 Swain's Lane.

The roof(s) of the garage/porch conversion/extension would be changed (to two linked hipped roofs). There is no unifying architectural style amid this side of Swain's Lane in the Conservation Area and the proposal would not harm the townscape quality of the building or the appearance of the Conservation Area.

When the application was first submitted it was proposed to render all of the elevations of the house. Concerns were raised in relation to the rendering of

the front and east facing elevations as these are visible within the public domain and render is not typical in the Conservation Area. The rendering of the brickwork on the front and east facing elevations would not be in keeping with the local vernacular and it would harm the texture, composition and heritage of the Conservation Area.

The proposal was amended by way of removing the proposed rendering of the front and east elevations such that this concern no longer applies.

The proposed roof extension would remove the east side hipped roof and replace with a similar form but with gable walls. Such a roof form is not uncommon of a building of this style. There are a variety on roof forms on this side of Swains Lane, so there is no overall pattern that would be disrupted.

The proposals would not result in significant harm to the amenity of any neighbouring sites. Due to the 4+ m separation to 22 Swain's Lane the hip-to-gable side roof extension would not result in any undue overshadowing or overbearing effects on the windows in the side of this building. The applicant has agreed to a condition to secure the use of obscure glass in the windows in the roof extension to prevent any overlooking at 22 Swain's Lane.

The roof of the two storey rear extension would facilitate a rooftop balcony which would be accessed by way of French windows within a modest dormer. These elements would not cause any undue overshadowing, unacceptable overbearing effects or loss of privacy from the living rooms and balconies at the rear of 18 Swain's Lane, primarily because the dormer, French windows and balcony would not project markedly beyond the windows and balconies at the rear of no. 18.

Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

- 2 No letters of objection have been received following statutory consultation on the application. The Dartmouth Park CAAC have been notified and have not commented.

The planning history of the site and the neighbouring sites have been taken into account in the assessment of the application.

As such, the proposed development is in general accordance with policies A1, D1 and D2 of the Camden Local Plan 2017 and DC1, DC2, DC3 and DC4 of the Dartmouth Park Neighbourhood Plan 2020. It 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 You are advised that the Council's Transport Strategy Team will generally resist the formation of new pavement crossovers if their formation would necessitate an alteration that would be detrimental to an existing Controlled Parking Zone, which would appear to be the case in the circumstances of this site, as the proposed position of the new pavement crossover is in an existing resident's parking bay. It is recommended that you contact the Council's Transport Strategy Team, Camden Town Hall, Argyle Street, London WC1H 8EQ, (tel: 020-7974 5543) or email transportpolicy@camden.gov.uk for further details.
- 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 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 (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).
6. 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.

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-householder-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