

Application ref: 2024/5260/P
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Date: 14 January 2025

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
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London
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www.camden.gov.uk/planning

Evelegh Designs
38 Northwood Road
London
N6 5TP

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:
9 Bisham Gardens
London
N6 6DJ

Proposal: Amalgamation of two flats back into a single dwelling. Erection of a ground floor side extension, remove the redundant external timber stairs and amend the existing conservatory and rear elevation.

Drawing Nos: Design and Access Statement, GA01 A, GA02 A, GA03 D, GA04 C, GA05 A, GA06 A, SV00, SV01, SV02, SV03, SV04, SV05.

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:

Design and Access Statement, GA01 A, GA02 A, GA03 D, GA04 C, GA05 A, GA06 A, SV00, SV01, SV02, SV03, SV04, SV05.

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 and D2 of the London Borough of Camden Local Plan 2017.

- 4 Before the relevant part of the work is begun, a photographic record shall be made of the existing outdoor toilet door and this shall be submitted to the Highgate Conservation Area Advisory Committee for their information.

Reason: To record the existing character of the property .

Informative(s):

- 1 Reasons for granting permission:

The proposal involves the amalgamation of two flats back into a single dwelling and the erection of a ground floor side extension, removal of the redundant external timber stairs and amend the existing conservatory and rear elevation. The building is not statutorily or locally listed but within the Highgate Village Conservation Area. The building is currently subdivided into two self-contained flats, and it is proposed to amalgamate the flats into one dwellinghouse. It is also proposed to erect a ground floor side extension and a small ground floor rear extension and alterations to an existing first floor rear conservatory.

Policy H3 of the Camden Local Plan relates to the protection of existing homes in order to continue to meet the housing needs of the borough. The policy resists development that results in the net loss of two or more homes. This proposal results in the net loss of one home and is therefore considered to comply with policy H3. The Planning Guidance document 'Housing, January 2021' states that "the Council does not generally seek to resist schemes combining dwellings where they involve the loss of a single home. This provision creates some scope for growing families to expand into an adjoining property". The proposal to convert the two flats into one is therefore considered to comply with policy.

The proposed side extension is at ground level and projects 8 metres from the rear elevation of the property. The depth of the extension is slightly shorter than a recently approved ground floor extension on the neighbouring property at No. 11 (2024/2568/P). This side extension will wrap around the existing rear projection of the property which will result in an increase of the existing rear extension to match that of the new side extension. An existing outdoor toilet will be removed to allow the rear extension. There is currently a first floor conservatory at the rear accessed via a set of steps. The conservatory will be refurbished and the steps will be removed and the existing conservatory door will be replaced with a new door and Juliet balcony. The works at the rear are not considered to harm the character of the historic host building nor that of the wider Conservation Area.

Special regard has been attached to the desirability of preserving or enhancing 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.

The proposed side and rear extension would not result in loss of light to the neighbouring properties. Due to the nature of the external works it is considered that the proposal would not result in any undue harm to the amenities of neighbouring occupiers, complying with policy A1.

No objections were received prior to the determination of this application. The Highgate CAAC submitted comments regarding a lack of BNG provision, requesting a photographic record of the existing rear door at ground floor and clarity over replacement window frames. These points were addressed, and it was confirmed that BNG was not required for this proposal due to exemption, a photographic record of the door would be made and the existing window frames were remaining, new slimline glazing units were to be installed in the frames which does not require planning approval. These details were shared with the CAAC who confirmed that they were satisfied and had no further comments.

The planning history of the site and surrounding area were taken into account when coming to this decision.

As such, the proposed development is in general accordance with policies H3, A1, D1 and D2 of the Camden Local Plan 2017 and DH2, DH3 and DH4 of the Highgate Neighbourhood Plan 2017. 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 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 planning permission is a minor application within exemption 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).

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.

7 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.

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', written in a cursive style.

Daniel Pope
Chief Planning Officer