

Application ref: 2024/2328/P  
Contact: Blythe Smith  
Tel: 020 7974 3892  
Email: [Blythe.Smith@camden.gov.uk](mailto:Blythe.Smith@camden.gov.uk)  
Date: 15 January 2025

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

Phone: 020 7974 4444

[planning@camden.gov.uk](mailto:planning@camden.gov.uk)  
[www.camden.gov.uk/planning](http://www.camden.gov.uk/planning)

Mrs Angelina Kohli  
The Garden Flat  
7 Buckland Crescent  
London  
NW3 5DH

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Granted**

Address:

**Flat 1 Garden Floor**  
**7 Buckland Crescent**  
**London**  
**NW3 5DH**

Proposal:

Erection of rear outbuilding

Drawing Nos: Site Location Plan; Design, Access and Heritage Statement dated July 2024; Arboricultural Report dated 7/10/2024; C32951A Rev 1; C32951B Rev 1; C32951C Rev 1; C32951D Rev 1

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

Site Location Plan; Design, Access and Heritage Statement dated July 2024; Arboricultural Report dated 7/10/2024; C32951A Rev 1; C32951B Rev 1; C32951C Rev 1; C32951D Rev 1

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

- 3 Prior to the commencement of works on site, tree protection measures shall be installed and working practices adopted in accordance with the document entitled "REPORT regarding the impact on trees of proposals for development at Garden Flat, 7 Buckland Crescent, London, NW3 5DH" by John Cromar's Arboricultural Company Ltd" ref. 011827 dated 10th April 2024. 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 BS5837:2012 and with the approved protection details. The development shall be monitored by the project arboriculturalist in accordance with the approved report.

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 Camden Local Plan.

- 4 The outbuilding hereby permitted shall not be occupied at any time other than for purposes incidental to the residential use of the dwelling known as 'Flat 1, 7 Buckland Crescent'

Reason: To safeguard the amenity of the residential use, adjoining premises, and the area generally in accordance with Policies A1 and A4 of the London Borough of Camden Local Plan 2017.

- 5 The green roof hereby approved shall be fully installed on the outbuilding in accordance with the approved details prior to first occupation and thereafter retained and maintained in accordance with the approved scheme for the duration of the development.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with Policies A3 and CC3 of the Camden Local Plan 2017.

#### Informative(s):

- 1 Reasons for granting permission:

The proposal involves the erection of a single storey outbuilding in the rear garden, associated with the lower ground floor dwelling at the application site. The outbuilding would be a timber structure with a green roof and would accommodate a hobby room and a small storage room.

The outbuilding would be a simple timber structure set back from the garden boundary, with a flat green roof with aluminium framed sliding doors and one wooden door to the northern elevation and one small window to the western elevation facing the host dwelling. It would be sited at the rear of the property, and would have a modest scale commensurate with the size of the rear garden and with the domestic setting of the property. It is considered that the proposal would maintain the open character and garden amenity of neighbouring gardens and the wider surrounding area.

The proposed outbuilding is not considered likely to cause material harm to neighbouring amenity. The outbuilding is not considered to be excessively glazed. The outbuilding would be set away from the rear facades of the neighbouring properties but is not considered to have a material amenity impact, being single-storey and in light of the existing garden boundaries.

Overall, therefore, in terms of the design, materials, colour and scale, the revised proposals would preserve the character and appearance of the host building and wider Belsize Conservation Area.

The outbuilding would be located in proximity to one mature specimen tree to the. The applicant has provided information as to the construction methods to be used, which would minimise or avoid adverse effects to trees both during and post the construction works. The Council's Tree Officer is satisfied with the construction method/arboricultural information provided. Conditions are included to ensure the tree protection measures are installed and appropriate working practices carried out to ensure the health and integrity of existing adjacent trees are safeguarded.

Based on the information available this permission will not require the approval of a Biodiversity Gain Plan before development is begun because it is below the de minimis threshold, meaning it does not impact an onsite priority habitat and impacts less than 25sqm of onsite habitat with biodiversity value greater than zero and less than 5 metres in length of linear habitat. Conditions are attached to ensure that the proposed green roof is fully implemented to order to enhance the biodiversity of the site.

No objections have been received. The planning history of the site has been taken into account when coming to this decision.

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

As such, the proposed development is in general accordance with Policies A1, A3, D1 and D2, of the London Borough of Camden Local Plan 2017. The proposed development also accords with policies of 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](http://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 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).

#### 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