

Application ref: 2024/4479/P  
Contact: Fast Track TY  
Tel: 020 7974 2687  
Email: [Tony.Young@camden.gov.uk](mailto:Tony.Young@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)

Simon Miller Architects Ltd  
11 Portsdown Mews  
London  
NW11 7HD

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Householder Application Granted**

Address:

**51 Upper Park Road  
London  
NW3 2UL**

Proposal:

Installation of new black painted metal front gates and railings to front boundary wall (part retrospective).

Drawing Nos: (486-)2EXOS, 2EX00, 2EX01, 2EX02; 2PL00 REV B, 2PL01 REV B, 2PL02 REV B, 2PH01; 1 rev 6 (dated 09/01/2025); Design and access statement from Simon Miller Architects dated 14/10/2024.

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: (486-)2EXOS, 2EX00, 2EX01, 2EX02; 2PL00 REV B, 2PL01 REV B, 2PL02 REV B, 2PH01; 1 rev 6 (dated 09/01/2025); Design and access statement from Simon Miller Architects dated 14/10/2024.

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.

Informative(s):

- 1 Reasons for granting planning permission:

The Parkhill and Upper Park Conservation Area Statement notes that front gardens make an important contribution to the streetscape and character of the area, and as such, discourages any loss of soft landscaping and original boundary walls and railings.

In this particular case, there would be no loss of soft landscaping or brick boundary walls. Rather, the proposal comprises the installation of new black painted metal front gates to the front boundary, accessible by both pedestrians and motor vehicles. The gates would be attached to steel posts which would abut two existing brick piers on either side. The opening methods of the gates would be contained within the property and would not open outwards onto the public highway.

The proposals also seek planning permission retrospectively for railings installed on top of the existing front boundary wall. The decorative design for both railings and gates would relate well to each other and have a fairly similar appearance.

The Council raised initial concerns in regard to original proposals which were considered to have an incongruous appearance, out-of-keeping with the existing boundary treatment. In response, the applicant provided amended drawings which involved an alternative approach, more in keeping with the site context. The amended proposals would not result in any significant alteration in appearance at the front boundary of the host property, particularly as a consequence of the simpler design for both gates and railings, closer relationship with the existing brick piers and retained open views into and out of the front garden space.

Overall, therefore, in terms of the design, scale, location, materials and colour, the revised proposal would respect the general appearance of existing front boundaries in the locality such that the character of the host property, streetscene and wider Parkhill and Upper Park Conservation Area would be preserved.

There would be no net increase in the number of vehicles using on- or off-street parking as a result of the application given that the proposal relates to an existing area of off-street parking that would remain unchanged and the use of a dropped kerb vehicular access to the road which is already in place.

There are no amenity concerns as a result of the proposal given the minor nature of the alterations to an existing front boundary wall and entrance to the host property.

The site's planning and appeals history has been taken into account when coming to this decision. No objections have been received following statutory consultation. The Belsize Conservation Area Advisory Committee (who cover Parkhill and Upper Park Conservation Area for consultation purposes) responded confirming that they do not wish to make a comment on the proposals.

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

As such, the proposal is in general accordance with policies A1, D1, D2 and T1 of the Camden Local Plan 2017, 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](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)

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 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).

+ 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