

Application ref: 2024/2024/P  
Contact: Sarah White  
Tel: 020 7974 5213  
Email: [sarah.white@camden.gov.uk](mailto:sarah.white@camden.gov.uk)  
Date: 16 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)

Archplan  
1 Millfield Place  
London  
N6 6JP  
United Kingdom

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Granted**

Address:

**9 Chalcot Gardens  
London  
NW3 4YB**

Proposal: Erection of replacement outbuilding in rear garden

Drawing Nos: Site Location Plan; CG/01; CG/02; CG/03; CG/10 Rev C; CG/11 Rev C; CG/12 Rev C; CG/13 Rev C; CG/14 Rev C; Design and Access Statement; Greenroofers Standard Details Wildflower Blankets - Proposed Details; Wildflower Blanket System NBS Specification (Greenroofers); Wildflower Maintenance Package (Greenroofers).

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; CG/01; CG/02; CG/03; CG/10 Rev C; CG/11 Rev C; CG/12 Rev C; CG/13 Rev C; CG/14 Rev C; Greenroofers Standard Details Wildflower Blankets - Proposed Details; Wildflower Blanket System NBS Specification (Greenroofers); Wildflower Maintenance Package (Greenroofers).

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 documents entitled "9 Chalcot Garden Tree Protection Measures" and "Tree Protection Plan" by Archplan received 15/01/2025 ref. CG/20. 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.

- 4 The wildflower green roof 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 and Wildflower Maintenance Package (prepared by Greenroofers).

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.

- 5 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 9 Chalcot Gardens.

Reason: To protect amenity of adjoining occupiers and also ensure the outbuilding permitted does not become a self-contained dwelling, separate and apart from the original dwellinghouse known as 9 Chalcot Gardens in accordance with policies H1, H6, A1 and A4 of the Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission-

The application seeks planning permission for the erection of a replacement outbuilding containing a garden room, sauna, workspace and storage. The proposed single storey outbuilding would be located towards the end of the rear garden, in the same place as the previous outbuilding, which has since been removed. The outbuilding would be approximately 7.36m in depth and

3.8m wide, which are the same dimensions as the previous outbuilding. It is noted that the proposal has been significantly reduced in depth since the original submission which proposed a depth of 11m. The outbuilding would have a flat wildflower green roof with an eaves height of 2.5m. It would be timber clad with aluminium windows and a sliding glass door. It would not be visible from the public realm given its location to the rear of the site.

The application site benefits from a large rear garden, which is characteristic of gardens within the surrounding area. The size of the outbuilding would not be disproportionate to the scale of the garden and would maintain the open character of the rear gardens within the terrace. The modest scale would maintain subordination to the host property and a generous amount of garden space would be retained. The proposed materiality would complement the host property and would be appropriate for the garden setting. The building would be setback from all boundaries to retain space for soft landscaping and wildlife. The proposed wildflower green roof would contribute to biodiversity and help mitigate surface water runoff, and details of which have been secured via condition. Overall, the proposed outbuilding would not cause harm to the character and appearance of the host property or wider conservation area.

No trees are proposed for removal as part of the development. A Tree Protection Plan was submitted with the application and has been reviewed by Council's Tree and Landscape Officer who has advised that the proposed tree protection measures are acceptable. This has been secured via condition to ensure protection of trees during construction works.

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.

In terms of neighbouring amenity, the outbuilding would be located towards the end of the garden, a significant distance from the dwellings either side and to the rear. This positioning, coupled with the modest height on the boundary would not result in any harm to the amenity of adjoining neighbours by way of loss of outlook, privacy or access or light or causing increased sense of enclosure. A condition has been imposed stating that the outbuilding can only be used as ancillary to the main dwelling, thus mitigating any potential noise and disturbance impacts.

An objection was originally received from the Belsize Society due to lack of information about the previous outbuilding and the excessive size of the proposed building. The Applicant has since provided additional information about the previous outbuilding and reduced the size of the proposal and as such the Belsize Society have withdrawn their objection. No other objections were received in response to consultation. 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 G1, A1, A3, D1, D2, CC1, CC2 and CC3 of the Camden Local Plan 2017. The proposed development also accords with policies of the London Plan 2021 and of 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) 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

A handwritten signature in black ink, appearing to read 'DPope', is positioned above the typed name and title.

Daniel Pope  
Chief Planning Officer