

Application ref: 2024/5344/P
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Date: 17 January 2025

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

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

Studio Werc Ltd
40 Lisle Close
London
SW17 6LB

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Granted

Address:

**135 Constantine Road
London
NW3 2LR**

Proposal:

Erection of a single storey side infill extension and proposed replacement of all windows.
Drawing Nos: 24091_E1_10; 24091_E1_11; 24091_E1_12; 24091_E1_13;
24091_E1_14; 24091_E1_20; 24091_E1_30; 24091_E1_31; 24091_E1_32;
24091_E1_33; 24091_P1_10; 24091_P1_11; 24091_P1_12; 24091_P1_20;
24091_P1_21; 24091_P1_30; 24091_P1_31; 24091_P1_32; 24091_P1_33;
24091_E1_SLP; Design and Access Statement prepared by Studio Werc Architects;
Fire Safety Strategy prepared by Studio Werc Architects; Heritage Statement prepared
by Studio Werc Architects; 24091_P1_40.

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:

24091_E1_10; 24091_E1_11; 24091_E1_12; 24091_E1_13; 24091_E1_14;
24091_E1_20; 24091_E1_30; 24091_E1_31; 24091_E1_32; 24091_E1_33;
24091_P1_10; 24091_P1_11; 24091_P1_12; 24091_P1_20; 24091_P1_21;
24091_P1_30; 24091_P1_31; 24091_P1_32; 24091_P1_33; 24091_E1_SLP;
Design and Access Statement prepared by Studio Werc Architects; Fire Safety
Strategy prepared by Studio Werc Architects; Heritage Statement prepared by
Studio Werc Architects; 24091_P1_40.

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.

Informative(s):

- 1 Reasons for granting permission:

The application seeks permission for the erection of a single storey side infill extension and proposed replacement of all windows. The application building is not listed and is a positive contributor within the Mansfield Conservation Area.

The proposed extension would measure approximately 5.5m in depth, 1.57m in width and 2.8m in eaves height. Two rooflights are proposed within the pitched roof of the proposed extension. The extension would be built with bricks matching the existing host building. The proposed replacement windows to the front and rear elevations would be like-for-like with wooden sash matching the existing windows.

The proposed extension would be a subordinate addition to the host dwelling and in keeping with the scale and form of similar development at nearby properties on this side of Constantine Road including No. 133, 137 and 139. The proposed replacement windows would be like-for-like and would provide a visual appearance similar to the existing. Overall, by virtue of the detailed design, size and location, the proposal would be acceptable in terms of visual impact on the appearance and character of the host property and the conservation area.

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 impact, the proposed infill extension would be single storey only and would not extend beyond the existing rear closet wing. Similar infill extensions could be seen from the adjoining neighbours at No.133 and 137 in similar scale. The proposed window replacements would not include any new openings but simply replacements to the existing windows only. Overall, it is considered the proposal would not adversely impact the amenity of the adjacent properties in terms of loss of light, outlook or privacy.

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

As such, the proposed development is in general accordance with Policies A1, D1 and D2 of the London Borough of 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) 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 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.

Based on the information available, this will not require the approval of a BGP before development is begun because the application is a Householder Application.

6 + 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 the post-development value of the onsite habitat, or 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 centered on the page.

Daniel Pope
Chief Planning Officer