

Application ref: 2024/5524/P  
Contact: Gary Wong  
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Date: 4 February 2025

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

Phone: 020 7974 4444

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

Hayhurst and Co  
26 Fournier Street  
London  
E1 6QE

Dear Sir/Madam,

## **DECISION**

Town and Country Planning Act 1990 (as amended)  
**Full Planning Permission Granted**

Address:

**Flat 2**  
**23 Maresfield Gardens**  
**London**  
**NW3 5SD**

Proposal: Erection of a single storey rear extension replacing an existing conservatory, fenestration alterations to rear and side elevations.

Drawing Nos: Design, Access & Heritage Statement dated 10th December 2024 prepared by Hayhurst and Co.; 336 A001; 336 A010; 336 A110; 336 A011; 336 A111; 336 A020; 336 A203; 336 A021; 336 A201; 336 A022; 336 A202; 336 A030; 336 A300; 336 A200.

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, Access & Heritage Statement dated 10th December 2024 prepared by Hayhurst and Co.; 336 A001; 336 A010; 336 A110; 336 A011; 336 A111; 336

A020; 336 A203; 336 A021; 336 A201; 336 A022; 336 A202; 336 A030; 336 A300; 336 A200.

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 permission:

The application seeks permission for the erection of a single storey rear extension replacing an existing conservatory and fenestration alterations to rear and side elevations. The application building is not listed but is a positive contributor within the Fitzjohns Netherhall Conservation Area. The proposal relates to an upper ground floor flat.

The proposal would remove an existing conservatory at first floor rear and replace it with a single storey rear extension. Whilst the proposed extension would have an increased footprint by approximately 6sqm, its overall scale and bulk are considered subordinate to the host building. The proposed extension would be limited to the rear and would not be widely seen from the public realm. The extension would be clad with timber which is a lightweight material which would help minimise its perceivable visual bulk. Similar first floor rear extensions can be seen in the immediate surroundings such as at No.19 and 21 Maresfield Gardens, and therefore the proposal is considered in keeping with the character of the surrounding development.

The proposed fenestration alterations include the replacement of three existing timber rear windows and doors with timber framed double glazed units and the enlargement of a side window. The existing side one over one sliding sash window would be enlarged and replaced by a 3-over-3 timber sash window. Given the location of this side window, it is considered its visual impact would be limited. Overall, the proposal is considered acceptable and would not harm the appearance and character of the host building and the Fitzjohns Netherhall 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 extension, by reason of its size, bulk and location, is not considered to result in any undue increase in amenity impact to the neighbouring properties from the existing conservatory.

The replacement rear windows and doors would not have any changes to the existing opening pattern, while the enlarged side window is not considered to cause any harmful increase in overlooking to the existing one. Overall, the proposal is considered acceptable and would not result in any undue increase in amenity impact in terms of loss of light, outlook, privacy or noise disturbance.

The Fitzjohns Netherhall CAAC have been notified and have not commented. No objections have been received following 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](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 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 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).

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-planning-decision.](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 centered on a light gray rectangular background.

Daniel Pope  
Chief Planning Officer