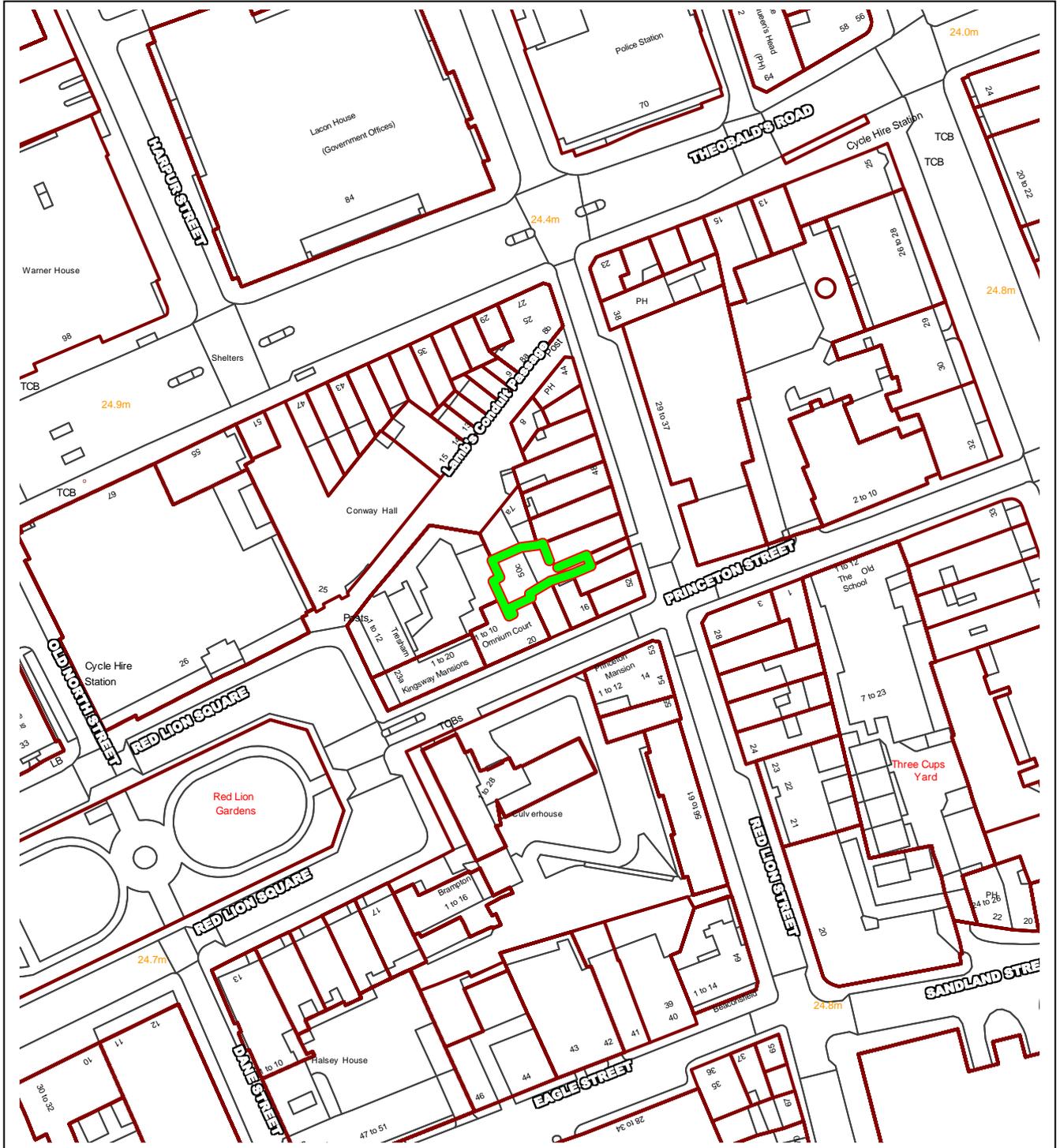


# 2024/0382/P

## 50C Red Lion Street



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# 2024/0382/P – 50C Red Lion Street

Photos and Plans



Fig 1. Existing front elevation

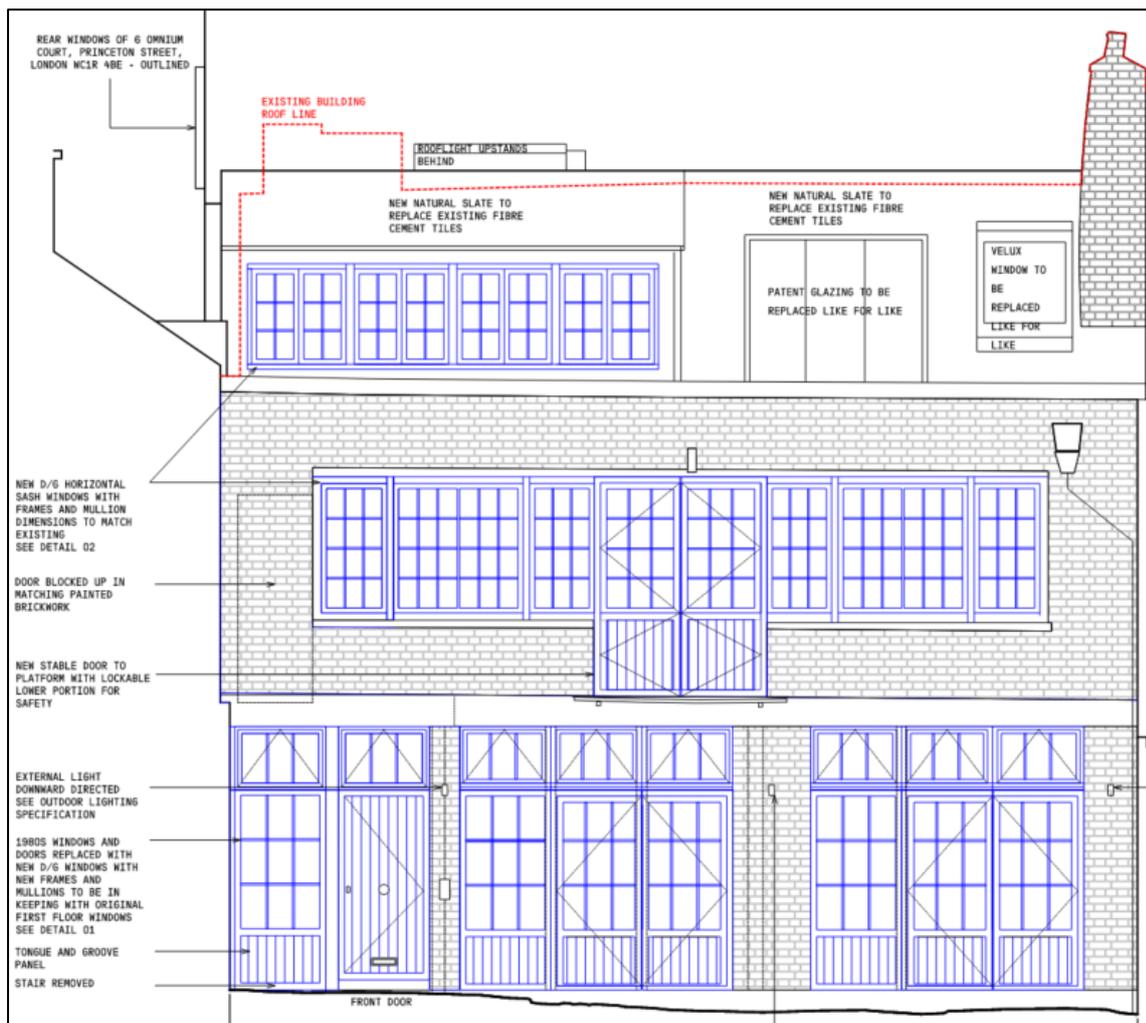


Fig 2. As-built front elevation. Outline of previous roof level in red, with neighbouring window at Omnum Court identified in top left-hand corner.

# 2024/0382/P – 50C Red Lion Street

Photos and Plans

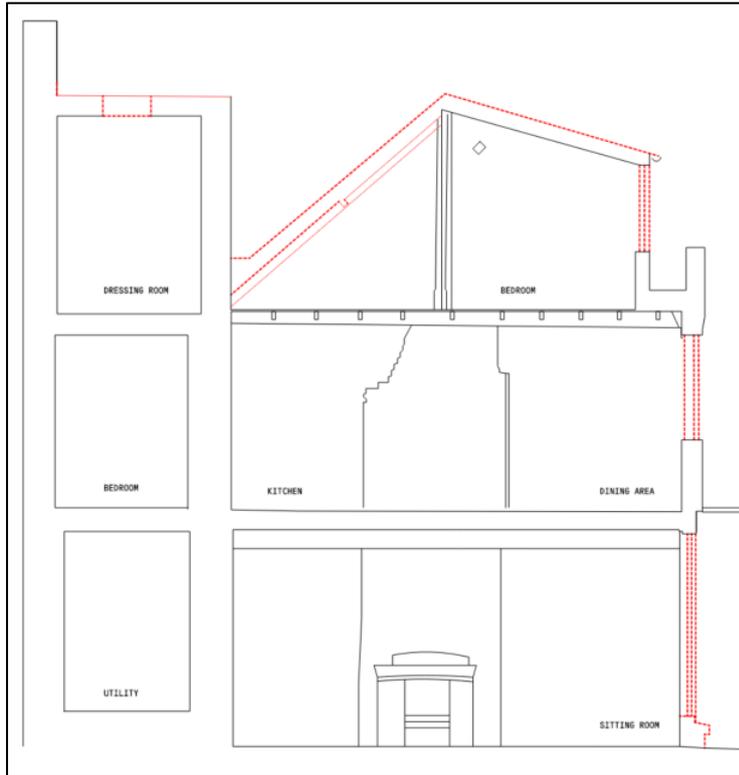


Fig 3. Existing section.

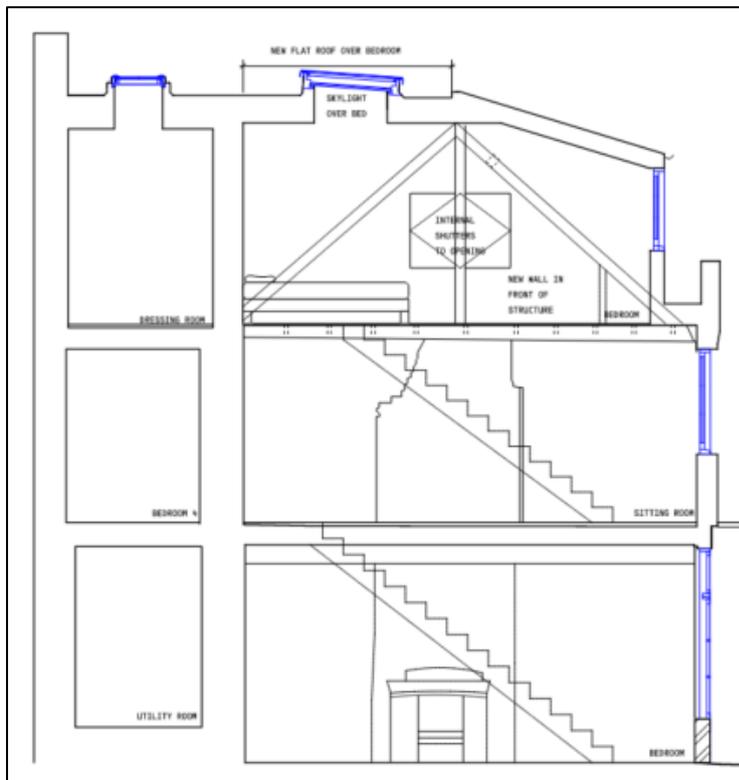


Fig 4. As-built section.

# 2024/0382/P – 50C Red Lion Street

Photos and Plans

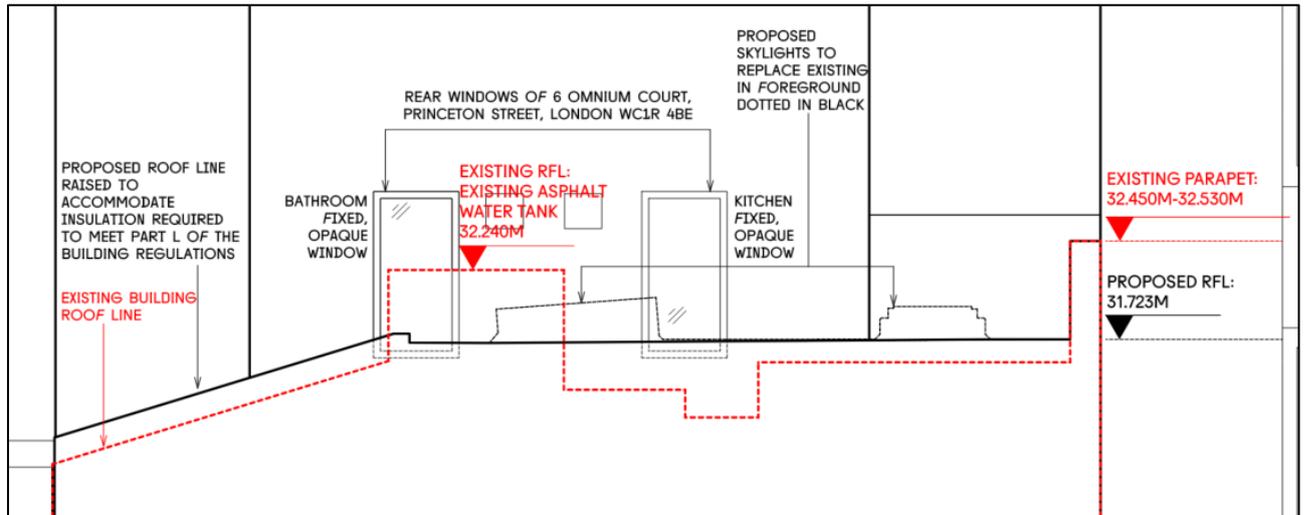


Fig 5. As built roof section with previous roof overlay in red demonstrating relationship with rear facing windows of Omnium Court.

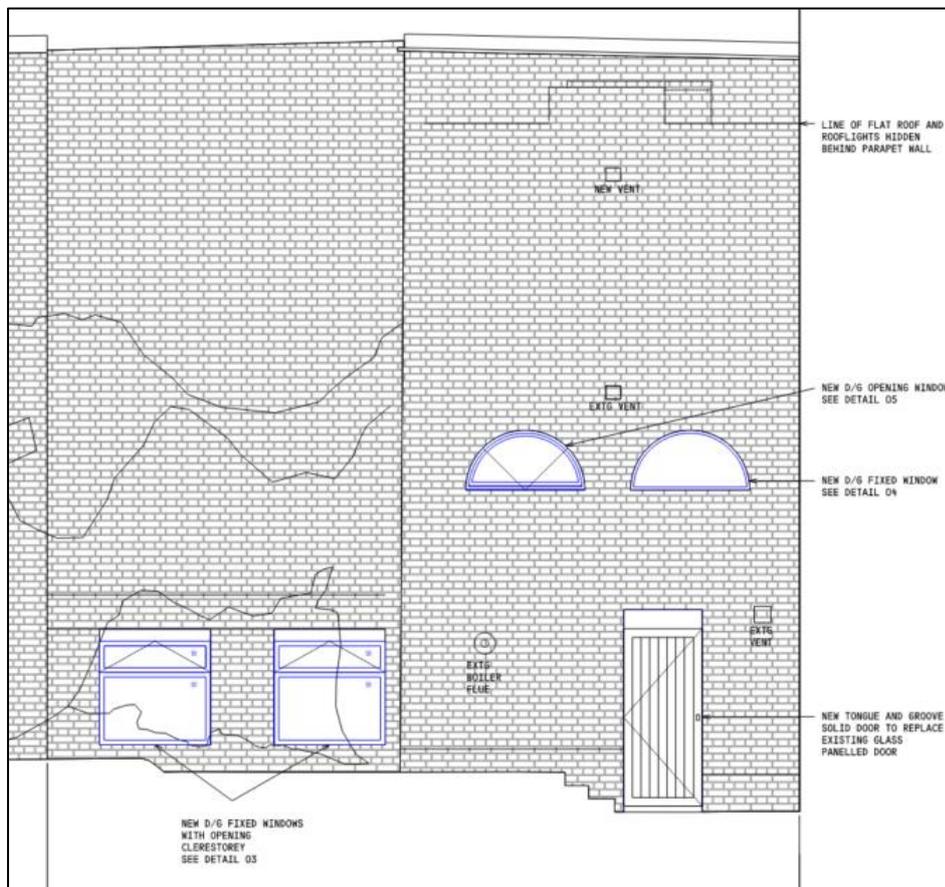


Fig 6. As-built rear elevation, indicating replacement windows in blue.

# 2024/0382/P – 50C Red Lion Street

Photos and Plans

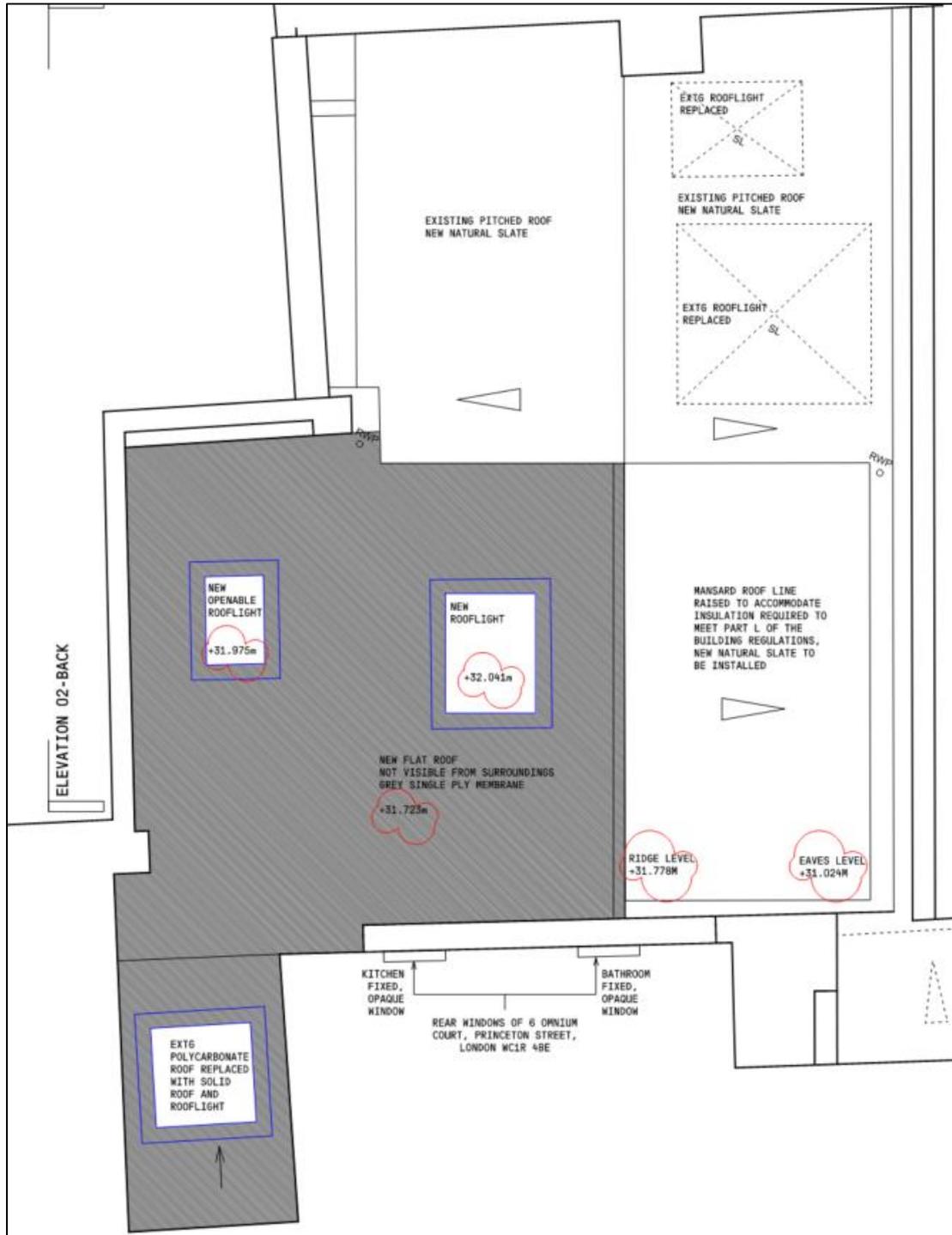


Fig 7. As-built roof plan. Location of existing rear facing windows on Omnium Court annotated.

# 2024/0382/P – 50C Red Lion Street

Photos and Plans

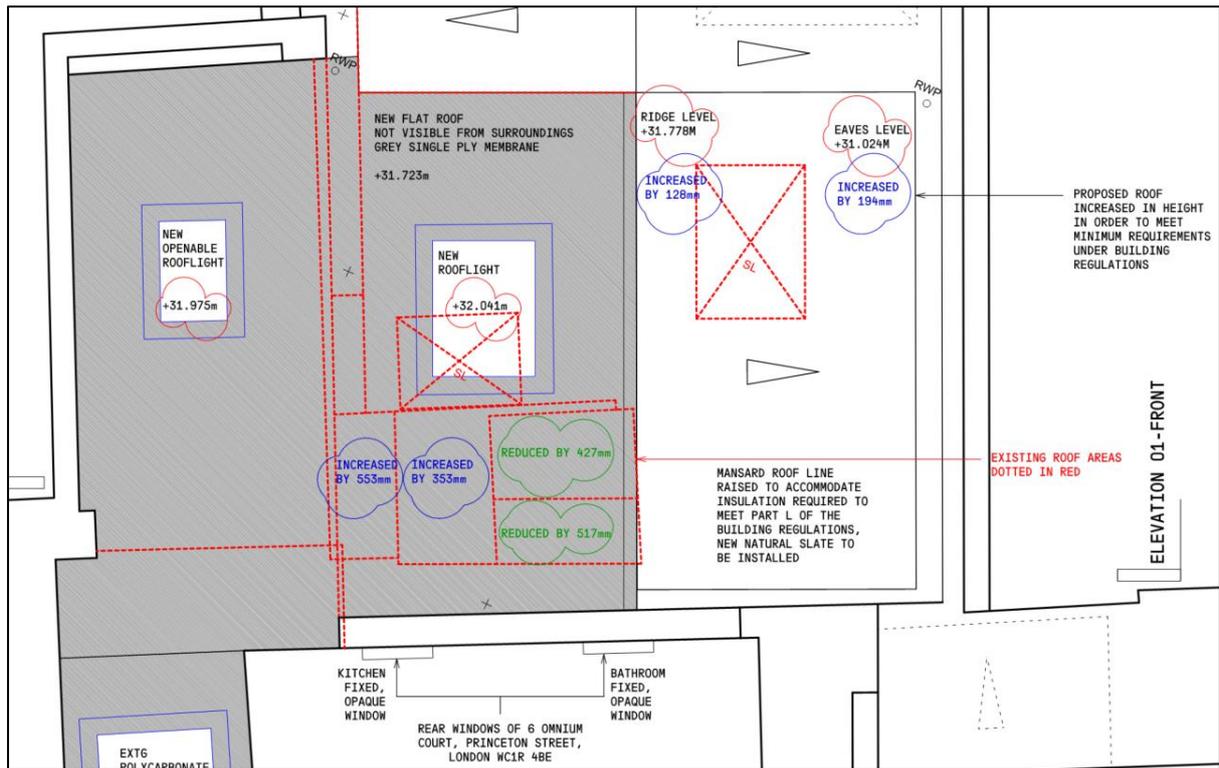
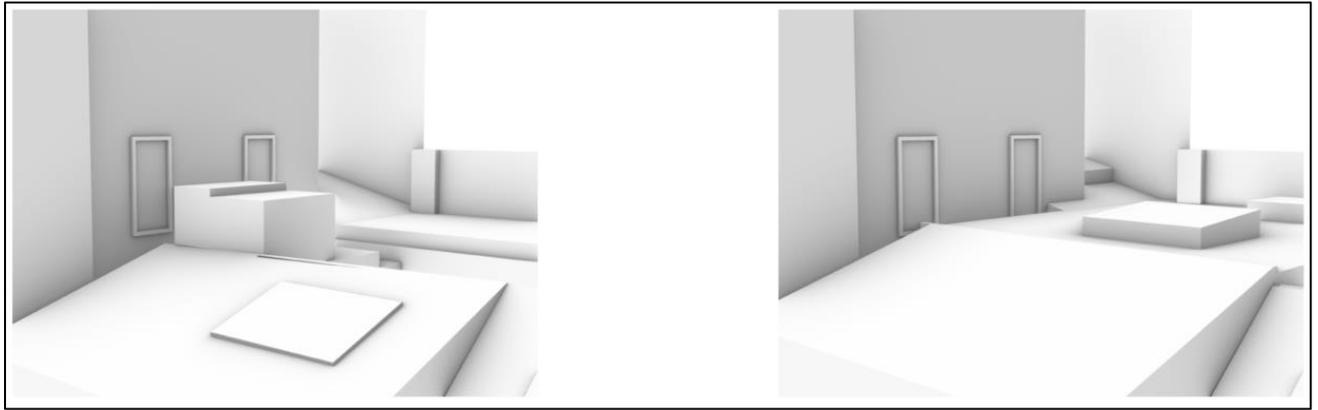


Fig 8. As-built roof plan and levels overlaid with previous roof plan overlaid in red.

# 2024/0382/P – 50C Red Lion Street

Photos and Plans



*Figs 9, 10, and 11. 3D Models of previous (left hand image) and as-built (right hand image) conditions demonstrating relationship of the roof with the rear facing windows at Omnium Court.*

<b>Delegated Report</b> (Members Briefing)		<b>Analysis sheet</b> N/A / attached		<b>Expiry Date:</b> 27/03/2024			
				<b>Consultation Expiry Date:</b> 20/10/2024			
<b>Officer</b>			<b>Application Number(s)</b>				
Daren Zuk			2024/0382/P				
<b>Application Address</b>			<b>Drawing Numbers</b>				
50C Red Lion Street London WC1R 4PF			<i>See draft decision notice</i>				
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>				
<b>Proposal(s)</b>							
New window and door fenestration arrangement at ground floor front elevation; installation of new double glazed timber framed windows and doors throughout; replacement rooflights throughout; removal of existing fire escape stair; infilling of first floor external door; small extension at rear roof level to create flat roof with new rooflights. (NOTE: Revised plans submitted to clarify relationship between works at roof level and rear windows of neighbouring Omnium Court)							
<b>Recommendation(s):</b>		Grant householder planning permission					
<b>Application Type:</b>		Householder Planning Permission					
<b>Conditions or Reasons for Refusal:</b>		Refer to Draft Decision Notice					
<b>Informatives:</b>							
<b>Consultations</b>							
<b>Adjoining Occupiers:</b>		No. notified	<b>00</b>	No. of responses	<b>06</b>	No. of objections	<b>06</b>
<b>Summary of consultation responses</b>  <i>(Officer's responses) in italics</i>		Site Notice: displayed from 01/03/2024 – 14/10/2024 Press Notice: displayed from 29/02/2024 – 24/03/2024  <i>Following judicial review and the decision to grant planning permission being quashed by the High Court, the application was subsequently re-consulted:</i>  Site Notice: displayed from 20/09/2024 – 25/03/2024 Press Notice: displayed from 26/09/2024 – 20/10/2024  Six responses from the initial consultation were received from residents of neighbouring Omnium Court objecting to the proposed works. Their comments are summarised as follows:					

1. The property has been incorrectly classified as a dwellinghouse.  
*A search on the Valuation Office Agency website confirms that the property has been in residential use since at least 20 September 2015.*
2. The west wall is Grade II listed.  
*A search on Historic England confirms that the west wall (facing Omnium Court) is not listed.*
3. Concerns regarding the front replacement windows and level of glazing proposed.  
*See Section 4 (Design and Conservation) of this report.*
4. Concerns regarding the access the subject site has into the rear garden of Omnium Court.  
*Matters of existing access, easements, and disputes between private property owners are not a material planning consideration.*
5. Concerns regarding a gas flue outlet.  
*No gas flue is proposed as part of the current proposal.*
6. Concerns regarding the impact of the new windows facing into Omnium Court.  
*See Section 5 (Amenity) of this report.*
7. Concerns regarding the amount of demolition and the timeframes for completion.  
*Due to the significant damage to the roof, urgent repairs were required prior to planning permission being sought. The urgent repair works have now been completed. Given the scale and scope of the proposed works, a Construction Management Plan was considered unnecessary.*
8. Concerns over the level of community engagement and public consultation.  
*Site notices were posted at the front of 50 Red Lion Street, in front of Omnium Court, as well as at the front of 7A Lamb's Conduit Passage from 01/03/2024 until 24/03/2024. A press notice was published in the Camden New Journal from 29/02/2024 until 24/03/2024. The public consultation has thus complied with Council policy on community engagement and public consultation.*

Three responses from the re-consultation were received from the same residents who initially objected, all residents of neighbouring Omnium Court. Their comments are summarised as follows:

1. Amenity impacts including loss of light to rear windows of Omnium Court, overlooking, shadowing, noise and privacy.

*Impact on neighbouring amenity is discussed in Section 5, including the public sector equality duty. One of the objectors provided photos taken from inside their bathroom towards the rear facing (obscure glazed) windows. Although the photos show slight shadowing due to the increased height of the subject roof, they are not considered significant enough to unduly impact the availability of daylight/sunlight to the room nor warrant refusal on this basis.*

*One of the concerns raised was noise emanating from equipment at the subject site. The noise is likely from construction equipment (such as generators or dehumidifiers) and would be used during construction hours only and removed post construction. No external plant equipment (such as air source heat pumps) was included or assessed as part the application and would require separate planning permission if proposed.*

2. Proposal does not meet key targets for Camden Planning Policy including Local Plan policies H1 (maximising housing supply)  
*Due to the application being a householder permission, assessment against policy H1 is not relevant. The existing and lawful use of the site is residential (Use Class C3).*
3. Obstruction of fire escape route from Omnium Court.  
*An existing door leading from the subject site into the rear garden of Omnium Court was proposed to be replaced and maintained as a fire escape door, thus maintaining the existing arrangement. The matter of easements is between private parties and not a planning consideration.*
4. Proposal would fail to prevent anti-social behaviour with access maintained to the rear garden of Omnium Court.  
*The existing access between the subject site and the rear garden of Omnium court is a matter between private parties and not a planning consideration. It is unclear to Officers how the existing access, which is to be used for fire escape only, would lead to anti-social behaviour. Access to a shared party wall for maintenance is a matter between private parties.*
5. Impacts from construction on residents of Omnium Court.  
*Scaffolding was installed prior to the planning application being submitted due to structural failures of the old roof. Given the scale and scope of the proposal, a Construction Management Plan was not considered necessary. The works have now completed, and scaffolding removed.*
6. Environmental impacts.  
*The new roof and extension were finished with slate tiles and a black tar roof. The use of a green roof was not considered appropriate in this instance as it would have raised the roof level taller than as approved, which is a major concern outlined by objectors. The*

*removal of climbing plants on the party wall does not require planning permission and is a matter between private parties. Given the scale of the development, environmental improvements were not considered necessary or achievable. Claims have been made that an air conditioning unit is operating on site. Such a unit would require planning permission, which has not been granted. Any noise impacts would be assessed through the Council's Environmental Health team.*

7. Concerns regarding management of the construction works.  
*This is not a material planning consideration nor an item the Council has any control over. Whilst in some cases it is appropriate for the Council to seek to manage construction work via a construction management plan (CMP) this is mainly for more significant scale operations such as major development or creation of basements. Due to the retrospective nature of the application the construction is now substantially completed but, in any event, would not be considered significant enough to necessitate a CMP.*

8. Concerns regarding accuracy of the application, including accuracy of the 3D renderings and the installation of a glazed door instead of a solid door as previously proposed.  
*The original application included a replacement solid external door along the rear elevation with Omnium Court. The resubmitted plans indicate a glazed door, which may result in privacy impacts the ground floor rear facing windows of Omnium Court. To address this, a condition has been added requiring the door to be obscure glazed, thus minimising amenity impacts to neighbouring occupiers.*

*The submitted 3D renderings, demonstrating the pre-existing and as-built conditions, have been reviewed by Officers and cross referenced with pre-existing and current site photos. They are therefore considered to be accurate in demonstrating the as-built condition.*

**Bloomsbury CAAC**      The Bloomsbury CAAC was consulted but did not submit any comments.

**Site Description**

The application comprises a three-storey mews dwelling, located on the west side of Red Lion Street north of the junction with Princeton Street. The building was originally connected to no. 23 Red Lion Square (now demolished, following bomb damage during WWII) and served as a stable and coach-house. Since the early 20<sup>th</sup> century the property has been used as a studio and residence for artists. The dwelling is accessed through a covered alleyway between nos.50-51 Red Lion Street. The rear of the building is visible from the public realm on Lamb's Conduit Passage. The building adjoins the rear elevations of buildings along Princeton Street, including Omnium Court, with secondary residential windows overlooking the roof of the site.



The building is not listed but it lies within the Bloomsbury Conservation Area. The building is not noted as making a positive contribution to the Conservation Area.

### Relevant History

**PS9804997** – The erection of a roof extension and the insertion of windows in the rear wall in connection with the existing use of the building as a mixed-use design studio with residential accommodation, as shown by drawing numbers 01, 02 & 03 dated 10th June 1998, & 04, 05, 06 dated 5th January 1999 and as amended by letter dated 3rd November 1999. **Granted 09/11/1999**

**2019/3604/P** – Part demolition of the existing building, erection of a new front facade and external staircase on the front elevation, rebuild of chimney, raising of roof slopes and erection of a roof extension with roof terrace to enlarge existing two-bedroom residential unit. Insertion of new windows and/or doors on the rear and side elevation. Provision of waste and recycling storage, cycle parking and amenity space. **Granted Subject to a Section 106 Legal Agreement 04/12/2020** (not implemented)

**2024/0382/P** - New window and door fenestration arrangement at ground floor front elevation; installation of new double glazed timber framed windows and doors throughout; replacement rooflights throughout; removal of existing fire escape stair; infilling of first floor external door; small extension at rear roof level to create flat roof with new rooflights. **Granted 18/04/2024 and subsequently quashed by a way of a Consent Order of the Court dated 3 September 2024 (see 'Background' section of report assessment below).**

## Planning Policy

### National Planning Policy Framework 2024

### The London Plan 2021

### Camden Local Plan 2017

- A1 Managing the impact of development
- D1 Design
- D2 Heritage

### Draft Camden Local Plan

The Council has published a new Draft Camden Local Plan (incorporating Site Allocations) for consultation (DCLP). The DCLP is a material consideration and can be taken into account in the determination of planning applications but has limited weight at this stage. The weight that can be given to it will increase as it progresses towards adoption (anticipated 2026).

### Camden Planning Guidance

- Amenity (2021)
- Design (2021)
- Home Improvements (2021)

### Bloomsbury Conservation Area Appraisal and Management Strategy 2011

## Assessment

### 1. Proposal

#### 1.1. The proposal includes:

- New window and door fenestration arrangement at ground floor front elevation;
- Installation of new double glazed timber framed windows throughout;
- Replacement rooflights;
- Removal of existing fire escape stair;
- Infilling of first floor external door; and
- Small extension at rear roof level to create flat roof with new rooflights.

1.2. Due to the earlier grant of permission and subsequent quashing of the decision the applicant had already commenced works on the roof extension and since substantially completed them to ensure weather tightness and removal of scaffolding, leaving only the window alterations to be fully completed; hence this application is now being considered retrospectively.

### 2. Background

2.1. In late 2023, the subject building was noted as being in a state of disrepair and not habitable. As a result, emergency works were required to the roof as it had caved in due to structural and water egress issues. In order to carry out the emergency roof repairs and protect the building from further damage, scaffolding was erected over the entirety of the roof which blocked multiple rear facing windows of neighbouring Omnium Court, Princeton Street. The emergency works and erection of scaffolding did not require planning permission.

- 2.2. While the emergency works were being carried out, a planning application was submitted in January 2024 to refurbish the property, as outlined in paragraph 1.1. Under the planning application, objections were received by residents of Omnium Court citing concerns with amenity impact, specifically availability of daylight/sunlight, resulting from the scaffolding. Concerns were also raised regarding the reconstructed roof, which was minimally raised to allow for increased internal headroom at first-floor level, and the resulting impact on the rear windows of Omnium Court.
- 2.3. The proposal was subsequently granted planning permission on 18 April 2024, following review of the Officer's Delegated Report by way of Member's Briefing on 15 April 2024.
- 2.4. On 29 May 2024, a judicial review claim was served to the Council on behalf of the Claimant (resident of Omnium Court) challenging the decision on three grounds: 1) the Council's conclusions as to the scheme's construction impacts were irrational; 2) the Council's conclusions in relation to the permanent effects of the scheme were based on an error of fact, unsupported by evidence, and/or amounted to a breach in its *Tameside* duty; and 3) the Council breached its public sector equality duty under s. 149 of the Equality Act 2010.
- 2.5. On further detailed consideration, it appears that the plans submitted did show a slight increase in the height of the proposed roof by comparison to the existing. The Council does not consider the increase in height would give rise to significant negative impact on the amenity of neighbouring properties but recognises that this was not explicitly considered in the Officer's Report.
- 2.6. The Council subsequently consented to the quashing of the grant of planning permission on Ground 2, the basis that there was a material error of fact in the Officer's Report (Member's Briefing report, dated 15 April 2024) on which the decision was based, specifically the statement that the "*submitted documents indicate that the height of the roof extension will not extend beyond the existing ridge line*". The Council does not accept the Decision should be quashed on the other two grounds of challenge, which the Council maintains are unarguable and without merit. Consent Order was approved by the Court on 3 September 2024, quashing the Council's decision to grant planning permission and the Council is required to re-determine the planning application.
- 2.7. Following the quashing of the decision, the Council worked with the applicant to obtain additional detailed drawings of the now completed roof works and how they relate to the rear windows of Omnium Court. The application was subsequently re-consulted and is now being reconsidered with more up to date and accurate information and drawings. Section 5 of the report addresses this issue and the public sector equality duty.

### 3. Assessment

- 3.1. The material considerations for this application are as follows:
- Design and Conservation
  - Amenity

#### **4. Design and Conservation**

- 4.1. The Council's design policies are aimed at achieving the highest standard of design in all developments, including where alterations and extensions are proposed. Policy D1 of the Local Plan requires development to be of the highest architectural and urban design quality which improves the function, appearance, and character of the area. The Council welcomes high quality contemporary design which responds to its context. Camden's Local Plan Document is supported by Supplementary Planning Guidance CPG (Design).
- 4.2. Local Plan Policy D2 states that the Council will preserve and, where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas. To comply with Policy D2, extensions to historic properties should integrate with and enhance the host building and not be dominant or obtrusive.
- 4.3. The existing ground floor fenestration will be rearranged and feature two sets of windows/double doors designed to replicate historic garage doors, which are a key feature of mews buildings. The windows will be timber framed double-glazed slimline units, featuring mullions in keeping with the original first-floor windows and tongue and groove lower panels. The main entrance door will be relocated slightly south and be replaced with a timber tongue and groove door to match the character of the host building.
- 4.4. At first floor level, the existing external fire escape stair will be removed, and external door blocked up in matching painted brickwork. The external stair and door are not considered of historic interest, nor are integral to the character and design of the host building; thus, their removal is not objected to. The existing windows and stable door will be replaced with timber framed double-glazed slimline horizontal sash units, to match the existing single-glazed units, thus retaining the fenestration detail at first floor level.
- 4.5. At roof level, the front dormer windows will be replaced with timber framed double-glazed slimline units to match existing, and the existing rooflights on the front roof slope will be replaced with matching units; both considered acceptable given they are replacing existing units on a like-for-like basis.
- 4.6. At the rear of the roof level, a small extension with flat roof is proposed to allow for more internal habitable space and headroom, while also regularising the inconsistent existing roof levels. The height of the new roof will be raised above the existing ridge line, although only slightly, as shown in Figure 1 below. The increase in roof ridge height is not considered to harm the character or setting of the host building, that of the wider Bloomsbury Conservation Area, or that of neighbouring Omnium Court.

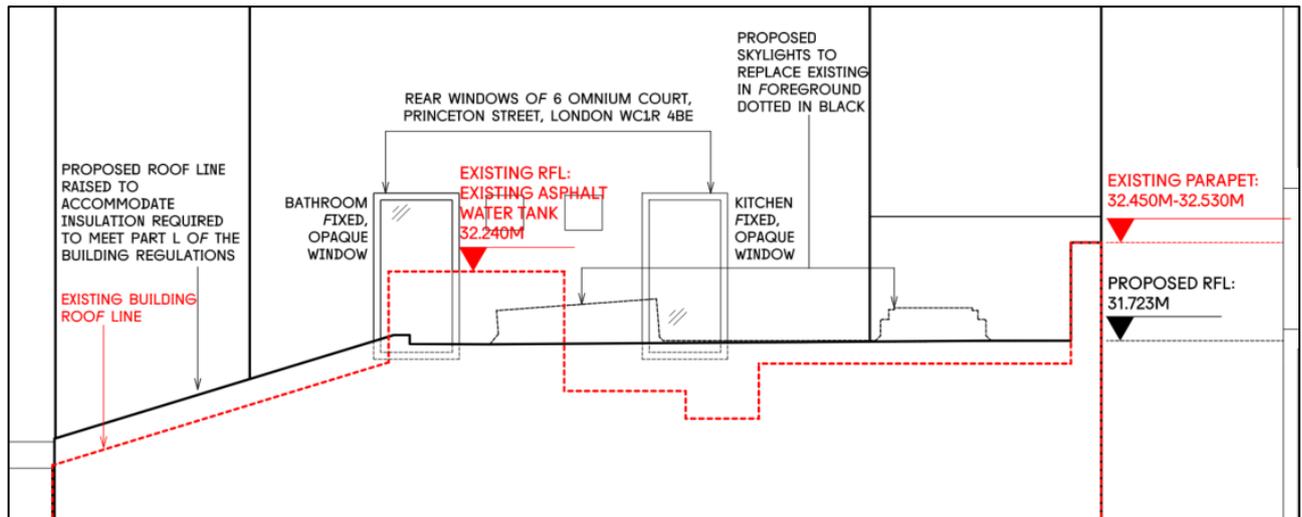


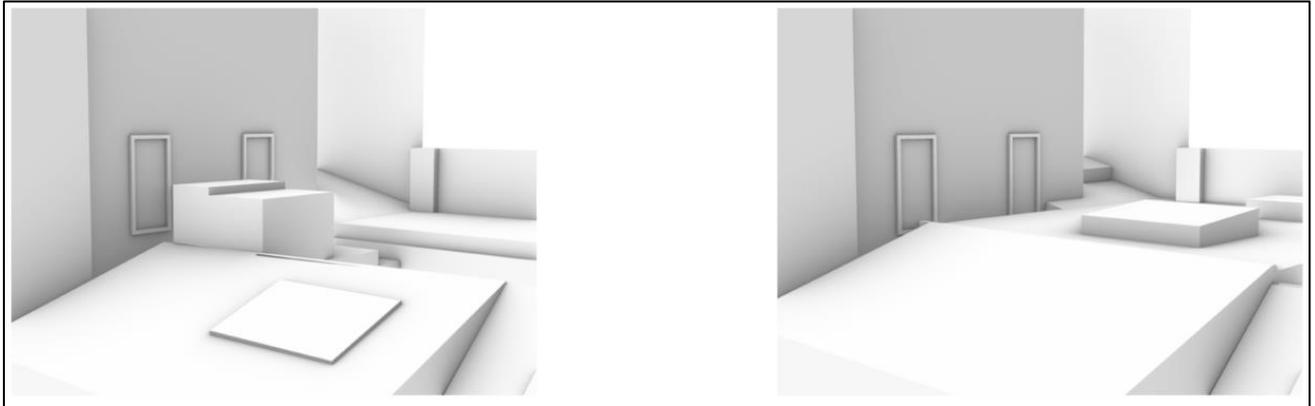
Fig 1. As built roof section with previous roof overlay in red demonstrating relationship with rear facing windows of Omnium Court.

- 4.7. The extension, given its limited visibility from any public viewpoints and small scale, is considered acceptable and will not impact the character of the host building nor the wider Conservation Area. The roof extension will also feature three rooflights, which is considered acceptable.
- 4.8. At the rear, which faces into the rear garden of neighbouring Omnium Court, the existing windows and door will be replaced with double-glazed units of a matching style. The window and door opening sizes will remain as existing to minimise any amenity impacts to occupiers of Omnium Court. The existing rear fire escape door, which opens out into Omnium Court, is proposed to be replaced with a glazed door.
- 4.9. Special regard has been attached to the desirability of preserving or enhancing the Bloomsbury 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.
- 4.10. As such, the proposed development would preserve the significance of the positive contributing building and the character or appearance of the Bloomsbury Conservation Area, complying with policies D1 and D2 of the Camden Local Plan.

## 5. Amenity

- 5.1. Policy A1 seeks to protect the quality of life of occupiers and neighbours by only granting planning permission to development that would not harm the amenity of residents. This includes factors such as privacy, outlook, and implications to natural light, artificial light spill, odour and fumes as well as impacts caused from the construction phase of development. It is recognised that certain groups such as those of older age, maternity, disability, and limited mobility (all protected characteristics), may be subject to increased construction impacts during the daytime when those groups are more likely to be home.

5.2. Objections were received from neighbouring residents of Omnium Court, citing specific concerns with impacts of the raised roof ridge on the rear windows of Omnium Court. Figure 2 below shows the pre-existing condition (left) and the as-building condition (right).



*Fig 2. 3D models of previous (left) and as-built (right) conditions demonstrating relationship of the roof with the rear facing windows at Omnium Court.*

- 5.3. As part of the works, an existing asphalt water tank which was blocking a bathroom window of Omnium Court has been removed. The replacement roof and extension has also left a gap between the roof and Omnium Court elevation to allow for the windows to be opened in the future.
- 5.4. Although the new increased roof height will encroach slightly onto the rear facing windows of Omnium Court (one bathroom and one kitchen window, shown in Figure 1), it is a minor encroachment that is not considered to significantly impact the availability of daylight/sunlight to those rooms, given the encroachment is on the bottom portion of the windows. It is noted that both windows are obscure glazed, and the proposed roof lights are a suitable distance from the Omnium Court elevation, thus limiting privacy impacts. Officers have considered the likely impacts and concluded that given the minimal increase in roof height and resulting encroachment, and also given that the bathroom is a non-habitable room (habitable rooms include living rooms or bedrooms), there is no requirement for the applicants to submit a Daylight/Sunlight Assessment to determine the impact on the natural light to the two rooms.
- 5.5. Further concerns were raised regarding the replacement of the rear windows that face into the rear garden of Omnium Court. As the proposal is for replacement only, the windows are not considered to give rise to any new amenity impacts to occupiers of Omnium Court and are thus considered acceptable. The replacement fire escape door is proposed to be glazed; a condition has been added to have the door obscure glazed to minimise privacy impacts to residents of Omnium Court.
- 5.6. Concerns were also raised regarding impacts from construction, including the erection of scaffolding (prior to the planning application being submitted), noise, dust, and vibration. Although these impacts will undoubtedly impact residents of Omnium Court, most specifically the occupier of the second-floor flat which has the rear facing windows and those who may be at home during regular construction hours, the construction works are considered temporary and will not result in permanent impacts. Although the construction has taken place at close quarters with adjacent residential premises, the extent of works has nevertheless been limited due to the small scale of the extension. Whilst this has impacted on residents some of whom

have been inconvenienced particularly through being present in their homes during most of the day, a CMP would have limited effect in reducing these impacts beyond the standard requirements of working hours and suppression of dust and debris under the Control of Pollution Act and Regulations for Control of Substances Hazardous to Health. It is therefore considered that a CMP is not required in this instance. It is also noted that the majority of the external construction has now been completed, and the scaffolding removed, further negating the need for any additional conditions or controls on construction impact.

5.7. Thus, given the scale and scope of the works, they are unlikely to give rise to significant negative impacts to neighbouring occupier's amenity with regards to loss of daylight/sunlight, outlook, privacy or noise or disturbance, thus complying with Policy A1 of the Camden local Plan 2017.

#### 5.8. Public Sector Equality Duty

In carrying out its functions, the Council has a public sector equality duty to have due regard to the need to achieve the objectives set out under s149 of the Equality Act 2010 to:

(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;

(b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

(c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

5.9. It is understood that the decision will have an impact on persons with protected characteristics as a result of their disability and it has specifically been raised that the resident of the flat most directly affected by the works has felt unable to manage their long-term health conditions due to the impact on her privacy and reduction of light from the scaffolding at close quarters. However, whilst the Council considers that the PSED is engaged and construction phase of the development would impact on a person who lives behind the proposed development, it is considered that on balance the granting of planning permission would neither promote nor undermine the interests of those with protected characteristics. This is because most of the works have now been undertaken, the encroachment of the roofline to the windows is minimal, there is an absence of any reduction in privacy post-construction, and the negligible impacts to daylight/sunlight impact as a result of the completed development. The development has been assessed as a whole and construction impact alone is not sufficient to refuse the planning application. Construction impacts have been covered in paragraph 5.6 above.

## **6. Conclusion and Recommendations**

6.1. In conclusion, the proposed works would preserve the character and setting of the host building and the character and appearance of this part of the Bloomsbury Conservation Area. Furthermore, there would be no significant loss of amenity to neighbouring occupiers with regards to loss of daylight/sunlight, outlook, privacy, or noise disturbance. As such, the proposals are considered to accord with the requirements of Policies A1, D1, and D2 of the Camden Local Plan. It is therefore recommended that planning permission be granted subject to relevant conditions.

***The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 3<sup>rd</sup> March 2025, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to [www.camden.gov.uk](http://www.camden.gov.uk) and search for 'Members Briefing'.***

Application ref: 2024/0382/P  
Contact: Daren Zuk  
Tel: 020 7974 3368  
Email: Daren.Zuk@camden.gov.uk  
Date: 31 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](http://www.camden.gov.uk)

Patricia Lennox Boyd  
40A Granville Square  
London  
WC1X 9PD

Dear Sir/Madam

**DECISION**

Town and Country Planning Act 1990 (as amended)

**Householder Application Granted**

Address:

**50C Red Lion Street  
London  
WC1R 4PF**

Proposal:

New window and door fenestration arrangement at ground floor front elevation; installation of new double glazed timber framed windows and doors throughout; replacement rooflights throughout; removal of existing fire escape stair; infilling of first floor external door; small extension at rear roof level to create flat roof with new rooflights. (NOTE: Revised plans submitted to clarify relationship between works at roof level and rear windows of neighbouring Omnium Court)

Drawing Nos:

(Prefix 204\_A\_) 01\_00 D3, 01\_01 D4, 01\_02 D3, 01\_03, 01\_11 P3, 01\_12 P3, 02\_01, 02\_02, 02\_03, 02\_04 P2, 03\_01 P3, 03\_02, 03\_03 P2, 03\_04, 03\_05 P3, Location Plan TQRQM24031154029315, Design and Access Statement (prepared by vPPR Architects), Window Detail 01, Window Detail 02, Window Detail 03, Window Detail 04, Window Detail 05, Existing and Proposed 3D Models

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:

(Prefix 204\_A\_) 01\_00 D3, 01\_01 D4, 01\_02 D3, 01\_03, 01\_11 P3, 01\_12 P3, 02\_01, 02\_02, 02\_03, 02\_04 P2, 03\_01 P3, 03\_02, 03\_03 P2, 03\_04, 03\_05 P3, Location Plan TQRQM24031154029315, Design and Access Statement (prepared by vPPR Architects), Window Detail 01, Window Detail 02, Window Detail 03, Window Detail 04, Window Detail 05, Existing and Proposed 3D Models

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.

- 4 The replacement rear fire escape door identified on drawing number '204\_A\_03\_03 P2' shall be obscure glazed prior to occupation and permanently retained as such thereafter.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policy A1 of the London Borough of Camden Local Plan 2017.

#### Informative(s):

- 1 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).
- 2 Your proposals may be subject to control under the Party Wall etc Act 1996 which covers party wall matters, boundary walls and excavations near neighbouring buildings. You are advised to consult a suitably qualified and experienced Building Engineer.
- 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 planning application was made before 12 February 2024.

++ 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-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

Chief Planning Officer