

Application ref: 2024/5053/P
Contact: Adam Greenhalgh
Tel: 020 7974 6341
Email: Adam.Greenhalgh@camden.gov.uk
Date: 6 March 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
www.camden.gov.uk/planning

Studio 309 Ltd.
75 Whitworth Road
London
London
SE18 3QG
United Kingdom

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Granted

Address:
161 Arlington Road
London
NW1 7ET

Proposal:
Removal of existing conservatory and erection of a single-storey ground floor extension with a rear basement extension below; part-infilling of existing lightwell to the front

Drawing Nos:
Location Plan, 001C:-001, 002, 010 A, 011, 015, 016 B, 017 B, 020 C, 021 A, 025 C, 026 D, 027 D, 037 B, 050 A, 051 A

Planning Statements (Studio 319), Basement Impact Assessment (Screening & Scoping Report - Cochrane Construction Consultants), Basement Impact Assessment - S 2930 - November 2024), H Fraser Consulting Letter - 27/11/2024), Review of BIA (HK Hydrology), Desk Study Report (Cochrane Construction Consultants)

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 drawings and documents:

Location Plan, 001C:-001, 002, 010 A, 011, 015, 016 B, 017 B, 020 C, 021 A, 025 C, 026 D, 027 D, 037 B, 050 A, 051 A

Planning Statements (Studio 319), Basement Impact Assessment (Screening & Scoping Report - Cochrane Construction Consultants), Basement Impact Assessment - S 2930 - November 2024), H Fraser Consulting Letter - 27/11/2024), Review of BIA (HK Hydrology), Desk Study Report (Cochrane Construction Consultants)

The development hereby permitted shall be carried out in accordance with the approved plans listed in schedule [inset name or number of schedule of plans]

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 development hereby approved shall not commence until such time as a suitably qualified chartered engineer with membership of the appropriate professional body has been appointed to inspect, check for compliance with the design (as approved by the local planning authority and building control body) and monitor the critical elements of both permanent and temporary basement construction works throughout their duration. Details of the appointment and the appointee's responsibilities shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. Any subsequent change or reappointment shall be confirmed forthwith for the duration of the construction works.

Reason: To ensure proper consideration of the structural stability of neighbouring buildings and to safeguard the appearance and character of the immediate area in accordance with the requirements of policies D1, D2 and A5 of the London Borough of Camden Local Plan 2017.

- 5 The development shall not be carried out other than in strict accordance with the methodologies, recommendations and requirements of the Basement Impact Assessment by Cochrane Construction Consultants S 2930 - November

2024) hereby approved and the Basement Impact Assessment Audit by Campbell Reith - 14291-08 - February 2025, and the confirmation at the detailed design stage that the damage impact assessment would be limited to Burland Category 1.

Reason: To ensure proper consideration of the structural stability of neighbouring buildings and to safeguard the appearance and character of the immediate area in accordance with the requirements of policies D1, D2 and A5 of the London Borough of Camden Local Plan 2017.

- 6 If during construction/demolition works, evidence of potential contamination is encountered, works shall cease and the site fully assessed to enable an appropriate remediation plan to be developed. Works shall not recommence until an appropriate remediation scheme has been submitted to, and approved in writing by, the local planning authority and the remediation has been completed. Upon completion of the building works, this condition shall not be discharged until a closure report has been submitted to, and improved in writing by, the local planning authority.

Reason: To protect the amenity of occupiers in accordance with policy A1 of the Camden Local Plan 2017.

Informative(s):

- 1 The application follows application 2024/1376/P (and Listed Building Consent application 2024) which included a rear basement, ground and first floor rear extension, with a rear lightwell and replacement UPVC windows. This application was refused on 16/08/2024 for four reasons including harm to the special interest and significance of the Grade II listed building, wider terrace group and the character and appearance of the Camden Town Conservation Area, lack of a Sunlight and Daylight Assessment for the two storey rear extension and lack of an adequate Basement Impact Assessment for the basement extension.

The current proposal addresses all the reasons for refusal of this previous scheme.

The rear extension has been reduced to a basement and ground floor extension reduced in size. The proposed 3.5m deep, 3.8m wide lower ground and ground floor rear extension (single storey above ground level) would be of a modest and subservient design, siting and appearance on the building. It would not differ significantly in appearance from the existing rear conservatory which it would replace and it has been assessed by the Council's Conservation Officer as not resulting in harm to the significance of the Grade II listed building, wider terrace group and the character and appearance of the Camden Town Conservation Area.

The formation of a small utility area within a part of the front lightwell (below the ground floor bin store) would not affect the heritage merits of the Listed building or the Conservation Area.

Replacement UVPC windows, previously proposed under the previous applications, are not now proposed.

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.

Section 16(2) of the Listed Buildings Act 1990 (Planning (Listed Buildings and Conservation Areas) Act 1990) directs that "In considering whether to grant listed building consent for any works, the Council is required to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest, which it possesses." The works preserve the special architectural and historic interest of the listed building.

Turning to the proposed basement extension (to the rear), this would accord with the generic planning criteria under policy A5 (Basements) in terms of not resulting in the loss of any existing or potential trees or planting, not affecting the amenity of any neighbouring properties and not affecting the character or appearance of any townscape or heritage assets.

It would also comply with the parameters within policy A5 such as not being more than 50% of the depth of the existing building and not occupying more than 50% of the depth of the garden.

A Basement Impact Assessment (BIA) has been undertaken in accordance with policy A5 and the Council's Planning Guidance on Basements. The BIA has been duly audited by the Council's independent Basement Impact Assessors. It is accepted that the proposed basement will not impact on the local and wider hydrogeology of the area and is not in an area subject to flooding.

It is accepted the basement will not impact the stability of the neighbouring properties and public highway.

Planning conditions are attached to ensure that the development is undertaken in accordance with the audited Basement Impact Assessment and that a qualified engineer is appointed to oversee the basement works.

There were no 'amenity' reasons for refusal associated with the previous application (2024/1376/P) and the current application would similarly not result in any undue harm to the living conditions of any neighbouring occupiers. Single storey above ground level and 3.5m deep the proposed rear extension would not result in any loss of light, privacy or outlook for any neighbouring occupiers.

When the application was submitted it included a small terrace on the roof of the proposed rear extension. However, owing to uncertainty over the lawfulness of the existing terrace in this location this was removed by the applicant and it is noted that the existing unauthorised door at this level will be replaced by a new timber door which is considered to be appropriate to the Listed building.

The site lies in an area which is susceptible to contaminated land. The Council's Land Contamination Team has reviewed the application and advised that, given the potential for contamination associated with former industrial land uses in the vicinity of the site and the continued sensitive end use (residential), a condition requiring remedial action should be attached in the event that contamination is encountered. The condition is attached accordingly.

Due to scale of development it is not considered that any Biodiversity Net Gain is required. Advice on the need for Biodiversity Net Gain is included within two informatives.

No letters of objection have been received as a result of statutory consultation on the application.

Note: The existing door to the rear terrace at first floor level, the existing first floor spine wall openings at ground and first floor levels, and the removal of the doorway from the landing to the front first floor room are unauthorised works which have been undertaken to the Listed building. In the event that these unauthorised works are not removed and the works as shown in the approved drawings are not implemented within 3 months from the date of this listed building consent being granted then the Borough Solicitor will be instructed to instigate formal enforcement action to resolve this breach of planning control.

The planning history of the site and the neighbouring sites have been taken into account in the assessment of the application.

As such, the proposed development is in general accordance with policies A1, D1 and D2 of the Camden Local Plan 2017. It also accords with 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 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 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).

++ 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).

6. 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.

- 7 The existing door to the rear terrace at first floor level, the existing first floor spine wall openings at ground and first floor levels, and the removal of the doorway from the landing to the front first floor room are unauthorised works. In the event that these unauthorised works are not removed and the works as shown in the approved drawings are not implemented within 3 months from the date of this listed building consent being granted then the Borough Solicitor will be instructed to instigate formal enforcement action to resolve this breach of

planning control.

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 positioned above the printed name and title of the signatory.

Daniel Pope
Chief Planning Officer