

Application ref: 2024/1696/P
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Date: 19 March 2025

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Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Variation or Removal of Condition(s) Granted Subject to a Section 106 Legal Agreement

Address:
16 Swain's Lane
London
N6 6QS

Proposal:

Variation of condition 2 (approved plans), amendments to the wording of condition 5 (external render), condition 11 (cycle parking) and wording of conditions 6 (tree protection measures), condition 7 (hard and soft landscaping) and 13 (privacy screens) of planning permission dated 13/03/2024 (ref 2023/0712/P) for change of use of ground floor from office to residential to create a self-contained flat; erection of 1-3 storey rear extensions with roof terraces above at 1st and 2nd floor levels; alterations to front facade at ground floor level; associated hard and soft landscaping; removal of chimney and installation of solar panels on roof: CHANGES INCLUDE alterations to the size and design of rooflight of the ground floor extension, alterations to the window sizes and proportions of the side and rear elevations, changes to the window system, omission of approved external insulation to the existing front elevation, retention of larger proportion of the existing ground floor fabric, amendments to the railing design of 1st and 2nd floor rear terraces, installation of cycle parking storage within the front forecourt and revisions to the location of the bin store, PV panels, new rooflight and access hatch at roof level.

Drawing Nos: 259 EX 100; 259 EX 00; 259 EX 01; 259 EX 02; 259 EX 03; 259 EX 10; 259 EX 11; 259 EX 12; 259 EX 13; 259 EX 20; 259 EX 22; 259 EX 23; 259 PR 100; 259 PR 00 rev A; 259 PR 01 rev A; 259 PR 02 rev A; 259 PR 03; 259 PR 10; 259 PR 11 rev A; 259 PR 12 rev A; 259 PR 13 rev A; 259 PR 20 rev A; 259 PR 22 rev A; 259 PR 23 rev A; Daylight and Sunlight Report prepared by Anstey Horne dated January

2023; Embodied Carbon Calculation - Stage 2 prepared by Energelio dated February 2023; Planning Statement rev A prepared by Prewett Bizley dated October 2024.

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 the original planning permission ref 2023/0712/P dated 13/03/2024.

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-

259 EX 100; 259 EX 00; 259 EX 01; 259 EX 02; 259 EX 03; 259 EX 10; 259 EX 11; 259 EX 12; 259 EX 13; 259 EX 20; 259 EX 22; 259 EX 23; 259 PR 100; 259 PR 00 rev A; 259 PR 01 rev A; 259 PR 02 rev A; 259 PR 03; 259 PR 10; 259 PR 11 rev A; 259 PR 12 rev A; 259 PR 13 rev A; 259 PR 20 rev A; 259 PR 22 rev A; 259 PR 23 rev A; Daylight and Sunlight Report prepared by Anstey Horne dated January 2023; Embodied Carbon Calculation - Stage 2 prepared by Energelio dated February 2023; Planning Statement rev A prepared by Prewett Bizley dated October 2024; Heritage Report prepared by Chilcroft Heritage Planning dated January 2023.

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.

- 4 Before the relevant part of the work is begun, detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority:

a) Details of the front entrance screen at a scale of 1:10 including materials and finish;

b) Details of the front bin store at a scale of 1:10 including materials and finish.

The relevant part of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course of the works.

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.

- 5 Notwithstanding any indication given on the approved plans, the external render finish of the rear extension at ground, first and second floor levels hereby permitted shall be rough-cast to match the existing.

Reason: To safeguard the appearance of the building and the character of the area in accordance with policies D1 and D2 of the Camden Local Plan 2017.

- 6 The details demonstrating how trees to be retained shall be protected during construction work shall be carried out in accordance with details approved under planning reference 2024/2238/P dated 01/08/2024. 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.

- 7 Full details of hard and soft landscaping and means of enclosure of all un-built, open areas shall be carried out in accordance with details approved under planning reference 2024/2238/P dated 01/08/2024. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Reason: To ensure that the development achieves a high quality of landscaping which contributes to the visual amenity and character of the area in accordance with the requirements of policies A2, A3 D1 and D2 of the London Borough of Camden Local Plan 2017.

- 8 All hard and soft landscaping works shall be carried out in accordance with the approved landscape details prior to occupation of any part of the development. Any trees or areas of planting (including trees existing at the outset of the development other than those indicated to be removed) which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced as soon as is reasonably possible and, in any case, by not later than the end of the following planting season, with others of similar size and species, unless the local planning authority gives written consent to any variation.

Reason: To ensure that the landscaping is carried out within a reasonable period and to maintain a high quality of visual amenity in the scheme in accordance with the requirements of policies A2, A3, D1 and D2 of the London Borough of Camden Local Plan 2017.

- 9 Prior to commencement of the relevant part of the development, full details in respect of the living roof in the area indicated on the approved roof plan shall be submitted to and approved by the local planning authority. The details shall

include

- i. a detailed scheme of maintenance
- ii. sections at a scale of 1:20 with manufacturers details demonstrating the construction and materials used
- iii. full details of planting species and density

The living roofs 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.

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.

- 10 Prior to first occupation of the buildings, detailed plans showing the location and extent of photovoltaic cells to be installed on the building, including an overshadowing assessment, shall have been submitted to and approved by the Local Planning Authority in writing. The measures shall include the installation of a meter to monitor the energy output from the approved renewable energy systems and a site specific lifetime maintenance strategy. The cells shall be installed in full accordance with the details approved by the Local Planning Authority and permanently retained and maintained thereafter.

Reason: To ensure the development provides adequate on-site renewable energy facilities in accordance with the requirements of policies G1, CC1 and CC2 of the London Borough of Camden Local Plan 2017.

- 11 The cycle parking and associated cycle storage hereby approved shall be provided in full prior to the commencement of the use hereby permitted, and shall thereafter be retained for the duration of the development.

Reason: To ensure adequate cycle parking is available on site and to promote sustainable modes of transport in accordance with policy T1 of the Camden Local Plan 2017.

- 12 The ground floor flat hereby approved shall achieve a maximum internal water use of 105 litres per person per day, and 5 litres per person per day for external water use. The dwelling/s shall not be occupied until the Building Regulation optional requirement has been complied with.

Reason: To ensure the development contributes to minimising the need for further water infrastructure in an area of water stress in accordance with policies CC1, CC2 and CC3 of the London Borough of Camden Local Plan.

- 13 The first floor roof terraces hereby approved shall not be used or accessed, other than for emergency egress, until the privacy screen shown on drawings 259 PR 01 rev A, 259 PR 11 rev A and 259 PR 23 rev A has been fully installed. The approved privacy screen shall thereafter be retained for the duration of the development.

Reason: In order to prevent unreasonable overlooking of neighbouring

premises in accordance with policy A1 of the Camden Local Plan 2017.

- 14 The flat roof of the ground floor rear extension hereby approved shall not be used at any time as amenity space, and any access out onto this area shall be for maintenance purposes only.

Reason: To safeguard the amenities of the adjoining neighbours in accordance with the requirements of policy A1 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission:

The original planning permission that was granted in March 2024 included the change of use of the ground floor from office to residential and remains extant until 13/03/2027. Following a change in architects a s73 application has been submitted to make minor changes to the original permission to try to minimise the expenditure of carbon and waste.

DESIGN

Roof light (ground floor rear extension):

The height, size and design of the rooflight would be revised to install a more modest rectilinear glazed lantern on the roof of the ground floor rear extension. This would reduce the overall bulk of the roof. The area of green roof would be increased as a result of this change from 12 sq. m to 29 sq. m. This is welcomed and would be considered a positive improvement to the scheme.

Windows (side and rear elevation):

The ground floor windows in the side and rear elevation are amended from the approved scheme to reduce their size, height and location and introduce glazing bars that would be similar to the design of the existing windows. The window proportions would be considered to be in keeping with the overall character and appearance of the building and would be considered acceptable. The bathroom windows at 1st and 2nd floor levels in the rear elevation would be reduced in width. This is a minor change that would not affect the character or appearance of the building and is considered acceptable.

External wall insulation:

The original permission included the insulation of the front external wall. It is now proposed to omit this from the scheme. This is due to the existence of internal insulation but would also reduce the extent of demolition works that the external insulation would require. The energy reductions are proposed to be achieved through the upgrading of the windows combined with internal wall insulation. This is considered acceptable in terms of the design of the front elevation of the building. Condition 5 of the original planning permission sought to secure the use of rough-cast external render finish to "the development" to match the existing. The wording of this condition would be revised to specify the use of rough-cast as the external render finish to be used on the elevations of the approved rear extensions at ground, first and second floor levels rather than the development as a whole.

Changes to the window system (front elevation):

The approved scheme included the replacement of the windows at first and second floor levels on the front elevation. The window system approved as part of the original scheme was Magis-40 windows. It is now proposed to install a thermally broken metal system where the depth of the windows are more slender. A sample of the window system was viewed by the Council's conservation officer on site and is considered to compliment the character and appearance of the building.

Changes to the railing design:

The approved scheme included the installation of a double row of horizontal railings to enclose the balconies on the 1st and 2nd floor. It is now proposed to increase the height of the front parapet from 700mm to 940mm and install a single rail to achieve the Building Regulation 1.1m high requirement for terrace enclosures. This change would ensure compliance with building regulations and would not harm the character or appearance of the building and is considered acceptable.

2 Bin and bike store:

The location and orientation of the bin store in the front courtyard area has been revised to now sit against the shared boundary wall with no. 14 Swain's Lane. The original permission included the installation of bike stands for 4 bikes in the front entrance lobby on the ground floor of the building which was secured by condition (11). It is now proposed to install the bike store for 4 bikes externally within the front courtyard behind the newly located bin store area. Views of the bin and bike store would be mainly screened from longer views along Swains Lane by the existing mature trees and the side brick built boundary walls. These changes would not result in any harm to the character or appearance of the streetscene or the surrounding conservation area.

Changes at roof level:

It is proposed to reduce the number of PV panels on the roof to allow safe access to all areas of the roof for maintenance purposes. It is also proposed to install a new access roof hatch and a new roof light on the main roof of the building. The hatch and rooflight, together with the PV's, would be sufficiently set away from the edges of the roof and would not have an adverse visual impact when viewed from the street.

Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area under s72 of the Planning (Listed Buildings and Conservation Areas Act) 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

AMENITY:

The proposed changes to the scheme would not result in any additional overlooking to neighbouring properties and the daylight and sunlight, and sense of enclosure would remain unchanged.

TRANSPORT:

The original permission included the installation of bike stands for 4 bikes internally within the front entrance lobby on the ground floor of the building. It

is now proposed to install the bike store for 4 bikes externally within the front courtyard behind the newly located bin store area. The Council's Transport officer has reviewed the plans and has confirmed that the number of bikes as well as the details of the cycle parking and bike store are satisfactory. It would be necessary to amend the wording of the original condition (condition 11) to remove reference to the now superseded approved proposed ground floor plan. The wording of Condition 11 would secure the provision and design of the cycle parking prior to commencement of the use of the building.

TREES AND LANDSCAPING:

The original 2023 scheme included the installation of a green roof on the roof of the replacement single storey rear extension. The proposal would increase the area of roof covered by a green roof due to the changes to the design of the roof light. This is welcomed and the details of the green roof would continue to be secured by condition.

The submission of tree protection measures (condition 6) and hard and soft landscaping details (condition 7) were secured as part of the original permission. The details were submitted to the local planning authority under planning reference 2024/2238/P and were discharged on 01/08/2024. The wording of the conditions have therefore been changed from pre-commencement conditions to compliance conditions.

SUSTAINABILITY:

The original 2023 scheme included demolition of a significant part of the ground floor including all the internal walls and floor slab. The s73 application seeks to retain more of the original building fabric including the majority of the ground floor front elevation and internal walls. This is welcomed as it would help to minimise both loss of the ground floor front elevation and would optimise resource efficiency by minimising the requirement for new materials in line with policy CC1.

- 3 The original 2023 scheme included approx. 37 solar PV panels on the roof of the building. The panels were set back 0.25m from the front elevation and between 0.3m to 0.65m from the remaining sides. The proposal seeks to reduce the number of PV panels from 37 to 14 to allow a 1.25m set back from the front and rear elevation and 0.5m set in from the sides. This would ensure safe access to all the areas of the roof for maintenance purposes and minimise the potential risk of self-shading to ensure the efficiency of each panel is maintained.

An air source heat pump has been shown on the proposed ground floor plan within the front forecourt area. This has been approved under planning application ref 2024/2740/P dated 27/08/2024.

One letter of support has been received from a local resident. No further comments have been received prior to making this decision. 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, A2, A3, D1, D2, CC1, CC2, CC3, and T1 of the Camden Local Plan 2017. The proposed development also accords with the London Plan 2021 and the

- 4 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.
- 5 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).
- 6 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.

- 7 Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which this permission is granted. Information/drawings relating to the discharge of matters covered by the Heads of Terms of the legal agreement should be marked for the attention of the Planning Obligations Officer, Sites Team, Camden Town Hall, Argyle Street, WC1H 8EQ.
- 8 You are advised that the air source heat pump shown in the forecourt on the proposed ground floor plan was granted planning permission on 27/08/2024 (ref 2024/2740/P). It has been shown for illustrative purposes only and does not form part of this planning permission.

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 printed name and title.

Daniel Pope
Chief Planning Officer