

Application ref: 2024/4084/P
Contact: Leela Muthoora
Tel: 020 7974 2506
Email: Leela.Muthoora@camden.gov.uk
Date: 21 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

Mr Christopher Cobham
49 Patshull Road
London
NW5 2JX

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Granted

Address:
49 Patshull Road
London
NW5 2JX

Proposal:

Replacement of front boundary wall, replacement of door with window to front elevation, erection of bike and bin store with hard and soft landscaping.

Drawing Nos: Design and Access Statement dated 22 Sep 2024, Site Location Plan, (49PR-DR-PL-) 03000, 03100, 03200, 03201, 03300, 05200, 05201, 05202, 03300, 05300, 05400, 05401.

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 and Access Statement dated 22 Sep 2024, Site Location Plan, (49PR-DR-PL-) 03000, 03100, 03200, 03201, 03300, 05200, 05201, 05202, 03300, 05300, 05400, 05401.

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 site includes a three-storey semi-detached house forming a pair with number 47 on the northern side of Patshull Road. It is located in a nineteenth century London suburb and the building makes a positive contribution to the Bartholomew Estate Conservation Area and the Kentish Town Neighbourhood Area. There are no trees protected by Tree Preservation Orders within the application site.

The proposed boundary treatment which comprises a brick wall, brick piers and metal railings and gate, are considered a sympathetic boundary treatment in terms of detailed design, materials and finish. While there is limited impact from the increased boundary height of the brick wall on the streetscene, it would be proportionate to neighbouring and nearby boundary walls and would be of a similar height and design within the street. It would also partially screen the bin and bike store to be installed within the front garden. Historically the front garden has been lost to hard surface parking area with an opening in the boundary, which the proposed new section of wall infills. The railings would be proportionate to the brick pier heights and allow for permeability with respect to visibility between the street, house, and garden and to allow for plants and hedging to grow, which would help soften views by greening the streetscape. The proposals would secure the boundary whilst retaining views, and would not be detrimental to the street scene.

The proposed bin and bike timber store would be modest in scale and footprint albeit marginally taller than the adjacent boundary walls. The design and materials would be sympathetic and discreet in appearance. The plans include the provision of a sedum roof on the roof of the bin and bike store which is welcome. Due to the modest size of the roof area it is not considered necessary to require further detailed plans of the sedum roof to be submitted.

The replacement of the door to the ground floor side extension with a timber sash window is considered acceptable. While slightly wider than the upper windows, it would be consistent in terms of type, arrangement, and material and would be similar in appearance to the existing windows. It would be

appropriate to the architectural style of host building. Overall, the location, scale, proportions and materials of the proposals would complement the host building, respect the character of the street, and be sympathetic to the historical context of the Bartholomew Estate Conservation Area.

The scale and proportion of the proposals to the front garden and house would be acceptable in terms of amenity impacts and greening. Based on the information available this permission will not require the approval of a Biodiversity Gain Plan before development is begun because it is a householder application which falls within one of the categories which are exempt.

Given its siting, scale, design, distance from existing boundaries, and subject to the conditions included in this decision, the proposal would not result in harm to neighbouring residential amenity in terms of loss of light, privacy, or outlook.

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

The council received no objections to the proposal, one letter of support and The Neighbourhood Forum confirmed they had no comments (neither support nor endorse the proposal), prior to making this decision which the council took into account. The council also considered the area's planning history and relevant appeal decisions when coming to this decision.

- 2 In summary, the proposal is in general accordance with policies A1, D1 and D2 of the Camden Local Plan 2017 and policies D3 and GO3 of the Kentish Town Neighbourhood Plan 2016. The proposed development also accords with the London Plan 2021 and the National Planning Policy Framework 2024.
- 3 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).
- 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 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.

- 6 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 application is a Householder Application.

++ 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).

7 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

A handwritten signature in black ink, appearing to read 'DPope', is centered within a light gray rectangular box.

Daniel Pope
Chief Planning Officer