

Application ref: 2024/2954/P  
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**Development Management**  
Regeneration and Planning  
London Borough of Camden  
Town Hall  
Judd Street  
London  
WC1H 9JE  
Phone: 020 7974 4444

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Michael Burroughs Associates Limited  
93 Hampton Road  
Hampton Hill  
London TW12 1JQ

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:  
**14 Templewood Avenue**  
**London**  
**NW3 7XA**

#### **Proposal:**

Variation of conditions 1 (approved plans), 4 (joinery) and 5 (landscaping) of planning permission 2013/6912/P (as later amended by non-material amendment 2024/1436/P granted 15/05/2024) for; 'Excavation works to provide single basement floor level, side and rear extensions at ground floor level, extension and alterations to coach house and other external alterations, reinstatement/ repair of boundary treatments, removal of car port and erection of cycle store, associated landscaping, and conversion from six self-contained flats to a dwelling house (Class C3)', namely to; erect a link to connect the coach house to the main house, modify the internal layout, remove approved front lightwell, make changes to fenestration, retain existing dormer window and balcony to side elevation, and lower the lower ground floor level.

Drawing Nos: Plans: 100, rev 0; 108, rev 0; 110, rev 0; 111, rev 0; 112, rev 0; 113, rev 0; 114, rev 0; 120, rev 0; 121, rev 0; 122, rev 0; 223, rev 0; 130, rev 0; 199, rev D; 200, rev F; 201, rev F; 202, rev H; 203, rev E; 204, rev F; 205, rev G; 206, rev D; 300, rev E; 301, rev D; 302, rev D; 303, rev F; 310, rev G; 311, rev D

Supporting information: Letter prepared by SM Planning, 16/07/2024; Heritage Report

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 For the purposes of this decision, condition no.1 of planning permission 2013/6912/P (as amended by 2024/1436/P) shall be replaced with the following condition:

#### REPLACEMENT CONDITION 1

The development hereby permitted shall be carried out in accordance with the following approved plans Plans: 100, rev 0; 108, rev 0; 110, rev 0; 111, rev 0; 112, rev 0; 113, rev 0; 114, rev 0; 120, rev 0; 121, rev 0; 122, rev 0; 223, rev 0; 130, rev 0; 199, rev D; 200, rev F; 201, rev F; 202, rev H; 203, rev E; 204, rev F; 205, rev G; 206, rev D; 300, rev E; 301, rev D; 302, rev D; 303, rev F; 310, rev G; 311, rev D

Reason: For the avoidance of doubt and in the interest of proper planning.

- 2 The development hereby permitted must be begun not later than the end of three years from the date of the original planning permission ref 2013/6912/P dated 29/04/2016.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 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 and policies SD1, SD 2, SD 4, SD 5, and SD 6 of the Redington Froggnal Neighbourhood Plan 2021.

- 4 For the purposes of this decision, condition no.4 of planning permission 2013/6912/P (as amended by 2024/1436/P) shall be replaced with the following condition:

#### REPLACEMENT CONDITION 4:

##### External joinery

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

- a) full elevation drawings at 1:50
- b) Individual elevation and section drawings of each new external door, gates and widow joinery unit (including Coach House garage doors, and link roof lights) at a scale of 1:10, with section details at 1:1, and manufacturers specifications.

All new window joinery is to be matched fenestration, detail and materiality.

All approved rooflights shall be of the conservation type with glazing bar(s), and fitted flush with the existing roof slope and shall not project above the plane of the roof.

No permission is granted for the removal or alteration of any of the existing windows other than those specifically noted in the approved plans.

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 and policies SD1, SD 2, SD 4, SD 5, and SD 6 of the Redington Frognal Neighbourhood Plan 2021.

- 5 For the purposes of this decision, condition no.5 of planning permission 2013/6912/P (as amended by 2024/1436/P) shall be replaced with the following condition:

**REPLACEMENT CONDITION 5:**

Before the relevant part of the work is begun, full details of hard and soft landscaping and means of enclosure of all un-built, open areas have been submitted to and approved by the local planning authority in writing. 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, A5, D1 and D2 of the London Borough of Camden Local Plan 2017, and policies SD 2, SD 4, SD 5, BGI 1, and BGI 2 of the Redington Frognal Neighbourhood Plan 2021.

- 6 Basement works shall be carried out in accordance with the appointee details previously approved under ref 2024/4735/P on 7/11/2024, or with other such details as submitted to and approved in writing by the Local Planning Authority.

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 and policy UD 1 of the Redington Frognal Neighbourhood Plan 2021.

- 7 Details of the replacement rose garden, shall be provided on site and approved in writing by the local planning authority before the occupation of the basement.

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, and policies SD 2, SD 4, SD 5, BGI 1, and BGI 2 of the Redington Frogna! Neighbourhood Plan 2021.

- 8 Before the brickwork is commenced, samples and/or manufacturer's specifications of all facing materials including brickwork, fascia's, soffits and rainwater goods, shall be submitted to and approved in writing by the local planning authority.

A sample panel of brickwork (demonstrating the matching brick colour, size and texture, bond pattern, method of pointing, and mortar mix) should be presented on-site and approved by the Council before the relevant parts of the work are commenced and the development shall be carried out in accordance with the approved details. 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 and policies SD1, SD 2, SD 4, SD 5, and SD 6 of the Redington Frogna! Neighbourhood Plan 2021.

- 9 All hard and soft landscaping works shall be carried out in accordance with the approved landscape details by not later than the end of the planting season following completion of the development or any phase of the development, whichever is the sooner. 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, A5, D1 and D2 of the London Borough of Camden Local Plan 2017, and policies SD 2, SD 4, SD 5, BGI 1, and BGI 2 of the Redington Frogna! Neighbourhood Plan 2021.

Informative(s):

- 1 Reasons for granting permission

The applicant has sought to amend condition 2 of the approved planning permission ref. 2022/1863/P, which requires the consented development to be carried out in accordance with the approved plans. Conditions 4 (joinery) and 5 (landscaping), are also to be updated to reflect changes to the timing at which details of joinery and landscaping works are required.

Turning to the changes to the approved works, the proposed drawings have been amended to increase the scale of the approved coach house. The

increased footprint (and third garage door) would specifically be used for bike storage and this integrated storage would then omit the approved free-standing storage structure on the southern boundary, consolidating the amount of approved built-form in the front garden. The revised fenestration pattern as proposed would be more balanced than the approved details and aid to mitigate the adverse effects of the additional bulk. Overall, the increased scale to the approved coach house would be relatively modest and ensure this building remains as a secondary element to the main house and reflecting the architectural aesthetic of the main house. Condition 4 would secure a sample panel to be submitted to and approved by the local planning authority in relation to works to the coach house.

The omission of the proposed approved front lightwell, following changes to the internal layout of the proposed approved basement, is also considered a heritage benefit.

Due to the approved permission containing limited proposed landscaping details and to mitigate the design amendments to the approved coach house, it is considered necessary to add a requirement for landscaping plans to be submitted for approval by the local planning authority. These landscaping plans would be secured by condition 5 and their implementation would be secured by condition 9.

Condition 4 would be amended to outline more specific criteria in relation to joinery details to be submitted and approved by the local planning authority, in particular following the further design changes to the coach house.

The retention of the existing dormer and balcony to the side elevation, both historic features to the existing building, would maintain the existing character and there is no objection to their retention.

The changes to the approved basement would be minor and in general accordance with the approved basement works. A revised basement impact assessment is therefore not required.

Overall, the proposal would not cause harm to the character and appearance or significance of the host building, or the character and appearance of the wider conservation area.

Special regard has been attached to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses and to preserving or enhancing the character or appearance of the conservation area, as required under the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

Given the nature and scale of the works, the proposal would not cause any adverse impacts on the amenity of adjoining residential occupiers in terms of loss of light, outlook, or privacy.

No objections 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, A5, D1, D2, H1, H3, H4, H5, H6, H7, T1, T2, T3 of the London Borough of Camden Local Plan 2017 and policies SD 1, SD 2, SD 4, SD 5, SD 6, BGI 1, BGI 2 and UD 1 of the Redington Froggnal Neighbourhood Plan 2021. The proposed development also accords with the London Plan 2021 and the National Planning Policy Framework 2024.

- 2 This approval under Section 73 of the 1990 Act effectively varying the relevant condition of the previous planning permission is subject otherwise to the same terms, drawings, conditions (and obligations where applicable) as attached to the previous planning permission. This includes condition 1 providing for a 3 year time period for implementation which for the avoidance of doubt commences with the date of the original decision (and not this variation).
- 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 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.
- 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 planning permission is granted under section 73 and the original (parent) permission was made or granted before 2 April 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).

## 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 the post-development value of the onsite habitat, or any arrangements made to compensate irreplaceable habitat, as specified in the earlier BGP.

++ Phased development

In the case of phased development, the BGP will be required to be submitted to and approved by the LPA before development can begin (the overall plan), and before each phase of development can begin (phase plans). The modifications in respect of the biodiversity gain condition in phased development are set out in Part 2 of the Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with the National Planning Policy Framework. The council publishes its adopted policies online, along with detailed Camden Planning Guidance. It also provides advice on the website for submitting applications and offers a pre-application advice service.

You can find advice about your rights of appeal at:

<https://www.gov.uk/appeal-planning-decision>.

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



Daniel Pope  
Chief Planning Officer