

Application ref: 2024/5800/P
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Date: 24 March 2025

Development Management
Regeneration and Planning
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www.camden.gov.uk/planning

Omnide
96 Belsize Lane
London
NW3 5BE

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

Lower Ground Floor Flat
12 Maygrove Road
London
NW6 2EB

Proposal: Construction of a lower ground floor rear extension and closet wing infill and a new front access gate located on the front boundary wall.

Drawing Nos: (A-0.)10; 11; 20; 21; 30; 31; A-1.00 Rev 01; A-1.10 Rev 01; A-2.10 Rev 01; A-3.00 Rev 01; A-3.10 Rev 01 and A-4.00 Rev 01

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: (A-0.)10; 11; 20; 21; 30; 31; A-1.00 Rev 01; A-1.10 Rev 01; A-2.10 Rev 01; A-3.00 Rev 01; A-3.10 Rev 01 and A-4.00 Rev 01

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 of the London Borough of Camden Local Plan 2017 and policy 2 of the Fortune Green and West Hampstead Neighbourhood Plan 2015.

Informative(s):

- 1 The site is a lower ground floor flat located in a 4-storey mid-terrace building converted into flats. The site is not listed, nor is it located in a conservation area.

The proposal seeks to add an extension and a side infill extension both at the rear lower ground floor, constructed in brick and glass, leaving a small internal courtyard between the infill and the main rear elevation. Since the original submission, the application has been amended to reduce the height and depth of the rear extension (to follow the established extended building line) and the removal of the second gate on the front boundary.

The proposed rear extension would project 3m off the existing rear outrigger, and would be 3.2m in height. This is proposed to be built in brick to match the existing with a dark grey powder coated aluminium sliding door centrally located. On the roof a rectangular roof light is also introduced. A green roof had been proposed but has been removed as a compromise for lowering the extension in height. The infill is recessed by 0.5m from the rear extension and is framed between the brick of the rear extension, the existing brick outrigger and new 2.5m high side boundary wall. A glazed door and window both in grey powder coated aluminium face into the rear garden and a glazed sloped roof sits between the outrigger / rear extension and the new side boundary wall.

The design of the proposed extensions and materials used are considered to be high quality and the design subservient to the host building and therefore are in general accordance with policy D1 of the Camden Local Plan 2017.

In terms of amenity, there are a number of extensions in the local area with glazed roofs, and at the rear the site abuts the railway viaduct which crosses Kilburn High Road / Shoot Up Hill to the west. Therefore, the additional of a rooflight in the rear extension is not considered to add to the amenity harm already in the area. The extension is also south facing and so for most of the day sunlight and daylight won't be affected in the neighbouring properties which sit adjacent to the site.

The proposed rear extension isn't considered to harm the outlook or cause a sense of enclosure in the neighbouring lower ground floor flat at No. 10, as the window at the back of No. 10 closest to the proposal is located on the main

rear elevation and is enclosed either side by the existing two storey outriggers. The rear outrigger at No. 14 has a large set of windows at lower ground floor level and therefore the infill extension along its boundary being lower than the window header, means that there won't be any sense of enclosure caused as a result of the infill on its boundary or loss of outlook. Therefore, the proposed scheme is not considered to cause harm to the amenity of any neighbouring residential properties.

The Fortune Green and West Hampstead Neighbourhood Forum have sent a No Comment, and no other objections have been received. The site's planning history has been taken into account when making this decision.

As such, the proposed development is in general accordance with policies A1 and D1 of the Camden Local Plan 2017 and policy 2 of the Fortune Green and West Hampstead Neighbourhood Plan 2015. The proposed development 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 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).
 - It forms part of, or is ancillary to, the high-speed railway transport network

(High Speed 2).

6 + 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-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