

Application ref: 2025/0808/P
Contact: Matthew Kitchener
Tel: 020 7974 2416
Email: Matthew.Kitchener@camden.gov.uk
Date: 8 April 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

Ms Helene Sivilia
26 A Leighton Road
London
NW5 2QE
United Kingdom

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

Flat A
26 Leighton Road
London
Camden
NW5 2QE

Proposal:

Create an access to the garden from the kitchen incorporating the conversion of a window into a door using the existing opening and installation of external steps incorporating a privacy screen at rear.

Drawing Nos: Design and Access Statement, Conservation Statement, 154/P/001 Rev A, 154/P/002 Rev A, 154/P/003 Rev A, 154/P/005 Rev A, 154/P/006 Rev A, 154/P/0012 Rev A, 154/P/0014 Rev A, 154/P/0015 Rev A, 154/P/0020 Rev A, 154/P/021 Rev A, 154/P/022 Rev A, 154/P/024 Rev A, 154/P/025 Rev A.

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, Conservation Statement, 154/P/001 Rev A, 154/P/002 Rev A, 154/P/003 Rev A, 154/P/005 Rev A, 154/P/006 Rev A, 154/P/0012 Rev A, 154/P/0014 Rev A, 154/P/0015 Rev A, 154/P/0020 Rev A, 154/P/021 Rev A, 154/P/022 Rev A, 154/P/024 Rev A, 154/P/025 Rev A.

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, in respect of the following, shall be submitted to and approved in writing by the local planning authority:

a) Details including elevations at 1:10 of the rear door (the door shall be timber, and majority non-glazed).

The relevant part of the works shall be carried out in accordance with the details thus approved.

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.

Informative(s):

- 1 Reasons for granting permission:

The proposal involves the creation of an access to the rear garden from the upper ground floor kitchen including the conversion of a window into a door, using the existing opening, and installation of external steps incorporating a privacy screen at rear. The current route to the garden is through a bedroom.

The property is a three-storey mid terrace building which has been divided into flats. It is Grade II listed and within the Kentish Town conservation area. The building is noted as making a positive contribution to the Kentish Town Conservation Area.

The door will lead out onto a detached metal staircase that will lead down to the garden from a small landing area. The stair area should not be capable of being used as a terrace due to its size, and a low slatted timber privacy screen measuring 1.0m high will be attached to the existing boundary wall to protect

the neighbouring amenity. The staircase, balustrade, handrails and support structure are to be painted metal.

The proposed siting, materials, and design will ensure that it does not appear detrimental to the character and appearance of the rear of the property. Subject to a condition regarding the submission and approval of details, the new door would be in keeping with the architectural merits of the Listed building. The design of the proposal is therefore considered not to impact on the character and appearance of the conservation area or listed building in this mid-terrace location at the rear of the property.

There are no works proposed to the other floors or the front elevations of the property.

Due to the nature of the external works and presence of the low timber privacy screen on top of the existing boundary wall, it is considered that the proposals would not result in any undue harm to the amenities of neighbouring occupiers due to overlooking or loss of privacy. The nearest window at raised ground floor to the neighbouring property at No. 24 is set back some distance away and it is not considered that the proposal would result in a loss of daylight to this window or the garden at this site.

No objections were received prior to the determination of this application. Kentish Town CAAC were both notified but did not object and Kentish Town Neighbourhood Forum registered a 'no comment'

The planning history of the site and surrounding area were taken into account when coming to this decision.

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

As such, the proposed development is in general accordance with policies A1, D1 and D2 of the Camden Local Plan 2017 and Policy D3 of the Kentish Town Neighbourhood Plan 2016. 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 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 planning permission is de minimis within the exemption threshold.

++ 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 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.

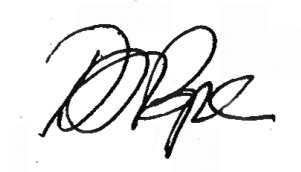
In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with the National Planning Policy Framework. The council publishes its adopted policies online, along with detailed Camden Planning Guidance. It also provides advice on the 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-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 written over a light blue rectangular background.

Daniel Pope
Chief Planning Officer