

Application ref: 2024/4987/P
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Date: 9 April 2025

Development Management
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Emily Greeves Architects Ltd
17 Brookland Rise
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United Kingdom

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

**25 Briardale Gardens
London
NW3 7PN**

Proposal:

Erection of a single storey rear extension following demolition of the existing, installation of balustrade at rear first floor level to create a terrace, addition of canopy to front entrance and landscaping to rear garden.

Drawing Nos: Design and Access Statement December 2024, Site Location Plan,
(231_L) 02/00 Rev A, 15/01 Rev A
(237_L) 02/01 Rev A, 04/01, 05/01 Rev A, 12/00 Rev A, 12/01 Rev B, 12/03.

The Council has considered your application and decided to grant permission subject to the following conditions:

Conditions and Reasons:

- 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 December 2024, Site Location Plan,
(231_L) 02/00 Rev A, 15/01 Rev A
(237_L) 02/01 Rev A, 04/01, 05/01 Rev A, 12/00 Rev A, 12/01 Rev B, 12/03.

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 and policies SD1, SD2, SD4, SD5, BGI1, and BGI2 of the Redington and Frognal Neighbourhood Plan 2021.

- 4 Trees
Prior to the commencement of any works on site, details demonstrating how trees to be retained shall be protected during construction work shall be submitted to and approved by the local planning authority in writing. Such details shall follow guidelines and standards set out in BS5837:2012 "Trees in Relation to Construction". 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 and policies SD1, SD5, BGI1 and BGI2 of the Redington and Frognal Neighbourhood Plan 2021.

- 5 Landscaping
All hard and soft landscaping works shall be carried out in accordance with the approved landscape details shown on drawing ref: 237_L12_03 by not later than the end of the planting season following completion of the development or any phase of the development.

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 and policies BGI 1 and BGI 2 of the Redington Frognal Neighbourhood Plan 2022.

- 6 Living Roof
Before the relevant part of the work is begun, full details of the living roof on the extension shown on drawing 237_L12/01 Rev B 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 manufacturer's 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 CC1, CC2, CC3, D1, D2 and A3 of the Camden Local Plan 2017 and policies SD1, SD5, BGI1, and BGI2 of the Redington and Frognal Neighbourhood Plan 2021.

7 Screen

Notwithstanding the privacy screen as shown on the approved drawings, 231_L15/01 Rev B and 237_L04/01, nothing in this permission grants consent for a 2m high privacy screen. The maximum height shall be no more than 1.7 metres, shall be erected prior to commencement of use of the roof terrace and shall be permanently retained.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policies A1 and D1 of the London Borough of Camden Local Plan 2017.

Informative(s):

1 Reasons for granting permission.

The proposal is for the erection of a single storey rear extension following demolition of the existing at ground floor with landscaping alterations and the creation of a terrace above including installation of balustrade. A canopy is proposed over front entrance.

The replacement extension would have a marginally larger footprint with a deeper depth of 0.5m-1m. It would be located on the existing hardstanding area of the garden; therefore, an acceptable amount of garden space is retained. The extension would match the depth of the extension closest to the boundary at number 23 Briardale Gardens, east of the site; however, it would project another 1m along the boundary with number 27 Briardale Gardens than the existing extension, to the west (4m in total depth).

The pattern of development to the rear of Briardale Gardens varies with half width and infill rear extensions of varying depth. The semi-detached neighbour at number 27 Briardale Gardens retains its original rear elevation and the existing extension results in asymmetry. While this would not typically be supported, given the proposal replaces an existing extension of almost the same footprint, albeit 1m deeper, in this instance it is considered acceptable. Overall, the proposal is considered subordinate in location, form, footprint, scaled to respect the original design of the host building, and respects the prevailing pattern of development.

The use of red brick to the side and rear elevations would complement the host building. While the proposed sliding doors will create large openings, they align with the fenestration above. The aluminium slimline door frames in dark grey will contrast with the host building but would present a clear distinction between the original building and the later addition. Given it replaces an existing mid-century addition, and its visibility is limited to the host property's garden and from neighbouring gardens, this is considered acceptable in this instance.

The three fixed rooflights are located to the perimeter of the extensions' roof with a half metre gap between the rooflight and balustrade with 3.5sqm covering of sedum roof. The rooflights and balustrade enclose an area to be used as a roof terrace by the upper floor flat. With its modest footprint that is set in from the edges of the extension and use of traditional railings, it is not considered that a terrace in this location would be harmful to the buildings character. However, the 2m privacy screen on one side is considered incongruous and a condition is attached ensuring that it is no more than 1.7m.

The entrances to the front elevation are formed of two glazed doors to each flat, with a central glazed panel within a small addition to the front elevation aligned to the front building line. The planning history indicates this alteration also dates from the early 1960s. While this would be unlikely to be granted permission now, the proposed over-door canopy would not worsen the existing situation. It would be a simple and discreet addition, 0.4-0.7m deep, in white painted timber with a lead roof. While it would be visible at the front entrance, in the context of the entrances being later additions within a set-back frontage this addition is not considered so out of character to warrant a refusal. There is also existing planting to the front boundary that screens the front entrance.

On balance, due to the existing extensions footprint, its proposed replacement is considered acceptable. Overall, the proposals are considered to preserve the character and appearance of the host building and this part of the Redington Froggnal Conservation Area and Neighbourhood Plan Area.

- 2 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.

As the extension matches the depth of No.23 Briardale Gardens, it is not considered to harm their amenity. Given the modest increase in depth alongside the boundary with No.27, there would be a limited impact in terms of outlook and light. Considering the neighbour's existing relationship, window orientation with a bay window and the continued use of matching materials (Red brick), the proposal is not considered to significantly worsen the existing situation's outlook and light.

The proposed terrace will have a modest footprint, significantly set back from the edges of the roof, with a timber screen of 2m on the side facing the adjoining No.27. This is considered higher than required to protect privacy and therefore a notwithstanding condition is attached securing its installation with a max height of 1.7m high.

The rooflights on the extension will be obscurely glazed to reduce light spill. Overall, the proposal is not considered to harm neighbouring residential amenity in terms of loss of privacy, daylight or outlook, to the extent to warrant a refusal.

It is noted that the majority of the garden is covered in plastic artificial grass and the proposal will replace it with a natural lawn which is welcomed and will improve biodiversity and drainage on the site. Its installation will be secured by condition. A green roof is proposed on the rear extension which again is welcomed, and its installation and details are secured by condition. Given the number of trees in close proximity a tree protection condition is also attached.

The council received an objection made by the Neighbourhood Forum in terms of opportunities to enhance landscaping and biodiversity. A planting scheme was submitted by the applicant in response to these comments. Following the amendments, the Neighbourhood Forum have removed their objection to the proposal. No objections were received by neighbours during the course of this application. The council also considered the area's planning history and relevant appeal decisions when coming to this decision.

In summary, the proposal is in general accordance with policies A1, A3, D1, and D2 of the Camden Local Plan 2017, and policies SD1, SD2, SD4, SD5, BGI1, and BGI2 of the Redington and Frognal Neighbourhood Plan 2021. 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 Your proposals may be subject to control under the Party Wall etc Act 1996 which covers party wall matters, boundary walls and excavations near neighbouring buildings. You are advised to consult a suitably qualified and experienced Building Engineer.

7 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 below the de minimis 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).

8 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 positioned above the printed name.

Daniel Pope
Chief Planning Officer