

Application ref: 2025/0033/P
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Date: 10 April 2025

Development Management
Regeneration and Planning
London Borough of Camden
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William Tozer Associates
42-44 New House
67-68 Hatton Garden
London
EC1N 8JY
United Kingdom

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Granted

Address:
41 Croftdown Road
London
NW5 1EL

Proposal: Erection of ground floor rear infill extension with internal courtyard and removal of rear lean-to. Installation of rooflights and solar panels, replacement of windows to front and rear, and erection of bike and bin store to front garden.

Drawing Nos: Design and Access Statement (prepared by William Tozer Associates, dated January 2025); Location Plan; A/01/001 Rev B; A/01/101 Rev B; A/01/102 Rev B; A/01/103 Rev B; A/01/104 Rev B; A/01/105 Rev B; A/01/106 Rev B; A/01/501 Rev B; A/02/B100 Rev E; A/02/A101 Rev E; A/02/A102 Rev E; A/02/103 Rev E; A/02/104 Rev E; A/02/A105 Rev E; A/02/A106 Rev E; A/02/A501 Rev E; A/02/A502 Rev E; A/02/A503 Rev B; Daylight and Sunlight Report (prepared by Right of Light Consulting, dated 09/04/2025).

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:

Location Plan; A/01/001 Rev B; A/01/101 Rev B; A/01/102 Rev B; A/01/103 Rev B; A/01/104 Rev B; A/01/105 Rev B; A/01/106 Rev B; A/01/501 Rev B; A/02/B100 Rev E; A/02/A101 Rev E; A/02/A102 Rev E; A/02/103 Rev E; A/02/104 Rev E; A/02/A105 Rev E; A/02/A106 Rev E; A/02/A501 Rev E; A/02/A502 Rev E; A/02/A503 Rev B; Daylight and Sunlight Report (prepared by Right of Light Consulting, dated 09/04/2025).

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 DC2, DC3, and DC4 of the Dartmouth Park Neighbourhood Plan 2020.

- 4 Before the relevant part of the work is begun, detailed drawings of the bin store to the front of the site shall be submitted to and approved in writing by the local planning authority. These shall include elevations and sections at 1:10, with materials clearly annotated. 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 policies D1 and D2 of the London Borough of Camden Local Plan 2017 and policies DC2, DC3, and DC4 of the Dartmouth Park Neighbourhood Plan 2020.

- 5 Prior to commencement of development, full details in respect of the green roof in the area indicated on the approved roof plan 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 manufacturers details demonstrating the construction and materials used;
- iii. full details of planting species and density.

The green roof 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 G1, CC1, CC2, CC3, D1, D2, and A3 of the London Borough of Camden Local Plan 2017 and policies DC2, DC3, DC4, and ES3 of the Dartmouth Park Neighbourhood Plan 2020.

- 6 The flat roof of the extension hereby approved shall not be used at any time as amenity space, and any access out onto this area shall be for maintenance purposes only.

Reason: To safeguard the amenities of the adjoining neighbours in accordance with the requirements of policy A1 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission:

The application seeks permission for the erection of a full-width rear extension to create an internal courtyard, as well as the addition of rooflights and solar panels to the flat roof of the main building, the rear roofslope, and the rear return. The proposal also includes the replacement of windows throughout and the erection of a bike and bin store to the front garden.

The building is a single dwellinghouse and the works are primarily to the rear. It is proposed to remove the existing lean-to and pergola to the rear return and erect a full width extension at ground level. This would result in a slightly reduced depth to the rear, with the extension extending approximately 5.4m from the rear elevation of the main building, compared to the existing rear return and lean-to extending roughly 7.1m from the rear elevation. The new extension would be full width and constructed of brick to match the existing building, with timber framed sliding doors facing to the rear. It is noted that there was a refusal at the immediately adjacent property for a full-width extension (ref. 2019/4615/P), however the depth of the extension proposed by that permission would have been sited beyond the rear elevation of the three-storey return, whereas this proposal would be flush with it, due to the removal of the lean-to. As such, the legibility of the rear return would be maintained, with the infill extension not extending to the same depth as the rear lean-to (unlike the nearby refusal).

The ground floor rear window of the main building would be replaced with a guillotine window that faces onto an external courtyard between the new extension and the main building, and internal steps would provide access to the rear extension. The extension would have a green roof with two rooflights, and there would be limited public visibility of the works; there would be some possible views from the grounds of the school to the rear, however these would be limited due to the angles of views and height of the proposed works. The scale and massing of the extension would be subordinate to the host dwelling and the design and materials would be appropriate in the context of the building and the wider conservation area. Further details of the green roof would be secured by condition. Additionally, the footprint of the proposed extension, together with the removal of the existing lean-to and garden building, would retain an adequately sized garden as amenity space. As such, the proposed extension is considered acceptable in design terms.

The proposal also involves minor works to the front garden and roof, including

the erection of a bike and bin store and the installation of rooflights and solar panels. The bike and bin store would be appropriately sized for the front garden, with a flat green roof to reduce the visual impact on the streetscene. Further details relating to the appearance and materiality of the bin store are secured by condition to ensure that there is no harm to the conservation area. The rooflights and solar panels would all be situated to the flat areas of roof or to the rear of the site, where there would be very limited visibility from the public realm, and therefore would not cause harm to the character or appearance of the conservation area.

The proposal would preserve the character and appearance of the conservation area overall. The Council has had special regard to the desirability of preserving the character and appearance of the Conservation Area.

- 2 With regards to amenity, it is considered that the proposal would not result in any negative impact on the privacy or overlooking of neighbouring residents, with no new opportunities for overlooking established. Due to the depth and height of the extension, the neighbouring lower ground window at no.39 could potentially be impacted in terms of daylight and sunlight. As such, the applicant has provided a Daylight and Sunlight assessment to investigate the impact on neighbouring properties. This demonstrates that none of the neighbouring windows would be significantly impacted by the proposed development in terms of daylight and sunlight. Given the assessment results, and also noting the context of the site (including the orientation of the buildings and the existing large three-storey returns present in properties along this terrace), it is considered that the proposed extension would have minimal impact on the light availability to neighbouring residents. Given the above, the proposal is considered not to result in undue harm to residential amenity.

One objection was received prior to coming to this decision, which was submitted by the neighbouring property to the west. The objection raised concerns relating to a sense of enclosure, impacts to daylight and sunlight, and the distinctive appearance of the properties and wider terrace - specifically due to the impact on the legibility of the original outrigger, noting the refusal at the adjacent site. These concerns have been assessed, as set out above. It is considered that there would be no harmful impact with regards to outlook and daylight/sunlight, and the removal of the lean-to and full width extension being flush with the rear return would ensure that the legibility of this feature is maintained. The planning history of the site has been fully considered prior to coming to this decision.

As such, the proposed development is in general accordance with policies A1, D1, and D2 of the London Borough of Camden Local Plan 2017 and policies DC2, DC3, DC4, ES3, and ES4 of the Dartmouth Park Neighbourhood Plan 2020. 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 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.
- 5 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.

- 6 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.

Based on the information available, this will not require the approval of a BGP before development is begun because it is a householder application.

Summary of statutory exemptions for biodiversity gain condition:

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:

- 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 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-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 on the page.

Daniel Pope
Chief Planning Officer