

Application ref: 2025/0656/P
Contact: Connie Marinetto
Tel: 020 7974 8012
Email: connie.marinetto@camden.gov.uk
Date: 30 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

Garden2office Ltd
Brancaster Lane
Purley
CR8 1HL
United Kingdom

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:
5a Belsize Square
London
NW3 4HT

Proposal: Erection of single storey outbuilding in rear garden.

Drawing Nos: 1, 2, Location Plan, Site Plan, Design and Access Statement, Arboricultural Impact Assessment & Tree Condition Survey for Proposed Works by Oakhouse Arboricultural Services (dated 31/01/2025 ref. AIA-310125), Green Roof Specification by Green Roofs Direct, Green Roof Build Up Cross Section by Green Roofs Direct.

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:

1, 2, Location Plan, Site Plan, Design and Access Statement, Arboricultural Impact Assessment & Tree Condition Survey for Proposed Works by Oakhouse Arboricultural Services (dated 31/01/2025 ref. AIA-310125), Green Roof Specification by Green Roofs Direct, Green Roof Build Up Cross Section by Green Roofs Direct.

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.

- 4 Prior to the commencement of works on site, tree protection measures shall be installed and working practices adopted in accordance with the documents entitled 'Arboricultural Impact Assessment & Tree Condition Survey for Proposed Works' dated 31/01/2025 by Oakhouse Arboricultural Services ref. AIA-310125. All trees on the site, or parts of trees grow from adjoining sites, unless shown on the permitted drawings as being removed, shall be retained and protected from damage in accordance with BS5837:2012 and with the approved protection details. The development shall be monitored by the project arboriculturalist in accordance with the approved report.

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 Camden Local Plan.

- 5 The green roof hereby approved shall be fully installed on the outbuilding in accordance with the approved details prior to first occupation and thereafter retained and maintained in accordance with the approved scheme for the duration of the development.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with Policies A3 and CC3 of the Camden Local Plan 2017.

- 6 The outbuilding hereby approved shall only be used for ancillary purposes at 5a Belsize Square, and shall not be used as a separate residential dwelling or a business premises.

Reason: In order to protect the residential amenities of neighbouring occupiers and prevent substandard living accommodation and excessive on-street parking pressure in accordance with policies A1, H6 and T2 of the London Borough of Camden Local Plan 2017.

Informative(s):

1 Reasons for granting permission:

Planning permission is sought for the erection of single storey outbuilding in the rear garden of a ground floor flat. The site is within the Belsize Park Conservation Area and is not listed.

The proposed outbuilding would be located in the rear garden area close to the rear boundary wall. The outbuilding would be set in from the rear and side boundary walls by 0.6m and would measure 2.5m in height and 3m in width and depth. The outbuilding would extend minimally above the boundary walls shared with the neighbouring properties. The proposed bulk and massing would appear similar to other structures within the rear gardens of neighbouring properties, including the structure located in the neighbouring garden at no. 4. The proposed outbuilding would be positioned a significant distance away from the host building due to the substantial length of the back garden, measuring approximately 16m from the house and it is considered that a reasonable proportion of the garden would remain. On this basis and given its modest scale, the outbuilding would not represent overdevelopment it would not appear overly dominant when viewed from neighbouring properties.

The use of a timber exterior and a green roof are appropriate to its garden setting. The outbuilding would be constructed with screw foundations which is supported.

Overall, the proposal would be subordinate to the existing building and would not cause undue harm to the character or appearance of the surrounding gardenscape or the Conservation Area. Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area.

The outbuilding would not result in undue overlooking or loss of privacy or enjoyment of adjoining sites due to its scale, separation distances and screening from existing development. On this basis the outbuilding is not considered to lead to any significant, harmful impacts upon the amenity of any neighbouring residents.

A condition is attached to control the use and ensure that it is used for ancillary residential purposes only and not as a separate dwelling or for separate commercial purposes.

The Council's Tree and Landscape Officer has reviewed the proposal and considers that the impact of the scheme on trees to be retained will be of an acceptable level. The use of screw piles will ensure roots are protected. A condition is attached requiring compliance with the submitted tree protection measures to protect existing trees on site. The Council's Tree and Landscape Officer has reviewed the living roof details and considers that the details are acceptable for the scale of development proposed and a condition has been imposed to require compliance with the details submitted.

No objections were received in response to consultation. The sites planning

history has been taken into account in coming to this decision.

As such, the proposed development is in general accordance with policies A1, A3, D1 and D2 of the Camden Local Plan 2017. The proposed development also accords with policies of the London Plan 2021 and of 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 is that planning permission granted for the development of land in England is deemed to have been granted 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 permission will not require the approval of a BGP before development is begun because it is below the de minimis threshold.

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).

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 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

A handwritten signature in black ink, appearing to read 'DPope', is written over a light blue rectangular background.

Daniel Pope
Chief Planning Officer