

Application ref: 2024/5677/P
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Date: 28 May 2025

Development Management
Regeneration and Planning
London Borough of Camden
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WC1H 9JE

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planning@camden.gov.uk
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Pegasus Group
21 Ganton Street
London
W1F 9BN
United Kingdom

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Variation or Removal of Condition(s) Granted Subject to a Section 106 Legal Agreement

Address:
22 Holmes Road
London
NW5 3AB

Proposal:

Variation of condition 3 (approved drawings) of planning permission 2019/2823/P granted 7/12/2020 for the demolition of former studio building and existing side and rear extensions to 22 Holmes Road. Erection of 2 storey (with basement), 2 bedroom dwelling between no.22 and no.24, and 2 x 2 storey (with basement) 2 bedroom dwellings to rear of site with associated private amenity space and refuse/cycle storage. Erection of new 2 storey extension to rear of no.22; namely, changes to provide an increased finished floor height; amendments to the elevations and internal layouts; new rooftop terrace and inclusion of a new ramp to provide step-free access to units 2 and 3.

Drawing Nos:

SUPERSEDED DRAWINGS

1617-NMA-XX-ZZ-DR-A-00001, 1617-NMA-XX-B1-DR-A-20102, 1617-NMA-00-B1-DR-A-00100, 1617-NMA-00-00-DR-A-00100, 1617-NMA-00-01-DR-A-00100, 1617-NMA-00-R1-DR-A-00100, 1617-NMA-00-R2-DR-A-00100, 1617-NMA-00-ZZ-DR-A-00201, 1617-NMA-00-ZZ-DR-A-00200, 1617-NMA-00-ZZ-DR-A-00300, 1617-NMA-00-ZZ-DR-A-00301, 1617-NMA-00-ZZ-DR-A-00302.

REPLACEMENT DRAWINGS

1617-NMA-XX-ZZ-DR-A-00001 P2, PL01, PL02, PL03, PL04, PL05, PL06, PL07, PL08, PL09, PL10, PL11, PL12, PL13, PL14, PL15

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 the original permission granted on 07/12/2020 under reference 2019/2823/P.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The two storey extension to the rear of no.22 hereby approved 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 D3 of the Kentish Town Neighbourhood Plan 2016.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans:

1617-NMA-XX-ZZ-DR-A-00001 P2, 1617-NMA-XX-B1-DR-B-00100 P1, 1617-NMA-XX-00-DR-B-00100 P1, 1617-NMA-XX-01-DR-B-00100 P1, 1617-NMA-XX-RF-DR-B-00100 P1, 1617-NMA-00-ZZ-DR-B-00200 P1, 1617-NMA-00-ZZ-DR-B-00300 P4, PL01, PL02, PL03, PL04, PL05, PL06, PL07, PL08, PL09, PL10, PL11, PL12, PL13, PL14, PL15.

Documents: Design & Access Statement rev P2, Daylight and Sunlight Report (Neighbouring Properties) dated 26 November 2024, Daylight and Sunlight Report (Within Development) dated 12 December 2024, Basement Impact Assessment (Land Stability) ref: 19-088-R-001 rev 05 dated 09/03/2020, Basement Impact Assessment - Surface water & groundwater dated 25 September 2019, Report on structure for basement construction by Osborne Edwards Ltd. dated July 2019, Letter from Key GeoSolutions Ltd dated 24 September 2019, Draft Construction Management Plan pro forma.

Reason: For the avoidance of doubt and in the interest of proper planning.

- 4 Before the brickwork is commenced, sample panels of the facing brickwork demonstrating the proposed colour, texture, face-bond and pointing shall be provided on site and approved in writing by the local planning authority. The development shall be carried out in accordance with the approval given. The approved panels shall be retained on site until the work has been completed.

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 D3 of the Kentish Town Neighbourhood Plan 2016.

- 5 Condition 5 has been removed by the current application as privacy screens are no longer proposed.
- 6 The development hereby approved shall be implemented in accordance with the energy strategy approved under reference 2023/4847/P granted on 29 November 2023 and all measures set out in the approved strategy shall be permanently retained and utilised as the main power sources for the development. The measures shall include the installation of a meter to monitor the energy output from the approved systems.

Reason: In order to secure the appropriate energy and resource efficiency measures and on-site renewable energy generation in accordance with policies G1, C1, CC1, CC2 and CC4 of the London Borough of Camden Local Plan 2017.

- 7 The development hereby approved shall achieve a maximum internal water use of 110litres/person/day. The dwellings shall not be occupied until the Building Regulation optional requirement has been complied with.

Reason: To ensure the development contributes to minimising the need for further water infrastructure in an area of water stress in accordance with Policies CC1, CC2, CC3 of the London Borough of Camden Local Plan 2017.

- 8 No properties shall be occupied until confirmation has been provided that either:

1. All combined water network upgrades required to accommodate the additional flows from the development have been completed; or
2. A housing and infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied. Where a housing and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.

Reason: To safeguard existing below ground public utility infrastructure and controlled waters in accordance with the requirements of Policy CC3 of the London Borough of Camden Local Plan 2017.

- 9 The secure and covered cycle storage area for 6 cycles as shown on drawing reference PL02 hereby approved shall be provided in its entirety prior to the first occupation of any of the new units, and permanently retained thereafter.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy T1 of the London Borough of Camden Local Plan 2017.

- 10 The development hereby approved shall only commence with London Building Consultants as the appointed chartered engineer to inspect, approve and monitor the critical elements of both permanent and temporary basement construction works throughout their duration to ensure compliance with the

design (in accordance with details approved under reference 2023/4847/P on 29 November 2023). Any subsequent change or reappointment shall be confirmed forthwith for the duration of the construction works.

Reason: To safeguard the appearance and structural stability of neighbouring buildings and the character of the immediate area in accordance with the requirements of policies D1 and A5 of the London Borough of Camden Local Plan 2017.

- 11 The basement excavation hereby approved shall be completed in accordance with the details and methodology set out in Basement Impact Assessment (Land Stability) ref: 19-088-R-001 rev 05 dated 09/03/2020, Basement Impact Assessment - Surface water & groundwater dated 25 September 2019, Report on structure for basement construction by Osborne Edwards Ltd. dated July 2019, Letter from Key GeoSolutions Ltd dated 24 September 2019, and with the recommendations set out in Campbell Reith audit report dated 24/03/2020.

Reason: To safeguard the appearance and structural stability of neighbouring buildings and the character of the immediate area in accordance with the requirements of policies D1 and A5 of the London Borough of Camden Local Plan 2017.

- 12 Proposed units 1, 2 and 3 as indicated on plan number PL01 hereby approved shall be designed and constructed in accordance with Building Regulations Part M4 (2).

Reason: To ensure that the internal layout of the building provides flexibility for the accessibility of future occupiers and their changing needs over time, in accordance with the requirements of policy C6 of the Camden Local Plan 2017.

Informative(s):

1 Reasons for granting permission

Planning permission was previously granted for the demolition of the existing side and rear extensions to no.22 and the rear outbuildings, and for the erection of three new dwellings in their place. The dwellings were proposed to be two storey (with basement) two-bedroom dwellings, one infilling the gap between no.22 and no.24, and two to the rear of the site backing onto Regis Road, all with associated private amenity space and refuse/cycle storage. The proposals also included the erection of a new two storey extension to the rear of no.22. Works to implement the approved scheme were commenced prior to the expiry of the application, and all pre-commencement conditions and obligations have been discharged including the full affordable housing contribution of £6,306.47.

Permission is now sought for a number of minor material amendments to the approved scheme, principally to improve the standard of accommodation within the new dwellings. The proposed amendments include:

- Raising the finished floor level of units 2 and 3 by 1m resulting in a reduced depth of basement and increase in external height. The overall

footprint of the basement would remain as previously approved.

- Minor internal reconfigurations of all three dwellings at basement, ground and first floor level.
- Changes to unit 1 entrance to reposition it to the front elevation within an enclosed patio.
- Removal of small external balconies to all three units and installation of larger roof terraces instead accessed via rooflights.
- Minor changes to the layout and landscaping of the front garden areas.
- Creation of a ramp to provide step free access to units 2 and 3.
- Change to cycle parking store.
- Minor changes to external design of all three dwellings.

The revised scheme would still provide the same number of dwellings, and they would all remain as 2 bedroom, 4 person homes, meaning the contribution to the borough's housing supply would remain as previously approved. They would continue to meet nationally described space standards, and the standard of accommodation they would provide would be improved due to enhanced internal layouts, more internal storage, more daylight, and larger and more usable external amenity spaces. The previously secured payment in lieu of affordable housing has already been paid, and the current proposals would not impact that.

The proposed external design changes would see minor changes to the design of the previously approved scheme, but the overall architectural ethos has been retained. The new dwellings would remain subordinate to the existing building on the site with set backs and lower roof heights. The material palette retains brickwork and dark grey metal cladding as previously approved which are appropriate in this context. Permission would still be subject to condition 4 requiring sample panels of the facing brickwork demonstrating the proposed colour, texture, face-bond and pointing to ensure a high quality of materials and finish.

- 2 The revised proposals largely retain windows in the same positions as previously approved meaning there would be no increase in opportunities for overlooking of neighbouring buildings or impact on privacy of residents. The new roof terraces would be set within sunken roof slopes and set behind planters which would ensure there wouldn't be harmful overlooking between residential dwellings. The buildings to the rear have increased in height, and as such, the applicant has submitted a revised daylight and sunlight assessment. The report demonstrates that there would be no greater impact to neighbouring residential building no. 20. There would be a minor noticeable loss of daylight to four windows serving the commercial building at no.24. Two of these windows are at ground level and two are at first floor level. However, given these windows are just two of a number of windows at each floor serving large dual aspect rooms, the overall impact is considered to be negligible.

The revised proposals would see a reduction in the depth of the basement, but the overall footprint and basement construction methods would remain as approved. The previous approval was granted subject to conditions requiring details of the appointed basement engineer (which have been approved) and requiring the basement construction to be completed in accordance with the audited basement impact assessment. The revised proposals would be subject

to the same conditions which would ensure they continued to comply with the Council's basement policy and guidance.

The Council's Transport Planner has reviewed the proposals and confirmed they have no objections to the amendments and do not require the imposition of any further transport related conditions or obligations other than those originally secured.

No objections were received prior to the determination of this application and the planning history of the site has been taken into account when coming to this decision.

As such, the proposed development is in general accordance with policies D1, D2, A1 and A4 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.

- 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 proposal may be liable for the Mayor of London's Community Infrastructure Levy (CIL) and the Camden CIL. Both CILs are collected by Camden Council after a liable scheme has started, and could be subject to surcharges for failure to assume liability or submit a commencement notice PRIOR to commencement. We issue formal CIL liability notices setting out how much you may have to pay once a liable party has been established. CIL payments will be subject to indexation in line with construction costs index. You can visit our planning website at www.camden.gov.uk/cil for more information, including guidance on your liability, charges, how to pay and who to contact for more advice.
- 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 London Borough of Camden 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 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website at <https://beta.camden.gov.uk/documents/20142/1269042/Camden+Minimum+Requirements+%281%29.pdf/bb2cd0a2-88b1-aa6d-61f9-525ca0f71319> 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

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.

- 7 Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

If you are planning on using mains water for construction purposes, it's important you let Thames Water know before you start using it, to avoid potential fines for improper usage. More information and how to apply can be found online at thameswater.co.uk/buildingwater.

- 8 Thames Water expects surface water to be attenuated to Greenfield run-off rates following London Policy 5.13 and achieve 5l/s/ha for all weather conditions. The drainage strategy is required to specify the point(s) of connection and peak discharge rates into the public sewer system for foul and surface water. Thames Water will also require demonstration of how the surface water disposal hierarchy has been implemented for the site and why connection to the combined sewer is the preferred option.
- 9 Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which this permission is granted. Information/drawings relating to the discharge of matters covered by the Heads of Terms of the legal agreement should be marked for the attention of the Planning Obligations Officer, Sites Team, Camden Town Hall, Argyle Street, WC1H 8EQ.
- 10 You are reminded that this decision only grants permission for permanent residential accommodation (Class C3). Any alternative use of the residential units for temporary accommodation, i.e. for periods of less than 90 days for tourist or short term lets etc, would constitute a material change of use and would require a further grant of planning permission.
- 11 If a revision to the postal address becomes necessary as a result of this development, application under Part 2 of the London Building Acts (Amendment) Act 1939 should be made to the Camden Contact Centre on Tel: 020 7974 4444 or Environment Department (Street Naming & Numbering) Camden Town Hall, Argyle Street, WC1H 8EQ.
- 12 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 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.

++ 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).

13 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