

Camden Council

Town and Country Planning Act 1990

Planning Permission - Full householder retrospective: Granted

Applicant	Thomas Clarke
Application number	25-00120-HRET
Application received	13 February 2025 09:00
Decision date	1 May 2025 00:00
Site address	14, SWAIN'S LANE, LONDON, N6 6QS
Use/development	Demolition of garage and erection of single storey outbuilding to side elevation (retrospective).

The application is granted due to the following reason(s):

Retrospective planning permission is sought for the demolition of a garage and the erection of a single storey outbuilding to side elevation. The site is within the Dartmouth Park Conservation Area and is not listed.

Retrospective planning permission is sought for the demolition of a garage and the erection of a single storey outbuilding to side elevation. The proposed outbuilding is located to the side elevation of the house, within the garden that wraps around the rear and side of the property, located between the host dwelling and 16 Swain's Lane. The outbuilding matches the footprint of the pre-existing garage, and has a similar bulk and massing. The outbuilding is set in from the front boundary wall by approximately 13m and measures approximately 2.4m in height, 5m in depth and 2.5m in width. The outbuilding is clad in black painted timber and it does not appear overly dominant when viewed from the street.

Given its location, scale, and design, and considering it replaces a previous structure, the outbuilding does not represent overdevelopment and does not appear overly dominant when viewed from neighbouring properties or the public realm.

Overall, the proposal is considered to be subordinate to main existing building and would not cause undue harm to the character or appearance of the surrounding gardenscape, streetscape or the Dartmouth Park 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.

As the proposed outbuilding is replacing a pre-existing garage structure it would not result in undue overlooking or loss of privacy or enjoyment of adjoining sites and neighbouring amenity, due to its scale and positioning.

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.

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, D1 and D2 of the Camden Local Plan 2017 and policies DC2 and DC3 of the Dartmouth Park Neighbourhood Plan 2016. The proposed development also accords with policies of the London Plan 2021 and of the National Planning Policy Framework 2024.

Conditions:

1. The development hereby permitted shall be commenced within three years of the date of this permission.

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:

02-25-00120, 01-25-00120-HRET, 032500120, 042500120, 052500120, 062500120, Proposed North Elevation CGI, Proposed East Elevation CGI, Proposed South Elevation CGI, Proposed Plan CGI, Heritage Statement, Design and Access Statement.

For the avoidance of doubt and in the interests of proper planning.

3. All new external work and finishes and work of making good shall match the original work in respect of the materials, colour, texture, profile and finished appearance, except where indicated otherwise on the drawings hereby approved or unless otherwise required by condition.

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 and DC3 of the Dartmouth Park Neighbourhood Plan 2016.

4. The outbuilding hereby approved shall only be used for ancillary purposes at 14 Swain's Lane, and shall not be used as a separate residential dwelling or a business premises.

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.

Informatives:

1. Building Control: general all-purpose informative

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).

2. Highways (all consents)

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.

3. Environmental health (all consents)

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."

4. BNG Informative 1

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 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).

5. BNG Informative 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 the post-development value of the onsite habitat, or any arrangements made to compensate irreplaceable habitat, as specified in the earlier BGP.

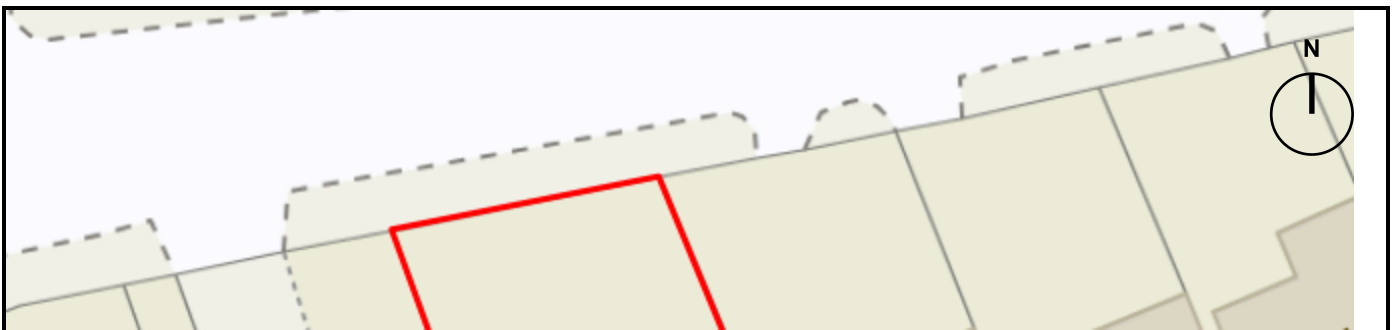
Phased development: In the case of phased development, the BGP will be required to be submitted to and approved by the LPA before development can begin (the overall plan), and before each phase of development can begin (phase plans). The modifications in respect of the biodiversity gain condition in phased development are set out in Part 2 of the Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024.

This decision is based on the following approved plans:

Planning application related documents

Document reference	Description	Date received
Heritage Statement	Heritage Statement Other - document	12 February 2025 22:15
Pre-existing photograph	Photographs - existing	12 February 2025 22:15
Pre-existing elevations	Elevations - proposed	5 March 2025 17:21
Proposed Site Plan	Roof plan - proposed	5 March 2025 17:21
Pre-existing site plan	Site plan - existing	5 March 2025 17:22
Pre-existing and proposed floor plan	Floor plan - existing Floor plan - proposed	5 March 2025 17:23
Pre-existing elevations		5 March 2025 17:23
Proposed Site Plan		5 March 2025 17:24
Proposed Elevations	Elevations - proposed	5 March 2025 17:25
Pre-existing and Proposed Roof Plan	Elevations - proposed	5 March 2025 17:28
Proposed Elevations	Elevations - proposed	5 March 2025 17:28
Design and Access statement		9 March 2025 13:39

Site location





Notes:

Enquiries regarding this document should include the application number and be sent to:

Email

digitalplanning@camden.gov.uk

Post

Daniel Pope , Chief Planning Officer,
Camden Council,
London Borough of Camden, 5 Pancras Square, N1C 4AG

[Download as PDF \(https://camden.bops.services/api/v1/planning_applications/25-00120-HRET/decision_notice.pdf\)](https://camden.bops.services/api/v1/planning_applications/25-00120-HRET/decision_notice.pdf)

Contact