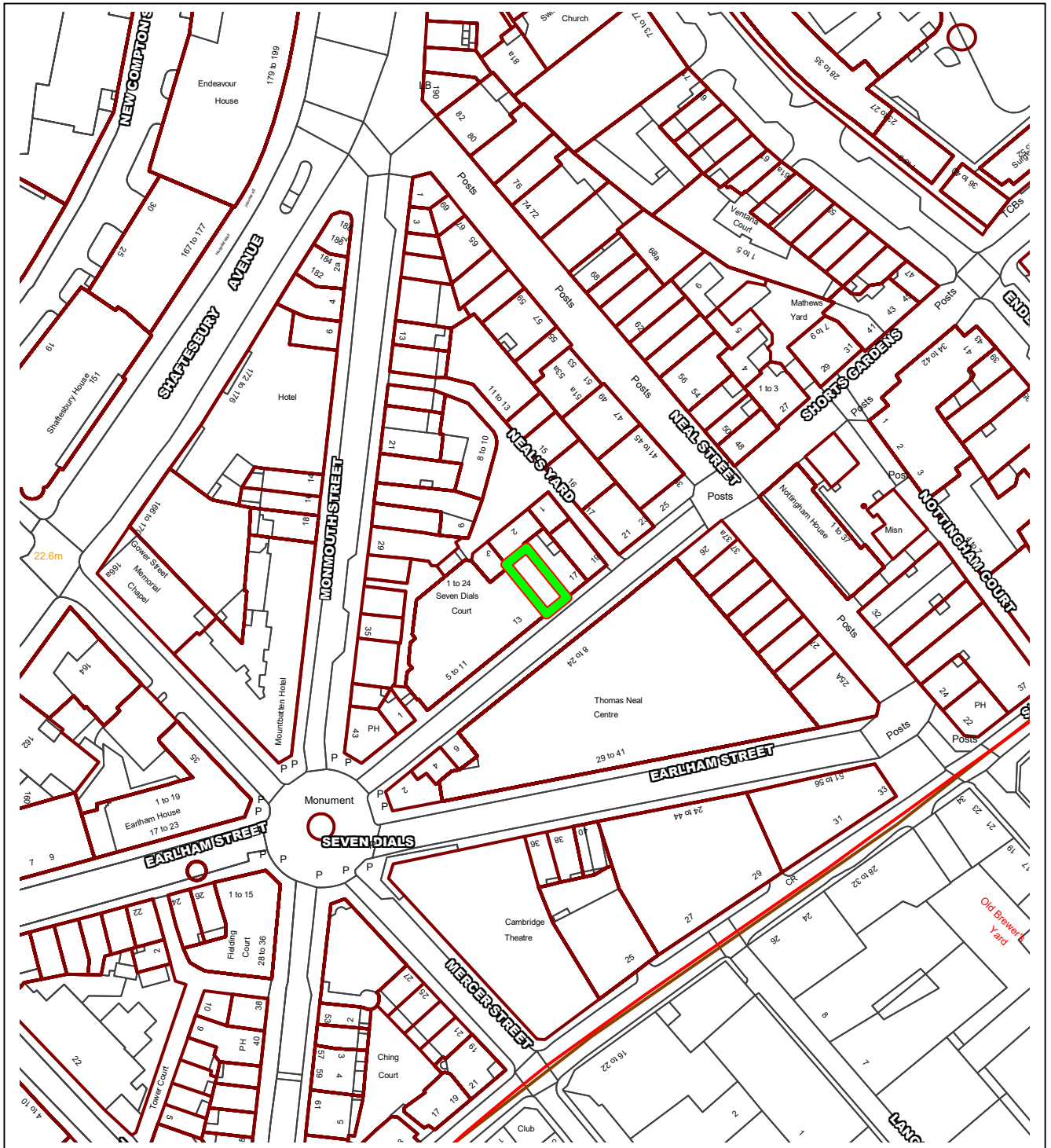


2025/1218/P – 15 Shorts Gardens



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2025/1218/P – 15 Shorts Gardens – plans and photos

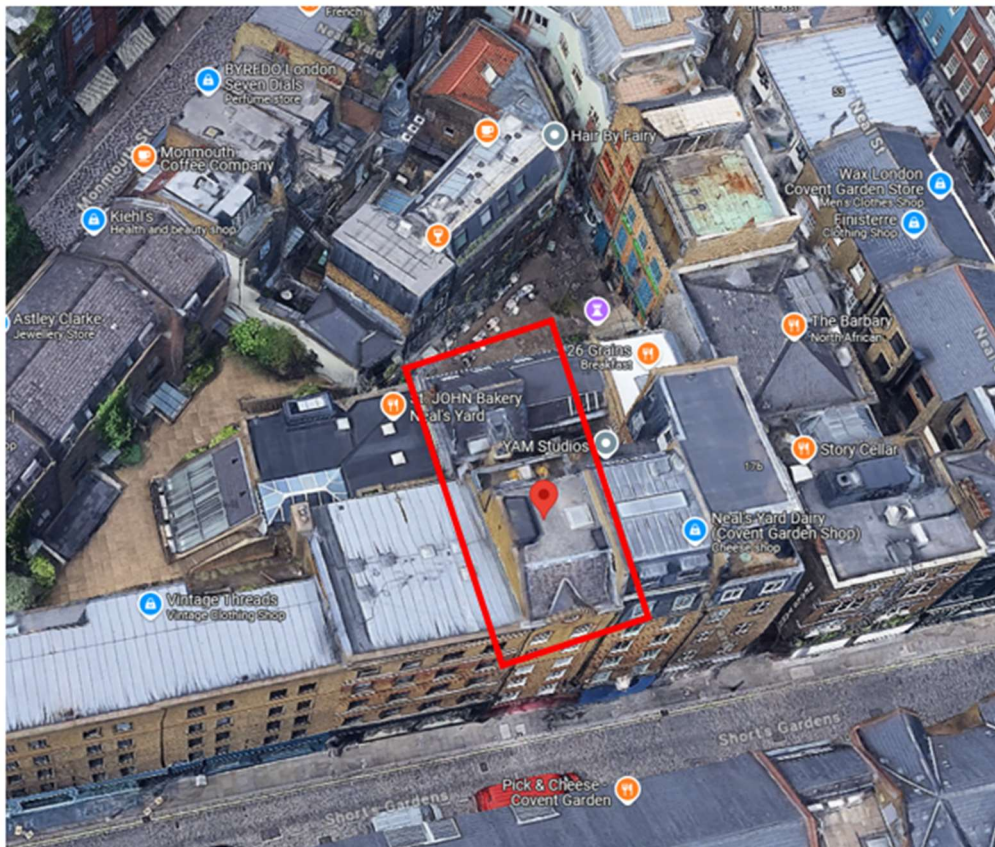


Photo 1. – Google Aerial photo showing the site backing onto Neals Yard

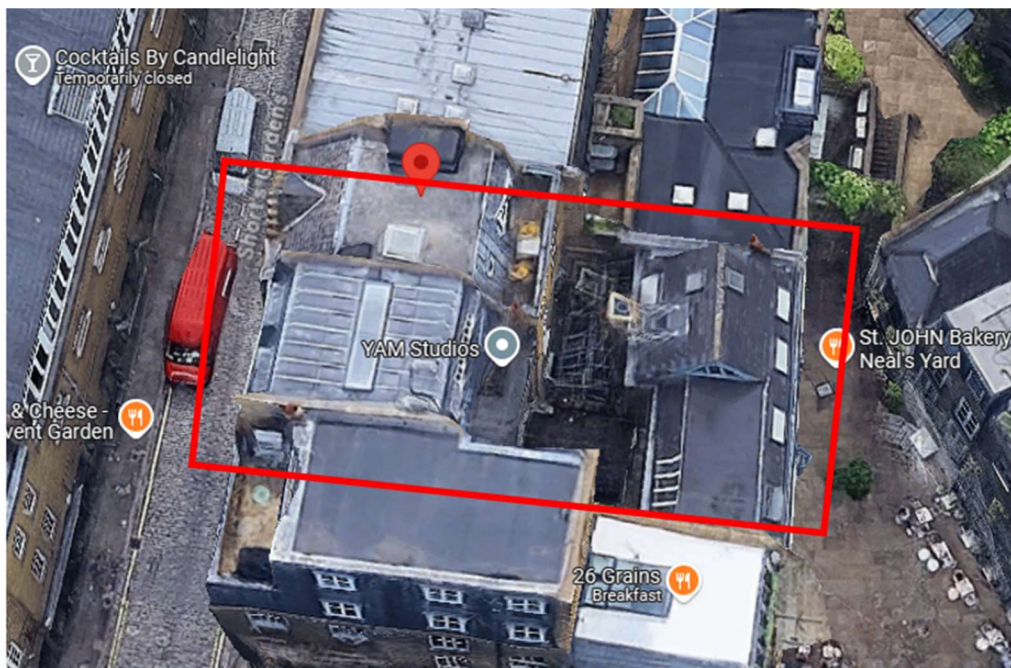
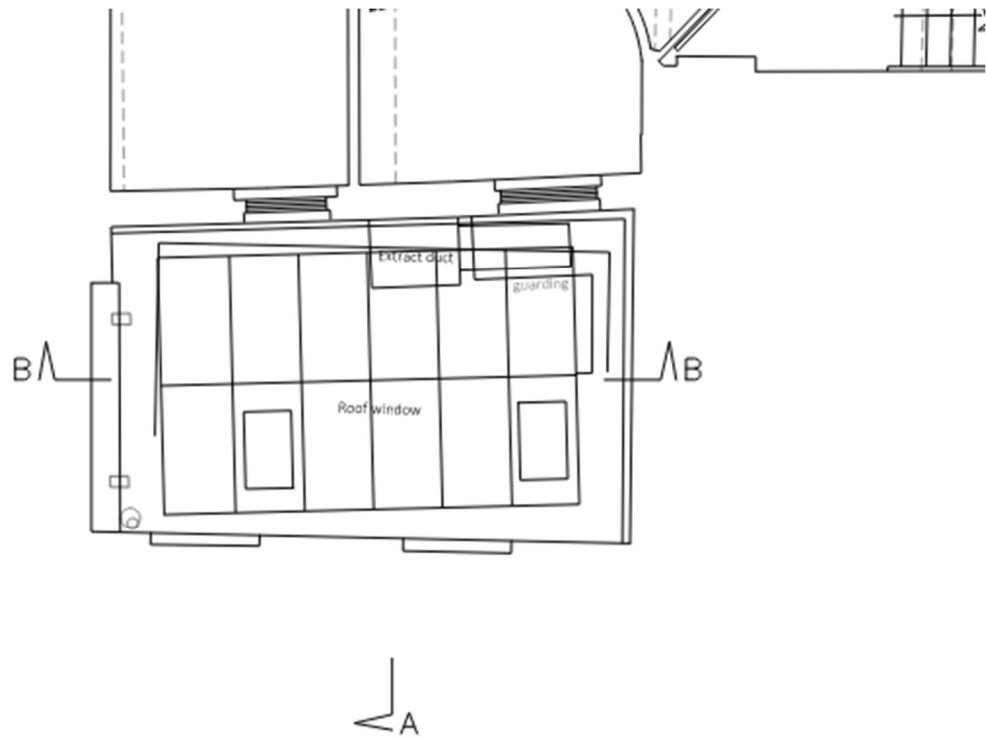


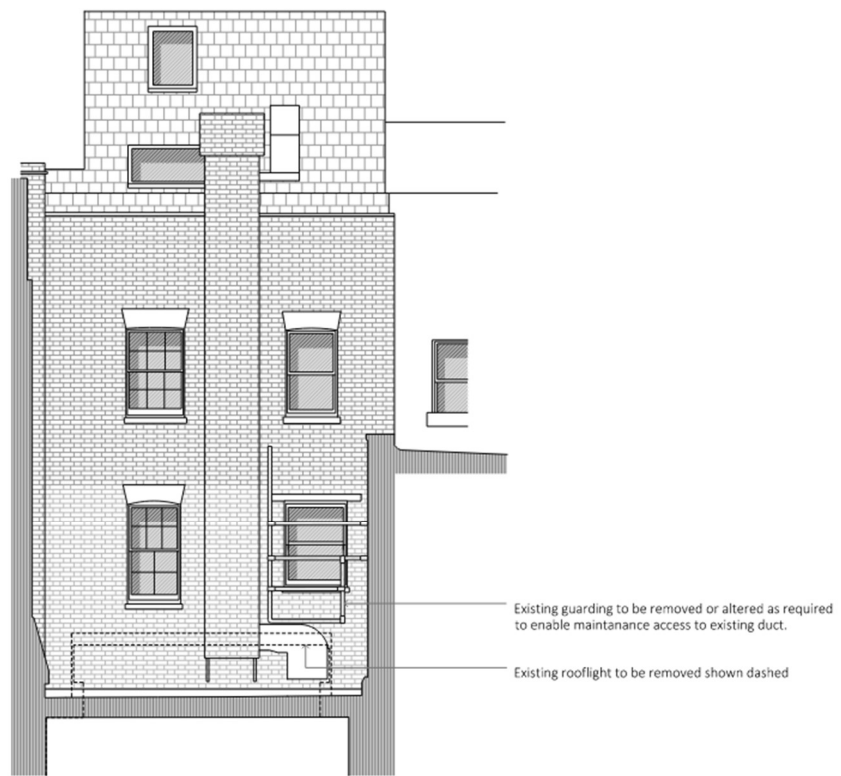
Photo 2. Google aerial showing down into the lightwell from above



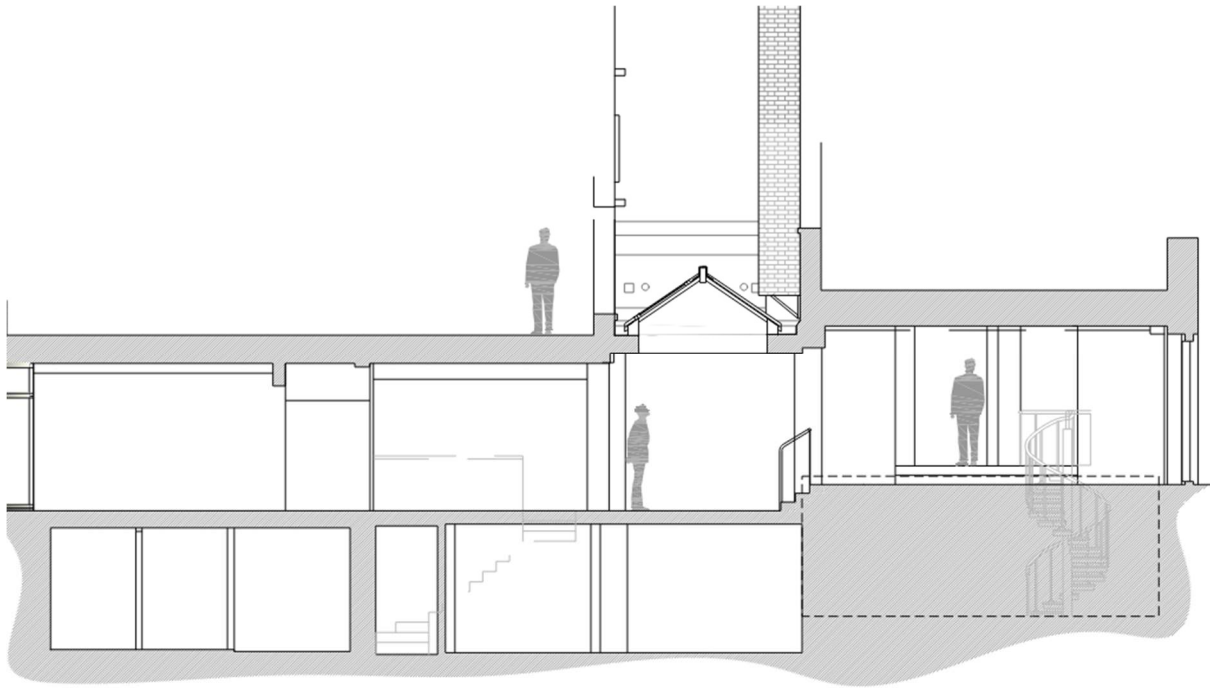
Photos 3-7. Looking from the commercial part of the lightwell looking across the lightwell at 1st floor level towards the residential elements and looking down on the existing rooflight.



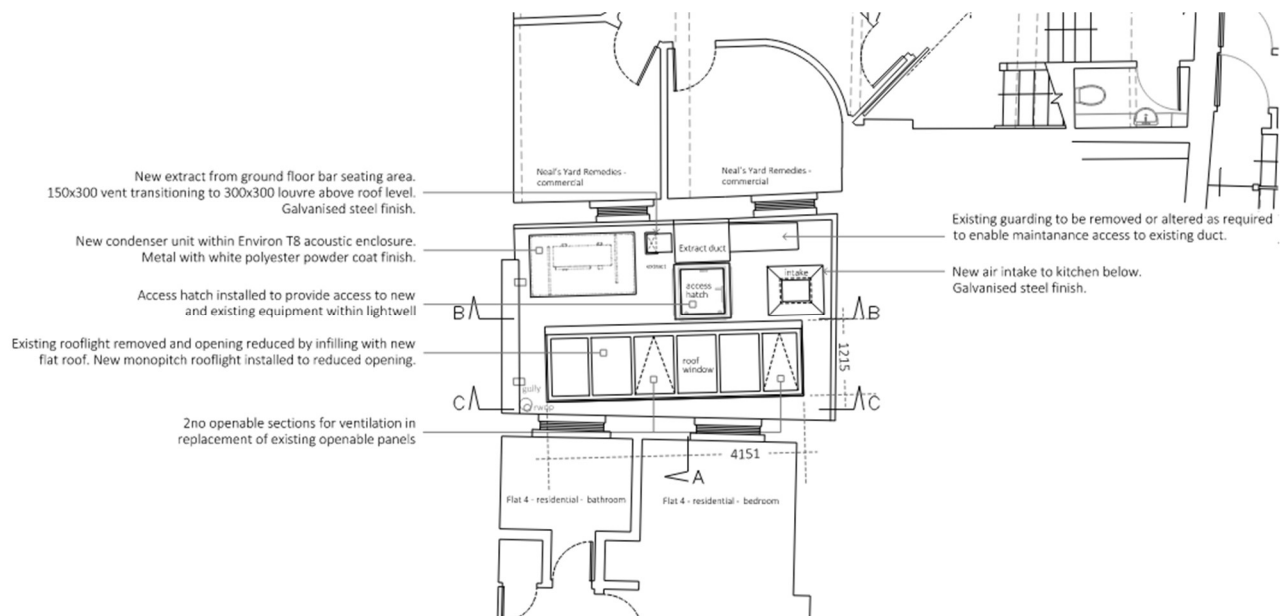
Existing 1st floor roof plan – commercial windows shown at the top and residential property at the bottom of the plan.



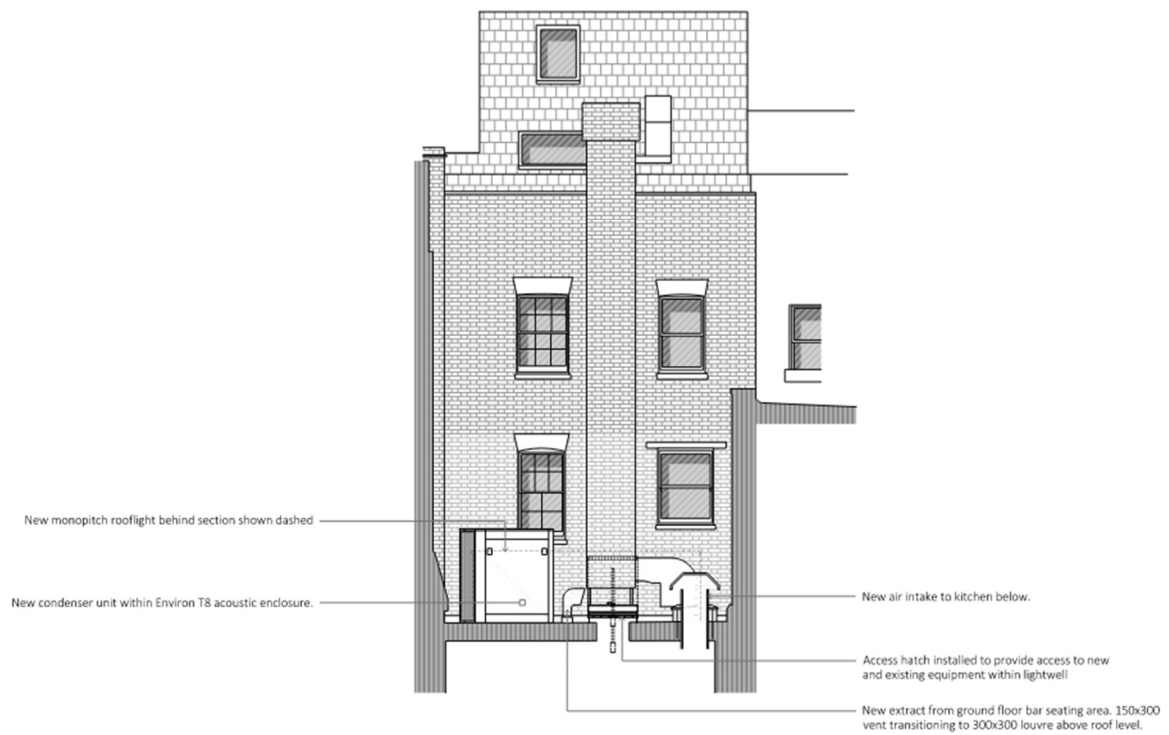
Existing north elevation with outline of existing opening rooflight shown dashed



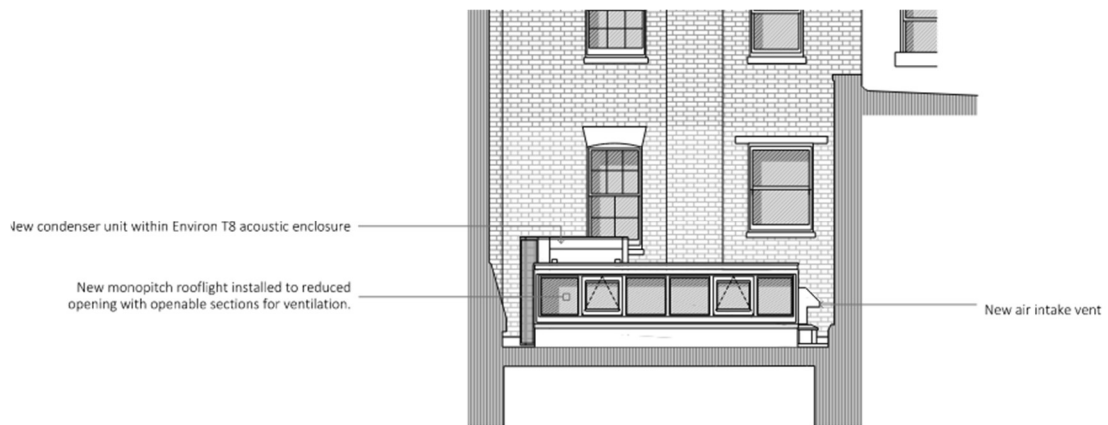
Existing section showing rooflight filling entire roof at 1st floor level. Residential property is to the left.



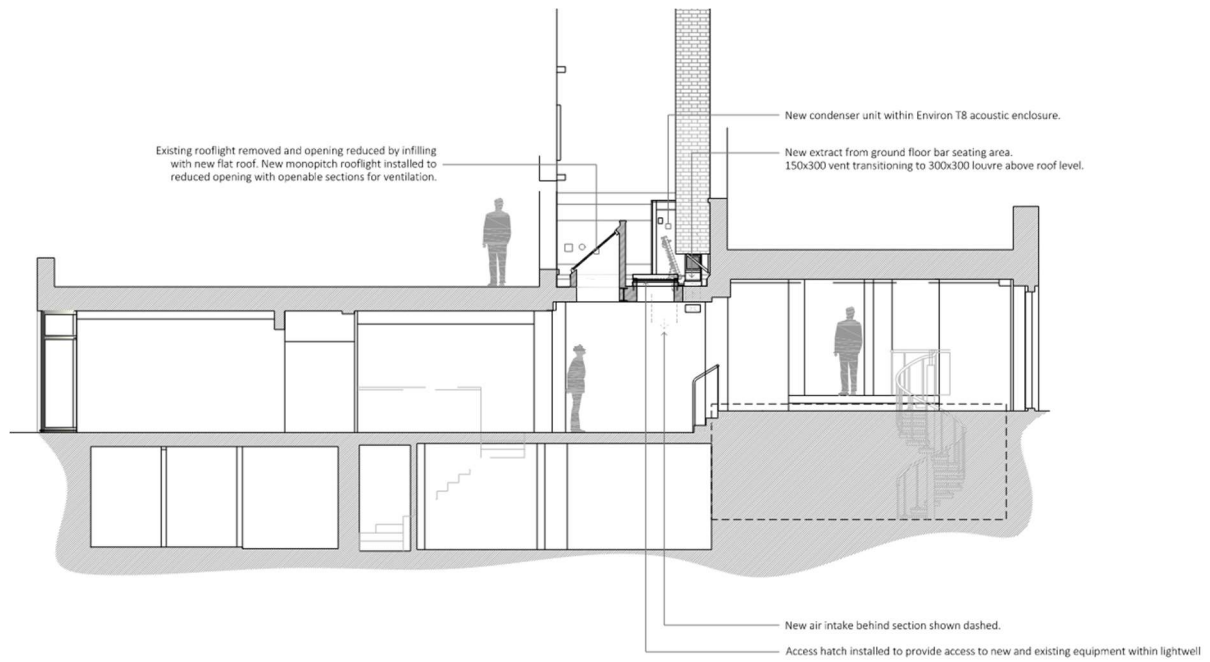
Proposed 1st floor roof plan with replacement rooflight and ASHP, extract and vent



Proposed part elevation showing new plant at back of the replaced roof



Proposed elevation as seen from the residential windows showing replacement rooflight hiding plant behind it and screening it visually and from noise.



Proposed replacement 1st floor roof section – residential property is to the left

Delegated Report (Members Briefing)		<i>Analysis sheet</i>		<i>Expiry Date:</i>	21/05/2025
		N/A / attached		Consultation Expiry Date:	04/05/2025
<i>Officer</i>			<i>Application Number(s)</i>		
John Nicholls			2025/1218/P		
<i>Application Address</i>			Drawing Numbers		
15 Shorts Gardens London WC2H 9AT			See draft decision notice		
<i>PO 3/4</i>	<i>Area Team Signature</i>	<i>C&UD</i>	<i>Authorised Officer Signature</i>		
<i>Proposal(s)</i>					
Installation of 1x new Air Source Heat Pump (ASHP), replacement of the existing rooflight with a new flat roof incorporating a new access hatch, air intake and extract fan openings at first floor roof level.					
Recommendation(s):		Granted conditional planning permission			
Application Type:		Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	00	No. of responses	01	No. of objections	01
			No. Electronic	00		

Summary of consultation responses:

A press notice was displayed between 10/04/2025 until 04/05/2025.
A site notice was displayed between 02/04/2025 and 26/04/2025.

1 objection has been received from one local resident who lives above the lightwell in which the proposal is located. This is summarised as follows:

- My flat has 2 bedrooms which overlook the void space which is subject to this application, and am able to enjoy quiet nights with little / no noise emanating from the void space.
- The ASHP, condenser unit, extraction duct and air intake all introduce new noise into this void. The Noise Survey conclusions are flawed because the report starts that the background noise levels are 50dbA, but the maximum night time level shown was 47dbA. Therefore, the noise limits should be 10dbA below the lower level at 37dbA, not the 40dbA stated.
- No provision has been made to measure the sound level after the installation, which would ensure the correct levels are met.
- The new rooflight is higher than the existing ones and will project more sound from the property below due to the removal of the partition wall in the unit below. There should be no need for an openable pane in the rooflight with the ASHP, and this would be uneconomical to run the ASHP with an open window, and therefore this openable pane should be removed from the flat roof.
- The proposal raises the level of the observable roof and equipment and will be visible and unsightly when viewed from the flat windows.
- The ASHP could be situated on top of the main roof rather than in the lightwell void.
- The works themselves will cause noise, dust and disruption for residents, with measures put in place to avoid work before 9am and weekends.
- The proposal will also introduce odour, dust and fumes and these issues also need to be addressed in considering the proposal.
- The new access hatch introduces a security risk to the flats through their windows which face onto the lightwell void.

Officer comments:

- *Noted*
- *See paragraphs 3.2-3.3 of the officer's report below. There has been a slight correction applied to account for additional sound energy caused by reflections off nearby surfaces but does not represent a higher actual noise level. The underlying noise environment remains essentially 47 dB, with the 3 dB addition used purely for consistency and comparison in technical assessments.*
- *The applicant will accept a condition is added to the decision, requiring the future tenant to comply to the noise levels as set out within the noise report to ensure final plant specification will not exceed Camden's noise standards. Notwithstanding, the current design has taken these standards into account through provision of acoustic housing to ensure that the required sound reductions can be achieved.*
- *The openable panes in the proposed new rooflight reflect the openable panes in the existing rooflight and also allow for some cross ventilation through the premises, which is a requirement (should it be available) to ensure that active cooling is not used unless it is required. These will only be open when required and not all the time.*
- *The change in angle of the rooflight is minor, and there is a slight height change from 1.1m to 1.3m. The increased angle helps screen the new plant from residential units.*
- *The location of the ASHP at main roof level was explored, but was not feasible, due to design, amenity, structural alteration and maintenance reasons.*

- | | |
|--|---|
| | <ul style="list-style-type: none">• Normal hours for buildings works are 8-6 Mon-Fri and 8-1 Sat and not at all on Sundays and public/bank holidays. There is no reason why these works can't proceed during normal permitted hours.• Odours: the kitchen is located at basement level and will be a dedicated contained space with a specific ventilation system that ensure cooking odours don't affect the lightwell area and which extracts above roof level using the existing duct. Directly beneath the rooflight is a restaurant bar, so there is no risk of cooking odours affecting the residential properties.• A roof access hatch was previously approved under planning ref: 2022/4279/P within the existing rooflight within this lightwell. Therefore, the principle of an access hatch has already been established and granted planning permission and the security implications considered. The hatch will also have restricted access for maintenance only and is screened by the new rooflight. The roof is already accessible from first floor windows from 2 Neals Yard and the existing openable sections of rooflight, therefore the proposal doesn't introduce new accesses or increase the chances of any potential security risk. |
|--|---|

Covent Garden Community Association / Seven Dials CAAC comments:

The Seven Dials CAAC have not commented. The Covent Garden Community Association have objected as follows:

- Before the extraction duct was clad (via 2017/1655/P), it caused serious issues for residents in the 5 flats at 15 Shorts Gardens due to noise and smells. Therefore, this space is very sensitive because any sound made in this lightwell echoes around the walls and is amplified as it is carried upwards to residential windows.
- The noise Survey & Assessment only takes account of noise from the condenser unit and the extractor fan. Even these, however, very rarely perform to the dB levels promised, particularly as they age, and we do not think that they should be placed in the lightwell, but at roof level.
- Please attach a condition to any consent that requires all equipment to be turned off between the hours of 22:00 and 08:00.
- The proposed location of the large condenser unit is directly outside a residential window. This will harm the amenity of those living there, blocking the view; relocation to the (main) roof would avoid this issue.
- Any openable roof lights will allow noise to escape from the restaurant below, up into this confined lightwell space and to the living rooms and bedrooms above. The business occupying the restaurant unit below will not be able to silence things like customer noise. We therefore ask that any roof lights are not openable but fitted as sealed.

Officer comments:

- *Noted*
- *The applicant will accept a condition is added to the decision, requiring the future tenant to comply to the noise levels as set out within the noise report to ensure final plant specification will not exceed Camden's noise standards. Notwithstanding, the current design has taken these standards into account through provision of acoustic housing to ensure that the required sound reductions can be achieved.*
- *The running of an ASHP is most efficient when they run almost 24/7, and therefore attaching a condition limiting hours of use would conflict with the applicant's ability to use the ASHP properly.*
- *The location of the ASHP at main roof level was explored, but was not feasible, due to design, amenity, structural alteration and maintenance reasons. The location of the plant is against the commercial unit windows on the far side of the roof and located behind the proposed replacement rooflight.*
- *The openable panes in the proposed new rooflight reflect the openable panes in the existing rooflight, and therefore customer noise may have already been an issue, and what is proposed is no worse than the existing situation. The ability to open the rooflights also allows for some cross ventilation through the premises, which is a requirement (should it be available) to ensure that active cooling is not used unless it is required. These will only be open when required and not all the time.*

Site Description

The site comprises the ground and basement commercial unit which sits across both 15 Shorts Gardens and 2 Neals Yard at the rear. 15 Shorts Gardens is a six-storey terraced building on the north side of the street with residential flats on the upper floors. 2 Neals Yard is a four-storey building with commercial floorspace. The proposed changes are all located within an enclosed lightwell sat between these two buildings.

The site lies in the Seven Dials Conservation Area and 15 Shorts Gardens is noted as being a 'positive contributor' in the Seven Dials Conservation Area Statement.

Relevant History

2014/5262/P - Erection of extract duct to the rear elevation. **Granted 24/11/2014**

2017/1655/P - Installation of enclosure around existing duct at the rear elevation. **Granted 07/08/2017**

2016/4378/P - Change of use of the ground floor from retail (Class A1) to hot food takeaway (Class A5) use. **Granted 09/08/2018**

2022/4279/P - Formation of access hatch and balustrade on Shorts Gardens facing elevation of rear building and an access hatch to the rooflight of the single storey element (both for maintenance purposes). **Granted 18/11/2022**

Relevant policies

National Planning Policy Framework (2023)

The London Plan (2021)

Camden Local Plan (2017)

- **A1** Managing the impact of development
- **A4** Noise and Vibration
- **D1** Design
- **D2** Heritage
- **CC2** Adapting to Climate Change

Camden Planning Guidance

- CPG Amenity (2021)
- CPG Design (2021)

Conservation Statements / Neighbourhood Plans:

- Seven Dials Conservation Area Character Appraisal and Management Plan (1998)

Draft Camden Local Plan (2024)

A [Submission Draft Camden Local Plan](#) (updated to take account of consultation responses) was reported to Cabinet on 2 April 2025 and the Council on 7 April 2025. The Council resolved to agree the Submission Draft Local Plan for publication and submission to the government for examination (following a further period of consultation). The Submission Draft is a significant material consideration in the determination of planning applications but still has limited weight at this stage.

Assessment

1.0 Proposal

1.1 The proposal seeks to replace an existing dual pitched rooflight within the lightwell (which almost fills the entire roof space) with a taller mono pitched rooflight with a smaller footprint. The proposal also seeks to relocate a previously approved roof access hatch to a more central location and also provide an air intake, an extract duct, a new ASHP within an acoustic enclosure and minor alterations of the existing duct access guarding.

1.2 The principal planning considerations for the proposal are:

- Design and Heritage
- Amenity
- Sustainability

2.0 Design and Heritage

2.1. The Council's design policies are aimed at achieving the highest standard of design in all developments. The following considerations contained within Policy D1 are relevant to the application: development should respect local context and character; comprise details and materials that are of high quality and complement the local character; and respond to natural features. Policy D2 'Heritage' states that in order to maintain the character of Camden's conservation areas, the Council will not permit development within conservation area that fails to preserve or enhance the character and appearance of that conservation area.

2.2 The existing rooflight sits at first floor level above the commercial unit at ground and basement. It is made of a white powder coated frame with frosted glass panels set within the frame with several openable ventilation panels within the structure and which fills almost the entire lightwell roof.

2.3 The replacement rooflight has a reduced footprint (approximately half of the original) and is mono-pitched and proposed to be made in the same materials and colour as the existing rooflight. The mono-pitched side is glazed and is fitted with two openable ventilation panels which reflects the as existing rooflight. The replacement rooflight is 0.2m taller than the existing and therefore in terms of design, the replacement rooflight is smaller and fills less of the space and is a tidier design solution as a result. The proposed materials match those of the existing rooflight and are therefore acceptable.

2.4 The reduced size of the rooflight allows more flat roof space for other equipment in the lightwell. This leaves space for a previously approved and relocated roof access hatch to a more central location, an air intake for the new commercial unit below (restaurant/bar), an extract duct, a new ASHP within an acoustic enclosure and minor alterations of the existing duct access guarding.

2.5 Although there are several elements of new plant being proposed, these will not be excessive. The ASHP will be located inside a light coloured powder coated acoustic enclosure. As such it is being made as inconspicuous as possible and located within a lightwell. The other kit will have a galvanised metal finish. Options have been considered for running this plant to the main roof, more than four floors up, but for design, amenity, structural alteration and maintenance reasons, this solution could not be achieved. Furthermore, the proposed plant would not be visible from any public vantage points, and as such, would not have a detrimental impact on the buildings' setting and character within the Seven Dials Conservation Area, nor would it detract from any local views.

2.6 The Council's Conservation Officer has observed that in an ideal world, the close proximity of the ASHP enclosure could be slightly further from the existing timber sliding sash windows facing into the lightwell in order to allow these windows to be maintained. That said, the proposal is not considered to harm the character or appearance of the Seven Dials Conservation Area. As such it is considered compliant with policies D1 and D2 of the Camden Local Plan.

3.0 Amenity

3.1 Policy A1 seeks to protect the quality of life of occupiers and neighbours by only granting permission to development that would not harm the amenity of residents, which includes factors such as privacy, overlooking and outlook. In addition, Policy A4 seeks to ensure that noise and vibration is controlled and managed.

Noise

- 3.2 The objections concerning noise raise concerns over the changes to the background noise levels in the associated noise survey submitted with the being changed from 47dB to 50dB at their lowest levels overnight. The applicants have explained that the background noise level measured at the site is 47dB in a free-field environment, which represents the actual ambient noise level in the absence of reflective surfaces such as walls. While the noise assessment refers to a figure of 50dB, this includes a standard 3dB adjustment applied in line with BS:4142 guidance when assessing noise at a building façade. This correction accounts for the additional sound energy caused by reflections off nearby surfaces but does not represent a higher actual noise level. The underlying noise environment remains essentially 47 dB, with the 3dB addition used purely for consistency and comparison in technical assessments.
- 3.3 As such, the Council's Environmental Health officer is satisfied that the noise survey is acceptable despite this change and has conditioned the plant accordingly. The applicants have also offered to accept a further condition requiring the future tenant to comply to the noise levels as set out within the noise report to ensure final plant specification will not exceed Camden's noise standards, and have also agreed to limit the hours of use on the air intake and small extract proposed, and they have agreed to undertake a post commissioning noise check to ensure it complies with the approved noise levels. This should also negate the request for an hours of use condition to be applied by the Covent Garden Community Association on the ASHP.

Openable windows

- 3.4 Objections have been raised related to the replacement rooflight having openable windows fitted as these may allow noise from customers using the commercial unit below to be heard in the lightwell above. The request was that these should be sealed shut. However, the existing rooflight already has openable ventilation panels fitted and therefore it would be unreasonable to restrict these in a revised form of the rooflight. In addition, as part of the assessment for the ASHP, there is a requirement to prevent heat build up by providing openable windows which allow ventilation into and through the commercial unit, and therefore these openable panels also serve this purpose. The rooflight is not proposed to be open at all times, only when required for ventilation, as is the existing situation. The applicants have accepted a condition that these should remain closed between 23:30 and 08:00 daily.

Location of plant equipment

- 3.5 Objections have also been made related to the plant being located on this 1st floor lightwell roof. The applicants have explained that locating the ASHP on top of the main building was explored but found to be unfeasible. The roof at 2-3 Neal's Yard is pitched, meaning significant structural alterations would be required to create a plant platform. In addition, there is a residential terrace to the rear high-level roof at 15 Shorts Gardens, and any units positioned at this height would be highly visible, raising concerns over visual impact.
- 3.6 Furthermore, access for installation and ongoing maintenance would also be more difficult and disruptive at this main roof level. Importantly, the proposed kitchen intake and bar area extract would still need to be located at lightwell level or run up the rear elevation, so alterations to the rooflight or lightwell would still be necessary even if the plant were moved to the main roof.

Odour

- 3.7 Regarding concerns around odour, the kitchen is located at basement level, and the existing extract duct will be used, which discharges above roof level. The area beneath the rooflight is a restaurant bar, so there is no risk of cooking odours affecting the residential properties.
- 3.8 While general food odours from within the restaurant/bar may migrate if the rooflight windows are open, these would be minimal in impact, and the existing arrangement is to be maintained. The kitchen will be a contained space with a dedicated ventilation system that ensures any direct cooking-based odours do not affect the rooflight or lightwell areas.

Access hatch

- 3.9 A concern was raised about the inclusion of the proposed access hatch and this posing a security risk. Use of the access hatch will be restricted and non-regular use - only for maintenance of the duct. The hatch is screened by the new rooflight. The roof is currently accessible via first-floor windows of 2 Neal's Yard and the openable sections of the existing rooflight. The proposal therefore does not introduce any new access or increase the potential for unauthorised entry. As such, it is not considered to pose a security risk. Nevertheless, the applicants have accepted a condition that the hatch will only be used for maintenance

purposes for plant and equipment on this roof. The hatch will be locked from the inside, but this cannot be added as a condition to address security concerns.

Outlook

3.10 The outlook from the residential windows within the lightwell are limited and look down onto the existing rooflight at first floor level. The additional plant and ASHP in its acoustic enclosure is not considered to harm outlook any further, as the plant elements will be hidden behind the replacement rooflight and will largely be out of site. This is particularly so from the first floor flat which is closest to the proposal.

3.11 As such the proposed conditions related to the plant and access hatch are considered to address any potential harm caused to the amenity of local residents living near to the site and is therefore compliant with policies A1 and A4 of the Camden Local Plan.

4.0 Sustainability

4.1 Policy CC2 requires development to be resilient to climate change. These include adopting climate change adaptation measures such as protecting existing green spaces and promote new green infrastructure, and measures to reduce the impact of urban and dwelling overheating, including application of the cooling hierarchy.

4.2 The ASHP is proposed to provide both warming and cooling for the commercial unit at ground and basement levels. The unit is a heat recovery VRF unit which allows it to recover heat from one area and use it in another for minimal energy cost and maximum flexibility and therefore allows the basement and ground floor to operate separately from each other. This allows just one unit to be fitted rather than two. The proposed SCOP and global warming potential are considered acceptable by the Council's Sustainability officer.

4.3 The applicants have also demonstrated that there is overheating in the commercial unit to warrant the inclusion of an ASHP which provides cooling as well as heating. They have considered blinds and shutters within the unit, but these aren't practical for a retail/commercial unit in Covent Garden. They have also considered fitting an awning to the Shorts Gardens shop frontage to prevent solar gain but this was not considered acceptable from a conservation perspective.

4.4 The use of natural ventilation within the property via the openable panels in the rooflight proposed to be replaced, means that cross ventilation will help reduce the need to use the ASHP and natural cooling methods can be used when and where possible.

4.5 As such the proposed ASHP, natural ventilation and cooling hierarchy proposal is considered acceptable and in accordance with policy CC2 of the Camden Local Plan.

5.0 Biodiversity Net Gain

5.1 Based on the information available, this proposal would not require the approval of a BNG Plan before development is begun because the proposal 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).

6.0 Conclusion

6.1 The proposed development is in general accordance with policies A1, A4, D1, D2 and CC2 of the Camden Local Plan 2017. The proposed development also accords with the London Plan 2021 and the National Planning Policy Framework 2024.

7.0 Recommendation

Grant conditional planning permission

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 30th June 2025, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to www.camden.gov.uk and search for 'Members Briefing'.

Application ref: 2025/1218/P
Contact: John Nicholls
Tel: 020 7974 2843
Email: John.Nicholls@camden.gov.uk
Date: 25 June 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

Rolfe Judd Planning
Old Church Court
Claylands Road
Oval
London
SW8 1NZ

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

**15 Shorts Gardens
London
WC2H 9AT**

Proposal: Installation of 1x new Air Source Heat Pump (ASHP), replacement of the existing rooflight with a new flat roof incorporating a new access hatch, air intake and extract fan openings at first floor roof level.

Drawing Nos: (A-)010-P2; 100-P2; 101-P2; 102-P3; 112-P1; 300-P3; 301-P3; 200-P2; 201-P2; 202-P4; 400-P4; 401-P4; 402-P2; Hann Tucker Noise Survey Ref: 31993/PNA1/Rev01 (dated 24/1/2025); NRG Consulting Overheating Assessment (dated 25/03/2025); BSEC Design Ltd. Cover letter and Cooling hierarchy commentary (dated 28/01/2025) and Rolf Judd Design and Access Statement dated 24/03/2025

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: (A-)010-P2; 100-P2; 101-P2; 102-P3; 112-P1; 300-P3; 301-P3; 200-P2; 201-P2; 202-P4; 400-P4; 401-P4; 402-P2; Hann Tucker Noise Survey Ref: 31993/PNA1/Rev01 (dated 24/1/2025); NRG Consulting Overheating Assessment (dated 25/03/2025); BSEC Design Ltd. Cover letter and Cooling hierarchy commentary (dated 28/01/2025) and Rolf Judd Design and Access Statement dated 24/03/2025

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 policy D1 and D2 of the London Borough of Camden Local Plan 2017.

- 4 The external noise level emitted from plant, machinery or equipment at the development hereby approved shall be lower than the typical existing background noise level by at least 10dBA, or by 15dBA where the source is tonal, as assessed according to BS4142:2014 at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

- 5 Prior to use, machinery, plant or equipment hereby permitted shall be mounted with proprietary anti-vibration isolators and fan motors shall be vibration-isolated from the casing and adequately silenced and maintained as such.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

- 6 The air intake and small extract duct hereby approved shall not be used outside of the hours of 08:00-23:30 hours daily.

Reason: To safeguard the amenities of the adjoining residential properties and the area generally in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

- 7 The openable windows in the replacement rooflight hereby approved shall be kept closed outside of the hours of 08:00-23:30 daily.

Reason: To safeguard the amenities of the adjoining residential properties and the area generally in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

- 8 The 1st floor roof access hatch hereby approved shall be used for maintenance access only, including maintenance of the plant and equipment located on this flat roof.

Reason: To safeguard the security and amenities of the premises and that of adjoining residential properties in accordance with the requirements of policies A1, A4 and C5 of the London Borough of Camden Local Plan 2017.

- 9 The plant / machinery hereby permitted must not be operated until you have carried out and submitted a post-commissioning noise survey and the Council have approved the details of the survey in writing. The post commissioning noise survey must demonstrate that the plant / machinery complies with the noise criteria set out in condition 4 of this permission.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 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 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 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 Biodiversity Net Gain (BNG) Informative (1/3):

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 development 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).

5 Biodiversity Net Gain (BNG) Informative (2/3):

+ 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).

6 Biodiversity Net Gain (BNG) Informative (3/3):

+ 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 & 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>.

Yours faithfully

Chief Planning Officer