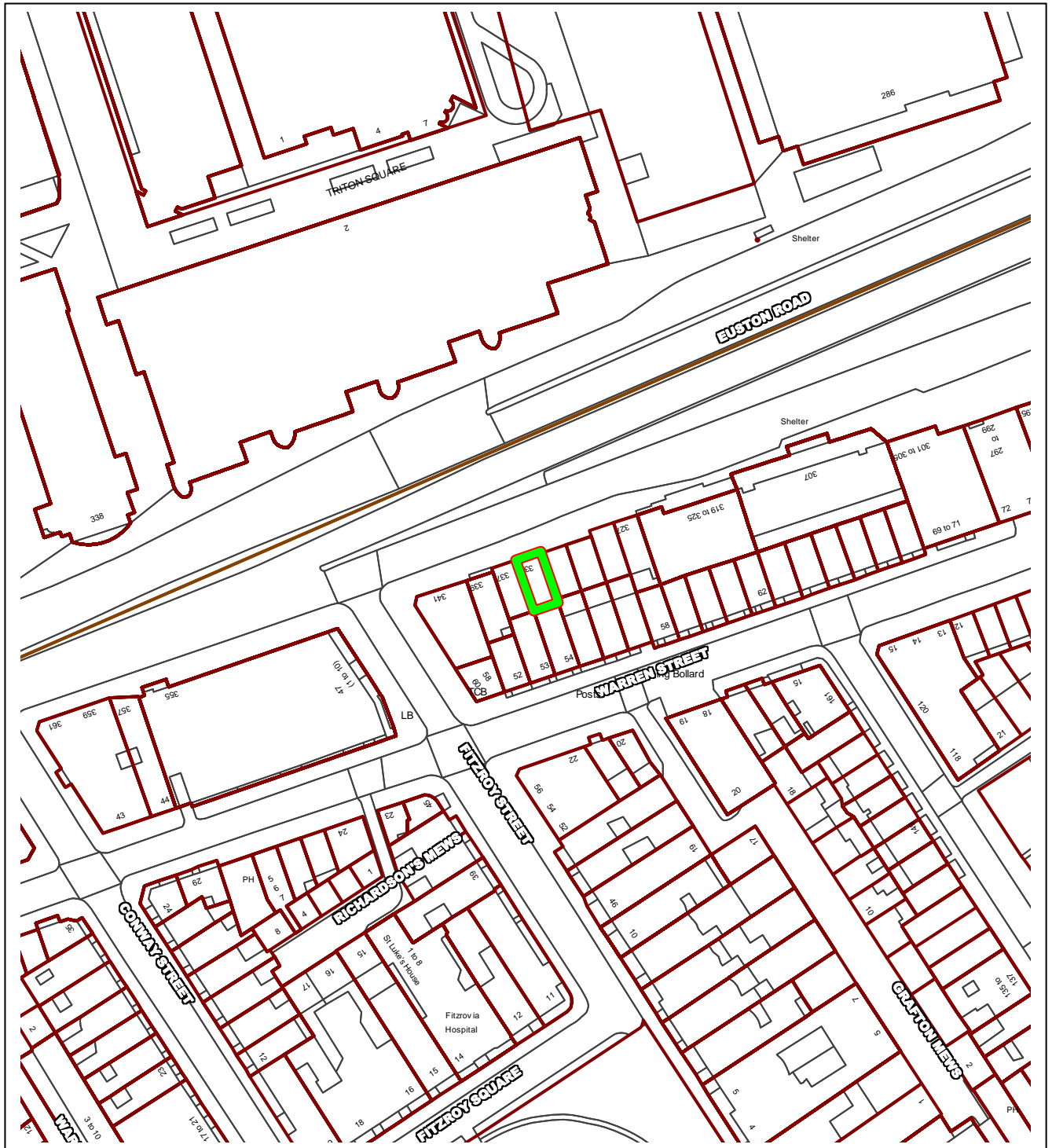


2024/3497/P
335 Euston Road



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2024/3497/P

335 Euston Road

Photos and Plans

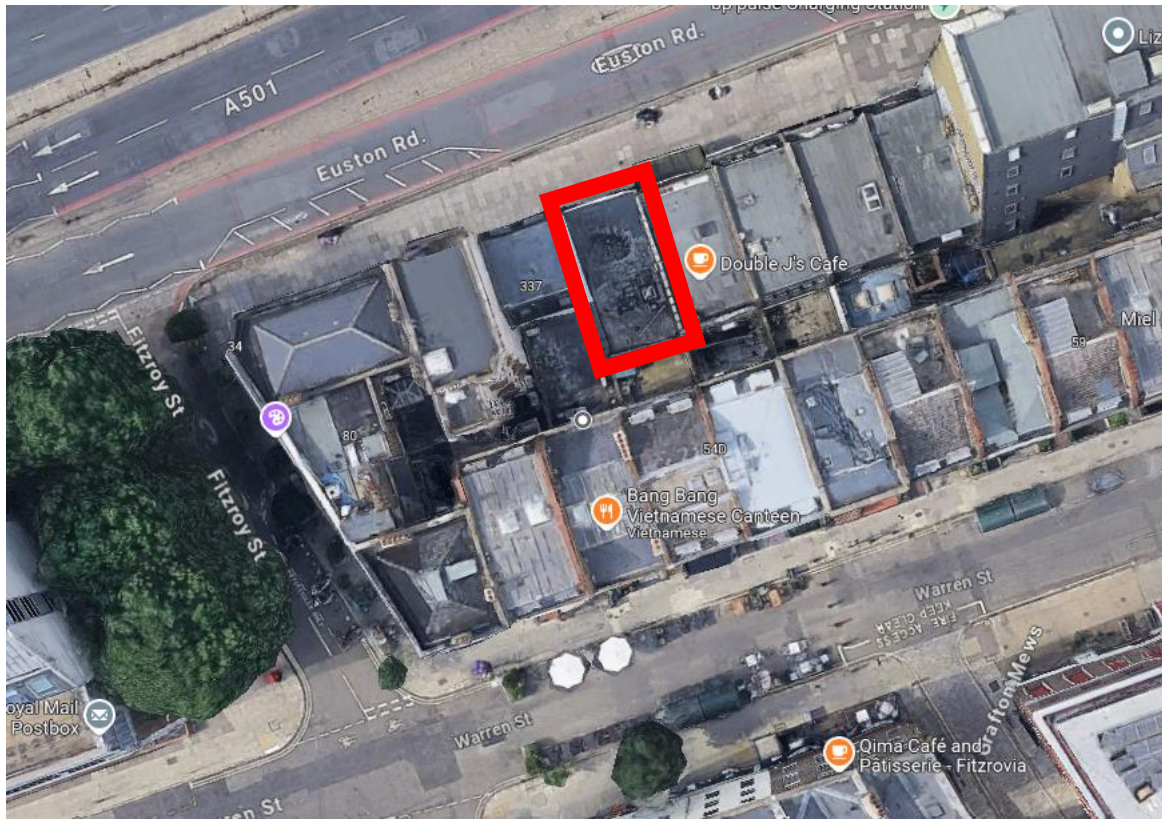


Fig 1. Aerial view of 335 Euston Road.



Fig 2. Existing front elevation.

2024/3497/P

335 Euston Road

Photos and Plans



Fig 3. Proposed front elevation.

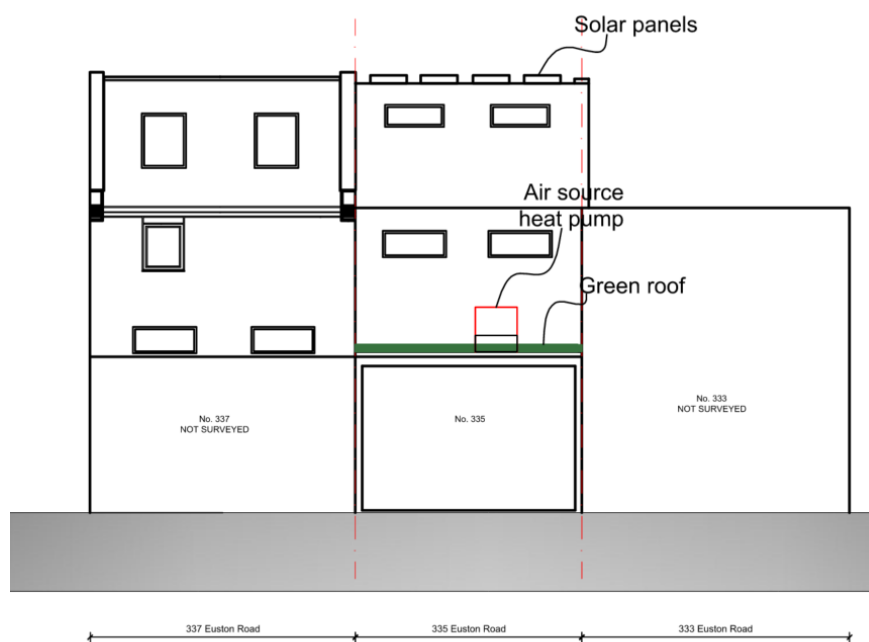


Fig 4. Proposed rear elevation.

2024/3497/P

335 Euston Road

Photos and Plans

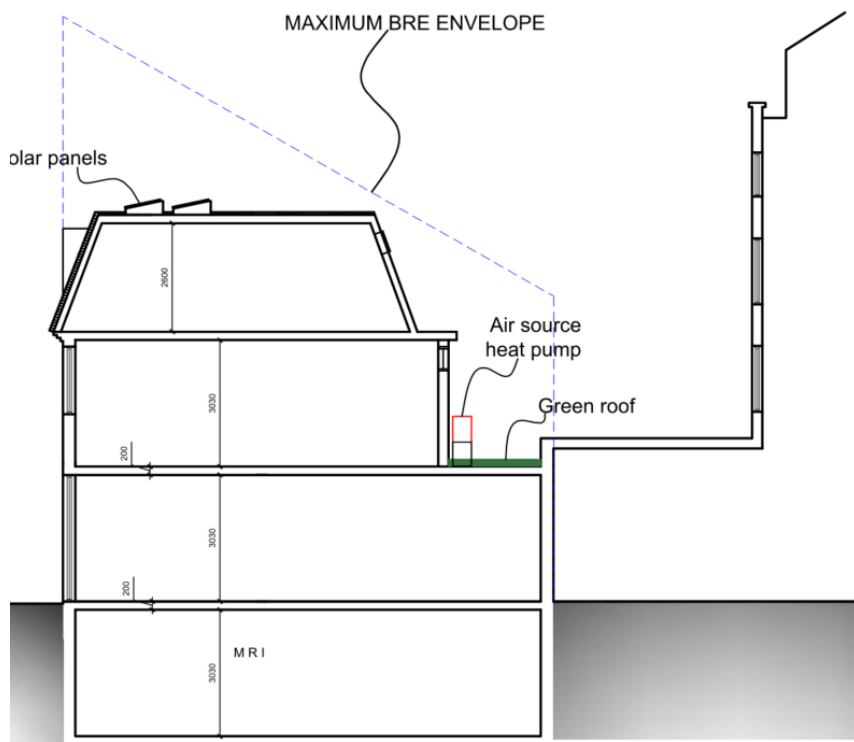


Fig 5. Proposed section, with rear of Warren Street properties on the right.

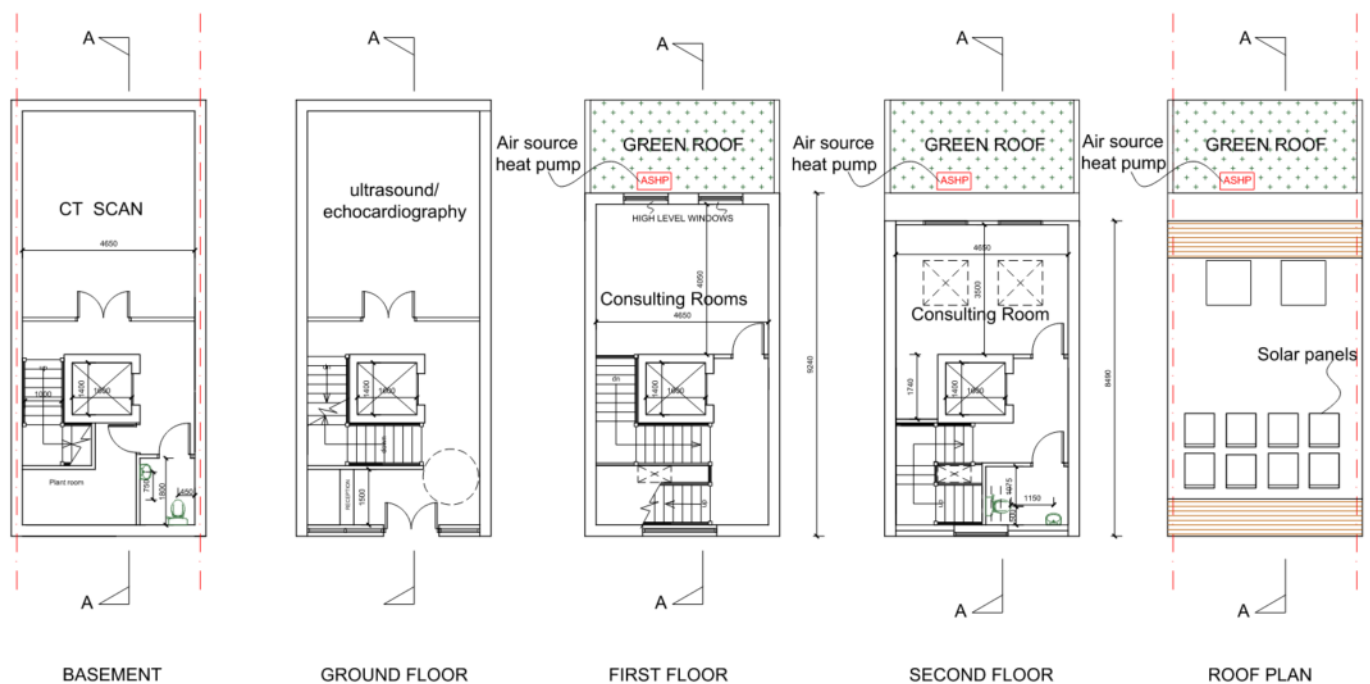


Fig 6. Proposed floor plans.

Delegated Report (Members Briefing)		Analysis sheet		Expiry Date:		16/10/2024	
		N/A / attached		Consultation Expiry Date:		16/09/2024	
Officer				Application Number(s)			
Daren Zuk				2024/3497/P			
Application Address				Drawing Numbers			
335 Euston Road London NW1 3AD				See draft decision notice			
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature				
Proposal(s)							
Demolition of existing single-storey commercial building (Class E); erection of three-storey building with basement for the provision of a medical centre (Class E).							
Recommendation(s):		Grant 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
Summary of consultation responses: (Officer response in italics)		Site Notices were posted near the property and at the front of 54 Warren Street from 23/08/2024 until 16/09/2024. One response objecting to the proposals was received following public consultation. The main reasons for objecting are summarised below: <ul style="list-style-type: none">Submitted drawings provide insufficient information regarding proposed materials, location and design of the rear windows, and the proposed setback of the first floor from the rear of nos.52 and 54 Warren Street.					

	<ul style="list-style-type: none"> No comprehensive design rationale in relation to the impact of the proposed building on the adjacent Conservation area and listed buildings on Warren Street. No clear information on provision of external quench pipes. <p><i>Officer Response:</i></p> <ul style="list-style-type: none"> <i>Refer to Sections 4 (Design and Conservation) and 6 (Amenity) for discussions on design, impact on heritage assets, and impact on neighbouring amenity.</i>
<p>Charlotte Street Association</p> <p><i>(Officer response in italics)</i></p>	<p>The Charlotte Street Association was consulted and provided a response objecting to the proposal. Their comments and concerns are summarised below:</p> <ul style="list-style-type: none"> Impact of the development on existing residential occupiers of nos.52 and 54 Warren Street. Submitted pack lacks sufficient detail to assess impact on heritage assets including the Fitzroy Square Conservation Area and nearby listed buildings. Rear building line of the proposed building does not align with neighbouring no. 337 Euston Road. Concerns regarding noise impacts from use of medical facility and associated plant equipment. Concerns regarding light pollution. <p><i>Officer Response:</i></p> <ul style="list-style-type: none"> <i>Discussions on design and impact on neighbouring heritage assets are discussed in Section 4 (Design and Conservation)</i> <i>Amenity impacts, including on daylight/sunlight, outlook, privacy, light pollution, and noise are discussed in Section 5 (Amenity).</i>

Site Description

The site comprises a single-storey commercial (Class E) building located on the south side of Euston Road, east of the junction with Fitzroy Street. It is located within the Central London Area and on the periphery of the Euston Area Plan. The site also lies within the Fitzrovia Area Action Plan area and is adjacent to the Fitzroy Square Conservation Area.

Relevant History

8700109 – Erection of a new building comprising ground first and second floors for retail with ancillary storage and ancillary office. **Granted 16/07/1987**

337 Euston Road

PS9704369 – The erection of a two-storey extension over the building fronting Euston Road to provide a two-bedroom flat, together with the installation of new timber shopfronts to both frontages. **Granted 14/08/1997**

339 Euston Road

2004/3154/P – Erection of new building with basement, ground and 5 upper floors with front and rear terraces at fifth floor level, with restaurant (Class A3) use at basement and ground floor and 3 self-contained flats above, comprising 1x one bed and 2x two bed maisonettes, following demolition of existing building. **Refused 21/10/2004; Appeal Allowed 18/01/2006**

Relevant Policies

National Planning Policy Framework (2024)

The London Plan (2021)

Camden Local Plan (2017)

- G1 Delivery and Location of Growth
- C1 Health and Wellbeing
- C2 Community Facilities
- E1 Economic Development
- E2 Employment Premises and Sites
- A1 Managing the Impact of Development
- A3 Biodiversity
- A4 Noise and Vibration
- A5 Basements
- A4 Noise and Vibration
- D1 Design
- D2 Heritage
- D3 Shopfronts
- CC1 Climate change mitigation
- CC2 Adapting to climate change
- CC3 Water and Flooding
- CC4 Air Quality

- CC5 Waste
- TC1 Quantity and Location of Retail Development
- TC3 Shops Outside of Centres
- T1 Prioritising Walking, Cycling, and Public Transport
- T2 Parking and Car-free Development
- T3 Sustainable Movement of Goods and Materials

Draft Camden Local Plan

The council published a new Draft Camden Local Plan (incorporating Site Allocations) for consultation in January 2024. Responses to the consultation and a Submission Draft Camden Local Plan (updated to take account of the 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 Council has published the Camden Local Plan Proposed Submission Draft for consultation. The consultation closes on Friday 27 June 2025.

The Submission Draft is a significant material consideration in the determination of planning applications but has limited weight at this stage. The weight that can be given to it will increase as it progresses towards adoption (anticipated 2026).

Camden Planning Guidance

- CPG Air quality (2021)
- CPG Amenity (2021)
- CPG Basements (2021)
- CPG Design (2021)
- CPG Developer contributions (2019)
- CPG Employment sites and business premises (2021)
- CPG Energy efficiency and adaption (2021)
- CPG Planning for health and wellbeing (2021)
- CPG Town centres and retail (2021)
- CPG Transport (2021)
- CPG Water and Flooding (2019)

Fitzrovia Area Action Plan 2014

Assessment

1. Proposal & Background

1.1. Planning permission is sought for removal of the existing single-storey building and erection of a new three-storey (plus basement) building for the provision of a new medical facility (Class E). The basement would be used for MRI scans, the rear of the ground floor for CT scans, and the first and second floors for consulting rooms. At the rear, a green roof is proposed in addition to one air source heat pump (ASHP). PV solar panels are provided at roof level.

1. Revisions

1.1. During the course of the application the proposal was revised following initial Officer comments. These include changes to the front elevation fenestration to better align with existing buildings on the block, as well as including sustainability enhancements with the inclusion of an ASHP, green roof, and PV solar panels.

2. Planning Considerations

2.1. The key considerations material to the determination of this application are as follows:

- Land Use
- Design and Conservation
- Basements
- Amenity
- Transport
- Air Quality
- Sustainability
- Biodiversity

3. Land Use

3.1. The host building is currently in commercial use and is occupied by a retail unit which falls within Class E use. The proposal would demolish the existing single-storey building and erect a three-storey (plus basement) building for use as a medical facility specialising in CT scans and MRI scans (Class E use).

3.2. The application site is not located within a town or neighbourhood centre. Policy TC3 states that the Council will seek to protect shops outside centres and will only grant planning permission for loss of a shop outside a designated centre provided: alternative provision is available within 5-10 minutes' walking distance; there is clear evidence that the current use is not viable; and within the Central London Area, the development positively contributes to local character, function, viability and amenity.

3.3. However, in recent years there have been changes to permitted development rights which mean permission is no longer required for a change of use between retail and medical facility uses. The supporting text to the Local Plan (written before the relevant changes came into effect) acknowledges that the Council cannot apply its planning policies if permitted development rights apply (paragraph 9.15). Taking this into consideration, it is considered that the proposed change in use would not have a harmful impact on the level of retail provision in the area, and the proposed Class E use as a medical facility is considered acceptable.

4. Design and Conservation

4.1. The Council's design policies are aimed at achieving the highest standard of design in all developments, including where alterations and extensions are proposed. Policy D1 of the Local Plan requires development to be of the highest architectural and urban design quality which improves the function, appearance, and character of the area. The Council welcomes high quality contemporary design which responds to its context. Camden's Local Plan Document is supported by Supplementary Planning Guidance CPG (Design). Policy D2 states that the Council will preserve and, where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas.

4.2. Camden's Design CPG emphasises Camden's commitment to design excellence and expects development schemes to consider: the context of a development and its surrounding area; the design of the building itself; the use and function of buildings; using good quality sustainable materials; creating well connected public spaces and good quality public realm; opportunities for promoting health and well-being; and opportunities for improving the character and quality of an area.

New Building

4.3. The proposed three-storey building would have a very similar design, materiality, and massing as the neighbouring building at no.337 Euston Road (see planning history section). At the front the new building features a traditionally detailed ground floor shopfront, matching brick cladding, traditional style timber windows, and a mansard roof with front dormer. At the rear, the building is set back at first-floor level from the rear boundary to mitigate any impacts to neighbouring amenity with regards to overlooking and impacts on light; a green roof is provided on the flat roof portion at rear. The rear elevation features high-level windows at first and second floor levels to future mitigate any privacy impacts to neighbouring occupiers (see Section 6 Amenity).

4.4. The proposal includes the provision of PV solar panels on the new main roof. Given their location and relatively shallow tilt, they will not be immediately visible from the public realm along Euston Road. Thus, they are not anticipated to have an undue impact on the host building, wider street scene, or the neighbouring Conservation Area.

- 4.5. The property is located just north of the Fitzroy Square Conservation Area, with the Conservation Area's northern boundary to the rear of the site. Due to the proposal's relatively small scale and use of matching and appropriate materials (to be secured by condition), the proposal is considered not to unduly impact the character of the adjacent Conservation Area.
- 4.6. The nearest Listed Building to the subject site is located at no.56 Warren Street, which is a Grade II listed mid-terrace building on the northern side of Warren Street. The subject site does not share a boundary or any elevation with the listed building, with no.55 Warren Street and no.333 Euston Road acting as buffer properties. As such, the proposals will not impact the special character or setting of the Grade II listed building.
- 4.7. Overall, the building is considered to be appropriate in design and materiality, positively responding to the immediate area and maintaining a cohesive streetscape appearance with the provision of a traditional shopfront and mansard roof. Limited details of the proposed materiality of the scheme were submitted, thus details of the shopfront, brickwork, roofing and dormer, and all external windows and doors will be secured by condition to ensure suitability and that they relate positively to the surrounding context.

5. Basements

- 5.1. Policy A5 requires basements, by way of their siting, location, scale, and design to have minimal impact on and be subordinate to a host property. The policy also requires that proposed basements demonstrate that they will not cause harm to neighbouring properties; the structural, ground, or water conditions of the area; the character and amenity of the area; the architectural character of the building; and the significance of heritage assets.
- 5.2. The proposed basement complies with all points in relation to the policy requirements. It would be of a single-storey and would not extend beyond the footprint of the new building or have any external manifestations. As such, the proposed basement would be of an adequate size and scale to comply with the design criteria set out in Policy A5 and CPG Basements.
- 5.3. Furthermore, the application is supported by a Basement Impact Assessment (BIA). This was subjected to an independent audit by Campbell Reith (CR). Following their assessment, CR confirmed that the proposed basement complies with Policy A5 and the CPG Basements document. Compliance to the approved BIA will be secured by condition.

6. Amenity

- 6.1. Local Plan Policy A1 seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered. It seeks to ensure that development protects the quality of life of occupiers and neighbours by only granting permission for redevelopment that would not harm the amenity of neighbouring residents. This includes privacy, outlook, daylight,

sunlight and noise. Policy A4 ensures that noise and vibration from is controlled and managed in a way as to not negatively impact neighbouring amenity. CPG (Amenity) provides specific guidance with regards to privacy and outlook.

- 6.2. Consultation responses have been received raising concerns regarding the impact of the new building – specifically sense of enclosure, privacy, noise, daylight/sunlight, and light pollution – to neighbouring occupiers to the south of the subject site on Warren Street.

Sense of Enclosure & Privacy Impacts

- 6.3. To help mitigate overlooking and privacy impacts to neighbouring residential occupiers to the south of the site, the first floor has been set back from the rear boundary by approximately 7.3 metres. Although this is less than the setback of the neighbouring building at no.337 Euston Road (approximately 8.3m), the separation distance is still significant enough to be considered acceptable as it would allow for sufficient outlook for the rear facing windows of the nearest properties on Warren Street. Thus, the proposed separation distance is considered acceptable, and limits impacts on neighbouring amenity while also allowing for a suitably sized new building on the site.
- 6.4. Additionally, the rear elevation has been designed to include high-level windows specifically to minimise any privacy impacts to the Warren Street properties. Given the relatively small size of the windows, they would not result in significant light pollution impacts to neighbouring properties.
- 6.5. Given the acceptable separation distance between the proposed first-floor and the residential properties to the south, as well as the inclusion of high-level small windows to the rear elevation, the proposal is not anticipated to result in significant amenity impacts with regards to sense of enclosure, privacy, or light pollution to neighbouring occupiers.

Noise Impacts

- 6.6. A Noise Impact Assessment was submitted indicating that the noise emitted from the new rooftop plant equipment at the rear would be within the requirements of Local Plan policy A4. Appropriate noise guidelines have been followed within the report such as Noise Policy Statement for England, National Planning Policy Framework (NPPF), Planning Practice Guidance on Noise, and the relevant British Standards for assessing and controlling noise.
- 6.7. The plant noise criteria have been adequately predicted taking into consideration distance losses, surface acoustic reflections and, where applicable, screening provided by the building. The assessment indicates that the proposed installation should be capable of achieving the Camden's environmental noise criteria at the nearest and potentially most affected noise sensitive receptors. The assessment has been reviewed by the Council's Environmental Health Officer who deemed the proposals acceptable in environmental health terms.

Conditions have been added to this permission to ensure that noise from the plant does not exceed the required levels and that appropriate anti-vibration measures are provided.

Daylight/Sunlight Impacts

- 6.8. A Daylight/Sunlight analysis was submitted to assess the potential loss of amenity to neighbouring properties. The analysis was carried out in accordance with the assessment methodologies recommended in the BRE guidelines. Daylight has been assessed using the Vertical Sky Component (VSC) test – the proportion of the sky dome that can be seen from a point in the centre of a window. The BRE guidelines recommend that a main window should retain at least 27% VSC or at least 0.80 times the VSC in the existing conditions. The
- 6.9. Sunlight has been assessed using the Annual Probably Sunlight (APSH) test – the total number of hours in the year that the sun is expected to shine on a window, allowing for average levels of cloudiness. It is recommended that a room retains at least 25% APSH, including at least 5% during the winter months, or at least 0.80 times the APSH received in the existing conditions, or have an absolute reduction in APSH of no more than 4%.
- 6.10. The properties at 329, 331, 333, 337, and 339 Euston Road were included in the analysis, as well as 52 to 56 Warren Street, which were considered to be most likely to be affected by the erection of the new building. The submitted Daylight and Sunlight Assessment concluded that given the location of the subject site to the north of the rear building line of the terrace fronting onto Warren Street, should the proposed development be erected, the daylight received to all neighbouring windows would meet the BRE targets in terms Vertical Sky Component (VSC).
- 6.11. All neighbouring habitable rooms with windows within 90 degrees of due south would continue to receive good levels of sunlight. All gardens and open spaces tested would also meet the BRE recommendations. It is therefore accepted that the proposed development would have an acceptable impact on the amenity of neighbouring properties in terms of loss of light.

7. Transport

- 7.1. For health/medical centres, the cycle parking policy requirement is for 1 space per 5 staff for long stay and 1 per 3 staff for short stay. The applicant has advised that there would be a maximum of 3 members of staff on site at any one time. Given the low numbers of on-site staff, the proposal is below the threshold for long stay cycle parking but would require the provision of 1 short stay cycle parking space. However, given the small amount of short stay cycle parking requirement and the significant constraints of the site, it can be waived in this instance.
- 7.2. Policy T2 states the Council will limit the availability of both off-street and on-street parking and require all new developments in the borough to be car-free. This is to prevent the future occupants from adding to existing on-street parking pressures, traffic congestion and air

pollution whilst encouraging the use of more sustainable modes of transport such as walking, cycling and public transport. To comply with this policy, a s106 legal agreement is required to secure the medical facility as on-street Business parking permit (car) free.

7.3. Given the site's Central London location and frontage on Euston Road, a CMP and associated Implementation Support Contribution of £4,194 and Impact Bond of £8,000 will be secured by means of the S.106 agreement. Whilst a draft CMP has been submitted in support of the application, this will need to be updated once a principal contractor has been appointed and submitted for review to the Council/TfL following local consultation and prior to any works commencing on site.

7.4. TfL Infrastructure Protection was consulted and advised they have no objection in principle to the proposals; however, they noted a number of potential constraints on the redevelopment of the site which is situated in close proximity to underground tunnels and infrastructure. Euston Road is noted as a 'Street of Special Engineering Difficulty' (SED). TfL have noted that the proposal must ensure that:

- Their right of support is not compromised; that the development will not have any detrimental effect on their structures either in the short or long term;
- The design must be such that the loading imposed on our structures is not increased or removed;
- They offer no right of support to the development or land; and
- That A400/Gower Street/ Euston Rd Eastbound on North side of University College Hospital, due to the presence of London Underground tunnels, they are incapable of supporting large vehicle's loads.

7.5. As such, three conditions have been added to the decision notice to ensure that the proposed development does not impact on existing London Underground transport infrastructure.

8. Air Quality

8.1. All of Camden is designated as an Air Quality Management Area due to the high concentrations of nitrogen dioxide (NO₂) and particulate matter (P10). Camden Local Plan policy CC4 seeks to ensure the impact of development on air quality is mitigated and ensures that exposure to poor air quality is reduced in the Borough. The air quality along Euston Road is identified as particularly severe.

8.2. An Air Quality Assessment (AQA) has been submitted and reviewed by the Council's Sustainability Officer. The submitted details indicate that the building will be heated by an air source heat pump, and that there is no on-site parking, so therefore the proposal is not considered to have a negative impact in terms of air quality on the local area and will be air quality neutral.

- 8.3. The AQA states that the potential for exposure of future site users to exceedances of the AQO was assessed based on local monitoring results, predicted background concentrations, proximity to pollution sources and AQMA designations. This indicated that concentrations of PM10, and PM2.5 are likely to be below the relevant AQO at the site. Concentrations of NO2 could be above both the annual mean and hourly mean AQO's. Therefore, mechanical ventilation is highly recommended to mitigate the potential effects.
- 8.4. The AQA does not include site specific modelling which should have included 2023 data or that collected from other nearby streets (automatic and diffusion tubes). In particular, data from the Euston Road automatic monitoring station has not been included, which recorded concentrations of 46ug/m3 in 2023 and 45 ug/m3 in 2022. The collocated diffusion tube monitoring at this site recorded similarly highly in the last few years: 47.52ug/m3 in 2023, 43.15 in 2022. Therefore, it is considered that the AQA has not adequately assessed the air quality at the location of the air inlets for MVHR despite stating it is indicated that concentrations of NO2 could be above the annual and hourly means. It is not clear where the location of the inlets for the MVHR would be, and the pollution levels at those location, and therefore whether air filtration is required for the ventilation units. A condition is therefore required for a revised AQA to be submitted post-permission including site specific monitoring pre-commencement of the development and a condition that secures MVHR with filtration if required.
- 8.5. The proposal is considered to have a medium risk of dust during demolition and construction and should install at least two real time dust monitors, with the mitigation measures being secured through the associated CMP. A condition has been added requiring air quality monitoring be implemented at the site, and that no development shall take place until real time dust monitors appropriate to the dust risk have been installed.

9. Sustainability

- 9.1. Policy CC1 of the Local Plan requires all development to minimise the effects of climate change. The Council require all development to reduce carbon dioxide emissions through following the steps in the energy hierarchy. All new build non-domestic development is required to demonstrate the greatest possible reduction below Part L of 2013 Building Regulations. Policy CC1 requires schemes of this size to incorporate renewables where feasible.
- 9.2. Policy CC1 also requires all proposals that involve substantial demolition to demonstrate that it is not possible to retain and improve the existing building. All proposals for substantial demolition and reconstruction should be fully justified in terms of the optimisation of resources and energy use, in comparison with the existing building. Where it is demonstrated to the Council's satisfaction that demolition is justified, a pre-demolition audit secured by condition is required to be submitted, which shows that 95% of construction and demolition waste will be

diverted from landfill and 95% of excavation waste will be put to beneficial uses, as per the requirement of the London Plan policy SI7.

Principle of Demolition

- 9.3. The proposed development includes the full demolition of the existing single-storey building on the site. A Condition and Feasibility Study has been provided and reviewed by Officers. The report outlined that the existing building features solid wall construction 225mm thick with no insulation contained within the structure. The floor construction is an uninsulated ground bearing concrete slab. The flat roof is of timber construction, also with no insulation.
- 9.4. The report has concluded that it is not feasible to retain the existing building as part of redevelopment of the site. The main factors include the fact that the existing building is extremely deficient in insulation, with upgrades not being practicable given that a basement is proposed which would necessitate the complete removal of the ground floor slab. Additionally, the existing roof construction is not designed to take additional loads from new floors and would also need to be fully removed as part of any upwards extension.
- 9.5. Given that any basement or upwards extension of the property would require significant removal of existing building structural fabric, it is considered that full demolition of the existing property is accepted in this instance. To ensure greater resource efficiency through recycling and reuse of materials, a condition is attached requiring 95% of construction and demolition waste to be reused, recycled, or recovered, and 95% of excavation waste to be put to beneficial use.

Whole Life Carbon

- 9.6. The Whole-Life Carbon (WLC) emissions are the total carbon emissions resulting from the construction and the use of a building over its entire life (this is assessed as 60 years), and it includes its demolition and disposal. This is split into modules that assess each stage of the building's life. The A-Modules concentrate on the emissions from the building materials (A1-A3 extraction, supply, transport and manufacture) and the construction stages (A4-A5 transport, construction and installation). The B-Modules concentrate on the use stage of the building (B1-B5 use, maintenance, repair, replacement, refurbishment), but the modules that deal with operational energy and water use are excluded (B6-B7). This is because they are "regulated emissions" and so are considered separately and in detail in relation to the zero-carbon target (see the "Energy and carbon reductions" section below).
- 9.7. The C-Modules deal with the end-of-life stage of the building (C1-C4 deconstruction demolition, transport to disposal, waste processing for reuse, recovery or recycling, disposal).
- 9.8. Carbon sequestration is when carbon dioxide is removed from the atmosphere and held in materials, for example the carbon absorbed by trees as they grow and locked in timber until

the end of its life. It is important to consider this in the end-of-life phase because the carbon is released again at the end of its life (when it decomposes), so it is included in the total A-C-Modules.

9.9. The GLA WLC assessment guidance sets out minimum benchmarks for different building typologies per square meter of gross internal area in kilograms of carbon equivalent (kgCO₂e/m² GIA). It also encourages development to aim for more ambitious aspirational benchmarks. The table below shows how the development performs against the benchmarks, as well as the aspirational targets for office use, which aligns with the proposed medical use of the new building.

Modules	Min benchmark OFFICES (kgCO ₂ e/m ² GIA)	Aspirational Benchmark for OFFICES (kgCO ₂ e/m ² GIA)	Proposal (kgCO ₂ e/m ² GIA)
A1-A5	<950	<600	426.2
B-C (excl B6 & B7)	<450	<370	382.6
Total A-C (excl B6&B7 but inc sequestration)	<1400	<970	751.4

9.10. The submitted Whole Life Carbon Assessment has been reviewed by the Council's Sustainability Officer and sufficient and compliant with policy and guidance. The new development meets the benchmarks for all modules and exceed the aspirational benchmarks for modules A1-A5 (product sourcing and construction stage) and Total A-C. A condition is attached to ensure a post construction assessment of WLC is completed and provided for monitoring and compliance.

Energy and Carbon Reductions

9.11. To minimise operational carbon, development should follow the energy hierarchy in the London Plan (2021) Chapter 9 (particularly Policy SI2 and Figure 9.2). The first stage of the energy hierarchy is to reduce demand (be lean), the second stage is to supply energy locally and efficiently (be clean), and the third step is to use renewable energy (be green). The final step is to monitor, verify and report on energy performance (be seen).

9.12. The Local Plan requires all minor commercial new builds to provide the maximum possible reduction on site, following the energy hierarchy. In this case, the development achieves an excellent overall on-site reduction of 50% below Part L requirements, as shown in the table below.

- 9.13. In terms of Be Clean, provision of combined heat and power (CHP) equipment and a connection to district heat networks are unsuitable given there is no district heating network in the immediate area.
- 9.14. In terms of Be Green, the use of an ASHP is proposed in addition to a centralised VRF system to provide space heating via an air-to-heat pump system. A condition is imposed to require that the air source heat pump not be used for air conditioning, as active cooling is discouraged in Camden. The proposal also includes the provision of 8no. PV panels on the roof.
- 9.15. In terms of Be Lean, active and passive design measures have been maximised where feasible and include highly efficient building fabric with proposed U-values of between 0.14-0.18, and high efficiency LED lighting with average efficacies of 125 lm/W with PIR and daylight sensors. Additional measures include maximising solar gain, while utilising double low emissivity (Low-E) glazing to control the solar gains. Mechanical Ventilation with Heat Recovery (MVHR) is proposed to provide continuous air changes with minimal heat loss. The system will run continuously and will be automatically controlled through a humidistat sensor for any purge ventilation and boost ventilation rates when needed. A summer bypass is also proposed whereby the heat exchanger is bypassed at times of high internal temperatures to provide fresh air directly to internal rooms without being pre-warmed. This is considered an acceptable approach to cooling the building.

Energy Strategy	<i>Non-residential new build</i>		
	Total tCO2	Stage Reduction, tCO2	Stage Reduction, %
Baseline	1.06	N/A	N/A
Be Lean	0.78	0.3	26.4% (target >15%)
Be Clean	0.78	N/A	N/A
Be Green	0.53	0.3	32.1% (target >20%)
Total	0.53	0.5	50% (max possible)

Climate Change Adaptation and Sustainable Design

- 9.16. The proposal includes sustainable drainage and biodiverse, blue, or green roofs. Active cooling is not proposed through the use of the ASHP, and the proposal uses passive measures such as high-performance glass and aspects to avoid or minimise active cooling (air conditioning) in line with policy CC2.
- 9.17. Local Plan policy CC3 and London Plan policy SI12 and SI13 also seeks to ensure development does not increase flood risk, reducing the risk of flooding where possible. Development should incorporate sustainable drainage systems (SuDS) and water efficiency measures.

9.18. In this case, the development incorporates the provision of a green roof on the rear portions of the new building's roof, which would enhance the site's biodiversity and reduce water runoff. A condition has been added to secure details of this system. A condition has also been added to secure water efficiency measures, ensuring a maximum internal water use of 105 litres per day (plus an additional 5 litres for external water use).

Flood Risk and Drainage

9.19. The site is not within a local flood risk zone or a previously flooded street, but is located in an area with potential for groundwater flooding which was considered through the Basement Impact Assessment review. In order to reduce the risk of flooding on site, a green roof has been added on the rear flat roof, the details of which will be secured by condition. The addition of a green roof will assist with water management while also increasing biodiversity on site.

10. Conclusion and Recommendation

10.1. As such, the proposed development is in general accordance with policies G1, C1, C2, C6, E1, E2, A1, A3, A4, A5, D1, D2, D3, CC1, CC2, CC4, TC1, TC3, T1, T2, and T3 of the Camden Local Plan 2017 and principles 3, 4, 6, 9, and 10 of the Fitzrovia Area Action Plan 2014. The proposed development also accords with the Draft Camden Local Plan, the London Plan 2021, and the National Planning Policy Framework 2024.

10.2. It is recommended the application be granted conditional planning permission subject to a S.106 agreement with the following heads of terms:

- Construction Management Plan (CMP)
- CMP Implementation Support Contribution £4,194
- CMP Impact Bond £8,000
- Business Parking permit (car-free)

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: 2024/3497/P
Contact: Daren Zuk
Tel: 020 7974 3368
Date: 18 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/planning

The Gillett Macleod Partnership
1 High Road
Old Eastcote
Pinner
HA5 2EW

Dear Sir/Madam

FOR INFORMATION ONLY - THIS IS NOT A FORMAL DECISION

Town and Country Planning Act 1990 (as amended)

DECISION SUBJECT TO A SECTION 106 LEGAL AGREEMENT

Address:
335 Euston Road
London
NW1 3AD

Proposal:

Demolition of existing single-storey commercial building (Class E); erection of three-storey building with basement for the provision of a medical centre (Class E).

Drawing Nos:

Existing Drawings
22/3519/1, 22/3519/20, 22/3519/22, 22/3519/23

Proposed Drawings
22/3519/21 Rev C, 22/3519/24 Rev E, 22/3519/25 Rev E

Supporting Documents

Design and Access Statement (prepared by Gillett Macleod, dated 14 August 2024); Daylight and Sunlight Report (prepared by Right of Light Consulting, dated 11 January 2023); Noise Impact Assessment (prepared by Timbral Ltd., dated 8 August 2024); Construction Noise Assessment (prepared by Timbral Ltd., dated 8 August 2024); Energy and Sustainability Statement Rev C (prepared by SRE, dated 6 December 2024); Air Quality Assessment (prepared by NoiseAir, dated 9 May 2024); Demolition and Feasibility Study (prepared by Gillett Macleod, dated 22 November 2024); Whole Life Carbon Assessment (prepared by SRE, dated 16 July 2024); SBEM Specifications Summary Rev C (prepared by SRE, dated 5 December 2024); Basement Impact Assessment Rev 1 (prepared by CGL, dated January 2025); BIA Supplementary Letter (prepared by CGL, dated 23 May 2025); Basement Impact Assessment Audit (prepared by Campbell Reith, dated June 2025)

The Council has considered your application and decided to grant permission subject to the conditions and informatives (if applicable) listed below **AND** subject to the successful conclusion of a Section 106 Legal Agreement.

The matter has been referred to the Council's Legal Department and you will be contacted shortly. If you wish to discuss the matter please contact **Aidan Brookes** in the Legal Department on **020 7974 1947**.

Once the Legal Agreement has been concluded, the formal decision letter will be sent to you.

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:

Existing Drawings

22/3519/1, 22/3519/20, 22/3519/22, 22/3519/23

Proposed Drawings

22/3519/21 Rev C, 22/3519/24 Rev E, 22/3519/25 Rev E

Supporting Documents

Design and Access Statement (prepared by Gillett Macleod, dated 14 August 2024); Daylight and Sunlight Report (prepared by Right of Light Consulting, dated 11 January 2023); Noise Impact Assessment (prepared by Timbral Ltd., dated 8 August 2024); Construction Noise Assessment (prepared by Timbral Ltd., dated 8 August 2024); Energy and Sustainability Statement Rev C (prepared by SRE, dated 6 December 2024); Air Quality Assessment (prepared by NoiseAir, dated 9 May 2024); Demolition and Feasibility Study (prepared by Gillett Macleod, dated 22 November 2024); Whole Life Carbon Assessment (prepared by SRE, dated 16 July 2024); SBEM Specifications Summary Rev C (prepared by SRE, dated 5 December 2024); Basement Impact Assessment Rev 1 (prepared by CGL, dated January 2025); BIA Supplementary Letter (prepared by CGL, dated 23 May 2025); Basement Impact Assessment Audit (prepared by Campbell Reith, dated June 2025)

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

- 3 Before the relevant part of the work is begun, detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority:
 - a) Before the brickwork is commenced, a sample panel of the facing brickwork demonstrating the proposed colour, texture, face-bond and pointing shall be provided on site.
 - b) Details including sections at 1:10 of all windows (including jambs, head and cill), ventilation grills, and external doors;

- c) Plan, elevation and section drawings, including fascia, cornice, pilasters and glazing panels of the new shopfronts at a scale of 1:10;
- d) Details (at a scale of no less than 1:20) for the front dormer.
- e) Samples and/or manufacturer's details of new facing materials for the mansard roof.

The relevant part of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course of the works.

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 No lights, meter boxes, flues, vents or pipes, and no telecommunications equipment, alarm boxes, television aerials, satellite dishes or rooftop 'mansard' rails shall be fixed or installed on the external face of the buildings.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with policies D1 and D2 of the London Borough of Camden Local Plan 2017.

- 5 Prior to commencement of development, full details in respect of the living 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 living roofs 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.

- 6 The development hereby approved shall not commence until such time as a suitably qualified chartered engineer with membership of the appropriate professional body has been appointed to inspect, check for compliance with the design (as approved by the local planning authority and building control body) and monitor the critical elements of both permanent and temporary basement construction works throughout their duration. Details of the appointment and the appointee's responsibilities shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. Any subsequent change or reappointment shall be confirmed forthwith for the duration of the construction works.

Reason: To ensure proper consideration of the structural stability of neighbouring buildings and to safeguard the appearance and character of the immediate area in accordance with the requirements of policies D1, D2, and A5 of the London Borough of Camden Local Plan 2017.

- 7 The development shall not be carried out other than in strict accordance with the methodologies, recommendations and requirements of the Basement Impact Assessment Rev 1 (prepared by Card Geotechnics Limited, dated January 2025) and Basement Impact Assessment Audit (prepared by Campbell Reith, dated June 2025) hereby approved, and the confirmation at the detailed design stage that the damage impact assessment would be limited to Burland Category 1.

Reason: To ensure proper consideration of the structural stability of neighbouring buildings and to safeguard the appearance and character of the immediate area in accordance with the requirements of policies D1, D2, and A5 of the London Borough of Camden Local Plan 2017.

- 8 The external noise level emitted from plant, machinery or equipment at the development with specified noise mitigation hereby approved shall be lower than the typical existing background noise level by at least 10dBA, 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 and thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the development site/surrounding premises are not adversely affected by noise from mechanical installations/ equipment in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

- 9 Prior to use, machinery, plant or equipment at the development 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 ensure that the amenity of occupiers of the development site and surrounding premises is not adversely affected by vibration in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

- 10 The development hereby approved shall achieve a maximum internal water use of 110litres/person/day. The dwelling/s 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.

- 11 Prior to first use of the air source heat pumps hereby approved, the active cooling function shall be disabled on the factory setting and the air source heat pumps shall be used for the purposes of heating only.

Reason: To ensure the proposal is energy efficient and sustainable in accordance with policies CC1 and CC2 of the London Borough of Camden Local Plan 2017.

- 12 Before the demolition stage begins, no works shall be carried out until the following, in consultation with TfL Infrastructure Protection, have been submitted to and approved in writing by the local planning authority.
- a) provide details of demolition including design and Risk Assessment Method Statement (RAMS);
 - b) provide details of associated temporary works including design and RAMS;
 - c) identify and accommodate existing London Underground structures in the vicinity of the proposed development;
 - d) provide details of changes in loading to LU's infrastructure considering sequence of works;
 - e) provide an assessment of ground movement impact on London Underground structures and tunnels due to temporary and potential long term changes in loading for the demolition stage;
 - f) mitigate the effects of noise and vibration on and arising from adjoining railway operations.

Reason: To ensure that the development does not impact on existing London Underground transport infrastructure, in accordance with the London Plan 2021 Policy T3 and 'Land for Industry and Transport' Supplementary Planning Guidance 2012.

- 13 Before the sub-structure construction stage begins, no works shall be carried out until the following, in consultation with TfL Infrastructure Protection, have been submitted to and approved in writing by the local planning authority.
- a) provide details of demolition, excavation and associated temporary works including design and RAMS;
 - b) provide details of foundations, basement and ground floor structures, or for any other structures below ground level, including piling (temporary and permanent) including design and RAMS;
 - c) provide details of changes in loading to LU's infrastructure considering sequence of works;
 - d) provide an assessment of ground movement impact on London Underground structures and tunnels due to temporary and potential long-term changes in loading for the sub-structure construction stage;
 - e) mitigate the effects of noise and vibration on and arising from the adjoining railway operations - an assessment in relation to the basement construction should be provided in accordance with the London Plan 2021 Policy D10;

Reason: To ensure that the development does not impact on existing London Underground transport infrastructure, in accordance with the London Plan 2021 Policy T3 and 'Land for Industry and Transport' Supplementary Planning Guidance 2012

- 14 Before the super-structure construction stage begins, no works shall be carried out until the following, in consultation with TfL Infrastructure Protection, have been submitted to and approved in writing by the local planning authority.
- a) provide details of super-structure including design and RAMS;
 - b) provide details of associated temporary works including design and RAMS;
 - c) provide details of changes in loading to LU's infrastructure considering sequence of works;

- d) provide an assessment of ground movement impact on London Underground structures and tunnels due to temporary and permanent changes in loading for the super-structure construction stage;
- e) mitigate the effects of noise and vibration on and arising from the adjoining railway operations - an assessment of the effects from ground borne noise and vibration to the occupants of the building should be provided.

Reason: To ensure that the development does not impact on existing London Underground transport infrastructure, in accordance with the London Plan 2021 Policy T3 and 'Land for Industry and Transport' Supplementary Planning Guidance 2012.

- 15 Prior to commencement, a revised Air Quality Assessment report, written in accordance with the relevant current guidance, for the existing site and proposed development shall be submitted to and approved by the Local Planning Authority.

The assessment shall assess the current baseline situation in the vicinity of the proposed development. The report shall include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the content and recommendations.

If required a scheme for air pollution design solutions or mitigation measures based on the findings of the report shall be submitted to and approved by the Local Planning Authority prior to development.

The approved design or mitigation scheme shall be constructed and maintained in accordance with the approved details.

Reason: To protect the amenity of residents in accordance with London Borough of Camden Local Plan Policy CC4 and London Plan policy SI 1.

- 16 Prior to commencement of development excluding demolition and site preparation works, full details of the mechanical ventilation system including:

- a) air inlet locations. Air inlet locations should be located away from busy roads and any other emission sources and as close to roof level as possible, to protect internal air quality.
- b) where appropriate NO₂ and Particulate filtration system on the mechanical ventilation intake has been installed and a detailed mechanism to secure maintenance of this system shall be submitted to and approved by the local planning authority in writing.
- c) the development shall thereafter be constructed and maintained in accordance with the approved details.

Reason: To protect the amenity of residents in accordance with London Borough of Camden Local Plan Policy CC4 and London Plan policy SI 1.

- 17 Air quality monitoring should be implemented on site. No development shall take place until real time dust monitors appropriate to the dust risk have been installed:
- a. prior to installing monitors, full details of the air quality monitors have been submitted to and approved by the local planning authority in writing. Such details shall include the location, number and specification of the monitors, including evidence of the fact that they will be installed in line with guidance outlined in the GLA's Control of Dust and Emissions during Construction and Demolition Supplementary Planning Guidance;
 - b. a confirmation email should be sent to airquality@camden.gov.uk no later than one day after the monitors have been installed with photographic evidence in line with the approved details.
 - c. prior to commencement, a baseline monitoring report including evidence that the monitors have been in place and recording valid air quality data for at least 3 months prior to the proposed implementation date shall be submitted to the Local Planning Authority and approved in writing.

The monitors shall be retained and maintained on site in the locations agreed with the local planning authority for the duration of the development works, monthly summary reports and automatic notification of any exceedances provided in accordance with the details thus approved. Any changes to the monitoring arrangements must be submitted to the Local Planning Authority and approved in writing.

Reason: To safeguard the amenity of adjoining premises and the area generally in accordance with the requirements of policies A1 and CC4 of the London Borough of Camden Local Plan Policies.

- 18 Prior to commencement of the development, a waste management plan shall be submitted demonstrating how 95% of construction and demolition waste will be reused/recycled/recovered and 95% of excavation waste used for beneficial purposes. The plan shall thereafter be delivered in accordance with the approved details.

Reason: To ensure all development optimise resource efficiency in accordance with policy CC1 of the London Borough of Camden Local Plan Policies and to reduce waste and support the circular economy in accordance with policy SI 7 of the London Plan 2021.

- 19 Prior to the occupation of the development the post-construction tab of the GLA's Whole Life-Cycle Carbon Assessment template should be completed in line with the GLA's Whole Life-Cycle Carbon Assessment Guidance. The post-construction assessment should be submitted to

ZeroCarbonPlanning@london.gov.uk; and
SustainabilityPlanning@camden.gov.uk

along with any supporting evidence as per the guidance.

Reason: In the interests of sustainable development and to maximise on-site carbon dioxide savings in accordance with Camden Local Plan policies CC1, CC2, CC3, and CC4, and London Plan policies, SI1, SI2, SI3, SI4, SI5 and SI7.

- 20 No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure, and the programme for the works) and piling layout plan including all Thames Water clean water assets, the local topography and clearance between the face of the pile to the face of a pipe has been submitted to and approved in writing by the Local Planning Authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement and piling layout plan.

Reason: The proposed works will be in close proximity to underground water utility infrastructure. Piling has the potential to impact on local underground water utility infrastructure. Please read Thames Water's guide 'working near our assets' to ensure your workings will be in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures.

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 Your proposals may be subject to control under the Party Wall etc Act 1996 which covers party wall matters, boundary walls and excavations near neighbouring buildings. You are advised to consult a suitably qualified and experienced Building Engineer.
- 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 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.
- 6 You are advised the developer and appointed / potential contractors should take the Council's guidance on Construction Management Plans (CMP) into consideration prior to finalising work programmes and must submit the plan using the Council's CMP pro-forma; this is available on the Council's website or contact the Council's Planning Obligations Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444). No development works can start on site until the CMP obligation has been discharged by the Council and failure to supply the relevant information may mean the council cannot accept the submission as valid, causing delays to scheme implementation. Sufficient time should be afforded in work plans to allow for public liaison, revisions of CMPs and approval by the Council.
- 7 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. Camden adopted new CIL rates in October 2020 which can be viewed at the above link.
- 8 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.
- 9 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 it is below the de minimis threshold.

10 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).

11 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 paragraph 38 of the National Planning Policy Framework 2024.

You can find advice about your rights of appeal at:

<https://www.gov.uk/appeal-planning-decision>.

Yours faithfully

Supporting Communities Directorate