

# 2026/0376/P, Flat 3, 47 Netherhall Gardens



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2026-0376-P Flat 3 47 Netherhall Gardens - Photos & Drawings

3D Aerial Image (Google Maps) of site, 47 Netherhall Gardens

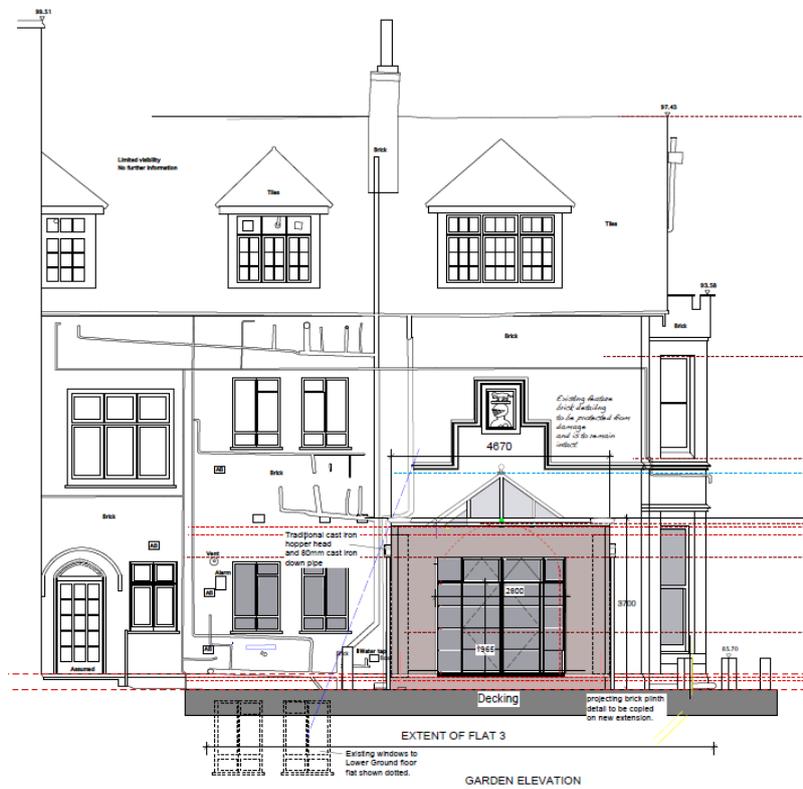


**EXISTING REAR VIEW**

# Existing Rear Elevation



# Proposed Rear Elevation

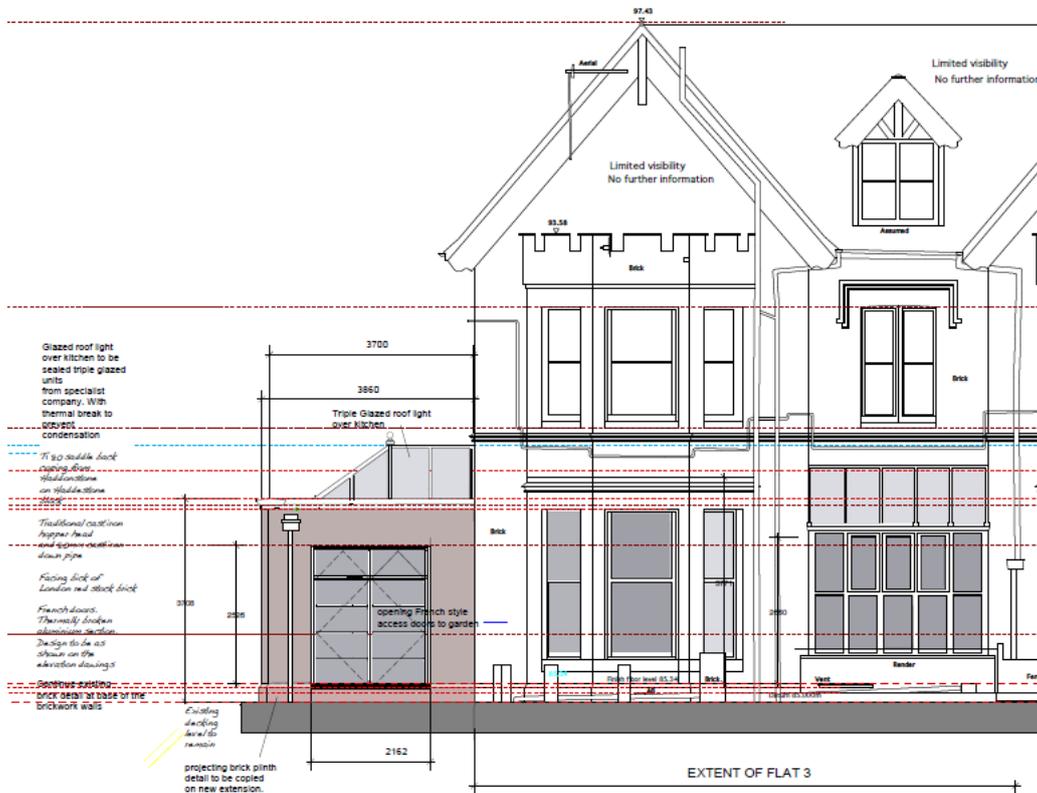


# Existing Side Elevation



SIDE ELEVATION

# Proposed Side Elevation



PROPOSED SIDE ELEVATION LOOKING FACING GARDEN WITH GARDEN ACCESS



<b>Delegated Report</b> Members Briefing		<b>Analysis sheet</b>	<b>Expiry Date:</b>	<b>01/04/2026</b>
		N/A	<b>Consultation Expiry Date:</b>	<b>08/03/2026</b>
<b>Officer</b>			<b>Application Number(s)</b>	
Matthew Kitchener			2026/0376/P	
<b>Application Address</b>			<b>Drawing Numbers</b>	
Flat 3 47 Netherhall Gardens London NW3 5RJ			See draft decision notice	
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>	
<b>Proposal(s)</b>				
Removal of rear semi-circular bay window and erection of a single storey rear extension with roof lantern				
<b>Recommendation(s):</b>	<b>Grant conditional full planning permission</b>			
<b>Application Type:</b>	<b>Full Planning Application</b>			

<b>Informatives:</b>	Refer to decision notice			
<b>Consultations</b>				
<b>Adjoining Occupiers:</b>	No. of responses	<b>01</b>	No. of objections	<b>00</b>
<b>Summary of consultation responses:</b> <i>(Officer's response in italics)</i>	<p>A site notice was displayed 06/02/2026 which expired 02/03/2026.  A press notice was published 12/02/2026 which expired 08/03/2026.</p> <p>No objections were received during the determination process. One comment was received from a neighbour at Flat 1:</p> <ul style="list-style-type: none"> <li>• The plans submitted seem to leave out our kitchen window which looks onto the garden area of Flat 3, that will be renovated. We assume the council will pick this up.</li> <li>• This should not be interpreted as an objection, merely a comment of clarification.</li> </ul> <p><i>This comment is addressed in Section 3.2.</i></p>			
<b>Other responses:</b>	<p>The Fitzjohns Netherhall Conservation Area Advisory Committee were notified, but they made no comment.</p> <p>The Belsize Society objected to the proposal as follows:</p> <ul style="list-style-type: none"> <li>• This glazed bay with leaded roof (to be removed) is a fine and characterful feature of the Conservation Area and should be preserved. If it requires conservation and repair that is normal for buildings of this age and is never a reason for simple removal.</li> <li>• It is unreasonable to state this feature is beyond economic repair without detailed justification. It should be repaired and where this is not possible, replacement of parts with like-for-like materials and detailing.</li> <li>• The loss of this feature erodes the character of the conservation area.</li> </ul> <p><i>These points are addressed in Section 2.</i></p>			

## Site Description

The site comprises a four-storey building located on the northern side of Netherhall Gardens and is occupied by a number of residential flats and maisonettes. The property is located within the Fitzjohn's Netherhall Conservation Area and is identified as a building that makes a positive contribution to the conservation area.

The application relates to the ground floor flat (Flat 3). It relates to the rear elevation where a semi-circular bay with a pitched leaded roof is to be replaced.

## Relevant History

### Application Site:

None relevant

### Flat 1, 47 Netherhall Gardens

**2011/0135/P** - Erection of a single storey rear ground floor extension, replacement of rear 1st floor window with door, erection of railings and trellis in association with the use of the new flat roof as a terrace to maisonette. **Granted 07/03/2011**

## Relevant policies

### **National Planning Policy Framework 2024**

### **The London Plan 2021**

### **Camden Local Plan 2017**

D1 - Design

D2 - Heritage

A1 – Managing the Impact of Development

### **Camden Planning Guidance**

CPD Amenity (2021)

CPG Design (2021)

CPG Home Improvements (2021)

### **Fitzjohns Netherhall Conservation Area Appraisal and Management Strategy 2022**

### **Draft Camden Local Plan**

The Proposed Submission Draft Camden Local Plan was submitted to the Secretary of State for Housing, Communities and Local Government on the 3 October 2025 for independent examination, in accordance with Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). The Plan will now be examined by a Planning Inspector.

The Proposed Submission Draft Local Plan 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 an emerging plan increases as it progresses towards adoption. In line with paragraph 49 of the NPPF, the degree of weight to be given is a matter for the decision-maker, having regard to the stage of preparation, the extent of unresolved objections, and the consistency of the draft policies with

the NPPF. Having examined the emerging policies, I am of the opinion that there is no material difference that would alter the Council's approach and decisions.

## Assessment

### 1.0. Proposal

- 1.1 It is proposed to remove the existing semi-circular rear bay window with lead roof and to erect a replacement brick built single storey rear extension with a roof lantern.
- 1.2 The proposed extension is 3.86m deep, 4.67m wide and 3.7m to the eaves height of the parapet roof. The proposed extension is adjacent to the kitchen of the host flat and it is set back 4.5m from the boundary with the adjoining ground floor flat.
- 1.3 The planning issues which are considered to be relevant in this case are:
  - Design and Heritage
  - Amenity
  - Trees and Biodiversity

### 2.0 Design and Heritage

- 2.1 The Local Plan policies D1 (Design) and D2 (Heritage) are aimed at achieving the highest standard of design in all developments. Policy D1 requires development to be of the highest architectural and urban design quality, which improves the function, appearance and character of the area; and Policy D2 states that the Council will preserve, and where appropriate, enhance Camden's rich and diverse heritage assets and their settings. Neighbourhood Plan policy DH1 and DH2 requires proposals to be well integrated into their surroundings and reinforce and enhance local character and draw upon key aspects of character from the surrounding area.
- 2.2 In addition to the above, the Camden Home Improvement CPG includes the following requirements for the development of rear extensions:
  - *Be subordinate to the building being extended, in relation to its location, form, footprint, scale, proportions, dimensions and detailing;*
  - *Be built from materials that are sympathetic to the existing building wherever possible;*
  - *Respect and preserve the original design and proportions of the building, including its architectural period and style;*
  - *Respect and preserve existing architectural features, such as projecting bays, decorative balconies, cornices and chimneystacks;*
  - *Be carefully scaled in terms of its height, width and depth;*

- *Allow for the retention of a reasonably sized garden;*

- 2.3 Policy 6.4 (q) of the Fitzjohn's Netherhall Conservation Area Appraisal and Management Strategy says that extensions should be subservient in height, scale, massing and set-back. Extensions should complement and be unobtrusive to the existing landscape and townscape character of the area. In most cases extensions should be no more than one storey in height.
- 2.4 The proposal replaces the existing rear bay window extension with a new single-storey rectangular brick-built extension with a roof lantern. The windows, doors and roof lantern would be constructed from aluminium and the bricks would match those of the existing building. The proposed extension is 3.86m deep, 4.67m wide and 3.7m to the eaves height of the parapet roof, with a maximum height (to ridge level) of 4.9m.
- 2.5 The proposed scale and siting are considered to be duly subservient to the building and appropriate to the context and character of the building and the area. The roof of the proposed extension is designed to sit within an ornamental band of brick that surrounds the building at first floor level. As such, it would respect the architectural treatment of the building, preserving the character of the site and the conservation area.
- 2.6 In addition to the size, form and siting, the rear extension's architectural design and materials would compliment the character and appearance of the conservation area. The use of (matching) brick and aluminium glazing would uphold the character and appearance of the rear elevation of the site and the host building as a whole.
- 2.7 It is noted that the proposal results in the loss of the existing rear bay window projection. Part of the reasoning given for its removal is the deteriorated nature of its fabric. The loss is regretted however the host building is not listed and therefore the rear extension could be removed without recourse to planning permission. As such, its removal could not be resisted.
- 2.8 As mentioned above, the current proposal retains the decorative raised band of brick detailing that surrounds the building at first floor level and is raised above the existing and proposed extension with an ornamental shield design on the rear wall of the house. As this feature would be retained the proposal would continue to conserve and enhance the character and setting of the building within the wider conservation area.
- 2.9 The rear of the property cannot be seen from the public realm, although it can be seen from private views from the surrounding properties, however it is considered that the extension does not detract from the character or appearance of the conservation area. The proposal therefore complies with policies D1 and D2 of the Camden Local Plan 2017.
- 2.10 Special attention has been paid to the desirability of preserving or enhancing the character or appearance conservation area, under the Listed Buildings and Conservation Areas Act 1990 (as amended).

### **3.0 Amenity**

- 3.1 Policy A1 of the Local Plan aims to protect the quality of life of occupiers and neighbours. This includes such factors as visual privacy, outlook, sunlight, daylight, overshadowing and artificial light levels.
- 3.2 The extension is positioned in a way in that it will not harm the amenity of the occupiers of the neighbouring flats in terms their light, outlook or privacy. The adjoining flat at no. 47 (flat 1) has had a similar rear extension approved that has a window that looks out into the garden of No. 3 (See 'Planning History' above). This proposal is not considered to impact on this window due to the distance between the window and the proposed extension being approximately 9m and no openings being formed in the side elevation of the proposal.
- 3.3 Due to the nature of the external works, it is considered that the proposal would not result in any undue harm to the amenity of neighbouring occupiers and as such, it would comply with policy A1 of the Camden Local Plan.

#### **4.0 Trees and Biodiversity**

- 4.1 No trees are proposed to be removed as part of the scheme however it is noted that there are established trees present on the property which have the potential to have their roots affected by the proposal and therefore a condition is proposed requiring that a tree protection plan be submitted and approved prior to excavation work occurring.
- 4.2 Biodiversity Net Gain (BNG) requirements came into effect for small sites on 02 April 2024, however, there are statutory exemptions and transitional arrangements which mean that the biodiversity gain regulations do not always apply. Based on the information provided, this proposal will not require the approval of a Biodiversity Gain Plan before development is begun because 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).

#### **RECOMMENDATION**

- 4.3 In conclusion the proposed development would preserve the character and setting of the host building and the character and appearance of this part of the Fitzjohn's Netherhall Conservation Area. Furthermore, it would not unduly impact on the residential or visual amenity of the surrounding area. As such, the proposals are considered to accord with the requirements of Policies A1 (Managing the impacts of development), D1 (Design) and D2 (Heritage) of the Camden Local Plan 2017, the London Plan 2021 and the National Planning Policy Framework 2024.

***The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 16<sup>th</sup> March 2026, 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](http://www.camden.gov.uk) and search for 'Members Briefing'.***

Application ref: 2026/0376/P  
Contact: Matthew Kitchener  
Tel: 020 7974 2416  
Email: [Matthew.Kitchener@camden.gov.uk](mailto:Matthew.Kitchener@camden.gov.uk)  
Date: 9 March 2026

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5d Architects Ltd  
60 Erskine Hill  
Hampstead Garden Suburb  
London  
NW116HG

Dear Sir/Madam

### **DRAFT DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Granted**

Address:

**Flat 3**  
**47 Netherhall Gardens**  
**London**  
**NW3 5RJ**

Proposal:

Removal of rear semi-circular bay window and erection of a replacement single storey rear extension with a roof lantern

Drawing Nos:

06.908.02, 06.908.03, 06.908.04, 06.908.05, 06.908.07, 06.908.08, 06.908.09, 06.908.10, 06.908.11, 06.908.12, 06.908.01 Rev A, 06.908.06 Rev A, Design and Access Statement, Arboricultural Report by Parsons Tree Care Limited dated 29/01/2026.

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: 06.908.02, 06.908.03, 06.908.04, 06.908.05, 06.908.07, 06.908.08, 06.908.09, 06.908.10, 06.908.11, 06.908.12, 06.908.01 Rev A, 06.908.06 Rev A, Design and Access Statement, Arboricultural Report by Parsons Tree Care Limited dated 29/01/2026.

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

- 3 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

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

- 4 Prior to the commencement of works on site, tree protection measures shall be installed and working practices adopted in accordance with the document entitled 'Arboricultural Report by Parsons Tree Care Limited dated 29/01/2026'. All trees on the site, or parts of trees growing from adjoining sites, unless shown on the permitted drawings as being removed, shall be retained and protected from damage in accordance with BS5837:2012 and with the approved protection details. The development shall be monitored by the project arboriculturalist in accordance with the approved report.

Reason: To ensure that the development will not have an adverse effect on existing trees and in order to maintain the character and amenity of the area in accordance with the requirements of policies A2 and A3 of the Camden Local Plan.

#### Informative(s):

- 1 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 (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).

2 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).

3 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.

- 4 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.
- 5 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).
- 6 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](http://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.

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