

Location Plans – Embassy House, West End Lane (2024/2063/P)



Photographs and Drawings – Embassy House, West End Lane (2024/2063/P)



1. Aerial view of application site



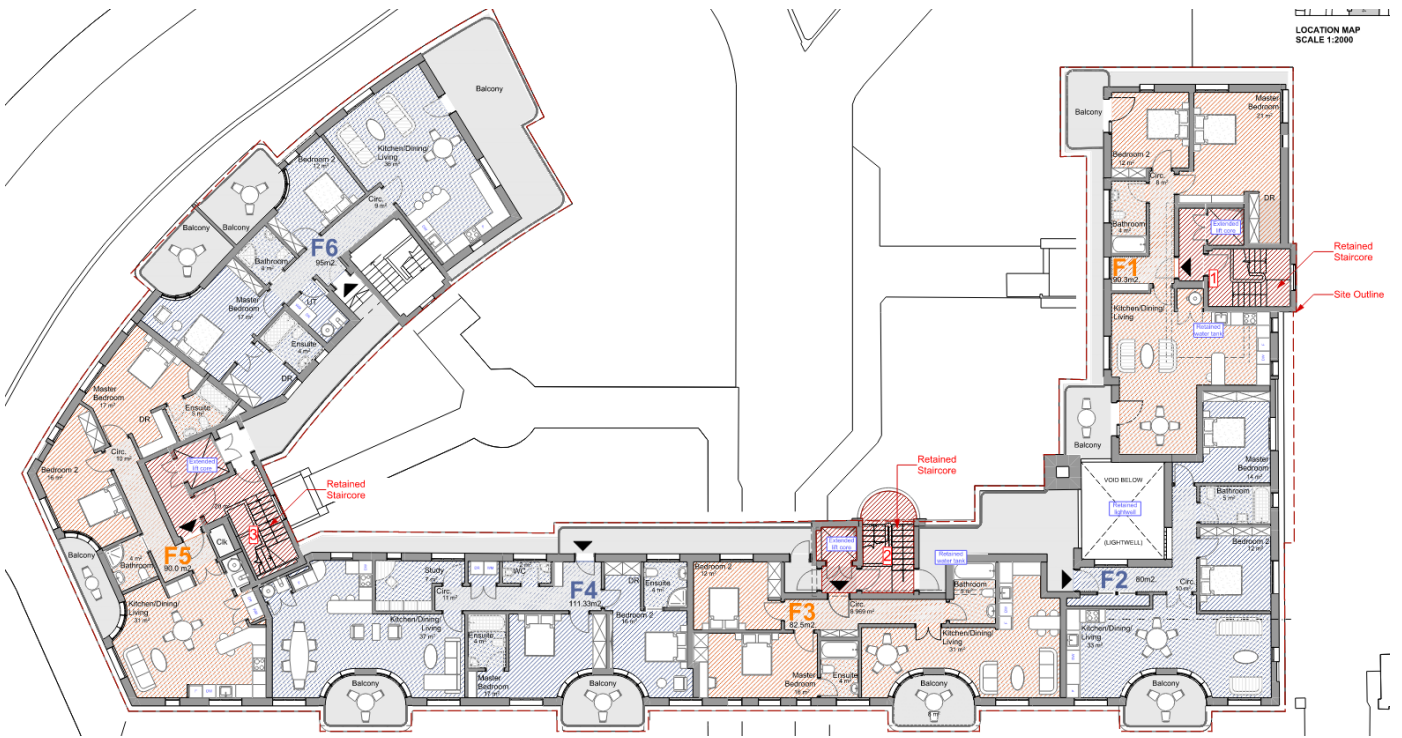
2. Picture of south elevation of building facing Cleve Road as existing



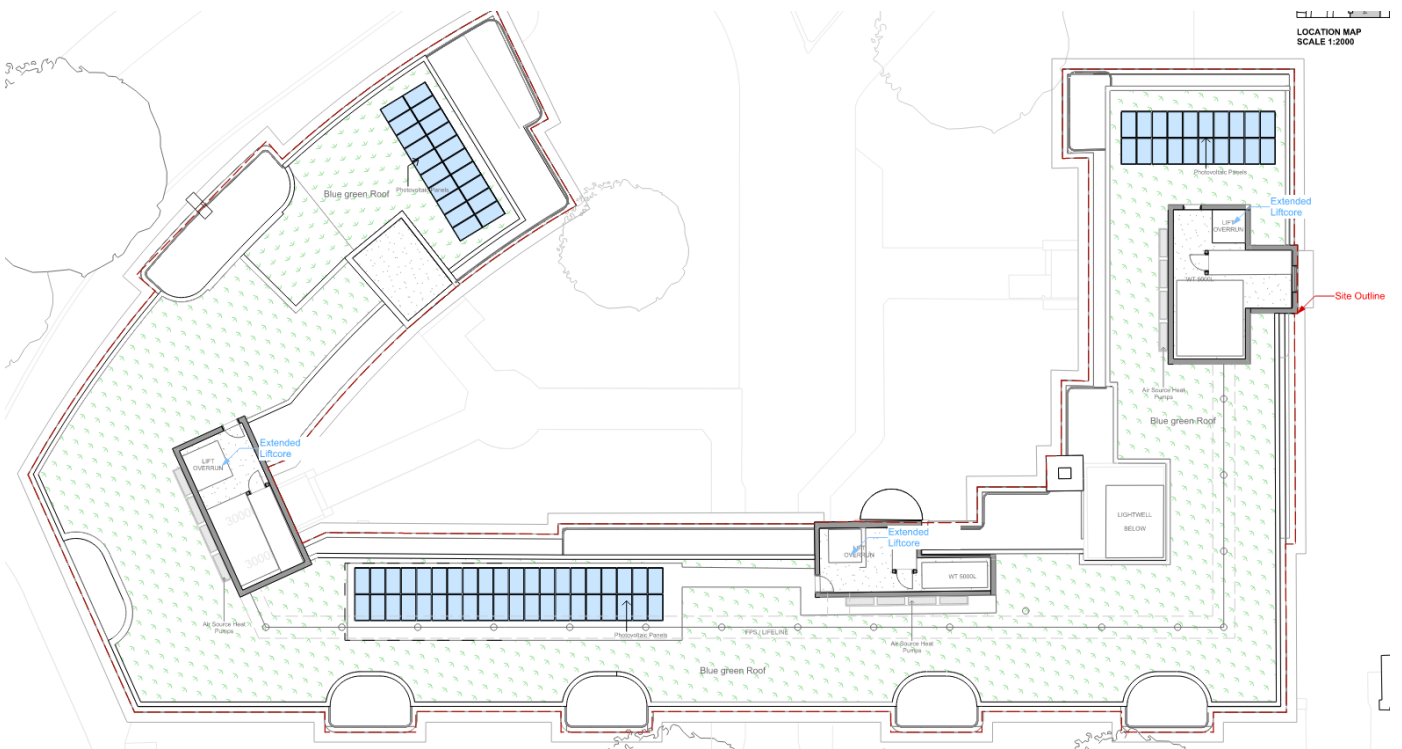
3. Picture of north elevation of building facing West End Lane as existing



4. Aerial view of application site with 3D render showing proposed extension



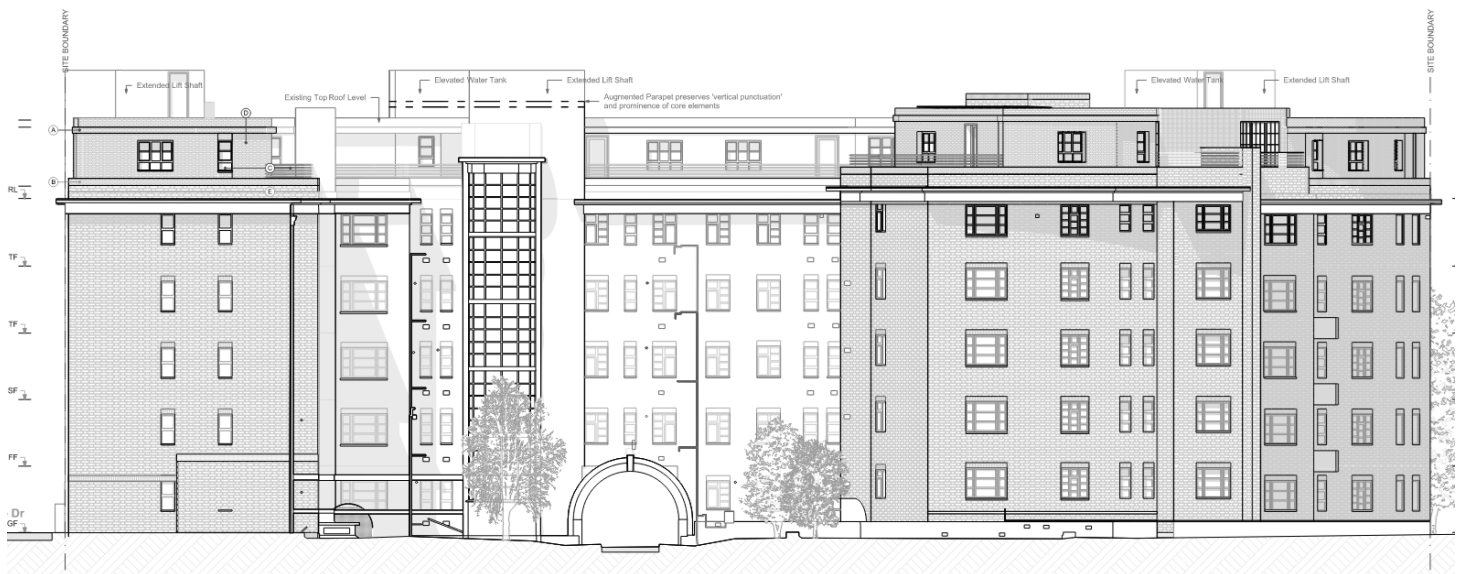
5. Proposed floor plan of six new residential units



6. Proposed roof plan showing blue/green roof, solar panels, and ASHP enclosures



7. Proposed south elevation facing onto Cleve Road



8. Proposed north elevation facing onto West End Lane



9. 3D visual showing proposed roof extension and typical balcony. Blue/green roof and ASHPs shown on the roof above.



10. 3D visual showing proposed roof extension from intersection of West End Lane and Cleve Road.

Delegated Report: Member's Briefing

Address:	Embassy House, West End Lane, London, NW6 2NA		4
Application Number(s):	2024/2063/P	Officer: Sam FitzPatrick	
Ward:	South Hampstead		
Date Received:	18/07/2024		
Proposal:	Erection of single storey roof extension to create six self-contained flats (Class C3). Associated external alterations to provide cycle and waste storage and installation of plant equipment and solar panels to roof.		

Background Papers, Supporting Documents and Drawing Numbers:

Existing Drawings:

EMBh_PA_EX_A_001; EMBh_PA_EX_A_002; EMBh_PA_EX_A_100; EMBh_PA_EX_A_101; EMBh_PA_EX_A_102; EMBh_PA_EX_A_103; EMBh_PA_EX_A_200; EMBh_PA_EX_A_201; EMBh_PA_EX_A_202; EMBh_PA_EX_A_300; EMBh_PA_EX_A_301; EMBh_PA_EX_A_302.

Proposed Drawings:

EMBh_EX_100_D; EMBh_EX_101_D; EMBh_PL_GA_102_E; EMBh_PL_GA_103_E; EMBh_PL_GA_200_D; EMBh_PL_GA_201_D; EMBh_PL_GA_202_D; EMBh_PA_GA_300_E; EMBh_PL_GA_301_E; EMBh_PL_GA_302_E; EMBh_PL_GA_304_E; EMBh_PL_DE_204_A.

Documents:

Covering Letter (prepared by Stratagem Planning Consultants, dated 21/05/2024); Planning Statement (prepared by Stratagem Planning Consultants, dated March 2024); Design and Access Statement Rev E (prepared by Douglas and King Architects, dated February 2024); Schematic Visuals 6.0 - 6.4 (prepared by Douglas and King Architects); Energy Strategy Report OP-B069 ES2 (prepared by Stroma, dated 04/10/2024); GREEN SAP – Worksheets; LEAN SAP – Worksheets; Daylight and Sunlight Report 23662 (prepared by Delva Patman, dated 16/01/2024); Heritage Statement (prepared by Bidwells, dated 25/03/2024); Noise Impact Assessment 2425-470-5 (prepared by Redfan Solutions, dated 25/06/2024); Draft Construction Management Plan (dated 14/03/2024); Fire Statement (prepared by Quality Fire Safety Management, dated 22/02/2024).

RECOMMENDATION SUMMARY:

Grant conditional planning permission subject to a Section 106 Legal Agreement

Applicant:	Agent:
Mr Joe Griffin Devon House Church Hill London N21 1LE	Dr Mark Matheson Stratagem Planning Consultants 3-5 Bleeding Heart Yard London EC1N 8SJ

ANALYSIS INFORMATION

Land use floorspaces				
Use Class	Description	Existing GIA (sqm)	Proposed GIA (sqm)	Difference GIA (sqm)
C3	Dwellings (flats)	4202.57	661.06	+ 661.06
Total	All uses	4202.57	661.06	+ 661.06

Proposed housing mix and tenure						
Tenure	Studio	1 bed	2 bed	3 bed	4 bed	Total
Market	0	0	6	0	0	6
Social-affordable rent	0	0	0	0	0	0
Intermediate rent	0	0	0	0	0	0
Total homes	0	0	6	0	0	6

Parking details				
Type	Existing spaces	Proposed long stay	Proposed short stay	Difference
Car parking	11	0	0	0
Cycle parking (residential)	0	18	0	+18
Cycle parking (non-residential)	0	0	0	0

EXECUTIVE SUMMARY

- i) The site comprises a 'U-shaped' residential block of five storeys located at the junction of West End Lane and Cleve Road. The building is located within the South Hampstead Conservation Area though is not listed and is not noted as a positive or negative contributor, but rather a neutral contributor in the Conservation Area statement.
- ii) It is proposed to erect a single-storey roof extension to the building to provide six new residential dwellings. Given the emphasis on maximising housing supply in Local Plan Policy H1 and the NPPF, and Camden's current Housing Delivery, the provision of housing on this site is positive and should be given significant weight.
- iii) The scheme would provide a well-designed and sensitive extension to the existing building that would deliver additional high quality housing on the site. The additional height and bulk is considered to be appropriate given the setback of the building from West End Lane, Cleve Road, and Cleve Drive, and the positioning

of the building relative to neighbours. The proposal would have limited impact on the amenity of neighbouring occupiers.

- iv) The proposal would support environmental improvements through car-free development and providing cycle parking, and would also exceed energy and carbon reduction targets. Measures such as a blue green roof, solar panels, and air source heat pumps would improve energy efficiency, reduce the risk of flooding, and support biodiversity. The scheme provides residential growth in an area with good walkability and close access to public transport services.
- v) The scheme complies with the development plan as a whole and is recommended for approval.

OFFICER REPORT

Reason for Referral to Members' Briefing:

Relevant material objection received from a residents or amenity group.

1. SITE AND BACKGROUND

Designations

1.1 The following are the most relevant designations or constraints:

Designation	Details
Conservation Area	South Hampstead
Neighbourhood Area	Fortune Green and West Hampstead
PTAL (Public transport accessibility)	6a
Underground development constraints and considerations	<ul style="list-style-type: none">- Historically flooded street (West End Lane)- Surface water flow and flooding- Slope stability

Table 1 - Site designations and constraints

Description

1.2 The site is located at the junction of West End Lane and Cleve Road, on the east side of the former and the north side of the latter. It consists of a 'U-shaped' five storey residential block that has a 20th century design, unlike many of the surrounding buildings, which are predominantly Victorian.



Figure 1 – The existing site

- 1.3 The site is located in the South Hampstead Conservation Area, though there is no reference to the building in the conservation area statement. It is positioned immediately adjacent to West End Lane which benefits from bus services, and is approximately 250-300m south of West Hampstead, which provides Underground, Overground, and Thameslink services, giving the site a Public Transport Accessibility Level (PTAL) rating of 6a, which is one level below 'excellent'.

2. THE PROPOSAL

- 2.1 The proposal is for the erection of a single-storey roof extension to provide six new self-contained residential dwellings (Class C3). These would all be two-bedroom homes and would each benefit from private amenity space. Waste and cycle storage are also proposed at ground level, which would serve both the new units and the existing units at the site.
- 2.2 At roof level, it is proposed to introduce a blue-green roof, photovoltaic panels, and air source heat pumps.

3. RELEVANT HISTORY

The site

- 3.1 None.

The area

- 3.2 Manor Court, 152 Abbey Road
2022/2636/P – Erection of a single storey flat roof extension to provide 4 x residential flats (C3 Use Class). **Planning permission granted subject to a Section 106 legal agreement 15/11/2023.**

4. CONSULTATION

Statutory consultees

Fortune Green and West Hampstead Neighbourhood Forum

- 4.1 No response was received.

Local groups

Combined Residents Associations of South Hampstead (CRASH)

- 4.2 Objection covering the following issues:
- The addition of another storey would make Embassy House much more visually dominant and inappropriately so in its prominent location.
 - The roof extension would make Embassy House more dominant in relation to the period property St James' Mansion and the other nearby buildings in the conservation area.

- Other refusals in the area are relevant in the case of Embassy House, and other approvals in the area are not relevant as they were lower in context and/or relevant to adjacent buildings.

Adjoining occupiers

4.3 Multiple sites notice were displayed around the site, one on West End Lane to the north, one on West End Lane to the south, and one on Cleve Road, which covered the front, side, and (due to the curve of West End Lane) rear of the property. The notices were displayed on 26/07/2024 until 19/08/2024 and the application was advertised in the local paper on 01/08/2024 (expiring 25/08/2024).

4.4 Objections were received from one local household. The objection received by the Council is on the Council's website. The key issues raised are.

Topic

- The construction of the proposed works would cause significant disturbance and disruption.
- The creation of an additional storey will negatively impact the property value of flats that are on the existing top storey.
- The proposed works would harm the 1930s architectural heritage of the existing building.
- The creation of housing and new balconies would infringe upon the privacy of existing occupants of the building.
- The creation of the additional storey would negatively impact light availability to the courtyard.
- The building facilities would not be able to accommodate the increased pressure from new residential units.
- The increased foot traffic from residents and visitors to the new dwellings would impact the peaceful enjoyment of current occupants.
- The proposed development poses a risk to human rights, specifically the right to a private family life due to increased density and disturbances.

Officer response:

- *Please see section 12 of this report for an assessment of the impact of the development in terms of amenity, including all concerns relating to disturbance, privacy, and light availability.*
- *Please see section 11 of this report for an assessment of the impact of the development in terms of design and heritage.*
- *It should be noted that property value is not a material planning consideration and as such does not factor into this assessment.*

5. POLICY

National and regional policy and guidance

[National Planning Policy Framework 2023 \(NPPF\)](#)

[National Planning Practice Guidance \(NPPG\)](#)

[Written Ministerial Statement on First Homes \(May 2021\)](#)

[London Plan 2021 \(LP\)](#)

[London Plan Guidance](#)

Local policy and guidance

[Camden Local Plan \(2017\) \(CLP\)](#)

[Policy G1 Delivery and location of growth](#)

[Policy H1 Maximising housing supply](#)

[Policy H4 Maximising the supply of affordable housing](#)

[Policy H6 Housing choice and mix](#)

[Policy H7 Large and small homes](#)

[Policy C6 Access for all](#)

[Policy A1 Managing the impact of development](#)

[Policy A3 Biodiversity](#)

[Policy A4 Noise and vibration](#)

[Policy D1 Design](#)

[Policy D2 Heritage](#)

[Policy CC1 Climate change mitigation](#)

[Policy CC2 Adapting to climate change](#)

[Policy CC3 Water and flooding](#)

[Policy CC4 Air quality](#)

[Policy CC5 Waste](#)

[Policy T1 Prioritising walking, cycling and public transport](#)

[Policy T2 Parking and car-free development](#)

[Policy T4 Sustainable movement of goods and materials](#)

[Policy DM1 Delivery and monitoring](#)

[Fortune Green & West Hampstead Neighbourhood Plan \(2015\)](#)

[Policy 1 Housing](#)

[Policy 2 Design & Character](#)

[Policy 3 Safeguarding & enhancing Conservation Areas & heritage assets](#)

[Policy 4 West Hampstead Growth Area](#)

[Policy 7 Sustainable Transport](#)

[Policy 8 Cycling](#)

[Policy 17 Green/Open Space](#)

[Supplementary Planning Documents and Guidance](#)

Most relevant Camden Planning Guidance (CPGs):

[Amenity - January 2021](#)

[Biodiversity CPG - March 2018](#)

[Design - January 2021](#)

[Developer Contribution CPG - March 2019](#)
[Energy efficiency and adaptation - January 2021](#)
[Housing - January 2021](#)
[Transport - January 2021](#)
[Water and flooding CPG - March 2019](#)

Other guidance:

[Planning Statement - Intermediate Housing Strategy and First Homes \(2022\)](#)
[South Hampstead Conservation Area Statement \(2011\)](#)

Draft Camden Local Plan

The council has published a new [Draft Camden Local Plan](#) (incorporating Site Allocations) for consultation (DCLP). The consultation closed on 13 March 2024. The DCLP is a 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).

6. LAND USE

Proposed residential use

- 6.1 Housing is established as the priority land use in the Local Plan and is supported by the Plan's policies; Policy G1 promotes the most efficient use of land in the borough and Policy H1 establishes that the supply of housing should be maximised through the provision of additional residential units. Policy H1 also sets a 10-year housing target for Camden of 10,380 additional homes from 2019/20 to 2028/29.
- 6.2 The proposed six new dwellings within a sustainable location on an existing residential block would contribute towards the strategic objectives of the Local Plan and contribute to the borough's housing, which must be given significant weight.

7. AFFORDABLE HOUSING

Affordable housing requirements

- 7.1 Camden Local Plan policy H4 and the Housing CPG seek provision of affordable housing. Where the uplift in residential floorspace has the capacity for fewer than 10 homes (less than 950sqm when rounded), the policy accepts a payment instead of on-site affordable housing.
- 7.2 As the proposed development would provide 661.06 sqm of residential uplift (capacity for seven homes) the Council will accept a payment-in-lieu of affordable housing. Given the proposed residential uplift, the sliding scale in Policy H4 (d) applies, starting at 2% for one home and increasing by 2% for each home added to capacity. The additional residential area would have a

home capacity of seven which equates to a target of 14% affordable housing on the sliding scale.

7.3 Applying the payment in lieu of £5,000 per sqm set out in Housing CPG, the total payment under the policy target would be £462,742.00 – as shown by the table below:

Additional residential floorspace (GIA sqm)	Capacity (rounded floorspace addition/100sqm)	Additional housing % target	Affordable housing floorspace target	Payment in lieu required
661.06	7 new homes	14%	14% x 661.06 = 92.5484	92.5484 x £5,000 = £462,742.00

7.4 The affordable housing payment in lieu would be secured as a planning obligation as part of a Section 106 legal agreement.

8. HOUSING MIX

8.1 Policy H7 seeks a mix of large and small homes in each development (where large homes are defined as those with 3 bedrooms or more) and expects developments to contribute to the priorities set out in the Dwelling Size Priorities Table.

	1-bedroom (or studio)	2-bedroom	3-bedroom	4-bedroom (or more)
Social-affordable rented	lower	high	high	medium
Intermediate affordable	high	medium	lower	lower
Market	lower	high	high	lower

Table 2 - Dwelling Size Priorities (Local Plan Table 1)

8.2 The CLP priorities table above shows the higher priorities for **Market homes** are for 2 and 3-bed homes. All six of the proposed units are 2-bedroom dwellings, which are high priority.

8.3 Overall, the scheme provides an appropriate mix of homes, suitable to the location, and making a contribution to the identified needs in the development plan, in accordance with policy H7 of the Local Plan.

9. QUALITY OF PROPOSED HOUSING

9.1 Policy H6 of the Local Plan is about housing choice and mix, and it aims to minimise social polarisation and create mixed, inclusive, and sustainable communities, by seeking high quality accessible homes and a variety of housing suitable for Camden’s existing and future households.

- 9.2 Policy A2 of the Local Plan also encourages opportunities to provide private amenity space, which is reflected in a requirement to provide amenity space in policy D6 of the London Plan. Policy A1 of the Local Plan seeks to protect the amenity of occupiers in relation to several factors, including privacy, outlook, light, and noise.
- 9.3 Policy D5 of the London Plan states that development should provide the highest standard of accessible and inclusive design, which allows them to be used safely, easily, and with dignity by all – also reflected in policies D1, H6, and C6 of the Local Plan.
- 9.4 Part of the design-led approach to delivering effective high-density housing is about ensuring the development does not compromise the size and layouts of units, ensuring high quality homes across the scheme. Policy H6 of the Local Plan confirms that new residential development should conform to the Nationally Described Space Standards, and this is reflected in policy D6 of the London Plan, which sets the same minimum space standards in Table 3.1 (the relevant excerpt from the table is reproduced below).

Type of dwelling		Minimum gross internal floor areas* and storage (square metres)			
Number of bedrooms (b)	Number of bed spaces (persons(p))	1 storey dwellings	2 storey dwellings	3 storey dwellings	Built-in storage
1b	1p	39 (37) *	N/A	N/A	1
	2p	50	58	N/A	1.5
2b	3p	61	70	N/A	2
	4p	70	79	N/A	2
3b	4p	74	84	90	2.5
	5p	86	93	99	2.5
	6p	95	102	108	2.5

Table 3 - Minimum internal space standards (London Plan Table 3.1, Policy D6)

- 9.5 All of the residential units in the proposed scheme far exceed the minimum standards, with the smallest of the six units providing 80 sqm of internal floor area, which is 10sqm larger than the requirement. The new units would have acceptable ceiling to floor heights and good room sizes, which are all well laid out with a simple and rational plan form. All new units have at least one decently sized balcony, with the private amenity space for units ranging from 6sqm to 17.6sqm, meeting and exceeding requirements.
- 9.6 All units have their own secure front door and are served by residential cores with both a staircase and a lift. These cores are extensions of the existing building's stair and lift cores.

- 9.7 All six of the new units would be at least dual aspect, with four of the dwellings being triple aspect. This would allow all of the units to receive adequate passive ventilation, daylight, and privacy. The proposed floor plans demonstrate that the layout of the units (including the availability of multiple windows from different perspective to each unit), the size and number of openings, and the height of the new units, would ensure that the dwellings would provide a good level of daylight and sunlight for new occupants.
- 9.8 The proposal has also been sensitively designed so as to mitigate amenity impacts on existing residents of Embassy House and neighbouring residential occupiers of buildings in close proximity. The significant separation distance would mean that the new units would not have direct views into neighbouring properties, and the position and scale of the amenity spaces would mean there is limited overlooking into existing units. Additionally, the slightly set-in design of the balconies would mean that there is limited direct overlooking from one proposed unit to another.
- 9.9 At roof level, new plant facilities (air source heat pumps) are proposed, which would serve the new units. A noise impact assessment was submitted, indicating that the noise emitted for the units would be within the requirements of policy A4 of the Local Plan, provided the appropriate mitigation measures are installed. Noise from the plant would be conditioned in terms of noise levels, and there would be a requirement for anti-vibration mounts (conditions 7 and 12).
- 9.10 To make sure that future residents can properly store and sort their waste and to make household recycling as easy as possible, the Council will require developments to provide adequate facilities for recycling and the storage and disposal of waste in accordance with Local Plan Policy CC5. The submitted plans and documents demonstrate that the existing waste storage space can be reorganised and optimised to provide an acceptable amount of refuse and recycling storage. This is accepted and further details would be secured by way of condition (condition 9).
- 9.11 Policy H6 of the Local plan requires 90% of new-build homes to comply with M4(2) (accessible and adaptable dwellings) and a requirement for 10% of new build homes to comply with M4(3) (wheelchair user dwellings), the latter of which includes Wheelchair Adaptable Dwellings under M4(3)(2)(a). All of the proposed new units would be accessible via the extended internal lifts, and so would provide step-free access. All units would be designed to comply with the aforementioned standards, and would be secured as such by way of condition (condition 16).
- 9.12 Overall, the proposed homes are considered acceptable in terms of aspect, outlook, noise, light, and amenity space. This would provide accessible homes for all, allowing the buildings to house an inclusive community that can use them safely, easily, and with dignity.

10. HERITAGE AND DESIGN

Heritage

- 10.1 Policy D2 of the Local Plan states that the Council will preserve and, where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas. To comply with Policy D2, extensions to properties within conservation areas should integrate with and enhance the host building and not be dominant or obtrusive.
- 10.2 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 sets out that special regard must be given to preserving or enhancing the character and appearance of a conservation area.
- 10.3 The site is located within the South Hampstead Conservation Area, though as previously mentioned, is considered to be a neutral contributor to the conservation area. Due to its location, the application site is in a prominent location in the conservation area, being positioned adjacent to smaller scale residential buildings, albeit on a main road. It is also able to be appreciated in a number of longer views.
- 10.4 The conservation area statement notes that roof extensions can be damaging to the character of the area *"if what is proposed does not take into account the careful design of the original building – its front elevation and traditional roof form – and the pattern of neighbouring buildings as a whole"*. Additionally, there is a large variety of roof forms within the conservation area, and as such, proposals should be judged on individual design merits.
- 10.5 The existing building stands notably separate from those surrounding it, is not part of any harmoniously composed terrace or group, and is clearly distinguishable in both style and age from its neighbours. Therefore, it is not appropriate to judge it against its neighbours, but rather consider the proposal in the context of the existing building. The proposed scheme would not substantially change the appearance or character of the existing building and would carefully incorporate existing architectural materials and elements. As such, rather than read as an overwhelming or bulky roof extension, it would appear a natural continuation that complements the existing building and ascribes to the existing proportions of the building.
- 10.6 There are no listed buildings in close proximity to the application site other than the Grade II listed Church of St James, approximately 120m to the north. This is considered a significant enough distance that there would be no impact to its setting or significance from the proposed works.
- 10.7 It is not disputed that the proposed roof extension would be visible both from within and outside of the conservation area, particularly due to the prominent position of the building and the topography of the land. However, the

proposed development is sensitively designed and would not be considered to cause harm to the character or appearance of the conservation area.

- 10.8 It should also be noted that the proposal would result in several public benefits, such as the provision of six high quality and high priority dwellings and a financial contribution towards affordable housing. Even if the proposed development were to be considered to cause harm, this would be given significant weight. However, irrespective of this, it is not considered that the proposal would cause harm to the character or appearance of the conservation area, and as such the proposal would be considered to accord with the Council's design and heritage policies.

Design

- 10.9 The Council's design policies are aimed at achieving the highest standard of design in all developments. 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, and supports extensions that respond to the character and proportions of the existing building and consider the composition of elevations.
- 10.10 Policy D2 of the Local Plan states that the Council will preserve and, where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas. To comply with Policy D2, extensions to properties within conservation areas should integrate with and enhance the host building and not be dominant or obtrusive.
- 10.11 Camden's Local Plan is supported by guidance in CPG 'Design'. This 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.
- 10.12 The site falls primarily within a residential area, though is notably located on a primary road that connects the busier areas of West Hampstead to the north and Kilburn High Road to the south. The existing building is of a good quality and well-designed, with suitable proportions and a rhythm to the bays, windows, and balconies. It also features distinctive window proportions and curved balconies.
- 10.13 The proposed roof extension would emulate elements of the existing building, including matching the glazing hierarchy and scale of the structure below. The new amenity spaces would also feature a curved parapet and curved glazed entrances, echoing the design of the existing balconies. The

extension would be constructed with brick as the primary facing material and in proportions matching the building below, including through the use of soldier courses and stack bond. Details of the brickwork including a sample panel would be secured by condition (condition 3).

- 10.14 The proposed single-storey extension is modest in scale and would not be considered to have a significant impact on the character or appearance of the conservation area; the height of the additional storey would be slightly less than that of those below it, and the flat roof and complimentary materiality would ensure that it would appear subservient to the existing building. Given that the property is set back from all of its neighbours, the modest increase in height would also not result in it appearing overly dominant in the streetscape, especially given as it would still be very similar in scale to St James' Mansions, directly opposite.
- 10.15 Concerns were raised during the application process regarding the proportions of the bays, the design of the windows, and the plant areas to the roof of the building. Previously, the amount of glazing to each bay varied slightly, the windowpane subdivisions failed to match the context of the building, and the plant areas and lift overruns were not suitably screened, resulting in the impression of visual clutter at a high level. However, amendments were made to simplify the bays and ensure a consistent and rational appearance, clarify the window design so they read as a natural continuation of the existing building, and reorganise the roof enclosures so that the extended lift overruns, water tanks, and roof access points were appropriately screened. These measures are considered to satisfactorily address the concerns raised and will ensure that the proposed scheme has a complementary design that reads as a legible and subordinate extension to the host building.
- 10.16 The proposal does also involve the installation of three cycling storage areas around the site, as well as works to the waste storage area. These are acceptable in principle, though further details would be secured by condition (conditions 8 and 9) to review and secure high quality detailing.

11. IMPACT ON NEIGHBOURING AMENITY

- 11.1 Policies A1 and A4 of the Local Plan seeks to protect the amenity of residents by carefully considering the impacts of development and ensuring that the quality of life of occupiers and neighbours is protected. This includes considering impacts on light, outlook, privacy, and noise. Impact from construction works are also relevant, but dealt with in the 'Transport' section. The Council's guidance contained within CPG 'Amenity' provides specific guidance with regards to these aspects.
- 11.2 The applicant has submitted a Daylight and Sunlight Assessment as part of the application, which details any impacts upon neighbouring properties. The

assessment uses the assessment methodology established in the Building Research Establishment (BRE) Report 209 '*Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice*' (third edition, 2022). The development plan supports the use of the BRE guidance for assessment purposes, however, it should not be applied rigidly and should be used to quantify and understand impact when making a balanced judgement. The assessment primarily uses the Vertical Sky Component (VSC) test and the Annual Probable Sunlight Hours (APSH) test.

- 11.3 According to the report, the proposed development would have a minimal impact on neighbouring residents and existing occupants of Embassy House in terms of VSC – that is, the daylight on the surface of a window – with 100% of neighbouring building facades and pre-existing Embassy House facades complying with BRE criteria. This means that none of the facades would experience reductions in excess of 20% VSC. Additionally, the report demonstrates that only 0.14% of the façade of neighbouring buildings would experience reductions in APSH beyond the BRE criteria. Similarly, only 4.95% of the façade of the existing building (south facing) would experience reductions in APSH beyond the BRE criteria.
- 11.4 The report appears to show that the impact of the development would be negligible to minor in terms of impact on daylight and sunlight, and as such would be considered to be acceptable.
- 11.5 Due to the siting of the proposed extension at roof level and the fact that the façade is marginally set back from the existing roof edge, it is not expected that there would be any demonstrable impact on any neighbouring or existing occupiers in terms of loss of outlook or overlooking. The distance of the host building from neighbouring buildings would also mean there would not be a significant impact in terms of creating a sense of enclosure. None of the proposed windows would be located in positions such that they impact on the privacy of neighbouring residents, and the sizeable separation distance between the proposed extension and existing buildings would further limit the impact in terms of loss of privacy and overlooking.
- 11.6 As previously noted, at roof level it is proposed to introduce new plant equipment, including air source heat pump (ASHP) enclosures, which are noise generating. The applicant has provided a noise impact assessment to demonstrate that, with the provision of mitigation measures such as acoustic enclosures, the noise emitted from the units would be within the requirements of Policy A4 of the Local Plan. The proposal has been reviewed by the Council's Environmental Health Officer, who has advised that the plant noise criteria have been adequately predicted and that, subject to conditions to secure further details and anti-vibration isolators (conditions 7 and 12), the amenity of neighbouring residents would be protected in terms of noise and vibration.

11.7 Therefore, the proposal is not considered to be likely to result in any significant impacts on residential amenity, and would be compliant with the Council's policies on amenity impacts.

12. SUSTAINABILITY AND ENERGY

12.1 Policies CC1 and CC2 of the Local Plan requires all development to reduce carbon dioxide emissions through following the steps in the energy hierarchy and to optimise resource efficiency, as well as to be resilient to climate change by adopting climate change adaptation measures. 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).

12.2 Paragraph 8.8 of the Local Plan requires all new residential development (of 1 – 9 dwellings) to meet a 19% reduction in carbon dioxide, below Part L of the 2013 Building Regulations. Reductions are measured against a baseline, the requirement set out in the Building Regulations. Development should also achieve a 20% reduction in carbon dioxide emissions from onsite renewables (after all other energy efficiency measures have been incorporated), in line with the Local Plan and the London Plan.

12.3 In this case, the development far exceeds the policy target of 19% reductions, achieving an excellent overall on-site reduction of 83.4% below Part L requirements. In terms of 'Be Lean', there would be a reduction over the baseline of 1.7%, which is acceptable given the significant overall reduction from the scheme.

12.4 The proposal also incorporates measures such as solar panels, ASHPs, and a blue/green roof, all of which are welcomed. Further details of each are secured by condition (conditions 4, 5, and 6), as well as water efficiency (condition 10) in line with the Council's policy. The blue/green roof would also help enhance the site's biodiversity and reduce water runoff, which is particularly important given the site is located close to a number of areas that are susceptible to flooding.

12.5 Overall, the proposal is considered to comply with the Council's policies on sustainability and energy.

13. TRANSPORT

13.1 The Council's transport policies aim to promote sustainable transport within the borough, including through prioritising the needs of pedestrians and cyclists and discouraging the use of cars.

- 13.2 In line with policy T1 of the Local Plan, cycle parking should be provided in accordance with the standards set out in the London Plan. For residential units with two or more bedrooms, the requirement is for two spaces per unit, which gives a total requirement of twelve spaces for the proposed development. It is proposed to install three bike storage areas at ground level around the site, which each appear to be capable of accommodating six cycles, totalling eighteen cycle parking spaces. This would be acceptable, and the provision of at least 12 covered and secure cycle parking spaces (along with further details of the storage design) would be secured by condition (condition 8).
- 13.3 In accordance with Policy T2 of the Local Plan, all six of the new units would be secured as on-street residents parking permit (car) free by way means of a Section 106 legal agreement. This will 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. It would also be secured by condition (condition 11) that occupants of the new units do not have access to the existing parking spaces at the site, both within the central courtyard area and within the garages to the eastern boundary.
- 13.4 Given the sensitive residential location of the site and the extent of construction works required across the five blocks, it is considered that a Construction Management Plan and associated Implementation Support Contribution of £4,194 and Impact Bond of £8,000 will need to be secured by means of a Section 106 Legal Agreement. This will help ensure that the proposed development is carried out without unduly affecting neighbouring amenity and the safe and efficient operation of the local highway network. A highways contribution would not be necessary for this development.
- 13.5 As the proposals will lead to an increase in pedestrian and cyclist activity at the site, it would be appropriate to seek a contribution towards pedestrian, cycling, and environmental improvements in the vicinity of the site. As such, a contribution of £12,000 towards Pedestrian, Cycling, and Environmental improvements is required in respect of the increased pedestrian and cyclist activity at the site. This will be used towards providing improved cycling and road safety measures in the vicinity of the site.
- 13.6 On the basis of the above, the proposed development would be in compliance with the Council's policies on transport and would be acceptable in this respect.

14. BIODIVERSITY

- 14.1 It is noted that the Biodiversity Net Gain (BNG) requirement came into effect for major applications on 12th February 2024, and for small sites on 2nd April 2024. However, there are a number of statutory exemptions and transitional

arrangements which mean that the BNG condition does not always apply. These are summarised by way of an informative attached to this decision.

- 14.2 This application is considered to be below the de minimis threshold, because it does not impact an onsite habitat and impacts less than 25sqm of onsite habitat with biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat. Therefore, the application is exempt and the applicant is reminded of this by way of an informative attached to this decision.

15. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 15.1 The CIL applies to all proposals which add 100m² of new floorspace or an extra dwelling. The amount to pay is the increase in floorspace (m²) multiplied by the rate in the CIL charging schedule. The final CIL liability will be determined by the CIL team.

- 15.2 The proposal will be liable for the Mayor of London's Community Infrastructure Levy (MCIL2) and the Camden Community Infrastructure Levy (CIL). Final payable contributions will be calculated (following approval of the scheme) by the Council's CIL officers.

16. CONCLUSION

- 16.1 The proposed development would be a positive scheme that would provide much needed homes in an appropriate location within the borough. It would also provide a payment towards the Council's affordable housing fund, and given the Council's current housing delivery plan position, significant weight is given to housing delivery and the contribution towards affordable housing. The development would also provide high quality accommodation and would preserve the character and appearance of the conservation area, with no significant impacts to the amenity of residents. The scheme is highly sustainable and complies with adopted energy and sustainability targets, as well as the Council's transport policies.

- 16.2 The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 18th November 2024, 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'

17. RECOMMENDATION

- 17.1 Grant conditional Planning Permission subject to a Section 106 Legal Agreement with the following heads of terms:

- Affordable Housing Contribution of £462,742.00

- Car-free development
- Construction Management Plan (CMP)
- CMP Implementation Support Contribution of £4,194
- CMP Impact Bond of £8,000
- Pedestrian, Cycling, and Environmental Improvements Contribution of £12,000

18. CONDITIONS

Standard conditions

1 Time limit

The development hereby permitted must be begun not later than 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 Approved drawings

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

EMBh_PA_EX_A_001; EMBh_PA_EX_A_002; EMBh_PA_EX_A_100;
EMBh_PA_EX_A_101; EMBh_PA_EX_A_102; EMBh_PA_EX_A_103;
EMBh_PA_EX_A_200; EMBh_PA_EX_A_201; EMBh_PA_EX_A_202;
EMBh_PA_EX_A_300; EMBh_PA_EX_A_301; EMBh_PA_EX_A_302;
EMBh_EX_100_D; EMBh_EX_101_D; EMBh_PL_GA_102_E;
EMBh_PL_GA_103_E; EMBh_PL_GA_200_D; EMBh_PL_GA_201_D;
EMBh_PL_GA_202_D; EMBh_PA_GA_300_E; EMBh_PL_GA_301_E;
EMBh_PL_GA_302_E; EMBh_PL_GA_304_E; EMBh_PL_DE_204_A; Design and Access Statement Rev E (prepared by Douglas and King Architects, dated February 2024); Energy Strategy Report OP-B069 ES2 (prepared by Stroma, dated 04/10/2024); GREEN SAP – Worksheets; LEAN SAP – Worksheets; Daylight and Sunlight Report 23662 (prepared by Delva Patman, dated 16/01/2024); Noise Impact Assessment 2425-470-5 (prepared by Redfan Solutions, dated 25/06/2024).

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

Pre-start conditions (other than demolition or site clearance)

3 Detailed design drawings and samples

Notwithstanding the details shown on the approved plans, prior to commencement of works (other than demolition and site clearance), 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 before the relevant part of the work is begun:

- a) Detailed drawings including plans, coloured elevations and sections of all windows (including jambs, head and cill), external doors, screening, balconies, balustrades, parapets, planters and associated elements at a scale of 1:20;
- b) Manufacturer's specification details of all facing materials (to be submitted to the Local Planning Authority) and samples of those materials (to be provided on site). Sample panel of materials to be provided at a suitable size (provided on site for review) to include typical window with all neighbouring materials and details;
- c) Typical details of railings and balustrades at a scale of 1:20, including method of fixing.

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.

Prior to above ground works

4 Details of blue/green roof

Prior to commencement of above-ground development, full details in respect of the blue/green roof in the area (581sqm capacity) indicated on the approved roof plan shall be submitted to and approved by the local planning authority. Details of the blue/green roof provided shall include:

- a) Details of catchment area, storage volume, and drainage rate;
- b) Details of proposed planting species and density;
- c) Sections at scale of 1:20 showing substrate, manufacturer's details demonstrating construction and materials used, and that adequate depth is available in terms of the construction and long term viability of the green roof;
- d) Details of the maintenance programme for green/blue roof.

The buildings shall not be occupied until the approved details have been implemented and these works shall be permanently retained and maintained thereafter.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies A3, CC2, and CC3 of the London Borough of Camden Local Plan 2017.

5 Details of solar PV

Prior to commencement of above ground works, drawings and data sheets showing the location, extent (65 panels /at least 1.5sqm) and predicted energy generation of photovoltaic cells (at least 18,000 kwh/annum) / energy generation capacity (at least 18 kWp) and associated equipment to be installed on the building shall have been submitted to and approved by the Local Planning Authority in writing. The measures shall include the installation of a meter to monitor the energy output from the approved renewable energy systems. A site-specific lifetime maintenance schedule for each system, including safe roof access arrangements, shall be provided. The cells shall be installed in full accordance with the details approved by the Local Planning Authority and permanently retained and maintained thereafter.

Reason: To ensure the development provides adequate on-site renewable energy facilities in accordance with the requirements of policy CC1 (Climate change mitigation) of the London Borough of Camden Local Plan 2017.

6 Details of air source heat pumps

Prior to commencement of above ground works, details, drawings and data sheets showing the location, Seasonal Performance Factor of at least 2.5 (or COP of 4 or more or SCOP of 3.4 or more) and Be Green stage carbon saving of the air source

heat pumps and associated equipment to be installed on the building, shall have been submitted to and approved by the Local Planning Authority in writing. The measures shall include the installation of a meter to monitor the energy output from the approved renewable energy systems. A site-specific lifetime maintenance schedule for each system, including safe access arrangements, shall be provided. The equipment shall be installed in full accordance with the details approved by the Local Planning Authority and permanently retained and maintained thereafter.

Reason: To ensure the development provides adequate on-site renewable energy facilities in accordance with the requirements of policy CC1 of the London Borough of Camden Local Plan 2017.

7 Details of ASHP noise emission

Prior to commencement of above ground works, details shall be submitted to and approved in writing by the Council, of the external noise level emitted from plant/machinery/equipment and mitigation measures as appropriate. The measures shall ensure that the external noise level emitted from plant, machinery/ equipment will 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 machinery operating at maximum capacity and thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the development site/ surrounding premises is 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.

Prior to occupation or use

8 Cycle storage

Prior to the occupation of any of the new residential units, details of at least 12 cycle parking spaces shall be submitted to and approved in writing by the local planning authority. The cycle parking shall thereafter be implemented in full in accordance with the approved details before the use hereby permitted commences and shall thereafter be retained solely for its designated use.

Reason: To ensure adequate cycle parking is available on site, to promote sustainable modes of transport, and so safeguard the visual amenity of the area in accordance with policies A1 and T1 of the Camden Local Plan 2017.

9 Waste and refuse storage

Prior to the occupation of any of the new residential units, details of waste and recycling storage for the development shall be submitted to and approved in writing by the local planning authority. The waste and recycling storage shall be provided in accordance with the approved details prior to the commencement of the use hereby permitted, and shall thereafter be retained solely for its designated use.

Reason: To ensure that sufficient provision for the storage and collection of waste has been made in accordance with the requirements of policies CC5, A1, and A4 of the London Borough of Camden Local Plan 2017.

Compliance conditions

10 Water efficiency

The development hereby approved shall achieve a maximum internal water use of 105 litres/person/day, and 5 litres/person/day for external water use. 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 and CC3 of the London Borough of Camden Local Plan 2017 and Policy SI 5 of the London Plan 2021.

11 Car parking spaces

The occupants of the development hereby approved shall not have access to or use the existing car parking spaces within the site, including those within the central courtyard area and those within the garages to the east of the site.

Reason: 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, in accordance with policies T1 and T2 of the London Borough of Camden Local Plan 2017.

12 Anti-vibration isolators for plant

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.

13 Noise levels - Internal

The design and structure of the development shall be of such a standard that it will protect residents within it from existing external noise so that they are not exposed to levels indoors of more than 35 dB LAeq 16 hrs daytime and of more than 30 dB LAeq 8 hrs in bedrooms at night.

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

14 Controlling use – residential only for permanent accommodation

Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 2020, or the Town and Country Planning (General Permitted Development) Order 2015 (or any orders revoking and re-enacting those orders with or without modification), the residential flats hereby permitted shall only be used for permanent residential accommodation, and not for temporary sleeping accommodation (tenancies of fewer than 90 days) or for any other purposes whatsoever.

Reason: To protect the permanent residential accommodation in the borough in accordance with Policies H1 and H3 of the London Borough of Camden Local Plan 2017.

15 Roof terraces

No flat roofs within the development shall be used as terraces/amenity spaces unless marked as such on the approved plans, without the prior approval in writing of the local planning authority.

Reason: To safeguard the amenities of the future occupiers and adjoining neighbours in accordance with the requirements of policy A1 of the Camden Local Plan 2017.

Building regulations (imposed optional requirements)

16 Wheelchair and accessible homes (building control optional requirements)

The following dwelling shown labelled on the approved floorplans shall be constructed as Wheelchair Adaptable Dwellings to comply with Part M4(3) of the Building Regulations:

Apartment 'F2' as shown on drawing 'EMbh_PL_GA_102_E'.

All other dwellings hereby permitted shall be constructed to comply with Part M4(2) of the Building Regulations.

Reason: To secure appropriate access for disabled people, older people, and others with mobility constraints, in accordance with policies H6 and C6 of the London Borough of Camden Local Plan 2017.

19. INFORMATIVES

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

	<p>and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)</p> <p>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.</p>
4	<p>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.</p>
5	<p>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.</p>
6	<p>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 at https://beta.camden.gov.uk/web/guest/construction-management-plans 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.</p>
7	<p>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.</p>
8	<p>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:</p>

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The local planning authority (LPA) that would approve any Biodiversity Gain Plan (BGP) (if required) is London Borough of Camden.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are summarised below.

Based on the information available, this will not require the approval of a BGP before development is begun because the application is below the de minimis threshold as it does not impact an onsite priority habitat and impacts less than 25 sqm of onsite habitat with biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat.

+ Summary of statutory exemptions for biodiversity gain condition:

1. The planning application was made before 12 February 2024.
2. The planning permission is retrospective.
3. The planning permission was granted under section 73 of the Town and Country Planning Act 1990 and the original (parent) planning permission was made or granted before 12 February 2024.
4. The permission is exempt because:
 - It is not "major development" and the application was made or granted before 2 April 2024, or planning permission is granted under section 73 and the original (parent) permission was made or granted before 2 April 2024.
 - It is below the de minimis threshold (because it does not impact an onsite priority habitat AND impacts less than 25 square metres of onsite habitat with biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat).
 - The application is a Householder Application.
 - It is for development of a "Biodiversity Gain Site".
 - It is Self and Custom Build Development (for no more than 9 dwellings on a site no larger than 0.5 hectares and consists exclusively of dwellings which are Self-Build or Custom Housebuilding).
 - It forms part of, or is ancillary to, the high-speed railway transport network (High Speed 2).

9

+ Irreplaceable habitat:

If the onsite habitat includes Irreplaceable Habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements. In addition to information about minimising adverse impacts on the habitat, the BGP must include information on compensation for any impact on the biodiversity of the irreplaceable habitat. The LPA can only approve a BGP if satisfied that the impact on the irreplaceable habitat is minimised and appropriate arrangements have been made for compensating for any impact which do not include the use of biodiversity credits.

+ The effect of section 73(2D) of the Town and Country Planning Act 1990:

If planning permission is granted under section 73, and a BGP was approved in relation to the previous planning permission ("the earlier BGP"), the earlier BGP may be regarded as approved for the purpose of discharging the biodiversity

gain condition on this permission. It will be regarded as approved if the conditions attached (and so the permission granted) do not affect the post-development value of the onsite habitat, or any arrangements made to compensate irreplaceable habitat, as specified in the earlier BGP.

+ Phased development:

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