

Application ref: 2023/0149/P  
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Date: 2 May 2023

**Development Management**  
Regeneration and Planning  
London Borough of Camden  
Town Hall  
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WC1H 9JE

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Ambigram Architects  
60 Grays Inn Road  
Studio 4.11  
London  
WC1X 8AQ

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Householder Application Granted**

Address:

**10 Elsworthy Terrace  
London  
NW3 3DR**

Proposal:

Replacement of pitched roof of rear bay with flat roof to create first floor balcony with associated installation of railings and replacement of first floor rear window by access door, plus replacement of doors and windows at lower ground floor level.

Drawing Nos: Site Location Plan; Design and Access Statement; E-1000\_PL-A; E-1001\_PL-A; E-1002\_PL-A; E-1003\_PL-A; E-1004\_PL-A; E-1005\_PL-A; E-2002\_PL-A; E-3001\_PL-A; PR-1000\_PL-C; PR-1001\_PL-B; PR-1002\_PL-B; PR-1003\_PL-B; PR-1004\_PL-B; PR-1005\_PL-B; PR-2002\_PL-C; PR-3001\_PL-B.

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: Site Location Plan; Design and Access Statement; E-1000\_PL-A; E-1001\_PL-A; E-1002\_PL-A; E-1003\_PL-A; E-1004\_PL-A; E-1005\_PL-A; E-2002\_PL-A; E-3001\_PL-A; PR-1000\_PL-C; PR-1001\_PL-B; PR-1002\_PL-B; PR-1003\_PL-B; PR-1004\_PL-B; PR-1005\_PL-B; PR-2002\_PL-C; PR-3001\_PL-B.

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.

#### Informative(s):

- 1 Reasons for granting permission:

On 2.7.20, permission was granted for the erection of a rear balcony with railings to the top of the existing bay at first floor level, as well as alterations to the rear fenestration at lower ground and first floor levels (ref. 2020/0429/P). The current application seeks permission for these approved works, and no other changes are proposed.

The proposed alterations are identical to those granted permission in 2020. The context of the site and local plan policies have not changed since that decision; therefore, as with the previous approval, these alterations are considered acceptable and would not cause harm to the character and appearance of the host building and surrounding conservation area.

The balcony would have a similar outlook to the existing approved balconies at this level within the terrace and it would therefore not contribute significantly to additional overlooking. Given the modest footprint and its angled shape, it is unlikely to result in loss of privacy. The size, scale, and location of the proposed alterations would not cause harm to neighbouring amenity.

No objections were received following statutory consultation. The Elsworthy Conservation Area Advisory Committee originally objected due to a mistake in the submitted plans, but withdrew this objection when the mistake was corrected. The site's planning history and relevant appeal decisions were taken into account when coming to this decision.

Special regard has been attached to the desirability of preserving or enhancing the conservation area, under s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

As such, the proposal is in general accordance with policies A1, D1, and D2 of

the London Borough of Camden Local Plan 2017. The proposed development also accords with the London Plan 2021 and the National Planning Policy Framework 2021.

- 2 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).
- 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](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 paragraph 38 of the National Planning Policy Framework 2021.

You can find advice about your rights of appeal at:

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

If you submit an appeal against this decision you are now eligible to use the new [submission form](#) (Before you start - Appeal a planning decision - GOV.UK).

Yours faithfully

A handwritten signature in black ink, appearing to read 'DPope', is positioned above the printed name.

Daniel Pope  
Chief Planning Officer