

Application ref: 2023/4925/P
Contact: Alex Kresovic
Tel: 020 7974 3134
Email: Alex.Kresovic@camden.gov.uk
Date: 4 March 2024

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

Phone: 020 7974 4444

planning@camden.gov.uk
www.camden.gov.uk/planning

twelve forty one
1 Mentmore Terrace
London
E8 3PN
United Kingdom

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Variation or Removal of Condition(s) Granted

Address:
3 Baynes Mews
London
NW3 5BH

Proposal: Variation of condition 2 (approved plans) of planning permission 2023/1043/P for 'Garage conversion into habitable space and continued use of the property as a single dwellinghouse, installation and replacement of windows on the front elevation at first floor level and replacement of the front door and garage doors at ground floor level', namely to erect a rear dormer and enlarge the timber entrance door.

Drawing Nos: Planning Statement dated 26 January 2024, 3BM-1101 rev 3-05 dated 15.11.2023, 3BM-1103 rev 3-05 dated 15.11.2023, 3BM-1104 rev 3-05 dated 15.11.2023, 3BM-0151 rev 3-02 dated 15.11.2023, 3BM-0154 rev 3-02 dated 15.11.2023, 3BM-1201 rev 3-03 dated 15.11.2023, 3BM-1301 rev 3-05 dated 02.02.2024, 3BM-1302 rev 3-04 dated 15.11.2023.

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;

3BM-0011; 3BM-0101; 3BM-0102; 3BM-0103; 3BM-0104; 3BM-0151 rev 3-02 dated 15.11.2023; 3BM-0152; 3BM-0153; 3BM-0154 rev 3-02 dated 15.11.2023; 3BM-0201; 3BM-0251; 3BM-0301; 3BM-0302; 3BM-1101 rev 3-05 dated 15.11.2023; 3BM-1102; 3BM-1103 rev 3-05 dated 15.11.2023; 3BM-1104 rev 3-05 dated 15.11.2023; 3BM-1201 rev 3-03 dated 15.11.2023; 3BM-1301 rev 3-05 dated 02.02.2024; 3BM-1302 rev 3-04 dated 15.11.2023; Planning Statement dated 26 January 2024.

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

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

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

- 4 Before the development commences, details of secure and covered cycle storage area for 2 cycles shall be submitted to and approved by the local planning authority. The approved facility shall thereafter be provided in its entirety prior to the first occupation of any of the new units, and permanently retained thereafter.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy T1 of the London Borough of Camden Local Plan 2017

Informative(s):

- 1 Reasons for granting permission:

Planning permission was granted on 3 October 2023 ref: 2023/1043/P for the garage conversion into habitable space and continued use of the property as a single dwellinghouse, installation and replacement of windows on the front elevation at first floor level and replacement of the front door and garage doors at ground floor level.

The current application seeks to erect a rear dormer and enlarge the timber entrance door. The rear dormer optimizes the liveable space within the roof loft and is designed with a single top roof light to allow natural light into the loft area. The entrance door will be enlarged to allow for better accessibility and will be constructed in a timber material, which will be in keeping with the host buildings garage and windows, and neighbouring properties.

The full impact of the scheme has already been assessed as part of the

previous application referenced above.

Special attention has been paid to the desirability of preserving or enhancing the character or appearance of 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.

One (1) objection was received which stated the rear dormer would have a window directly overlooking into the neighbouring property, however this isn't the case as only a rooflight is proposed on the rear dormer, therefore there is no overlooking impacts as a result of the proposal.

A comment was also received from the Belsize Society and the Belsize CAAC. The Belsize Society suggested two conditions to be attached to the planning permission in respect to details of dormer walls and roof, and to no right of ever seek a planning permission to form fenestrations in the dormer beyond that of the skylight proposed. The dormer is to be constructed in materials that resemble, as closely as possible, in colour and texture those of the existing building, which is specified in condition 3 of the permission. In respect to the suggested condition to no right of ever seek a planning permission to form fenestrations in the dormer beyond that of the skylight proposed, this is legally not possible due to the fact that applicants have a statutory right to submit any such planning application as they wish, and it is the role of the Council to assess the applications, in accordance with their local policies.

The Belsize CAAC's comment requested that Council consider the impact the proposals will have on the character and appearance of the conservation area. Policy D2 'Heritage' of the Camden Local Plan 2017 states that to maintain the character of Camden's conservation areas, the Council will not permit development within conservation area that fails to preserve or enhance the character and appearance of that conservation area. Council has a statutory requirement to take the Local Plan into consideration during the course of assessment, and it is therefore considered that the proposal, given the context of a larger existing dormer next door and the very limited visibility of the roof elevation from the public realm of the CA, the single dormer and enlarged entrance door won't equate to any kind of substantial harm to local heritage. The Council's Conservation Officer has raised no objections to the proposals.

The planning history of the site has been taken into account when coming to this decision.

As such, the proposed development is in general accordance with policies D1 and D2 of the Camden Local Plan 2017. The proposed development also accords with the London Plan 2021 and the National Planning Policy Framework 2023.

- 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) 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 2023.

You can find advice about your rights of appeal at:

<https://www.gov.uk/appeal-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



Daniel Pope
Chief Planning Officer