

Application ref: 2024/4096/P
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Date: 21 November 2024

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

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planning@camden.gov.uk
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SM Planning
80-83 Long Lane
London
EC1A 9ET

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:
27 Belsize Square
London
Camden
NW3 4HU

Proposal: Installation of railings on roof of rear, three storey wing and formation of access door within roof slope (to enable use as a terrace).

Drawing Nos: 064_: 001, 002, 010, 011, 012, 013, 014, 021, 022, 030, 031

064A_: 310, 311, 312, 313A, 314A, 321A, 322A, 330A

064B_: 302, 320

Covering Letter (SM Planning) 13/09/2024, Design & Access Statement (Allen Architects), Appendix 1 - Surrounding Area

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 drawings:

064_: 001, 002, 010, 011, 012, 013, 014, 021, 022, 030, 031

064A_: 310, 311, 312, 313A, 314A, 321A, 322A, 330A

064B_: 302, 320

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.

Informative(s):

- 1 Reasons for granting permission:

The application proposes the formation of a terrace on part of the flat roof of the curved rear wing and the creation of an access thereto by way of the formation of a door within the rear roof slope (within the plane of the roof).

When the application was first submitted it included railings to be installed on the lower edge of the parapet on the top of the rear wing and a new opening in the rear roof slope to enable the formation of a door and walkway to the roof terrace.

There were concerns that the rooftop railings and opening in the roof would harm the symmetry and architectural and historic merits of the terrace and the character and appearance of the Conservation Area.

The Belsize Conservation Area Advisory Committee (CAAC) initially indicated that the door opening in the roof slope was inappropriate.

The concerns were relayed to the applicant who amended the proposal (setting back the railings and reconfiguring the door to within the plane of the roof).

The current proposal would not now harm the architectural and historic merits of the terrace and the character and appearance of the Conservation Area. The Council's Conservation Team has no objections and the CAAC have withdrawn their objections.

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.

The proposed railings and opening would not significantly impact on neighbouring occupiers' amenity in terms of loss of light, privacy or outlook.

There would be a small increase in overlooking into private gardens however this relationship exists from existing windows and the added impact is not harmful.

There are also no terraces or gardens directly adjacent to the new terrace.

There would be no overbearing effects or overshadowing of any rooms or terraces. There would be no significant visual intrusion of any private habitable spaces.

The planning history of the site and the neighbouring sites have been taken into account in the assessment of the application.

As such, the proposed development is in general accordance with policies A1, D1 and D2 of the Camden Local Plan 2017. It 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 You are advised that the Council's Transport Strategy Team will generally resist the formation of new pavement crossovers if their formation would necessitate an alteration that would be detrimental to an existing Controlled Parking Zone, which would appear to be the case in the circumstances of this site, as the proposed position of the new pavement crossover is in an existing resident's parking bay. It is recommended that you contact the Council's Transport Strategy Team, Camden Town Hall, Argyle Street, London WC1H 8EQ, (tel: 020-7974 5543) or email transportpolicyobs@camden.gov.uk for further details.
- 4 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website (search for 'Camden Minimum Requirements' at www.camden.gov.uk) or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

Noise from demolition and construction works is subject to control under the

Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

5 Biodiversity Net Gain (BNG) Informative (1/2):

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).

++ 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).
6. It forms part of, or is ancillary to, the high-speed railway transport network (High Speed 2).

6 Biodiversity Net Gain (BNG) Informative (2/2):

+ 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 both the post-development value of the onsite habitat and any arrangements made to compensate irreplaceable habitat as specified in the earlier BGP.

++ Phased development

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

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with 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>.

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