

Application ref: 2024/4159/P  
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Date: 27 November 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](mailto:planning@camden.gov.uk)

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IQONICA Ltd Architecture & Interiors  
85 Great Portland Street  
1st Floor  
LONDON  
W1W 7LT

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Granted**

Address:

**Flat 1 and Flat 2**  
**26 Parliament Hill**  
**London**  
**NW3 2TN**

Proposal: External alterations including alterations to fenestration (windows and doors) on the side and rear elevation at lower ground floor level, including a new side window and replacement of single glazed windows with double glazed windows all in association with the conversion of lower ground and ground floor flats into 1 maisonette.

Drawing Nos: 0587-A-P-020 rev D; 0587-A-P-025 rev D; 0587-A-099 rev D; 0587-A-P-100 rev F; 0587-A-P-200 rev F; 0587-A-P-201 rev D; 0587-A-P-202 rev D; 0587-A-P-505 rev A.

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:

0587-A-P-020 rev D; 0587-A-P-025 rev D; 0587-A-099 rev D; 0587-A-P-100 rev F; 0587-A-P-200 rev F; 0587-A-P-201 rev D; 0587-A-P-202 rev D; 0587-A-P-505 rev A.

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 and policies DH1 and DH2 of the Hampstead Neighbourhood Plan 2018.

#### Informative(s):

- 1 Reasons for granting permission:-

The proposal involves the net loss of one home in order to create a maisonette at basement and ground floor level. Policy H3 explicitly considers and allows for two homes to be merged to provide one larger home. Hampstead Neighbourhood Plan Policy HC1 does state that housing proposals which result in the loss of small self-contained dwelling (either studio or 1 or 2 bedrooms in conversions) will not be supported but is not concerned with the loss of a single small self-contained dwelling. Both plans resist the loss of small self-contained dwellings and in this case as there is a net loss of only 1 dwelling, the Hampstead NP is in general conformity with the local plan on this issue.

The newly created maisonette would comfortably meet space standards and provide a very good standard of living including a high quality of outlook and access to light. The standard of accommodation is therefore considered acceptable. The conversion of 2 flats into one maisonette would not harm local transport and parking conditions.

The physical works proposed involve mainly alterations to the windows and doors on all elevations at basement and ground floor level. Following discussions with officers, the plans have been revised to omit 2 new windows in the ground floor front elevation as they were considered harmful to the appearance of the building and would unbalance the other half of the pair of the semi-detached dwellings of which the building forms a part. There is no objection to the replacement windows or doors which will be largely like for like. Additional information has been submitted in relation to the stained glass windows and associated leadwork within the upper window sections in the existing ground floor front bay. Detailed sections and elevations demonstrate that the stain glass would either be restored or it would be overlaid onto the

external side of the new double glazed unit. This would ensure that the visual appearance of these windows remains unaltered when viewed from the street.

There would be no adverse impacts on the amenity of adjoining residential occupiers.

Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the Hampstead 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 this application relates to a householder development, the proposal is considered to be exempt from the Biodiversity Net Gain requirements set out within Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021).

No consultation responses have been received to the proposal. 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 A1, H3, H6, D1 and D2 of the Camden Local Plan 2017 and policies DH1, DH2 and HC1 of the Hampstead Neighbourhood Plan 2018. The proposed development also accords with the London Plan 2021 and the National Planning Policy Framework 2023.

- 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 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).
- 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.

- 5 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.

Based on the information available, this will not require the approval of a BGP before development is begun because the application is a Householder Application.

+ 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).

- 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

A handwritten signature in black ink, appearing to read 'DPope', is written over a light blue rectangular background.

Daniel Pope  
Chief Planning Officer