

Application ref: 2024/3787/P
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Date: 11 December 2024

Development Management
Regeneration and Planning
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Town Hall
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KA Designs
23 Haslemere Aveune
Barnet
EN4 8EY

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Granted

Address:
2 Elliott Square
London
NW3 3SU

Proposal:
Erection of an additional storey at third floor level of the existing dwellinghouse.

Drawing Nos: Design and Access Statement 03 August 2024.
(E01/2024/) SITE, 01, 02, 03 Rev A, 04, 05

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:

Design and Access Statement 03 August 2024, (E01/2024/) SITE, 01, 02, 03 Rev A, 04, 05.

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 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission:

The application site is a three-storey mid-terrace house located on the north side of Elliott Square backing onto Adelaide Road. The dwelling is not designated as a heritage asset but is within a planned residential estate, known as the Chalcots Estate, which has a distinctive architectural design dating from the 1960s. There is uniformity in scale, form, design, and materials to the houses that form the terraces within the square.

The principle of the additional storey has already been established through several approvals in this part of the estate, including those implemented as upwards extensions through the prior approval process for permitted development. While there are no other upward extensions to other properties within this part of the terrace, at numbers 1 to 7 Elliot Square, there are roof extensions approved and currently being built at numbers 12, 15, 20, and 39 Elliot Square and 24 and 26 Lower Merton Rise and there are existing roof extensions approved and built nearby, at numbers 22 to 35 Elliot Square and number 22 Lower Merton Rise. The proposal is modern and well-designed and would not appear out of character with the existing and approved roof extensions in this part of the estate.

The extension is designed to appear as a modern addition and visually distinct from the existing building; however, it would match the existing and emerging building material palette and detailing and would be visually consistent with the nearby roof extensions. The zinc clad elevations would be slightly setback from front and rear and the proposed doors and windows would be aligned with the pattern of fenestration at lower floors. The rear elevation to Adelaide Road would have full height windows with horizontal glazing bars and the front elevation would have triple bi-folding doors with a Juliet balcony. Furthermore, brickwork to the flank walls would allow for similar development at adjacent neighbours. Due to its location, design, and materials the additional storey is considered appropriate in design terms and would be sympathetic to the emerging visual appearance of the square.

The nearest residential properties that would be affected by the proposal lies south of the site at number 28 Lower Merton Rise. Due to the orientation of this building as an end of terrace with a blank façade at a separation distance of approximately 13m, the proposal is unlikely to result in any loss of daylight and sunlight or increase overshadowing. The proposed window openings would be the same separation distances from neighbouring properties as the existing arrangement. Overall, given the surrounding context, siting, and orientation of the existing relationship between the host property and the neighbouring buildings, the proposed additional storey would have minimal impact on neighbouring amenity, in terms of loss of privacy, daylight or outlook.

The proposal would have no impact in terms of biodiversity impact, based on the information available this permission will not require the approval of a Biodiversity Gain Plan before development is begun because it seeks development to the existing roof only and it is a Householder application.

No objections were received following statutory consultation which the council considered prior to making this decision. The site's planning history and relevant appeal decisions were considered when coming to this decision.

As such, the proposal is in accordance with policies A1, A3 and D1 of the Camden Local Plan. The proposed development also accords with the policies of the London Plan 2021 and 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 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.

- 4 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.

- 5 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.
- 6 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 the application is a Householder Application.

++ 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).

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

7 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-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 centered within a light gray rectangular box.

Daniel Pope
Chief Planning Officer