

Application ref: 2024/4982/P  
Contact: Matthew Kitchener  
Tel: 020 7974 2416  
Email: [Matthew.Kitchener@camden.gov.uk](mailto:Matthew.Kitchener@camden.gov.uk)  
Date: 10 January 2025

**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)  
[www.camden.gov.uk/planning](http://www.camden.gov.uk/planning)

Mr Thomas Merriman  
15 Montpelier Grove  
London  
NW5 2XD

Dear Sir/Madam,

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Householder Application Granted**

Address:  
**15 Montpelier Grove**  
**London**  
**Camden**  
**NW5 2XD**

Proposal: Replacement of the existing rear conservatory with a rear extension, replacement of existing extension flat roof with pitched roof incorporating two rooflights and replacement of uPVC window on the first floor at the rear of the house with double glazed timber framed sash window.

Drawing Nos: Design & Access Statement, Impact Assessment by Sunlight Assessments dated November 2024, A1, A2, A3, A4, A5, 319-PL-01 Rev A, 319-PL-02 Rev A, 319-PL-03 Rev A, 319-PL-04 Rev A, 319-PL-05 Rev A, 319-PL-06 Rev A, Location Plan 1:1250.

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 & Access Statement, Impact Assessment by Sunlight Assessments dated November 2024, A1, A2, A3, A4, A5, 319-PL-01

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 policy D3 of the Kentish Town Neighbourhood Plan 2016.

Informative(s):

- 1 Reasons for granting permission:

The proposal involves the replacement of the existing rear ground floor conservatory with a rear extension, replacement of existing ground floor extension flat roof with pitched roof incorporating two rooflights and replacement of uPVC window with a double glazed timber framed sash window at the rear at the first floor of the existing outrigger. The property is a three-storey (with an additional floor in the roof) mid-terrace dwelling, it is not listed but it is within the Kentish Town Conservation Area. Montpelier Grove is on a slope and the neighbouring property at No. 16 is approximately 0.5m higher than the application property.

The property has a two-storey outrigger at the rear and this has previously been extended to the rear with a ground floor flat roof extension at the rear of the outrigger and a side closet wing infill extension with the boundary of No. 14 which has a pitched roof glazed roof. It is proposed to raise the eaves height of the side extension on the boundary wall with No. 14 and also replace the flat roof of the rear extension in order that a new dual pitch style roof can be erected in place of the two existing roofs to create a single side/rear wrap around extension in character and appearance. The depth of the extensions will remain unchanged. The boundary wall with No. 16 will remain unchanged in height.

The existing flat roof and glazed mono-pitched roof will be removed and the boundary wall with No. 14 will be raised to form the new side wall of the extension. When measured from ground level of the application property the new eaves height would be approximately 2.9 m and the maximum height at the ridge would be 3.6m. The new dual pitch roof would be constructed from GRP with dark grey aluminium capping and the walls would be brick to match the existing dwelling. No alterations are proposed to the height of the boundary with No. 16. The resultant extension would be on the same footprint as the existing and would not project any further from the rear wall of the dwelling.

Two objections were received. One from the neighbour at 14 and one from a planning consultant on behalf of the neighbour at 14. They commented that it would unacceptably infill the space between the paired outriggers, and due to

the excessive depth and height on the boundary and apex, would result in a material and unacceptable loss of daylight and sunlight. It would also be an unneighbourly and overbearing form of development which would result in a material loss of outlook to their rear and side facing habitable room windows. These points are addressed below.

## 2 Reasons for granting permission continued

The application property is set down approximately 0.5m from its neighbour at No. 14. This boundary wall currently measures approximately 1.4m high when measured from ground level at No. 14. The current extension is built adjacent to and is attached to this wall and measures 1.8m from ground level at No. 14 and 2.2m high when measured from ground level of the application property. The new eaves height created by the proposed extension would measure approximately 2.8m from ground level at the application property and the resultant boundary wall with No. 14 when measured from ground level at 14 would be approximately 2.3m high. This is an increase in height of the boundary wall by 0.9m, however it is only an increase in height of 0.5m above the eaves height of the existing extension built onto the boundary wall. It is considered that the resultant boundary wall height of 2.3m is acceptable and would not significantly harm the amenity of the neighbouring occupiers at No. 14 in terms of loss of light, outlook or privacy.

A daylight assessment was submitted with the application that demonstrated that the proposal was within recommended BRE daylight limits. It is considered that although the proposed extension is higher than the existing it is not unduly high, and would not appear unduly overbearing or result in any additional loss of outlook beyond the impact of the existing rear/side extension that is already in place.

It is also proposed to replace the modern style UPVC window at the first floor of the property at the rear with a timber framed sash style window in an enlarged opening. It is considered that this minor alteration would result in an improvement to the appearance of the rear of the property due to the design of the window frame.

The proposal's location, materials, design and scale ensures that the roof extension does not appear as a dominant addition. The design is therefore not considered to be to the detriment of the character or appearance of the conservation area in this mid-terrace location. Due to the nature of the works, it is considered that the proposal would not result in undue harm to the amenity of neighbouring occupiers as outlined above.

The Kentish Town Neighbourhood Forum and Kentish Town CAAC were both notified but did not comment. The planning history of the site and surrounding area were taken into account when coming to this decision.

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 Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

As such, the proposed development is in general accordance with policies A1, D1 and D2 of the Camden Local Plan 2017 and Policy D3 of the Kentish Town Neighbourhood Plan 2016. The proposed development also accords with The London Plan 2021, the Kentish Town Conservation Area Appraisal and Management Strategy 2011 and the National Planning Policy Framework 2024.

- 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 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 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.

## 6 Biodiversity Net Gain (BNG)

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 planning permission is a minor application within exemption threshold.

#### ++ 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 + 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 positioned above the printed name and title of the signatory.

Daniel Pope  
Chief Planning Officer