

Application ref: 2024/5690/P
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Date: 5 February 2025

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DF_DC architects
42 Theobalds Rd
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WC1X 8NW

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Granted

Address:
10 Fitzroy Road
London
NW1 8TX

Proposal:
Proposed enlargement of the existing roof extension and erection of a single storey rear extension replacing the existing conservatory.

Drawing Nos: Location plan; 217(00)100 P1; 217(01)100 P1; 217(00)201 P1;
217(01)201 P1; 217(00)202 P1; 217(01)202 P2; 217(00)250 P1; 217(01)250 P2;
Design and Access Statement dated January 2025.

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:

Location plan; 217(00)100 P1; 217(01)100 P1; 217(00)201 P1; 217(01)201 P1; 217(00)202 P1; 217(01)202 P2; 217(00)250 P1; 217(01)250 P2; Design and Access Statement dated January 2025.

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 seeks permission for the proposed enlargement of the existing roof extension and the erection of a single storey ground floor rear extension replacing the existing conservatory. The application site is not listed and is a positive contributor within the Primrose Hill Conservation Area.

The proposal would enlarge the existing roof extension and have a depth aligned with the other neighbouring roof extensions. The proposed roof extension would remain at the same height as the existing and would be limited to the rear and therefore would not be widely seen from the public realm. Therefore, the proposed roof extension is acceptable and would not cause detrimental visual impact to the appearance and character of the host building or the wider conservation area.

The proposal would also replace an existing ground floor conservatory with a single storey rear extension. Whilst the height of the proposed extension would increase from approximately 2.7m to 3.6m, the increased height would not obscure any existing architectural features on the rear elevation and its depth would remain largely similar to the existing conservatory. The proposed extension would be built with zinc cladding and include timber framed side windows. The proposed materials would allow the extension to continue to be read as a light and modern addition to the host property, a design approach similar to the existing conservatory approved in 2012. Overall, the proposal is in keeping with the character of the surrounding development and would not detract the appearance and character of the host dwelling and the Primrose Hill Conservation Area.

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

With regards to amenity impact, although the proposed ground floor rear

extension would be taller than the existing, it is noticed that the adjoining neighbour at No.12 currently benefits from a two-storey rear extension in similar depth. As such it would not cause an adverse amenity impact to this neighbour. The proposed side windows within the extension would front a passageway and therefore they would not result in any undue loss of privacy to neighbouring properties.

The property currently benefits from a mansard roof extension with a roof terrace. The proposed enlarged roof extension, by reason of its size, scale and location, is not considered to result in any undue increase in amenity impact to the neighbouring properties from the existing arrangement. Overall, the proposal is considered acceptable and would not result in any undue increase in amenity impact in terms of loss of light, outlook or privacy.

No objections have been received following statutory consultation. The Primrose Hill CAAC confirmed that they did not object 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, D1 and D2 of the London Borough of Camden Local Plan 2017, the London Plan 2021 and the National Planning Policy Framework 2024.

- 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.

- 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.

- 6 + 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 the post-development value of the onsite habitat, or 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', written in a cursive style.

Daniel Pope
Chief Planning Officer