

Application ref: 2024/5602/P
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Regeneration and Planning
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Urban Roots Architecture & Design
43 SPRINGFIELD ROAD
Tottenham
London
N15 4AY
United Kingdom

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

Flat B
126 Maygrove Road
London
NW6 2EP

Proposal: Replacement flat roof and parapet to rear outrigger and erection of a rear dormer.

Drawing Nos: Design, Access Planning & Heritage Statement, 314-120 Rev B, 314-121 Rev B, 314-122 Rev B, 314-123 Rev B, 314-124 Rev B, 314-003 Rev A, 314-004 Rev A, 314-002 Rev A, 314-001 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: Design, Access Planning & Heritage Statement, 314-

120 Rev B, 314-121 Rev B, 314-122 Rev B, 314-123 Rev B, 314-124 Rev B, 314-003 Rev A, 314-004 Rev A, 314-002 Rev A, 314-001 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 policy D1 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission:

The proposal involves the replacement of the existing flat roof and parapet to rear outrigger and erection of a rear dormer window. The property is a three-storey dwelling sub-divided into flats, it is not listed or within a conservation area.

It is proposed to erect a dormer window to the rear roof slope, the dormer would be set down approximately 0.3m from the ridge height of the property and set back 0.2m from the eaves and set in from the party wall to either side by 0.5m. It would measure approximately 4.4m wide, 2.5m high and 3.2m deep and would be finished in tiles to match the existing roof with a felt flat roof. A single door with Juliet balcony will be installed in the dormer. No access is proposed to the adjoining flat roof to the existing outrigger.

It is also proposed to raise the height of the flat roof of the existing rear outrigger in order to achieve improved internal height. The existing outrigger parapet will be raised by 0.7m to allow this. The outriggers to the adjoining properties are already higher than the outrigger on the application property and of varying designs. It is considered that the slight increase in height to the outrigger in this location would not detrimentally impact on the appearance of the rear of the property or look out of place in this location.

The rear dormer's siting, materials, design and scale ensures that it does not appear as a dominant addition at roof level. The design of the proposed dormer window is therefore not considered to be to the detriment of the character or appearance of the dwelling or streetscene. The dormer window would not give rise to any additional overlooking concerns as there is already an existing rooflight in this location.

There is a separation distance of approximately 14m between the nearest window of the property to the rear (22 Ariel Road) and the proposed dormer window itself and it is considered that this would not result in a loss of privacy to the occupiers of that neighbouring property as the result of this distance and also given the fact that the line of sight between these features would be at an oblique angle.

The neighbouring property No. 128 Maygrove Road already benefits from a rear dormer window and therefore the proposal is not out of place in this rear setting and would not introduce additional overlooking to the rear in this area. Due to the nature of the external works, it is considered that the proposal would not result in any additional harm to amenities of neighbouring occupiers due to overlooking or loss of privacy.

No objections were received prior to the determination of this application. The Fortune Green and West Hampstead Neighbourhood Forum were notified but did not comment.

The planning history of the site and surrounding area were taken into account when coming to this decision.

As such, the proposed development is in general accordance with policies A1 and D1 of the Camden Local Plan 2017 and Policy 2 of the Fortune Green and West Hampstead Neighbourhood Plan 2015. The proposed development also accords with 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 Biodiversity Net Gain (BNG)

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted 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 permission will not require the approval of a BGP before development is begun because the planning permission is a minor application within exemption threshold.

If the onsite habitat includes Irreplaceable Habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements.

The BGP must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat.

The LPA can only approve a BGP if satisfied the adverse effect on the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

If planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 and a BGP was approved in relation to the previous (parent) planning permission ("the earlier BGP") there are circumstances when the earlier BGP is regarded as approved for the purpose of discharging the biodiversity gain condition subject to which the section 73 planning permission is granted.

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 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