

Application ref: 2024/3768/P
Contact: Christopher Smith
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Date: 2 April 2025

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
Judd Street
London
WC1H 9JE
Phone: 020 7974 4444

Heritage Potential Ltd.
Magdalen House
148 Tooley Street
London
SE1 2TU
United Kingdom

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted Subject to a Section 106 Legal Agreement

Address:

Kelley House
18-20 Royal College Street
London
NW1 0TH

Proposal:

External alterations including replacement front windows at lower ground level and retention of the external plant room.

Drawing Nos: (00)00 Location Plan

(00)01 Pre-Existing Site Plan

(00)02 Existing Site Plan

(00)02 Proposed Site Plan

(01)01 Pre -Existing Basement plan

(01)02 Pre -Existing Ground floor plan

(01)03 Pre -Existing First floor plan

(01)04 Pre -Existing Second floor plan

(01)05 Pre -Existing Third floor plan

(01)06 Pre -Existing elevations Rev. A

(01)07 Pre -Existing side elevations no18

(01)08 Pre -Existing side elevations no20

(01)09 Pre -Existing sections AA & BB

(01)10 Pre -Existing sections CC & DD

(01)11 Existing Basement plan

(01)12 Existing Ground floor plan Rev. A

(01)13 Existing First floor plan Rev. A

- (01)14 Existing Second floor plan
- (01)15 Existing Third floor plan
- (01)16 Existing elevations
- (01)17 Existing side elevations no18
- (01)18 Existing side elevations no20
- (01)19 Existing sections AA & BB
- (01)20 Existing sections CC & DD
- (02)10 Proposed Basement plan Rev. D
- (02)11 Proposed Ground floor plan Rev. C
- (02)12 Proposed First floor plan Rev. C
- (02)13 Proposed Second floor plan Rev. C
- (02)14 Proposed Third floor plan Rev. C
- (02)15 Proposed elevations Rev. F
- (02)16 Proposed side elevations no18 Rev. A
- (02)17 Proposed side elevations no20 Rev. A
- (02)18 Proposed sections AA & BB Rev. C
- (02)19 Proposed sections CC & DD Rev. C
- (02)20 Comparative Plan -Basement Rev. B
- (02)21 Comparative Plan -Ground floor Rev. B
- (02)22 Comparative Plan -First floor Rev. B
- (02)23 Comparative Plan -Second floor Rev. B
- (02)24 Comparative Plan -Third floor Rev. B
- (24)01 Balustrade details -Basement and third floor
- (24)02 Balustrade details -GF, FF and SF
- (31)01 Window details
- (31)05 Internal doors details
- (31)10 Architrave details
- (31)21 Terrace door details
- (43)01 Skirting details

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:

- (00)00 Location Plan
- (00)01 Pre-Existing Site Plan
- (00)02 Existing Site Plan
- (00)02 Proposed Site Plan
- (01)01 Pre -Existing Basement plan

(01)02 Pre -Existing Ground floor plan
 (01)03 Pre -Existing First floor plan
 (01)04 Pre -Existing Second floor plan
 (01)05 Pre -Existing Third floor plan
 (01)06 Pre -Existing elevations Rev. A
 (01)07 Pre -Existing side elevations no18
 (01)08 Pre -Existing side elevations no20
 (01)09 Pre -Existing sections AA & BB
 (01)10 Pre -Existing sections CC & DD
 (01)11 Existing Basement plan
 (01)12 Existing Ground floor plan Rev. A
 (01)13 Existing First floor plan Rev. A
 (01)14 Existing Second floor plan
 (01)15 Existing Third floor plan
 (01)16 Existing elevations
 (01)17 Existing side elevations no18
 (01)18 Existing side elevations no20
 (01)19 Existing sections AA & BB
 (01)20 Existing sections CC & DD
 (02)10 Proposed Basement plan Rev. D
 (02)11 Proposed Ground floor plan Rev. C
 (02)12 Proposed First floor plan Rev. C
 (02)13 Proposed Second floor plan Rev. C
 (02)14 Proposed Third floor plan Rev. C
 (02)15 Proposed elevations Rev. F
 (02)16 Proposed side elevations no18 Rev. A
 (02)17 Proposed side elevations no20 Rev. A
 (02)18 Proposed sections AA & BB Rev. C
 (02)19 Proposed sections CC & DD Rev. C
 (02)20 Comparative Plan -Basement Rev. B
 (02)21 Comparative Plan -Ground floor Rev. B
 (02)22 Comparative Plan -First floor Rev. B
 (02)23 Comparative Plan -Second floor Rev. B
 (02)24 Comparative Plan -Third floor Rev. B
 (24)01 Balustrade details -Basement and third floor
 (24)02 Balustrade details -GF, FF and SF
 (31)01 Window details
 (31)05 Internal doors details
 (31)10 Architrave details
 (31)21 Terrace door details
 (43)01 Skirting details

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 planning permission for external alterations including replacement front and rear windows, new rear terrace doors, external lightwell alterations at the lower ground level and retention of the external plant room.

The application site is a pair of Grade II listed buildings. Their significance includes their architectural design and materials, plan-form, evidential value as c.1800 townhouses, and group value within their terrace and surrounding late Georgian Streetscape (most of which is listed at GII). It is not located within any conservation area.

A variety of unauthorised external and internal works have been undertaken to the site without the benefit of listed building consent, which has adversely affected its character as a building of special architectural or historic interest.

The application seeks to address unauthorised works to the listed buildings, and which are currently the subject of an Enforcement Notice dated 28th March 2024 (ongoing formal enforcement investigation referenced EN23/0835). The Council must make clear that some of the proposed works of this application would not have been acceptable had consent been sought prior to the unconsented works having been undertaken. In this context, it is relevant to note that this permission is not approving the loss of the historical fabric, which remains unacceptable. It is necessary to find a constructive solution and therefore whilst any proposal cannot fully mitigate the harm from the irreversible loss of original historic fabric, this scheme is considered an appropriate replacement, only in light of the current unauthorised position.

The application has been submitted in tandem with an application for listed building consent which also seeks a range of internal alterations. However, the works proposed to the interior of the building do not require planning permission and as such are not assessed in this report. They are instead referred to as part of the assessment of the related listed building consent application ref. 2024/5578/L.

The range of works are proposed which achieve compliance with the Enforcement Notice. This includes the proposed replacement windows to the front at lower ground level. The proposal would replace the existing double-glazed door and picture windows with a timber framed single glazed sash window design that is historically appropriate. These features are therefore supported in design and heritage terms.

The application also includes the retention of the existing single storey timber-clad boiler store which projects off the side of the ground floor outrigger of no. 20. This building has replaced three separate stores and outbuildings that were formerly in existence at the rear of the site.

The building is necessary to provide storage for boiler plant which would otherwise need to be provided inside the host listed buildings, potentially

degrading their historic fabric. Although the 'shed' type structure appears slightly incongruous when viewed from the rear garden area, it is necessary to enable the occupancy of the buildings, facilitates heritage benefits within the buildings and has been kept to a minimum size and scale, as well as being finished with a soft naturally occurring material. It appears subordinate to the existing rear outriggers and is also not visible from public areas outside of the site. As such, it is considered acceptable in design and heritage terms. Its single storey size, limited scale and siting adjacent to an existing outrigger means it would not impact negatively on neighbouring amenity.

The Council's Conservation Officer has raised no objections to the proposals, following amendments, though they would not have a beneficial impact on the heritage assets as they only mitigate for the harm that has occurred through the unconsented works that have already been undertaken.

- 2 As such, it is considered that the proposed works would reinstate the special architectural and historic interest of the listed building as much as is reasonably possible given the permanent loss of pre-existing historic fabric that has previously occurred.

The planning history of the site has been taken into account when coming to this decision. One comment was received as part of the public consultation for the application, which objected to the undertaking of unauthorised works and matters relating to the ongoing appeal process. These points have been taken into account in the assessment of this application.

In order to ensure the works are completed in accordance with the plans and to ensure compliance with the Enforcement Notice requirements it shall be secured through legal agreement that works hereby approved as shown on the submitted plans are completed within one year of the date of this decision.

Special regard has been attached to the desirability of preserving the special interest of the listed building and the setting of neighbouring listed buildings, under s.66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

As such, the proposals are in general accordance with policies A1, D1 and D2 of the Camden Local Plan 2017. The proposed development also accords with the London Plan 2021 and NPPF 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 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 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.
- 6 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 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).

++ 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.

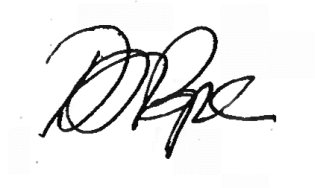
In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with the National Planning Policy Framework. The council publishes its adopted policies online, along with detailed Camden Planning Guidance. It also provides advice on the 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-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