

Application ref: 2022/3024/P  
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Date: 8 September 2022

**Development Management**  
Regeneration and Planning  
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Burd Haward Architects  
24 Wolsey Mews  
London  
NW5 2DX  
United Kingdom

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Householder Application Granted**

Address:  
**19 Elliott Square**  
**London**  
**Camden**  
**NW3 3SU**

Proposal:  
Erection of single storey roof extension.

Drawing Nos: 2217\_19\_P01; 2217\_19\_P02; 2217\_19\_P03; 2217\_19\_P04;  
2217\_19\_P05; Design and Access Statement dated June 2022; Daylight and Sunlight  
Report produced by Delva Patman Redler dated July 2022

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:

2217\_19\_P01; 2217\_19\_P02; 2217\_19\_P03; 2217\_19\_P04; 2217\_19\_P05;  
Design and Access Statement dated June 2022; Daylight and Sunlight Report  
produced by Delva Patman Redler dated July 2022

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 forms part of terrace of 8 properties of a similar style situated within Elliott Square. This application forms part of a set of applications submitted simultaneously for roof extensions of an identical appearance at nos. 19 - 23 Elliott Square, which are being determined concurrently.

The proposal is acceptable in design terms. The roof extension is of a mansard-style, clad in lead and aluminium doors and windows are proposed to align with the pattern of fenestration below. It is of a very similar appearance to the group of roof extensions approved at nos. 24 - 32 Elliott Square in 2018 under reference 2017/4239/P, as well as those recently approved to nos. 10 - 15 Elliott Square. Small inset terraces are proposed to the front and rear. Overall, the appearance of the roof extension is of a modern and well-designed roof extension, which would not have any negative impact on the appearance of the application property or surrounding area. It is not considered necessary for a legal agreement to be entered into to secure the simultaneous construction of all the roof extensions at nos. 19 - 23 given that the roof extensions are considered acceptable in their own right. Should all the extensions along this row be constructed, this would result in an attractive and contemporary feature to the properties along this terrace.

One objection was received from the adjoining property at no. 18, on grounds of loss of light to their three rooflights. It is stated that these rooflights serve bathrooms and a stairwell. However, bathrooms and circulation spaces are not habitable rooms and therefore loss of light to these rooms is not considered under BRE guidance, and permission cannot be refused on this basis. The comment also states concern over right to light, however this is a legal matter and not a planning matter.

The roof terraces would provide similar views compared to the existing windows to the floors below, and would not result in any loss of privacy, particularly considering that they are inset. Owing to its size and positioning,

there would not be any unacceptable sense of enclosure as a result of the extension. A daylight and sunlight report was submitted, showing that there would not be any unacceptable loss of light to surrounding properties. Therefore, the proposals are not considered to cause harm to neighbouring amenity in terms of loss of light, outlook or privacy.

Multiple letters of support were received from neighbouring residents. No other responses were received following statutory consultation. The site's planning history and relevant appeal decisions were taken into account when coming to this decision.

As such, the proposal is in accordance with policies A1 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 2021.

- 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](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.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2021.

You can find advice about your rights of appeal at:

<https://www.gov.uk/appeal-householder-planning-decision>.

Yours faithfully

A handwritten signature in black ink, appearing to read 'DPope', is positioned above the printed name and title.

Daniel Pope  
Chief Planning Officer