

Application ref: 2024/4767/P
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Date: 14 April 2025

Development Management
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SM Planning
80-83 Long Lane
London
EC1A 9ET

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

**Ornan Court
2 Ornan Road
London
NW3 4PT**

Proposal:

Demolition of external staircase, making good of associated landings to form balconies, extension to existing outbuilding, enlargement of existing rear opening to create a door, the addition of an automatic opening vent (AoV) on the roof and the addition of a fire dry riser to the front of the building.

Drawing Nos: (1915(PL))401 Rev P1; 410 Rev P2; 411 Rev P2; 412 Rev P2; 413 Rev P2; 420 Rev P2; 421 Rev P1; 422 Rev P1; 423 Rev P2; 424 Rev P1; 430 Rev P1; 431 Rev P2; 440 Rev P2; 441 Rev P2; 441 Rev P2; 442 Rev P2; 443 Rev P1; 450 Rev P2; 451 Rev P1; 452 Rev P1; 453 Rev P2; 454 Rev P1; 460 Rev P1; 461 Rev P2; 470 Rev P2; 471 Rev P2; 472 Rev P2; 473 Rev P1; 480 Rev P2; 481 Rev P1; 482 Rev P2; 483 Rev P2; 484 Rev P1; 490 Rev P1 and 491 Rev P2

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: (1915(PL))401 Rev P1; 410 Rev P2; 411 Rev P2; 412 Rev P2; 413 Rev P2; 420 Rev P2; 421 Rev P1; 422 Rev P1; 423 Rev P2; 424 Rev P1; 430 Rev P1; 431 Rev P2; 440 Rev P2; 441 Rev P2; 441 Rev P2; 442 Rev P2; 443 Rev P1; 450 Rev P2; 451 Rev P1; 452 Rev P1; 453 Rev P2; 454 Rev P1; 460 Rev P1; 461 Rev P2; 470 Rev P2; 471 Rev P2; 472 Rev P2; 473 Rev P1; 480 Rev P2; 481 Rev P1; 482 Rev P2; 483 Rev P2; 484 Rev P1; 490 Rev P1 and 491 Rev P2

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.

- 4 Before the relevant part of the work is begun, detailed drawings, in respect of the following, shall be submitted to and approved in writing by the local planning authority:

- a) Details including sections at 1:10 of the proposed external rear door;
- b) Plan, elevation and section drawings at 1:10, and / or manufacturer specifications details of the proposed dry riser box;

The relevant part of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course of the works.

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.

- 5 The balconies hereby approved shall not be used at any time as a roof terrace, and any access out onto this area shall be for maintenance purposes only.

Reason: To safeguard the amenities of the adjoining neighbours in accordance with the requirements of policy A1 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission.

The site is a large mansion block comprising 5 upper storeys in a Queen Anne Revival style, located on the junction of Ornan Road and Haverstock Hill. The building is used as a hostel (sui generis) and which makes a positive contribution to the Fitzjohn's / Netherhall Conservation in which it is located.

The proposal seeks to remove an existing black painted metal staircase from the rear of the property and retaining the landing platforms to form balconies. The proposal also seeks to extend an existing outbuilding, the widening of an existing rear ground floor opening to create a door, the provision of an automatic opening vent (AOV) in the roof and the addition of a dry riser to the front ground floor elevation.

The removal of the access stair at the rear and the creation of the balconies from the remaining stair platforms in materials to match the existing is welcome, as these works would remove a feature which could be considered to harm the character and appearance of the conservation area.

From a Fire Safety perspective, the access stairs on the rear elevation was originally designed for maintenance access for roof level plant, and only later was it modified to form a means of escape. However, the existing escape does not form part of the fire strategy for the building, with the means of escape being the internal stair core and hall which will be enhanced to provide a building regulation compliant means of escape. Part of that enhancement is the AOV in the roof directly above this stair core. This would not be visible from the street as it lies flat against the main roof. There would be no change to the fire tender access arrangements or the access and egress arrangements in the event of a fire. The works will be carried out in accordance with current building regulation fire safety requirements. There would be no conflict with London Plan Policy D12.

The proposed extension to the outbuilding (a plant room) is modest in scale and would not be visible from public viewpoints. This extends an existing outbuilding which are not uncommon in garden areas of the conservation area. The proposed extension is in white rendered blockwork and trellis screening and planting, which is considered not to harm the character of the conservation area and is therefore acceptable.

An existing window on the rear ground floor elevation (adjacent to the outbuilding) is proposed to be converted into a timber framed glazed door. This is considered to be acceptable as there is no harm to the host property or character or appearance of the conservation area, but the exact details will be conditioned to ensure the design is acceptable for the property in the conservation area.

Finally, there is the proposed addition of a dry riser attached to the front elevation of the property. This has to be located close to and visible from the road, so it is easily identifiable for use by the Fire Brigade. The box is metal, attached to the front elevation of the building and will be painted black. The size, shape and location of the proposed riser box is considered to be acceptable as it is low level and partially hidden from street views behind boundary walls and railings.

From an amenity perspective, the balconies would be decorative and not used as terraces, and therefore no amenity concerns are created. None of the other works are considered to raise amenity concerns.

The Fitzjohn's / Netherhall CAAC have been notified and have not commented. No objections have been received. The Council's Conservation Officer has reviewed the proposal and has raised no objections. The application site's planning history has been taken into account when coming to this decision.

- 2 Special regard has been attached to preserving or enhancing the character or appearance of the conservation area, under s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

As such, the proposed development is in general accordance with policies A1, D1 and D2 of the Camden Local Plan. The proposed development also accords with policies HC1 and D12 of the London Plan 2021 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) 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 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



Daniel Pope
Chief Planning Officer