

Application ref: 2024/5776/P  
Contact: John Nicholls  
Tel: 020 7974 2843  
Email: [John.Nicholls@camden.gov.uk](mailto:John.Nicholls@camden.gov.uk)  
Date: 28 April 2025

**Development Management**  
Regeneration and Planning  
London Borough of Camden  
Town Hall  
Judd Street  
London  
WC1H 9JE

Phone: 020 7974 4444

[planning@camden.gov.uk](mailto:planning@camden.gov.uk)  
[www.camden.gov.uk/planning](http://www.camden.gov.uk/planning)

Sam Mackover  
64A Canfield Gardens  
London  
NW6 3EB

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Variation or Removal of Condition(s) Granted**

Address:

**Flat 2**  
**2 Hermit Place**  
**London**  
**NW6 4BZ**

Proposal:

Variation of conditions 3 (approved plans) and 4 (rooflights) of planning permission 2018/2544/P dated 27/07/2018 (as amended) (for: Erection of mansard roof. Alterations to front fenestration at ground and first floor level), namely: alteration of mansard flank elevation and fenestration.

Drawing Nos:

Site Location Plan; 2006-HP-GA-00 Rev A; 2006-HP-GA-01 Rev A; 2006-HP-GA-02 Rev A; 2006-HP-GA-RF Rev A; 2006-HP-GE-01 Rev A; 2006-HP-GE-02 Rev A; 2006-HP-GE-03 Rev A; 2006-HP-GE-04 Rev A and 2006-HP-GS-01 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 the original planning permission ref 2018/2544/P dated 27/07/2018.

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:

Site Location Plan; 2006-HP-GA-00 Rev A; 2006-HP-GA-01 Rev A; 2006-HP-GA-02 Rev A; 2006-HP-GA-RF Rev A; 2006-HP-GE-01 Rev A; 2006-HP-GE-02 Rev A; 2006-HP-GE-03 Rev A; 2006-HP-GE-04 Rev A and 2006-HP-GS-01 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 policies D1 and D2 of the London Borough of Camden Local Plan 2017.

- 4 The hereby approved roof lights to the southeast elevation of the mansard roof (as shown on drawing 2006-HP-GE-03 Rev A) shall be obscurely glazed and retained in perpetuity.

Reason: In order to prevent unreasonable levels of overlooking to the flats to the rear and to ensure the privacy of future residential occupiers, 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 proposal is to amend the design of the proposed mansard roof approved in 2018 (ref. 2018/2544/P - also amended under refs. 2019/3917/P & 2020/3054/P) by changing the sloped flank walls from pitched to vertical and removing the seven side-facing Velux windows and side dormer. It is noted that the original submission included changes which fell outside of the original description of development, and have since been removed following officer comments. The proposed amendments have been driven by the need for enhanced thermal performance, which impact the sides of the mansard as a result.

The property is located in the Priory Road Conservation Area and is considered a positive contributor to the area. The properties along Hermit Place feature a combination of façade finishes, original brickwork, and different styles of roof addition including those at No.'s 1 and 4. Therefore, a further amendment to the design of this roof addition by straightening its flank walls and the removal of the side dormers and Velux windows would not appear out of character within the area and is therefore considered acceptable. The change in roof form would be minor when considered in the context of the

consented scheme and would have a neutral impact in design terms. The proposed changes would ensure that the development continues to preserve the character and appearance of the host building and the conservation area, and therefore are acceptable.

The proposal would preserve the character and appearance of the conservation area overall. The Council has had special regard to the desirability of preserving the character and appearance of the Conservation Area.

The proposed changes to the mansard do not cause any adverse or additional impacts on the amenity of adjoining residential occupiers. Overall, the changes are considered minor in the context of the approved scheme. It is noted that the wording of condition 4 that relates to the obscure glazing to the rear has changed to ensure compliance with the approved plans.

The Priory Road Conservation Area does not have a CAAC. No objections have been received prior to making this decision. The planning history of the site has been taken into account when coming to this decision.

As such, the proposal is in general accordance with policies A1, D1, and D2 of the London Borough of Camden Local Plan 2017. 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 You are advised that the Transport Strategy Team should be consulted regarding the construction of the crossover on the public highway and any other work to, under, or over, the public highway, including vaults and thresholds. tel: 020-7974 5543 for further advice and information.
- 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.

- 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, 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 planning permission is granted under section 73 and the original (parent) permission was made or granted before 2 April 2024.

Summary of statutory exemptions for biodiversity gain condition:

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).
- 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

A handwritten signature in black ink, appearing to read 'DPope', is written over a light blue rectangular background.

Daniel Pope  
Chief Planning Officer