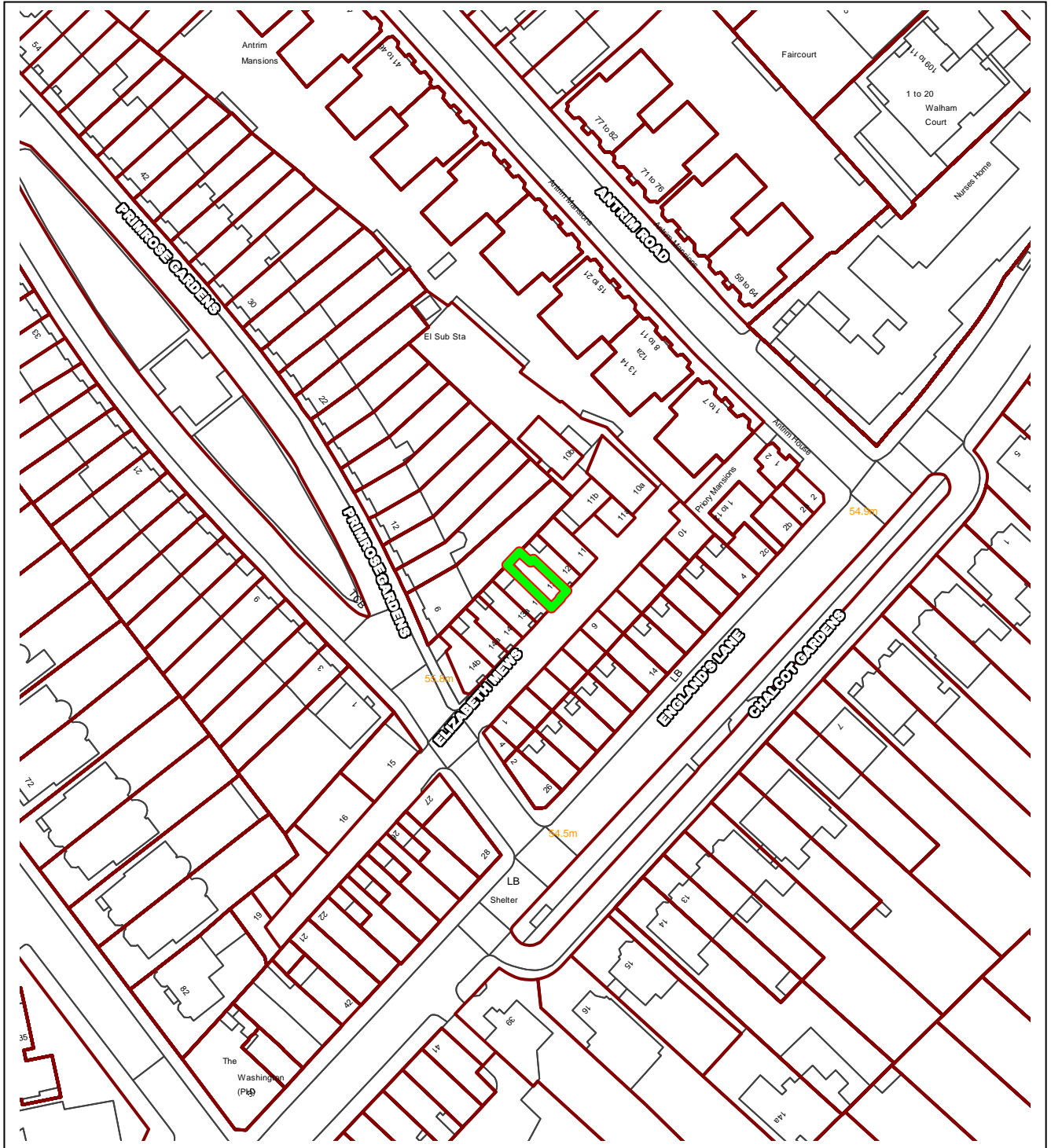


2025/0722/P
12A Elizabeth Mews



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2025/0722/P

12A Elizabeth Mews

Photos and Plans



Fig 1. Aerial view of 12A Elizabeth Mews (roof circled in red).



Fig 2. Existing front elevation.

2025/0722/P

12A Elizabeth Mews

Photos and Plans

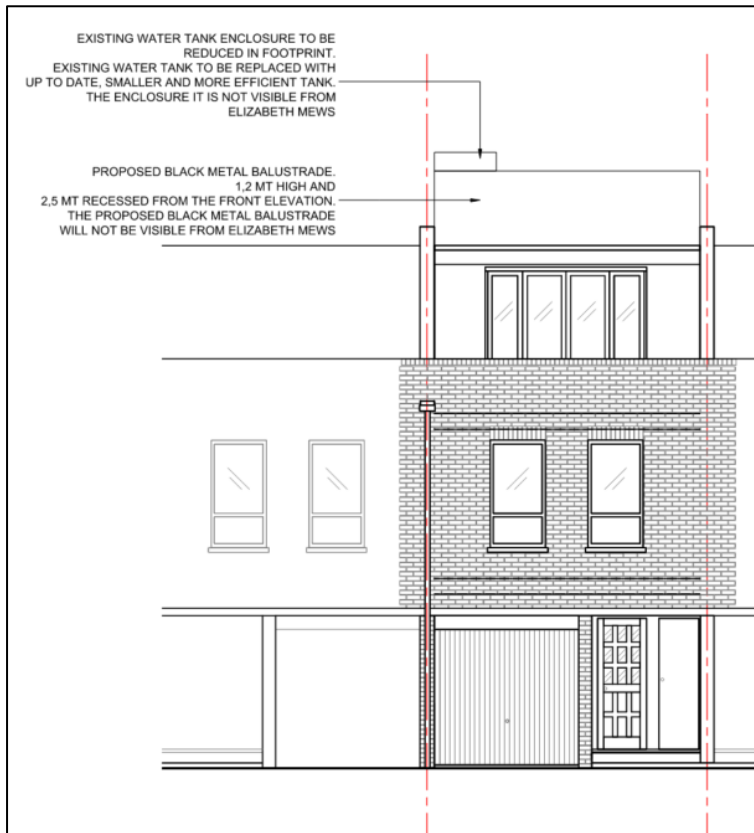


Fig 3. Proposed front elevation.

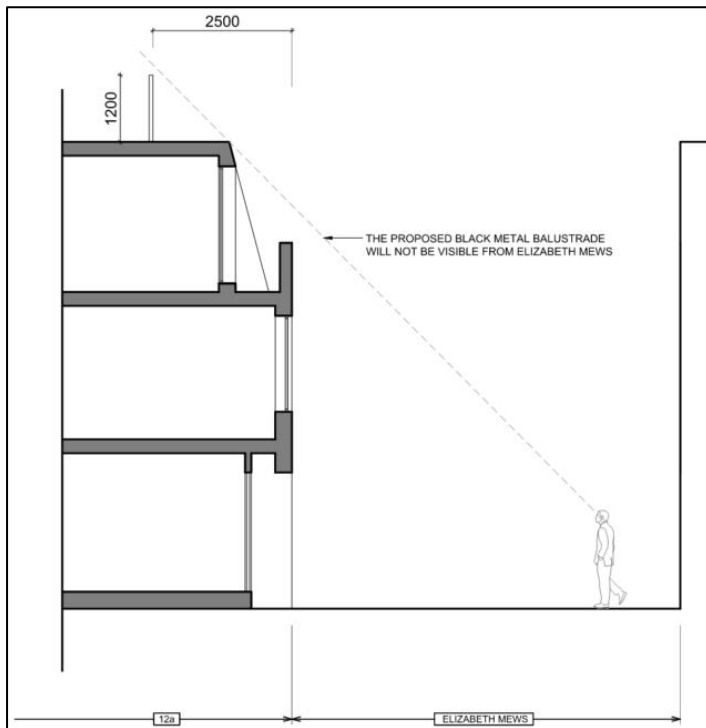


Fig 4. Proposed section demonstrating visibility of balustrades from Elizabeth Mews.

2025/0722/P

12A Elizabeth Mews

Photos and Plans

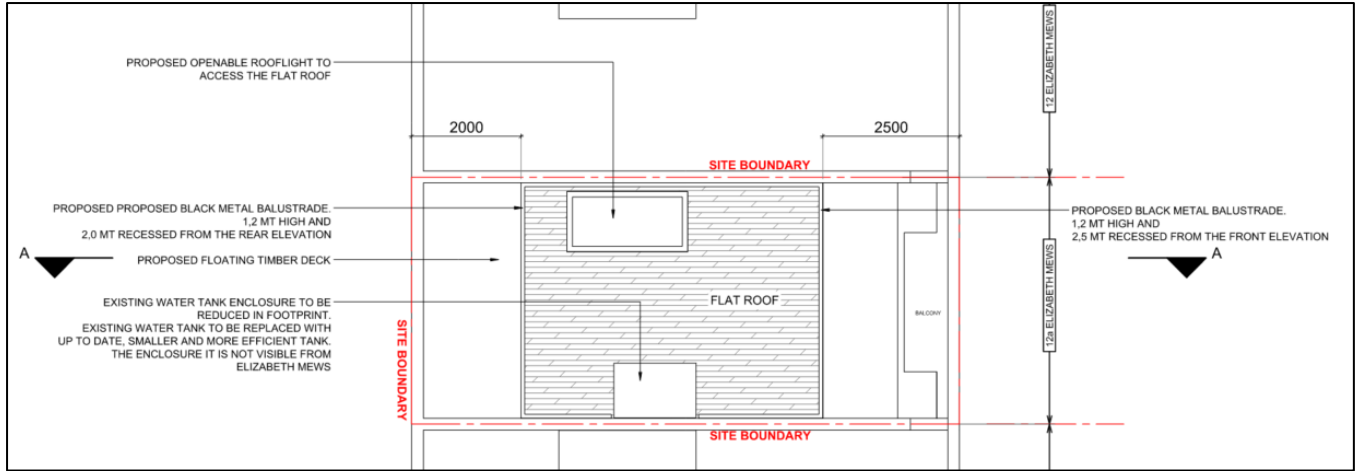


Fig 5. Proposed roof plan, indicating setbacks from the front and rear elevations.

Delegated Report		Analysis sheet		Expiry Date:		17/04/2025	
(Members Briefing)		N/A / attached		Consultation Expiry Date:		30/03/2025	
Officer				Application Number(s)			
Daren Zuk				2025/0722/P			
Application Address				Drawing Numbers			
12A Elizabeth Mews London NW3 4TL				See draft decision notice			
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature	
Proposal(s)							
Enlargement of existing rooflight to provide roof access; provision of roof terrace and associated balustrades; footprint reduction of existing water tank enclosure.							
Recommendation(s):		Grant conditional planning permission					
Application Type:		Householder Planning Permission					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	00	No. of responses	03	No. of objections	03
Summary of consultation responses:		<p>Site Notice: displayed 28/02/2025, expired 24/03/2025 Press Notice: published 06/03/2025, expired 30/03/2025</p> <p>Three responses objecting to the proposals were received following public consultation. The main reasons for objecting are summarised below:</p> <ul style="list-style-type: none"> Concerns regarding amenity impacts from proposed roof terrace, specifically overlooking and privacy to neighbouring properties on Elizabeth Mews and Primrose Gardens. Concerns were also raised regarding noise pollution through use of the terrace. <p><i>Impacts of the proposal on neighbouring amenity are outlined in Section 5 (Amenity) of this report.</i></p>					
(Officer response in italics)							

	<ul style="list-style-type: none"> Concerns regarding impacts of balustrade and loss of light and impact on skyline to neighbouring properties. <p><i>Impacts of the proposal on neighbouring amenity are outlined in Section 5 (Amenity) of this report.</i></p> <ul style="list-style-type: none"> Roof terrace would erode the character of Elizabeth Mews and would not preserve or enhance the character of the Belsize Conservation Area. <p><i>Impacts of the proposal on the wider Conservation Area, as well as the street scene of Elizabeth Mews, are outlined in Section 4 (Design and Conservation) of this report.</i></p>
<p>Belsize CAAC <i>(Officer response in italics)</i></p>	<p>The Belsize CAAC was consulted and provided the following comments objecting to the proposal:</p> <ul style="list-style-type: none"> Nos. 9 and 11 Elizabeth Mews do not have planning permission for their roof terraces. A balustrade is needed on all four sides, not just at the front. <p><i>Officer Response:</i></p> <ul style="list-style-type: none"> <i>It is noted that the submitted Design and Access Statement does mention the existing non-permitted roof terraces at nos. 9 and 11 Elizabeth Mews. The current application has been assessed on its own merits and includes a review of applicable planning consents in the area and does not include non-permitted works in the immediate area.</i> <i>A revised roof plan has been submitted indicating a black metal balustrade would be installed along the entire perimeter of the roof terrace.</i>
<p>The Belsize Society <i>(Officer response in italics)</i></p>	<p>A letter of objection was received on behalf of The Belsize Society. Their objection comments can be summarised as follows:</p> <ul style="list-style-type: none"> The are no approved roof terraces on this side of Elizabeth Mews and this would set a precedent. There are concerns of overlooking to the rear gardens and properties of Primrose Gardens and some loss of privacy to the front. <p><i>Officer's Response:</i></p> <ul style="list-style-type: none"> <i>The application has been assessed based on its own merits; any future applications for other roof terraces on Elizabeth Mews would also be assessed on their individual merits. Following revisions to the proposal to set back the roof terrace from the rear roof edge, and including the setback from the front roof edge, it is considered to</i>

mitigate any overlooking or privacy impacts to neighbouring occupiers on Primrose Gardens and Elizabeth Mews.

Site Description

The application site is located on the north side of Elizabeth Mews, east of the junction with Primrose Gardens. It comprises a three-storey terraced mews building in use as a single dwelling. The surrounding area is characterised by mews dwellings of a similar style and character. The site is not statutorily or locally listed but located within the Belsize Conservation Area.

Relevant History

2024/0367/P – Conversion of garage into habitable space, including replacement of garage door with window and cladding. Replacement of front door. Replacement of existing windows and sliding doors with metal framed double-glazed units at first and second levels. **Granted 18/03/2024**

Relevant Policies

National Planning Policy Framework (2024)

The London Plan (2021)

Camden Local Plan (2017)

- A1 Amenity
- D1 Design
- D2 Heritage

Draft Camden Local Plan

The council published a new Draft Camden Local Plan (incorporating Site Allocations) for consultation in January 2024 (DCLP). Responses to the consultation and a Submission DCLP (updated to take account of the responses) will be reported to Cabinet on 2 April 2025, and to the Council on 7 April 2025.

The Council is recommended to agree the Submission DCLP for publication and submission to the government for examination (following a further period of consultation).

The DCLP is a material consideration in the determination of planning applications but still has limited weight until the Council has made a decision on the Submission DCLP. The weight that can be given to it will increase as it progresses towards adoption (anticipated 2026).

Camden Planning Guidance (2021)

- CPG (Amenity)
- CPG (Design)
- CPG (Home Improvements)

Belsize Conservation Area Appraisal and Management Strategy (2003)

Assessment

1. Proposal & Background

1.1. Planning permission is sought for the provision of a roof terrace and the enlargement of an existing rooflight to provide roof access. The existing water tank enclosure would also be reduced in size. The roof terrace would be set back 2.5m from the front elevation and 2m from the rear elevation and enclosed by a black metal balustrade.

2. Revisions

2.1. During the course of the application, the proposal was revised to include a 2m setback from the rear elevation to address Officer concerns with privacy and overlooking impacts to the residential occupiers of Primrose Gardens. Further revisions included changing the materiality of the balustrade from timber to black metal, which is considered a more appropriate material for use at roof level within the Conservation Area.

3. Planning Considerations

3.1. The key considerations material to the determination of this application are as follows:

- Design and Conservation
- Amenity

4. Design and Conservation

4.1. The Council's design policies are aimed at achieving the highest standard of design in all developments. The following considerations contained within Policy D1 are relevant to the application: development should respect local context and character; comprise details and materials that are of high quality and complement the local character; and respond to natural features. Policy D2 'Heritage' states that in order to maintain the character of Camden's conservation areas, the Council will not permit development within conservation area that fails to preserve or enhance the character and appearance of that conservation.

4.2. The proposed roof terrace would be located within the centre of the existing roof, being set back 2.5m from the front elevation and 2m from the rear elevation and enclosed by black metal balustrades. Given the setback from the front elevation, the terrace and associated balustrades would not be perceptible in public views along Elizabeth Mews or longer views from Primrose Gardens.

4.3. Although the balustrades will not be visible from the public realm, the use of black metal is considered appropriate for use on the host building and wider Belsize Conservation Area. Further, given the lack of visibility of the roof terrace from public views, and limited visibility from private views at rear, the creation of a terrace is considered acceptable and will not detract from the overall character of the host building or setting of this part of the Belsize Conservation Area.

4.4. The replacement of the existing roof light with a larger unit to provide roof terrace access is considered acceptable given its lack of visibility. Similarly, reducing the size of the existing water tank enclosure will have a positive impact on the host building, reducing bulk at roof level. Overall, the associated works are not considered to detract from the overall character of the host building or setting of this part of the Belsize Conservation Area.

4.5. Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the Belsize 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.

5. Amenity

5.1. Policy A1 seeks to protect the quality of life of occupiers and neighbours by only granting planning permission to development that would not harm the amenity of residents. This includes factors such as privacy, outlook, and implications to natural light, artificial light spill, odour and fumes as well as impacts caused from the construction phase of development.

5.2. The concerns have been raised by neighbouring objectors and other consultees is regarding the impact of the roof terrace on the amenity – specifically overlooking, privacy, and noise – to neighbouring occupiers on Primrose Gardens and Elizabeth Mews.

5.3. To help mitigate overlooking and privacy impacts to neighbouring residential occupiers on the south side of Elizabeth Mews, the roof terrace has been set back from the front elevation by 2.5m. The building features an existing balcony along the front elevation at second floor level, thus it is not considered to result in additional or new overlooking or privacy impacts to occupiers on the south side of Elizabeth Mews.

5.4. Following Officer concerns regarding amenity impacts to neighbouring residential occupiers to the rear of the site (along Primrose Gardens), the roof terrace was reduced in size and set back from the rear elevation by 2m. This, coupled with a separation distance of 12m from the nearest rear elevation at 6 Primrose Gardens and the fact that the views would be at an oblique rather than direct angle, means that users of the roof terrace would have very limited views into habitable rooms of neighbouring properties.

5.5. Given the site comprises a single dwellinghouse, the roof terrace is not anticipated to create levels of noise or disturbance uncharacteristic for the immediate residential context, nor above a level that would be to the detriment of neighbouring amenity. Similarly, the use of black metal balustrades (as opposed to solid timber balustrades or privacy screens), means that there will be a negligible impact on the availability of daylight/sunlight or reduction in skyline visibility from neighbouring properties.

5.6. Overall, given the size, siting, and nature of the proposed roof terrace, it is unlikely that the proposals will result in a perceptible negative impact to the amenity of neighbouring occupiers with regards to loss of light, outlook, or privacy.

6. Conclusion and Recommendation

6.1. As such, the proposed development is 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 the National Planning Policy Framework 2024.

6.2. It is recommended the application be granted conditional planning permission.

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 7th April 2025 nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to www.camden.gov.uk and search for 'Members Briefing'.

Application ref: 2025/0722/P
Contact: Daren Zuk
Tel: 020 7974 3368
Email: Daren.Zuk@camden.gov.uk
Date: 31 March 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
www.camden.gov.uk

Twining Design
330 West End Lane
London
NW6 1LN

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Granted

Address:
12A Elizabeth Mews
London
NW3 4TL

DECISION

Proposal:
Replacement of existing rooflight with larger unit to provide roof access; provision of roof terrace and associated balustrades; footprint reduction of existing water tank enclosure.

Drawing Nos:
GA-BLOCK-00 Rev A, GA-SITE-00 Rev A, GA-EX-PL-01 Rev A, GA-EX-PL-02 Rev A, GA-EX-EL-01 Rev A, GA-DM-PL-01 Rev A, GA-DM-PL-02 Rev A, GA-DM-EL-01 Rev A, GA-PR-PL-01 Rev A, GA-PR-PL-02 Rev B, GA-PR-EL-01 Rev B, GA-PR-SEC-AA Rev B, Design and Access Statement (prepared by Twining Design, dated February 2025)

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:

GA-BLOCK-00 Rev A, GA-SITE-00 Rev A, GA-EX-PL-01 Rev A, GA-EX-PL-02 Rev A, GA-EX-EL-01 Rev A, GA-DM-PL-01 Rev A, GA-DM-PL-02 Rev A, GA-DM-EL-01 Rev A, GA-PR-PL-01 Rev A, GA-PR-PL-02 Rev B, GA-PR-EL-01 Rev B, GA-PR-SEC-AA Rev B, Design and Access Statement (prepared by Twinning Design, dated February 2025)

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.

Informative(s):

- 1 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).
- 2 Your proposals may be subject to control under the Party Wall etc Act 1996 which covers party wall matters, boundary walls and excavations near neighbouring buildings. You are advised to consult a suitably qualified and experienced Building Engineer.
- 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) Informative (1/2):

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).

6 Biodiversity Net Gain (BNG) Informative (2/2):

+ 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-householder-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

Chief Planning Officer