

Camden Council

## Decision Notice

Town and Country Planning Act 1990

### Planning Permission - Full householder: Granted

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<b>Applicant</b>	Paulo Mattos
<b>Application number</b>	26-00275-HAPP
<b>Application received</b>	30 March 2026 09:00
<b>Decision date</b>	10 June 2026 00:00
<b>Site address</b>	5, GAYTON ROAD, LONDON, NW3 1TX
<b>Use/development</b>	Replacement of front dormer windows, enlargement of front lightwell patio, repaving of front and rear steps and surfaces, replacement of rear lower ground floor window, replacement of rear balcony balustrade, and installation of sedum roof to rear outrigger roof.

### The application is granted due to the following reason(s):

Planning permission is sought for the replacement of front dormer windows, enlargement of front lightwell patio, repaving of front and rear steps and surfaces, replacement of rear lower ground floor window, replacement of rear balcony balustrade, and installation of sedum roof to rear outrigger roof. The application follows pre-application advice ref. 2025/5830/PRE / 25-00221-PRE.

The replacement of the existing front dormer windows is acceptable. The replacement windows would be timber-framed casement windows, which would be consistent with the host building and the traditional fenestration within the surrounding conservation area.

The enlargement of the front lightwell basement patio through a reduction in the existing storage by approximately 30cm is considered acceptable in design and conservation terms. While the works would have some visibility from the street, the modest scale and positioning of the intervention would result in a limited impact on the character and appearance of the street scene. There is no consistent pattern to lightwell and storage sizes along the terrace, and the proposal would therefore preserve the character and appearance of the conservation area.

The repaving of the front and rear steps and external surfaces in grey slate is a minor alteration and is considered acceptable.

The replacement of the lower ground floor rear window with a larger full height glazed window is considered acceptable, as it would be largely concealed by the higher level garden and would have a limited visual impact at the rear.

To the rear dormer, the replacement of the existing metal balustrade with a glass balustrade is considered acceptable and would be in accordance with planning permissions 2013/4437/P, 2015/7150/P and 2017/6921/P. Furthermore, the glass balustrade would have a lightweight and simple appearance, similar to the balustrade treatment of the existing dormer at the adjoining property, No. 6 Gayton Road, and would preserve the character and appearance of the host building and wider conservation area.

The installation of a living roof on the existing outrigger roof is acceptable. The Council's Tree and Landscape Officer has reviewed the living roof details and considers that the details are acceptable. A condition has been imposed to require compliance with the details submitted.

Overall, the proposals would not result in unacceptable harm to neighbouring amenity in terms of outlook, daylight, sunlight or privacy.

Two responses were received following statutory consultation. The comments raised concerns regarding references within the original Design and Access Statement to a 'permitted rear roof terrace', noting that previous planning permissions had not established a roof terrace at the property. Concerns were also raised that any future use of the rear outrigger roof as a terrace could result in overlooking and loss of privacy to neighbouring occupiers. One representation expressed support for the proposed sedum roof, subject to confirmation that the roof would not be used as a terrace.

In response, the applicant submitted a revised Design and Access Statement confirming that references to a 'permitted roof terrace' were incorrect. The application proposes only the replacement of the existing balustrade associated with the approved rear dormer doors and the installation of a sedum roof to the rear outrigger. No roof terrace is proposed and no access arrangements, or works facilitating use of the outrigger roof as a terrace form part of this application. Furthermore, a condition has been

attached preventing the flat green roof from being used as a balcony, terrace or for any other ancillary residential purpose. Accordingly, the proposal would not result in any harmful overlooking or loss of privacy and the concerns raised have been satisfactorily addressed.

The planning history of the site has been taken into account when coming to this decision.

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.

As such, the proposed development is in general accordance with policies D1, D2, A1, CC1 and CC2 of the Camden Local Plan 2017 and policies DH1 and DH2 of the Hampstead Neighbourhood Plan 2025. The proposed development also accords with the London Plan 2021.

### **Conditions:**

1. The development hereby permitted must be begun not later than the end of three years from the date of this permission.

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:

P.SEDUM, E.P.S.BB.100, E.P.S.FSP, E.P.S.BB.25, EP.P.SLATE, GRL.DWG-LIST, E.P.S.AA.100, EP.P.LGF, EP.P.GF, EP.P.1F, EP.P.2F, E.PHOTO, P.E.PLANS.100, P.P.PLANS.100, E.P.FF, P.ELEVR-PR.B, P.ELEVR-PR.B (dated 20.04.26), Design and Access Statement prepared by Spatial Agent Ltd

For the avoidance of doubt and in the interests 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.

To preserve the character and appearance of the local area.

4. The living roof hereby approved shall be fully installed on the outrigger roof in accordance with the approved details prior to first use of the extension and thereafter retained and maintained in accordance with the approved scheme.

In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with

5. The flat living roof to the rear outrigger hereby permitted shall not be used as a balcony, roof terrace or for any other ancillary residential purpose, other than for purposes of inspection, repair and maintenance.

In the interests of the amenity of surrounding occupiers in accordance with Policy A1 of the Camden Local Plan 2017.

### **Informatives:**

1. Building Control: general all-purpose informative

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. Environmental health (all consents)

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."

3. Highways (all consents)

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. BNG 1Ba (EXEMPT Householder)

Biodiversity Net Gain (BNG) Informative (1/3): 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 a Householder Application.

5. Biodiversity Net Gain (BNG) Informative (2/3)

+ 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 (3/3)

+ 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 & 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

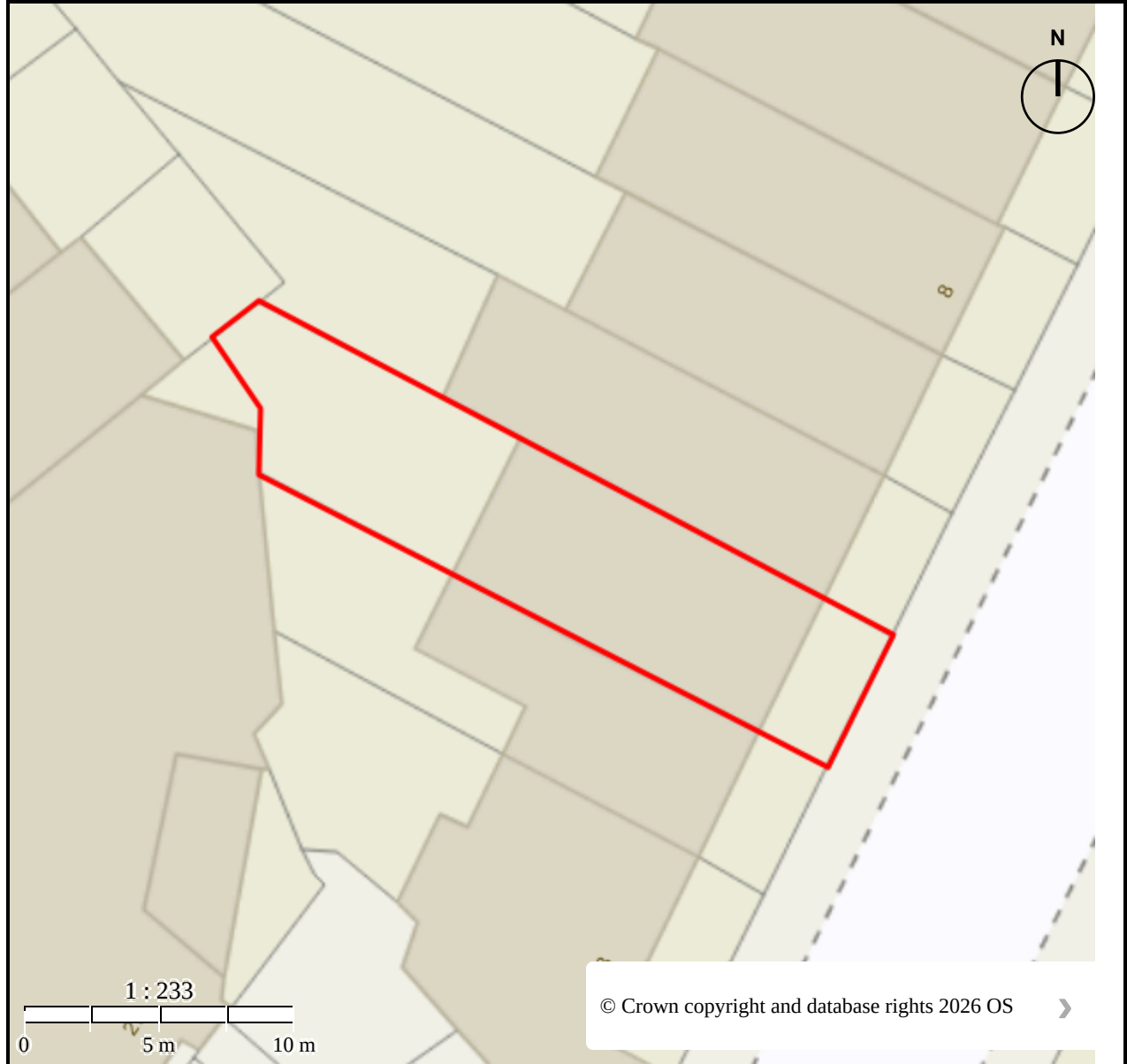
the earlier BGP. + Phased development In the case of phased development, the BGP will be required to be submitted to and approved by the LPA before development can begin (the overall plan), and before each phase of development can begin (phase plans). The modifications in respect of the biodiversity 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.

## **This decision is based on the following plans:**

<b>Document reference</b>	<b>Description</b>	<b>Date received</b>
P.SEDUM	Other - drawing Other - document	29 March 2026 10:28
EP.P.SLATE	Other - drawing Other - document	29 March 2026 10:28
E.P.S.BB.25	Other - drawing	29 March 2026 10:28
E.P.S.FSP	Other - drawing	29 March 2026 10:28
E.P.S.BB.100	Other - drawing	29 March 2026 10:28
E.P.S.AA.100	Other - drawing	29 March 2026 10:28
Site Location Plan	Site plan - existing Site plan - proposed	29 March 2026 10:28
EP.P.2F	Floor plan - existing Floor plan - proposed	29 March 2026 10:28
EP.P.1F	Floor plan - existing Floor plan - proposed	29 March 2026 10:28
EP.P.GF	Floor plan - existing Floor plan - proposed	29 March 2026 10:28
EP.P.LGF	Floor plan - existing Floor plan - proposed	29 March 2026 10:28
P.E.PLANS.100	Floor plan - existing	29 March 2026 10:28

<b>Document reference</b>	<b>Description</b>	<b>Date received</b>
P.P.PLANS.100	Floor plan - proposed	29 March 2026 10:28
E.P.FF	Elevations - existing Elevations - proposed	29 March 2026 10:28
E.PHOTO	Photographs - existing	29 March 2026 10:28
P.ELEVR-PR.B	Elevations - existing Elevations - proposed	20 April 2026 23:38
Design and Access statement		8 June 2026 17:33

## **Site location**



## Notes

Enquiries regarding this document should include the application number and be sent to:

## Email

[digitalplanning@camden.gov.uk](mailto:digitalplanning@camden.gov.uk)

## Postal address

Camden Council,  
London Borough of Camden, 5 Pancras Square, N1C 4AG

## Signature

Bethany Cullen  
Chief Planning Officer

## TOWN AND COUNTRY PLANNING ACT 1990

### **Appeals to the Secretary of State**

- If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If you want to appeal against your Local Planning Authority's decision, then you must do so within 12 weeks from the date of this notice for appeals being decided under the Commercial Appeals Service and 6 months from the date of this notice for all other minor and major applications.
- However, if an enforcement notice has been served for the same or very similar development within the previous 2 years, the time limit is:
  - 28 days from the date of the LPA decision if the enforcement notice was served before the decision was made yet not longer than 2 years before the application was made.
  - 28 days from the date the enforcement notice was served if served on or after the date the decision was made (unless this extends the appeal period beyond 6 months).
- Appeals must be made to the Planning Inspectorate and this can be done electronically via the GOV.UK website: <https://www.gov.uk/appeal-planning-decision> (<https://www.gov.uk/appeal-planning-decision>)
- If you are unable to appeal online, you can obtain a paper form from the Planning Inspectorate by contacting their Customer Support Team on 0303 444 5000.

### **Commercial Appeals Service**

- This type of appeal proceeds by way of written representations, known as the "Commercial Appeals Service". Third parties will not have the opportunity to make further representations to the Planning Inspectorate on these.

### **All other Minor and Major Applications**

- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based on their decision on a direction given by him.
- If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate ([inquiryappeals@planninginspectorate.gov.uk](mailto:inquiryappeals@planninginspectorate.gov.uk)) at least 10 days before submitting the appeal. Further details are on GOV.UK.

### **Purchase Notices**

- If either the Local Planning Authority or the Secretary of State refuses permission to development land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

[Download as PDF \(https://camden.bops.services/api/v1/planning\\_applications/26-00275-HAPP/decision\\_notice.pdf\)](https://camden.bops.services/api/v1/planning_applications/26-00275-HAPP/decision_notice.pdf)