

Application ref: 2023/1051/P  
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Date: 5 June 2023

**Development Management**  
Regeneration and Planning  
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Cubic Building Surveying 'Trading style of Cubic  
Property Consulting Ltd'  
Verona, Bolney Road  
Lower Shiplake  
Henley-on-thames  
RG9 3NT

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

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

Address:  
**2 Berkley Road**  
**London**  
**Camden**  
**NW1 8YR**

Proposal:

Variation of Condition 2 (Approved Plans) granted under planning permission 2022/1321/P dated 18/07/2022 for 'Erection of a new two storey rear extension following demolition of existing rear' Changes include extending the rear steps and add timber privacy screening to the northern boundary wall

Drawing Nos:

Superseded Drawings: C33185 -101 A, C33185-102 A

Proposed Drawings: C33185-301 B, C33185-300 B, C33185-104, Design and Access Statement (March 2023)

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 no later than three years from the date of the original permission ref 2022/1321/P dated 18/07/2022.

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- C33185-301 B, C33185-300 B, C33185-104, Design and Access Statement (March 2023)

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 and D2 of the London Borough of Camden Local Plan 2017.

- 4 The flat roof of the rear extension shall not be used as a roof terrace or other amenity space and shall only for used for maintenance purposes.

Reason: To protect the amenity of adjoining occupiers in accordance with policy A1 of the Camden Local Plan 2017.

- 5 The timber privacy screen hereby approved (as shown on drawing no. C33185-301 B) shall be installed prior to commencement of use of the terrace and shall be permanently retained thereafter.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policies A1 of the London Borough of Camden Local Plan 2017.

#### Informative(s):

- 1 Reasons for granting permission/consent-

The proposed amendments include the moving the steps away from the rear extension access door and creating a small terrace area at ground floor level. Also the proposal includes a new 1m timber screen along the northern boundary wall. The principle of the extension and its design has been established under planning permission reference 2022/1321/P granted on 18/07/2022

In terms of design the alterations are minor in the context of the original permission. The new terrace created by the moving of the stairs is small and does not significantly impact the design of the extension in terms of scale or massing. The timber screen is considered lightweight in appearance and therefore an acceptable introduction.

The proposed amendments are not considered to introduce new amenity impacts by way of loss of outlook, daylight or privacy as the timber screen

mitigates any impact that the new terrace area creates. With the addition of the screen, there would be a height of 1.7m on the boundary which is considered sufficient. A condition will be placed on the application ensuring the screen is installed prior to the use of the terrace. Following amendments to the height of the timber screen, it is not considered to be overbearing on the boundary. The occupants to the north are a mixture of commercial on the ground floor and residential on the first floor meaning any impact to outlook or daylight is not considered significant because the resident occupiers are located on the first floor and above the screen. The same condition prohibiting the use of the flat roof as a terrace will be placed on the application also.

Special attention has been paid to the desirability of 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.

No objections have been received prior to making this decision. The Primrose Hill CAAC withdrew their objection following a reduction in height to the timber screening. The planning history of the site has been taken into account when coming to this decision.

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 2021

- 2 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.
- 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 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-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 grey rectangular background.

Daniel Pope  
Chief Planning Officer