



GERALDEVE
A NEWMARK COMPANY

One Fitzroy 6 Mortimer Street
London W1T 3JJ
Tel. +44 (0)20 7493 3338
geraldev.com

Planning and Built Environment
London Borough of Camden
5 Pancras Square
London
N1C 4AG

31 July 2023

Our ref: GBR/KFO/SP2

Your ref: PP-12331417

Dear Sir / Madam

44/44A, King Henry's Road, London NW3 3RP
Town and Country Planning (as amended) Act 1990
Application for Full Planning Permission

Introduction and Summary

We write on behalf of our client, The London Diocesan Fund (the Applicant), to apply for planning permission at 44/44a, King Henry's Road, London NW3 3RP (the Site).

The Applicant is the long-term owner of the property, which forms two self-contained residential units (Class C3). One is a flat at lower ground floor (no. 44a), which measures 37.3 sqm. The larger unit is spread over lower ground floor (rear only), upper ground, first and second floors. The building has been vacant since October 2022. The Applicant is now seeking to invest in the property, to improve its layout, accessibility and environmental performance – before the residential units are then occupied again.

A number of internal works are proposed. Although these will not require planning permission, they do inform the proposed external works. Firstly, the smaller flat will be extended so that it takes up the majority of the lower ground floor – it would measure 79.5 sqm. The larger unit would then be reconfigured and provided at the upper levels. The current number of units, two, would be retained. Given that there would be no change in the number of units and as these works would be internal, we consider that under Section 55(2.a) of the Act that planning permission for these would not be required.

To improve the environmental performance of the building through on-site energy generation, rooftop PV panels are proposed as well as two air-source heat pumps (one to serve each unit).

A wheelchair access platform lift would be provided at the front entrance, with a new external staircase added to the rear. This would allow residents to access the rear garden area from the upper ground floor level.

The sympathetic improvements to this building are considered acceptable in design terms and would lead to two residential units which benefit from an improved internal configuration and energy efficiency. We therefore consider that these works should be granted planning permission to enable these improvements to take place.

Accordingly, Planning Permission is sought for the following:

“Installation of solar panels to the roof, air source heat pumps at the side elevation, wheelchair platform lift at the front elevation, staircase at the rear elevation, new and replacement windows and doors, replacement paving, and associated external works.”

The Site

Nos. 44/44a King Henry’s Road is a four-storey semi-detached property located south of the West Coast Main Line railway tracks, and north of Primrose Hill Court (a residential block). The building comprises two residential units, one of which is a vicarage (No. 44) which serves St. Mary’s Primrose Hill parish.

The building was constructed in the 1860s. The building is not listed. It is designated as a building of ‘Architectural and Townscape Significance’ on the London Borough of Camden’s ‘Local List’ (2021), along with the neighbouring mid-19th century semidetached (in some cases linked) and terraced houses on both sides of King Henry’s Road. This means that the property constitutes a non-designated heritage asset (NPPF para 2023). In terms of the terrace, the document states that it is “[i]ntact and a relatively unaltered group of high architectural quality which creates fine consistent townscape”.

The Site is not located in a conservation area. It is situated between the Primrose Hill and Elsworthy Conservation Areas.

Further information on the Site is detailed within the accompanying Design and Access Statement, prepared by Colman Architects, the project architect.

Relevant Planning History

There is only one relevant application at 44 King Henry’s Road. This application (ref. 8697) was permitted on 13 May 1970 for:

“The conversion of 44 King Henry’s Road, N.W.3. to form a maisonette, with a self-contained flat at the front at basement level.”

This permission reflects the current use and configuration of the property.

Proposals

This application has been brought forward as the Applicant seeks to make improvements to the building whilst it is vacant and modify the Site by reducing the size of the larger unit and enlarge the flat at part lower ground floor level. As part of this, the Applicant seeks to undertake internal configurations and alter the building externally.

A summary of the proposals that the Applicant is seeking planning permission for are detailed below and should be read in conjunction with the Design and Access Statement, and the drawings, which have been prepared by Colman Architects.

- *Installation of wheelchair access from the street at the front of the building to the upper ground floor level*

Given the building comprises lower ground and upper ground floor levels, it does not benefit from level access. Accordingly, it is sought to provide wheelchair access to the upper ground floor via a new platform lift. The existing stairs to the upper ground floor of the building would be modified to accommodate this lift and finished in a high-quality external porcelain tile. A new handrail would also be installed, which would have a black-painted finish. The front paving to the entrance landing would be repaved. The existing portico would not be impacted by these works.

The existing gatepost would be reconstructed to provide a wider access from the street for a wheelchair, and the paving in the garden would be replaced to provide a smooth surface for a wheelchair.

- *Installation of photovoltaic panels*

Nine photovoltaic panels are proposed to be installed on the existing flat roof. This would improve the energy performance of both units. So that the photovoltaic panels are both efficient but not visible from street level, they would be tilted south at a low angle.

- *Installation of two Air Source Heat Pump condensers*

Two Air Source Heat Pump condensers would be installed at the side elevation of the property (one for each unit). Both Air Source Heat Pump condensers will be located in a discrete location on the low level hard standing.

- *Replacement of entrance doors*

The existing entrance door to the larger unit (44) would be either refurbished or replaced with a new door which would be in keeping with the building's character. The existing entrance door to the flat (44a) would also be replaced with a new panelled door in a Victorian style which again would be more in keeping with the rest of the building.

- *Alterations to a window at the front of the building at lower ground floor level*

The central bay on the large window at lower ground floor at the front elevation would be extended downwards to create a new access out to the front terrace. A panelled Victorian style door with glazing would be installed in place of this window.

- *Alterations to a window to the rear of the building at upper ground floor level*

The existing window at the rear elevation at upper ground floor level would be extended to create a new access at the rear of the building. A new glazed door with an over-panel and white painted timber framing would be installed to match the existing windows.

- *New external staircase at the rear of the building*

An external staircase to the rear of the building is proposed to be installed to provide direct access from the larger unit down into the rear garden. Black painted handrails with decorative steel balusters are proposed on the steps.

- *Installation of a terrace and fence to the rear of the building*

A new paved terrace would be installed outside the extended flat in the corner of the rear garden which would provide external amenity space for the flat. This terrace would be bounded by a new softwood "Venetian-style" fence which would provide privacy and separate the two garden areas.

- *Replacement of the rear entrance door to the flat at lower ground floor*

An existing glazed door and side panel at the basement level would be removed and replaced with new full-height French windows to provide access from the flat out onto the new private terrace.

- *Replacement of a casement window at lower ground floor level at the rear of the building*

One existing casement window at the basement level at the rear of the building would be replaced with a new box sash window. This new window would be more in keeping with the other windows in the building.

Local Development Framework

The London Borough of Camden's Local Development Framework comprises of the London Plan (2021) and the Camden Local Plan (2017).

Guidance within the National Planning Policy Framework (2021), Camden's Local List (2021), the 'Design' CPG (2021), the 'Home Improvements' CPG (2021) and the 'Energy Efficiency and Adaptation' CPG (2021) are material considerations against which these proposals have been assessed.

Planning Considerations

Heritage and Design – Policy Context

In considering the provisions of the NPPF, the Government has attached great importance to conserving and enhancing the historic environment. The NPPF advises in paragraph 203 that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. This paragraph continues, stating that in weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

Policy HC1 of the London Plan seeks to conserve the significance of assets by being sympathetic to the assets' significance and appreciation within their surroundings. This policy emphasises the importance of development plans demonstrating a clear understanding of the historic environment and the heritage values of sites or areas and their relationship with their surroundings.

Local Plan Policy D1 seeks to secure high quality design in development.

Local Plan Policy D2 states that the Council will seek to protect heritage assets including non-designated heritage assets, including those on and off the local list. The effect of a proposal on the significance of a non-designated heritage asset will be weighed against the public benefits of the proposal, balancing the scale of any harm or loss and the significance of the heritage asset.

Camden's Local List refers to non-designated heritage assets as assets that contribute to a sense of place, local distinctiveness and civic pride.

Camden's 'Design' CPG requires that new development must preserve and enhance local character and distinctiveness of non-designated heritage assets.

Camden's 'Home Improvements' CPG provides guidance on improvements on a historic home and emphasises the importance of preserving the Borough's rich architectural heritage, historic character and appearance.

Heritage and Design – Policy Assessment

The accompanying Design and Access Statement demonstrates that the proposed scheme of works would preserve the architectural and townscape significance of 44/44a King Henry's Road.

The most prominent modification to the Site would be the new platform lift at the front of the building which would provide wheelchair access to the larger unit. The finish of the new platform has been carefully considered in line with the character and appearance of the non-designated heritage asset. The new steps would be finished in a quality external porcelain tile, whilst a black painted handrail with vertical railings is proposed on the steps to match the original railings. It is considered that this would provide an improvement to the existing asphalt and simple handrail configuration. In addition, the existing paving would be re-paved with high quality materials.

The new windows and main entrance doors on the front façade facing King Henry's Road would be replaced on a 'like-for-like' basis with Victorian style windows and doors to match the façade's architectural and historic appearance.

To the rear and side of the building, the building's character has been incorporated within the design throughout the proposals. The new external staircase and landing would be finished with decking plate treads and balusters to give it a sensitive appearance. The replacement windows have been designed on a 'like-for-like' basis, and so would fit into the existing openings, and match the original fenestration pattern, the existing opening method, and the size and placement of the glazing bars.

It is considered that the proposals have been sensitively designed and would not cause any harm to the design and appearance of the building, whilst at the same time making it more accessible and energy efficient. None of the changes would impact the integrity of the street scene.

The proposals therefore accord with relevant policies set out within the London Plan 2021 and are considered to comply with policies D1 and D2 of Camden's Local Plan, and with relevant CPG guidance. The scheme is also considered to comply with Paragraph 203 of the NPPF.

Access – Policy Context

The NPPF defines 'inclusive design' as designing the built environment, including buildings and their surrounding spaces, to ensure that they can be accessed and used by everyone.

The London Plan similarly states that many households in London require accessible or adapted housing to lead dignified and independent lives under Policy D7. The supporting text encourages suitable housing and genuine choice for London's diverse population, including disabled people.

Policy C6 of the Camden's Local Plan encourages accessibility for all. This policy states that the Council will seek to promote fair access and remove the barriers that prevent everyone from accessing facilities and opportunities.

Access – Policy Assessment

There is currently no wheelchair access to either of the two units given there is not a ground floor threshold. Adapting the building to provide a wheelchair accessible entrance would therefore improve accessibility and incorporate inclusive design, in line with the NPPF, the London Plan and the Local Plan. This is considered to be a planning benefit.

Please refer to the Accessibility Statement, which is provided on page 20 of the Design and Access Statement for more detail.

Sustainability and Energy – Policy Context

At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.

The Local Plan requires all development to minimise the effects of climate change and encourage all developments to meet the highest feasible environmental standards that are financially viable during construction and occupation under Policy CC1. Part D of this policy states that Camden will support and encourage sensitive energy efficiency improvements to existing buildings.

The ‘Energy Efficiency and Adaptation’ CPG encourages developments to demonstrate how sustainable design principles have been considered and incorporated. In addition, this CPG states that sensitive home improvements can be made to historic buildings to reduce carbon dioxide emissions, such as fitting double glazed windows.

Generating energy is also encouraged in paragraph 8.18 of the ‘Energy Efficiency and Adaptation’ CPG.

Appendix 1 of the ‘Home Improvements’ CPG sets out that all development is required to consider sustainable development principles from the start of the design process and include these in their Design and Access Statement.

Sustainability and Energy – Policy Assessment

Measures for enhancing the energy efficiency of the Site, as set out in Appendix 1 of the ‘Home Improvements’ CPG have been carefully considered. The thermal performance of the property would be improved as the application seeks to upgrade the windows with new double glazing to provide greater thermal performance. In addition, two Air Source Heat Pumps and nine photovoltaic panels would be installed to generate on-site energy and help to achieve the Government’s target EPC rating of “C” for all properties let from 2025. A number of properties on the same terrace already have rooftop solar panels.

Overall, the proposals are considered to comply with relevant national and local planning policy in relation to energy and sustainability. The provision of PV panels and heat pumps is considered to constitute a planning benefit.

Application Documentation

The following information is enclosed to accompany this planning application:

- Application form;
- Site Location Plan, prepared by Colman Architects;
- Design and Access Statement (including an Accessibility Statement), prepared by Colman Architects;
- Existing and proposed drawings, prepared by Colman Architects;
- Specification of heat pumps;
- CIL Form.

The requisite application fee of £471 (including service charge and VAT) has been paid online.

We look forward to your confirmation of the validation of these applications. In the meantime, please contact Gary Brook (0207 333 6311) or Katie Fong (0203 486 3736) of this office if you have any queries.

Yours faithfully

Gerald Eve LLP

Gerald Eve LLP

Kfong@geraldev.com
Direct tel. +44 (0)203 486 3736
Mobile +44 (0)782 590 2845

Enc. As above