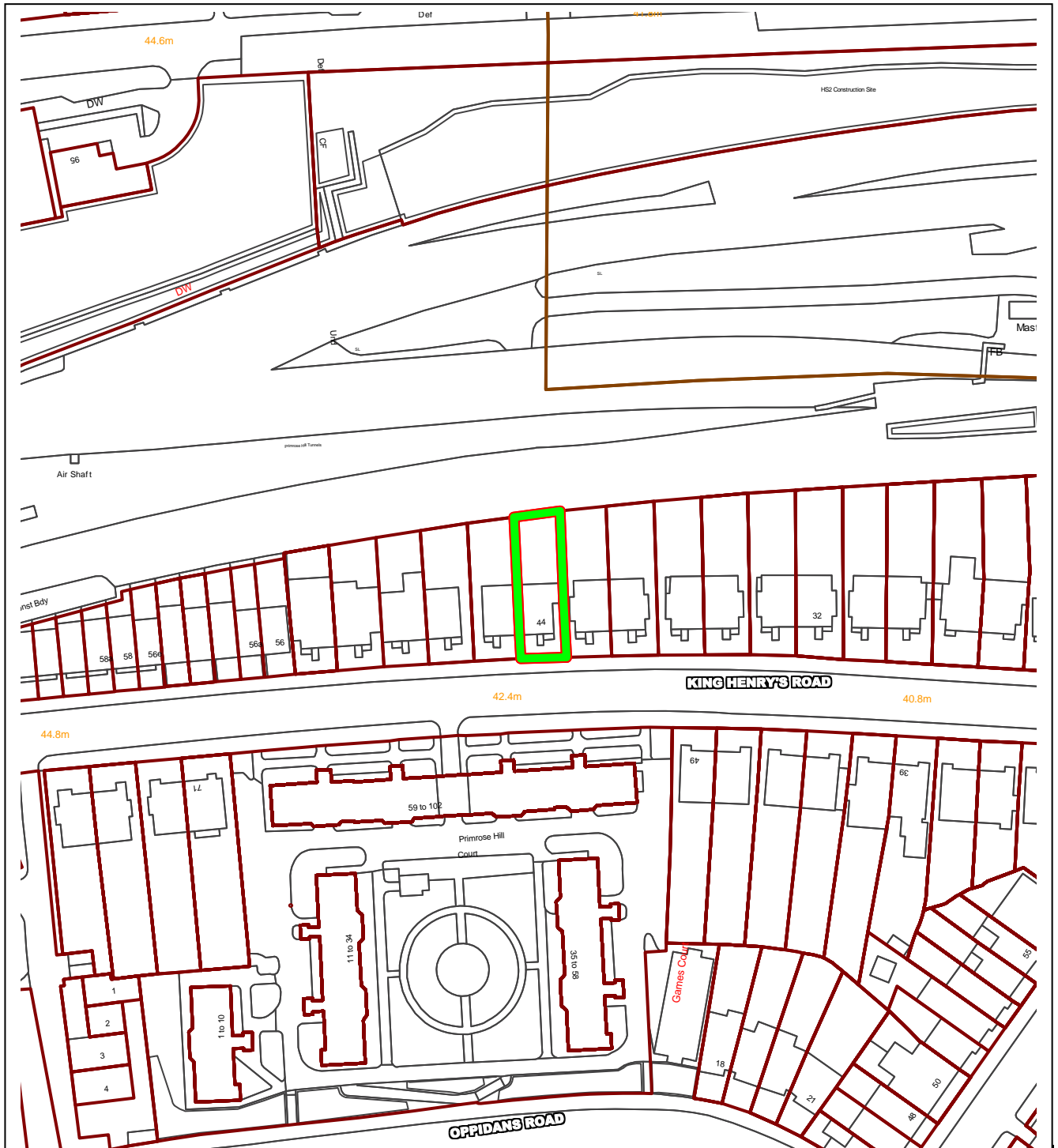


2023/3130/P

44/44a King Henry's Road



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Photos for 2023/3130/P – 44/44a King Henry's Road, NW3 3RP

1. Aerial view of front elevation of 44 King Henry's Road.



2. Existing view of front elevation of 44/44a King Henry's Road.



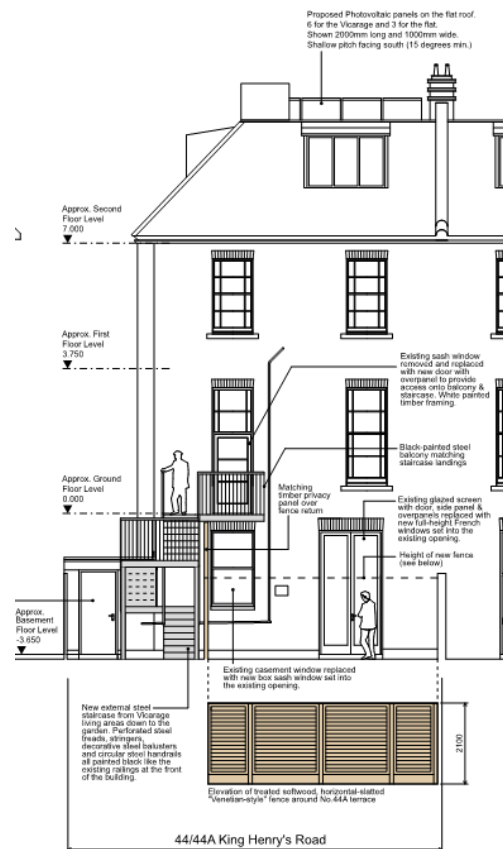
3. Existing view of rear elevation of 44/44a King Henry's Road.



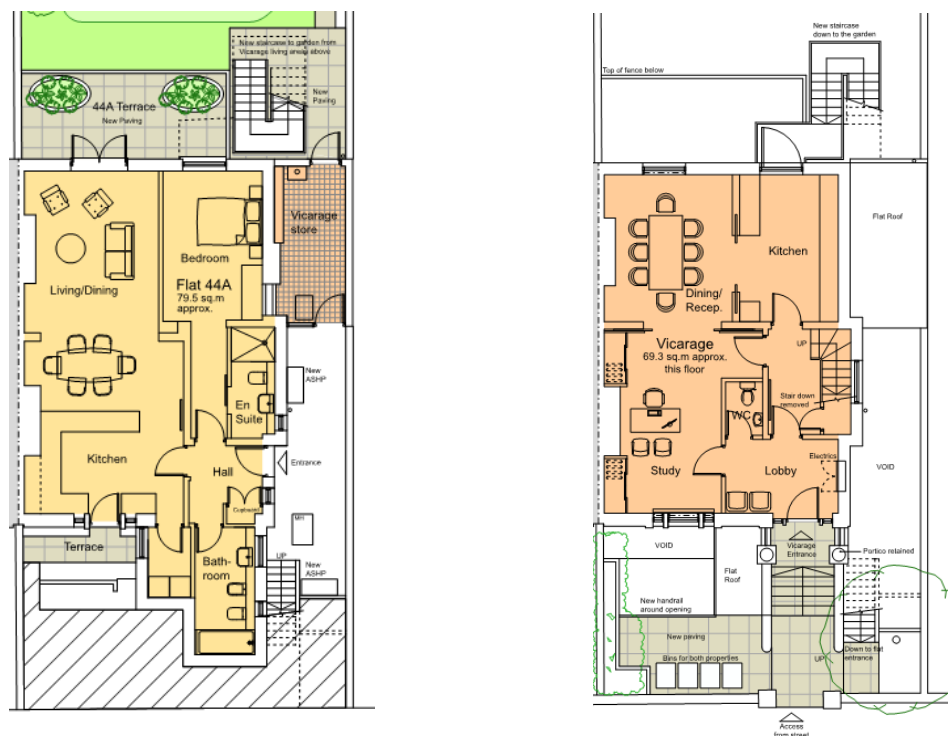
4. Proposed front elevation of site.



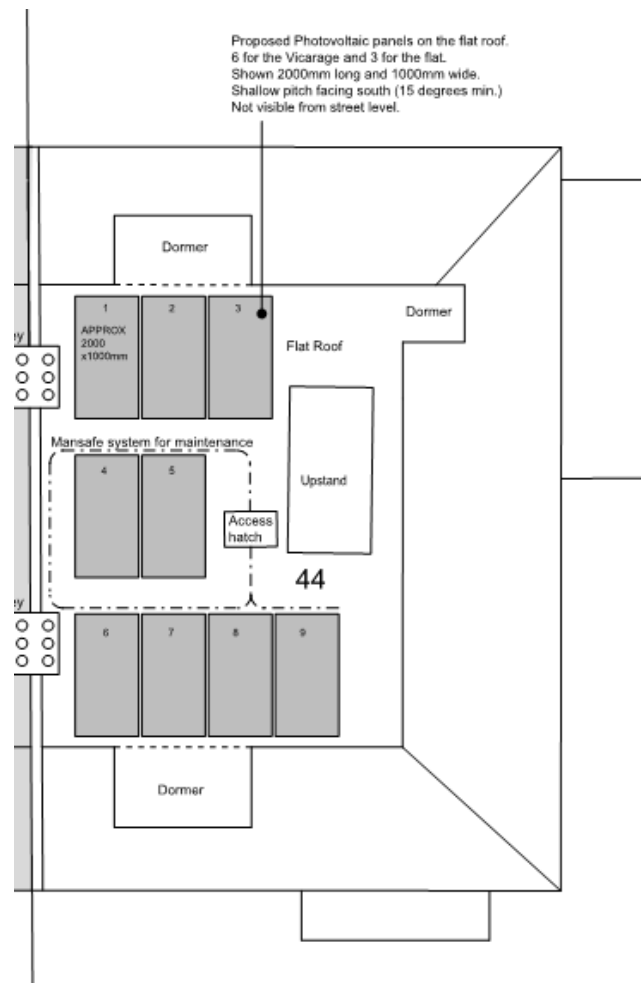
5. Proposed rear elevation of site



6. Proposed basement (left) and ground floor (right) plans of site



7. Proposed roof plan of site.



Delegated Report (Members' Briefing)		Analysis sheet		Expiry Date:	27/12/2023
		N/A / attached		Consultation Expiry Date:	02/12/2023
Officer				Application Number(s)	
Sam FitzPatrick				2023/3130/P	
Application Address				Drawing Numbers	
44/44a King Henry's Road London NW3 3RP				Please refer to decision notice.	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Alterations to front and rear elevations including installation of new and replacement windows and doors and erection of external staircase to rear. Installation of air source heat pumps to side elevation and solar PV panels to flat roof. Associated external works including paving and fencing to garden.					
Recommendation(s):		Grant conditional planning permission			
Application Type:		Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice			
Informatives:				
Consultations				
Adjoining Occupiers:	No. of responses	05	No. of objections	05
Summary of consultation responses:	Site notices were displayed from 08/11/2023 to 02/12/2023.			
	<p>Five objections were received from members of the public, whose concerns can be summarised as follows:</p> <ul style="list-style-type: none">• The introduction of a wheelchair lift would harm the front entrance/porch area and be an uncharacteristic addition to the building and wider area;• The staircase to the rear is an unpleasant and unsightly addition;• The patio to the rear is unsightly and intrusive;• The internal layout of the ground floor level could be better designed;• Only one Air Source Heat Pumps is shown in the drawings and if two are proposed, the application should be reconsulted on;• The Air Source Heat Pumps could potentially result in increased noise disturbance;• The proposed solar panels add visual clutter and should be made flat if necessary.• Side windows should be obscure glazed to protect amenity. <p><u>Officer Response:</u></p> <ul style="list-style-type: none">• <i>The wheelchair lift to which most objections refer was removed from the proposal, so this issue is no longer relevant – further information can be found in section 2 of this report;</i>• <i>Please see section 4 of this report for concerns relating to design and conservation;</i>• <i>The internal layout of the building is not subject to planning control as the building is not listed (one objection did state that the building is listed, but this is incorrect – it is locally listed, not Grade II listed);</i>• <i>Both Air Source Heat Pumps are shown in the plan drawings – but only one appears in the front elevations as the other would not be visible from this perspective. It is not deemed necessary to reconsult as the plans are clear on their location and the development description clearly mentions multiple units.</i>• <i>Please see section 5 of this report for concerns relating to amenity, including noise.</i>			

Site Description

The application relates to a four-storey semi-detached house (including basement level) that is located on the north side of King Henry's Road. The site is not listed, though is locally listed, and is not located within a Conservation Area or a Neighbourhood Area. It currently serves as the vicarage for the Church of St Mary the Virgin, located just to the west in Primrose Hill, though also contains a self-contained flat at basement level.

Relevant History

Application Site

8697 – 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. **Permission granted 13/05/1970.**

Relevant Policies

National Planning Policy Framework (2023)

The London Plan (2021)

Camden Local Plan (2017)

- **A1** Managing the impact of development
- **A4** Noise and vibration
- **D1** Design
- **D2** Heritage
- **CC1** Climate change mitigation
- **CC2** Adapting to climate change

Camden Planning Guidance

- CPG Amenity (Jan 2021)
- CPG Design (Jan 2021)
- CPG Energy efficiency and adaptation (Jan 2021)
- CPG Home Improvements (Jan 2021)

Draft Camden Local Plan

The council has published a new Draft Camden Local Plan (incorporating Site Allocations) for consultation (DCLP). The DCLP is a material consideration and can be taken into account in the determination of planning applications but has limited weight at this stage. The weight that can be given to it will increase as it progresses towards adoption (anticipated 2026).

Assessment

1. The Proposal

- 1.1. Planning permission is sought for general alterations to the property, primarily to improve the accommodation at basement level and the maisonette above, as well as to introduce renewable energy to the property. The main changes are the erection of an external staircase to the rear, the rearrangement of the existing rear terrace, the replacement of existing windows and doors, and the installation of two Air Source Heat Pumps (ASHPs) at basement level and solar panels to the flat roof of the building. The internal configuration of the building is also being altered so that the flat at basement level takes up the entirety of the basement level, meaning the maisonette above would relocate its kitchen/dining area to the ground floor level. These internal works do not require planning permission.

2. Revisions

- 2.1. The proposal did originally include a wheelchair roof to the front of the property that would involve the removal of parts of the entrance stairs to accommodate this change. Following objections from members of the public and officer comments, revised drawings were submitted that removed this aspect of the scheme but maintained all others.

3. Assessment

- 3.1. The principal considerations material to the determination of this application are as follows:
- Design and conservation
 - Amenity

4. Design and conservation

- 4.1. Local Plan Policy D1 (Design) states that the Council will aim to achieve the highest standard of design in all developments and requires development to be of the highest architectural and urban design quality, which improves the function, appearance, and character of the area. Policy D2 (Heritage) states that the Council will preserve, and where appropriate enhance Camden's heritage assets, including locally listed heritage assets. This is supported by Camden's Planning Guidance on Design, which states that heritage assets (including locally listed buildings) should be preserved, but also "*can and should address sustainability*".

- 4.2. The application site is not a listed building and is not located within a conservation area. However, it is locally listed and noted as an example of a mid-19th century house that is of high architectural quality and creates a fine and consistent townscape.
- 4.3. The works to the front of the property would all be minor and intended to improve the appearance of the property. The new railings erected around the existing terrace area to the left of the entrance steps would be painted black and of traditional design to match the existing railings to the portico, so would appear as characteristic and appropriate additions to the host building and area. The front entrance area would also be repaved and the steps up to the portico tiled with porcelain paving. Additionally, the replacement door in the place of the window at basement level would use a traditional Victorian timber design and be constructed within the existing opening, so the dimensions would not change significantly. It should also be noted that due to the respective positions of the opening and the boundary wall, there would be limited public visibility of this change.
- 4.4. These alterations would therefore not significantly alter the appearance of the front entrance and elevation, and all changes would use appropriate materials and design to respect the character of the property as a traditional Victorian house.
- 4.5. The two proposed ASHPs would be located in areas that would have very limited visibility from the public realm. As such, they would not significantly impact the appearance or character of the host property and the wider area.
- 4.6. The works to the rear would primarily consist of the erection of the external staircase, the replacement of one window with a door, and the rearrangement of the existing terrace area. The staircase would only serve as a means of access to the rear garden and is not intended to provide an amenity space in itself. It would be necessary to allow the maisonette consisting of the ground, first, and second storeys to continue to access the rear garden, due to its access from the basement level now being removed with the enlargement of the basement flat.
- 4.7. The new staircase would be constructed of black-painted steel that would resemble the railings to the front area of the building. It would also involve the replacement of an existing sash window with a new door; the door would be fitted within the existing opening and would match the style of the replaced window, with white painted timber frames and an overpanel to resemble the other windows to the rear elevation. These changes would have very limited visibility from the public realm and would be constructed of a design and with materials that respect the context of the host building. They would therefore be considered to be appropriate and subordinate additions that would not result in an appearance that would meaningfully impact the host building or wider area.
- 4.8. The terrace area of the rear garden would be reconfigured so that the basement flat has access to amenity space as well as the maisonette above. This would involve the repaving of the existing terrace and the erection of a 2.1m high privacy screen around the terrace area, constructed of horizontally slatted timber fencing. The rear patio door at basement level would also be replaced with a set of full-height opening French windows that would sit within the dimensions of the existing opening and be constructed of matching materials. These alterations would be considered to be appropriate additions that would not impact the character or appearance of the building.
- 4.9. Nine solar panels are proposed to the flat roof of the building, which would all be pitched at 15 degrees. As a result, these would have very limited visibility from the public realm, and would be considered appropriate additions – particularly given the sustainability benefits they would bring. As detailed in the Camden Planning Guidance ‘Design’, historic buildings can be modified to achieve higher environmental standards, provided this is balanced with the heritage impact. In this instance, it is considered that there would be very limited impact on the locally listed building or wider area, but the solar panels would support Camden’s policies on sustainability, such as Policies CC1 and CC2.
- 4.10. As such, the proposal would not have any detrimental impact on the character and appearance of the property or the wider area, and therefore complies with Policies D1 and D2 of the London Borough of Camden Local Plan.

5. Amenity

- 5.1. Policy A1 (Managing the impact of development) seeks to protect the amenity and quality of life of Camden’s residents by only granting permission to development that would not harm the amenity of communities, occupiers, and neighbouring residents. This includes privacy, outlook, daylight, and

sunlight; the Council's guidance contained within CPG 'Amenity' provides specific guidance with regards to these aspects. Policy A4 (Noise and vibration) seeks to ensure that noise and vibration impacts are controlled and managed and that permissions are only granted where any plant can be shown to operate without causing harm to amenity.

5.2. Given the nature of the proposals, it is not considered that any of the works would result in any impacts on privacy, outlook, daylight, or sunlight. No new opportunities for overlooking are created as a result of the proposed works; both new doors to the rear elevation and the new door to the front elevation replace existing windows and would not alter the dimensions of the openings. The external staircase to the rear would also serve primarily as access and is not intended to be used as an amenity space, so would not impact on the privacy or outlook of nearby residents.

5.3. The window to the side elevation at basement level serving the ensuite bathroom is proposed to have the glass replaced as the dryer flue was previously taken through the window. A condition has been attached to the decision that would ensure this window is obscure glazed to protect the amenity of occupiers and neighbouring residents.

5.4. In order to address concerns relating to noise and vibration, the applicant has provided a noise impact assessment that considers the impact of the proposed ASHPs. This has been reviewed by the Council's Environmental Health Officer, who has deemed the proposal to be acceptable in environmental health terms, provided conditions relating to the external noise emitted and the use of anti-vibration measures are attached to the decision. These have been added to the decision.

5.5. Therefore, the proposal is considered to be compliant with Policies A1 and A4 of the London Borough of Camden Local Plan.

6. Conclusion

6.1. Overall, the proposed alterations are considered acceptable in planning terms. The external changes would be of an appropriate design and would use suitable materials, so would ensure the appearance and character of the host building and wider area would not be harmed. The alterations would also not be considered to have any harmful or significant impacts on amenity, and the addition of solar panels and ASHPs would help support the Council's sustainability policies. As such, the proposed development is considered to comply with Policies A1, A4, D1, D2, CC1, and CC2 of the London Borough of Camden Local Plan 2017, as well as accord with the London Plan 2021 and the National Planning Policy Framework 2023.

7. Recommendation

7.1. Grant 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 22nd January 2023, 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: 2023/3130/P
Contact: Sam Fitzpatrick
Tel: 020 7974 1343
Email: sam.fitzpatrick@camden.gov.uk
Date: 16 January 2024

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

Phone: 020 7974 4444

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Gerald Eve LLP
One Fitzroy
6 Mortimer Street
London
W1T 3JJ

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

44/44a King Henry's Road
London
NW3 3RP

Proposal:

Alterations to front and rear elevations including installation of new and replacement windows and doors and erection of external staircase to rear. Installation of air source heat pumps to side elevation and solar PV panels to flat roof. Associated external works including paving and fencing to garden.

Drawing Nos:

Cover letter (prepared by Gerald Eve, dated 31/07/2023); Design and Access Statement P2 (prepared by Colman Architects, dated July 2023); 22027/P(--)001 P2; 22027/P(--)005 P2; 22027/L(--)009 P1; 22027/P(--)010 P1; 22027/P(--)11 P1; 22027/L(--)012 P1; 22027/P(--)013 P1; 22027/P(--)020 P1; 22027/P(--)021 P1; 22027/P(--)022 P1; 22027/P(--)030 P1; 22027/P(--)105 P1; 22027/L(--)109 P2; 22027/P(--)110 P3; 22027/P(--)111 P1; 22027/P(--)112 P1; 22027/P(--)113 P1; 22027/P(--)200 P2; 22027/P(--)201; P1; 22027/L(--)202 P3; 22027/P(--)300 P3; 22027/P(--)205 P2; 22027/P(--)140 P2; Noise Report 27505.PCR.01 (prepared by KP Acoustics, dated 01/11/2023); Air Source Heat Pump Specification Sheet.

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 begin no 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:

Cover letter (prepared by Gerald Eve, dated 31/07/2023); Design and Access Statement P2 (prepared by Colman Architects, dated July 2023); 22027/P(--)001 P2; 22027/P(--)005 P2; 22027/L(--)009 P1; 22027/P(--)010 P1; 22027/P(--)11 P1; 22027/L(--)012 P1; 22027/P(--)013 P1; 22027/P(--)020 P1; 22027/P(--)021 P1; 22027/P(--)022 P1; 22027/P(--)030 P1; 22027/P(--)105 P1; 22027/L(--)109 P2; 22027/P(--)110 P3; 22027/P(--)111 P1; 22027/P(--)112 P1; 22027/P(--)113 P1; 22027/P(--)200 P2; 22027/P(--)201; P1; 22027/L(--)202 P3; 22027/P(--)300 P3; 22027/P(--)205 P2; 22027/P(--)140 P2; Noise Report 27505.PCR.01 (prepared by KP Acoustics, dated 01/11/2023); Air Source Heat Pump Specification Sheet.

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 of the London Borough of Camden Local Plan 2017.

- 4 Prior to the occupation of the development hereby permitted, the window to the side elevation of the building that serves the ensuite bathroom at basement level, as labelled on drawing 22027/L(--)202 P3 shall be fitted with obscure glass and be non-opening, and the window shall be retained as such for the duration of the development.

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

- 5 The external noise level emitted from plant, machinery or equipment at the development with specified noise mitigation hereby approved shall be lower than the typical existing background noise level by at least 10dBA, by 15dBA where the source is tonal, as assessed according to BS4142:2014 at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity and thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the development site and surrounding premises is not adversely affected by noise from mechanical installations/ equipment in accordance with the requirements of Policies A1 and A4 of the London Borough of Camden Local Plan 2017

- 6 Prior to use, machinery, plant or equipment at the development shall be mounted with proprietary anti-vibration isolators and fan motors shall be vibration isolated from the casing and adequately silenced and maintained as such.

Reason: To ensure that the amenity of occupiers of the development site and surrounding premises is not adversely affected by vibration in accordance with the requirements of Policies A1 and A4 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 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 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.

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>.

Yours faithfully

Chief Planning Officer