

Application ref: 2019/5619/P  
Contact: Nathaniel Young  
Tel: 020 7974 3386  
Date: 26 February 2020

**Development Management**  
Regeneration and Planning  
London Borough of Camden  
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Mrs Megan Hudson  
3 Lamp Office Court  
55 Lambs Conduit Street  
London  
WC1N 3NF  
United Kingdom

Dear Sir/Madam

### **DECISION**

Town and Country Planning Act 1990 (as amended)

#### **Full Planning Permission Granted**

Address:

**1 & 3 Berkley Road  
London  
NW1 8XX**

Proposal: Erection of double height bay at lower and upper ground floor levels (side elevation) and single height bay at lower ground floor level with Juliet balcony above (rear elevation); installation of new replacement sash windows at lower ground, upper ground and first floor levels; creation of new timber sash windows at upper and lower ground floor levels (side elevation); replacement first floor rear doors and railings surrounding the roof terrace; reduction in horizontal depth of lightwell, increase in horizontal depth of ground floor forecourt and installation of under stair store in lower ground lightwell; and installation of new replacement gates, railings and paving to front garden to No. 1 Berkley Road. Erection of new portico and columns to Nos. 1 & 3 Berkley Road.

Drawing Nos: L-100 P2, A-200, A-201, A-100 P2, A-101 P2, A-102 P2, A-103 P2, A-220 P2 & A-221 P2

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 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.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans L-100 P2, A-200, A-201, A-100 P2, A-101 P2, A-102 P2, A-103 P2, A-220 P2 & A-221 P2

Reason: For the avoidance of doubt and in the interest of proper planning.

Informative(s):

- 1 Reasons for granting permission:

The proposal seeks permission for the following alterations to no.1: erection of double height bay at lower and upper ground floor levels (side elevation) and single height bay at lower ground floor level with Juliet balcony above (rear elevation); installation of new replacement sash windows at lower ground, upper ground and first floor levels; creation of new timber sash windows at upper and lower ground floor levels (side elevation); replacement first floor rear doors and railings surrounding the roof terrace; reduction in horizontal depth of lightwell, increase in horizontal depth of ground floor forecourt and installation of under stair store in lower ground lightwell; and installation of new replacement gates, railings and paving to front garden to No. 1 Berkley Road. Erection of new portico and columns to Nos. 1 & 3 Berkley Road.

Amendments: removal of external front lift, redesign of bay windows, change in pot guard detailing & removal of first floor rear terrace parapet wall.

After amendments, all of the above alterations are considered acceptable in terms of design. The canted bay windows would be in keeping with the character and appearance of the subject property and would be contained to the rear, not visible from the street scene. All of the new and replacement windows would be white painted, timber, sash windows to match the existing fenestration and any surrounding brick detailing surrounding would be replicated as necessary. The replacement first floor rear doors and railings surrounding the roof terrace would appropriately match the existing. The new pot guard to the upper ground floor front window would match the adjoining property's (No.3) and other properties throughout the terrace grouping.

The new under stair store in the lightwell would not be readily visible as it would be paved over with new York stone at ground floor level, this would see a minor enlargement of the ground floor forecourt and reduction of the lower ground floor lightwell. The change in proportion between the forecourt and

lightwell is considered an appropriate balance. The larger paved ground floor forecourt would be a more usable and welcoming space and the lightwell would remain sufficient in size to allow light into the lower ground floor and easy access to the entrance door at lower ground floor level without significant changes to the front steps. It is noted that there is no prevailing lightwell depth/forecourt depth established within the terrace grouping and as such, the proposed change is not considered to be out of keeping.

The new portico shared by Nos. 1 and 3 would match that of Nos. 5 and 7 next door, the new replacement railings would introduce finials similar to the existing railings of Nos. 2 and 4 opposite the subject property and the new forecourt would be paved with York stone, all of the alterations to the front of the property are considered to be more in keeping with the original design of the property. As such, the proposed alterations are considered to be an enhancement to the design of the existing property and would positively contribute to the character and appearance of the wider conservation area.

- 2 The proposal would involve no notable increase in bulk and mass, no change in use or change in circulation. Two new window openings would be created on the side elevation of the existing outrigger, one at lower ground floor level and one at upper ground floor level. The new window at the lower ground floor level would face the existing side boundary wall and hedge row and as such would not afford any new views into neighbouring habitable windows. The new window at upper ground floor level would face the rear elevations of nos. 176 and 178 Regent's Park Road. The rear elevation windows of the affected properties would be approximately 13 metres in distance from the proposed window. While this is less than the recommended 18 metres distance, it is not considered to result in a significant loss of privacy beyond what has been established. Currently a smaller window positioned closer to the main house of the subject property (than the proposed) serves the same room as the proposed window and affords similar views. Additionally views of the rear elevations of nos. 176 and 178 are currently available from the existing first floor roof terrace and upper ground floor rear balcony. As such, it is not considered there would be any significant detrimental impact to residential amenity beyond what has been established.

Sufficient information has been provided to demonstrate that the minor excavation involved in the lowering of the floor level of the lower ground floor front vault is not considered significant enough to require a basement impact assessment, flood risk assessment or further floor risk measures.

No objections were received following statutory consultation. The sites planning history and relevant appeal decisions were taken into account when coming to this decision. Special regard has been attached to the desirability of preserving or enhancing 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.

As such, the proposal is in general accordance with Policies D1, D2 and A1 of the Camden Local Plan 2017. The proposed development also accords with the policies of the London Plan 2016 and National Planning Policy Framework.

- 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 London Borough of Camden 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 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 are advised to consult the Council's Noise and Licensing Enforcement Team, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (Tel. No. 020 7974 4444 or search for 'environmental health' on the Camden website or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.
  - 5 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website at <https://beta.camden.gov.uk/documents/20142/1269042/Camden+Minimum+Requirements+%281%29.pdf/bb2cd0a2-88b1-aa6d-61f9-525ca0f71319> 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.
- 6 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).

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 2019.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

A handwritten signature in black ink, appearing to read 'DPope', is positioned above the printed name and title.

Daniel Pope  
Chief Planning Officer