

Application ref: 2023/5350/P
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Development Management
Regeneration and Planning
London Borough of Camden
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SM Planning
80-83 Long Lane
London
EC1A 9ET

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Granted

Address:
2 Elsworthy Terrace
London
NW3 3DR

Proposal:

Alterations and additions to the existing terraced dwelling, including; lower ground floor rear extension, replacement windows at rear and front elevations, replace existing second floor front and rear dormers with new dormers and erect an additional, second dormer on the rear elevation; remove existing rooflight and install four new rooflights; construct new sunken rear garden, erect new outbuilding; install new air conditioning condenser unit in an acoustic enclosure in the rear garden; extend existing front light well and erect a new cycle store and bin enclosure at the front elevation; rebuild the front boundary wall with hedge planter to rear.

Drawing Nos: 2307-PL1-001, rev PL1; 2307-PL-010, rev PL2; 2307-PL-050, PL2; 2307-PL-051, PL2; 2307-PL-052, PL2; 2307-PL-054, PL2; 2307-PL-055, PL3; 2307-PL-151, PL2; 2307-PL-152, PL2; 2307-PL-160, PL2; 2307-PL-170, PL2; 2307-PL1-011, PL2; 2307-PL1-200, PL3; 2307-PL1-201, PL1; 2307-PL1-202, PL2; 2307-PL1-300, PL1; 2307-PL1-310, PL2; Tree Protection Plan, v2, November 2023;

Design and Access Statement prepared by Wolff Architects, Heritage Statement prepared by Heritage Information Ltd., December 2023; Cover letter prepared by SM Planning, 6/12/2023; Energy Statement prepared by Edward Pearce, December 2023, rev 03, ref. 23/093; Overheating Report prepared by Edward Pearce, February 2024,

rev 00, 23/093; Tree Survey prepared by Trettec, November 2023; Strucutral Construction Method Statement prepared by Strucutral Design Studio, ref. 223176, rev P1, November 2023; Plant Noise Impact Assessment prepared by Environmental Equipment Corporation Ltd., ref. EEC/EC20223-1, rev 1, 11/12/2023; Ground Investigation Report/Basement Impact Assessment prepared by Ground and Water, ref. GWPR5616/GIR&BIA/December 2023 V1.01, rev V1.01

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 The development hereby permitted shall be carried out in accordance with the following approved plans- 2307-PL1-001, rev PL1; 2307-PL-010, rev PL2; 2307-PL-050, PL2; 2307-PL-051, PL2; 2307-PL-052, PL2; 2307-PL-054, PL2; 2307-PL-055, PL3; 2307-PL-151, PL2; 2307-PL-152, PL2; 2307-PL-160, PL2; 2307-PL-170, PL2; 2307-PL1-011, PL2; 2307-PL1-200, PL3; 2307-PL1-201, PL1; 2307-PL1-202, PL2; 2307-PL1-300, PL1; 2307-PL1-310, PL2; Tree Protection Plan, v2, November 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 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 machinery operating at maximum capacity and thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the development site/ 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.

- 5 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.

- 6 The single Daikin RXYSQ8TY1 heat pump unit is to be located in the rear garden of No. 2 Elsworthy Terrace and set to operate in a 'quiet mode' setting through the night-time of 2300-0700hrs.

Reason: To ensure that the amenity of occupiers of the development site/ 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.

- 7 Prior to the commencement of works on site, tree protection measures shall be installed and working practices adopted in accordance with the document entitled 2023/5350/P Addendum to tree survey. February 2024. 2 Elsworthy Terrace. NW3 3DR by TreTec. All trees on the site, or parts of trees growing from adjoining sites, unless shown on the permitted drawings as being removed, shall be retained and protected from damage in accordance with BS5837:2012 and with the approved protection details. The development shall be monitored by the project arboriculturalist in accordance with the approved report.

Reason: To ensure that the development will not have an adverse effect on existing trees and in order to maintain the character and amenity of the area in accordance with the requirements of policies A2 and A3 of the Camden Local Plan 2017.

- 8 No development of the relevant part shall take place until full details of hard and soft landscaping and means of enclosure of all un-built, open areas have been submitted to and approved by the local planning authority in writing. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Reason: To ensure that the development achieves a high quality of landscaping which contributes to the visual amenity and character of the area in accordance with the requirements of policies A2, A3, D1 and D2 of the London Borough of Camden Local Plan 2017.

- 9 All hard and soft landscaping works shall be carried out in accordance with the approved landscape details by not later than the end of the planting season following completion of the development or any phase of the development, whichever is the sooner. Any trees or areas of planting (including trees existing at the outset of the development other than those indicated to be removed) which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced as soon as is reasonably possible and, in any case, by not later than the end of the following planting season, with others of similar size and species, unless the local planning authority gives written consent to any variation.

Reason: To ensure that the landscaping is carried out within a reasonable period and to maintain a high quality of visual amenity in the scheme in accordance with the requirements of policies A2, A3, D1 and D2 of the London Borough of Camden Local Plan 2017.

- 10 The front garden patio and rear garden patio, shall be constructed with either existing or new Yorkstone pavers, or a combination thereof.

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.

- 11 No subterranean works shall be carried out until such time as a suitably qualified chartered engineer with membership of the appropriate professional body has been appointed to inspect, check for compliance with the design (as approved by the local planning authority and building control body) and monitor the critical elements of both permanent and temporary basement construction works throughout their duration. Details of the appointment and the appointee's responsibilities shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. Any subsequent change or reappointment shall be confirmed forthwith for the duration of the construction works.

Reason: To ensure proper consideration of the structural stability of neighbouring buildings and to safeguard the appearance and character of the immediate area in accordance with the requirements of policies D1, D2 and A5 of the London Borough of Camden Local Plan 2017.

- 12 The development shall not be carried out other than in strict accordance with the methodologies, recommendations and requirements of the Basement Impact Assessment (Ground Investigation Report / Basement Impact Assessment prepared by Ground & Water, V1.02, Basement Impact Assessment Audit prepared by Campbell Reith dated March 2024) hereby approved, and the confirmation at the detailed design stage that the damage impact assessment would be limited to Burland Category 1.

Reason: To ensure proper consideration of the structural stability of neighbouring buildings and to safeguard the appearance and character of the immediate area in accordance with the requirements of policies D1, D2 and A5 of the London Borough of Camden Local Plan 2017.

- 13 Prior to occupation of any relevant part of the development, the applicant will have constructed and implemented all the measures contained in the [Edward Pearce, December 2023, rev 3] Renewable Energy Strategy and such measures shall be permanently retained and maintained thereafter. The measures shall include the installation of a meter to monitor the energy output from the approved renewable energy systems.

Reason: In order to secure the appropriate energy and resource efficiency measures and on-site renewable energy generation in accordance with Policies G1, C1, CC1, CC2 and CC4 of the London Borough of Camden Local Plan 2017.

- 14 No development of the relevant part shall take place until, full details in respect of the living roof in the area indicated on the approved roof plan are submitted to and approved by the local planning authority. The details shall include
- i. a detailed scheme of maintenance
 - ii. sections at a scale of 1:20 with manufacturers details demonstrating the construction and materials used [for large areas of green roof add in : and showing a variation of substrate depth with peaks and troughs]
 - iii. full details of planting species and density

The living roofs shall be fully provided in accordance with the approved details prior to first occupation and thereafter retained and maintained in accordance with the approved scheme.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies G1, CC1, CC2, CC3, D1, D2 and A3 of the London Borough of Camden Local Plan 2017

- 15 The outbuilding hereby permitted shall not be occupied at any time other than for purposes incidental to the residential use of the dwelling known as 2 Elsworthy Terrace.

Reason: To protect amenity of adjoining occupiers and also ensure the outbuilding permitted does not become a self-contained dwelling, separate and apart from the original dwellinghouse known as 2 Elsworthy Terrace in accordance with policies H1, H6, A1 and A4 of the Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission -

The proposal involves a number of alterations and additions to the existing mid-terrace dwelling house, as part of refurbishment of the property. In addition, a new outbuilding is proposed at the rear of the site, and new bin and cycle stores are located in the front yard area. Excavation works are proposed at the front and rear of the site, as part of erection of a rear extension and construction of a sunken garden patio, and construction of an enlarged sunken patio at the front of the site.

The depth and height of the rear extension has been reduced as part of the assessment of the application, and would now be of a form and scale consistent with the approved rear extension at the nearby property (no. 5 Elsworthy) in the same group of terraces. In particular, the rear extension has been designed to sit below the party wall with no.3 Elsworthy. The rear elevation has been designed to be unobtrusive, generally using materials to complement and match the existing rear elevation. The Upper Ground Floor metal balustrade will be maintained in the same line, retaining this key architectural feature of the terrace's rear elevations. Overall, the rear extension would be in harmony with the original form and character of the house, and be

acceptable in the context of the altered rear elevation of the wider terrace.

With regard to the roof alterations, the dormer enlargement (front elevation) and addition (rear) would be traditionally detailed and appropriately proportioned to align with development along the terrace. The rooflights would be Conservation Style and would sit flush with the roof plane. The number of rooflights has been reduced to help maintain the solid-to-void ratio at roof level. The proposed units (x1 front, x3 rear) would have limited visibility from the street due to the angle of the roof form.

New joinery will be timber framed and fenestrated to match the original units. The large scaled bank of steel framed sliding doors in the lower Ground Floor extension will not be located in the bulk of the host building and have limited/no visibility from the public realm so is acceptable.

The outbuilding in the rear garden, while being of a not insubstantial scale, has been reduced and set away from the side boundaries of the site. The height of the outbuilding would generally be consistent with the height of the immediate adjacent neighbouring garage at 23 Elsworthy Road. The outbuilding would be clad in timber and have a green roof, aiding in delineating it as a subservient garden building. Given the surrounding immediate context, where there are other approved detached garden structures, it is considered that the proposed outbuilding would not be discordant with the character of surrounding rear gardens and therefore not pose unacceptable harm to the conservation area.

In the front garden the existing lightwell would be enlarged to accommodate bicycle storage at Lower Ground Floor level along the boundary next to the bay, with a bin storage enclosure also provided. The bike and bin stores would be clad in timber to align with the garden setting. The existing low boundary wall would be rebuilt to the same height and detail and all new paving (including in the rear garden patio) would be yorkstone. The existing mature boundary planting would be removed and replaced with a planter and hedge. These developments to the front garden will add untraditional built elements and reduce the established verdant garden character. However, it is considered that the reuse of the existing yorkstone paving, like-for-like reconstructed boundary wall, and replacement hedging would mitigate the harm posed to the streetscape and adequately maintain the established verdant character of the area.

Overall, the works would adequately maintain the character and appearance of the Elsworthy Conservation Area.

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.

The basement works are supported by a Basement Impact Assessment which has been audited by the Council's third party structural engineers. The audit confirms the excavation would not cause harm to the structural stability of the host and neighbouring buildings, the natural environment and local amenity including the water environment, ground conditions and biodiversity, in line with

Policy A5 and CPG Basements.

In terms of the ASHPs which would have a cooling function, the applicant has submitted an Overheating report which included an assessment against the cooling hierarchy as required under the CPG Energy efficiency and adaptation (2021). The cooling hierarchy confirms that in order to minimise the need for active cooling, various energy efficiency and passive design measures, as well as the use of mechanical ventilation, have been employed in the dwelling to minimise and manage the amount of heat in the dwelling. Despite these measures, the dynamic simulation has found that the passive design steps outlined in the cooling hierarchy are not sufficient to mitigate the risk of overheating. In addition, due to security issues, it is not feasible for the bedroom windows to be left open overnight. Therefore, the use of active cooling to provide comfort to the occupants of the dwelling is considered appropriate in this instance. The use of active cooling would be limited to those rooms identified as being overheated in the report, namely the three bedrooms, main living/kitchen and dining area, utility, master bedroom and dressing room.

Existing mature trees at the site and in the immediate vicinity of the works would be retained and not affected by the works. Tree protection measures a recommended by the applicant's arborist would be in place throughout the duration of the works. Council's Arborist has raised no concerns with the works and has recommended a condition requiring tree protection measures to be in place.

The Council's Environmental Health Officer is satisfied that the submitted acoustic submission should meet Camden Local Plan 2017 guidelines. Therefore, the ASHPs are acceptable in environmental health terms. Conditions of consent are proposed which would ensure the plant met noise and vibration criteria.

Given the nature and scale of the works, the proposal would not cause any adverse impacts on the amenity of adjoining residential occupiers in terms of loss of light, outlook or privacy.

The Elsworthy CAAC commented on the application, suggesting the external condenser unit be relocated from the rear of the site despite the assurance of the noise impact assessment, be repositioned to the opposite side of the proposed outbuilding, rather than its current position, to ensure noise did not adversely effect neighbours. The submitted Noise report has assessed the noise effects of the condenser unit and this has been peer reviewed by Council's Environmental Health Officer, who considers any noise from the condenser to be suitably mitigated and within accepted limits, and therefore acceptable. The CAAC also requested a a camelia hedge be reinstated along the front boundary at the completion of works. The applicant has proposed to implement replacement hedge planting along the front boundary, of a greater depth than existing, at the completion of works.

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,

A3, A5, D1, D2, CC1, CC2 and CC3 of the London Borough of Camden Local Plan 2017. The proposed development also accords with policies of the London Plan 2021 and the National Planning Policy Framework 2023.

- 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 Your proposals may be subject to control under the Party Wall etc Act 1996 which covers party wall matters, boundary walls and excavations near neighbouring buildings. You are advised to consult a suitably qualified and experienced Building Engineer.
- 5 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 2023.

You can find advice about your rights of appeal at:

<https://www.gov.uk/appeal-householder-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