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Via Planning Portal only

Dear Sir/Madam,

HOUSEHOLDER PLANNING APPLICATION - THE TOWN & COUNTRY PLANNING ACT 1990

ALTERATIONS AND EXTENSIONS TO THE EXISTING HOME INCLUDING LOWER GROUND FLOOR REAR EXTENSION, REAR OUTBUILDING, NEW DORMER WINDOWS, FRONT AND REAR ROOF LIGHTS, REPLACEMENT WINDOWS, REBUILDING OF FRONT BOUNDARY WALL, INSTALLATION OF CYCLE STORAGE AND REFUSE ENCLOSURE AND INSTALLATION OF A/C PLANT TO REAR

2 ELSWORTHY TERRACE, PRIMROSE HILL, NW3 3DR

Please accept this covering letter as an accompaniment to this householder planning application for proposed works at 2 Elworthy Terrace, London, NW3 3DR. This letter provides a summary of the site and the proposed development.

Please also find enclosed a completed application form accompanied with a full set of existing and proposed plans and elevations, Design & Access Statement, Heritage & Townscape Assessment, Tree Survey, Basement Impact Assessment, Energy and Overheating Statements, Noise Impact Assessment and Construction Method Statement.

The Site:

The application site comprises a four storey mid-terraced townhouse on the east side of Elsworth Terrace, an offshoot of Elsworth Road which links to the northern section of Regent's Park.

The host property is in active residential use and its façade and associated terrace is set back slightly from the road with steps leading to the entrance at upper ground level. Adjoining the property to the north is No. 1 Elsworthy Terrace, and to the south, No. 3 Elsworthy Terrace. To the east, to the rear of the back garden adjoining the boundary is the garage of No. 23 Elsworthy Road. The predominant architectural character of the street dates from the later 19th Century.

The site is located within the Elsworthy Road Conservation Area which comprises a relatively small area spanning largely east-west along the length of Elsworthy Road, including the secondary streets which stem from it, including Wadham Gardens, Elsworthy Terrace, Elsworthy Rise and Lower Merton Rise, being bounded in the north by the south side of King Henry's Road and in the south by the edge of Primrose Hill.

The Conservation Area is characterised by the Conservation Area Appraisal as being a 'wealthy residential suburb' with 'quiet' and 'spacious leafy' streets. There are also important views relating to its relationship with Primrose Hill which help to characterise the area.

The wider surroundings are largely characterised by residential development. Many of the surrounding network of roads are arranged on a grid of perimeter blocks with strong built frontages and an overriding sense of Victorian character.

The site has a low Public Transport Accessibility Rating of 1b and is in an area at low risk of flooding.

The Proposal

This application seeks full (householder) planning permission for extensions and alterations to the existing property. Aside from internal works which do not require planning consent, the proposed development will include the following components:

- A lower ground floor rear extension.
- New garden building with green roof and natural stone coping with adjacent services structure with A/C plant set back slightly from the boundary wall with No. 3 Elsworthy Terrace at the rear of the rear garden.
- New dormer windows, rationalising and replacing the current dormer windows with double glazed sashes, including a new single-pane width dormer opening in the mansard roof on the rear elevation, and a new double width dormer on the front elevation.
- The implementation of flush conservation style rooflights, having removed one rooflight on the rear slope, and installing one on the front slope, and four on the rear slope.
- Replacement of windows on the upper ground floor level with conservation style casement windows matching the current style, and replacement of the door to the balcony with a casement window.
- Rebuilding of the front boundary wall to match existing and bike storage and bin enclosure within front yard area adjacent to No. 3 Elsworthy boundary, including partial demolition and remodelling of part of the front yard area to house bicycle store.

It is noted that planning permission has recently been granted for the majority of the proposed development under application reference 2023/5350/P. The only difference with this application is that it now includes glazed 'cheeks' to the side of the proposed rear extension. All other aspects of the proposed development remain as per the extant approval.

For full details of the proposed development please refer to the supporting plans and elevations and Design & Access Statement.

Planning history

The planning history of the immediate surroundings are a material consideration in the determination of this application. For these purposes, the immediate surroundings are defined by the terrace in which the application site sits. Relevant recent planning history is referenced below although it is noted that this doesn't include application for works to trees.

1 Elsworthy Terrace

On 15.10.2018, full planning permission was granted for the conversion of 2no. flats into 1no. maisonette (C3) at ground and first floor levels under application reference 2018/3911/P. In granting permission, the council stated that 3-bed family sized homes that are recognised as 'very high' priority by Policy H6 of the local plan and the net loss of one home in that instance was therefore considered to be acceptable.

On 06.12.2016 full planning permission was refused for the erection of a two-storey building with two basement levels and front lightwell under application reference 2016/3495/P. The application was refused for several reasons including its impact on the character of the area and the extent of basement excavation.

4 Elsworthy Terrace

On 16.12.2002, full planning permission was granted for the erection of a garden shed in the south-east corner of the rear garden under application reference PWX0202929.

5 Elsworthy Terrace

On 08.01.2008, full planning permission was granted for the erection of an extension with rooflights at rear lower ground floor level, creation of sunken lower ground floor level patio, balcony at raised ground floor level and enlargement of rear first floor level window under application reference 2007/5575/P. In granting permission the council stated:

Even though the footprint of the proposed extension is larger than that of the approved extension it is not considered to be of an unacceptable bulk that would cause harm to the original building or the block of terrace. Taken that the proposed extension would not extend above the existing balcony level it would mainly be visible from the adjoining properties upper ground floor levels. The additional

depth of 900mm, from that what was previously approved is not considered to cause any additional harm to the visual amenities of the neighbouring properties or the general public from Primrose Hill.

On 22.07.2002, full planning permission was granted for the demolition of the existing upper ground floor balcony and construction of a single storey extension with a deck roof and access to garden level under application reference PEX0200266.

6 Elsworthy Terrace

On 28.06.2017, full planning permission was granted for the erection of a rear side infill extension, relocation and installation of a new AC condenser unit and erection of a new bin store under application reference 2017/1058/P. In granting planning permission the council stated:

The proposed single storey infill extension would be subordinate to the host dwelling. It is considered acceptable by virtue of its matching materials and would be of a similar height and depth to the neighbour's extension at No.5 Elsworthy Terrace. The proposed single storey infill extension, by virtue of its location and low level position would not have a detrimental impact with the amenity of the neighbouring properties in terms of the loss of daylight/sunlight, outlook and privacy.

In terms of the A/C unit, the council stated:

The additional elements of this application include the installation of new condenser unit which will be located further away from the property than existing, and will be quieter than the existing. The condenser would be housed within an attenuated timber cladded plant enclosure and located to the lower ground floor rear of the new extension adjacent to the boundary with No.5 Elsworthy Terrace. This would not be generally seen from either public or private viewpoints. A noise impact assessment has been submitted and is concluded that the noise would be significantly less than the existing air con condensers in this same location. The council's noise officer considers the proposal to be acceptable.

In terms of the proposed bin store which was located to the front of the property the council stated:

The timber bin enclosure to the front, is considered an enhancement as the bins are currently exposed on the front forecourt. It would measure approximately 1.2 metres high, 1.1 metres depth and 2.2 metres width and is considered minimal, and would be partially screened by the front boundary. The timber is considered to be of an acceptable material and in-keeping with the surrounding area.

On 05.12.2016, full planning permission was granted for the erection of a single storey infill extension to rear at lower-ground floor level under application reference 2016/4990/P.

On 08.09.2016, full planning permission was granted for the excavation of part of the rear garden level for the erection of a pavilion outbuilding at lower ground level and associated paths and access staircases, plus replacement glazing to lower floor facade of rear extension under application reference 2015/6293/P. In granting permission the council states:

Overall, the proposed basement pavilion is not considered to have an impact that would be detrimental to the host building or neighbouring properties. Furthermore, the erection of the pavilion at basement level would harmonise well with the existing property and terrace which would retain the valuable garden space. The proposal is considered to preserve the character and appearance of the conservation area.

On 18.11.2014, full planning permission was granted for the erection of an outbuilding and the installation of 3 x rooflights, 1 x to the front and 2 x to the rear under application reference 2014.4187/P.

Planning Policy & Legislation

LEGISLATION

Planning (Listed buildings and Conservation Areas) Act 1990

Section 72 of the Planning (Listed buildings and Conservation Areas) Act 1990 requires the Council to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.

Planning and Compulsory Purchase Act 2004

Section 38 of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise.

NATIONAL PLANNING POLICY

National Planning Policy Framework (2021)

The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. It is a material consideration in formulating local planning policies and taking decisions on planning applications.

At the heart of the NPPF is a presumption in favour of sustainable development (paragraphs 7-14) and paragraphs 8, 9 & 11 are helpful in applying this presumption. Paragraph 11 sets out how this is to be applied. It states that, *for decision-taking, this means:*

- *Approving development proposals that accord with an up-to-date development plan without delay; or*
- *Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*
 - *the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*

- *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*

The NPPF introduces three objectives to ‘Sustainable development’ (Economic, Environmental & Social - paragraph 8), and advises that they are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives). The development in this instance meets all three threads of sustainable development.

Further, the decision-taker is required to consider whether the development accords with an up-to-date development plan – and if it does planning permission should be granted unless material considerations indicate otherwise. The development in this instance accords with the development plan.

Finally, the decision-taker is required to determine whether there are any relevant development plan policies, or the policies which are most important for determining the application, that are out-of-date and if not, grant permission unless:

- *the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
- *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.*

The following sections are relevant to the consideration of this application;

- Section 11 (making effective use of land)
- Section 12 (achieving well designed places)
- Section 16 (conserving and enhancing the historic environment)

Section 11 refers to the effective use of land and states at paragraph 119 that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. It states further at 120(c) that policies and decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land.

Section 12 refers to well-designed places. Paragraph 130(a) states that development should function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development. Further, paragraph 130(b) states that developments should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping.

Paragraph 132 states that *‘design quality should be considered throughout the evolution and assessment of individual proposals. Early discussion between applicants, the local planning authority and local community about the design and style of emerging schemes is important for clarifying expectations and reconciling local and commercial interests. Applicants should work closely with those*

affected by their proposals to evolve designs that take account of the views of the community. Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot'.

Section 16 refers to the historic environment and requires the decision maker to consider whether the proposal sustains and enhances the significance of heritage assets, making a balanced judgement having regard to the scale of harm and the significance of the heritage asset (paragraphs 194-197).

Paragraph 134(a) states that significant weight should be given to development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents.

LOCAL PLANNING POLICY

For the purposes of this application, the adopted Development Plan for the London Borough of Camden (LB Camden) comprises the London Plan (2021), the Camden Local Plan (2017) and the Camden Planning Guidance (CPG) Documents.

Policy A1 of the local plan aims to manage the impact of development in terms of residential amenity; transport impact and general community impacts. This covers a wide range of matters including visual privacy and outlook; sunlight, daylight and overshadowing; noise and vibration levels, odour impact, contaminated land etc.

Policy A5 states that the Council will only permit basement development where it is demonstrated that the proposal would not cause harm to neighbouring properties; the structural, ground, or water conditions of the area; the character and amenity of the area; and the significance of heritage assets.

Policy D1 seeks to ensure high quality design in all development and requires development to respect local character and the historic environment amongst a number of other criteria.

Policy D2 refers to heritage and states that the Council will preserve and, where appropriate, enhance Camden's heritage assets and their settings, including conservation areas. It states further that the Council will not permit development that results in harm that is less than substantial to the significance of a designated heritage asset unless the public benefits of the proposal convincingly outweigh that harm.

Planning Assessment

Principle of development

Law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.

The site comprises a building in active self-contained residential use and no changes are proposed to the established use class. In such locations, there are no development plan or national planning

policies that restrict the extension or alteration of residential properties in principle, subject to the consideration of all other detailed matters.

In addition, the majority of the proposed development already has the benefit of planning permission and the principle of development is therefore established.

Principle of Basement Extension

Camden Local Plan (CLP) Policy A5 states that the Council will only permit basement development where it is demonstrated that the proposal would not cause harm to neighbouring properties; the structural, ground, or water conditions of the area; the character and amenity of the area; and the significance of heritage assets.

It advises that in determining proposals for basements and other underground development, the Council will require an assessment of the scheme's impact on drainage, flooding, groundwater conditions and structural stability in the form of a Basement Impact Assessment (BIA). Camden's adopted Planning Guidance on basements (CPG Basements) provides further detail on the application of that policy.

In light of those requirements, a BIA has been prepared in support of the application. This highlights that the proposed basement will comply with CLP Policy A5 and supporting guidance, primarily as the works will extend at lower ground floor only and will not result in the loss of garden space or trees of townscape or amenity value.

No changes to the approved scheme are proposed at basement level and the addition of glazed cheeks to the rear extension would not prejudice the basement works. The development has been through independent assessment protocols with Campbell Reith and it could not therefore be considered that the development would be harmful in this regard. No further engagement with Campbell Reith should be necessary given that this aspect of the scheme already has the benefit of planning permission.

Impact on the character and appearance of the area/heritage impact

The proposed development does not depart from the primary residential use of the site and the main issue relating to impact would therefore be limited to density, design, layout and appearance.

In terms of density, this is best read through the existing and proposed plot ratios. The built form has been designed to largely reflect the existing arrangement and would not lead to an overdevelopment of the plot and therefore would respect both the existing characteristics of the site and the surrounding ratios of built development. A large extent of the garden would be maintained and the existing under-utilised space developed in order to make the best use of the land available; a key driver of sustainable development as defined by the NPPF. On this basis, the proposed development would not therefore represent an overdevelopment of the site.

The proposed extension and outbuilding would not be visually prominent, or at the very most, public views would be largely transient as a result of the presence of the terrace to the north and the

intervening structures, boundary treatments and natural landscaping that would largely screen any elements that would otherwise be visible. The hierarchy of built form would be retained because the proposed development would not be discernibly more prominent than the existing boundary wall and the sense of spaciousness from public vantage points would therefore be maintained. Its scale and massing is therefore considered to contextually align with the site and surroundings.

The sequence of built form in the immediate surroundings creates a strong sense of enclosure. In a rear garden context, this creates a sense of seclusion as the land is enclosed by residential development to the east and west.

The rear extension and outbuilding would be limited in footprint and their single storey proportions ensure they would not unduly compete with the hierarchy of the host dwelling, particularly in light of their isolated location. They would therefore maintain a subservient visual appearance, reflective of both the host site and its surroundings.

The addition of glazed cheeks would not be noticeable from vantage points outside of the scope of the application site and existing boundary proportions would be maintained. This small change to the extent of the rear extension is therefore considered to be visually and proportionately acceptable.

In terms of design, the proposed architecture is traditional and simple in appearance, inspired by comparable extensions in the terrace of which the proposal attempts to replicate. Changes to fenestration are similarly sympathetic and will ensure the property can be maintained in the long-term for modern living standards. The dormer window alterations would maintain the upward linearity of the windows, in order to recreate the simple architectural composition of the building, therefore respecting and reinforcing the statement it makes in the street scene.

Changes to the front of the property are minor in nature and will improve the function of the property considerably. As per the consideration of an earlier application at no.6 for similar alterations, the bin store will represent an improvement given that bins could currently be exposed and in any case, this would be partially screened by the existing boundary wall.

For the reasons outlined above, the proposed development represents a high-quality design which is sympathetic to the existing character and appearance of the existing property and neighbouring properties. It is considered that the proposed works will enhance the quality of the host dwelling and consequently the townscape quality of the area. There will be no adverse effect on the setting of the wider Conservation area. The proposed development is therefore considered acceptable with regard to its impact on the designated heritage assets identified locally, in accordance with the development plan and national planning policy guidance.

Trees & landscaping

In general terms, soft landscaping, whether or not there is public access to it, is important for its contribution to the quality of urban life by providing important green lungs, visual breaks and wildlife habitats in built-up areas. In site specific terms, soft landscaping is an integral part of the application site and wider surroundings.

To align with pre-application discussions the proposal now involves the retention of T3 as identified on the accompanying Tree Protection Plan.

The quality and inconspicuous nature of the built development and the extent of planting proposals ensure that the development would not only preserve but enhance the garden space and wider heritage assets.

The accompanying arboricultural information provides a comprehensive methodology for the protection of the trees which will be retained. Appropriate Arboricultural conditions to secure tree protection can be attached to any permission granted where necessary. For full details, please refer to the supporting Design & Access and Arboricultural reports which had been amended following discussion with the LPA as part of the earlier approved application. The proposal aligns with those discussions in this regard.

Neighbouring Amenity

Policy A1 of the Local Plan seeks to ensure that standards of amenity are protected. This requires the highest standards of design to ensure the amenities of existing and future occupiers are safeguarded and this is echoed in guidance contained within the NPPF and the London Plan. Further guidance is provided in CPG Amenity which sets specific standards of development.

The host dwelling benefits from a well-proportioned amenity area. The proposed development would not erode that space to an unacceptable extent and the proposal would not therefore represent an overdevelopment of the plot.

The relationship of built development has been carefully considered in the context of the topography and distances between buildings and the absence of clear relationships with sensitive windows that could suffer substantive reductions in outlook means that there are unlikely to be any detrimental effects on levels of sunlight/daylight.

The single storey height of the rear extension and outbuilding and their limited projection ensures the proposed development would not lead to an overbearing impact on the immediately adjoining properties and their associated amenity space. By virtue of the size, scale and location of the proposed works, the proposed development will not have an adverse impact on neighbouring amenity, in accordance with the development plan and national planning policy guidance.

Notwithstanding the physical presence of built development, the applicant has also carefully considered the impact on neighbouring residents by virtue of potential noise impact resulting from the presence of a condenser unit at the rear part of the rear garden.

Accordingly, a Noise Impact Assessment has been submitted in support of the application. This measures the existing noise conditions and assesses the noise impact of the proposed plant at the closest existing residential receptors.

In accordance with the Local Authority to achieve a 'green' rating, the noise limit has been set 10 dB below the lowest measured background noise level.

The report demonstrates that the noise criteria are met at all assessment locations during all periods of the proposed plant operation, assuming, the proposed acoustic enclosure is included in the installation and a low noise mode is implemented during the night-time period (2300-0700hrs).

Assessing the site in accordance with the principles of the National Planning Policy Framework has shown that predicted noise levels would be below the level at which no effects are observed to occur.

The addition of glazed cheeks to the extent of the rear extensions would not be noticeable from outside the scope of the application site and would not therefore be harmful to residential amenity.

Sustainability

Crucially, it is noted that the proposed development will not result in an uplift of residential accommodation. However, the following measures will nevertheless be incorporated into the proposed development:

- The external lighting strategy shall be designed to minimise light spillage and night time light pollution in line with the Institute of Lighting Professional's (ILP) Guidance notes for the reduction of obtrusive light; low illuminance levels, fittings and controls shall be employed accordingly.
- Good internal air quality will be achieved through the creation of a building envelope with a low air permeability; meaning that the building fabric will reduce the infiltration of pollution from the external environment.
- The applicant will also endeavour to avoid the use of materials with a high VOC (volatile organic compound) content; therefore ensuring an improved air quality for the completed development.
- Access to daylight is predominantly from the eastern and western sides of the proposed development and large windows are proposed on these elevations to improve light levels internally.
- It is intended that the performance of the building fabric will incorporate relatively low U-Values to reduce the rate at which the buildings lose heat, preserving the heat within the space and reducing the requirement for mechanical heating.

Notwithstanding the above, a Thermal Modelling Report has been commissioned by the applicant which highlights the overheating risks at the property. In simple terms, this sets out that, due to the layout of the building and the security risks, opportunities for cross-ventilation are limited. This is further exacerbated by the natural constraints at the property which do not allow for changes to layouts/orientations/ceiling heights etc.

When the building is tested against the criterion of CIBSE 59, the results indicate a high risk of overheating. The report therefore concludes that comfort cooling is recommended to be installed at the property to ensure occupancy health and comfort. Please refer to the Thermal Modelling Report for full details.

Indeed, if natural ventilation were the main source of comfort cooling, temperatures in the bedrooms are expected to exceed 24°C during the Summer months on a regular basis.

The scope for passive measures to control excess heat at the property, given these constraints, is therefore limited. Given this context, it is considered that the proposal for a single air conditioning unit is acceptable in this instance. This has previously been considered acceptable and no changes are proposed to the application in this regard.

Summary

As demonstrated within this letter and supporting documents, the proposed works include only the addition of glazed cheeks to the single storey rear extension beyond what has the benefit of planning permission already. The proposed works are considered to be modest and sympathetically maintain the existing architectural composition of the host building by virtue of their simple and austere proportions that complement the detail of the existing building. By virtue of this arrangement, the scale of built development and minor ancillary changes are not considered harmful to the host property or the surrounding area, rather it is considered they will preserve the character of the area.

The proposed cooling of the property is crucial and the need for this is substantiated with a Dynamic Thermal Modelling Report which confirms this necessity. Alternative methods of cooling, as per the cooling hierarchy, have been considered but discounted, largely a result of existing site constraints.

The proposed development accords with the up-to-date development plan and fulfils the three dimensions of sustainable development as defined by the NPPF. The presumption in favour of sustainable development therefore applies and it is respectfully requested that planning permission is granted.

This Planning Statement should be read alongside the other supporting documentation and drawings which have been submitted as part of the Full Planning Application.

I trust this letter and the enclosed documents provide you with sufficient information to determine the application but if you require any points of clarification or have any questions please do not hesitate to contact me.

Yours faithfully

Allen Sacbaker
Associate
SM Planning