

Report Control

Project:	11 Elsworthy Road, NW3 3DS
Client:	Ms Anabel Kassar
Reference:	21.5104
File Origin:	Document1
Primary Author	James Doherty
Checked By:	JD

<i>Issue</i>	<i>Date</i>	<i>Status</i>	<i>Checked By</i>
1	18/01/2023	FINAL	JD
2			

TABLE OF CONTENTS

1. Introduction	2
2. Site and Surroundings	3
3. Planning History	4
4. Proposed Development	7
5. Planning Policy	9
6. Planning Justification	11
7. Conclusion	11

1. INTRODUCTION

1.1 Boyer have been instructed by our client, Ms Anabel Kassar, to prepare and submit a full planning application in respect of the property at 11 Elsworthy Road, London, NW3 3DS ('Site').

1.2 This application seeks full planning permission for the:

Erection of a double storey side extension with green roof; works to the rear of the property including erection of a single storey rear extension with a green roof and first storey rear access to garden; and movement of pier to front garden steps to accommodate wheelchair access.

1.3 This Planning Statement ('Statement') sets out why the proposal is considered acceptable in planning terms and why it should be supported by the Council.

1.4 In terms of structure, this Statement will provide a summary of the Site and its history before examining the planning justification for the proposal. Against this background, this Statement addresses the following:

1. Site and Surroundings;
2. Planning History;
3. Proposed Development;
4. Planning Policy; and
5. Planning Justification.

1.5 This Statement concludes that the proposed development is compliant with all relevant planning policy and is therefore considered acceptable in principle and, as such, planning permission should be granted without delay.

2. SITE AND SURROUNDINGS

- 2.1 The Site comprises a semi-detached building which contains 2no. residential flats; one flat on the lower and upper ground floor and one flat on first and second floor.
- 2.2 The property is late Victorian and consists of 5 storeys (lower ground and four above). At the front of the property there are large traditional windows at upper and lower ground floors, which are mirrored in other properties along Elsworthy Road, creating a symmetrical façade.
- 2.3 The rear elevations of properties along Elsworthy Road are more varied, having been altered by extended sections. 15 Elsworthy Road appears to have a 2 storey glazed extension and, in August 2021, 13 Elsworthy Road was granted planning permission for the erection of a part single, part two storey side extension; single storey rear extension with terrace above; replacement steps to rear garden; replacement of windows; replacement of existing side roof dormer and enlargement of rear dormer including addition of rear balcony; air conditioning unit within roof extracted through external terrace; associated landscape works and new garden outbuilding.
- 2.4 The Site benefits from a generous rear garden, which accommodates a number of trees. The Site backs onto Primrose Hill and the existing boundary walls to each side of the garden rise to approximately ground floor level of the property.
- 2.5 The architectural style along Elsworthy Road is consistent and comparable to the Site.
- 2.6 Whilst the Site is not listed and is not in the setting of any listed buildings, it is identified as falling within the Elsworthy Road Conservation Area.
- 2.7 The Conservation Area Appraisal notes the eastern section of Elsworthy Road (which the Site forms a part of) as being characterised by spacious three storey (above ground), semi-detached villas that are set back from the street with the original boundary treatments of small walls, privet hedging, and wooden gates and gate posts.
- 2.8 The Conservation Area Appraisal notes that whilst many of the buildings in the area share common architectural language in terms of proportions of façades, fenestration pattern, spacing and style of entrances, each building is uniquely designed, the variety of which adds to the group value of the properties in this area.
- 2.9 In terms of the wider context, the prevailing character of the area is residential.
- 2.10 The Site has a PTAL score of 2 and Chalk Farm tube station is located approximately 0.6miles to the north-east of the Site. The Site is well served by bus stops situated along Haverstock Hill.
- 2.11 The Site is located within Flood Zone 1, meaning it has a low probability of flooding.

3. PLANNING HISTORY

- 3.1 A desktop review of the Council's planning application database has been conducted.
- 3.2 In September 2015, an application was granted for the *change of use from 2 self-contained maisonettes into one self-contained dwellinghouse and alterations to the front entrance.*
- 3.3 An application for the *extension of the existing balcony at the rear* was granted in November 1978.
- 3.4 In December 1973, an application for *the change of use of the 1st, 2nd and 3rd floors of nos. 9, 7 and 11 Elsworthy Road to 2 s/c maisonettes, including works of conversion and the replacement of the two existing formers at the rear* was granted.
- 3.5 As well as the Site itself, the following applications at neighbouring properties are considered to be of relevance to this proposal:

Address	Reference	Description	Decision and Date
13 Elsworthy Road	2021/2071/P	Erection of a part single, part two storey side extension; single storey rear extension with terrace above, replacement steps to rear garden; replacement of windows; replacement of existing side roof dormer and enlargement of rear dormer including addition of rear balcony; air conditioning unit within roof extracted through external terrace, associated landscape works and new garden outbuilding	Granted 2021
12 Elsworthy Road	2019/3090/P	Erection of a single storey rear extension	Granted 2019
Flat A 10 Elsworthy Road	2018/0423/P	Erection of single storey ground floor rear and side extensions; excavation of basement extension including formation of front and rear lightwells; erection of front garden bin and cycle store	Granted 2019

Flat 1 21 Elsworthy Road	2018/3205/P	Extension of existing 2 storey rear bay window by additional 2m and erection of new balcony with railings and steps to garden at upper ground level	Refused 2018
13 Elsworthy Road	2015/5534/P	Construction of a part single, part two storey side extension; a single storey rear extension; new access staircase to the rear garden and associated landscaping works including removal and replacement of two existing trees	Granted 2016
13 Elsworthy Road	2015/5536/P	Construction of single storey garden room, ancillary to the existing dwellinghouse and associated landscaping works	Granted 2015
9 Elsworthy Road	2014/5472/P	Rear infill extension at lower ground and ground floor, replacement stairwell, erection of terrace at rear ground floor, replacement lightwell in side extension, replacement door and window to rear elevation and installation of timber privacy screen between No. 7 and 9	Granted 2014
24 Elsworthy Road	2010/2982/P	Erection of a single storey side and rear extension and installation of new window openings to front and rear bays of the lower ground floor flat	Granted 2010

Flat 1 21 Elsworthy Road	2007/1190/P	Erection of a pavilion in the rear garden for use ancillary to the ground floor flat	Granted 2007
15 Elsworthy Road:	9100651	Erection of side extension roof dormer and conservatory at rear	Granted 1991

Pre-Application

- 3.6 Prior to submission of this planning application, the Council were engaged in pre-application discussions and provided their formal written advice on 26th May 2022 (Ref: 2021/5109/PRE).
- 3.7 The advice was generally supportive of the proposals but recommended some minor design amendments.
- 3.8 Amongst other things, the Council advised that the proposed two storey extension needs to respect the historic gap between the buildings and that the rear extension is acceptable in principle but may need some design refinement such as the position of the proposed bay window.
- 3.9 Green roofs are encouraged but they must respect the existing building features both in terms of design and of avoiding potential damp and rot by ensuring there is an appropriate amount of separation distance between the green roofs and existing windows.
- 3.10 The Applicant has taken the Council's advice into consideration when finalising the design of these proposals. This will be discussed in more detail in the proceeding sections of this Statement.

4. PROPOSED DEVELOPMENT

- 4.1 This application seeks full planning permission for the *erection of a double storey side extension with green roof; works to the rear of the property including the erection of a single storey rear extension with green roof and first storey rear access to the garden; and movement of pier to front garden steps to accommodate wheelchair access.*

Side Extension

- 4.2 A two storey side extension is proposed on the lower and upper ground floors, with additional floor area incorporated into the extension at the rear.
- 4.3 The extension will be set back from the main elevation and be secondary to the building being extended. The established building line will not be compromised.
- 4.4 The extension will be built from materials that are similar and sympathetic to the existing buildings and the architectural symmetry will be maintained. The glazed roof will help the extension blend seamlessly with the surroundings and not be overbearing on the streetscene.

Single Storey Lower Ground Floor Rear Extension

- 4.5 A single storey lower ground floor rear extension is proposed with a glazed openable roof.
- 4.6 The scale of the proposed rear extension is considered both secondary and subordinate to the host building and does not dominate or compete with either the host building or neighbouring buildings.
- 4.7 There will be no alteration to the bow window shape at lower ground level as this shape will be retained to coordinate with the upper ground floor level bay window. Furthermore, the location of the extension at the rear of the building will not result in any impact to the building or streetscene when viewed from the front.
- 4.8 The majority of the rear garden will be retained and the garden edge, including the configuration of the steps and levelling, will also be maintained so as to mirror the building line.

Roof Terrace

- 4.9 A roof terrace is proposed above the lower ground floor rear extension to the rear of the property.
- 4.10 The roof terrace will be located to the rear of the property and will be subordinate to the existing roof slope.
- 4.11 Therefore, it will have no impact on the streetscene or wider area. The terrace will complement the elevation through the use of sympathetic materials that complement the character and appearance of the existing building.

Accessible wheel-chair ramp

- 4.12 The proposals also include the relocation of the pier to the front garden steps in order to accommodate a wheel-chair accessible ramp.
- 4.13 This ramp will ensure inclusive access and is considered acceptable in planning terms.

5. PLANNING POLICY

5.1 Section 38(6) of the Planning and Compulsory Purchase Act requires that an application for planning permission is determined in accordance with the Development Plan unless material considerations indicate otherwise.

5.2 The Development Plan for the Site comprises:

- Camden Local Plan (2017)
- London Plan (2021)

Camden Local Plan (2017)

5.3 Policy A1 confirms that the Council will seek to protect the quality of life of occupiers and neighbours and will grant permission for development unless this causes unacceptable harm to amenity.

5.4 In regards to open space, Policy A2 states that the Council will protect, enhance and improve access to Camden's parks, open space and other green infrastructure.

5.5 Policy A3 advises that the Council will protect trees and vegetation.

5.6 In terms of design, Policy D1 confirms that the Council will seek to secure high quality design in development. Amongst other things, the Council will require development to respect local context and character, utilise materials that are of a high quality and complement the local character and be inclusive and accessible for all

5.7 Policy D2 states that the Council will preserve and, where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas.

5.8 Policy D3 confirms that the Council will aim to ensure that existing housing continues to meet the needs of existing and future occupants.

Other Material Considerations

National Planning Policy Framework (NPPF) (2021)

5.9 The NPPF sets out the Government's objectives for the planning system; to achieve sustainable development through economic, social and environmental gains, and to secure economic growth. At the very heart of this presumption is the acknowledgement that growth is necessary to enable the country's and its communities to support themselves. Growth and development must happen in order to accommodate the needs of a growing population, which will result in change to the country, its cities and neighbourhoods. That change will have impacts, and it must be acknowledged that only unsustainably harmful impacts should stand in the way of planning permission for new development being granted. Development must not be prevented simply because it will cause change.

Camden Planning Guidance

5.10 In addition to the Local Plan, there are a number of supplementary planning documents and guidance which have been adopted by the Council which aim to guide development across the Borough. Of relevance to this application are the following documents:

- Design CGP (January 2021);
- Home Improvements CGP (January 2021);
- Amenity CGP (January 2021);
- Trees CGP (March 2019); and
- Elsworthy Conservation Area Appraisal and Management Strategy (2009).

6. PLANNING JUSTIFICATION

Principle of Development

- 6.1 Both the NPPF and Local Plan policies support sustainable development, with sustainability being at the heart of planning policy throughout the country.
- 6.2 The proposed extensions will significantly improve the living conditions of the occupants and will deliver environmental and heritage enhancements.
- 6.3 Policy H3 of the Local Plan seeks to protect existing housing within the Borough and that existing housing continues to meet the needs of existing and future households. The proposals will ensure that the existing house meets the needs of the occupants and so is in full compliance with Policy H3.
- 6.4 The proposed development is therefore considered to be acceptable in principle in terms of land use and housing objectives. Indeed, this was confirmed in the Council's pre-application response.
- 6.5 As such, the Council should look favourably on this application and planning permission granted without delay.

Design

- 6.6 Policy D1 of the Local Plan confirms that the Council will seek to secure high-quality development and, amongst other things, will require that development respects local context and character. Supporting text to the Policy states that extensions should be of the highest standard of design and should be carried out in materials that either match or complement the host building or area.
- 6.7 Policy D1 has been at the heart of the proposals and the proposals have been carefully and sensitively designed to ensure that they respect the local character and context and have followed the established pattern of other alterations and extensions found within the Conservation Area by remaining subservient to the host building.
- 6.8 Further detailed guidance on the application of Policy D1 in relation to householder development is provided in the Home Improvements CPG, which provides a directly relevant framework for assessment of the proposals. Each element of the proposals is assessed against the relevant part of the CPG below.

Single-Storey Lower Ground Floor Rear Extension

- 6.9 A single-storey lower ground floor rear extension is proposed with a glazed openable roof.

- 6.10 Camden's Home Improvements CPG sets out how ground floor rear extensions should be subordinate to the host building; have a height, depth and width that respects the existing common pattern and rhythm of rear extensions built on neighbouring sites; be built from materials which are sympathetic to the host building; respect and preserve the original design, proportions and architectural features; be carefully scaled in terms of its height, width and depth; allow for the retention of a reasonably sized garden; and retain the open character of existing natural landscaping and amenity.
- 6.11 The Council's Design CPG states that rear extensions should be designed to be secondary to the host building, while respecting the original design and proportions and utilise sympathetic materials.
- 6.12 Local Plan Policy D1 states that the Council will seek high quality design which respects local context and character. Local Plan Policy D2 advises that the Council will require that development within conservation areas preserves or, where possible, enhances the character and appearance of the area.
- 6.13 Within the context, the proposed rear extension is considered acceptable in its scale, form, design and relationship to the host building and that of the semi-detached building of which it forms a part. The scale of the proposed rear extension is considered as secondary and subordinate to the host building and does not dominate or compete with the host building or the neighbouring buildings. There will be no alteration to the bow window shape at lower ground level as this shape will be retained to coordinate with the upper ground floor level bay window. Furthermore, the location of the extension at the rear of the building would result in no impact to the building when viewed from the front and under the proposals, the majority of the rear garden would be retained. The garden edge, including the configuration of the steps and levelling, will also be maintained as to mirror the rear building line.
- 6.14 As part of a wider application at 13 Elsworthy Road in 2015 (Ref: 2015/5534/P), a single storey rear extension at lower ground floor level was considered acceptable by Officers and subsequently approved. A further application has been approved at 13 Elsworthy Road (Ref: 2021/2071/P), and as part of the wider application, proposed a single storey lower ground floor rear extension with terrace above. The proposed extension to the neighbouring property is of a similar height, scale, and massing to that previously approved, and as before benefits from being located discretely at lower ground floor level, below the level of the existing garden walls to the property. This proposed extension to the neighbouring property is similar in height, scale and massing and therefore the proposal should be deemed acceptable.

Roof Terrace

- 6.15 A roof terrace is proposed above the lower ground floor rear extension to the rear of the property.

- 6.16 The Council's Home Improvements CPG sets out how terraces should: be subordinate to the roof slope being altered; complement the elevation upon which they are located; handrails and balustrades should be set back behind the line of the roof slope; take into account the risk of creating climbing opportunities for burglars; and be located at the rear of properties to ensure there is no impact on the streetscene or wider area. Furthermore, supporting text to Local Plan Policy D1 states that private outdoor amenity spaces such as roof terraces can add significantly to resident's quality of life.
- 6.17 The roof terrace will be located to the rear of the property and will be subordinate to the roof slope. It will therefore have no impact on the streetscene or wider area. The terrace will complement the elevation through the use of sympathetic materials that complement the character and appearance of the existing building. The proposed roof terrace is therefore compliant with the Home Improvements CPG and is considered acceptable.

Side Extension

- 6.18 A two-storey side extension is proposed on the lower and ground floors, with additional floor area incorporated into the extension at the rear.
- 6.19 The Council's Home Improvements CPG outlines how side extensions should: be set back from the main front elevation, be secondary to the building being extended; be built from materials that are sympathetic to the existing buildings; respect and celebrate existing architectural features into new design, where they make a positive contribution to the character of the building; ensure the established front building line is not compromised; ensure the architectural symmetry is unimpaired; ensure the original architectural features on a side wall are not obscured; and, retain access to the rear of a property. The CPG states that side extensions should be confined to a single storey, but there may be instances where a taller side extension could be permitted.
- 6.20 The proposed extension will be set back from the main elevation and be secondary to the building being extended. The established building line will not be compromised. The extension will be built from materials that are similar and sympathetic to the existing buildings and architectural symmetry will be maintained. The glazed roof will help the extension blend seamlessly with its surroundings and not result in an overbearing impact on the streetscene.
- 6.21 Whilst the CPG sets out that side extensions should be confined to a single storey, an application for a three storey side extension at lower ground, upper ground and first floor at 15 Elsworthy Road was permitted in 1991 and provides an example of a side extension in the surrounding area which is greater than a single storey. Due to the proposed side extension being just two storeys at lower and upper ground floor, the proposal will have a lesser impact on the streetscene than the side extension at 15 Elsworthy Road.

Neighbour Amenity

- 6.22 Local Plan Policy A1 sets out that the Council will seek to ensure that the amenity of communities, occupiers and neighbours is protected. The factors to be considered, amongst other things include visual privacy; outlook; sunlight, daylight and overshadowing; artificial lighting levels; and impacts of the construction phase.
- 6.23 The Council's Home Improvements CPG states that ground floor rear extensions should, inter alia, respect the amenity of adjacent occupiers with regard to daylight, sunlight, outlook, light pollution and privacy; ensure the extension complies with the 45 and 25 degree test; not cause a sense of enclosure to adjacent occupiers; ensure the extension does not cause undue overlooking and cause a loss of privacy; and not cause light pollution that would affect neighbouring occupiers or wildlife.
- 6.24 The Home Improvements CPG goes on to outline how terraces should be located at the rear of properties to ensure there is no impact on the streetscene or wider area. In addition, extensions should respect neighbour amenity with regards to, amongst other things, daylight, sunlight, overshadowing and overlooking.
- 6.25 In regards to the proposals, both the side and rear extensions have been designed in order to ensure that they will not result in any unacceptable impact on neighbouring amenity.
- 6.26** The Council's Amenity CPG sets out guidance on overlooking, privacy and outlook, daylight and sunlight. Developments should be designed to protect the privacy of occupiers of both existing and proposed dwellings, and mitigation measures should be included to reduce overlooking.
- 6.27 The rear extension is located at lower ground floor level and, as can be seen on the accompanying drawings, the height of the extension is comparable to the existing garden walls. The extension, therefore, cannot impact upon the amenity of neighbouring properties in terms of privacy or daylight, sunlight, overshadowing. The proposed side extension extends along the rear boundary to the adjacent property at no. 13. However, given the existing enclosed nature of this side condition, any impacts of overshadowing or daylight/sunlight loss would be extremely minimal and would have little or no impact.
- 6.28 The proposals include a new rear amenity space – a modest terrace at upper ground floor on top of the proposed rear lower ground floor extension, together with a replacement stair to connect with the lower main garden level. This element has been carefully considered and designed to ensure that it will have no unacceptable impact upon neighbour amenity in terms of privacy levels as established and existing in the area.
- 6.29 The area is characterised by a range of existing rear balconies and terraces including roof level large terraces at 9 and 11, and full width rear balconies at all main floors at nos. 17-19. At no. 15 a two-storey glazed extension deep into the rear gardens overlooks neighbouring gardens.

- 6.30 The proposed terrace is modest in area and has been carefully designed in the following manner to minimise any potential overlooking:
- Terraces are inset and shaped to focus any activity at the centre of the Site, away from boundaries to neighbours;
 - Metal balustrade used to limit extent of use and set back from boundaries to limit potential for overlooking; and
 - Evergreen planting zone established between balustrade and roof edge to provide further visual containment and screening of terrace.
- 6.31 Through the careful design approach and features set out above, we consider that the proposed amenity terrace would not materially change the existing degree of overlooking between properties in the immediate vicinity of the Site. The proposals are therefore in full accordance with Local Policy A1 and the guidance set out in the Amenity and Home Improvements CPG's.

Heritage

- 6.32 Policy D2 of the Local Plan states that the Council will preserve and, where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas. Policy D2 sets out that the Council will not permit the loss of or substantial harm to a designated heritage asset.
- 6.33 In relation to development in Conservation Areas, Policy D2 sets out that in order to maintain these areas, the Council will take account of Conservation Area Appraisals, Statements and Management strategies when assessing application within these areas. The Council will require applications to preserve or, where possible, enhance the character and appearance of the Conservation Area.
- 6.34 The Council's Home Improvements CPG outlines how ground floor rear extensions should respect and preserve the historic pattern and established townscape of the surrounding area, and how terraces should be located at the rear of properties to ensure no impact on the streetscene and wider area.
- 6.35 The proposed development has been sensitively designed to ensure that the proposed extensions positively respond to and reflect the contribution that the building, and the group of which it falls in, make to the Conservation Area.
- 6.36 A series of minor enhancements are also improved, which will cumulatively assist in securing an enhancement to the role that the Site plays within the Conservation Area, particularly when seen from public views from Elsworthy Road.
- 6.37 There is no substantial demolition proposed and no removal of significant trees or loss of garden land that would adversely impact upon the setting of the Conservation Area.

- 6.38 In light of the above, it is considered that the proposals would not result in any harm to the character and appearance of the Conservation Area and, indeed, would result in notable minor enhancements to its setting.
- 6.39 The proposals therefore meet the requirements set out within Section 16 of the NPPF and those of the relevant policies related to heritage within the Local Plan.
- 6.40 The proposals are therefore acceptable in heritage terms and planning permission should be granted without delay.

Impact on Trees

- 6.41 The proposals include the movement of the front pier to front garden steps in order to accommodate wheel-chair access around tree roots to provide inclusive access.
- 6.42 The Council had raised concerns in regards to the Beech tree in the front garden which is subject to a TPO and requested that a suitable Tree Report and Arboricultural Impact Assessment (AIA) is submitted as part of the application.
- 6.43 As such, the Applicant has instructed GHA Trees to prepare the necessary documentation which has been submitted in support of this application.
- 6.44 As detailed within the accompanying Tree Report, it has been confirmed that the landscape character of the Site will not be affected by the proposal and that, subject to precautionary measures being taken, the principal arboricultural features within the Site can be retained and adequately protected during development activities.

7. CONCLUSION

- 7.1 This Planning Statement has been submitted on behalf of our client, Ms Anabel Kassar, for the *“erection of a double storey side extension with green roof; works to the rear of the property including erection of a single storey rear extension with a green roof and first storey rear access to garden; and movement of pier to front garden steps to accommodate wheelchair access.”*
- 7.2 Throughout this Statement, it has been demonstrated that the proposal complies with all relevant planning policy and is in keeping with the existing style and character of the locality.
- 7.3 Further to this, the rear extension, roof terrace and side extension have been designed to ensure that they are in keeping with the scale and proportions of the existing property and with each of the specific design criteria outlined within both the Local Plan and supplementary planning documents.
- 7.4 The extensions proposed reflect neighbouring extensions which the Council have previously deemed to be acceptable. Therefore, the proposals subject of this application are also considered to be acceptable.
- 7.5 The design of the development is of a high standard which both preserves and enhances the character of the Conservation Area without causing any harm. The proposal is therefore considered acceptable in heritage terms.
- 7.6 In addition, great care has been taken to ensure that the proposals will not harm the amenity neighbouring residents in line with planning policy.
- 7.7 It is therefore considered that the proposals subject of this application are acceptable in planning terms and as such, should be fully supported by the Council and planning permission granted without delay.

