

**APPEAL BY WESTROCK**

**AGAINST THE DECISION OF THE LONDON BOROUGH OF CAMDEN TO REFUSE  
FULL PLANNING PERMISSION**

**ERECTION OF FIRST AND SECOND FLOOR REAR EXTENSIONS AND ROOF  
ALTERATIONS, INCLUDING INSERTION OF ROOF LIGHTS.**

**45 ELSWORTHY ROAD, LONDON, NW3 3BS**



**LPA APPLICATION REF: 2025/0729/P**  
**DATE OF DECISION: 16<sup>th</sup> MAY 2025**

## Contents

<b>1. INTRODUCTION</b>	<b>3</b>
<b>2. SITE CONTEXT</b>	<b>3</b>
<b>3. THE APPLICATION</b>	<b>4</b>
<b>4. HERITAGE DESIGNATIONS</b>	<b>4</b>
<b>5. HERITAGE SIGNFICANCE ASSESSMENT</b>	<b>6</b>
<b>6. PLANNING HISTORY</b>	<b>8</b>
<b>7. NATIONAL PLANNING POLICY AND LEGISLATION</b>	<b>11</b>
<b>8. THE DEVELOPMENT PLAN</b>	<b>12</b>
<b>9. PROCEDURAL MATTERS</b>	<b>13</b>
<b>10. THE APPELLANT'S CASE</b>	<b>14</b>
<b>11. CONCLUSION</b>	<b>26</b>

## Appendices

1	Building Height and Depth Study
2	Housing Styles with Sub-Area 3
3	Willet dwellings and planning history
4	2022/1863/P – Decision Notice and Plans (No.52 Avenue Road)
5	2024/1980/P - Decision Notice and Plans (Radlett House)
6	2015/3328/P – Decision Notice and Plans (No. 36 Avenue Road)
7	2016/1808/P - Decision Notice and Plans (No. 73-75 Avenue Road)

## 1. INTRODUCTION

- 1.1 This appeal relates to 45 Elsworthy Road, a detached single-family dwelling located within the Elsworthy Conservation Area (Sub-Area 3: Willett Development). The property is not statutorily listed but is identified as a positive contributor in the Conservation Area Appraisal. It occupies a verdant residential plot, with the rear boundary abutting the Grade II Registered Primrose Hill Park and Garden.
- 1.2 This statement presents a clear and robust case for allowing the appeal, focusing on design and heritage considerations in response to the sole reason for refusal issued by the London Borough of Camden.

## 2. SITE CONTEXT

- 2.1 Elsworthy Road lies to the northwest of Primrose Hill, linking Avenue Road with Primrose Hill Road. The eastern section, developed in the 1870s–80s, comprised speculative 3–4 storey terraced and semi-detached houses. The western section—beyond Lower Merton Rise—forms part of the Willett estate (1896–1911), with a gently curving alignment and more spacious character. This shift reflects changing late 19th-century planning ideals and the influence of the garden suburb movement.
- 2.2 Willett houses are set back behind generous front gardens, often with privet hedges and low brick walls. Mature street trees line the road, creating a soft, leafy environment that filters views and provides seasonal canopy cover. Despite their scale, the buildings are closely spaced, contributing to a fine urban grain.
- 2.3 No. 45 is a substantial detached house over two principal storeys with accommodation in the roof, constructed circa 1900–1901 as part of the Willett development. Its hybrid architectural style—combining Arts and Crafts and Queen Anne influences—is typical of the area. Key features include asymmetrical façades, red/orange brickwork, tile hanging, white-painted casement windows, and a distinctive roofscape of steep hips, gables, dormers and prominent chimney stacks.
- 2.4 The surrounding area comprises a mix of large detached dwellings, subdivided houses, and purpose-built flats, particularly at No. 43 adjacent. Despite architectural variation, the prevailing character is one of spacious residential plots within a mature, green setting.

- 2.5 Numerous nearby dwellings have been extended or upgraded, reflecting a consistent pattern of enhancement to bring properties up to modern standards and ensure floor areas are proportionate to plot sizes.
- 2.6 The site has moderate public transport accessibility (PTAL 2) and is within walking distance of multiple bus stops, underground and overground stations. The surrounding area is well-served by footways and cycle routes, supporting sustainable travel modes.

### **3. THE APPLICATION**

- 3.1 The application was received by the Local Planning Authority (LPA) on the 20/02/2025 and validated on the 27/02/2025. The application was assigned reference number 2025/0729/P.
- 3.2 The application sought consent for the erection of first and second floor rear extensions and roof alterations, including insertions of roof lights.
- 3.3 The application was refused on the 8<sup>th</sup> April 2025 for one reason as per below.
  - 1. The proposed development, by reason of the scale, bulk and massing, of the proposed extensions, and the resultant demolition of the majority of the rear elevation, would result in incongruous and dominant additions causing harm to the character and appearance of the host building, street scene, the Elsworthy Conservation Area and the setting of the Primrose Hill Grade II Listed Park and Garden, contrary to policies D1 (Design) and D2 (Heritage) of the London Borough of Camden Local Plan 2017.

### **4. HERITAGE DESIGNATIONS**

- 4.1 The application site is located within the Elsworthy Road Conservation Area, first designated in 1973, with extensions in 1985 and 1991. The designation is small, focused upon Elsworthy Road, the NE side of Avenue Road, King Henry's Road and the distinctive loop of Wadham Gardens. The building is not listed.
- 4.2 The Elsworthy Road Conservation Area Appraisal and Management Strategy (ERCAAMS) was adopted by the Council on 14 July 2009 and provides a detailed description of the history of the conservation area as well as its character and appearance. The spatial qualities of the conservation area are described at paragraph 3.7:

*“The area’s spatial character derives from the spacious leafy streets and generously laid out plot sizes, complemented by areas of semi-private communal amenity space (see Appendix 3). Terraced development is predominately of four storeys in the Conservation Area and two to three storeys where detached houses and semidetached villas predominate. Buildings are set back from the street and the original boundary treatments of small walls, privet hedging and wooden gates and gateposts were designed to increase the green, leafy environment of the quiet residential streets.”*

- 4.3 The application site is located in Sub Area 3: Willett Development, of the conservation area. The ERCAAMS describes Elsworthy Road at paragraph 3.18:

*“The rest of Elsworthy Road, together with Wadham Gardens, contains well-detailed buildings using a rich mix of materials. A combination of brick and decorative tiling creates a strong architectural vocabulary on many properties, while others with large expanses of stucco add contrast to the streetscape. The quality and level of detailing in wood, stucco and stone is high. Each building has unique features, but shares a common form and style with its neighbours to produce strong group value influenced by the Free Style of the 1890s (whereby architects could pick and mix features from classical, Gothic, English and Scottish 16th century, or Italian and French Renaissance in any combination of building materials they chose).”*

- 4.4 The western part of Elsworthy Road and adjacent Wadham Gardens were developed shortly after 1895 on the site of the former New Eton and Middlesex Cricket Ground, which had occupied the land for much of the 19th century. Prior to this, the area was agricultural land owned and farmed by Eton College since the 15th century.
- 4.5 Eton College entered into a development agreement with William Willett Jr, resulting in the construction of individually designed detached houses between 1896 and 1911. Most properties were designed by Willett’s in-house architect, Amos Faulkner ARIBA, who joined the firm in 1892.
- 4.6 The Willett houses in Elsworthy Road and Wadham Gardens are predominantly large and detached, arranged along a curving road with mature landscaping, boundary hedges, and communal gardens. Designed in a hybrid of Arts and Crafts and Queen Anne Revival styles—termed the ‘Willett Style’—the development is considered a notable precursor to the garden suburb movement, albeit targeting affluent residents.
- 4.7 The houses were also innovative in layout. Ancillary spaces such as kitchens, sculleries and laundries were placed at ground floor level rather than in basements, resulting in more practical and better-lit homes. This design modernity supported the recruitment of domestic staff and reflected broader shifts in housing standards. Willett promoted sanitary, well-lit dwellings—an approach consistent with his advocacy for daylight saving.

### ***Alterations to No. 45***

- 4.8 No. 45, originally named Thornbrake, was built circa 1900–1901. A two-storey side extension was added in 1937, replacing a ground floor projection and incorporating a garage with a first-floor bathroom above. In 1959, further alterations were made, including works to create a self-contained flat on the top floor and ground floor extensions. These were carried out primarily during the 1960s, when a stair tower was added to the eastern flank, along with a rear roof terrace. The existing building at no.45 Elsworthy Road is highlighted as a positive contributor within the conservation area, but is not listed.

## **5. HERITAGE SIGNIFICANCE ASSESSMENT**

This assessment draws on Historic England’s *Conservation Principles*, which identify four key types of heritage value.

### ***Evidential Value***

- 5.1 The property holds limited evidential (archaeological) value due to its relatively recent construction date. However, its original internal plan demonstrates early 20th-century shifts in domestic spatial planning, with ground-floor ancillary accommodation designed for improved light and hygiene. This legibility has been partially eroded due to later alterations—particularly the 1937 garage insertion on the front elevation.

### ***Historical Value***

- 5.2 The building has historical value as part of the transformation of the area from farmland to suburban development in the late 19th and early 20th centuries. It contributes to the historical narrative of north London’s growth and suburbanisation.
- 5.3 It also reflects evolving suburban ideals—spacious layouts, landscaped settings, and stylistic cohesion—consistent with early garden suburb principles.
- 5.4 Associative historical value stems from links to William Willett, the prominent developer and advocate of daylight saving, and Amos Faulkner, the architect responsible for most Willett buildings in the area.

### ***Aesthetic value***

- 5.5 The front elevation has high aesthetic value as a well-composed example of the Vernacular Revival style, with red brickwork, tile hanging, and contrasting white joinery. Its scale, detailing, and prominent roofscape contribute positively to the streetscene despite its set-back position.
- 5.6 However, later alterations—including the 1970s front garage extension and roller shutter door—detract from the composition and diminish its architectural integrity.

- 5.7 The house also holds group value as part of the Willett development. Its architectural coherence with neighbouring properties reinforces the character of this planned suburban enclave.
- 5.8 In contrast, the rear elevation is of lower significance. It has been heavily altered over successive decades and is largely screened from public view. The rear roofscape is fragmented due to 20th-century interventions, including a stair tower and roof terrace, resulting in a lack of architectural cohesion. The house was first remodelled at its eastern end in 1937 when the original single storey element was enlarged to form a two-storey wing. The roofscape to the rear of this was altered in the 1960s when a stair tower was introduced to provide separate access to the self-contained flat at 2<sup>nd</sup> floor level. To the rear of this a roof terrace was created for the flat, above a projection from the original catslide roof, which provided additional 1<sup>st</sup> floor accommodation. These features combine to create a fragmented profile to the roof and a lack of architectural coherence

#### ***Communal Value***

- 5.9 The house has limited communal value, primarily by virtue of its long-standing presence within the neighbourhood. While it contributes modestly to the local identity and visual amenity, its private ownership and domestic use mean any communal value is limited and localised.

#### ***Summary of Significance***

- 5.10 The significance of No. 45 arises from a combination of architectural and historical factors. The property exemplifies early suburban planning ideals, both in layout and in its incorporation of modern domestic arrangements for its time.
- 5.11 The house is a bespoke design of architectural merit, combining elements of the Arts and Crafts and Queen Anne styles. It shares typological and material characteristics with other Willett buildings, enhancing the cohesive character of this part of the Elsworthy Conservation Area.
- 5.12 The front façade is of high significance and retains much of its original character, although diminished by unsympathetic 20th-century alterations. By contrast, the rear façade is of low significance due to its lack of visibility, extensive changes, and architectural fragmentation. The eastern flank and roofscape have been significantly altered, particularly from the 1930s onwards, resulting in diminished coherence and reduced heritage value.

## 6. PLANNING HISTORY

### Appeal Site

- 6.1 On the 9<sup>th</sup> January 2024, a Certificate of Lawfulness (proposed) was granted (ref: 2023/4971/P) for the amalgamation of the existing two self-contained flats into one single dwellinghouse (Class C3).
- 6.2 On the 19<sup>th</sup> November 2024, a Certificate of Lawfulness (proposed) was granted (ref: 2024/4391/P) for an erection of a single storey rear extension.
- 6.3 On the 27<sup>th</sup> of November 2024, a full application (ref: 2024/1352/P) for the alterations and extensions to the existing dwelling including the demolition of the existing front garage projection, rear extensions, roof alterations, existing basement, and the erection of a ground floor rear extension, first floor side extension, roof alterations, a new basement level, installation of a front lightwell and associated landscaping and ancillary works, was withdrawn.
- 6.4 Planning permission is pending for the excavation of a basement extension (ref: 2024/4331/P).
- 6.5 The applicant has also submitted two pre-application requests for the proposal.

### Surrounding Sites

- 6.6 The planning history below identifies sites within the surrounding area of the appeal site (and within the Elsworthy Conservation Area), which have recently obtained planning permission for residential extensions or replacement dwellings.
- 6.7 **52 Avenue Road London NW8 6HS**  
2022/1863/P: Demolition of existing dwelling and erection of three, 3 storey buildings over part lower ground/basement, comprising total of 12 townhouses (12 x 3 bed), together with associated landscaping and installation of new access gate onto Avenue Road. *Approved.* (Decision Notice and Approved Plans included in Appendix 4)
- 6.8 **Radlett House, Radlett Place, London NW8 6BT**  
2024/1980/P: Demolition of existing dwelling (Class C3) and replacement with a single new dwelling (Class C3) comprising the main house, integral swimming pool and ancillary service wing linked by means of the new basement. The provision of a fully



landscaped garden including areas of hard standing and off-street parking. *Approved.* (Decision Notice and Approved Plans included in Appendix 5)

**6.9 36 Avenue Road London NW8 6HS**

2015/3328/P: Demolition of the existing single family dwelling house and replacement with a three-storey detached house with two storey basements with associated hard and soft landscaping. *Approved.* (Decision Notice and Plan included in Appendix 6)

**6.10 73 - 75 Avenue Road London NW8 6JD**

2016/1808/P: Demolition of existing building and pool house to provide two new detached single-family dwelling houses with subterranean basement storeys, formation of new access and hard and soft landscaping (Class use C3). *Approved.* (Decision Notice and Plan included in Appendix 7)

6.11 The surrounding area has also been subject to smaller-scaled residential extensions which can also be identified as supporting material considerations for this given appeal, as outlined in the planning history below:

**6.12 47 Elsworthy Road**

2025/0235/P – Certificate of Lawfulness for demolition of existing shed outbuilding in rear garden and replacement with larger outbuilding, pending determination.

2024/3147/P – Replacement of existing conservatory and addition of single roof light to loft space. *Approved.*

20242/1754/P – Replacement of glazed mono-pitch roof, new window to basement lightwell, increased opening to first floor terrace, replacement tile hanging to front bays and replacement balustrades and external access stairs to rear of property. *Approved.*

**6.13 41 Elsworthy Road**

2010/5687/P – Erection of a part two storey, part single storey side extension (south east elevation); a first and second floor side extension (north west elevation); a single storey rear extension; excavations to enlarge the basement to provide additional habitable accommodation and swimming pool and associated plant enclosures; the erection of a roof extension to provide a third storey; Removal of rear 1<sup>st</sup> floor conservatory to create a roof terrace and various elevational changes, all as an alteration to the existing single family dwelling house. *Approved.*

**6.14 37 Elsworthy Road**

2014/6791/P - Demolition of existing single storey rear extension and construction of a single storey conservatory at rear ground floor level in connection with existing house. Approved

2011/4055/P Amendments to planning permission 2010/2459/P for the erection of a basement extension to the rear and alterations to existing entrance lobby roof to dwelling, namely enlargement of existing basement and replacement of existing rear extension with conservatory.

**6.15 35 Elsworthy Road**

2022/1085/P Variation to condition 3 (approved plans) of planning permission 2014/5463/P for conversion from two flats into a single dwelling house, excavation under footprint of house and rear garden with side and rear lightwells, erection of 2 storey curved bay to rear to replace existing 1 storey angled bay and demolition of side namely to remove 2 lightwells and associated grilles, relocate rear garden stair access, amend the size and depth of basement, changes to the flank wall fenestration, amendments to rear dormers and central windows, omission of roof lights. Approved.

**6.16 31 Elsworthy Road**

2024/3908/P – Erection of a single storey rear extension, formation of basement with a pool, a front lightwell, a side lightwell and basement rooflights in ground at rear; infilling of windows and formation of a door in side elevation; a rear planter; the replacement of front garage door with windows and the installation of five roof lights at roof level. Approved.

2021/1527/P – New basement extension to include pool and rear lightwell, alteration and retention of balconies at second floor rear, alterations to window openings to side elevation, new garage doors and changes to the rear elevation, all to dwelling. Approved.

**6.17 2 Wadham Gardens**

(2023/0544/P) – Erection of single storey rear extension, replacement of garage with new side/rear extension, rear roof infill extension with portico window, creation of a car lift to the basement at the front, new portico entrance, removal of roof lantern and three new roof lights proposed, hard and soft landscaping to the front and rear and new bin store. Approved.

**6.18 42 Elsworthy Road**

(2019/0149/P) – Erection of a two-storey side extension following demolition of existing structure, basement excavation, alterations to existing eastern side extension and new

steps into the rear garden and front side access; alterations to fenestration, front boundary wall, landscaping and provision of cycle storage. Approved.

**6.19 40 Elsworthy Road**

(2016/6979/P) – Loft conversion including the erection of a rear dormer and side dormer with rear roof terrace, plus installation of one roof light to the front roof slope. Approved.

**6.20 70 Elsworthy Road**

(2015/4684/P) - Erection of a two storey, 7-bedroom dwellinghouse with basement and accommodation in the roof space, following demolition of the main dwellinghouse, extension of new basement under existing mews dwelling, alterations to fenestration and rear elevation of mews dwelling, associated landscaping works. Approved.

**6.21 56 Elsworthy Road**

(2013/5073/P) - Excavation of basement with side lightwell and rear rooflights, erection of two-storey rear extension (following demolition of single storey extension), removal of existing side extension, alterations to roof and fenestration all in connection with change of use from three flats to two flats. Approved.

## **7. NATIONAL PLANNING POLICY AND LEGISLATION**

### **LEGISLATION**

#### **Planning and Compulsory Purchase Act 2004 (as amended)**

- 7.1 Section 38 of the Planning and Compulsory Purchase Act 2024 requires planning applications and appeals to be determined in accordance with the development plan unless material considerations indicate otherwise.

#### **Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended)**

- 7.2 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.

## NATIONAL PLANNING POLICY

### *The National Planning Policy Framework (NPPF) (2024)*

- 7.3 This document sets out the Government's planning policies for England and how these are expected to be applied. At the heart of the NPPF is a presumption in favour of sustainable development, which incorporates three key strands – economic, environmental and social. The NPPF is a material consideration in formulating local planning policies and taking planning decisions. The following sections are relevant to the consideration of this appeal; Section 12 (Achieving Well Designed Places) and Section 16 (Conserving and enhancing the historic environment).
- 7.4 Section 12 refers to well-designed places. Paragraph 135(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 whilst paragraph 130(b) states that developments should be *visually attractive as a result of good architecture, layout and appropriate and effective landscaping*. Further, paragraph 130(c) states that planning policies and decisions should ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting, **while not preventing or discouraging appropriate innovation or change**.
- 7.5 Paragraph 137 states that design quality should be considered throughout the evolution and assessment of individual proposals. Early discussions 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. Applications that can demonstrate early, proactive and effective engagement with the community and Council should be looked on more favourably than those that cannot. Paragraph 139 states that development that is not well designed should be refused and conversely, **significant weight** should be given to development that reflects local design policies and government guidance on design.
- 7.6 Section 16 refers to conserving and enhancing the historic environment, requiring the decision maker to consider whether the proposal sustains and enhances the significance of heritage assets (in this case the conservation area) and where proposals preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably (paragraph 208).

## 8. THE DEVELOPMENT PLAN

- 8.1 For the purposes of this appeal, the adopted Development Plan for the London Borough of Camden comprises the London Plan (2021) and the Camden Local Plan

(2017), as well as supplementary planning guidance, specifically the Elsworthy Conservation Area Appraisal and Management Strategy (2009).

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

### **The London Plan (2021)**

- 8.3 The London Plan is the spatial development strategy for London and sets out the concept of Good Growth, which is defined as being socially and economically inclusive and environmentally sustainable.
- 8.4 London Plan Policies of relevance to this appeal are:
- Policy D4: Delivering Good Design
  - Policy HC1: Heritage Conservation and growth

### **Camden Local Plan (2017)**

- 8.5 The Camden Local Plan 2017 sets out the visions, objectives and related strategic planning policies for delivering development in Camden. The reason for refusal set out on the Council's decision notice, refers to Policies D1 (Design) and D2 (Heritage) of the Camden Local Plan (2017).
- 8.6 The Elsworthy Conservation Area Appraisal and Management Strategy (2009) defines the special interest of the Conservation Area and Management Strategy to ensure it can be protected and enhanced and is also considered relevant to this appeal.
- 8.7 The Camden Home Improvement Planning Guidance (2021) sets out the Council's approach to residential extensions and achieving high quality design.

## **9. PROCEDURAL MATTERS**

- 9.1 A previous application (Lawful Development Certificate) for a single storey rear extension at the site has been previously granted (as indicated within the planning history for the appeal site). Therefore, the principle of an extension to the rear of the dwelling is established and forms a valid fallback position. For the avoidance of doubt, this appeal includes the single storey element (that benefits from the LDC), as it is likely that it would be built out at the same time as the rest of the proposal. However, should the appeal be dismissed, the single storey element could still proceed.

## 10. THE APPELLANT'S CASE

10.1 This statement will address the single reason for refusal in full, outlining the relevant concerns put forward by the Council. It is noted that no objections in relation to amenity, landscaping, highways or flooding have been raised, and therefore this statement will not address these matters. The key issues for consideration are:

- The effect of the proposals on the character and significance of the host building at no.45 Elsworthy Road.
- The effect of the proposals upon the character and appearance of the Elsworthy Road Conservation Area.
- The effect of the proposals upon the setting of Primrose Hill Registered Park & Garden.

### ***Impact Upon Host Building***

#### *Siting, Scale and Relationship to Original Building*

10.2 It is acknowledged that the existing rear elevation of the house will be demolished. However, its form, arrangement, materiality and detailed design will be replicated, with only the minor addition of a new complementary bay window to the staircase. Its well-articulated roofscape and picturesque asymmetrical composition will be reinstated, along with key features such as the prominent external chimneystack. Thus, the main rear façade of the house will maintain its current character and visual contribution in views from the rear. The Council confirm at paragraph 1.2 of their delegated report that *“All architectural features associated with the rear facade, including bay windows, chimneys and general materiality would replicate the existing dwelling”* thus ensuring no incongruity in terms of style, materials or detailing.

10.3 Due to the faithful recreation of the rear façade of the house, the re-modelling of its footprint and depth will only be appreciable in views which include its flank elevations. The block of flats at no.43 and the large house at no.47 are positioned very close to no.45. This means that the width of the rear garden is broadly the same as the rear of the house and there are few opportunities to appreciate the flanks from this open space - the rear façade is the dominant visual element in views from the garden. The proposed crown roof would be imperceptible from ground level and would thus have no impact upon the character of the host building. Notwithstanding this, crown roofs and flat sections of roof rather than ridge line are now an increasingly common feature within the conservation area, for example at nos.41 and 64 Elsworthy Road.

10.4 The Design and Access Statement submitted with the full application included a building height and depth study (Appendix 1) which shows the distribution and frequency of the buildings in sub area 3 of the CA. The study confirms that the average building depth in the sub area is 12m, whereas No. 45 is currently 8m. The resulting

extension remains subordinate in height, width and massing to the original dwelling and adjacent buildings. It follows the topography of the site, minimising visual or landscape impact, and retains a strong rear garden setting.

- 10.5 The proposed additions will enlarge the house to the rear, but in a manner which is proportionate to its existing scale and bulk, as well as sympathetic in terms of form and profile. No.45 is a generous, detached family house and the rear building line will be repositioned by a maximum of 3.3m, and in many areas by as little as 2.6m. Although the houses along Elsworthy Road are large, they are tightly spaced and there is little opportunity to appreciate the house 'in the round'. Its visual contribution almost wholly derives from flat views of the front façade from the street, and of the rear façade from the garden. Within this context, an increase in its depth would not be easily perceptible.
- 10.6 The proposed design has been developed in accordance with the Elsworthy Conservation Area Appraisal (paragraph 12.3), which seeks to maintain traditional elevational treatments, forms, rooflines and architectural typologies. The extension respects these principles through careful replication of the original architectural features, preserving the traditional alignment and elevational character of the dwelling.
- 10.7 In line with the Council's Home Improvements SPG (p.40), the extension meets all key design criteria:
- *Subordinate in scale and form:* The extensions are limited to the rear elevation and follow the established footprint approved under the existing Lawful Development Certificate (LDC).
  - *Sympathetic materials:* Where possible, existing materials will be reused, repurposed or matched, to ensure consistency with the host building.
  - *Respect for architectural style:* The rebuilt rear façade will faithfully preserve the building's architectural proportions, style and features.
  - *Retention of features:* Key elements such as bay windows, chimneys and the roof form will be reinstated; incongruous later additions, such as a 1960s external staircase and roof terrace, will be removed. Existing materials will be reused and repurposed throughout the new development.
  - *Appropriate scale and proportion:* The overall dimensions remain proportionate to the dwelling and respond appropriately to surrounding built form.
  - *Garden retention:* A large rear garden is retained, maintaining the residential amenity and spatial character of the plot.



- 10.8 The proposed additional massing to the rear of the building can be incorporated without harming its visual or physical relationship with neighbouring properties. No.47 is already situated some distance to the south of the application site and its significantly deeper footprint means that its eastern flank forms a prominent feature within the garden setting of no.45. The proposals will have no harmful impact upon the setting of no.47 or the relationship between building lines, particularly given the staggered position of the properties where they are arranged around the curved section of Elsworthy Road.



Figure 1: Site photograph showing No. 47, the full side and rear extensions continue beyond the extent of this photograph.

- 10.9 The block of flats at no.43 is a much later addition to the street scene and is out of keeping with its Edwardian neighbours. The proposals at the application site will push the house's building line to the south, however this is not considered to cause harm to the setting of no.43, which is already taller, bulkier and more visually prominent than no.45.





Figure 6: Site photograph showing the bulk and massing of No. 47.

- 10.10 At the eastern end of the roofscape the incongruous external staircase and roof terrace, added when the 2nd floor included a self-contained unit in the 1960s, will be removed. The 1st floor element and roofscape of this eastern bay will be remodelled, with a small increase in ridge height and the introduction of a hipped form facing towards the rear. This element is a later addition to the building, added in 1937. Materials will match existing, with red multi-stock brickwork, red clay tiles to vertical slopes and brown clay tiles to roof elements. Taken together these proposals will enhance the profile, form and appearance of this part of the roofscape, which currently has an incoherent and fragmented character, undermined by the bulky and incongruous roof terrace and external staircase.
- 10.11 Although the Council had previously acknowledged (pre-application advice, 24 January 2025) that the consolidation of this element was "acceptable," its delegated report (paragraphs 2.24–2.25) now raises contradictory concerns over perceived harm to roofscape articulation. However, the "multi-layered" and "modulated" qualities the Council cites are largely the result of unsympathetic 20th-century interventions, including the stair tower, projection from the catslide and the roof terrace set above this, which the proposal seeks to remove and replace with a neater, coherent design.

- 10.12 The proposals will maintain an ancillary and subordinate character to this element of the building. The ridge line will remain well below that of the main house and a sweeping catslide slope will be reintroduced, slightly further back. From the front a visible hipped roof form with flared eaves will remain, thus preserving the character of the high significance front elevation. The overall effect of the proposals for the eastern flank will be to rectify damage caused by incongruous alterations in the 1960s and the introduction of a much neater, rational and sympathetic form to this section of the roofscape.
- 10.13 In the context of 'harm' it is the Appellants case that the proposal does not result in any harm to the heritage assets (either the dwelling as a positive contributor, the conservation area or the adjacent listed park), however should the Inspector agree with the Council that the proposal could lead to 'less than substantial harm', it is the Appellants case that the Council has not given any weight to the public benefit achieved through the scheme. Paragraph 215 of the NPPF states "*Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.*" This approach recognises that some change (and even harm) may be justified if the proposal delivers public benefits. Whilst 'public benefits' are not specifically defined; planning practice guidance and appeal case law has clarified that they;
- Must be of a public nature (not just personal to the appellant)
  - Do not need to be physical public access, but can include enhancements to the housing stock or local environment
  - Can include securing the long-term viable use of a building, especially a heritage asset
  - Can include sustainable development, including energy efficiency or habitability.
- 10.14 In this case, the modernising of a historic dwelling to improve its energy performance, make it more suitable to contemporary family life, ensure its continued use as a single family dwelling (thus avoiding vacancy, subdivision or degradation), retaining and replicating original features in a high quality way and extending the functional life span (it is noted that the existing rear wall is in a poor state of repair with evidence of subsidence), can all be considered public benefits, given that they result in supporting the continued viable use of the property, without undermining its heritage significance. Particularly as the design is sensitive, preserves the key architectural features and the use is aligned with the property's historic and current function (e.g. continuing as a single dwelling).
- 10.15 It is worth noting that the Elsworthy Road Conservation Area Advisory Committee, who were consulted on the proposals, raised no objection to the proposals, commenting on 7 March 2025 that "*The fact that the rear extension has been*

*substantially reduced since the pre application meetings is welcome. Also the reinstatement of the original fenestration.”* This positive response from the local heritage group reinforces the Appellant’s view that the revised proposals are sympathetic to the host building and consistent with conservation area policies.

- 10.16 The proposed extension to the dwelling house is therefore considered to be appropriate, commensurate with the scale and massing of the original building, respects the architectural proportions, style and features of the building and ensure that it would result in no harm to the character and appearance of the building.

### ***Impact on Character and Appearance of Elsworthy Conservation Area***

- 10.17 The Council contend that the demolition and remodelling of the rear elevation of the property would detract from the positive contribution the building makes to the character and appearance of the Elsworthy Conservation Area. However, it is the Appellant’s position that the proposals will preserve the area’s character and appearance, as required by Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 10.18 Importantly, the front elevation will remain unaltered, thereby maintaining the property’s visual contribution to the streetscape. To the rear, the façade will be carefully replicated, retaining key Arts and Crafts features such as the prominent gables and external brick chimney. The building’s irregular plan, articulated roofscape, asymmetry, and material palette will all be retained. The resulting development will be consistent with the Arts and Crafts character of the area, which, as noted in the Elsworthy Road Conservation Area Appraisal and Management Strategy (ERCAAMS), is defined by architectural variety within a coherent language of detailing and materials.
- 10.19 The Council argue that the existing scale and volume contribute to the area’s character and should be retained above ground-floor level (para 2.18 of the delegated report). However, the appeal site is situated at the western end of Elsworthy Road, an area characterised by substantial detached houses of diverse form, massing, and volume. There is no prevailing uniformity in building lines, depth, or layout. Rather, the character of this part of the Conservation Area is derived from the irregularity and individuality of each house, set within a shared language of high-quality design and generous verdant plots. This is confirmed at ERCAAMS para 3.20, which notes that while the houses share a common architectural language, each is “uniquely designed which adds to the group value.” Appendix 2 sets out a variety of housing styles and characters within sub-area 3.
- 10.20 The increased depth of the appeal property will result in some change to the building’s silhouette and side profile. However, this will not result in harm. The eastern flank is entirely obscured from public viewpoints. The western flank, although marginally more

visible due to spacing with No. 47, remains largely screened due to the curve of the road and mature boundary vegetation. These factors substantially limit public and private views of the side and rear elevations. Moreover, the extension maintains the irregular footprint and articulated roofline, preserving the overall picturesque character of the area, as referenced by the Council.

- 10.21 The Conservation Area Appraisal at para 3.18 acknowledges that the area's character derives from buildings which, although architecturally consistent in style and quality, are individually composed in the Free Style of the 1890s. This flexible, eclectic architectural approach is evident in the area's lack of uniformity and supports the case for sensitively designed extensions such as that now proposed.
- 10.22 The Council's Home Improvements SPG further supports the consideration of precedent, advising that preliminary assessments of proposals should review the pattern of development and previous extensions in the area. Numerous dwellings along Elsworthy Road have been extended at the rear, many to a greater depth or mass than the current proposal, including those adjoining Primrose Hill. These developments reflect the wider context of a street that has evolved over time, accommodating extensions which maintain and enhance the area's distinctive and verdant residential character.
- 10.23 The proposed works will not alter the prevailing grain or pattern of development. A large, well-landscaped rear garden will be retained, maintaining the essential spacious suburban layout of the Conservation Area. Furthermore, the proposals are entirely consistent with the historical context of the estate, which was conceived as a speculative development of high-status family houses for affluent occupiers. As ERCAAMS para 6.15 explains, the area reflects changing architectural styles and social needs over time—a characteristic that is reflected in the current proposal.
- 10.24 Indeed, No. 45 has remained largely unmodernised over recent decades, while many neighbouring houses have been remodelled and extended to meet contemporary living standards. The current proposals bring the property into line with the quality, scale and amenity enjoyed by comparable dwellings within the area. Many of the existing dwellings upon Elsworthy Road have been subject to rear and roof extensions of varying scales, massing and architectural compositions, including those that share a boundary with the Listed Park. The figure below shows the appeal site in the context of surrounding consents on Willet dwellings, which are highlighted by a green dot (it is noted that additional development has occurred but for directly comparable comparisons, Willet dwellings have been specifically focused on). These dwellings benefit from roof extensions and alterations, full depth rearward extensions, changes to rooflines and massing, and overall increases in scale. Despite this, the dwellings retain their conservation significance, are still considered positive contributors in the Conservation Area Appraisal and do not harm the views in or out of Primrose Hill. A full list of addresses, along with the relevant consents, are provided in Appendix 3.





Figure 3: Google Maps Ariel Image. Appeal site identified within red boundary. Willet dwellings marked with green dot.

10.25 It is also important to note that within the Elsworthy Road Conservation Area, there have been numerous recent planning permissions granted for schemes involving either the complete or partial demolition of existing buildings. The proposed works at the appeal site involve only limited demolition, which is considered less than substantial and will serve to enhance the character and appearance of the site. For context, a selection of recent nearby consents involving demolition and redevelopment with a significantly greater impact on the conservation area are outlined below.



Figure 4: Google Image Ariel view. Appeal site identified in Red. Recently approved development at 52 Avenue Road NW8 6HS (Yellow) dated 11/05/2023 for 'Demolition of existing dwelling and erection of three, 3 storey buildings over part lower ground/basement, comprising total of 12 townhouses (12 x 3 bed), together with associated landscaping and installation of new access gate onto Avenue Road. (ref: 2022/1863/P)



Figure 5: Recently approved development at 46 Avenue Road dated 04/04/2019 for 'Demolition of existing building and erection of replacement dwelling house behind retained facade; excavation of part one/ part two storey basement level with front and rear lightwells; erection of replacement summerhouse with plant room to rear' (ref: 2017/1718/P)



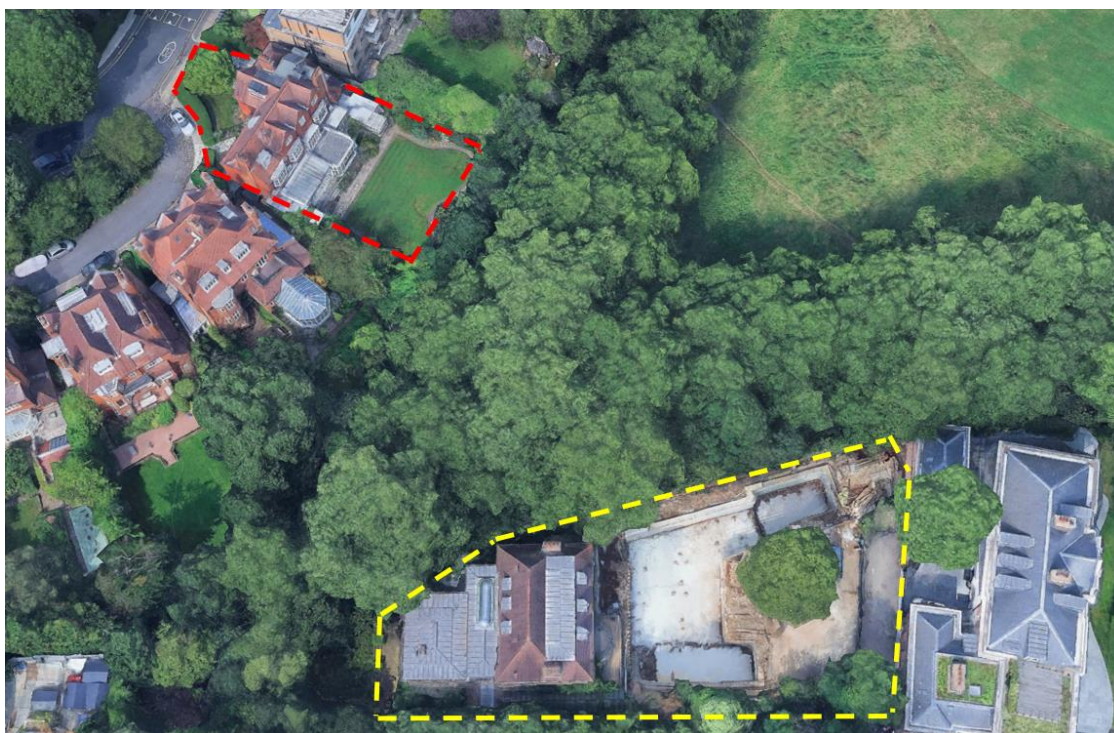


Figure 6: Google Image Ariel view. Appeal site identified in Red. Recently approved development at Radlett House, Radlett Place (yellow) dated 31/10/2024 for 'Demolition of existing dwelling (Class C3) and replacement with a single new dwelling (Class C3) comprising the main house, integral swimming pool and ancillary service wing linked by means of the new basement. The provision of a fully landscaped garden including areas of hard standing and off-street parking.' (ref: 2024/1980/P)

- 10.26 In conclusion, the proposed works are sympathetic and proportionate. They respond to the established pattern of development and respect the distinctive character of the Elsworthy Conservation Area, while securing the long-term viable use and enhancement of a building identified as a positive contributor. There is no harm to the character or appearance of the Conservation Area, and thus no conflict with local or national heritage policies, including Policies D1, D2 and D3 of the Camden Local Plan or Paragraph 206 of the NPPF.

### ***Impact on Primrose Hill***

- 10.27 The appeal site is located at the rear boundary of the Elsworthy Conservation Area, immediately adjoining the Grade II Listed Primrose Hill Park and Garden. The proposed rear extension has been carefully designed to respect both heritage assets and will remain entirely contained within the site's generous plot, significantly set back from the park boundary. Existing mature vegetation, both within the site and along the edge of Primrose Hill, provides substantial screening—maintaining visual separation even during the winter months, as demonstrated in below.



Figure 7: View of the rear elevation of No.45 Elsworthy Road from Primrose Hill. Please note the limited visible area of the appeal site from this vantage point, and this is in January, when vegetation is at its sparsest.

- 10.28 Notwithstanding the dense vegetation, it is the Appellant's view that, even if no screening were in place, the rearward extension would still sit comfortably within its built context. The proposed design mirrors the existing rear elevation in form, materiality and key architectural features—such as the prominent brick chimney stack and characterful Arts and Crafts-style gables. Consequently, the extended rear elevation would continue to be perceived as an integral part of the existing pattern of built development when viewed from the park. Views from Primrose Hill towards the houses on Elsworthy Road are already defined by a continuous line of rear elevations. The appeal site, like its neighbours, contributes to this backdrop rather than forming a prominent or isolated focal point.
- 10.29 The Council's Delegated Report (para 2.17) cites the Elsworthy Conservation Area Appraisal's recognition of views from Primrose Hill as a defining characteristic of the conservation area. However, the relevant viewpoints are limited to the far north-western corner of the park, where No. 45 is the last property visible along the arc of Elsworthy Road. Due to the curve of the road and the building's substantial rear garden, the house is already significantly set back. Even from these limited vantage points—taken in mid-winter to maximise visibility—the view of No. 45's rear façade is largely filtered through mature trees, hedging, and other landscaping. During the summer months, when the park is most heavily used, the house is entirely obscured.



10.30 The application was submitted with Verified Views (Design and Access Statement) which are included below for ease. The views clearly show the limited impact the proposal would have on views from within the park.



Figure 8: Verified views submitted with the original application, taken from the Design and Access Statement.

10.31 The Council assert that the proposals would “eradicate” the existing rear elevation and result in “less than substantial harm” to the setting of the listed park (Delegated Report, para 2.17). This assessment overlooks a critical point: although parts of the rear façade would be reconstructed, its visual contribution to the park’s setting would be retained. The extension is designed to replicate the existing elevation in detail, preserving the asymmetric form, gables, and chimneys—key elements that contribute positively to the character of both the conservation area and the setting of the listed park. From public vantage points within Primrose Hill, the casual observer would perceive no discernible change in the appearance of the building.

- 10.32 Moreover, it is important to assess the actual contribution of No. 45 to the setting and significance of Primrose Hill. While the houses along Elsworthy Road form a visible perimeter edge, No. 45 represents only a small, peripheral element within this grouping. Its partial visibility is restricted to winter months and confined to upper storeys. When visible, its red brickwork and tiled roofscape offer an attractive, warm-toned backdrop that will be replicated in the proposed works. The extension would not introduce any new architectural forms or materials that might jar with the setting or disrupt the established silhouette of the rear elevations.
- 10.33 The Conservation Area Appraisal (para 3.8) notes that “an important part of the character of the Conservation Area derives from its relationship with the higher ground of Primrose Hill.” However, this relationship is visual and contextual rather than spatially dominant. As demonstrated, any views of the proposal from the park would continue to be seen as part of the broader residential backdrop and not as an incongruous addition.
- 10.34 Overall, the proposal complies with Local Plan Policies D1 and D2, as well as the guidance in Camden’s Home Improvements SPG. The design respects the host building’s architectural merit, replicates key historic features, and preserves the character and appearance of both the Elsworthy Conservation Area and the setting of the Primrose Hill Registered Park. In these terms, the proposal cannot be reasonably considered to result in any level of heritage harm.

## 11. CONCLUSION

- 11.1 The appeal proposal has been sensitively designed to respond to its site context and the significance of the surrounding heritage assets, namely the Elsworthy Conservation Area and the Grade II Registered Primrose Hill Park and Garden. It reflects a careful balance between preserving architectural character and delivering a modest, high-quality addition to a single-family dwelling.
- 11.2 The extension is appropriately scaled, visually subordinate to the host building, and confined to the rear elevation—therefore exerting no adverse effect on the principal public-facing aspects of the conservation area. In views from Primrose Hill, the proposal will be either imperceptible or read entirely within the context of the established pattern of rear elevations along Elsworthy Road. Existing landscaping and mature vegetation ensure a strong level of visual containment throughout the year, further reducing any potential for impact.
- 11.3 Where visible, the proposed extension will replicate the original building’s character through the continuation of key architectural features, proportions, and materials. The proposals will therefore preserve the contribution the site makes to the character and appearance of the Elsworthy Conservation Area and the setting of the Primrose Hill Park.

- 11.4 As demonstrated above, there is no material basis for any finding of harm. However, Even if the Inspector were to find any level of harm, in accordance with paragraph 215 of the NPPF, any perceived less than substantial harm must be weighed against the public benefits of the proposal. In this instance, the proposed works would ensure the long-term, viable use of the property as a single-family home by sensitively modernising the dwelling to meet contemporary standards of habitability and energy efficiency. This aligns with national policy objectives to conserve heritage assets while allowing them to evolve and continue to serve functional, sustainable uses. These works are therefore considered to deliver meaningful public benefits.
- 11.5 For the reasons outlined throughout this statement, and in the absence of any conflict with national or local planning policy, the Appellant respectfully invites the Inspector to allow the appeal and grant planning permission for the proposed development.