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| Delegated Report | | Analysis sheet | Expiry Date: | 08/09/2014 |
| (Members Briefing) | | N/A | Consultation Expiry Date: | 07/08/2014 |
| Officer | | | Application Number(s) | |
| Rachel English | | | 2014/4359/P | |
| Application Address | | | Drawing Numbers | |
| 111A King Henrys Road London NW3 3QX | | | See draft decision notice | |
| PO 3/4 | Area Team Signature | C&UD | Authorised Officer Signature | |
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| Proposal(s) | | | | |
| Erection of a single storey side and rear extension and single storey outbuilding within the rear garden. | | | | |
| Recommendation(s): | | Grant Planning Permission subject to conditions | | |
| Application Type: | | Full Planning Permission | | |

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| Conditions or Reasons for Refusal: | Refer to Draft Decision Notice | | | | | |
| Informatives: | | | | | | |
| Consultations | | | | | | |
| Adjoining Occupiers: | No. notified | 17 | No. of responses | 02 | No. of objections | 01 |
| Summary of consultation responses: | <p>No. Electronic 00</p> <p>Press notice displayed from 17/07/2014 until 07/08/2014 Site notice displayed from 16/07/2014 until 07/08/2014</p> <p>One response received from the occupier of 4 Lower Merton Rise with the following objections:</p> <ol style="list-style-type: none"> 1) Objects to the proposed garden room as they have three windows to habitable rooms some two and a half metres away from, and below, the proposed rear wall of the garden room. The proposed rear wall rises 800 mm above the level of the existing boundary wall. As a result, construction of this garden room would severely compromise the light reaching these habitable rooms, and create an overbearing effect. 2) There is an existing mature chestnut tree in the south west corner of the subject garden. This tree is clearly visible from Lower Merton Rise and surrounding properties, and makes a valuable contribution to the Conservation Area. Presently the only root zone of this tree comprises the rear garden of the application site, given that the land to the west is obstructed by garage foundations and the land to the south is some 2 metres below the base of the tree. The proposed garden room is sunk some 700mm below the present soil garden level, which would entail the excavation of at least a metre of the garden depth (including floor thickness, insulation etc.). As a result the tree would lose the entirety of its root zone and would certainly die. 3) The tree report states that the anticipated life of the tree is 3-5 years however there is no evidence submitted to support this 4) The tree report claims that the tree is a category C despite the acknowledgement that the alleged decay has not been quantified. Furthermore the tree makes a substantial contribution to the visual amenity of the area and should be classified as Category B. <p>One response received with the following comments:</p> <ol style="list-style-type: none"> 5) Need reassurance that Health & Safety issues have been addressed.eg easy access to side/rear of house for emergency services i.e. Fire Brigade for occupiers of upper floor flats. <p><u>Officer response</u></p> <ol style="list-style-type: none"> 1) See amenity section 4 2) – 4) See trees section 5 5) This is not a material planning consideration | | | | | |
| CAAC/Local groups comments: | <p>Elsworthy Residents Association</p> <ol style="list-style-type: none"> 1) The proposed extension to this maisonette is already a substantial increase to the property and incursion to the garden space. 2) The "studio" would mean further loss of soft landscaping combined with an inevitable terrace and path from the house. 3) The studio will be above the height of the flank walls and intrude on | | | | | |

the views of neighbours.

- 4) The chestnut is noted but the drawing gives no indication of its actual size nor the root spread. It is an old tree and can be seen from the street and should not be threatened for the sake of this "studio".

Officer response

1. The proposals have been revised since consultation, removing the two storey aspect. See section 3 for design assessment
2. The proposed extension would only take a small section of the existing generous sized garden. The size of the outbuilding has been reduced following advice from Officers.
3. See amenity section 4
4. See trees section 5

Site Description

The site comprises a four storey, semi-detached building located on the south side of King Henrys Road. The building contains three residential flats.

Flat A is located at lower ground and upper ground floor. Access to the flat is at the side of the building. There is an existing single storey side conservatory at lower ground floor level.

The site is located within the Elsworthy Conservation Area and the building is highlighted as making a positive contribution to the conservation area.

Relevant History

PEX0101002 - Addition of a single-storey rear extension at lower ground floor level. Approved on 22/04/2002

2014/0726/P - Erection of a two storey side extension, single storey rear extension and single storey outbuilding for garden studio. Withdrawn by applicant

113 King Henrys Road

2012/3905/P - Change of use from 2 x studio flats to 1 x three bedroom self-contained flat; erection of a side and rear extension; relocation of the side entrance gate, alterations to fenestration on side elevation and re-landscaping to the front garden including new bin enclosure and railings in connection with residential flat (Class C3). Approved on 17th April 2012

109 King Henrys Road

2014/3978/P - Erection of a single storey rear extension. Approved on 27th August 2014

Relevant policies

LDF Core Strategy and Development Policies

Core Policies

CS5 Managing the impact of growth and development

CS13 Tackling climate change through promoting higher environmental standards

CS14 Promoting high quality places and conserving our heritage

CS15 Protecting and improving our parks and open spaces and encouraging biodiversity

CS16 Improving Camden's health and well-being

Development Policies

DP22 Promoting sustainable design and construction

DP23 Water

DP24 Securing high quality design

DP25 Conserving Camden's heritage

DP26 Managing the impact of development on occupiers and neighbours

DP32 Air quality and Camden's Clear Zone

Camden Planning Guidance

CPG1 Design 2013

CPG6 Amenity 2011

Elsworthy Road Conservation Area Appraisal and Management Strategy 2009

London Plan 2011

National Planning Policy Framework (NPPF) 2012

Assessment

1.0 Revisions

1.1 This application originally proposed a two storey side extension, this has since been removed from the scheme.

1.2 The outbuilding was originally 28sqm (footprint), however following officer advice this was reduced to 19.8sqm.

2.0 Proposal

2.1 Planning permission is sought for the erection of a single storey side and rear extension and a single storey outbuilding at the rear of the garden.

2.2 The single storey extension would measure 13m deep x 3.3m high x 4.3m wide using brick to match the existing and aluminium sliding doors. It would be set back from the front façade and be hidden from the street behind the existing doorway and would be located adjacent to the existing two storey bay window.

2.3 The outbuilding would measure 6m x 3.3m x 2.6m high. The outbuilding would be cedar clad with aluminium doors and windows and a sedum roof.

2.4 The proposal would involve the removal of a horse chestnut tree at the rear of the garden, which would be replaced (secured by condition).

3.0 Design and impact on the Elsworthy Road conservation area.

3.1 It is considered that the size, height and design of the proposed rear and side ground floor extension, when compared to the bulk and scale of the host building, would ensure that it appears subordinate to the main building and not as an over dominant, bulky or incongruous feature. The bay window would remain and design of the extension would match the existing.

3.2 The proposed extension would be located at the side and rear of the existing property, which means it would have no detrimental effect upon the street scene. The extension would not be visible from the street and is of an acceptable design given its limited visibility and location at lower ground floor level.

3.3 Planning permission was granted for a similar extension at number 109 on 27th August 2014 and at number 113 on 17th April 2012.

3.4 The proposed outbuilding covers approximately 20sqm of a garden measuring 200sqm, approximately 10.1% of the total garden space. In this respect, the proposal, by virtue of its size and footprint retaining approximately 180sqm of garden space, is considered appropriate as a standalone garden structure. Evidently modern, by virtue of its detailed design, it is considered the outbuilding would represent a sympathetic addition which would preserve the character and appearance of the wider conservation area.

3.5 The proposed green roof is welcome in sustainability terms, as it would increase biodiversity. However, further details to demonstrate its viability shall be secured by condition.

4.0 Impact on the amenity of the neighbouring properties

4.1 An application for a similar single storey side and rear extension was approved at number 109 King Henrys Road on 27th August this year which would be adjacent to the proposed extension. The proposed single storey extension would not give rise to any adverse impact on number 109 in terms of loss of light or privacy.

4.2 Concerns have been raised from the occupiers of the property located to the rear of the application site about the impact of the proposed outbuilding. The outbuilding would be 2.6metres high which is the same height as the existing trellis on the rear wall (62cm above the brick wall). It is considered that this small increase above the brick wall would not give rise to an unacceptable overbearing impact on the occupiers of 4 Lower Merton Rise. The proposed outbuilding would be located north of the lower ground floor windows of 4 Lower Merton Rise therefore it would not give rise to any further loss of light to these windows.

4.3 In terms of the use of the proposed outbuilding, a condition is recommended to be added to any consent which requires that the outbuilding be used for purposes incidental to the residential use of the main building.

5.0 Impact on trees

5.1 The Elsworthy Residents Association and a neighbouring property have raised concern about the impact of the proposed outbuilding on the existing horse chestnut tree located at the rear of the garden.

5.2 The Applicant has submitted an Arboricultural Report which states that the tree is in poor health and is of low value (category C). The report indicates that the horse chestnut tree has a safe useful life expectancy of 3-5 years. The Council's Tree Officer has independently assessed the tree on site and agrees that the tree is of low amenity value with a very low life expectancy.

5.3 To ensure visual amenity, officers recommend a replacement mature tree shall be planted, secured by condition, to support compliance with the Council's standards.

6.0 Recommendation: Grant conditional planning permission

6.1 Overall, the development is considered to be acceptable in general design and amenity terms. It is recommended that the application be granted conditional planning permission.