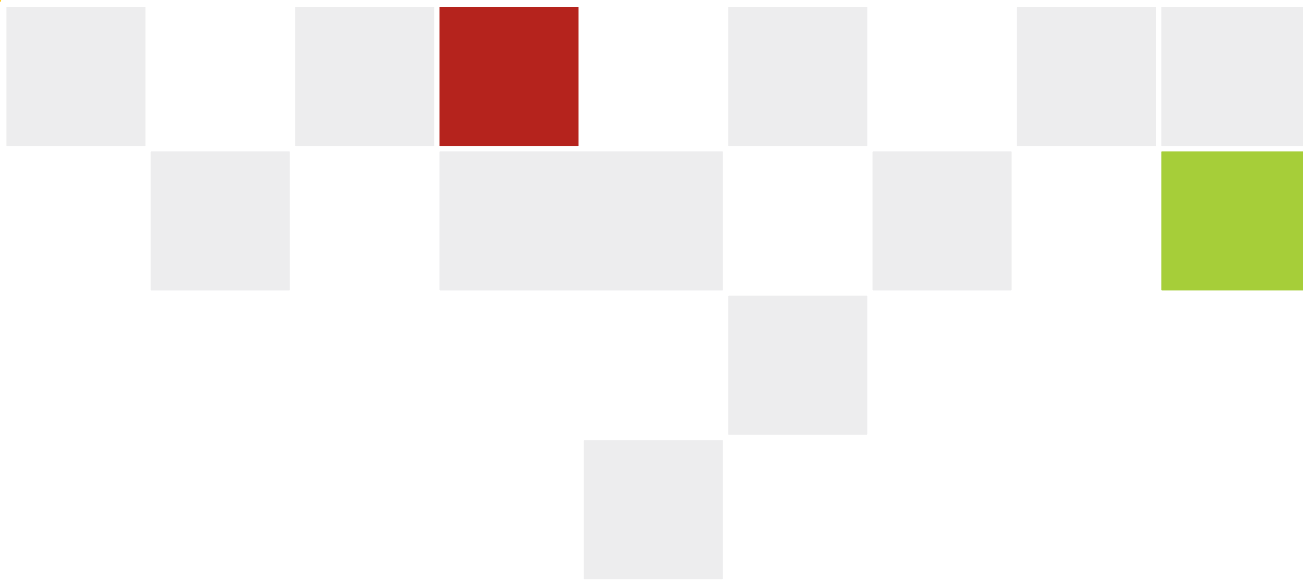


Planning Statement

13 Elsworthy Road



Boyer

Report Control

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1 Introduction

- 1.1 This Planning Statement is submitted in support of a planning application made by the owner and occupier of 13 Elsworthy Road. The Applicant seeks planning permission for the construction of a single storey garden room at the rear of the garden with associated landscaping works. The garden room is constructed from natural materials including timber cladding in order to complement the existing landscaped nature of its surroundings. The garden room is for the ancillary use of the existing dwellinghouse. The suggested description of development is as follows:

‘Construction of a single storey garden room, ancillary to the existing dwellinghouse and associated landscaping works’.

A detailed account of the proposals is set out within the accompanying drawings by XUL Architecture.

- 1.2 This Planning Statement assesses the proposals against the policies in the Development Plan and other material considerations, which are relevant to the determination of the application. The Statement is structured as follows:
- Section 2 – provides detail of the application proposals;
 - Section 3 – describes the site and surrounding context;
 - Section 4 – details recent planning history;
 - Section 5 – provides an overview of the principle national, regional and local planning policy and guidance relevant to the assessment of the proposed development;
 - Section 6 – provides an assessment of the proposal against the provisions of the Development and other material considerations;
 - Section 7 – concludes the findings of the assessment of the proposed development.
- 1.3 This Planning Statement should be read in conjunction with the Design and Access Statement produced by XUL Architects and the Arboricultural Report produced by Crown Consultants.

2. The Proposal

- 2.1 A full planning application has been submitted for the erection of a single storey garden room for ancillary use with the existing dwellinghouse with associated landscaping works including new planters and paving to the rear garden.
- 2.2 The rear garden backs onto Primrose Hill, however views of rear garden from the park are limited given the substantial landscaping to the rear. The Applicant seeks to incorporate natural materials for the proposed garden room, including timber cladding to compliment these landscaped surroundings. Furthermore, the garden room is stepped off the rear and shared boundaries to reduce any potential visual impact.
- 2.3 The Applicant seeks to incorporate some minor landscaping works to the rear garden; this will not result in the removal of any trees.

3. The Site and Surrounding Area

The Site

- 3.1 The application site is a single dwellinghouse positioned within a row of traditional, semi-detached villas on the south side of Elsworthy Road, within the Elsworthy Road Conservation Area. There are no listed buildings or other designations on the site.
- 3.2 The building is a mid-late 19th century semi-detached villa of yellow London stock brick construction and slate roofing, with key features including front porches, bay windows, sash windows with detailed stone and brick lintels and quoins.
- 3.3 The rear of the building also benefits from large bay windows at lower ground and ground floor level and backs on to a large garden to the rear.
- 3.4 The boundary shared with no.s 11 and 15 Elsworthy Road on either side and Primrose Hill behind, is bordered by garden walls; fences and significant landscaping formed by the existing trees and hedges.
- 3.5 The site forms part of the King Henry's Road sub area of the Elsworthy Road Conservation Area as per the Elsworthy Road Conservation Area Audit (CAA).
- 3.6 As detailed within section 4 of this report, a number of other garden studios have been constructed along this part of Elsworthy Road within the King Henry's Road sub area.
- 3.7 The site has a public transport accessibility level (PTAL) of 2, with bus services from Adelaide Road; approximately 200m from the site and Swiss Cottage underground is located approximately 800m from site.
- 3.8 Local services and amenities are found on England's Lane and Haverstock Hill, approximately 650m from the site, and along Finchley Road, approximately 600m from the site. Primrose Hill is located approximately 320m to the south of the subject site and offers valuable open space.

4. Planning History

History of the Site

4.1 The extent of relevant planning history for the application site is limited, however for completeness, the planning records for the property is set out in the table below:

| Address | Description of development/Reference | Decision/Date |
|----------------------------|--|--------------------------|
| 13 Elsworthy Road, NW3 3DS | The formation of a self-contained flat in the roof of 13 Elsworthy Road, N.W.3. and the erection of an external staircase as a means of escape | Refused: January 1971 |
| 13 Elsworthy Road, NW3 3DS | Formation of room in roof space and construction of dormer windows in connection therewith at 13 Elsworthy Road, Camden. | Granted: June 1969 |

Neighbouring properties

4.2 The following applications are also deemed relevant to the current application as they are all examples of recent decisions for the construction of a single storey garden room/out building within the vicinity of the application site:

| Address | Description of development/Reference | Decision/Date |
|--|--|------------------------------------|
| 32 Elsworthy Road London NW3 3DL | Replacement of summer house & garden shed with a single storey timber structure in rear garden. Ref: 2014/7477/P | Granted: 28.01.15 |
| Garden Flat 38 Elsworthy Road London NW3 3DL | Variation of condition 3 (development in accordance with approved plans) for planning permission (2012/0997/P) namely the increased in height of the rear outbuilding by from 2.8-2.9m to approximately 3.3m. Ref: 2014/0997/P | Granted: 18.02.2014 |
| 6 Elsworthy Terrace London London NW3 3DR | The erection of an outbuilding and the installation of 3 x rooflights, 1 x to the front and 2 x to the rear. Ref: 2014/4187/P | Certificate granted: 03.07.2014 |
| Garden Flat 38 Elsworthy Road London NW3 3DL | Erection of conservatory to rear elevation and a residential outbuilding within garden at rear | Granted: 24.10.2012 |

| | | |
|---|---|------------------------|
| | of existing flat (Class C3) Ref: 2012/4384/P | |
| 26A Elsworthy Road, NW6 3DL | The erection of a single storey outbuilding ancillary with green roof to dwelling house (Class C3). Ref:2013/0897/P | Granted: 08.04.2013 |
| 24 Elsworthy Road London NW3 3DL | The erection of a single storey studio towards boundary with properties on King Henry's Road in rear garden of lower ground floor flat (Class C3). Ref: 2010/6786/P | Granted: 07.02.2011 |
| 24 Elsworthy Road London NW3 3DL | The erection of a single storey studio adjacent to boundary with 26 Elsworthy Road in rear garden of lower ground floor flat (Class C3). Ref: 2010/6791/P | Granted: 14.03.2011 |
| Garden Flat 40 Elsworthy Road London NW3 3DL | Erection of a single-storey timber clad garden room and shed to replace existing shed as ancillary accommodation to lower ground floor flat. Ref: 2011/1546/P | Granted: 11.04.2011 |
| 21 Elsworthy Road London NW3 3DS | Erection of a pavilion in the rear garden for use ancillary to the ground floor flat. Ref: 2007/1190/P | Granted: 02.04.2007 |
| Flat 1 34 Elsworthy Road London NW3 3DL | Erection of single-storey building at end of rear garden to provide studio for ancillary use to Flat 1 and replacement of existing upper ground floor balcony and spiral staircase to rear of existing flat with larger balcony and staircase. Ref: 2007/5273/P | Granted: 30.11.2007 |
| 12 Elsworthy Road London NW3 3DJ | The erection of a single storey rear extension to provide additional habitable accommodation for a single family dwelling house, plus addition of a rear garden raised terrace. Ref: 2004/1535/P | Granted: 28.04.2004 |

4.3 As highlighted in the above table, there are a number of recent, relevant planning permissions granted elsewhere in Elsworthy Road which demonstrates that the principle of development in this location has been established. The applications recently granted at no. 32, 38, 21, 24, and 26 Elsworthy Road are considered particularly relevant in view of their proximity to the application site.

- 4.4 It is noted that during the assessment of these proposals, the erection of a garden studio in these locations 'preserve and enhance the character and appearance of the Elsworthy Road Conservation Area' in compliance with Camden's policies.
- 4.5 Given the similarities between the current proposal and the number of recently approved applications located within the same sub-area of Elsworthy Road Conservation Area, it is considered reasonable for the Council to remain consistent in this assessment that the principle of a sensitively designed out-building in this location is acceptable.

5. Planning Policy Context

The Development Plan

- 5.1 Section 38(6) of the Act states that applications must be determined in accordance with the relevant development plan, unless material considerations indicate otherwise. The development plan for London Borough of Camden comprises the Council's adopted Core Strategy (2010), the Development Policies (2010), the Camden Planning Guidance and the London Plan (2011).
- 5.2 Although the National Planning Policy Framework (2012) does not alter the statutory status of the development plan as the primary consideration in the determination of a planning application, it provides national guidance, conveys the government's intentions for the planning system and is a material consideration in the determination process.

National Planning Policy Framework (2012)

- 5.3 The National Planning Policy Framework (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.
- 5.4 The presumption in favour of sustainable development, which should be seen as a golden thread running through both plan making and decision taking, involves seeking positive improvements in the quality of the built, natural and historic environments including replacing poor design with better design, improving the conditions in which people live, and widening the choice of high quality homes.

National Planning Practice Guidance (2014)

- 5.5 The National Planning Practice Guidance (NPPG) expands upon the NPPF to provide detail on the Government's objectives for a wide range of planning related topics.
- 5.6 Paragraph 40 states that well designed housing should be functional, attractive and sustainable. It should also be adaptable to the changing needs of its occupants.

The London Plan (2015)

- 5.7 The London Plan provides the strategic policy context for all of London and seeks to provide an integrated framework for its development to 2036.
- 5.8 The Mayor's stated Strategic Policies aim to promote opportunity and provide more homes, and that housing should be of the highest quality internally, externally and in relation to its surrounding context.

London Borough of Camden Core Strategy (2010)

- 5.9 LB Camden has adopted their Core Strategy. The Core Strategy set out the key elements of the Council's planning vision and strategy for the Borough. The overall vision of Camden's Core Strategy is to create a borough of opportunity.
- 5.10 The vision includes four themes which aim to make sure that Camden adapts to a growing population; has an economy that includes everyone, is connected where people can live active, healthy lives; and a safe Camden that is a vibrant part of our world city.
- 5.11 Core Strategy Policy CS6 aims to provide quality homes.
- 5.12 Policy CS13 aims to tackle climate change by promoting higher environmental standards.
- 5.13 Policy CS14 requires development to be of the highest standard of design which respects local context and character including heritage assets.

London Borough of Camden Development Policies (2010)

- 5.14 Camden's Development Policies Document sets out the detailed guidance and policies to enable the Borough broader objectives as set out within the Core Strategy to be achieved. The development policies are grouped in to the four themes as identified within the Core Strategy.
- 5.15 Policy DP24 requires all developments to be of the highest quality design and to consider amongst others, the character, context and setting of the site and the form and scale of neighbouring buildings, the quality of materials to be used, the provision of visually interesting frontages at street level, the provision of appropriate hard and soft landscaping including boundary treatments and the provision of appropriate amenity space.
- 5.16 Policy DP25 aims to conserve Camden's conservation areas. The Council will only permit development within the conservation area that preserves and enhances the character and appearance of the area.
- 5.17 Policy DP26 aims to manage the impact of development on occupiers and neighbours. The Council will aim to protect the quality of life of occupiers and neighbours by controlling the impact of matters such as visual privacy and overlooking, overshadowing and outlook, sunlight and daylight levels, dwelling and room sizes.

Camden Planning Guidance

- 5.18 Camden has adopted eight Planning Guidance (CPG) documents which cover a variety of topics such as design, housing, amenity and transport.

- 5.19 CPG 1 'Design' provides more detailed guidance in respect of policies CS14 and DP24. Careful consideration has been afforded to sections 3, 4 and 6 in particular, as they provide advice on appropriately designed rear garden development and advice on landscape design and trees.
- 5.20 CPG 2 'Housing' provides detailed residential standards including ceiling heights, room sizes, daylight, sunlight and privacy, security, basements and outdoor amenity space.
- 5.21 CPG 6 'Amenity' provides guidance on all types of amenity issues including daylight and sunlight, overlooking, privacy and outlook.
- 5.22 Significant consideration has also been given to the Elsworthy Road Conservation Area Appraisal and Management Strategy (2009).

6. Assessment of the Proposals

- 6.1 This section assesses the principle of the development and its potential impacts against the aims and objectives of the Development Plan. It demonstrates that the proposed development complies with the Development Plan and national planning policy.

Principle of Development

- 6.2 Core Strategy Policy CS6 aims to make full use of Camden's capacity for housing and also seeks to provide homes of the highest quality. The design of the proposed garden room is of high quality, using natural materials provides a higher standard of living accommodation to the existing dwelling and is formed by a high quality design which adheres to the Development Plan.
- 6.3 CPG 1 'Design' contains specific advice relating to development within rear gardens in accordance with DP24 and DP25. This document sets out the key principles for this type of development. These principles relate to the importance of scale, location and overall design of rear garden extension in relation to the host garden and surrounding area. The proposal adheres to these principles as discussed in more detail below.
- 6.4 As highlighted in section 4 above, similar out-buildings have been approved elsewhere in Elsworthy Road under the current development plan. These recent permissions include application reference 2014/7477/P at 32 Elsworthy Road; references 2014/0997/P and 2012/4384/P at 38 Elsworthy Road; and 2013/0897/P at 26A Elsworthy Road all of which are within the same King's Road sub area (2) of the Elsworthy Road Conservation Area as the site.
- 6.5 Given the similarity of these permission recently granted, within close proximity to the application site and comparable in terms of context, the principle for the construction of out-buildings in this location has been established.

Residential Design

- 6.6 Policy CS14 of the Core Strategy expects development to be of the highest quality design which respects local context and character and also that which enhances heritage assets including conservation areas.
- 6.7 Development Policies Policy DP24 reflects Policy CS14 and requires the consideration of the character and proportions of the existing building as well as the scale, character, setting, context and the form of neighbouring buildings.

- 6.8 The proposal is sensitively positioned at the end of the rear garden and so would be clearly legible as an ancillary residential outbuilding. The proposal is also modest in scale and would not appear overly dominant in its context. Positioned behind the mature Mulberry tree, a large proportion of the rear garden will remain undeveloped and the use of natural, lightweight materials will compliment to the existing landscaped nature of the rear garden.
- 6.9 The proposed garden room would not be readily visible from the surrounding Conservation Area or from Primrose Hill behind, by virtue of the existing and proposed soft landscaping to the shared boundaries and the existing boundary wall and fencing to the rear.
- 6.10 CPG1 'Design' relates to Policies CS14 and DP24 and provides more specific guidance on development within rear gardens provides the following general principles:
- ensure the siting, location, scale and design of the proposed development has a minimal visual impact on, and is visually subordinate to, the host garden
 - not detract from the open character and garden amenity of the neighbouring gardens and the wider surrounding area
 - use suitable soft landscaping to reduce the impact of the proposed development
 - ensure building heights will retain visibility over garden walls and fences
 - use materials which complement the host property and the overall character of the surrounding area. The construction method should minimise any impact on trees or adjacent structures
 - address any impacts of extensions and alterations upon water run-off and groundwater flows, both independently or cumulatively with other extensions, and demonstrate that the impact of the new development on water run-off and groundwater flows will be negated by the measures proposed.
Reference should be made to CPG3 Sustainability (Flooding chapter).
- 6.11 The scale, form, location, proportions, dimensions and detailing of the proposed garden room adheres to all of the above principles.
- 6.12 The proposed design is high quality using natural materials including timber cladding. The proposed garden room will not detract from the open character of the garden as the majority of the garden will remain as a result of the modest scale of the proposal and size of the existing garden.

- 6.13 No trees will be removed as a result of the proposed development, rather tree protection measures will be adhered to during construction works in accordance with the recommendations of Crown Consultants.
- 6.14 The proposal will not have a detrimental impact upon water run-off or ground water flows given its small footprint and the lack of paving proposed to the rear garden.
- 6.15 Accordingly, the location, scale and detailed design of the proposed garden room will result in a modest addition to the property that respects the existing character and appearance of the host property and surrounding Conservation Area and is therefore in accordance with the Development Plan.
- 6.16 The design justification is explained in more detail within the Design & Access Statement that accompanies this planning application.

Residential Amenity

- 6.17 Development Policy DP26 regarding impact of development on occupiers and neighbours only allows development to be permitted that does not harm amenity. Factors considered include visual privacy and overlooking; overshadowing and outlook; and daylight and sunlight.
- 6.18 CPG 6 'Amenity' provides further detail on factors considered under Policy DP26 and identifies potential amenity impacts caused by developments.
- 6.19 The scale and position of the proposed garden room is such that it will not cause any adverse impact upon the amenity of neighbouring residents. The majority of the proposal will be contained behind the existing garden boundary on either side and will be largely obscured from view by the existing trees and landscaping to the rear garden.
- 6.20 In view of the position of the proposal at the end of the rear garden, together with its modest scale when considered in context with the remainder of the rear garden, the proposal will not cause any significant overshadowing; loss of daylight and sunlight or loss of privacy to the neighbouring properties on Elsworthy Road.
- 6.21 The proposed out-building has been sympathetically designed in relation to its context, maintaining a reasonable relationship between neighbouring occupiers in accordance with Policy DP26 and also CPG6.

Impact on the Conservation Area

- 6.22 Policy CS14 of the Core Strategy and DP25 of the Development Policies Document promote high quality development which preserves and enhances Camden's heritage.

- 6.23 More specifically, Policy DP25 only supports development which preserves and enhances the character and appearance of conservation areas.
- 6.24 The detailed design of the garden room provides a sympathetic addition to the property. Notwithstanding the high quality and sensitive design of the proposal, its modest size and sensitive position behind the rear garden wall results in a proposal that will be largely concealed from view, projecting only 0.3m above the existing rear fence. However, the position of the proposal, set back and in from the rear and side boundaries further minimise its visual impact.
- 6.25 Notwithstanding the 0.3m projection above the rear boundary fence, the proposals will not have a detrimental visual impact upon the setting of Primrose Hill behind, or the character and appearance of the surrounding Elsworthy Road Conservation Area.

Trees and Landscaping

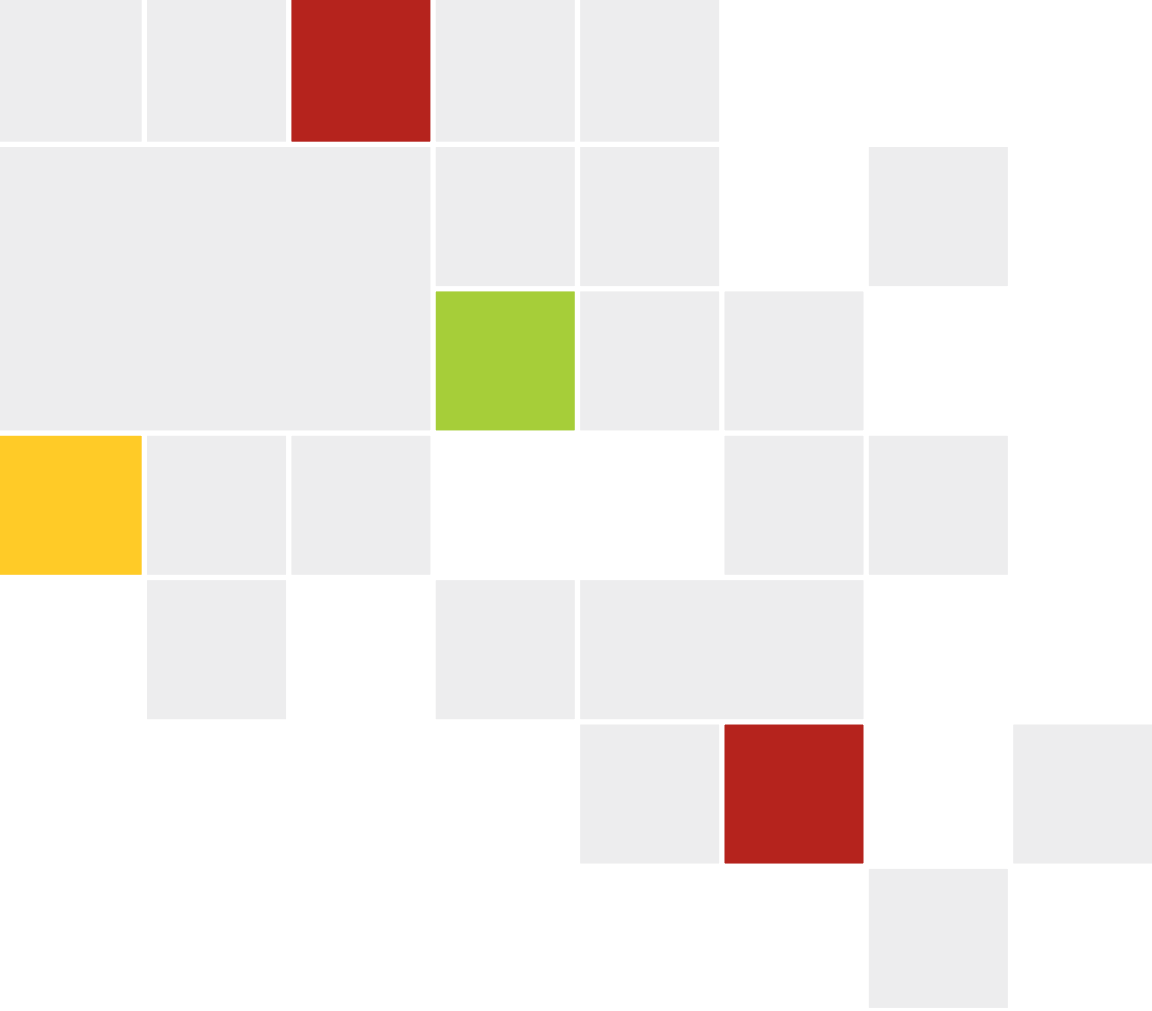
- 6.26 As part of the development proposals the Applicant will undertake some soft landscaping works to the rear garden of the property including low level flower beds and garden steps all constructed from natural materials.
- 6.27 No trees will be removed by the proposal however necessary tree protection measures will be implemented during construction works as per the recommendations of Crown Consultants.
- 6.28 The landscaping proposed will positively contribute to the biodiversity and visual amenity of the area.

Other material considerations

- 6.29 The application property benefits from a number of permitted development rights as set out in Part 1 of the Town and Country Planning (General Permitted Development) Order 1995 as amended (GPDO). Class E of the GPDO covers the provision of buildings within the curtilage of the dwellinghouse. It is noted that whilst the proposal fails part (f) of class E of the GPDO by virtue of its height and proximity to the shared boundary, it complies with the GPDO in all other respects. This is a material consideration that should be attributed significant weight during the assessment of the proposal.

7. Conclusion

- 7.1 This application seeks planning permission for the erection of a timber clad garden room for ancillary use with the existing dwellinghouse.
- 7.2 The proposal seeks to improve the living space available thus improving the quality of housing stock available in Camden.
- 7.3 The proposal is modest in scale, sensitively design and located so not to adversely harm the character or appearance of the surrounding Conservation Area or setting of Primrose Hill behind. The soft landscaping and tree protection measures proposed will also soften any visual impact of the proposal. Furthermore, these measures also ensure the amenity of neighbouring residents will not be adversely harmed by the proposal.
- 7.4 This Planning Statement demonstrates that the proposed development complies with the Development Plan and relevant supplementary planning guidance and respectfully requests planning permission is granted.



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