

2015/5536/P - 13 Elsworthy Road, London, NW3 3DS



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1. Rear garden of no. 13 Elsworthy Road looking south towards Primrose Hill



2. Looking north towards the application site from Primrose Hill



3. Looking west towards no. 15 Elsworthy Road



4. Looking east towards no. 11 Elsworthy Road

Delegated Report		Analysis sheet	Expiry Date:	07/12/2015
		N/A / attached	Consultation Expiry Date:	05/11/2015
Officer			Application Number	
Anna Roe			2015/5536/P	
Application Address			Drawing Numbers	
13 Elsworthy Road, London, NW3 3DS			150930; 150909; 150827_1436_EXLP-00_01; 150825_1436_PP-02_03; 150825_1436_PP-01_03; 150825_1436_PLP-00_03; 150825_1436_PHP-01_00; 150825_1436_EXP-01_01; 150720_1436_LPP-01_00; 09320; Design and Access Statement.	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal				
Construction of single storey garden room, ancillary to the existing dwellinghouse and associated landscaping works.				
Recommendation:	Granted			
Application Type:	Householder Application			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	04	No. of responses	02	No. of objections	02
			No. electronic	00		
Summary of consultation responses:	<p>Advertisement in Ham & High, expired 05/11/2015.</p> <p>Site notice displayed 16/10/2015, expired 04/11/2015.</p> <p>Initial consultation period 12/10/2015 – 02/11/2015.</p> <p>The owner/occupier of 10A Elizabeth Mews commented:</p> <ol style="list-style-type: none"> 1. No objection, we nevertheless regret yet another building in a garden in Elsworthy. <p><i>Officer's response:</i></p> <ol style="list-style-type: none"> 1. <i>Please refer to sections 4 and 5 of this delegated report.</i> 					
CAAC comments:	<p>The Belsize CAAC objected to the application – grounds unknown.</p> <p><i>Officer's response:</i></p> <p><i>In an email dated the 10/11/15 the Belsize CAAC stated that their comments regarding application no. 2015/5536/P – proposal for a building in the rear garden – have been incorrectly posted on the website for the second application at that address 2015/5534/P (see history).</i></p> <p><i>I have searched under both reference nos. and no such comments have been received. I have emailed the Belsize CAAC on two separate occasions to establish their reasons for objecting, but have not received a response.</i></p>					

Site Description

The application site is a single family dwelling house located on the southern side of Elsworthy Road. The property is not listed but falls within the Elsworthy Road Conservation Area.

To the east and west are nos. 11 and 15 Elsworthy Road and to the rear is Primrose Hill.

Relevant History

2007/5273/P - 21 Elsworthy Road - Erection of a pavilion in the rear garden for use ancillary to the ground floor flat. Granted 30.11.2007.

2015/5534/P – 13 Elsworthy Road - Construction of a part single, part two storey side extension; a single storey rear extension; new access steps to the rear garden and associated landscaping works including removal and replacement of two existing trees. On-going.

Relevant policies

National Planning Policy Framework 2012

The London Plan 2015, consolidated with amendments since 2011

Camden LDF Core Strategy 2010

CS5 Managing the impact of growth and development

CS14 Promoting high quality places and conserving our heritage

Camden Development Policies 2010

DP24 Securing high quality design

DP25 Conserving Camden's heritage

DP26 Managing the impact of development on occupiers and neighbours

Camden Planning Guidance

CPG1 Design, 2015

CPG6 Amenity, 2011

Elsworthy Road Conservation Area Appraisal and Management Strategy (adopted July 2009)

Assessment

1.0 Proposal

1.1 This application seeks permission for the erection of an outbuilding at the end of the rear garden.

1.2 The outbuilding would measure 9 metres in width, by 3.9 metres in depth, by 2.8 metre in height. It would be a predominantly timber construction with glazed windows and a glazed sliding door to the front elevation.

1.3 The applicant seeks to incorporate some minor landscaping works to the rear garden; this will not result in the removal of any trees.

2.0 Revisions

2.1 Officer's discussed sinking the proposed outbuilding to reduce the impact of the neighbouring gardens however it was feared that the excavation works could damage the Mulberry tree situated within the rear garden.

2.2 Officer's discussed introducing a green roof however due to the significant shadow cast by the Mulberry tree it is unlikely to prosper.

3.0 Material Considerations

3.1 The principle considerations material to determining the application are:

- The impact upon the character and appearance of the area
- The impact upon the neighbouring amenity

4.0 Design

4.1 Policy CS14 aims to ensure the highest design standards for developments. Policy DP24 states that the Council will require all developments to be of the highest standard of design and respect character, setting, form and scale of neighbouring properties and character and proportions of the existing building.

4.2 The proposed outbuilding would not be visible from the street scene as it would be located in the rear garden and is of a subservient design to the main dwelling, it is therefore not considered to result in unacceptable harm to the character and appearance of this area.

4.3 The outbuilding is only visible from the public realm above existing boundary treatment. It would not be readily visible from Primrose Hill as it is only marginally higher than the existing 2.5 metre high fence/brick wall and would be screened by vegetation.

4.4 Materials should complement the overall character of the area. The outbuilding will be a predominantly timber construction including timber cladding, to complement the existing landscaped surroundings.

5.0 Amenity

5.1 Policy CS5 seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered. Policy DP26 seeks to ensure that development protects the quality of life of occupiers and neighbours by only granting permission to development that would not harm the

amenity of neighbouring residents.

5.2 As the proposed outbuilding is at the rear of the garden it would not affect the neighbouring dwellings themselves.

5.3 The neighbouring properties to the east and west have low boundary walls and whilst the outbuilding may create some overshadowing, it is regarding that the impact is not significant. A sufficient amount of the neighbouring gardens would remain unaffected by any overshadowing.

5.4 The application site has a large rear garden, allowing for the retention of a sizeable portion of outside space (approximately 90% of the existing garden will be retained).

5.5 A condition should be imposed on any application to ensure that the outbuilding shall be used solely ancillary to the main dwelling. Such a condition would protect the amenity of the neighbouring occupiers.

6.0 Trees

6.1 The arboricultural report submitted is considered sufficient to demonstrate that the proposed scheme could be carried out without adverse effects on trees. No tree removals are proposed and the proposed pruning to facilitate the works are considered to be of a minor nature. The location of the piles is flexible and can be moved if significant roots are found.

6.2 A condition should be imposed on any application to ensure that a tree protection plan and arboricultural method statement are to be submitted and approved prior to any works commencing on site.

7.0 Conclusions

7.1 It is considered that the proposed development would respect and the character and appearance of the host property and wider Elsworthy Road Conservation Area, whilst ensuring that the residential amenity of the neighbouring occupiers and existing or future residents is not significantly harmed.

DISCLAIMER

Decision route to be decided by nominated members on Monday 23rd November 2015. For further information, please go to www.camden.gov.uk and search for 'Members Briefing'.

Miss Hannah Stutchbury
Boyer Planning
24 Southwark Bridge Road,
London,
SE1 9HF

Application Ref: **2015/5536/P**Please ask for: **Anna Roe**Telephone: 020 7974 **1226**

17 November 2015

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Granted

Address:

**13 Elsworthy Road
London
NW3 3DS****DECISION**

Proposal: Construction of single storey garden room, ancillary to the existing dwellinghouse and associated landscaping works.

Drawing Nos: 150930; 150909; 150827_1436_EXLP-00_01; 150825_1436_PP-02_03;
150825_1436_PP-01_03; 150825_1436_PLP-00_03; 150825_1436_PHP-01_00;
150825_1436_EXP-01_01; 150720_1436_LPP-01_00; 09320; Design and Access
Statement.

The Council has considered your application and decided to grant permission subject to the following conditions:

Conditions and Reasons:

- 1 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the



immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 2 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans: 150930; 150909; 150827_1436_EXLP-00_01; 150825_1436_PP-02_03; 150825_1436_PP-01_03; 150825_1436_PLP-00_03; 150825_1436_PHP-01_00; 150825_1436_EXP-01_01; 150720_1436_LPP-01_00; 09320; Design and Access Statement.

Reason: For the avoidance of doubt and in the interest of proper planning.

- 4 The outbuilding hereby approved shall only be used for purposes incidental to the residential use of No. 13 Elsworthy Road and shall not be used as a separate independent Class C3 dwelling.

Reason: To ensure that the outbuilding does not adversely affect the amenity of adjoining residential premises and is not used for unauthorised purposes, in accordance with policies CS1 (Distribution of growth), CS5 (Managing the impact of growth and development), CS6 (Providing quality homes), DP2 (Making full use of Camden's capacity for housing), DP5 (Homes of different sizes), DP6 (Lifetime homes and wheelchair homes) and DP26 (Managing the impact of development on occupiers and neighbours) of the London Borough of Camden Local Development Framework Core Strategy.

- 5 Prior to the commencement of any works on site, details demonstrating how trees to be retained shall be protected during construction work shall be submitted to and approved by the Council in writing. Such details shall follow guidelines and standards set out in BS5837:2012 "Trees in Relation to Construction". All trees on the site, or parts of trees growing from adjoining sites, unless shown on the permitted drawings as being removed, shall be retained and protected from damage in accordance with the approved protection details.

Reason: To ensure that the development will not have an adverse effect on existing trees and in order to maintain the character and amenity of the area in accordance with the requirements of policy CS15 of the London Borough of Camden Local Development Framework Core Strategy.

Informatives:

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which cover aspects including fire and emergency escape,

access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Argyle Street WC1H 8EQ, (tel: 020-7974 6941).

- 2 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Compliance and Enforcement team [Regulatory Services], Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en> or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.

- 3 Reasons for granting permission.

The proposed development, by reason of its siting, size and detailed design would not be detrimental to the character and appearance of the host building and would preserve and enhance the character and appearance of the wider Elsworthy Road Conservation Area, in accordance with policies CS5 (Managing the impact of growth and development) and CS14 (Promoting high quality places and conserving our heritage) of the London Borough of Camden Local Development Framework Core Strategy (2010), policies DP24 (Securing high quality design), DP25 (Conserving Camden's heritage) of the London Borough of Camden Local Development Framework Development Policies (2010), Camden Planning Guidance 1 (Design), and Holly Lodge Estate Conservation Area Appraisal and Management Strategy (2011) and policy 7.6 (Architecture) of the London Plan (2015).

The proposed development, by reason of its design, size and siting would not impact on the amenities of neighbouring occupiers in accordance with policies CS5 (Managing the impact of growth and development), CS14 (Promoting high quality places and conserving our heritage) and DP26 (Managing the impact of development on occupiers and neighbours) of the London Borough of Camden Local Development Framework Core Strategy and Development Policies (2010) and Camden Planning Guidance 5 - Amenity.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

Yours faithfully

Director of Culture & Environment

DRAFT

DECISION