



Planning Statement

109 King Henry's Road, NW3 3QX

Boyer

Report Control

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1. INTRODUCTION

- 1.1 This Planning Statement is submitted in support of a planning application by Starlit Properties Ltd. in relation to a proposed development at 109 King Henry's Road, London, NW3 3QX. The application seeks planning permission for the following development:

“Proposed side and rear extension and the addition of a basement level.”

- 1.2 The proposals will provide an extra 86sqm of floorspace and increase the one bedroom flat to a 3 bedroom family unit. The size of the extension excluding the basement was approved under previous application 2014/3978/P.

- 1.3 This statement is structured as follows:

- Section 2 – describes the site and surrounding area;
- Section 3 – sets out the planning history of the site;
- Section 4 – describes the proposed development;
- Section 5 – provides an overview of the relevant national, regional and local planning policies
- Section 6 – assesses the proposed development against the relevant policies; and
- Section 7 – provides the summary and conclusions.

- 1.4 In addition to this statement, the application is supported by accompanying drawings and Design and Access Statement prepared by Forge Architects, a Basement Impact Assessment by Soiltechnics and an Arboricultural Report by Tim Moya Associates.

2. SITE LOCATION

- 2.1 The application site is 109 King Henry's Road, London, NW3 3QX within the London Borough of Camden. Specifically the application relates to the flat at lower ground floor. The site lies on the southern side of King Henry's Road near its corner with Lower Merton Rise.
- 2.2 The site is currently occupied by a four storey semi-detached villa building, which due to site topography is three storey at street level plus lower ground floor. The building is comprised of four flats.
- 2.3 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.
- 2.4 The rear of the building also includes bay windows and backs on to a large garden, which includes a number of trees, only of which will be affected by the proposals. There is also a glasshouse which will be removed to make way for the proposed extension.
- 2.5 The boundary shared with No. 111 King Henry's Road is bordered with a fence approximately 1.6m in height. The neighbouring property has a side porch which adjoins this boundary.
- 2.6 The site is located within the Elsworth Conservation Area of which King Henry's Road forms the northern boundary. There are no listed buildings or other designations on the site.
- 2.7 King Henry's Road is a residential street of varied character. On the southern side of the road there are traditional 19th century semi-detached villas, similar to that on the subject site. In contrast on the northern side of the road there are modern flat buildings two-three storeys in height with flat roofs. The northern side of the road is not included within the Elsworth Conservation Area.
- 2.8 The site forms part of the King Henry's Road sub area of the Elsworth Conservation Area. This sub area is characterised by the circa 1860's semi-detached villas.
- 2.9 A number of rear extensions have been erected on buildings within the King Henry's Road sub area.
- 2.10 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.
- 2.11 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.
- 2.12 Primrose Hill is located approximately 320m to the south of the subject site and offers valuable open space.

3. PLANNING HISTORY

The site

3.1 The planning records indicate the following relevant planning history for the application site:

Planning Reference	Proposed Development	Decision	Decision Date
2014/3978/P	Erection of a single storey rear extension	Granted	20/06/2014
2008/0517/P	Installation of two rooflights one each on the front and rear roofslope in connection with conversion of attic to provide additional habitable floorspace to the existing second floor level flat.	Granted	21/04/2008
2008/0516/P	Installation of rooflight to front roofslope and dormer window with inset roof terrace in rear roofslope all in connection with conversion of attic to provide additional habitable floorspace to the existing second floor level flat.	Granted	18/04/2008
2007/5984/P	The erection of a dormer on the side and rear roof slope and the insertion of an inset balcony on the rear roof slope to provide additional accommodation for the top floor flat.	Refused	17/01/2008

3.2 Only application 2014/3978/P relate to the flats at the lower floors. The other three applications have been made in respect of the top level flat.

3.3 Application 2014/3978/P approved the size of the proposed extension at ground floor level but did not include basement development.

4. PROPOSED DEVELOPMENT

4.1 The proposed development is a result of careful consideration of the site and the relevant local, regional and national planning policies.

4.2 The proposed development is for:

“Proposed side and rear extension and the addition of a basement level.”

4.3 The proposal provides an excellent opportunity to increase the size of the development in a sustainable manner.

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

- 5.3 In March 2012, the National Planning Policy Framework (NPPF) was published by Communities and Local Government. The NPPF sets out the Government's economic, environmental, and social planning policies; it identifies that the purpose of the planning system is to contribute to the achievement of sustainable development. In terms of development management, the NPPF advises that the primary objective of development management is to foster the delivery of sustainable development, not to hinder or prevent development. The NPPF encourages engagement in pre-application discussions, consultation and generally front-loading the planning application process. It also sets out that in determining planning applications, local planning authorities should apply the presumption in favour of sustainable development.
- 5.4 In March 2014 the Department of Communities and Local Government launched the National Planning Practice Guidance. This guidance supersedes previous planning guidance and is intended to support the principles of the NPPF.
- 5.5 Paragraph 17 of the NPPF identifies the core planning principles which should underpin both plan-making and decision-taking; these include: Finding ways to enhance and improve the places in which people live their lives; Seeking to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.
- 5.6 The overarching national planning policy theme evident from the publication of the National Planning Policy Framework is a presumption in favour of sustainable development, which the Government have advised should be at the heart of the planning system and, which should be seen as the 'golden thread' running through decision making.

Regional Planning Policy

The London Plan

- 5.7 The policies in the London Plan are consistent with the thrust of the policies within national planning guidance in that they recognise the need for high density housing, to be located on previously developed sites.
- 5.8 Policy 3.1 seeks to ensure equal life chances for all. The Mayor is committed to ensuring equal life chances for all Londoners. Meeting the needs and expanding opportunities for all Londoners – and where appropriate, addressing the barriers to meeting the needs of particular groups and communities – is key to tackling the huge issue of inequality across London.
- 5.9 Policy 3.5 Quality and Design of Housing Developments states that housing developments should be of the highest quality internally, externally and in relation to their context and to the wider environment, taking account of strategic policies in the Plan to protect and enhance London's residential environment and attractiveness as a place to live. Policy 3.5 refers to the minimum space standards.
- 5.10 Policy 3.8 Housing Choice seeks that new developments offer a range of housing choices, in terms of the mix of housing sizes and types, taking account of the housing requirements of different groups, that all new housing is built to 'Lifetime Homes' standards.

London Borough of Camden Core Strategy (2010)

- 5.11 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.
- 5.12 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.
- 5.13 Core Strategy Policy CS6 aims to provide quality homes.
- 5.14 Policy CS13 aims to tackle climate change by promoting higher environmental standards.
- 5.15 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)

- 5.16 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.

- 5.17 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.
- 5.18 Policy DP25 aims to conserve Camden's conservation areas. The Council will only permit development within a conservation area that preserves and enhances the character and appearance of it.
- 5.19 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.
- 5.20 Policy DP27 requires that application for Basements and lightwells demonstrate that a number of criteria are met whilst the Council consider the potential wider impacts.

London Borough of Camden Planning Guidance

- 5.21 Camden has adopted eight Planning Guidance (CPG) documents which cover a variety of topics such as design, housing, amenity and transport.
- 5.22 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.
- 5.23 CPG 2 'Housing' provides detailed residential standards including ceiling heights, room sizes, daylight, sunlight and privacy, security, basements and outdoor amenity space.
- 5.24 CPG 4 'Basement and lightwells' provides detailed advice on how Camden will apply planning policies when making decisions on basement development.
- 5.25 CPG 6 'Amenity' provides guidance on all types of amenity issues including daylight and sunlight, overlooking, privacy and outlook.
- 5.26 Significant consideration has also been given to the Elsworthy Road Conservation Area Appraisal and Management Strategy (2009).

6. ASSESSMENT OF 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 development complies with national, strategic and local policies.

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 extension and basement proposes the use of high quality materials which are complimentary to the existing dwelling in accordance with 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 development in relation to the host garden and surrounding area. The proposal adheres to these principles as discussed in more detail in the below paragraphs.
- 6.4 CPG 1 'Design' also sets out the key principles for side extensions which include; set back position from the front elevation; they should be no taller than the front porch and maintains access to the rear garden. All of these principles are adhered to within the design of the proposed extension.
- 6.5 Application 2014/3978/P established the size of the proposed extension at ground floor level but did not include basement development.
- 6.6 It should be recognised that within the NPPF, paragraphs 131-134, account should be taken of the desirability of sustaining and enhancing the significance of conservation areas.
- 6.7 The proposed extension and basement development 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.

Design

- 6.8 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.
- 6.9 Development Policies Policy DP24 reflects Policy CS14 and seeks extensions to consider the character and proportions of the existing building as well as the scale, character, setting, context and the form of neighbouring buildings.
- 6.10 In view of position, scale and detailed design, the proposed rear and side extensions are considered to represent subservient additions to the existing building.

- 6.11 The rear and side extension, positioned at ground floor level together with its modest dimensions and high quality design will both preserve the character and appearance of the property and the surrounding Conservation Area, whilst maintaining an appropriate relationship with neighbouring properties.
- 6.12 CPG1 'Design' relates to Policies CS14 and DP24 and sets out more specific guidance on extensions and provides the following general principles:
- Be secondary to the building being extended, in terms of location, form, scale, proportions, dimensions and detailing;
 - Respect and preserve the original design and proportions of the building, including its architectural period and style;
 - Respect and preserve existing architectural features, such as projecting bays, decorative balconies or chimney stacks;
 - Respect and preserve the historic pattern and established townscape of the surrounding area, including the ratio of built to unbuilt space;
 - Not cause a loss of amenity to adjacent properties with regard to sunlight, daylight, outlook, overshadowing, light pollution/spillage, privacy/overlooking, and sense of enclosure;
 - Allow for the retention of a reasonable sized garden; and
 - Retain the open character of existing natural landscaping and garden amenity, including that of neighbouring properties, proportionate to that of the surrounding area.
- 6.13 The proposed extension adheres to all of the above principles as due to its location, form, scale, proportions, dimensions and detailing it would be subservient to the original building. The proposed design is a high quality contemporary design, which provides a contrast that respects the original design and its proportions.
- 6.14 The proposed extension is in keeping with the established townscape which includes similar rear extensions along Elsworthy Road.
- 6.15 The scale of the proposed extension is considered appropriate and does not cause a loss of amenity to adjacent properties. A garden of over 180sqm will remain as a result of the proposed extension being built and the open character will also be retained.
- 6.16 The rear extension is deemed to be of an appropriate scale being single storey in height and is of a width that follows the rhythm of existing rear extensions. Furthermore, the proposed extension will not be visible from the street.
- 6.17 CPG1 also states that side extensions should be no taller than the porch and setback from the main building, which the proposed extension adheres to. Further the guidance states that the infilling of gaps will not be considered acceptable where:

- Significant views or gaps are compromised or blocked;
- The established front building line is compromised;
- The architectural symmetry or integrity of a composition is impaired;
- The original architectural features on a side wall are obscured.

6.18 The proposed extension, whilst including a side infill, does not exceed the height of the porch and is setback from the main building front and is obscured by the existing side entrance gateway and ground floor extension. It is not considered therefore that any significant views or gaps are compromised or blocked. Nor would the established front building line or the architectural symmetry or integrity of the buildings be impaired.

6.19 Furthermore there are no particular architectural features of significance on the side wall which of the existing building that would be affected by the proposed development.

6.20 Accordingly, it is considered that the proposed extensions and alterations are of high quality design, of an appropriate scale and position, creating subservient additions to the property which respects the existing building and site context and is therefore in accordance with the Development Plan.

6.21 The design justification is explained in more detail within the Design & Access Statement that accompanies this planning application.

Impact on 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 It is considered that the proposed design provides a sympathetic addition to the existing building which respects the original building and the wider context of the Elsworthy Conservation Area. Regard has been given to the Elsworthy Conservation Area Appraisal and Management Plan (2009) and there are no significant views or other points of interest identified in the appraisal that are affected by the proposed development.

6.24 As the proposed extension will not be visible from any public vantage points there will be minimal impact on the Elsworthy Conservation Area.

6.25 The high quality design is considered to preserve and enhance the character and appearance of the Elsworthy Conservation Area and is therefore in accordance with the Development plan.

6.26 The proposed subterranean development allows an increase in floorspace without having any impact the appearance or massing of the existing building.

6.27 The basement will provide generous additional floorspace for the property but as limited external manifestations are incorporated, this significant element of the scheme will have no impact on the Conservation Area or the character of the property.

- 6.28 It is stated within the Conservation Area Appraisal that the 'Council will normally resist basement development fronting the highway due to its impact on the appearance of the Conservation Area.' The proposed design has therefore located the lightwells to the rear of the property.
- 6.29 As such there will be no impact on the appearance of the conservation area. Overall it is considered that the proposal would be preserve the character and appearance of the Conservation Area in accordance with policies CS14 and DP25.

Basement Impact Assessment

- 6.30 The proposed basement excavation represents key part of these proposals. In accordance with Camden's planning policy DP27 and Planning Guidance CPG4 on subterranean development a BIA has been prepared by Soiltechnics and accompanies this submission.
- 6.31 The BIA provides a detailed assessment of the soil type, flood risk and a specification and sequence for the proposed works. The assessment minimises any potential risk to the structure and foundations of the property and neighbouring properties during the course of construction.
- 6.32 The Assessment clearly identifies that the proposed basement will not have any impact upon the surface water being received within the site or on neighbouring sites. Furthermore, the site is not located close to an existing water course or a flood risk area.
- 6.33 Overall the BIA concludes there are no outstanding issues of concern (singularly or cumulatively) from a stability, groundwater or surface water perspective. Therefore the proposals are in line with Camden's planning policy DP27 and Planning Guidance CPG4.

Residential Amenity

- 6.34 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.
- 6.35 CPG 6 'Amenity' provides further detail on factors considered under Policy DP26 and identifies potential amenity impacts caused by developments.
- 6.36 The extension projects 4.8 meters into the garden. This takes precedent from a bay extension further down the road at 103, which extends into their gardens to a similar distance. The proposed extension has been designed to appear from the exterior to be made up of two elements; a brick extension to the side and a zinc clad extension to the rear. This breaks up the elevation, making it less imposing.

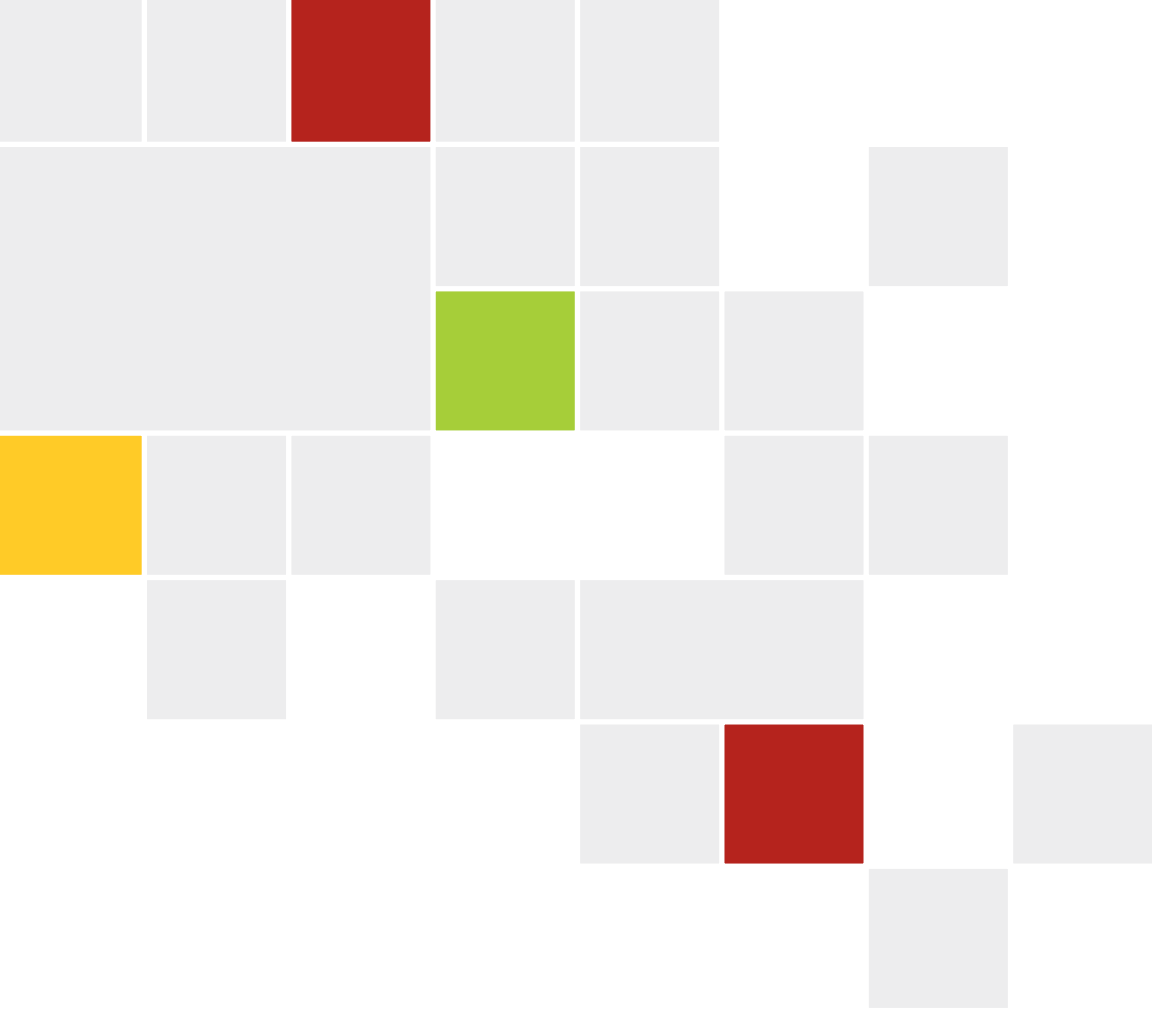
- 6.37 Similarly, the combination of these two volumes has allowed the proposed extension to have staggered heights so that the brick section which builds up to party wall is only 2.6 meters high, whereas the larger part of the extension extends to 2.9 meters. At 2.9 meters, the extension sits below the underside of the sill at the first floor windows and so complements the existing proportions of the building. It remains subservient to the original building fabric.
- 6.38 Policy DP26 also expects new developments to provide an acceptable standard of accommodation. The proposed development will improve the standard of accommodation of the existing building, by providing an improved layout and better utilisation of space and will therefore improve amenity of occupiers.
- 6.39 The proposed extensions have been sympathetically designed in relation to their context, maintaining a reasonable relationship between neighbouring occupiers in accordance with Policy DP26 and also CPG6.
- 6.40 Therefore, overall the development should be considered to have an acceptable impact on the amenities of future occupiers and neighbours.

Trees and Landscaping

- 6.41 As part of the development proposals the Applicant will undertake some landscaping works to the rear garden of the property.
- 6.42 One tree will be removed as part of the basement works proposed, however the tree is of low quality as highlighted within the submitted Arboricultural Report by Tim Moya Associates.
- 6.43 The landscaping works together with the green roof proposed will positively contribute to the biodiversity and visual amenity of the area.

7. CONCLUSIONS

- 7.1 This application seeks planning permission for a rear and side extension and basement development. The proposals will provide an extra 86sqm of floorspace and increase the one bedroom flat to a 3 bedroom family dwelling. The size of the extension excluding the basement was approved under previous application 2014/3978/P
- 7.2 The proposal seeks to improve the living space available to the existing ground floor dwelling, thus improving the quality of housing stock available in Camden.
- 7.3 The proposed extensions are subservient to the original building and complement its character with a high quality contemporary design. The extensions are also considered to preserve and enhance the character and appearance of the Elsworthy Road Conservation Area. The basement development will have minimal impact and is in line with CPG4.
- 7.4 The proposed development due to its siting, scale and appearance will not have a detrimental impact on neighbouring amenity.
- 7.5 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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