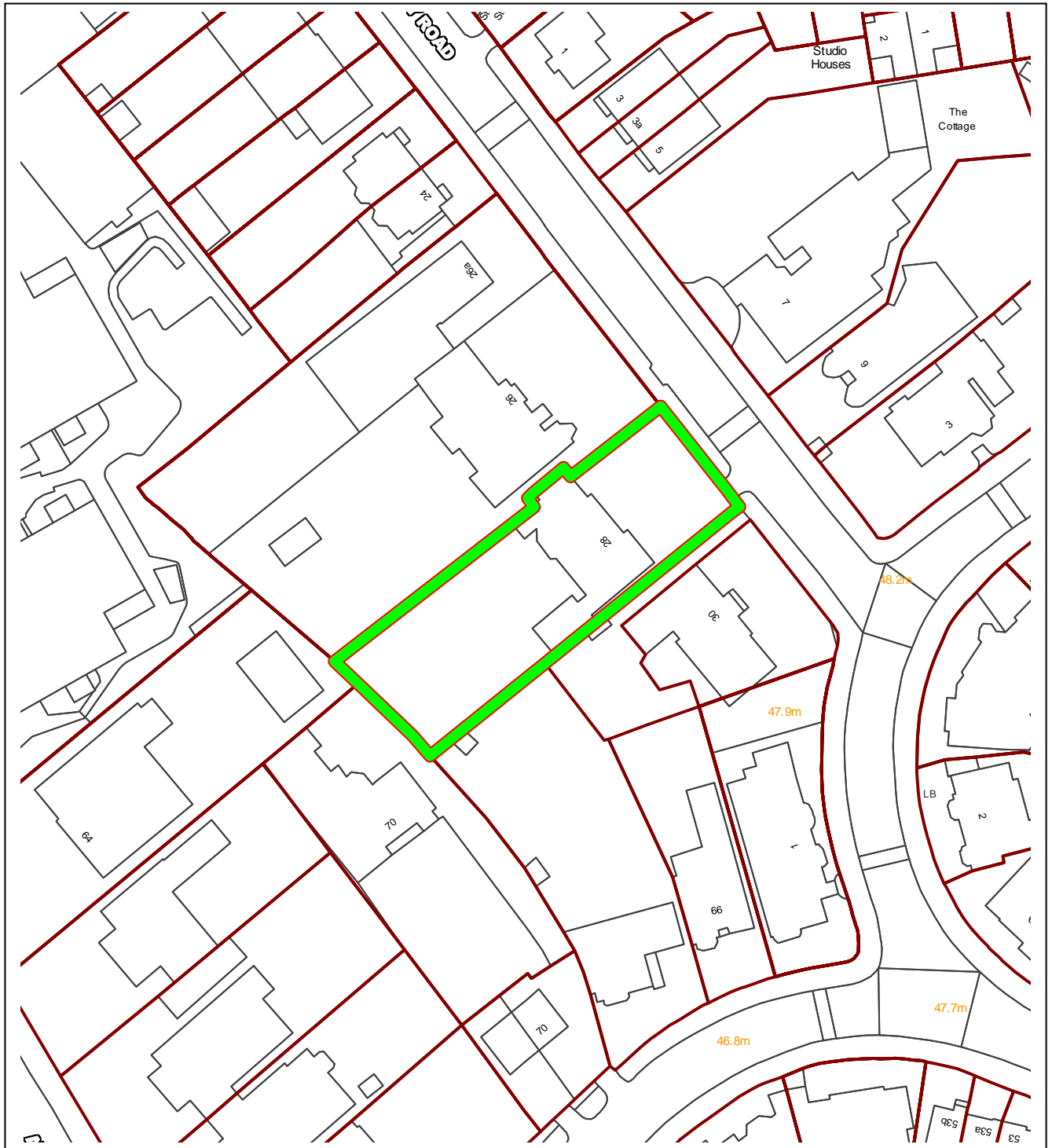


28 Harley Road, NW3 3BN



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Photo 1- Rear Elevation



Photo 2- Rear Elevation



Photo 3- Existing Front Door

| | | | | | | | |
|---|----------------------------|--|-------------------------------------|------------------------------|----|-------------------|----|
| Delegated Report (Members Briefing) | | Analysis sheet | | Expiry Date: | | 01/02/2016 | |
| | | N/A | | Consultation Expiry Date: | | 01/01/2016 | |
| Officer | | | | Application Number(s) | | | |
| Tessa Craig | | | | 2015/5846/P | | | |
| Application Address | | | | Drawing Numbers | | | |
| 28 Harley Road London NW3 3BN | | | | See decision notice | | | |
| PO 3/4 | Area Team Signature | C&UD | Authorised Officer Signature | | | | |
| | | | | | | | |
| Proposal(s) | | | | | | | |
| Erection of a part width single storey rear extension. Installation of a new front door and porch canopy. | | | | | | | |
| Recommendation(s): | | Grant Planning Permission | | | | | |
| Application Type: | | Householder Application | | | | | |
| Conditions or Reasons for Refusal: | | Refer to Draft Decision Notice | | | | | |
| Informatives: | | | | | | | |
| Consultations | | | | | | | |
| Adjoining Occupiers: | | No. notified | 15 | No. of responses | 01 | No. of objections | 01 |
| | | | | No. electronic | 01 | | |
| Summary of consultation responses: | | A site notice was displayed 11/12/2015-01/01/2016 and a press notice was published 10/12/2015. Fifteen neighbours were notified by post. No responses were received. | | | | | |
| CAAC/Local groups* comments: <small>*Please Specify</small> | | Elsworthy CAAC has objected to the proposal for the following reasons: <ul style="list-style-type: none"> proposal should include soft landscaping (see 1.1); design of front porch (see 2.5); previous enforcement action at site (see 2.6). | | | | | |

Site Description

The subject property is located on the west side of Harley Road and is a detached, three storey single dwellinghouse. The property is within the Elsworthy Conservation Area and is stated in the Appraisal and Management Strategy as a positive contributor, but is not a listed building.

Relevant History

2004/5549/P - The erection of a single storey conservatory at rear ground floor level and infill roof extension at rear first floor level to the residential dwellinghouse. Granted, 11/02/2005.

2003/0403/P - The erection of a single storey timber framed glazed conservatory. Refused, 09/10/2003.

P9601769R1 - Extension of roof, including new dormer window to form en-suite bathroom and formation of new window at first floor level on rear elevation of main building. Granted, 28/09/1996.

9401644 - The erection of a side extension above the existing garage. Granted, 10/02/1995.

9301559 - The partial demolition of a first floor side addition above a garage and the construction of a larger side addition. Granted, 11/02/1994.

9300546 - The construction of a single storey rear extension to existing dwelling house. Granted, 13/08/1993.

8905785 - Erection of a two storey rear extension side extension and formation of underground swimming pool in rear garden of existing single family house. Granted, 27/06/1990.

J8/1/3/8685 - The erection of a single storey games room extension at the rear of 28 Harley Road, N.W.3. Granted, 07/05/1970.

Relevant policies

National Planning Policy Framework 2012

The London Plan March 2015

LDF Core Strategy and Development Policies 2010

CS5 (Managing the impact of growth and development)

CS14 (Promoting high quality places and conserving our heritage)

DP24 (Securing high quality design)

DP25 (Conserving Camden's heritage)

DP26 (Managing the impact of development on occupiers and neighbours)

Camden Planning Guidance 2011

CPG1 (Design)

CPG6 (Amenity)

Elsworthy Road Conservation Area Appraisal and Management Strategy 2009

Assessment

1.0 Proposal

- 1.1 Planning permission is sought for the erection of a single storey rear extension which would be 12m wide, 3.7m deep and 4m high. The existing front door would also be replaced with a double door and flat canopy to replace the existing pitched canopy. No changes to the front forecourt or boundary treatment are proposed.
- 1.2 The proposal has been revised since it was originally submitted to remove the single storey basement from the planning application (which could be carried out as permitted development) and to remove the first floor rear roof terrace proposed above the ground floor extension.

2.0 Assessment

- 2.1 The main issues to be considered are the proposed design and impact on the conservation area, and the impact of the development on neighbours' amenity.

Design

- 2.2 The Council's design policies are aimed at achieving the highest standard of design in all developments. The following considerations contained within policy DP24 are relevant to the application: development should consider the character, setting, context and the form and scale of neighbouring buildings, and the quality of materials to be used. Policy DP25 'Conserving Camden's Heritage' states that within conservation areas, the Council will only grant permission for development that 'preserves and enhances' its established character and appearance.
- 2.3 CPG1 Design guidance recommends alterations take into account the character and design of the property and surroundings, windows, doors and materials should complement the existing building, and rear extensions should be secondary to the main building.
- 2.4 The proposed single storey rear extension is considered subordinate to the large detached property and would be built in materials to match the main property. The extension would not be visible from the streetscene and is therefore considered acceptable in terms of impact on the conservation area.
- 2.5 There is no particular consistency to the front porches on the detached properties on this side of Harley Road and in fact both properties either side feature flat roofed canopies. The materials are sympathetic to the main property and are therefore not considered harmful to the host building or conservation area. It is also noted the porch could be constructed as permitted development.
- 2.6 An enforcement case was opened at the site which has brought about the planning application. It is considered the matters for enforcement have been considered as part of this planning application and the proposal is considered acceptable. It should also be noted that the site benefits from permitted development rights and some additional works have been carried out without the need for planning permission.

Amenity

- 2.7 Policy CS5 seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered. Furthermore 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. This includes privacy, overlooking, outlook and implications on daylight and sunlight. CPG6

seeks for developments to be “designed to protect the privacy of both new and existing dwellings to a reasonable degree” and that the Council will “aim to minimise the impact of the loss of daylight caused by a development on the amenity of existing occupiers.”

2.8 CPG6 Amenity states: “Development should be designed to protect the privacy of both new and existing dwellings to a reasonable degree. Spaces that are overlooked lack privacy. Therefore, new buildings, extensions, roof terraces, balconies and the location of new windows should be carefully designed to avoid overlooking. The degree of overlooking depends on the distance and the horizontal and vertical angles of view. The most sensitive areas to overlooking are:

Living rooms;

Bedrooms;

Kitchens; and

The part of a garden nearest to the house.”

2.9 The proposed development is not considered to cause harm to amenity. The rear extension includes windows at ground floor level which face the rear garden and the distance from the extension to the nearest properties (6.8 to east and 8.8 to west and at oblique angles) would not result in overshadowing. Therefore the proposal is considered acceptable in terms of amenity.

3.0 Recommendation

3.1 Grant planning permission subject to condition.

DISCLAIMER

Decision route to be decided by nominated members on Monday 25th April 2016. For further information, please go to www.camden.gov.uk and search for ‘Members Briefing’.

Mr Amit Patel
Construct 360 Ltd
13 Oakdale Avenue
Kenton
Harrow
London
HA3 0UJ
United Kingdom

Application Ref: **2015/5846/P**
Please ask for: **Tessa Craig**
Telephone: 020 7974 **6750**

18 April 2016

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Granted

Address:
**28 Harley Road
London
NW3 3BN**

DECISION

Proposal:
Erection of a part width single storey rear extension. Installation of a new front door and porch canopy.
Drawing Nos: Design and Access Statement, HR28-1005A, HR28-1001, HR28-1002, HR28-1003D and HR28-1004C.

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 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).

Director of Culture & Environment



- 2 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 policies DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans:

Design and Access Statement, HR28-1005A, HR28-1001, HR28-1002, HR28-1003D and HR28-1004C.

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

Informative(s):

- 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 The Mayor of London introduced a Community Infrastructure Levy (CIL) to help pay for Crossrail on 1st April 2012. Any permission granted after this time which adds more than 100sqm of new floorspace or a new dwelling will need to pay this CIL. It will be collected by Camden on behalf of the Mayor of London. Camden will be sending out liability notices setting out how much CIL will need to be paid if an affected planning application is implemented and who will be liable.

The proposed charge in Camden will be £50 per sqm on all uses except affordable housing, education, healthcare, and development by charities for their charitable purposes. You will be expected to advise us when planning permissions are implemented. Please use the forms at the link below to advise who will be paying

the CIL and when the development is to commence. You can also access forms to allow you to provide us with more information which can be taken into account in your CIL calculation and to apply for relief from CIL.

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

We will then issue a CIL demand notice setting out what monies needs to paid when and how to pay. Failure to notify Camden of the commencement of development will result in a surcharge of £2500 or 20% being added to the CIL payment. Other surcharges may also apply for failure to assume liability and late payment. Payments will also be subject to indexation in line with the construction costs index.

Please send CIL related documents or correspondence to CIL@Camden.gov.uk

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.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

Director of Culture & Environment

DECISION