

<b>Application No:</b>	<b>Consultees Name:</b>	<b>Consultees Addr:</b>	<b>Received:</b>	<b>Comment:</b>	<b>Response:</b>
2016/3495/P	C PACE O'SHEA	30 WADHAM GARDENS LONDON NW3 3DP	03/08/2016 10:30:40	COMNOT	I strongly object to the proposed application which I believe is in total contravention of our Conservation Area which is enjoyed by residents and visitors alike. Nor do I believe that the new house between 15 Elsworthy Terrace and 25 Elsworthy Road sets a precedent for such development. My flat overlooked the 5 delapidated garages that were there prior to the development; they were a terrible eyesore and became a meeting place for people coming off the park drinking and taking drugs.

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2016/3495/P	Emily and Oliver Brettle	11 Platt's Lane NW3 7NP	03/08/2016 20:34:07	OBJ	3 August 2016

We are writing to submit our objection to Planning Application 2016/3495/P – 1 Elsworthy Terrace London NW3 3DR.

The site forms part of the garden of 1 Elsworthy Terrace NW3 and is located within the Elsworthy Road Conservation Area. We refer below to the Elsworthy Road Conservation Area Appraisal and Management Strategy (ERCAS) which must be taken into account in assessing an application for planning permission within the Elsworthy Road Conservation Area. We also refer to the draft Camden Local Plan (LP).

The site is an attractive, enclosed tranquil garden bordered by trees which formed part of the garden of 1 Elsworthy Terrace, until it was recently sold at auction by the property company owner of 1 Elsworthy Terrace. The garden is adjacent to Elsworthy Road but separated from it by a long brick wall along the pavement. From Elsworthy Road there is currently an open aspect to Primrose Hill across the gardens of 1-15 Elsworthy Terrace.

We wish to object to the Application for the following reasons:

1. The site is not a development opportunity site (ERCAS 7.7). It is also not one of the neutral sites identified in ERCAS 7.9 whose redevelopment “may be considered appropriate subject to an acceptable replacement coming forward”. Logically, it therefore follows that under ERCAS this development is unacceptable. This is reinforced by the detailed stipulations on Alterations to Existing Buildings provided in 12.5 -12.10 of ERCAS. By extension, it is clear that new builds in the gardens of positive contributing sites are not permitted under ERCAS.
2. The attempt to use the development of the garage site at 15 Elsworthy Terrace by the Applicant to support its Application is misleading and wrong. The garage site was an identified negative contributor to the Conservation Area. 1 Elsworthy Terrace and its curtilage is a positive contributor.
3. The site is located in a key, prominent position within the Elsworthy Road Conservation Area and runs alongside Elsworthy Road itself close to the Elsworthy Terrace entrance to Primrose Hill. Primrose Hill is a popular local amenity which attracts numerous visitors on foot who, like me, often walk past the site. As such the site contributes to the character of the townscape. The LP states 7.20 “Development within rear gardens and other undeveloped areas can often have a significant impact upon the amenity and character of an area. The Council will resist development that occupies an excessive part of a garden, and where there is a loss of garden space which contributes to the character of the townscape”.
4. Many adults and children pass the site on foot on their way to enjoy the open spaces/sports/playgrounds etc around the corner on Primrose Hill. The pavement adjoining the site is currently an attractive pedestrian and amenity space on the way to Primrose Hill. Such spaces are recognised as being able to make an important contribution to the character of the area (ERCAS 13.2).
5. The site is surrounded by positive contributors to the Conservation Area (Elsworthy Terrace, Elsworthy Road). The proposed development is completely out of keeping with the coherent group of buildings of similar style and character recognised in ERCAS.

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					<p>6. The site has no access from Elsworthy Road because it is part of the garden of 1 Elsworthy Terrace. Building on the site would involve knocking down at least part of (and probably all) the garden wall which now contributes to the character of the conservation area. Under ERCAS 12.10 “Alterations to and the loss of original boundary treatments are to be discouraged”. ERCAS also expresses concern at the loss of boundaries for hard standing, let alone for the creation of a double basement with all the potential hydrological and other issues that presents.</p> <p>7. The garden contains several large protected trees (a silver birch and two limes). It is impossible to see how these could survive if the Application were approved as new access for the house and for construction would be required. These trees are an important part of the conservation area, contributing to the tranquillity of the entrance to Primrose Hill and as such contributing to the local amenity and streetscape. The trees provide an attractive street environment for pedestrians and cyclists. The draft Camden Local Plan states (6.142) “The Council will protect garden space and the ability of gardens to support canopy trees where they are part of the character of the area. The protection of garden space to support large canopy trees is of particular importance near to open spaces.” The LP goes on to say at 7.21 “Development will not be permitted which fails to preserve or is likely to damage trees on a site which make a significant contribution to the character and amenity of an area”. Further, Policy D2 Heritage of the LP states the policy to (at e.) “preserve trees and garden spaces which contribute to the character of a conservation area and which provide a setting for Camden’s architectural heritage”.</p> <p>8. The Application contains a number of misleading errors. The Application is for a four storey building with two storeys above and two storeys below ground. It is incorrectly stated in the Application to be a two storey building. The Existing Land Use is stated to be a C3 Dwelling House when the Existing Land Use is a garden. Presumably a separate change of use application will also be required. The character of the area is not, as described in the Application, a “well preserved Edwardian suburb”. The houses in the area are Victorian and so described clearly and in great detail as such in the ERCAS.</p> <p>9. The siting of this large four storey (two above and two below ground) development up against the wall of 2 Elsworthy Terrace is extremely problematical. It is far too close to this wall. The original historic pattern of rear elevations in Elsworthy Terrace is recognised in ERCAS as an integral part of the character of the conservation area. This large four storey building pushed against the original Victorian wall between 1 and 2 Elsworthy Terrace will detract from the symmetry of the Terrace and its preserved rear gardens.</p> <p>10. The proposal breaches ERCAS 12.4 which states “New development should reflect and reinforce the original rhythm and density of development of the streetscape. Subdivision of existing plots will be discouraged where it interrupts the rhythm and form of development of both buildings or boundary treatments or results in the loss of features that contribute to the character of the area”. This Application does breach the original rhythm and density of the original Victorian development. It is also a subdivision of an existing plot.</p> <p>11. The proposal bears no relationship to the existing Victorian building stock in terms of materials, height, massing or any other characteristic. On the other hand, as a four storey building with two storeys above ground it is simply on too big a scale to resemble any sort of modest garden building for 1 Elsworthy Terrace. The Application tries to use two approaches to justify the development. The first is that it relies on the building line of Elsworthy Road as somehow meaning that the rhythm of this road is not upset by the building. The second is that the building is some modest garden building “serving”</p>

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					<p>1 Elsworthy Terrace. In fact neither is satisfied and the Application clearly does disturb the existing Victorian housing stock and layout of both Elsworthy Road and Elsworthy Terrace.</p> <p>12. The fact that the Application envisages a building right up against the wall of 2 Elsworthy Terrace demonstrates that the Applicant is aware that the building cannot be considered subservient to 1 Elsworthy Terrace; if the Applicant felt otherwise the building would be proposed in the middle of the garden and not pretending to follow some spurious building line of Elsworthy Road.</p> <p>13. Under the LP the Council will seek to protect locally important views that contribute to the interest and character of the borough. This includes views of large public parks like Primrose Hill. It also seeks to protect views into conservation areas. Allowing this development would compromise the view from Elsworthy Road through Elsworthy Terrace's gardens to and from Primrose Hill and would contravene this policy.</p> <p>14. The development would cause unacceptable loss of amenity to neighbours and local people. In particular the fenestration, height, depth, massing and positioning of the development would cause severe loss of amenity and privacy to 2 Elsworthy Terrace as well as to neighbouring houses in Elsworthy Road adjacent to and opposite the site. The LP recognises the concept of private outdoor amenity space including gardens balconies and roof terraces and recognises that they can add significantly to residents' quality of life (7.23) The Council also requires that the residential amenity of neighbours be preserved.</p> <p>15. The Application will lead to the loss of wildlife habitat for the green corridor to and from Primrose Hill of which it forms a part.</p> <p>16. There is no public benefit in the Application.</p> <p>17. The Construction Management Plan for the Application is wholly inadequate.</p> <p>18. Approving the Application would set a very bad precedent in terms of encouraging speculative buying of enclosed garden spaces within Camden and in particular within conservation areas. We fear it will encourage the speculative parcelling up and selling of gardens which make such an important contribution to the quality of life of Camden residents. This is particularly detrimental because those gardens most at risk of speculative development will be those which border roads where site accesses can, if permission can be obtained, be created. These are precisely the gardens which the wider community is able to enjoy as pedestrians. Closing in these sites will lead to loss of amenity to all.</p> <p>19. The Applicant had the benefit of the ERCAS when choosing to purchase the garden at auction. The fact that the Applicant chose to pay a very high sum for the garden as widely reported in the press should not make a development on this site inevitable. On its website, Camden advise anyone planning to develop to look at the relevant Conservation Area strategies and these strategies are easy to access on the Camden website. The Applicant was therefore well aware of the risk of its purchase and its speculative nature. The Applicant would have been aware that a development such as envisaged by this Application contravened the spirit and letter of the ERCAS.</p> <p>20. We are very concerned at the timing of the Application over the summer when so many residents are on holiday and may be unaware of the Application. We submit that an extension should be granted.</p>

For the reasons above, granting the Application is contrary to the ERCAS and would go against Camden's statutory duty to preserve and enhance the Conservation Area. We submit that this Application must be rejected.

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Yours faithfully

Emily and Oliver Brettle

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