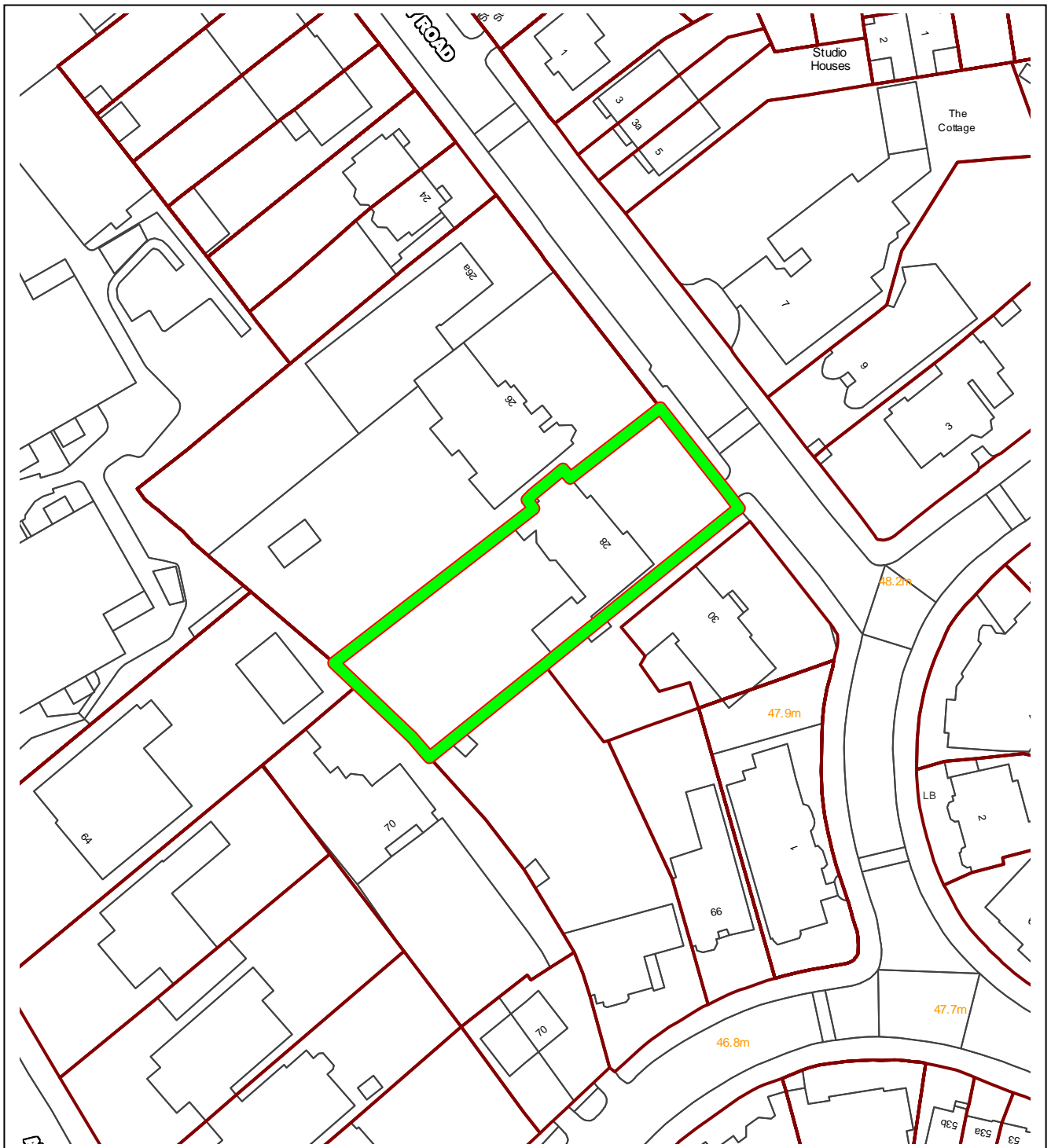


# 28 Harley Road, NW3 3BN ref: 2016/2889/P



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Photo 1- Rear Elevation



Photo 2- Rear Elevation

<b>Delegated Report</b> (Members Briefing)		<b>Analysis sheet</b> N/A	<b>Expiry Date:</b> 01/02/2016
			<b>Consultation Expiry Date:</b> 01/01/2016
<b>Officer</b> Tessa Craig		<b>Application Number(s)</b> 2016/2889/P	
<b>Application Address</b> 28 Harley Road London NW3 3BN		<b>Drawing Numbers</b> Refer to Draft Decision Notice	
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>
<b>Proposal(s)</b> Erection of part single storey part two storey rear extension. Installation of bi-folding doors to north facing ground floor closet wing, new windows to match the existing and the replacement of the roof tiles on the main roof.			
<b>Recommendation(s):</b>	Grant Conditional Planning Permission		
<b>Application Type:</b>	Householder Application		

<b>Conditions or Reasons for Refusal:</b>	Refer to Draft Decision Notice					
<b>Informatives:</b>						
<b>Consultations</b>						
<b>Adjoining Occupiers:</b>	No. notified	<b>15</b>	No. of responses	<b>01</b>	No. of objections	<b>01</b>
<b>Summary of consultation responses:</b>	A site notice was displayed on 09/06/2016 and a press notice was published 03/06/2016. No objections from neighbours were received.					
<b>CAAC/Local groups* comments:</b> <small>*Please Specify</small>	<p>The Elsworthy Residents Association has objected to the proposal for the following reasons:</p> <ul style="list-style-type: none"> <li>• Porch design poor;</li> <li>• Soft landscaping would be required due to additional crossover;</li> <li>• Bi-fold doors and windows inappropriate;</li> <li>• Aluminium windows not acceptable.</li> </ul> <p><i>Officer Comment: Changes to the porch are not part of the current planning application. The second vehicle crossover has been removed from the proposal and changes to the front garden are not proposed. The bi-fold doors are considered to be an appropriate addition to the dwelling and would be at the rear of the site. Their impact on the appearance of the building and the conservation area would therefore be limited and not visible from the public realm or surrounding properties. The aluminium windows would match the existing property and are considered an acceptable material in the conservation area.</i></p>					

## Site Description

The subject property is located on the western side of Harley Road and is a large detached, three storey single family dwellinghouse. The property is within the Elsworthy Conservation area and is stated in the Appraisal and Management Strategy as making a positive contribution. It is not subject to a statutory listing.

## Relevant History

**2015/5846/P** - Erection of a part width single storey rear extension. Installation of a new front door and porch canopy. Granted at Members Briefing, 25/04/2016.

**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 2016

### 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 (CPG)

CPG1 (Design) 2015

CPG6 (Amenity) 2011

### Elsworthy Road Conservation Area Appraisal and Management Strategy 2009

## Assessment

### 1.0 Proposal

- 1.1 Planning permission is sought for the erection of a part-width two storey rear extension at first floor. Additionally, permission for installation of bi-folding doors on the north facing elevation of the closet wing at ground floor, replacement windows and roof tiles is sought.
- 1.2 The single storey rear element was approved under 2015/5846/P and has not been constructed. Although this element has already been approved it is part of the proposal and assessment here, however, it is noted that it was considered acceptable previously. This proposal will assess the extensions as one.
- 1.3 The single storey rear element would be 12m wide, 3.7m deep and 4m high.
- 1.4 The first floor element would extend 4m off the rear wall and include a bay window feature. It would be 2.7m high and 9.8m wide.
- 1.5 The proposal has been revised since it was originally submitted to remove the proposed second crossover and vehicle gate. Front elevation windows would now be retained or replaced 'like for like' with matching glazing bars.

### 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 part single storey part two storey rear extension is considered subordinate to the large detached property in terms of its depth, scale and appearance. It 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 The other works including the replacement windows, replacement roof tiles and bi-folding doors would match the existing property.

#### Amenity

- 2.6 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.”

2.7 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.”

2.8 The proposed first floor extension is not considered to raise any amenity concerns given that it would not introduce any new windows at first floor. The proposed four glazed sliding doors at ground floor in the side elevation of the existing closet wing are not considered to result in overlooking due to their location to ground level, the distance to nearest residential windows and that there is an existing boundary wall restricting views to the north.

2.9 The proposed extensions are not considered to result in any loss of light or outlook given the property is fully detached and there are no nearby residential windows which would be affected. The extensions have a significant setback from neighbouring properties.

### **3.0 Recommendation**

3.1 Grant Conditional Planning Permission

#### ***DISCLAIMER***

***The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 26<sup>th</sup> September 2016, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to [www.camden.gov.uk](http://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: **2016/2889/P**  
Please ask for: **Tessa Craig**  
Telephone: 020 7974 **6750**

20 September 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 part single storey part two storey rear extension. Installation of bi-folding doors to north facing ground floor closet wing, new windows to match the existing and the replacement of the roof tiles on the main roof.

Drawing Nos: Design and Access Statement, HR28-1002, HR28-2005, HR28-2003A and HR28-2004B.

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).

Executive Director Supporting Communities



- 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, HR28-1002, HR28-2005, HR28-2003A and HR28-2004B.

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

- 4 The roof of the ground floor extension shall not be used as a roof terrace without prior consent in writing from the Local Planning Authority.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 of the London Borough of Camden Local Development Framework Development Policies.

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](mailto: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

Executive Director Supporting Communities