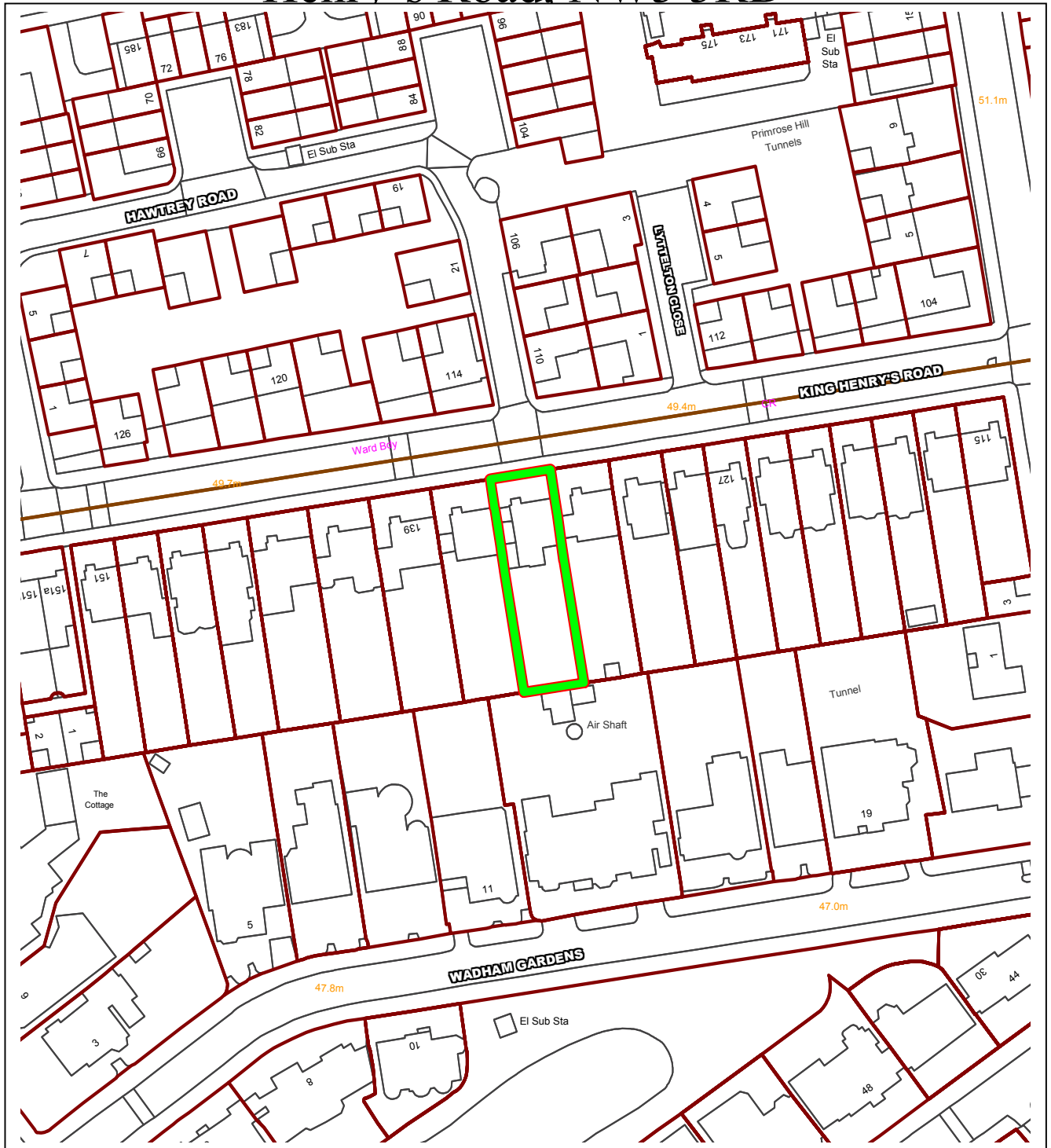


# Basement and Ground floor flat, 135 King Henry's Road, NW3 3RD



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Site photos relating to 135 Henry's Road – 2017/2119/P



Figure 1 – Existing rear elevation



Figure 2 – Showing site in context with adjacent property at 137 King Henry's Road

Site photos relating to 135 Henry's Road – 2017/2119/P



Figure 3 – Showing site in context with adjacent property at 133 King Henry's Road



Figure 4 – Rear elevation of adjacent property at 137 King Henry's Road

<b>Delegated Report</b>		<b>Analysis sheet</b>	<b>Expiry Date:</b>	<b>06/06/2017</b>
<b>(Members Briefing)</b>		N/A / attached	<b>Consultation Expiry Date:</b>	18/05/2017
<b>Officer</b>			<b>Application Number(s)</b>	
Oluwaseyi Enirayetan			2017/2119/P	
<b>Application Address</b>			<b>Drawing Numbers</b>	
Flat Basement and Ground Floor 135 King Henry's Road LONDON NW3 3RD			Refer to 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 a single storey rear extension/orangery, installation of 2x rooflights and alterations to rear facade fenestration at lower ground floor level following demolition of existing conservatory.				
<b>Recommendation(s):</b>		Grant conditional planning permission		
<b>Application Type:</b>		Full Planning Permission		

<b>Conditions or Reasons for Refusal:</b>	<b>Refer to Decision Notice</b>					
<b>Informatives:</b>						
<b>Consultations</b>						
<b>Adjoining Occupiers:</b>	No. notified	<b>0</b>	No. of responses	<b>0</b>	No. of objections	<b>0</b>
			No. Electronic	<b>0</b>		
<b>Summary of consultation responses:</b>	<p>A site notice was displayed from 26/04/2017 to 17/05/2017</p> <p>Press notice published on 27/04/2017</p> <p>No objections were received following the statutory consultation</p>					
<b>CAAC/Local groups* comments:</b>	<p>Belsize Conservation Area Advisory Committee objects on the following grounds:</p> <ol style="list-style-type: none"> <li>1. Rear of house becomes submerged in development</li> <li>2. Huge glass roof makes proposal intrusive to all neighbours</li> <li>3. Architectural styles out of character with the house.</li> </ol> <p>Officer response:</p> <ol style="list-style-type: none"> <li>1. See paragraph 2.5</li> <li>2. See paragraph 3.1</li> <li>3. See paragraph 2.5 and 2.6</li> </ol>					

## Site Description

The application site comprises a 4-storey detached villa over lower ground, upper ground, first and second floors, situated on the southern side of King Henry's Road. The building has been subdivided into 3 flats and this application relates to the garden flat, which extends over two floors.

The property is not listed but is located within the Elsworthy Conservation Area and is noted as making a positive contribution to the character and appearance of the conservation area.

## Relevant History

**CTP/H8/13/14/23930** - The change of use to four self-contained dwelling units, including works of conversion – **Granted 11/02/1977**

**PE9606107R2** - Erection of a single storey rear extension at lower ground floor level, the extension of the roof terrace at upper ground floor level and the erection of a single storey side extension at lower ground floor level – **Granted 23/05/1997**

### Neighbouring Sites:

**2016/5244/P 127a King Henry's Road** - Single storey rear extension to ground floor flat (Class C3) following the demolition of the existing extension on site - **Granted 28/12/2016**

**2009/2298/P 137a King's Henry Road** - Erection of a side and rear extension to existing garden flat – **Granted 10/08/2009**

### **2009/4717/P 137a King Henry's Road**

Amendment to approved application 2009/2298/P (Erection of a side and rear extension to existing garden flat) to include erection of rear conservatory infill extension with glazed roof, enlargement of the rear window openings at ground floor level and alterations to the front elevation to include a traditional door with glazing surround - **Refused 14/01/2010 and Dismissed at Appeal 10/09/2010.**

**2010/0533/P 137a King's Henry Road** - Amendment to approved application 2009/2298/P (Erection of a side and rear extension to existing garden flat) to include erection of rear conservatory infill extension with glazed roof, modifications to rear patio doors and reduction in size of approved rear extension - **Granted 07/04/2010**

**2009/4535/P 145a King's Henry Road** - Erection of a single story rear extension at lower ground floor level to existing flat - **Granted 23/11/2009**

**2010/1405/P 119a King Henry's Road** - Erection of single storey, ground floor rear extension to residential flat (Class C3) - **Granted 17/05/2010**

## Relevant policies

**National Planning Policy Framework 2012**

**London Plan 2016**

**LDF Core Strategy and Development Policies**

**Core Strategy**

CS5 (Managing the impact of growth and development)

CS14 (Promoting high quality places and conserving our heritage)

## **Development Policies**

DP24 (Securing high quality design)

DP25 (Conserving Camden's heritage)

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

## **Supplementary Planning Guidance**

CPG1 (Design) 2015

CPG6 (Amenity) 2011

## **Elsworthy Conservation Area Statement July 2009**

### **Draft Camden Local Plan 2016**

*The Inspector's report on the Local Plan was published on 15 May 2017 and concludes that the plan is 'sound' subject to modifications being made to the Plan. While the determination of planning applications should continue to be made in accordance with the existing development plan until formal adoption, substantial weight may now be attached to the relevant policies of the emerging plan as a material consideration following publication of the Inspector's report, subject to any relevant recommended modifications in the Inspector's report.*

The following policies are considered to be relevant:

A1 Managing the impact of development

D1 Design

D2 Heritage

## Assessment

### 1. Proposal

1.1 Planning permission is sought for the erection of a single storey rear extension following demolition of existing conservatory at lower ground floor level to existing flat.

1.2 The principal issues to be considered with the proposal are:

- a) Design and impact on the host building and Elsworthy Conservation Area
- b) Neighbouring amenity

### 2 Design and impact on the host building and Elsworthy Conservation Area

2.1 Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under s.72 of the Planning (Listed Buildings and Conservation Areas Act) 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

2.2 The Council's design policies are aimed at achieving the highest standard in all developments. The following considerations contained within policy DP24 are relevant to the application: development should consider the character, setting, context, form and scale of neighbouring buildings, and the quality of materials to be used. Policy DP25 'Conserving Camden's Heritage' states that within conservation area, the Council will only grant permission for development that 'preserves or enhances, its established character and appearance.

2.3 Policy D1 Design of the emerging Local Plan states the Council will seek to secure high quality design in development and would require that development respects local context and character; preserves or enhances the historic environment and heritage assets in accordance with Policy D2 Heritage and complement the local character. Further stating "the Council will welcome high quality contemporary design which responds to its context."

2.4 The Elsworthy Conservation Area Statement advises that alterations and extensions to existing buildings should be carefully considered and be subsidiary to the existing building and not detract from its character by becoming over-dominant.

2.5 The proposed rear extension/orangery would be located on the site of the existing conservatory, extending 1m further into the garden and 2.8m further towards the property at No. 133 King Henry's Road with a remaining gap to the site boundary of 1.5m. The height of the proposal would be 3.1m lower than the ridge of the existing which is 3.8m high, and match the height of the existing eaves. The extension would be constructed in brick with glaze/steel zinc to the host building and would have two flush rooflights.

2.6 The location of the extension at the rear of the building would mean it has a limited impact on the conservation area, not visible from the public realm. Furthermore, it is noted that within the immediate area there is a mixture in the styles and materials, most noticeably the adjoining property at no. 137 King Henry's Road. Officers consider that the proposed design is acceptable.

2.7 The proposal also seeks the replacement of French and casement windows at rear lower ground floor extension and would have timber framing which is considered acceptable.

2.8 The proposal would retain a large sized rear garden area to provide adequate outside amenity space and maintain the open character of the rear gardens in this area.



### **3 Neighbouring amenity**

3.1 Due to the size, height, location and position of the proposal, it is not considered to cause significant impact on the flats above or neighbouring properties in terms of sunlight, daylight and outlook. The existence of the current conservatory with glass means there would be limited impact of the rooflight to the flats above. There are windows on side elevation of the proposed conservatory facing adjacent property at 133 King Henry's Road, this would also have a limited impact compared to the existence of windows and door of existing structure and given the height of the existing boundary fence.

### **4 Conclusion**

4.1 It is considered that the proposal would not harm the character and appearance of the existing building and would enhance the character and appearance of the wider Elsworth Conservation Area.

### **5 Recommendation**

5.1 Grant conditional planning permission

***The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 30th May 2017, 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 Timothy Rowson  
FACTotum  
The Studio  
46 Grafton Road  
LONDON  
NW5 3DU

Application Ref: **2017/2119/P**  
Please ask for: **Oluwaseyi Enirayetan**  
Telephone: 020 7974 **3229**

19 May 2017

**DRAFT**

Dear Sir/Madam

## DECISION

Town and Country Planning Act 1990 (as amended)

### Full Planning Permission Granted

Address:

**Flat Basement and Ground Floor**  
**135 King Henry's Road**  
**LONDON**  
**NW3 3RD**

**DECISION**

Proposal:

Erection of a single storey rear extension/orangery, installation of 2x rooflights and alterations to rear facade fenestration at lower ground floor level following demolition of existing conservatory.

Drawing Nos: Site location plan (S -01); EX - (01, 02, 03, 04); PL - (01, 02, 03, 04, 05, 06, 07); Design and Access Statement dated January 2017.

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.

Executive Director Supporting Communities



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

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans; Site location plan (S -01); EX - (01, 02, 03, 04); PL - (01, 02, 03, 04, 05, 06, 07); Design and Access Statement dated January 2017.

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

- 3 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, policies DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies 2010, and policies A1, D1 and D2 of the Camden Local Plan Submission Draft 2016.

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 Inspector's report on the Local Plan was published on 15 May 2017 and concludes that the plan is 'sound' subject to modifications being made to the Plan. While the determination of planning applications should continue to be made in accordance with the existing development plan until formal adoption, substantial weight may now be attached to the relevant policies of the emerging plan as a material consideration following publication of the Inspector's report, subject to any relevant recommended modifications in the Inspector's report.

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 Regeneration and Planning

**DRAFT**

**DECISION**