

Mr Christopher Cutt
Lower Ground and Ground Floor Flat
26 Elsworthy Road
London
NW3 3DL

Application Ref: **2017/5461/P**
Please ask for: **Ben Farrant**
Telephone: 020 7974

8 February 2018

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:
Lower Ground and Ground Floor Flat
26 Elsworthy Road
London
NW3 3DL

Proposal: Installation of external staircase with associated balustrade and privacy screen to side/rear from existing ground floor roof terrace to lower ground level

Drawing Nos: Location plan (unnumbered), 'Current rear elevation' (unnumbered), 'Current side elevation' (unnumbered), 'Existing lower ground floor' (unnumbered), 'Existing ground floor' (unnumbered), 'Proposed rear elevation' (unnumbered), 'Proposed side elevation' (unnumbered), 'Proposed lower ground floor plan' (unnumbered) & 'Proposed ground floor plan' (unnumbered).

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).

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: Location plan (unnumbered), 'Current rear elevation' (unnumbered), 'Current side elevation' (unnumbered), 'Existing lower ground floor' (unnumbered), 'Existing ground floor' (unnumbered), 'Proposed rear elevation' (unnumbered), 'Proposed side elevation' (unnumbered), 'Proposed lower ground floor plan' (unnumbered) & 'Proposed ground floor plan' (unnumbered).

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

- 3 The 1.8m high privacy screen shall be installed prior to the first use of the external staircase hereby approved and shall be permanently retained.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with policy A1 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission.

Proposed is the installation of an external staircase from the existing ground floor roof terrace leading to the lower ground floor garden, within a recessed area to the side of the existing terrace (above the lower ground floor rear extension).

The staircase has been amended since the original submission, bringing it away from the boundary with no.24, with the installation of a 1.8m high privacy screen where the staircase would project above the rear extension of no.24 to prevent views towards the rear elevation of this neighbouring property.

The addition has been appropriately designed, with an acceptable material finish to match the glazed balustrade used elsewhere on the terrace. Whilst the addition is located within the Elsworthy Conservation Area (and the property is noted as a positive contributor), it is considered not to result in harm to the character, appearance or historic interest of this area, particularly given the existing additions to properties in the locality, its position to the rear of the property and the discrete nature of the addition. It is also noted that there are no nearby listed buildings which would be impacted as a result of the works. The proposed development is considered to be of a modest scale, commensurate and sympathetic design, and an appropriate siting, and is therefore considered to be acceptable.

Given the siting of the external staircase, infilling a space between the rear extensions of the host property and no.24, it is considered not to result in undue harm to the residential amenities of neighbouring properties. It is also considered that the privacy screen, by reason of its height, and siting (off of the boundary) is considered not to result in undue harm to neighbouring amenity.

No objections were received in relation to the scheme following public consultation,

however 1 comment was received from the Elsworthy Residents Association (backed by a further comment from the Elsworthy CAAC) on the grounds that the original plans were unclear as they did not show the staircase on upper ground floor plan. The plans have since been amended (as above) with this plan also included; no re-consultation was required as the alteration reduced the impact on neighbouring properties however all amended plans are available to view online.

The planning history of the site and surrounding area has been considered when determining this application.

Considerable importance and weight has been attached to the harm and 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 Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

As such, the proposed development is in general accordance with policies D1, D2 & A1 of the London Borough of Camden Local Plan 2017, the London Plan 2016, and the National Planning Policy Framework 2012.

- 2 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that 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, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).
- 3 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 Noise and Licensing Enforcement Team, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (Tel. No. 020 7974 4444 or search for 'environmental health' on the Camden website 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.

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

David T. Joyce

David Joyce
Director of Regeneration and Planning