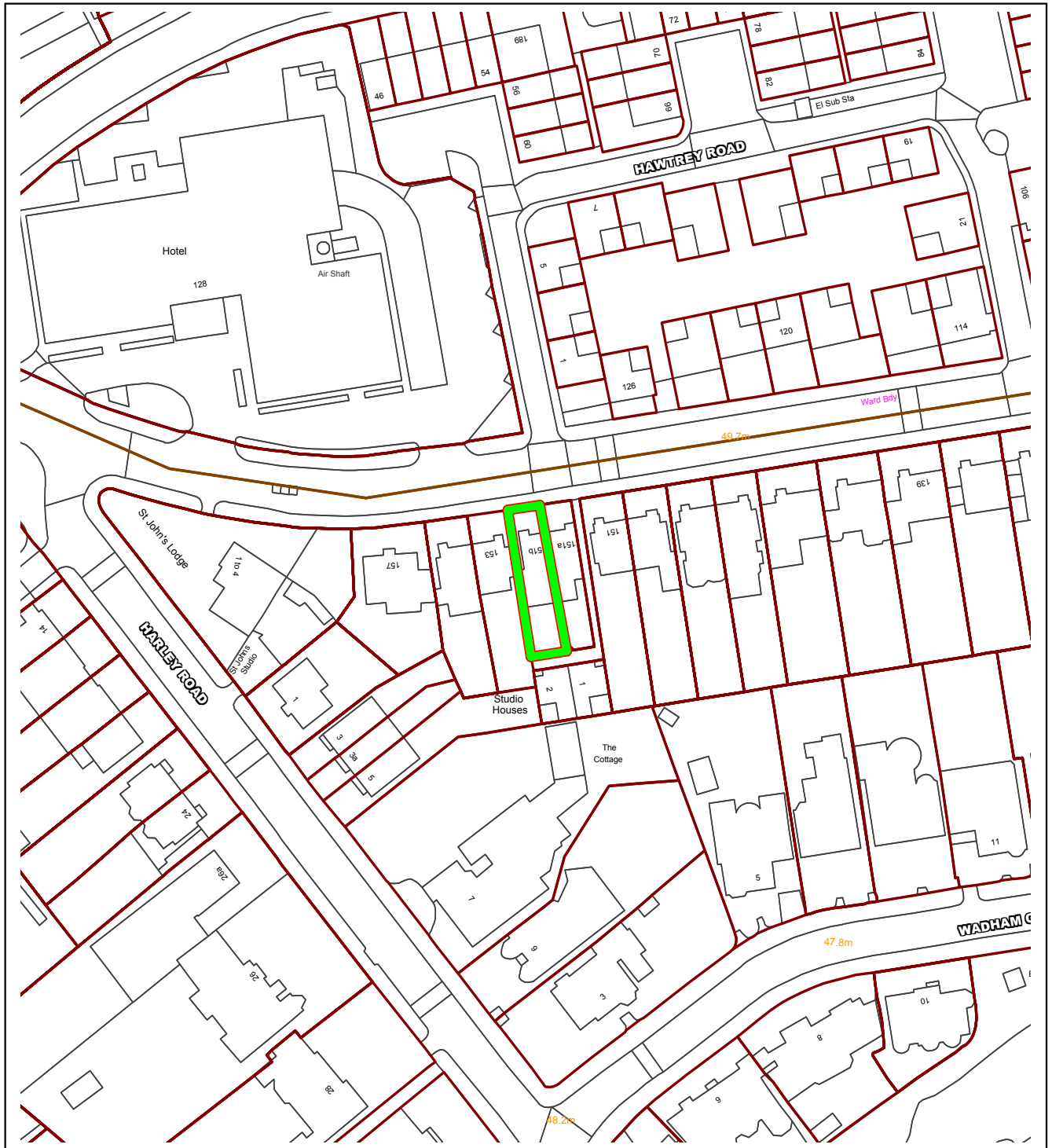


# 2017/1916/P - 151 B King Henry's Road



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## **Site photographs**

1. Existing lower ground floor glazed extension 151 B.





2. Boundary wall with No.151 A and glazed roof of neighbouring lower ground floor rear extension



3. Existing side infill extension to be demolished





4. Rear garden viewed from existing sunken patio at the site





5. Birch tree to be removed



6. Front elevations of 151 A and B



<b>Delegated Report</b> (Members' Briefing)		<b>Analysis sheet</b> N/A		<b>Expiry Date:</b> 14/06/2017	
				<b>Consultation Expiry Date:</b> 18/05/2017	
<b>Officer</b>			<b>Application Number(s)</b>		
Patrick Marfleet			2017/1916/P		
<b>Application Address</b>			<b>Drawing Numbers</b>		
151 B King Henry's Road London NW3 3RD			Please 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 single storey rear extension at lower ground floor level and removal of existing side infill extension.					
<b>Recommendation(s):</b>		Grant conditional planning permission			
<b>Application Type:</b>		Full Planning Permission			
<b>Conditions or Reasons for Refusal:</b>		Refer to Draft Decision Notice			
<b>Informatives:</b>					
<b>Consultations</b>					
<b>Adjoining Occupiers:</b>	No. notified	00	No. of responses	02	No. of objections
					02
<b>Summary of consultation responses:</b>		<p>Site notice: displayed from 20/04/2017 - 11/05/2017 Press notice: displayed from 27/04/2017 - 18/05/2017</p> <p>The neighbouring occupiers at 153 King Henry's Road objected to the application on the following grounds:</p> <ol style="list-style-type: none"> <li>1. Proposal would result in loss of symmetry with adjoining property, loss of window would affect appearance of the property negatively.</li> <li>2. Further loss of garden would prevent absorption of rainwater with potential to cause flooding which may cause problems to occupants of the studios to the rear.</li> <li>3. Proposal could lead to structural problems with boundary wall with No. 153.</li> <li>4. Loss of a mature tree in the rear garden would be detrimental to character of surrounding conservation area.</li> </ol>			

	<p><b><u>Officer Comment</u></b></p> <p>1. The design and conservation impacts of the proposal are discussed in paragraph 2.2 of this report.</p> <p>2. Size, scale and footprint of the proposal is not considered to result in significant increased flood risk at the site, sufficient to warrant a refusal of the application on that basis.</p> <p>3. The design and conservation impacts of the proposal are discussed in paragraph 2.2 of this report.</p> <p>4. The proposals involve the removal of a category C birch tree from the rear garden of the property in order to facilitate development. The birch tree is not considered to significantly contribute to the character of this part of the conservation area and is of minimal visibility from the public realm. A Pyrus “Chanticleer” tree is proposed to be planted in the rear garden to mitigate against the loss of visual amenity and canopy cover the existing birch tree provides.</p>
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<p><b>Elsworthy CAAC</b></p>	<p>Objection:</p> <p>1. Property already has two properties in rear garden and object to further loss of garden space.</p> <p>2. New proposal increases built area which will impact on neighbouring occupiers.</p> <p>3. Design is bland and does not enhance conservation area.</p> <p><b><u>Officer Comment</u></b></p> <p>1. Approximatley 75sqm of rear garden space would be retained following development which is considered sufficient for the occupiers of the dweliing.</p> <p>2. The amenity impacts of the proposal are discussed in paragraph 2.3 of this report</p> <p>3. The design and conservation impacts of the proposal are discussed in paragraph 2.2 of this report.</p>
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## Site Description

The application site relates to a four storey semi-detached property located on the south-western side of King Henry’s Road. Built in 2004, Nos. 151 A and B largely reflect the design and proportions of the neighbouring properties to the east, with raised ground floor entrances and decorative bays to the front. The application property has been altered previously in the form of single storey side and rear extensions.

The application site is located within the Elsworth Conservation Area; the host building is not a listed building and is not identified as making a positive contribution to the character and appearance of the conservation area.

## Relevant History

None relevant to this application.

## Relevant policies

**National Planning Policy Framework (2012)**

## **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

CS15 Protecting and improving our parks and open spaces & encouraging biodiversity

DP24 Securing high quality design

DP25 Conserving Camden's Heritage

DP26 Managing the impact of development on occupiers and neighbours

### **Camden Planning Guidance**

CPG1 Design (2015)

CPG6 Amenity (2011)

### **Camden Local Plan Submission Draft (2016)**

The Inspector's report on the Local Plan was published on 15 May 2017 and concluded 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 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:

D1 (Design)

D2 (Heritage)

A1 (Managing the impact of development)

CC2 (Adapting to climate change)

### **Elsworthy conservation area appraisal and management strategy (2009)**

## **Assessment**

### **1 PROPOSAL**

- 1.1 Planning permission is sought for the erection of a single storey rear extension at lower ground floor level and the removal of the existing side infill extension at upper ground floor level. The enlarged rear extension would span the entire width of the property, replacing the existing glazed structure at the site. It would have a width of 6.1m, a depth of 4.1m and a flat roof height of 3m.
- 1.2 Planning permission is also sought for the installation of an elongated timber frame window to the existing rear façade, the replacement of the two existing roof lights to the front and rear roof slopes with new flush fitting conservation roof lights and removal of the existing.
- 1.3 The proposals would provide additional habitable space for the the occupiers of the single family dwelling.

### **2 ASSESSMENT**

- 2.1 The material considerations for this application are as follows:



- Design and Conservation;
- Amenity of neighbouring residential occupants

## **2.2 Design and conservation**

- 2.2.1 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. These aims are repeated in policies D21 and D2 of the draft Local Plan.
- 2.2.2 The size, scale and bulk of the proposed rear extension, is considered to represent a proportionate addition that would not detract from the character and setting of the host or neighbouring properties, particularly as the property is of a size and scale large enough to comfortably accommodate a development of this size. Furthermore, the rear elevation of the proposed extension would be largely glazed which would help to give the development a lightweight and contemporary aesthetic which would complement the original character and appearance of the host dwelling.
- 2.2.3 Whilst the proposed elongated "picture window" would signal a deviation from the fenestration pattern of the two semi-detached properties, its subtle and sympathetic design, coupled with its traditional timber frame, would ensure no significant harm would be caused to the character of the host dwelling or the appearance of the surrounding conservation area.
- 2.2.4 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 2013. The size, design and limited visibility of the proposal would ensure no undue harm is caused to the character of the conservation area as a result of the development.
- 2.2.5 The proposed extension would also incorporate a green roof which will reduce its visual impact, promote biodiversity and reduce water run-off. Full details will be secured by condition.

## **2.3 Amenity of neighbouring residential occupants**

- 2.3.1 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. Draft policy A1 also seeks to protect the amenity of adjoining occupiers.
- 2.3.2 Whilst the proposed extension would project 4m along the shared boundary line with 151 A King Henry's Road it would be concealed by the existing boundary wall between the two properties and it is not considered that it would cause any undue loss of light or outlook to the neighbouring occupiers as a result. Furthermore, the windows of the proposed lower ground floor development would face out over the rear garden of the application site and would not lead to increased levels of overlooking as a result.
- 2.3.3 Approximately 75sqm of rear garden space would be retained following construction of the

proposed development which is considered sufficient for the occupiers of the dwellings.

## **2.4 Excavation works**

- 2.4.1 Whilst the development would include some excavation it would be limited to a maximum depth of 1.3m for a small area to the rear of the parent building and to the side of the existing extension. Given its scale and siting it is not considered to be substantial enough to warrant the submission of a Basement Impact Assessment.

## **2.5 Trees and landscaping**

- 2.5.1 The proposals involve the removal of a category C Birch tree from the rear garden of the property in order to facilitate development. The birch tree is not considered to significantly contribute to the character of this part of the conservation area and is of minimal visibility from the public realm. A Pyrus "Chanticleer" tree is proposed to be planted in the rear garden to mitigate against the loss of visual amenity and canopy cover which the existing birch tree provides. The removal of the birch tree is considered acceptable in planning terms provided the replacement tree is secured via condition should the scheme be approved.
- 2.5.2 The change in levels between the application site and a neighbouring site where an offsite tree is located is considered great enough to have prevented rooting ingress in to the application site. As such the scheme is considered not to adversely affect off site trees.

## **3 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 19<sup>th</sup> June 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'**

Miss Amy Docherty  
STUDIOCARVER  
37 Alfred Place  
London London  
WC1E 7DP

Application Ref: **2017/1916/P**  
Please ask for: **Patrick Marfleet**  
Telephone: 020 7974 **1222**

13 June 2017

**DRAFT**

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Householder Application Granted**

Address:

**151 B King Henry's Road  
London  
NW3 3RD**

**DECISION**

Proposal:

Erection of single storey rear extension at lower ground floor level and removal of existing side infill extension.

Drawing Nos: 1606\_PL\_020, 1606\_EX\_020, 1606\_EX\_301, 1606\_EX\_100,  
1606\_PL\_101, 1606\_PL\_100, 1606\_PL\_102, 1606\_PL\_201, 1606\_PL\_200,  
1606\_PL\_301, 1606\_PL\_300, 1606\_EX\_200, 1606\_EX\_300, 1606\_EX\_101,  
1606\_EX\_102, 1606\_PL\_010, 1606\_EX\_201 and Arboricultural Survey, Implications  
Assessment and Arboricultural Method Statement by RMTTRee Consultancy Ltd dated 12  
June 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 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 policy DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies and policies D1 and D2 of the Local Plan Submission Draft 2016.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans: 1606\_PL\_020, 1606\_EX\_020, 1606\_EX\_301, 1606\_EX\_100, 1606\_PL\_101, 1606\_PL\_100, 1606\_PL\_102, 1606\_PL\_201, 1606\_PL\_200, 1606\_PL\_301, 1606\_PL\_300, 1606\_EX\_200, 1606\_EX\_300, 1606\_EX\_101, 1606\_EX\_102, 1606\_PL\_010, 1606\_EX\_201 and Arboricultural Survey, Implications Assessment and Arboricultural Method Statement by RMTTRee Consultancy Ltd dated 12 June 2017.

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

- 4 Prior to the first occupation of the building a plan showing details of the green roof including species, planting density, substrate and a section at scale 1:20 showing that adequate depth is available in terms of the construction and long term viability of the green roof, and a programme for a scheme of maintenance shall be submitted to and approved in writing by the local planning authority. The green roof shall be fully provided in accordance with the approved details prior to first occupation and thereafter retained and maintained in accordance with the approved scheme of maintenance.

Reason: To ensure that the green roof is suitably designed and maintained in accordance with the requirements of policies CS13, CS14, CS15 and CS16 of the London Borough of Camden Local Development Framework Core Strategy and policies DP22, DP23, DP24 and DP32 of the London Borough of Camden Local Development Framework Development Policies and policies CC2, D1 and D2 of the Local Plan Submission Draft 2016.

- 5 Within the first available planting season following the completion of works, a *Pyrus calleryana* "Chanticleer" shall be planted as a heavy standard with a girth size of 12-14 cm, within the rear garden of the property, the precise location of which is to be agreed in writing. The planting process should take into account the standards set out in BS8545:2014. Any trees or areas of planting which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced as soon as is reasonably possible and, in any case, by not later than the end of the following planting season, with others of similar size and species, unless the local planning authority gives written consent to any variation.

Reason: To ensure that the landscaping is carried out within a reasonable period and to maintain a high quality of amenity in the scheme in accordance with the requirements of policy CS14 and CS15 of the London Borough of Camden Local Development Framework Core Strategy and policies DP24 and DP31 of the London Borough of Camden Local Development Framework Development Policies and policy A3 of the 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**