

Radlett House, Radlett Place, NW8 6BT

Householder Application - 2018/5673/P



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Radlett House, Radlett Place, NW8 6BT

Site Photos

(1) Aerial photo #1



(2) Aerial photo #2



(3) Aerial photo #3



(4) Front Elevation of dwelling / location of proposed pergola



(5) Front garden of dwelling / location of proposed pergola



(6) Rear elevation of dwelling (no alterations)



(7) View from flat roof looking North



(8) View from flat roof looking towards 40/42 Avenue Road



(9) View from Primrose Hill park towards dwelling



(10) View from rear window (1st floor) of no.38 Avenue Road

(11) View from rear window (rear roof dormer) of no.38 Avenue Road

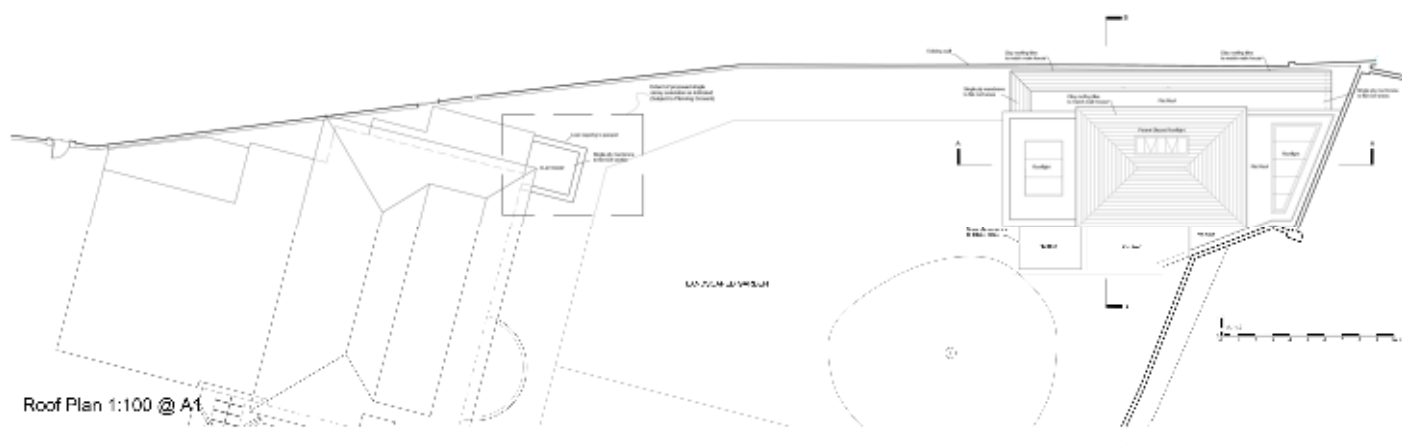
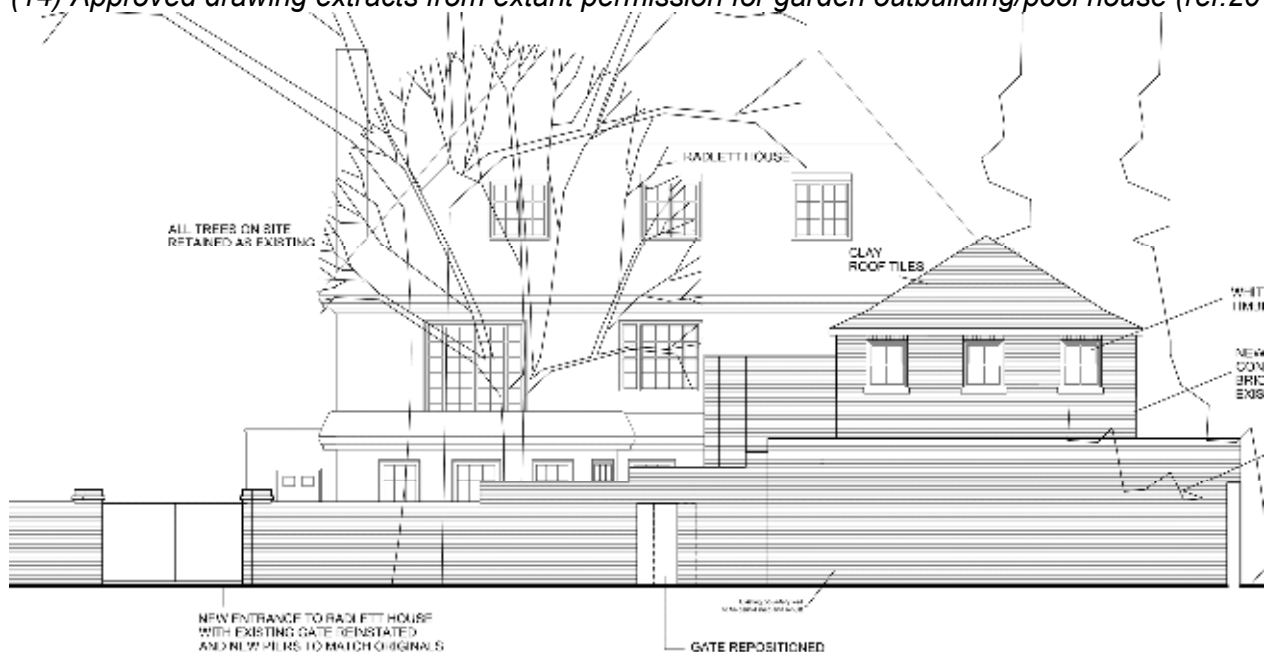


(12) View from rear window (1st floor) of no.40 Avenue Road

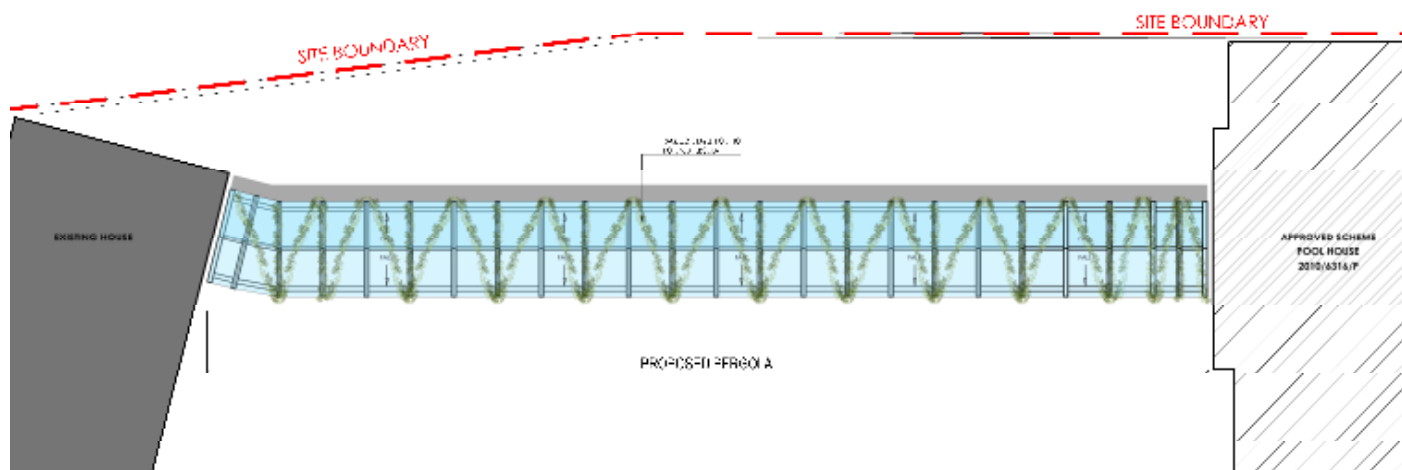
(13) View from rear window (rear roof dormer) of no.40 Avenue Road

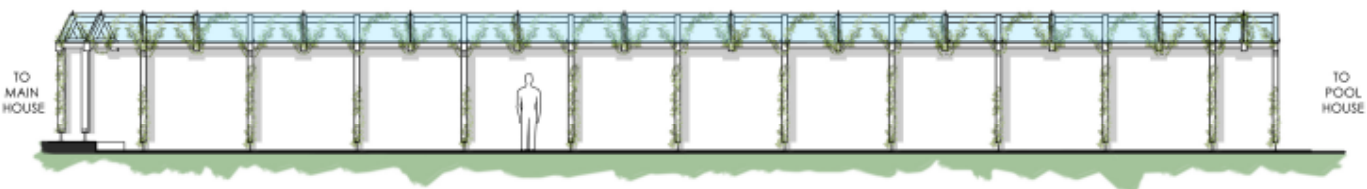


(14) Approved drawing extracts from extant permission for garden outbuilding/pool house (ref.2012/5607/P)



(15) Proposed pergola plan extracts:





Delegated Report (Members Briefing)		Analysis sheet	Expiry Date:	14/01/2019
		N/A / attached	Consultation Expiry Date:	14/01/2019
Officer			Application Number(s)	
John Diver			2018/5673/P	
Application Address			Drawing Numbers	
Radlett House Radlett Place London NW8 6BT			See draft decision	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
		Nick Baxter Nick Bell		
Proposal				
Erection of garden pergola to front garden of property to link main house with garden outbuilding / pool house previously permitted/implemented under previous application references. 2010/6316/P dated 17/01/2011 and 2018/4258/P dated 12/10/2018.				
Recommendation:		Grant planning permission		
Application Type:		Householder Application		

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice			
Informatives:				
Consultations				
Summary of consultation:	Multiple site notices were displayed near to the site on the 21/12/2018 (consultation end date 14/01/2019). The development was also advertised in the local press on the 20/12/2018 (consultation end date 13/01/2019).			
Adjoining Occupiers:	No. of responses	00	No. of objections	00
Summary of consultation responses:	No responses received.			
Elsworthy Conservation Area Advisory Committee	A letter of objection was received from the Elsworthy Conservation Area Advisory Committee. Their objection comments can be summarised as follows: <ul style="list-style-type: none">- Object to this very long linking pergola, with its highly reflective and intrusive glazed roof, which cuts across the open garden space and blocks open views from adjoining areas. <i>Officers Response:</i> <ul style="list-style-type: none">- Please see para.2.3 – 2.7 and 2.9 of the main report.			
Royal Parks:	No response received.			

Site Description

The application site is located in the north-western corner of Radlett Place, on the south western edge of Primrose Hill. Radlett Place is a gated, privately owned cul-de-sac leading from the busy thoroughfare of Avenue Road. The site is enclosed by a large red brick wall as well as heavy vegetation to the North and West. The site hosts a three storey (including habitable rooms at roof level) detached single family dwellinghouse which was constructed approximately 10 years ago.

The site is within the Elsworthy Road Conservation Area. The buildings are not listed, nor do they adjoin any listed buildings. Furthermore, they are not noted in the Conservation Area Statement as making a positive contribution to the Conservation Area. The site borders the designated Open Space of Primrose Hill park to the North. There are a number of mature trees to the North of the site that are subject to Tree Preservation Orders (TPOs), though there are no TPOs within the site itself.

Relevant History

The site has been subject to a large number of planning applications and associated variations or discharge of matters secured by condition. An overview of the most relevant applications is as follows:

Applications for the erection of the dwellinghouse:

2004/5444/P: Erection of a 2-storey single-family dwelling house. Granted 18/04/2005.

2006/0210/P: Erection of a new part one, part two storey dwellinghouse, as an amendment to the planning permission granted (ref 2004/5446/P) for the erection of a new dwelling house. Granted 09/03/2006.

2006/1799/P: Erection of a new part one, part two storey dwellinghouse, as an amendment to the planning permission granted on 21/06/05 (ref 2004/5446/P) for the erection of a new dwelling house. Granted 26/05/2006

2007/1124/P: Alterations to chimneys, roof eaves, rooflight and fenestration, as amendments to planning permission dated 26.05.06 (2006/1799/P) for the erection of a new dwellinghouse. Granted 29/05/2007.

Residential extensions/alterations (to newly built dwelling house):

2007/4249/P & 2007/4250/C: Demolition of existing swimming pool / pavilion building adjacent to Primrose Hill with a two storey building plus roof to accommodate a swimming pool. Granted 30/11/2007.

2008/3944/P: Erection of a two storey plus basement ancillary building including pool to the dwellinghouse, following the demolition of existing pool house. Granted 24/03/2009.

2009/1954/P: The erection of a single storey porch extension to the entrance and a colonnade along the side of the house. Granted 31/07/2009.

2010/6316/P: Erection of a two storey plus basement out building and alteration to gate in association with existing residential dwelling (Class C3)." Granted 17/01/2011.

2011/5102/P: "Excavation of a basement beneath the main house with front and rear lightwells and a two-storey basement link under the garden between the house and the previously approved swimming pool outbuilding, and installation of air conditioning unit and enclosure in garden, all in association with the use of the single family dwelling (Class C3)." Granted subject to s106 agreement 30/03/2012

2012/5607/P: Erection of a two storey outbuilding and a single storey front extension to the main house in connection with existing residential dwelling (Class C3). Granted 24/12/2012.

2016/4374/P: Alterations to rear roof slope of dwelling (C3) including the repositioning of rear dormers and installation of lift overrun with faux chimney stack to facilitate the installation of internal passenger lift. Granted 03/10/2016

2017/0716/P: Creation of a crown tiled roof / attic floor above two storey rear projection of dwelling (Use Class C3) including no.5 dormer windows and linked walkway to existing loft. Granted 08/05/2017.

2018/4258/P: Lawful development certificate was granted on the 12/10/2018. This confirmed that the following works remains lawful: 'Commencement of works on site in relation to planning applications (i) 2011/5102/P dated 30/03/2012 (basement extension to main house); (ii) 2010/6316/P dated 17/01/2011 (basement to pool house); and (iii) 2012/5607/P dated 24/12/2012 (erection of two storey outbuilding)'

Relevant policies

NPPF 2018

The London Plan 2016

Camden Local Plan 2017

- Policy A1 Managing the impact of development
- Policy A2 Open space
- Policy A3 Protection, enhancement and management of biodiversity
- Policy A4 Noise and vibration
- Policy D1 Design
- Policy D2 Heritage

Camden Planning Guidance

- Design CPG (2018)
- Amenity CPG (2018)

Elsworthy Road Conservation Area Appraisal and Management Plan (2009)

Assessment

1. Introduction

- 1.1. Permission is sought for the erection of a timber framed, single storey pergola structure within the front garden of the existing dwellinghouse. The structure would include a dual pitched, glazed roof but would be open to the element on either side with climbing plants proposed across trellises to provide screening softening.
- 1.2. The pergola would be 27m in length, with a width of 2.6m. The pergola would have an eaves height of 2.3m and a maximum height of 3m.
- 1.3. As outlined in the planning history section, permission has previously been granted for the erection of pool house /outbuilding within the front garden of the house, with a recent certificate of lawfulness (ref. 2018/4258/P) demonstrating that this permission has been implemented and remains extant. It is envisaged that the pergola hereby proposed would provide covered access to the pool house if both were built out.

2. Assessment

2.1. The principal considerations material to the determination of this application are as follows:

- The visual impact upon the character and appearance of the host property, streetscene, Elsworthy Road Conservation Area and the adjacent Primrose Hill park (Design and Conservation)
- The visual impact upon the openness and setting of the adjacent Primrose Hill Park and impact to garden setting and nearby protected trees (Open space and nature conservation)
- The impacts caused upon the residential amenities of any neighbouring occupier (Residential Amenity).

Design and Conservation

- 2.2. Policy D1 (Design) states that the Council will seek to secure high quality design in all cases. This policy states that in order to demonstrate high quality, developments should meet several criteria including: respecting local context and character; be sustainable and durable; comprise details and materials that are of high quality and complement the local character. It continues to state that the Council will resist development of poor design that fails to take the opportunities available for improving the character and quality of an area. Policy D2 (Heritage) states that with Conservation Areas the Council will require that developments preserves or, where possible, enhances the character or appearance of the area.

Impacts to the dwellings and its setting

- 2.3. The application dwelling is sited centrally within its plot and is surrounded with very generous front and rear gardens. As outlined above, permissions remain extant for the erection of a part one, part two storey outbuilding / pool house within the North Eastern corner of the site. As a result of the approved certificate those works may progress without the need for further planning permission. The principle of this element of the works has therefore been established and is not objectionable.
- 2.4. The proposed pergola would be of high quality timber frame, with York stone paving slabs to form its base. Its design would mean that the structure would appear lightweight and permeable so as to not obstruct views across the garden towards the mature vegetation at the existing boundary wall. Climbing plants are also proposed which would further soften views towards the structure and help it to respond to its garden setting. Whilst front extensions are not usually supported, in this instance the pergola would not interrupt any characteristic pattern of development, would be appropriately designed for its setting and would still retain a large proportion of the existing garden and its open character. Though it would project for some 27m, given its narrow width and high quality design it is not considered that the structure would undermine or disrupt the character of the host dwelling. The minor alterations proposed to the front elevation to install French doors would similarly not disrupt the composition of the principal elevation and so are not considered harmful.
- 2.5. Given the recently approved certificate, consideration must be given to the cumulative effect of both the extant outbuilding and pergola, should both elements be implemented. Even if this were the case, it is not considered that the character and appearance of the host dwelling would be detrimentally affected as even cumulatively, the garden additions would not be considered to undermine the openness and verdant character of the existing garden.

Impacts to the streetscene / conservation area

- 2.6. The pergola would project off the front elevation of the dwelling across an area of lawn, however, given the dwelling's unique 'back land' setting and tall boundary walls and hedges, no views would be afforded from any public place or neighbouring building (see photos 9 – 13). As such, views of the structure would only be visible from within the application site itself.
- 2.7. Given the above, combined with the atypical site layout and setting, overall it is considered that the proposed pergola (or cumulative garden additions) would not cause a detrimental impact upon the character and appearance of the host property and would preserve the special character of the conservation area. The development is therefore considered to be in accordance with policies D1 and D2. 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.

Open space and nature conservation

- 2.8. Policy A2 (Protection of open spaces) seeks to ensure that existing open spaces, including their setting, are protected from harm and that the openness of designated Metropolitan Open Spaces is preserved. Policy A3 (Biodiversity) also seeks to ensure that the loss of or damage to mature trees and vegetation is resisted, and that adequate protection is secured where development is proposed in sensitive areas.
- 2.9. As outlined above, the structure would sit behind an existing tall brick boundary fence, set away between 3.5m – 4.5m from the closest boundary and so would not protrude above into views afforded from Primrose Hill to the North. The pergola would therefore not be visible from the adjacent Primrose Hill park,

ensuring that its openness and setting of this open space / MOL is preserved.

- 2.10. Given that a number of mature protected trees are located North of the site, both this as well as the former outbuilding application have been accompanied by arboricultural impact assessments. At the request of the Council's tree officers, trial pits were dug within the site close to the boundary to establish the depth of the boundary wall and the extent of root growth from nearby TPOs. The adjusted RPAs have been outlined in submitted reporting and show that the proposed structures would not protrude into the RPAs of any protected tree or otherwise cause them harm. The submitted arboricultural impact assessment has been reviewed again by the Council's Trees officers who confirm that the development is acceptable in this respect, subject to the tree protection measures outlined being carried out / secured by condition. In terms of other vegetation, the proposed pergola would not interrupt the existing boundary vegetation and its lightweight design would ensure that the area to the North still receives adequate natural light to allow for future growth.
- 2.11. Overall the works are considered to preserve the value of the existing garden in nature conservation terms, and to avoid any detrimental impacts upon nearby mature trees.

Residential Amenity

- 2.12. Policy A1 (Managing the impact of development) confirms that the Council will not grant permission for development that would result in harm to the quality of life for surrounding occupiers and neighbours. For a development of this kind, the main considerations outlined by this policy would be impacts in terms of privacy, outlook and natural light.
- 2.13. Considering the siting of the proposed pergola relative to surrounding properties, it is not considered that the works proposed would result in any loss of outlook or natural light to any neighbouring resident. The pergola would similarly not increase levels of noise or cause a loss of privacy to any adjoining neighbour. Given the limited scale of the development proposed, the sufficiently wide site ingress from Avenue Road as well as the space available within the site for the storage of materials, the construction of the proposed development would not be considered to risk disturbances to neighbouring occupiers. In this instance, a construction management plan would therefore not be required.
- 2.14. As such, subject to the recommended conditions, the proposed development is not considered to lead to a significant impact upon the amenities of any neighbouring resident. The development is thus considered to be in accordance with policy A1/A4 of the Local Plan.

3. Recommendation

3.1. 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 11th February 2019, 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 and search for 'Members Briefing'.

Application ref: 2018/5673/P
Contact: John Diver
Tel: 020 7974 6368
Date: 4 February 2019

Development Management
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DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Householder Application Granted

Address:

Radlett House
Radlett Place
London
NW8 6BT

DECISION

Proposal: Erection of garden pergola to front garden of property to link main house with garden outbuilding / pool house previously permitted/implemented under previous application references 2010/6316/P dated 17/01/2011 and 2018/4258/P dated 12/10/2018.

Drawing Nos: FWZ-199.1_EXISTING ROOF PLAN, FWZ-199.2_EXISTING FRONT ELEVATION, FWZ-199.3_EXISTING SIDE ELEVATION, FWZ-199.4_EXISTING SIDE ELEVATION2, FWZ-199.5_EXISTING REAR ELEVATION, FWZ-199.6_EXISTING SECTION AA, FWZ.199_SITE LOCATION PLAN, FWZ.200_PROPOSED SITE PLAN, FWZ.201_PROPOSED ROOF PLAN, FWZ.202_PROPOSED GROUND PLAN, FWZ.203_PROPOSED ELEVATION AND SECTION.

Supporting: FWZ - Pergola Design and Access Statement; 20180713_ Radlett House Pergola Arb Notes produced by Tree Projects (dated 13/07/18)

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: FWZ-199.1_EXISTING ROOF PLAN, FWZ-199.2_EXISTING FRONT ELEVATION, FWZ-199.3_EXISTING SIDE ELEVATION, FWZ-199.4_EXISTING SIDE ELEVATION2, FWZ-199.5_EXISTING REAR ELEVATION, FWZ-199.6_EXISTING SECTION AA, FWZ.199_SITE LOCATION PLAN, FWZ.200_PROPOSED SITE PLAN, FWZ.201_PROPOSED ROOF PLAN, FWZ.202_PROPOSED GROUND PLAN, FWZ.203_PROPOSED ELEVATION AND SECTION.

Supporting: FWZ - Pergola Design and Access Statement; 20180713_ Radlett House Pergola Arb Notes produced by Tree Projects (dated 13/07/18)

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

- 3 All trees on the site, or parts of trees growing from adjoining sites, unless shown on the permitted drawings as being removed, shall be retained and protected from damage in accordance with the arboricultural report produced by Tree Projects (dated 13/07/18) and the standards set out in BS5837:2012 "Trees in Relation to Construction".

Reason: To ensure that the development will not have an adverse effect on existing trees and in order to maintain the character and amenity of the area in accordance with the requirements of policies A2 and A3 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 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).
- 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 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.

- 3 Please note that any approval given by the Council does not give an exemption from the requirements to comply with the Wildlife and Countryside Act 1981 (as amended), or any other Acts offering protection to wildlife. Of particular note is the protection offered to bats, birds and their nests from construction works. For further information contact Natural England on 0300 060 4911 or www.naturalengland.org.uk.
- 4 Please note that the development hereby approved relates to that outlined in the description of development only. Should the applicants seek to further implement alternative permissions granted for the site then those works would remain subject to all conditions and stipulations set out under those permissions.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2018.

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

DECISION