

60 Elsworthy Road, London, NW3 3BU



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Site Photos



View from rear garden back to rear elevation and view to side.



View to side elevation and rear elevation.



View back to rear elevation and left side elevation.



View back to rear showing the gate and side of garden with neighbouring wall.

Delegated Report (Members Briefing)	Analysis sheet		Expiry Date:	05/12/2018
	N/A / attached		Consultation Expiry Date:	14/01/19
Officer			Application Number(s)	
Jaspreet Chana			2018/4879/P	
Application Address			Drawing Numbers	
60 Elsworthy Road London NW3 3BU			Refer to decision notice	
Proposal(s)				
Erection of single storey rear outbuilding ancillary to existing flat				
Recommendation:	Grant conditional planning permission			
Application Type:	Full Planning Permission			
Conditions or Reasons for Refusal:	Refer to Decision Notice			
Informatives:				
Consultations				
Summary of consultation:	<p>The site notice was displayed to the front No.60 Elsworthy Road on 21/12/18 (consultation end date 14/01/19).</p> <p>The development was also advertised in the local press on the 20/12/18 (consultation end date 13/01/19).</p>			
Adjoining Occupiers:	No. of responses	0	No. of objections	0
Summary of consultation responses:	N/A			

**Elsworthy CAAC
comments:**

The Elsworthy Conservation Area Advisory Committee has objected to the proposal on the following grounds:

- Object to new habitable building sited in the middle of the garden and aggressive boxy design which is out of character with the Conservation Area.

Officer's response:

Please see the design section in the report below.

Site Description

No.60 is a three storey detached dwelling located on the west side of Elsworthy Road and has been split into three flats, this proposal is in regards to the ground floor flat. The surrounding area is predominantly residential consisting of large three story detached dwellings of various size and design. The subject site is within Elsworthy Conservation Area (CA) and the building is identified in the Conservation Area Appraisal as making a positive contribution to the character and appearance of the CA. The subject site also adjoins the designated Wadham Gardens private open space to the rear on the property.

Relevant History

The planning history for the application site can be summarised as follows:

No.60 Elsworthy Road:-

2017/4627/IP: *The replacement of a section of the existing roof, the replacement of 5 single glazed timber framed casement windows at roof level with double glazed timber framed casement windows, the installation of 2 heritage style rooflights and the refurbishment of the existing second floor terrace - Granted – 22/11/17.*

2018/3292/PRE: *Erection of ground floor rear extension – Pre app advice issued – 13/12/19.*

Relevant policies

National Planning Policy Framework (2012)

The London Plan (2016)

Camden Local Plan (2017)

- A1 Managing the impact of development
- A2 Open Space
- D1 Design
- D2 Heritage

Camden Planning Guidance:

- CPG 1 – Design
- CPG 6 – Amenity

Elsworthy Road Conservation Area Appraisal and Management Strategy (July 2009)

Assessment

1. The proposal

- 1.1. Planning permission is sought for a single storey rear outbuilding which would measure: 4m wide, 6m deep, 3m height to flat roof and 3.7m height to top of large door opening.

2. Revisions

- 2.1. It should be noted that during the course of the assessment revisions to the proposed scheme were requested in order to appease concerns raised by officers'. The revisions made to the proposed scheme can be summarised as follows:

- Removal of glass link from the proposal.
- Reduction in the depth of the outbuilding from 7m to 6m.
- Reduction of large door height from 3.7m to 3.5m and reduction in height of outbuilding roof height from 3.2m to 3m.

3. Assessment

- 3.1. 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, local area, the Elsworthy Conservation Area and the designated Open Space
- The impact on neighbouring amenity

4. Design and Conservation

- 4.1. The Council's design policies are aimed at achieving the highest standard of design in all developments. The following considerations contained within policy D1 are relevant to the application: development should respect local context and character; comprise details and materials that are of high quality and complement the local character; and respond to natural features. Policy D2 'Heritage' states that in order to maintain the character of Camden's conservation areas, the Council will not permit development within conservation area that fails to preserve or enhance the character and appearance of that conservation area.

- 4.2. The location of the outbuilding to the middle of the garden in front of a store room and toilet windows was deemed most appropriate as it would not block light into any habitable rooms and would not result in the loss of any mature trees. The design of the outbuilding is a modern design which follows the lines of the garden space projecting at an angle. The outbuilding would have a flat roofed design with painted rendered walls with black masonry paint. The inside and rear wall of the outbuilding would be clad in laser-cut corten cladding divided by a large powder coated aluminium pivot glass door to the side and a powder coated aluminium tilt and turn casement window to the rear. Neighbouring properties Nos. 56, 58 and 62 have large outbuildings or rear extensions in their rear gardens which are of various size and design. Although the design of this outbuilding is modern it is single storey in height and will be screened from public or wider views by its location and the height of the garden boundary hedges.

- 4.3. Policy A2 states that the Council will "*c. resist development which would be detrimental to the setting of designated open spaces*". The subject site backs on to the communal designated private open space which is accessed via a gate within the rear garden. The proposed outbuilding would be set 3m back from the rear boundary gate which leads into the open space. The garden currently has greenery to its side and rear boundaries, consisting of large trees and hedges.

These are to be retained as part of this proposal and would therefore safeguard the character and setting of the designated open space. A condition would be added securing further detailing of the landscaping and ensuring that trees would be retained as part of the rear garden planting in order to maintain a high quality of visual amenity to the property and the surrounding area.

- 4.4. Concerns in regards to height and footprint were raised with the applicants in regards to the original proposal, which were revised in response. The removal of the glass link and the reduction in size, depth and height reduce the bulk and mass of the original proposal and ensure that the outbuilding would be subordinate to the host building and the rear amenity space. The quality of detailing and materials is high and while unusual in form and finish, the proposals would be a high quality contemporary interpretation of a garden studio building. It is therefore considered it would not be harmful to the character and appearance of the subject dwelling or the surrounding area
- 4.5. Furthermore, although the outbuilding would take up some central space in the immediate garden, there will be 50sqm (c.50%) of garden space still available and all properties along Elsworthy Road back onto green open communal space to their rear gardens through a gate which is shared space for neighbours to use as additional amenity space. Therefore there would be no significant loss in amenity space.
- 4.6. 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.
- 4.7. Overall, the scale, bulk, design and use of materials of the proposals are acceptable in the context of the host building and the surrounding area and would not be harmful to the character appearance of the street scene or the Elsworthy Conservation Area or the designated open space. The proposal would enhance the character of the conservation area and therefore be in accordance with policies A2, D1 and D2 of the London Borough of Camden Local Plan 2017, as well as the London Plan 2016 and NPPF 2019.

5. Residential Amenity

- 5.1. The proposed outbuilding would not result in any significant loss of residential amenity to the neighbouring properties from loss of light, overlooking or be overbearing. The outbuilding is proposed to be used as a study to read in and hang pieces of art. The outbuilding would be considered an ancillary use to the existing dwelling. Due to it being a detached building within the rear garden it was considered necessary to add a condition to the planning permission for the building only to be used as incidental to the residential use and would not be used as a separate independent use. This is to ensure that the outbuilding is not used for unauthorised purposes and that the future occupation of the building does not adversely affect the adjoining premises or immediate area by reason of noise traffic congestion and excessive on street parking pressures.
- 5.2. The subject site abuts its boundary with both Nos.58 and 62 Elsworthy Road and they back onto a communal rear garden which is shared by all residents on Elsworthy Road. Both Nos.58 and 62 have single storey rear extensions within their immediate rear gardens which consist of deep and high extensions which are along the side boundaries shared with No.60.
- 5.3. No.60s rear outbuilding extension would be off centre located within its rear garden. Heavily screened on both boundaries with the left boundary consisting of a high boundary wall and small trees/bushes and would be set over 3m away from the new outbuilding. The right hand boundary would consist of No.58s deep rear extension and large trees and plants in front of the extensions wall and would be set over 6m from the new outbuilding.

5.4. Given the significant separation distances from the outbuilding to the neighbouring boundaries and the screening to both boundaries it is not considered the proposed outbuilding would have a detrimental impact on the amenities of the neighbouring properties in regards to loss of light, overbearing or overshadowing impacts.

5.5. 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 planning policies A1 and A4.

6. Recommendation

6.1. 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 18th March 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: 2018/4879/P
Contact: Jaspreet Chana
Tel: 020 7974 1544
Date: 14 March 2019

Development Management
Regeneration and Planning
London Borough of Camden
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Judd Street
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DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:
60 Elsworthy Road
London
NW3 3BU

Proposal:

Erection of single storey rear outbuilding ancillary to existing flat

Drawing Nos: 183.(1).0.000A, 183.(1).0.001, 183.(1).0.002, 183.(1).0.003, 183.(1).0.004, 183.(1).1.000 Rev A, 183.(1).1.001 Rev E, 183.(1).2.001 Rev D, 183.(1).2.002 Rev D, 183.(1).3.001 Rev D, 183.(1).3.002 Rev D, Proposed elevation B-B, Design and Access Statement.

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: 183.(1).0.000A, 183.(1).0.001, 183.(1).0.002, 183.(1).0.003, 183.(1).0.004, 183.(1).1.000 Rev A, 183.(1).1.001 Rev E, 183.(1).2.001 Rev D, 183.(1).2.002 Rev D, 183.(1).3.001 Rev D, 183.(1).3.002 Rev D, Proposed elevation B-B, Design and Access Statement.

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

- 3 The outbuilding hereby approved shall only be used for purposes incidental to the residential use of 60 Elsworthy Road and shall not be used as a separate independent use.

Reason: To ensure that the outbuilding is not used for unauthorised purposes and that the future occupation of the building does not adversely affect the adjoining premises/immediate area by reason of noise, traffic congestion and excessive on street parking pressure etc, in accordance with policies G1, A1, T2 and H1 of the London Borough of Camden Local Plan 2017.

- 4 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 during the works.

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.

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 This proposal may be liable for the Mayor of London's Community Infrastructure Levy (CIL) and the Camden CIL. Both CILs are collected by Camden Council after a liable scheme has started, and could be subject to surcharges for failure to assume liability or submit a commencement notice PRIOR to commencement. We issue formal CIL liability notices setting out how much you may have to pay once a liable party has been established. CIL payments will be subject to indexation in line with construction costs index. You can visit our planning website at www.camden.gov.uk/cil for more information, including guidance on your liability, charges, how to pay and who to contact for more advice.
- 4 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team London Borough of Camden 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444) . Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.
- 5 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website at <https://beta.camden.gov.uk/documents/20142/1269042/Camden+Minimum+Requirements+%281%29.pdf/bb2cd0a2-88b1-aa6d-61f9-525ca0f71319> or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

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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 2019.

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