



2 John Street
London WC1N 2ES
020 7234 0234
azurbanstudio.co.uk

Planning (Development Management)
Regeneration and Planning
London Borough of Camden
Town Hall
Judd Street
London
WC1H 9JE

25th April 2022

Dear Sir or Madam,

Re: 13 Elsworthy Road, London NW3 3DS – section 73 application to secure minor material amendments to development approved under planning permission 2021/2071/P

On behalf of our clients Ekaterina Gurova and Kevin Cornils we enclose an application made under section 73 of the Town and Country Planning Act (1990) for development described as:

“Variation of condition 3 (approved plans) of planning permission 2021/2071/P dated 20th August 2021 for ‘Erection of a part single, part two storey side extension; single storey rear extension with terrace above, replacement steps to rear garden; replacement of windows; replacement of existing side roof dormer and enlargement of rear dormer including addition of rear balcony; air conditioning unit within roof extracted through external terrace, associated landscape works and new garden outbuilding’ to secure minor material amendments to include replacement refuse / recycling store to front garden, retain existing boundary planter, adjusted form of rear lower terrace, steps and external stair, removal of three category C trees/shrubs, revised doors / windows to lower ground floor extension, addition of rooflight to rear extension, and revised location of approved outbuilding (sauna) and addition of garden shed”

This letter provides a Planning Statement in support of the application.

Purposes of this application

The primary purpose of this s73 application is to secure planning permission for minor material amendments to the proposed development (see below) and vary condition 3 (approved plans) to incorporate revised drawings.



As explored below and illustrated on the revised drawings submitted, the amendments proposed are of a scale and nature which will result in development which is not substantially different to that which has recently been approved at the site under planning permission 2021/2071/P granted in August 2021. Therefore, having regard to the relevant section of the *National Planning Practice Guidance* (Reference ID: 17a-017-20140306), the proposed changes are considered to be 'minor material amendments' which can be secured through a s73 application to vary the approved plans condition.

Description / Assessment of the proposed amendments

There are seven principal amendments to the approved development now sought. These are described below and assessed in terms of their impact upon any material planning considerations.

1. Replacement refuse / recycling store to front garden

The approved scheme included a new refuse / recycling store to the north-east front boundary, which required removal of part of an existing planted area that provided boundary screening. The location of the refuse / recycling store as approved is not practical as any car parked in the single parking space must be moved to enable the bins to be moved to the street.

The revised proposal presented here incorporates a new refuse / recycling bin store to the front garden area, located behind and screened by the front boundary wall and hedge.

The proposed bin store is modest in scale, to be constructed in slatted timber (see proposed section drawings and Landscape Design Report page 10), very similar to the example provided in *CPG Home Improvements* (section 5.4, photo 48).

2. Retain existing boundary planter

As noted above, the approved scheme required the removal of part of the planted area to the north-east boundary of the front garden. Relocation of the bin store in (1) above allows the planted area to the boundary to be retained in this revised proposal. This will result in a net increase in landscaped area / planting from that in the extant approval, and is considered to be a positive change in terms of design, amenity and biodiversity.

3. Adjusted form of lower rear terrace, steps and external stair

External amenity space and access / circulation at the rear of the house has been adjusted to provide more convenient use by the occupants of the house, and to afford neighbouring occupiers greater privacy. The lower rear terrace is proposed to be marginally extended in size, to allow space for seating and table in this well-secluded outdoor position. The terrace



is extended further into the garden where broad steps were previously approved, and new more modest scale steps proposed rising to garden level beyond. The

The external staircase leading from upper ground floor terrace level to the garden is adjusted to now provide a single stair run to the lower ground floor level. This provides for simplified circulation for the occupants, and removes the area of 'terrace' as approved where the two external staircases meet at general garden level immediately adjacent to the boundary. By effectively lowering the level of circulation in this corner of the garden a greater degree of privacy will be afforded to the adjacent neighbour.

4. Removal of three category C trees/shrubs

Further arboricultural assessment has identified that the extant approval is unlikely to be compatible with the long-term health of the Cherry tree, located near the base of the external stair. This is due to roots being more extensive than expected, although it should be noted that the approved arboricultural report notes that this tree could have been justifiably removed. It is proposed to remove this tree and provide a suitable replacement, as detailed in the arboricultural report submitted. Two further minor category C trees/shrubs at the very end of the garden are proposed for removal. The amended proposals are considered to meet the relevant requirement of London Plan policy G7 (Trees and Woodlands) and Local Plan policy A3 (Biodiversity) and the further guidance set out in the *Trees CPG*.

5. Revised windows / doors to lower ground floor extension

The extant approval provided for French doors to the centre of the bay at lower ground floor, and a large full-height fixed window adjacent to the bay (serving the kitchen / family room). To improve circulation between the house and rear terrace / garden, a single full-width glazed door opening is proposed to the centre of the bay, and French doors adjacent to the bay to replace the approved large full-height window.

These proposed changes will have no significant impact on appearance or character of the building, being minor in nature and located in a discrete position at lower ground floor rear level in a new part of the house.

6. Addition of rooflight to rear extension

A single 'walk-on' rooflight is proposed to the approved rear extension, to enable natural light to enter the deep plan of the family room below. The proposed rooflight will be flush fitted to form part of the terrace above, and will be set within the peripheral planting of the terrace, ensuring that it remains a minor and appropriate element of the wider composition. The rooflight is set well back from the building line and meets the guidance set out in section 3.5 of the *Home Improvements CPG*. It is also important to consider that



as the building is a single dwellinghouse, the rooflight could be added under Schedule 2 Part 2 Class C of the GPDO (2015) without requiring planning permission.

7. Revised location of approved outbuilding (sauna) and addition of garden shed

The extant permission included a garden building (sauna) and associated screen wall, located towards the rear of the garden and immediately west of the large mature tree.

Following further landscape design development, the Applicant wishes to locate the sauna building in a less prominent position, tucked away at the very far corner of the garden. This will result in a proposal that it entirely visually subordinate within the host garden. Whilst the revised proposal will be marginally further away from the mature tree than the extant approval, the same approach to siting the building on a lightweight foundation system to avoid adverse impact upon tree roots will be employed, as specified in the updated arboricultural report submitted.

An additional small garden shed is now proposed at the end of the garden, to the western edge. The small timber shed structure has been designed with a mono-pitch roof to provide a low eaves height to the neighbouring garden, and will provide storage for necessary garden maintenance tools etc. Again, the arboricultural report submitted confirms that the method of foundation will ensure no adverse impact upon existing nearby trees.

Both outbuildings have been designed to maximise retention of garden and amenity space, hence the move to more peripheral locations for each, following the guidance provided in section 5.5 of the *Home Improvements* CPG. As previously agreed with officers, the location beneath the mature tree canopy renders a great roof impractical, but green roof and planted roof is included elsewhere in the house extensions approved. Care has been taken to ensure that neighbouring amenity is not impacted, and it is relevant to note that the height of each outbuilding remains comparable to that which could be built under Schedule 2 Part 2 Class E of the GPDO (2015) without requiring planning permission.

Conclusion

In summary, the proposed amendments set out above are considered to be minor in nature, wholly within the spirit of the development as already approved, and result from design development in both architecture and landscape post-planning to improve the scheme. The proposals will remain wholly compliant with NPPF, London Plan and Local Plan policy and guidance, including key Local Plan policies D1 (Design) and A1 (Amenity).



Revised drawings submitted

Table 1 below sets out the approved drawings listed in condition 3 of the extant planning permission (first column), and the equivalent revised drawings submitted that we propose would be listed in an amended condition 3 upon a new planning permission (second column). Where additional drawings / information are now submitted that we consider should be approved within condition 3, these are also listed and noted.

Table 1

Approved drawings (condition 3, 2021/2071/P)	Amended drawings submitted to replace previous AND additional drawings to be approved
1163/P/100/001	13ER_1_02_B1_rev B
1163/P/100/002	13ER_1_02_00_rev B
1163/P/100/003	No change
1163/P/100/004	No change
1163/P/100/005	13ER_1_02_03_rev A
1163/P/100/006	13ER_1_02_04_rev A
1163/P/100/007	No change
1163/P/100/008	13ER_1_04_03_rev A
1163/P/100/009	13ER_1_04_02_rev A
1163/P/100/010	13ER_1_05_01_rev A
1163/P/100/011	13ER_1_05_02_rev A
1163/P/100/012	13ER_1_02_05_rev C
1163/P/100/013	No change
1163/P/100/014	No change
1163/P/100/015	No change
1163/P/100/016	No change
1163/P/100/017	No change
1163/P/100/018	No change
1163/P/100/019	No change
1163/P/100/020	No change
1163/P/100/021	No change
1163/P/100/022	No change
1163/P/100/024 (NB error – two drawings given same number by architect)	Drawing no longer needed
1163/P/100/024	1163/A/20/037
Arboricultural Report dated 27/04/21	Arboricultural Impact Assessment and Method Statement Report (Sharon Hosegood Associates) April 2022 ref SHA 1531
-	ELW-SK-006B
-	Landscape Design Report



Please do contact me directly if you have any queries, and we look forward to hearing from officers that the application has been validated.

Yours sincerely

A handwritten signature in grey ink, appearing to read 'M. Harradine', with a long horizontal flourish extending to the right.

Martin Harradine BA MA MSc MRTPI
Director