

2023/2440/P - 50 Belsize Park Gardens



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Photos and Plans for 50 Belsize Park Gardens



Figure 1. Area context of 50 Belsize Park Gardens

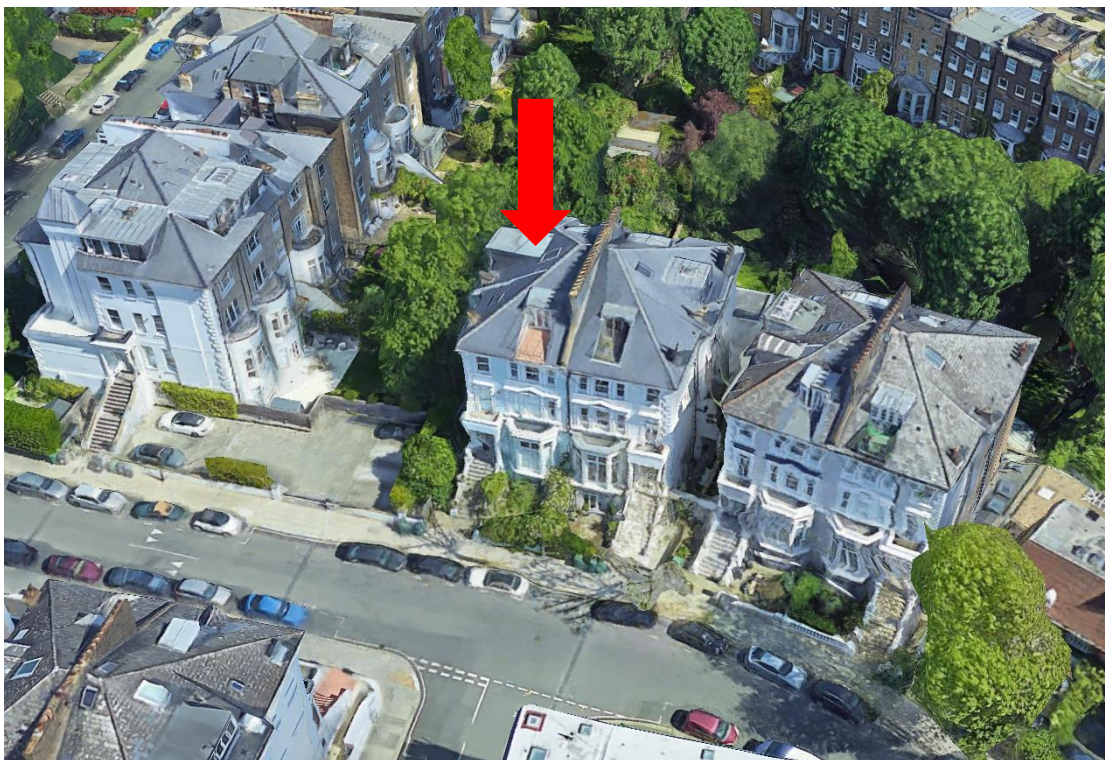


Figure 2. Aerial View of 50 Belsize Park Gardens



Figure 3. Front of the property



Figure 4. Rear garden of 50 Belsize Park Gardens

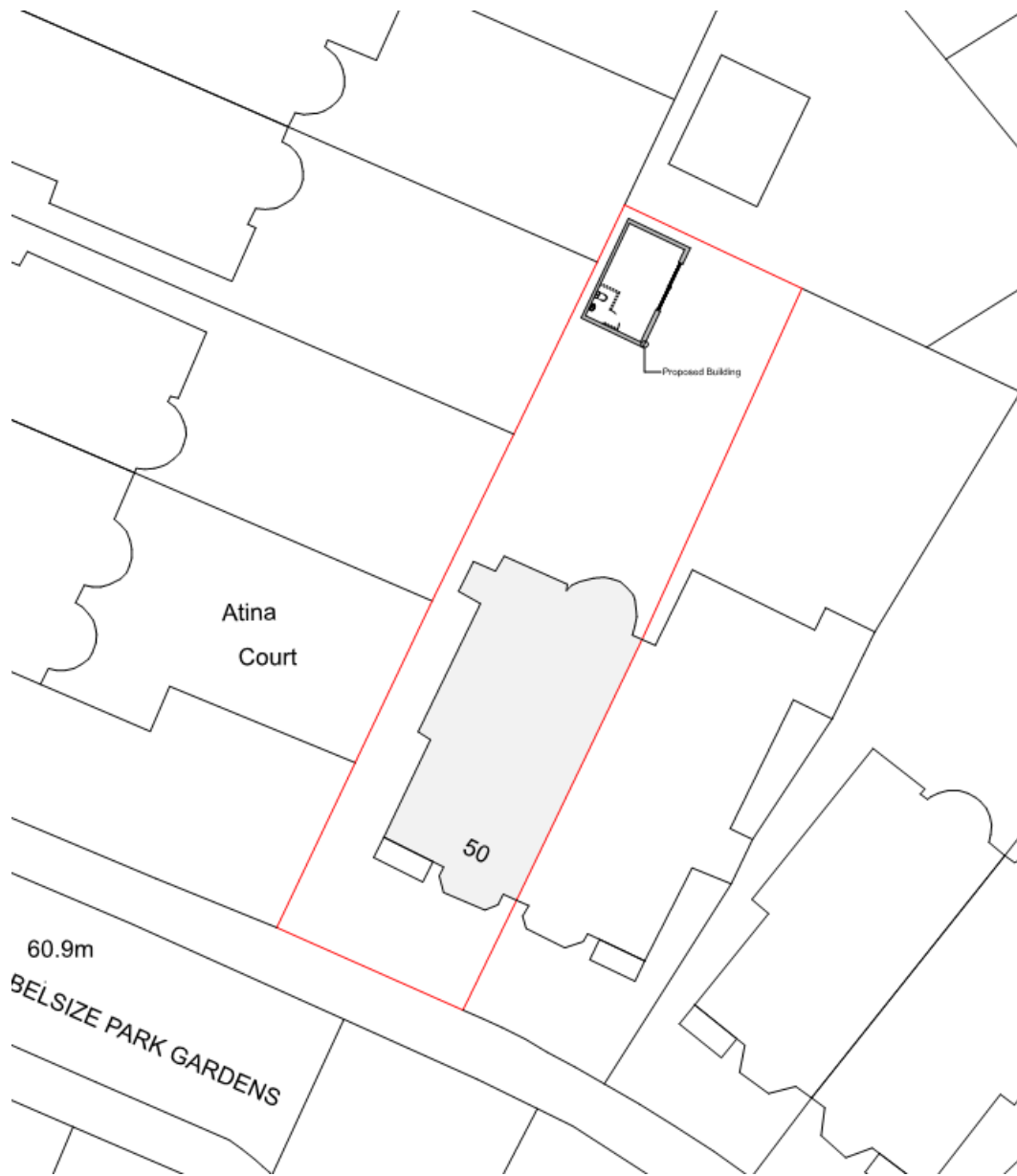


Figure 5. Location of outbuilding withing curtilage of site

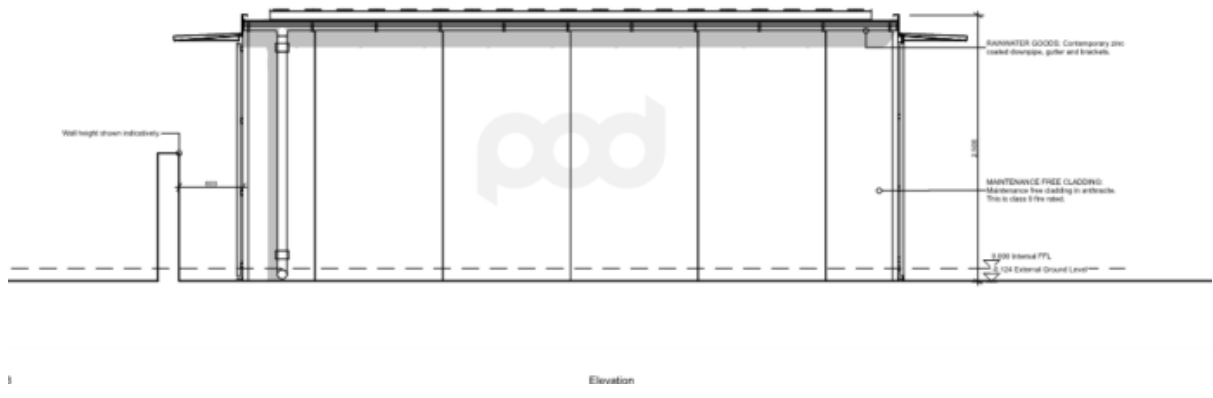
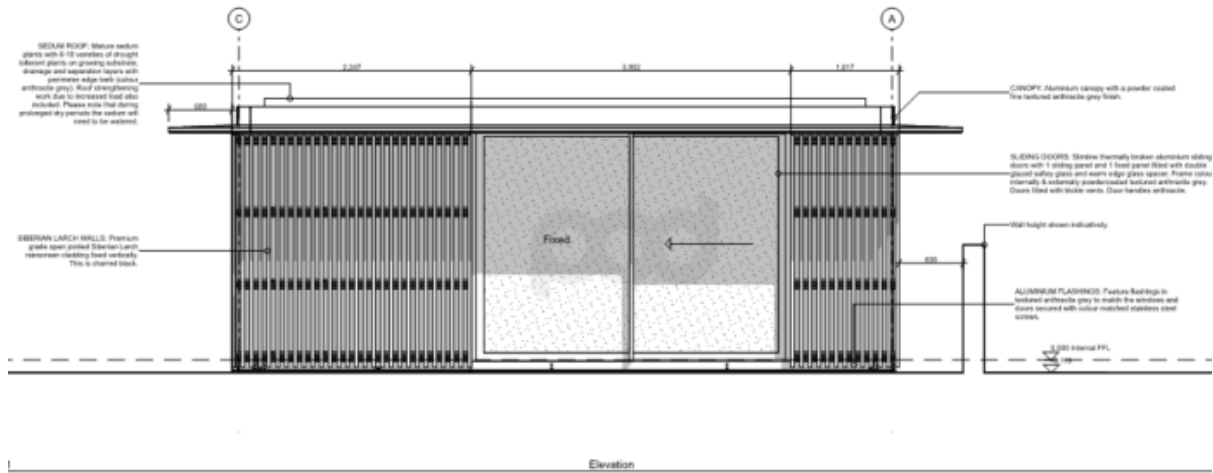


Figure 6. Front and rear elevations

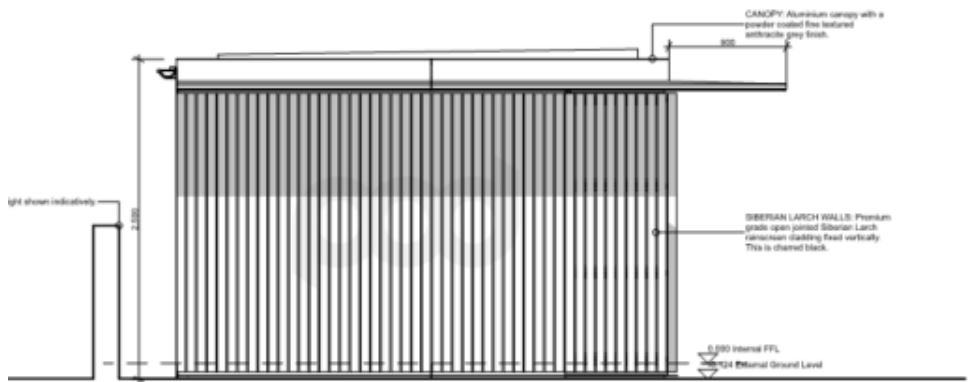
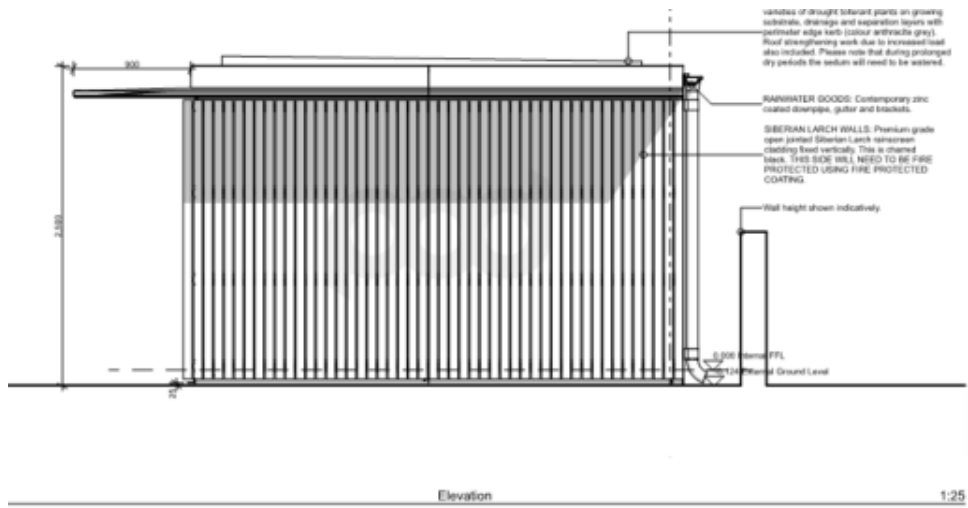


Figure 7. Side elevations

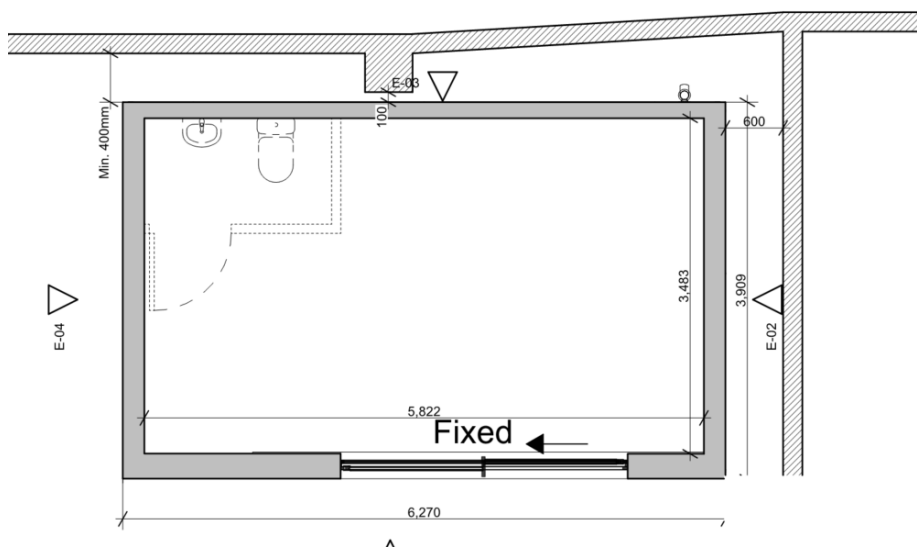


Figure 8. Floor Plan

Delegated Report (Members Briefing)		Analysis sheet		Expiry Date:		21/9/2023	
		N/A / attached		Consultation Expiry Date:		8/10/2023	
Officer				Application Numbers			
Blythe Smith				2023/2440/P			
Application Address				Drawing Numbers			
Basement Flat 50 Belsize Park Gardens London Camden NW3 4ND				Please refer to decision notices			
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature	
Proposals							
Installation of a timber framed and timber clad garden room.							
Recommendations:		Grant Planning Permission					
Application Types:		Householder Application					

Conditions or Reasons for Refusal:	Refer to Draft Decision Notices					
Informatives:						
Consultations						
Adjoining Occupiers:			No. of responses	2	No. of objections	2
Summary of consultation responses:	<p>A site notice was displayed on 08/09/2023 with an expiry date of 2/10/2023. A press notice was displayed on 14/9/2023 with an expiry date of 8/10/2023.</p> <p>Two objections were received from neighbouring occupiers. Concerns arising from these objections are summarised below:</p> <ul style="list-style-type: none"> • Drainage/rain water run-off increasing flood risk • Footprint of development is too large • Impact on trees • Impact on views <p>Officers Response:</p> <ul style="list-style-type: none"> • <i>The proposed development is not within a flood zone or any other flood risk area and the size of the development is not considered to significantly increase the risk of localised flooding</i> • <i>Please refer to Section 4 for full assessment on neighbouring amenity.</i> • <i>Please refer to Section 5 for full assessment on trees and landscaping.</i> 					
Conservation officer comments:	<p>The site is the back garden of a 19th-century semi-detached house making a positive contribution to the Belsize Park Conservation Area.</p> <p>The applicant wishes to erect a garden building.</p> <p>The garden appears large enough to accommodate the structure comfortably while retaining an amount of open space appropriate to the house, and it will be largely screened by trees.</p> <p>Although the structure will be taller than the adjacent garden walls, it will have solid ends and roof, and only half of the front elevation will be exposed glass doors. Consequently, the level of light pollution seems likely to be modest, and the proposal is acceptable.</p>					
CAAC/Local groups comments:	<p>The Belsize Conservation Area Advisory Committee objected to the proposals as follows:</p> <ul style="list-style-type: none"> - A plan of the garden is needed to show position of proposed room - Footprint of development should be reduced - WC should be removed <p>Officer response:</p> <ul style="list-style-type: none"> - <i>Officers are satisfied that the submitted plans make clear the size of the proposed outbuilding and it's relationship to the building, garden and</i> 					

neighbouring buildings

- *Please see Section 3 below for full assessment of design and heritage matters.*

Site Description

The site is the back garden of a 19th-century semi-detached house which makes a positive contribution to the Belsize Park Conservation Area. It is not listed or locally listed.

The host property 50 Belsize Park Gardens is a 5 storey (including basement and roof) semi detached property where rear gardens can be accessed by the side of the property. The gardens remain mostly undeveloped with no outbuildings in situ.

The site is located on the northern side of Belsize Park Gardens, a quiet residential road. It is within the Belsize Park Conservation Area.

Relevant History

9300778 - The insertion of a window in the northwest elevation at at first floor level as shown on 1 unnumbered plan revised on 22.08.93. – **Granted 02-09-1993**

8703157 - Erection of a conservatory on existing rear balcony at first floor level as shown on drawing nos. I II III. **Granted 16-03-1988**

8500188 - Installation of a new window on the side elevation at the first floor level. **Granted 27-02-1985**

8400629 - Formation of dormer roof extension at side as shown on one un-numbered drawing. – **Granted 26-06-1984**

4151 - Erection of balcony and alterations to form a door at 2nd floor level on side of 50 Belsize Park Gardens, Camden. **Granted 21-09-1967**

G8/9/8/10577 - Conversion of basement, ground and first floors at No. 50 Belsize Park Gardens, Hampstead, into three self-contained flats. **Granted 02-10-1957**

G8/9/8/21520 - The conversion of the second and third floors of No. 50, Belsize Park Gardens, Hampstead, into two self- contained flats. – **Granted 13-02-1956**

Basement Flat

2020/2874/P - Alteration to the fenestration treatment to the rear and side elevation at lower ground floor level. **Granted 21-10-2020**

3rd floor flat

2020/3448/P -

Replacement of metal balustrade with new clear glass balustrade around the existing balcony on the front roofslope. **Granted 13-10-2020**

2020/3717/P - Erection of side dormer extension and fenestration alterations on existing side dormer. **Granted under appeal 04-10-2021**

2020/1614/P - Erection of new enlarged rear dormer extension following the demolition of existing, replacement existing windows of the side dormer roof extension and installation of new skylights to the flank elevation.

Granted 03-07-2020

Relevant policies

National Planning Policy Framework 2023

London Plan 2021

Camden Local Plan (2017)

- A1 Managing the impact of development
- A3 Biodiversity
- D1 Design
- D2 Heritage

Supplementary Planning Policies

Camden Planning Guidance

- CPG Amenity (2021)
- CPG Design (2021)
- CPG Home Improvements (2021)

Belsize Conservation Area Statement 2003

Assessment

1. Proposal

- 1.1 Planning permission is sought for the erection of a new outbuilding to the rear of the application site.
- 1.2 The new outbuilding would measure 6.27m wide and 3.9m deep. It would feature a flat roof measuring a maximum height of 2.5m. It would be clad in Siberian larch with an aluminium canopy roof, and would feature a sliding glazed door. There will be no windows on the side or rear elevations.

2. Assessment

- 2.1 The principal planning considerations are as follows:
- Design and heritage
 - Neighbouring amenity
 - Trees and landscaping

3. Design and Heritage

Policy Framework

- 3.1 The Council's design policies are aimed at achieving the highest standard of design in all developments, including where alterations and extensions are proposed. Policy D1 of the Local Plan requires development to be of the highest architectural and urban design quality, which improves the function, appearance and character of the area; and Policy D2 states that the Council will preserve, and where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas.
- 3.2 There is no existing outbuilding on site, the outbuilding would be located in the north-eastern most corner adjacent to No.8 Belsize Grove and the rear garden space of No. 57 Primrose

Gardens. The outbuilding would measure 6.27m wide and 3.9m deep. It would feature a flat roof measuring a maximum height of 2.5m along these two boundaries.

- 3.3 The outbuilding would have a footprint of 24sqm and at 2.5m height it would be considered modest in scale.
- 3.4 Given the distance of over 14m between the outbuilding and the rear elevation of the host building, it would not appear unduly prominent in its garden setting. Although it would be visible from the main house, it would appear as an ancillary garden structure which would be subordinate to both the original building and the garden area.
- 3.5 Given these reasons, it is considered that the development would not cause harm to the character or appearance of the Belsize Conservation Area. Although the building would be visible from some neighbouring properties, the outbuilding is considered to be of an appropriate design for its garden setting, would appear as a subordinate and ancillary structure, and would preserve the verdant character of the garden.
- 3.6 As such, the proposed development would preserve the significance of the Belsize Conservation Area, and complies with policies D1 and D2 of the Camden Local Plan.
- 3.7 Special regard has been given to the desirability of preserving or enhancing the character and 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 (ERR) 2013.

4. Neighbouring Amenity

- 4.1 Policy A1 of the Local Plan seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered and would not harm the amenity of neighbouring residents. This includes privacy, outlook, noise, daylight and sunlight.
- 4.2 Given the distance of approximately 18m between the outbuilding and the rear elevation of the neighbouring properties at No.6 and 8 Belsize Grove, the relatively low height of the proposed building adjacent to the site's boundary walls, and the lack of windows facing the boundary, the development would not result in harmful overlooking or loss of privacy to adjacent residents. Furthermore, the existing mature landscaping would also contribute towards shielding the building in most views from neighbouring properties.
- 4.3 A condition restricting the use of the outbuilding for ancillary use to the associated dwelling will be required, ensuring the outbuilding cannot be used as self-contained residential accommodation.
- 4.4 There would also be no impact on neighbouring daylight or sunlight, and as such, the proposals are considered acceptable and in accordance with policy A1 of the Camden Local Plan.

5. Trees and landscaping

- 5.1 The Council will aim to preserve existing tree and canopy coverage while increasing and improving tree coverage where possible and appropriate. Policy A2 (Open space) aims to protect and enhance open spaces and green infrastructure, including non-designated spaces with nature conservation, townscape, and amenity value, including gardens. Policy A3 (Biodiversity) looks to protect and enhance sites of nature conservation and biodiversity by assessing developments against their ability to realise biodiversity benefits, protect existing trees where possible, and provide replacement planting where necessary. These policies are supported by CPG 'Trees' and CPG 'Biodiversity'.

The proposals would propose the removal of one tree, this tree is recorded as category C – low

quality. The submitted Arboricultural Survey has been reviewed by Camden's arboricultural team who have not raised any objection subject to a tree protection condition and the replacement of one tree.

5.2 A green roof has been proposed to the outbuilding however details have not been submitted, a green roof condition would be attached.

5.3 Therefore, the proposal is considered to contribute to the biodiversity value of the site and biodiversity of the area more generally, enhance the amenity value of the garden, and reduce the risk of flooding. It is therefore compliant with Policies A2 and A3 of the London Borough of Camden Local Plan.

6. Conclusion

6.1 In conclusion, the proposed works would preserve the significance and setting of the host building and the character and appearance of this part of the Belsize Conservation Area. As such, the proposals are considered to accord with the requirements of policies, A1, A3, D1 and D2 of the Camden Local Plan and it is recommended that planning permission is granted.

7. Recommendation

7.1 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 4th March 2024, 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: 2023/2440/P
Contact: Blythe Smith
Tel: 020 7974 3892
Email: Blythe.Smith@camden.gov.uk
Date: 29 February 2024

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

Phone: 020 7974 4444

planning@camden.gov.uk
www.camden.gov.uk

Pod Space Ltd
2 Windsor House
Caldene Business Park
Mytholmroyd
Halifax
HX7 5QJ
United Kingdom

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

**50 Basement Flat
Belsize Park Gardens
London
Camden
NW3 4ND**

DECISION

Proposal:

Installation of a timber framed and timber clad garden room

Drawing Nos: Design and access statement; Arboricultural Survey Impact assessment & Method Statement; 20-01; 20-03 Rev 01; 20-04 Rev 01

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

Design and access statement; Arboricultural Survey Impact assessment & Method Statement; 20-01; 20-03 Rev 01; 20-04 Rev 01;

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

- 3 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 D1 and D2 of the London Borough of Camden Local Plan 2017.

- 4 Prior to the commencement of works on site, tree protection measures shall be installed and working practices adopted in accordance with the Arboricultural Survey, Impact Assessment, and Method Statement Report dated November 2023 by Marcus Foster Arboricultural Design and Consultancy. 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 BS5837:2012 and with the approved protection details. The development shall be monitored by the project arboriculturalist in accordance with the approved report.

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 Camden Local Plan.

- 5 No development shall take place until full details of hard and soft landscaping and means of enclosure of all un-built, open areas have been submitted to and approved by the local planning authority in writing. [Such details shall include details of any proposed earthworks including grading, mounding and other changes in ground levels.] The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Reason: To ensure that the development achieves a high quality of landscaping which contributes to the visual amenity and character of the area in accordance with the requirements of policies A2, A3, D1 and D2 of the London Borough of Camden Local Plan 2017.

- 6 All hard and soft landscaping works shall be carried out in accordance with the approved landscape details prior to the occupation for the permitted use of the development or any phase of the development, whichever is the sooner. Any trees or areas of planting (including trees existing at the outset of the development other than those indicated to be removed) 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 visual amenity in the scheme in accordance with the requirements of policies A2, A3, D1 and D2 of the London Borough of Camden Local Plan 2017.

- 7 Prior to the end of the next available planting season, replacement tree planting shall be carried out in accordance with details of replanting species, position, date and size, where applicable, that have first been submitted to and approved by the local planning authority in writing.

Reason: To ensure that the development achieves a high quality of landscaping which contributes to the visual amenity and character of the area, in accordance with the requirements of policies A2 and A3 of the London Borough of Camden Local Plan 2017.

- 8 Prior to commencement of development, full details in respect of the living roof in the area indicated on the approved roof plan shall be submitted to and approved by the local planning authority. The details shall include
- i. a detailed scheme of maintenance
 - ii. sections at a scale of 1:20 with manufacturers details demonstrating the construction and materials used
 - iii. full details of planting species and density

The living roofs 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.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies G1, CC1, CC2, CC3, D1, D2 and A3 of the London Borough of Camden Local Plan 2017.

- 9 The outbuilding hereby approved shall only be used for ancillary purposes to the basement flat at 50 Belsize Park Gardens and shall not be used as a separate residential dwelling or a business premises.

Reason: In order to protect the residential amenities of neighbouring occupiers and prevent substandard living accommodation and excessive on-street parking pressure in accordance with policies A1, H6 and T2 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 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, 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.
- 3 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website (search for 'Camden Minimum Requirements' at www.camden.gov.uk) 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)

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 must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

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 2021.

You can find advice about your rights of appeal at:

<https://www.gov.uk/appeal-planning-decision>.

Yours faithfully

Chief Planning Officer