

Application ref: 2024/0032/P
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Date: 16 July 2024

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Robert Savage Associates
11 Eton Garages
Lancaster Grove
London
NW3 4PE

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

Lower Ground Floor
1 Belsize Park
London
NW3 4ET

Proposal:

Replacement of front bay central window with new french doors and replacement of side elevation window, landscaping of front garden including installation of planters, timber fence and new external paving with stairs.

Drawing Nos: 10643/TP/01A; 10643/TP/02B; 10643/TP/03A; Design and Access Statement dated December 2023.

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: 10643/TP/01A; 10643/TP/02B; 10643/TP/03A; Design and Access Statement dated December 2023.

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

- 4 Prior to the commencement of any works on site, details demonstrating how trees to be retained shall be protected during construction work shall be submitted to and approved by the local planning authority in writing. Such details shall follow guidelines and standards set out in BS5837:2012 "Trees in Relation to Construction". 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 approved protection details.

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 Reason for granting permission:

The site relates to the lower ground floor of a property located within the Belsize Conservation Area. It is described as a positive contributor in the Belsize Conservation Area Statement adopted in 2003 where it is mentioned that traditional materials and features such as "walls of stucco, pierced balustrade and moulded coping" enhance the Conservation Area.

Planning permission was granted on 1st February 1957 (application ref. G7/16/2/16523) for the conversion of the ground and lower ground floors into a self-contained maisonette and consulting, examination and waiting rooms for the use of the occupants of the maisonette, and the erection of a private garage and formation of a new means of access to the highway. It would appear that the consulting rooms to the front of the property were converted into a self-contained studio flat without planning permission. Although the exact date of this conversion is unknown, it is assumed that it took place in the 1990's and is therefore immune from enforcement action.

Several neighbouring properties have already introduced French doors on the front lower ground, so the proposal would not be out of character. The French doors and windows are acceptable in terms of material, location and detailed

design, including the size and depth of the door frames.

Planning permission was granted on 23rd November 2009 to replace three side elevation windows with new timber sash windows. However, the windows were replaced with casement ones with applied glazing bars sometime before June 2012 and are therefore immune from enforcement action. Consequently, in this instance, the proposed casement window with applied glazing bars is acceptable as it would match the other three existing windows and appear in keeping with the property.

The front garden would be relandscaped, including some minor excavation to create a terraced area in front of the proposed french doors in the bay. This would be no lower than the existing levels adjacent to the bay and would not require a basement impact assessment. The front part of the garden would be retained on its existing level and a raised bed installed between the front part of the garden and the terrace. A sufficient proportion of the garden would be retained as soft landscaping with the existing trees retained and space for semi-mature planting. A timber fence is proposed between the property and next door's at No. 2 Belsize Park, the fence would be sit below the height of the front boundary wall which ensures it would not appear prominent. The proposal also includes external paving with stairs. The proposed terrace would be finished in sandstone with porous joints laid on a porous bed. The details are considered appropriate.

No trees are proposed for removal in order to facilitate the proposal. The impact of the scheme on the trees to be retained would be of an acceptable level provided that suitable tree protection measures are employed. A condition regarding the protection of those trees would be added to this decision.

Overall therefore, the proposals are considered to be sympathetic to and in keeping with the existing appearance of the host property in terms of the design, locations, proportions and materials, and would preserve the character and appearance of the building and Belsize Conservation Area in which it is located, and as such, is acceptable.

There are no amenity concerns to neighbouring properties given the proposal would mainly replace existing building features and fenestration. The proposal would create an amenity space, owing to its level and position this would not impact on neighbour amenity in terms of overlooking, daylight, or noise.

The site's planning and appeals history has been taken into account when coming to this decision. A comment from the Belsize Conservation Area Advisory committee was received in connection with the front paving which should be pervious to reduce the risk of flooding. The applicant has confirmed the paving would be sandstone with porous joints laid on a porous bed. No objections have been received following statutory consultation.

Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the Belsize 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.

As such, the proposal is in general accordance with policies A1, A2, A3, A5, CC1, D1 and D2 of the Camden Local Plan 2017, the London Plan 2021 and the National Planning Policy Framework 2023.

- 2 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).
- 3 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.
- 4 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 the National Planning Policy Framework 20213.

You can find advice about your rights of appeal at:

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

If you submit an appeal against this decision you are now eligible to use the new [submission form](#) (Before you start - Appeal a planning decision - GOV.UK).

Yours faithfully

A handwritten signature in black ink, appearing to read 'DPope', is positioned above the printed name and title.

Daniel Pope
Chief Planning Officer