

2023/2648/P - 16 Village Close, Belsize Lane,
London, NW3 5AH



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Photos



1. Aerial view of site



2. Front elevation



3. And 4. Above are street view photos



5.Rear elevation



6.Rear elevation

Delegated Report (Members Briefing)		Analysis sheet		Expiry Date:	22/08/2023
		N/A / attached		Consultation Expiry Date:	02/10/2023
Officer				Application Number(s)	
Jaspreet Chana				2023/2648/P	
Application Address				Drawing Numbers	
16 Village Close Belsize Lane London NW3 5AH				<i>See draft decision notice</i>	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Erection of single storey first floor extension over existing ground floor side extension and installation of new front door and replacement window at ground floor					
Recommendation:	Grant conditional planning permission				
Application Type:	Householder Application				

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice			
Informatives:				
Consultations				
Summary of consultation:	Three site notice(s) were displayed near to the site on the 08/09/2023 (consultation end date 02/10/2023).			
Adjoining Occupiers:	No. of responses	10	No. of objections	10
Summary of consultation responses:	<p>Ten objections were received from neighbouring residents, their objections are summarised below:</p> <ul style="list-style-type: none">• The proposal of a building with additional floor on top of the garage directly against the wall of my building where my apartment is located is going to seriously affect the sunlight on my rear balcony. We are also concerned about the construction against a wall.• Objections are raised to the ongoing construction, primarily due to the entirely block daylight from entering their apartment. The prospect of losing natural light is deeply concerning. It will lead to increased use of artificial lighting during the day, which will affect electricity costs and have impacts on people mental and physical health.• The drawings are misleading as they do not show our building (21 Belsize Lane) at all. The proposed development also raises concerns of increased flooding into the garages at 21 Belsize Lane.• Residents of No.21 Belsize Lane (10 occupiers) were not consulted.• This application follows a previously approved application ref.37240 with a conditional approval (17/11/1983) for the building to convert one of the private garages into an additional bedroom and erection of a single storey rear extension to the garage. This development took place in the last 3/4 years after the planning permission had expired and appears as if both garages were converted to residential with driveway being elevated with concrete not matching any side walks or roads.• The road has major flooding issues (noted on previous application) specifically at the junction of this property and ours because of concrete poured in last few years when the extension was built – it's at a level higher than sidewalk and road, and water runs down Belsize Lane (from east to west and is diverted down into our basement and garages. We have major water ingress in basement as a result.• How is it possible for a further application after a previous approval to add further residential unit above a previous permission and request for separate entrance? In other words, approving a new residential unit.• The drawings submitted are misleading in that they DO not show the abutting / adjoining building at all and more worrying don't even reflect the impact in that building line is over the line of the neighbouring flats and terraces and the first floor and roof elevation will obstruct BOTH light and overlook.• The proposed building alterations indicate they will be right up against 2 of our floors and the impact of having owners buying units that were not party walls is significant were it approved.			

Officers' response:

- *The plans were re-drawn over the course of the application and now do show neighbouring properties next to the subject site.*
- *In regard to loss of light, privacy please see section 4 below.*
- *Consultation was carried out by putting up two site notices, 1 x outside 16 Village Close and 1 x outside No.21 Belsize Avenue.*
- *In regards to flooding, the proposal involves a first floor extension no ground excavation is proposed therefore the site or neighbouring properties flooding due to the proposed extension are far less likely.*
- *In regards to party wall this is a civil matter between the neighbouring properties and an informative will be added to the decision notice.*

Site Description

The application site refers to a two-storey end of terrace building with a side garage, situated on the south-western side of Village Close on Belsize Lane. The surrounding area is predominantly residential and consists of various sized and designed houses. The subject building is not listed and is not within a Conservation Area.

Relevant History

The planning history can be summarised as follows:

16 Village Close, Belsize Lane

37240: Conversion of the private garage nearest to the dwelling house into an additional bedroom and the erection of a single-storey rear extension to provide a garden room – **Granted on 25/01/1984**

8 Village Close, Belsize Lane

2024/1789/P - Erection of two storey side and rear extensions and single storey front extension with changes to windows and cladding – **Refused on 28/06/2024** for '*the following reasons: The proposed front extension and alterations to the fenestration would result in an incongruous development that would be unsympathetic to the host building and the group of buildings, and would fail to respond to local character and context contrary to Policy D1 (Design) of the London Borough of Camden Local Plan 2017*'.

2023/3617/P - Construction of two storey side and rear extension with changes to front door and windows, and rear windows and external alterations – **Granted on 20/02/2024.**

7 Village Close, Belsize Lane

2024/1547/P - Erection of a first-floor rear extension, alterations to front and rear doors and introduction of new roof light – **Granted on 19/06/2024.**

12 Village Close, Belsize Lane

2017/6576/P - Erection of rear single storey extension. Garage conversion involving the replacement of the garage door with new windows. Replacement front/rear windows and alterations to the external cladding – **Granted on 22/01/2018.**

Relevant policies

National Planning Policy Framework (2023)

The London Plan (2021)

Camden Local Plan (2017)

- **A1** Managing the impact of development
- **D1** Design

Camden Planning Guidance:

- CPG Amenity (2021)
- CPG Design (2021)

Draft Camden Local Plan

The council has published a new [Draft Camden Local Plan](#) (incorporating Site Allocations) for consultation (DCLP). The DCLP is a material consideration and can be taken into account in the

determination of planning applications but has limited weight at this stage. The weight that can be given to it will increase as it progresses towards adoption (anticipated 2026).

Assessment

1. Proposal

1.1. Planning permission is sought for:

- First floor extension over existing ground floor comprising of two-bedroom annexe to existing dwelling with self-contained bathroom and kitchen and separate front entrance. This proposal does not involve the creation of a separate self-contained dwellinghouse, and a condition is attached to ensure the extension would be used for ancillary purposes to the host building at no. 16. A separate planning application would be required to create a new self-contained unit.

1.2. Amended plans were requested to show the floor plans and elevations in more detail and to incorporate the neighbouring properties. This was done and amended plans were submitted.

2. Assessment

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

- Design
- Neighbour Amenity

3. Design

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 (Design) 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. The Council welcomes high quality contemporary design which responds to its context. Camden's Local Plan Document is supported by Supplementary Planning Guidance CPG (Design).

3.2. The proposal involves adding an additional floor over the existing side garage and converting the existing study and garage into a granny annexe over two floors. The annexe would have a new front entrance but will also be accessed through the existing property (No.16 Village Close). It is noted that a number of houses have built over the single storey garage to the side of the house (such as nos. 12 and 13 Village Close Belsize Lane).

3.3. The design of the front elevation of the new granny annexe takes cues from the existing house at No.16 and the rest of the terrace, with painted timber fascia's, facing brickwork to match the existing, timber weatherboard cladding with horizontal fire cement to match the existing and double glazed upvc windows. The extension would have a flat roof (of GRP material) and would match the height of the existing eaves of No.16, the extension would remain lower in height than the terrace and therefore retaining the nature of a side extension. No extensions are proposed to the rear elevation the first floor cuts off inline with the first floor of No.16's rear elevation. Given the scale of the first-floor extension to only replicate the extent of the existing lower ground floor and then be set in from the rear and lower in height than No.16 it is considered this extension would be a subordinate addition and would be in keeping within the street scene.

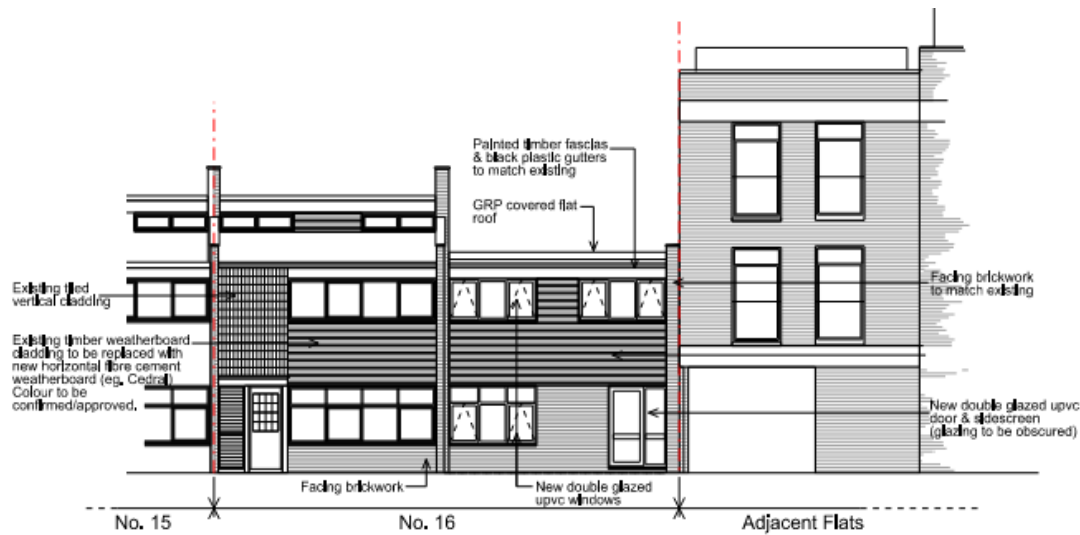


Fig.1. Proposed front elevation

- 3.4. The proposal to convert the garage into a habitable space with a new entrance door and window would be considered acceptable in design and appearance. It is noted that other garages within the street scene have been converted to habitable accommodation therefore the loss of the garage door would be in keeping with the street scene. The new entrance door takes cues from other entrance doors within the street scene and would therefore be acceptable. There is no impact on the street parking, due two parking spaces being retained within the front garden.
- 3.5. The front garden has been split, the left-hand side has a green garden with a footpath and small hedge, the right-hand side has hard landscaping with two off street parking spaces. The spaces are to remain unchanged. It is proposed to include more greenery to the hard landscaping side to soften driveway and create a more welcoming frontage. This is considered acceptable.
- 3.6. Overall, the extension appears sympathetic in design, material and form and is subordinate in scale and would appear secondary to the existing building and would not cause harm to its original character or appearance or the character of the surrounding area.

4. Neighbour Amenity

- 4.1. Policy A1 seeks to protect the quality of life of occupiers and neighbours by only granting planning permission to development that would not harm the amenity of residents. This includes factors such as privacy, outlook, and implications to natural light, artificial light spill, odour and fumes as well as impacts caused from the construction phase of development.
- 4.2. Given the envelope of the new proposed extension to be inline with the first floor of the existing floor of No.16 it is not considered there would be a detrimental impact on the amenities of No.16 in regard to loss of light, overbearing or privacy impacts.
- 4.3. The proposed extension would be set back 3.5m from the adjoining block of flats at no's 17-23 Belsize Lane, therefore it is considered there not to be any harmful impacts to the front elevation of the block of flats. In addition, this neighbouring building has a blank side elevation. To the rear of the property, the rear wall of the proposed extension will be inline with the rear first floor wall of No.16s rear elevation and thus the extension would be positioned behind the balcony of the adjacent first floor flat (as can be seen below).

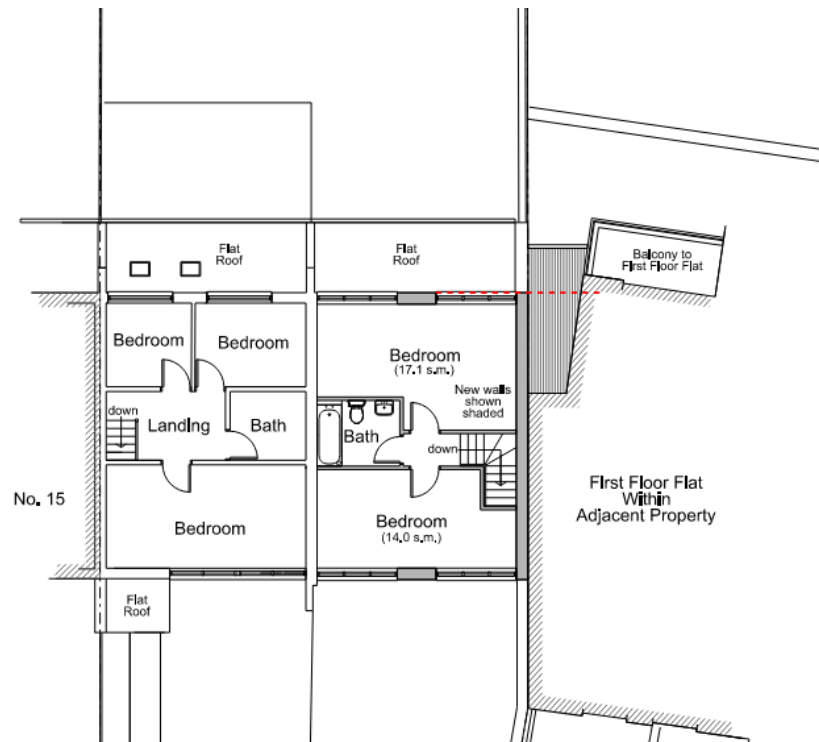


Fig.2. Proposed first floor, floor plan

- 4.4. It is also noted that the adjacent balcony at the first floor is also facing away from the side boundary with the new side extension. Therefore, given the set back of the first-floor extension, the separation distance from the boundary and the first-floor balcony facing away at an angle from the new extension it is not considered the extension would have a detrimental impact on the amenities of the adjacent first floor flat in regard to loss of light, overbearing or privacy impacts.
- 4.5. The proposed development is not considered to lead to a significant impact upon the amenities of any neighbouring residents. The proposal is therefore in accordance with policy A1 of the Local Plan

5. Recommendation

5.1. 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 29th July 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: 2023/2648/P
Contact: Jaspreet Chana
Tel: 020 7974 1544
Email: Jaspreet.Chana@camden.gov.uk
Date: 25 July 2024

Development Management
Regeneration and Planning
London Borough of Camden
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Judd Street
London
WC1H 9JE
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www.camden.gov.uk

Mr John Wood
16 Village Close Belsize Lane
London
Camden
NW3 5AH

DRAFT

DECISION

Dear Sir/Madam

Town and Country Planning Act 1990 (as amended)

Householder Application Granted

Address:
16 Village Close
Belsize Lane
London
NW3 5AH

DECISION

Proposal:

Erection of single storey first floor extension over existing ground floor side extension and installation of new front door and replacement window at ground floor

Drawing Nos: Site location plan, 600/TP/01, 600/TP/02, 600/TP/03, 600/TP/04, 600/TP/05A, 600/TP/06, 600/TP/07, 600/TP/08, 600/TP/09, Design and Access Statement April 2024, External Materials Document 29th May 2024.

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: Site location plan, 600/TP/01, 600/TP/02, 600/TP/03, 600/TP/04, 600/TP/05A, 600/TP/06, 600/TP/07, 600/TP/08, 600/TP/09, Design and Access Statement April 2024, External Materials Document 29th May 2024.

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 of the London Borough of Camden Local Plan 2017.

- 4 If during construction/demolition works, evidence of potential contamination is encountered, works shall cease and the site fully assessed to enable an appropriate remediation plan to be developed. Works shall not recommence until an appropriate remediation scheme has been submitted to, and approved in writing by, the local planning authority and the remediation has been completed. Upon completion of the building works, this condition shall not be discharged until a closure report has been submitted to, and improved in writing by, the local planning authority.

Reason: To protect future occupiers of the development from the possible presence of ground contamination arising in connection with the previous industrial/storage use of the site in accordance with policies G1, D1, A1, and DM1 of the London Borough of Camden Local Plan 2017.

- 5 The first floor extension hereby permitted shall not be occupied at any time other than for purposes incidental to the residential use of the dwelling known as 16 Village Close, Belsize Lane.

Reason: To protect amenity of adjoining occupiers and also ensure the extension hereby permitted does not become a self-contained dwelling, separate and apart from the original dwellinghouse known as 16 Village Close, Belsize Lane in accordance with policies H1, H6, A1 and A4 of the 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.

- 4 Your proposals may be subject to control under the Party Wall etc Act 1996 which covers party wall matters, boundary walls and excavations near neighbouring buildings. You are advised to consult a suitably qualified and experienced Building Engineer.

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 2023.

You can find advice about your rights of appeal at:

<https://www.gov.uk/appeal-householder-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

Chief Planning Officer