

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>	<b>14/11/2023</b>
		N/A		<b>Consultation Expiry Date:</b>	<b>17/12/2023</b>
<b>Officer</b>				<b>Application Number(s)</b>	
Alex Kresovic				<b>2023/3916/P</b>	
<b>Application Address</b>				<b>Drawing Numbers</b>	
134 Belsize Road London NW6 4BG				<i>See draft decision notice</i>	
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>		<b>Authorised Officer Signature</b>	
<b>Proposal(s)</b>					
Front extension of existing lower ground unit with inclusion of a front lightwell.					
<b>Recommendation(s):</b>		Refuse Planning Permission			
<b>Application Type:</b>		Householder Application			
<b>Conditions or Reasons for Refusal:</b>		Refer to Draft Decision Notice			
<b>Informatives:</b>					
<b>Consultations</b>					
<b>Adjoining Occupiers:</b>		No. of responses	<b>1</b>	No. of objections	<b>0</b>
<b>Summary of consultation responses:</b>		Press Notice: published 23/11/2023, expired 17/12/2023. Site Notices: displayed 17/11/2023, expired 11/12/2023.  One (1) comment of support was received from a property at 154 Belsize Road. The comment (summarised) lauded the application for its life saving design for residents of lower ground floor flats along Belsize Road as the proposal would ensure the property becomes 'flood proof' whilst providing sufficient light via the lightwell. The proposed is described as a great idea.			
<b>Combined Residents Association of South Hampstead (C.R.A.S.H):</b>		No objections or comments were received by the Combined Residents Association of South Hampstead (C.R.A.S.H)			

## Site Description

The application site is a 3 storey plus basement terraced house located on the north side of Belsize Road and is situated in the South Hampstead Conservation Area. The application site is identified as making a positive contribution to the conservation area within the South Hampstead Conservation Area Character Appraisal and Management Strategy 2011.

## Relevant History

**2023/0536/P** - Amalgamation of two flats into a single dwellinghouse (Class C3). **Certificate of Lawfulness (Proposed) Granted 28 February 2023**

**2023/0655/P** – Erection of a full width single storey rear extension at lower ground floor level. **Granted Permission 10 May 2023**

**2023/5135/P** – Proposed full width rear extension at ground floor with internal alteration and addition of roof lights on the main roof. **Under Assessment**

## Relevant policies

### National Planning Policy Framework (2023)

### London Plan 2021

### Camden Local Plan 2017

G1 Delivery and location of growth  
A1 Managing the impact of development  
D1 Design  
D2 Heritage  
CC1 Climate change mitigation  
CC2 Adapting to climate change  
CC3 Water and flooding  
DM1 Delivery and monitoring

### Camden Planning Guidance

CPG Home Improvements 2021  
CPG Housing 2021  
CPG Design 2021  
CPG Amenity 2021  
CPG Water and Flooding 2019

### South Hampstead Conservation Area Character Appraisal and Management Strategy 2011

### Draft Camden Local Plan (2024)

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. Detailed Description of Proposed Development

1.1. Planning Permission is sought for the front extension of existing lower ground unit with inclusion of a front lightwell.

1.2. At the time of submission, the proposal initially entailed the following: The front lower ground

extension would have a depth of 2.25m from the front building line into the front garden area, a width of 3.41m. Note, the dimensions referenced above are measured internally from within the proposed extension and therefore do not include the thickness of the reinforced concrete external finish which would add to the scale and bulk of the proposal. The front extension would have a bunker-like appearance from the streetscape. A lightwell with grille was initially proposed above the front extension and behind the proposed planters. The front garden was proposed to be replaced with porous paving along with the installation of a slatted bin store.

1.3. However, the application was amended in the following manner: The bunker-like front extension has been removed. It has been replaced on the plans with toughened laminated fixed glass UPVC 'flood proof' windows at lower ground level which would replace the existing window and door. The existing lightwell, and the proposed slatted bin store would be retained as part of the scheme.

## **2. Planning Considerations**

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

- Design & Heritage
- Amenity
- Sustainability

## **3. Design and Heritage**

3.1. Local Plan Policies D1 (Design) and D2 (Heritage) are aimed at achieving the highest standard of design in all developments. Policy D1 requires development to be of the highest architectural and urban design quality, which improves the function, appearance, and character of the area. Policy D2 'Heritage' states that The Council will preserve and, where appropriate, enhance Camden's rich and diverse heritage assets and their settings.

3.2. The Planning (Listed Buildings and Conservation Areas) Act 1990 ("the Listed Buildings Act"). Section 72(1) of the Act requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area when considering applications relating to land or buildings within that Area.

3.3. CPG Design (2021) states proposed extensions shall ensure they are sensitively and appropriately designed and do not spoil the appearance of the property or harm the amenity of the area. Additionally, CPG Home Improvements (2021) states that front extensions are usually highly visible alterations that can change the character of a building and the street. They can have a particular impact where front gardens are an important characteristic of the area, and where the street has a regular pattern of buildings and a clearly defined building line. The proposal initially sought to introduce a front extension; however, this was omitted due to the proposals being in contrary with policies D1 and D2 of the LB Camden Local Plan.

3.4. The application site is the ground and lower ground floor unit within the 3 storey plus basement terraced host building, located on the north side of Belsize Road and in the South Hampstead Conservation Area.

3.5. The proposed works, following the omission of the front extension at lower ground level, include the closing up of an existing lower ground floor side door, located beneath the porch stairs, the replacement of a door and window on the front of the building at lower ground floor level with toughened laminated fixed glass UPVC 'flood proof' windows. The proposed replacement windows would resemble a number of lower ground floor properties along Belsize Road and would not be out of keeping with the streetscene, however, the use of UPVC frames at the lower level and isn't supported.

- 3.6. The introduction of the slatted bin store would compromise the views into the retained lightwell from the streetscape. The compromise of views would impact the characteristics of the area and the fenestration of the host building. Lightwells are characteristic of Belsize Road with the majority of houses having a lower ground floor with lightwell and then slightly raised front garden. The loss of the views into lightwell would disrupt the rhythm of the street and the composition of the building and would there harm the conservation area.
- 3.7. The proposals would therefore cause harm to the character and appearance of the South Hampstead CA. It is considered that the proposals would harm the character and appearance of the host building and the conservation area, contrary to policies D1 and D2 of the LB Camden Local Plan.
- 3.8. The development is considered to cause less than substantial harm to the character and appearance of the South Hampstead Conservation Area. In accordance with paragraph 202 of the NPPF, the public benefit comprises of building works to an existing residential unit, which does not outweigh this less than substantial harm identified.
- 3.9. Considerable importance and weight have been attached to the desirability of preserving or enhancing the character or appearance of the South Hampstead 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 Amenity**

- 4.1 Policy A1 of the Local Plan seeks to ensure that development protects the quality of life of occupiers and neighbours by only granting permission to development that would not harm the amenity of neighbouring residents. This includes privacy, outlook, noise and impact on daylight and sunlight. Camden's Local Plan Document is supported by CPG6 (Amenity).
- 4.2 Paragraph 7.17 of the Local Plan 2017 states "*The way an area is designed and managed can have a significant impact on people's quality of life, health and wellbeing and planning has a key role in promoting good physical and mental health by creating spaces and buildings which allow and encourage healthy lifestyles*".
- 4.3 The application building is located within a residential setting, and the proposal would not impact the neighbouring properties regarding overlooking, sunlight/daylight, sense of enclosure, and noise nuisance.

#### **5 Sustainability**

- 5.1 The Council will seek to ensure that development does not increase flood risk and reduces the risk of flooding where possible. The proposals stem from a flooding incident that occurred in December 2022 due a burst water main. It is noted this burst water main incident could have occurred anywhere and is not considered to be a natural flooding event.
- 5.2 The application site is considered at risk of flooding in the Local Plan and Strategic Flood Risk Assessment. Belsize Road previously flooded from rainfall events in 1975, 2002 and 2021. The property is also located in the Goldhurst Local Flood Risk Zone.
- 5.3 The application site is considered at 'low risk' of surface water flooding on the national surface water modelling maps; however, the area is detailed in the Section 19 flood investigation report into the 2021 flood event which states that the "intensity of the rainfall exceeded the design standard of the drainage network and that this was a predominant driver of flooding".
- 5.4 The proposal, in its current form, seeks to protect the lower ground floor from further flooding

events with the introduction of a replacement lower ground floor door and window to a toughened laminated fixed glass UPVC 'flood proof' windows.

5.5A lack of information has been provided to determine the suitability of such materials, and their effectiveness to protect the lower ground floor from further flooding events, nor has a Flood Risk Assessment been provided to analyse the proposal against any such flooding and mitigation measures to protect the application site and surrounding properties. It is noted, any such flood protection structures should not cause any impact to neighbouring properties by way of causing run off to neighbouring properties. As such, Council is unable to conduct a full assessment to determine the manner and appropriateness of the proposal against Policy CC3 Water and flooding of the LB Camden Local Plan and CPG Water and Flooding 2019.

## **6 Recommendation**

6.1 Refuse Planning Permission for the following reasons:

1. The proposal, by reason of its inappropriate design would cause harm to the architectural composition of the host building and the character and appearance of the South Hampstead Conservation Area contrary to policies D1 (Design) and D2 (Heritage) of the London Borough of Camden Local Plan 2017.
2. The proposal, in the absence of appropriate information in the form of a Flood Risk Assessment and details of proposed materials, fails to sufficiently demonstrate that the proposal would be in accordance with policy CC3 (Water and flooding) of the LB Camden Local Plan and CPG Water and Flooding 2019.