

Regeneration and Planning
London Borough of Camden
2nd Floor, 5 Pancras Square
C/o Town Hall, Judd Street
London
WC1H 9JE

31 October 2024

Dear Sir / Madam

Full planning application (retrospective) for a recreational outbuilding at Flat A, 26 Belsize Park Gardens, London, NW3 4LH (Planning Portal ref: PP-13507359)

On behalf of the owner of the above property I hereby submit a full planning application for:

'Retention of a recreational outbuilding'

In addition to this planning cover letter, which includes details on design and access, heritage and sustainability, this planning application submission comprises the following information submitted in accordance with the national and local requirements:

- Completed application form, including certificate of ownership
- Application drawings
 - Block Plan (C32948A) - 1:500@A4
 - Pre-Existing and Existing Site Plans (C32948B) - 1:200@A4
 - Existing Floor Plan and Elevations (C32948C) - 1:100@A4
 - Green Roof Details (C32948D) - 1:20@A4
- Illustrative drawings
 - Rendered Image and Site Photos (C32948E)

The proposal satisfies the requirements contained within the Camden Planning Guidance (CPG) - Home Improvements (2021), and complies with London Borough of Camden's (LBC) Local Plan Policies D1 (Design), D2 (Heritage) and A1 (Managing the impact of development). Further, the proposal has had regard to the Belsize Conservation Area Statement (2003).

Site and surrounding area

The application site is the rear garden of a 19th-century semi-detached house located in a residential area in Belsize Park on the north side of Belsize Park Gardens within the London Borough of Camden. The property forms one half of a pair of five storey villas (including lower ground floor), currently it comprises five flats (flat A – E), a pitched roof and a varied palette of materials on the facades. There is no vehicle access to the property. Pedestrian access to the property is via Belsize Park Gardens. A concrete path with steps on the west side of the property leads down from street level through a metal gate to the entrance door of the host flat, access to the rear garden which is only for the benefit of Flat A is through the flat.

The application plot is bounded by neighbouring dwellings and gardens to the north (34 and 36 Glenilla Road), east (28 Belsize Park Gardens) and west (24 Belsize Park Gardens). The curtilage is well defined. The rear garden is generally on one level and comprises a mix of grassed area, gravel path, decking, pond bordered with stones, water feature, shrubs, plants and an outbuilding. The rear garden is enclosed on three sides, two sides by rendered walls to the east and west boundaries, with a very tall rendered wall with timber trellis above to the north boundary backing onto the gardens on Glenilla Road.

The site lies within flood zone 1, is not subject to any technical constraints or natural designations. The building itself is not listed, however the site contributes towards the special character and appearance of the Belsize Conservation Area.

The surrounding area is residential; it is therefore not out of character to find ancillary buildings located in rear gardens. Outbuildings are a longstanding feature of rear gardens nearby on the street with an approved planning application for a chalet dating back to 1977 at 76 Belsize Park Gardens (Ref: G8/9/9/24884) and more recently in 2020 at 62 Belsize Park Gardens (Ref: 2020/3108/P) for a garden studio.

Need for the development

In June 2024 the owner constructed a wildlife garden. The aim of the garden is to support and encourage wildlife and increase biodiversity in an urban environment. All the materials used to construct the garden are eco friendly, with granite rocks, natural pebbles, aquatic plants, a naturally filtered pond, grass, wildflower turf, wood and reconstituted wood. The garden design included a small decked area with a simple open on two sides structure with a green roof. This space creates a sheltered seating area for the occupants of the flat to sit, relax and enjoy the garden all year round. It is also used as storage for garden furniture.

Back ground information

At the time of construction the owner was not aware that the structure required planning permission. The garden designer did not consider the structure to be a building. Following a complaint from a neighbour Jackie Bailey a Planning Site Inspector visited the site on 25th June, further discussions with Miles Peterson a Planning Enforcement Officer took place who concluded the structure was an outbuilding and advised on 19th September that while the landscaping to the garden as a whole does not require planning permission, a retrospective application for the retention of the outbuilding would be required. A deadline of upto 19th November was agreed with Miles Peterson for the submission.

An outbuilding of this nature would usually fall under the General Permitted Development Order (GPDO), Class E, Schedule 2, Part 1. However, as the application site relates to a flat, the dwelling does not benefit from Permitted Development Rights, and as such, planning permission is required. The principle of an outbuilding in this location is supported by National and Local Planning Policy. I believe that the outbuilding has no greater impact upon the surrounding area than any permitted residential paraphernalia.

Design and access details and planning considerations

No changes to the property access are proposed and the outbuilding does not affect the fire integrity or escape route for occupants. Given the type of development, it does not give rise to any additional parking provision. For refuse and recycling the existing facilities in the host property are used.

The modest single storey outbuilding is located at the rear north west corner of the garden and is incidental to the residential use of Flat A, it is used as a relaxation and hobby space. It comprises sensitive materials, such as timber, millboard decking and a green roof which are used to create a high quality finish. The design ensures the building responds to its context, making a positive contribution to the character of the area and providing a high quality, functional hobby and relaxation space.

In accordance with the requirements of the CPG the outbuilding is visually subservient to the main building, it is located in a part of the garden, which benefits from excellent screening provided by tall rendered walls, timber trellis, trees and vegetation. It has a flat roof, helping to lessen any visual impact and is 2.9m wide, 2.75m deep and 2.5m high. It is open on two sides and essentially creates a covered outdoor decked seating area.

The outbuilding has a total GEA floorspace of 7.97m², which is in line with the requirement in the CPG as it has an appropriate scale, noting that the entire rear garden is approximately 104.6m², the outbuilding given its small size and open nature does not result in excessive loss of garden amenity space.

The subordinate scale, siting and location of the outbuilding is also considered acceptable given the size and layout of the garden as it represents a marginal area in the context of the rear garden as a whole, and in terms of the overall plot. As a result, it does not adversely impact on neighbouring amenity and is not detrimental to the character of the local area.

The outbuilding has been purposefully sited to one side of the garden to appear less dominant within the rear garden; it sits comfortably within the garden and does not result in it appearing overcrowded. It occupies approximately 2% of the whole plot which is approximately 388.5m² and only approximately 7.6% of the rear garden. A sufficient proportion of the garden space is retained to provide a high quality and useable amenity space for Flat A. The outbuilding is subordinate in scale to the building when viewed within the plot or the surrounding area. Its location within an area that is very well contained and screened, as well as the benefits of the green roof helps to minimise any visual impact and helps to ensure the outbuilding does not detract from the open character and garden amenity of neighbouring gardens and the wider surrounding area. Further, the siting of the outbuilding does not harm any existing trees.

In line with London Plan Policy 7.6 there is no significant detriment to the amenities of neighbours and the character and appearance of the street scene or locality in the vicinity of the outbuilding. The outbuilding does not result in a significant change in the relationship of the site to the surrounding area. It is not visible from Belsize Park Gardens and does not change views from public areas. The size of the outbuilding is small and is in line with rear garden developments in the area.

There is no detrimental impact on the residential amenity of the neighbouring properties. The use of the outbuilding as a relaxation space does not result in a material increase in noise over and above that from normal domestic use of the rest of the garden. The location deep within the plot maximises the separation distance to the buildings at 24 and 28 Belsize Park Gardens. The buildings at 34 and 36 Glenilla Road are elevated at a much higher level with rear gardens between.

Overall, the location helps to reduce any potential impact on the amenity of neighbouring properties, in line with London Plan Policy 7.6 and LBC's Local Plan Policy A1. There is minimal, if any, impact on privacy, outlook, sunlight and daylight on neighbouring properties. Further, the existing walls, trees and planting along the boundaries contribute to screen views of the outbuilding from the neighbouring properties and soften most views of the outbuilding from neighbouring gardens.

The open nature of the structure allow for views from the recreational outbuilding into the rest of the rear garden and generally towards the east boundary. It is important to note that these views are not at close quarters and they are restricted by the existing boundary walls, foliage and trees, as such any overlooking would not be considered to be significant. These views are no different as a result of the outbuilding than those which would be enjoyed by the occupants using that area of the garden at ground level in an open garden without the outbuilding.

The outbuilding has an electric power supply and low wattage internal wall lights manually controlled by a on/off switch, this will evidently result in a limited low level of background light glow when used during the hours of darkness. The installation of the outbuilding resulted in the removal of two external wall lights that were positioned on the boundary walls and there are no external lights on the outbuilding resulting in a net reduction in external garden lighting. The outbuilding is approximately 4.5m away from the host property sun room and 8.5m away from the main rear elevation of the host property and even further from the upper floors. It is well screened from neighbouring properties and there is sufficient distance (approximately 11m to number 24 and 14m to number 28) retained from the habitable windows of the neighbouring dwellings on Belsize Park Gardens. Given the open nature of the outbuilding which is more akin to a summerhouse its night time usage is somewhat limited, other sources of artificial light in the area such as neighbouring properties and local street lights are considered to be more polluting than what is produced by an outbuilding of this size, therefore light spillage is not considered to be a problem.

The outbuilding is a simple modest structure with a clean and elegant appearance and is generally constructed from wood which is a sustainable material. In accordance with the CPG and the guidelines in the Belsize Conservation Area Statement for Belsize Park Gardens, the scale of the outbuilding and the careful selection of materials ensures that the outbuilding sympathetically ties in with the appearance of the main building and the overall character of the surrounding area.

The use of the outbuilding as a recreational space is entirely incidental to the residential use of Flat A. The applicant would welcome a suitably worded condition attached to a planning permission that restricts any use of the outbuilding as a separate residential dwelling or a business premises for financial gain.

Heritage considerations

LBC Local Plan Policy D2 (Heritage) outlines that the Council will preserve and, where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas and listed buildings.

The outbuilding, which is located within the Belsize Conservation Area, is well designed, unobtrusive, well contained and subordinate to the main property. Further, the materials and colours including timber ensure that the outbuilding is sensitive to the appearance of the main building, and helps to preserve and enhance the overall character and appearance of the Conservation Area, in accordance with Policy D2 and the Belsize Conservation Area Statement.

Arboricultural considerations

No trees are proposed for removal or pruning. The outbuilding does not have conventional foundations in the form of a concrete slab, piles or metal screws. It is suspended above the ground on granite rocks; therefore ensuring minimum disruption to the site and eliminating harm or damage to nearby trees.

Sustainability

The outbuilding is built in accordance with sustainable development principles with regard to LBC Local Plan Policy CC1 (Climate change mitigation) and CC2 (Adapting to climate change). The core structure and cladding are timber which is a preferred material for garden structures, as it's a renewable resource with a low embodied energy. The green roof not only offers biodiversity benefits and reduces water run-off but will also add aesthetic benefits to neighbouring properties when looking down onto the building. Storm water is dealt with at source and diverts into the nearby naturally filtered pond.

The lockdowns during Covid-19 have revealed the importance of having high quality homes that are capable of meeting a wide range of needs, including for recreational purposes. The recreational outbuilding enables the occupants of the flat to enjoy the garden space in a comfortable and relaxing environment helping to promote general health and wellbeing.

Community Infrastructure Levy

The proposal will not be liable for a CIL charge as the net increase in residential floor space does not exceed 100m²

Planning benefits and conclusion

The proposal is considered to be compliant with the strategic and local policy frameworks and would secure the following planning benefits:

- The hobby and relaxation outbuilding meets space needs at Flat A, 26 Belsize Park Gardens without resulting in a detrimental impact on the character of the local area or amenity of neighbouring properties that could result from extensions to the building.
- The outbuilding helps to create a more useable, attractive and high quality garden space, and provides an opportunity to improve the quality of the garden area and the way it functions.
- The outbuilding increases biodiversity and creates a habitat for local wildlife. It attracts bees, damsel flies and dragon flies which support the garden water features which in turn improves local urban environment.

I look forward to progressing this application with LBC and to receiving confirmation of validation. Should you have any queries, or require any further information, please do not hesitate to contact me.

Yours faithfully,

John Keenan

John Keenan B.Eng. (Hons)