

<b>Delegated Report (Members Briefing)</b>		<b>Analysis sheet</b>	<b>Expiry Date:</b>	<b>03/08/2012</b>
		N/A	<b>Consultation Expiry Date:</b>	09/08/2012
<b>Officer</b>			<b>Application Number(s)</b>	
Gideon Whittingham			1) 2012/2722/P 2) 2012/2837/L	
<b>Application Address</b>			<b>Drawing Numbers</b>	
Hunters Lodge 5 Belize Lane LONDON NW3 5AD			Refer to draft decision notices	
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>CandUD</b>	<b>Authorised Officer Signature</b>	
<b>Proposal(s)</b>				
1) Amendment to the design and arrangement of the curved glass extension in relation to planning permission (ref: 2011/4019/P) dated 03/04/2012, for the erection of a lower ground floor level curved, glazed extension attached to a new two-storey plus semi-basement side extension. 2) 3) Amendment to the design and arrangement of the curved glass extension in relation to listed building consent (ref: 2011/4021/L) dated 03/04/2012, for the erection of a lower ground floor level curved, glazed extension attached to a new two-storey plus semi-basement side extension.				
<b>Recommendations:</b>		1) Grant Planning Permission subject to a deed of variation of the S106 2) Grant Listed Building Consent		
<b>Application Type:</b>		Householder Application		

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	04	No. of responses	05	No. of objections	05
			No. Electronic	00		
Summary of consultation responses:	A site notice was displayed from 13/07/2012 (expiring on 03/08/2012) and a public notice was published in the Ham and High from 19/07/2012 (expiring on 09/08/2012).					
	<u>The objections from the occupiers of No. 2 Perceval Avenue and No.15 Belsize Lane:</u>					
	<i>"There is no real information in the applications to allow comment either way"</i>					
	<i>"it is unclear what is being proposed due to the limited amount of information differentiating the proposal from the approved scheme"</i>					
	-Officer comment: It is considered the revised information adequately outlines the extent of the proposal.					
	<i>"Failure to take refusals and enforcement orders into account, in particular the drawings and design and access statement submitted"</i>					
	-Officer comment: It is acknowledged the submitted information, in particular the design and access statement, requires updating to take into consideration recently determined applications, however this omission will not materially impact upon the determination of application.					
	<i>"loss of the listed wall"</i>					
	-Officer comments: This issue is addressed in the assessment.					
	<u>The objections from the occupiers (2) of No. 4 Perceval Avenue:</u>					
	<i>"it is unclear what is being proposed due to the limited amount of information differentiating the proposal from the approved scheme"</i>					
	-Officer comment: It is considered the revised information adequately outlines the extent of the proposal.					
	<u>The objection from the occupier of No.9 Belsize Lane:</u>					
	<i>"inclusion of many irrelevant, out of date or even erroneous documents"</i>					
	<i>"it is unclear what is being proposed due to the limited amount of information differentiating the proposal from the approved scheme"</i>					
	-Officer comment: It is considered the revised information adequately outlines the extent of the proposal.					
	<u>The objection from the occupier of No.17 Belsize Lane:</u>					
	<i>"Lack of clarity of development and transparency on plans and submitted information"</i>					
	<i>"Failure to take refusal sand enforcement orders into account, in particular the drawings and design and access statement submitted"</i>					
	-Officer comment: It is considered the revised information adequately outlines the extent of the proposal.					
	<i>"The construction management plan is out of date and based on the previous approval"</i>					
	-Officer comments: This issue is dealt with in part 4 the assessment.					

**CAAC/Local groups comments:**

The Fitzjohns and Netherhall CAAC were formally consulted. No response has been received to date.

**Site Description**

Hunter's Lodge, No.5 Belsize Lane is located at the apex in the road where it intersects with Wedderburn Road. The building was constructed circa 1812 and has had at least 2 major additions since. The original building faced South and now forms the triple bowed centre of the present building; the windows in this original building have ogee heads and the conical roofs over the bays are covered with graduated slates. The house has a large mid 19th century addition at its eastern end, in Victorian Gothic style, and includes a single storey entrance hall to the front elevation. There is a 2-storey garage extension to the West end (currently being demolished) of the building which was built in 1928.

The house and its extensions are stuccoed, with timber windows and a slated roof. It is Grade II listed and forms part of the Fitzjohns and Netherhall Conservation Area.

**Relevant History**

**2007/5036/P and 2007/5038/L:** PP and LB Refused (21/12/2007) – for the erection of a garden level single storey extension to the side of the single dwellinghouse, following the demolition of an existing side extension.

**2008/0123/P and 2008/0124/L:** PP and LB Granted (11/03/2008) – for the erection of conservatory to side of dwellinghouse, alterations to steps leading from Belsize Lane into the garden and repairs / alterations to a door within the flank wall.

**2008/1014/P:** PP Granted (4/05/2008) – for alterations and additions including replacement of boundary wall to include new brick wall and timber entrance gate, alterations to roofing materials and increased depth of basement to single family dwelling

**2008/1017/L:** LB Refused (14/05/2008) - for internal and external works of refurbishment to the single family dwelling.

**2008/2979/L:** LB Granted (09/10/2008) - for external and internal works associated with the demolition of two existing sheds, replacement of windows, doors and roof and removal of internal walls.

**2010/05631/P and 2010/5645/L:** PP and LB Granted (21/12/2010) – for the erection of a garage in connection with existing dwelling (Class C3).

**2011/4019/P and 2011/4021/L:** PP and LB Granted (03/04/2012) - for the erection of a lower ground floor level curved, glazed extension attached to a new two-storey plus semi-basement side extension (following demolition of the existing ground and first floor side extension), to existing dwelling house (Class C3).

- This decision is addressed in this report. The conclusions reached are material to assessment of the current application.

**2012/0882/P and 2012/1015/L:** PP and LB Refused (8/05/2012) – for the retention of building/garage in connection with existing dwelling (Class C3).

**2012/2354/P and 2012/2436/L:** PP and LB Refused (11/07/2012) - Demolition and rebuild of boundary wall and addition of a pedestrian access gate on Belsize Lane in connection with dwelling house (Class C3).

**2012/2414/P and 2012/2471/L:** Excavation to create a basement level to dwelling house (Class C3)

and associated installation of patio doors to light-well, beneath consented extension and garden room (ref. 2011/4019/P and 2011/4021/L). These applications are yet to be determined.

## **Relevant policies**

### **LDF Core Strategy and Development Policies 2010**

#### Relevant Policies in Camden Core Strategy

**CS1** (Distribution of growth)

**CS5** (Managing the impact of growth and development)

**CS11** (Promoting sustainable and efficient travel)

**CS13** (Tackling climate change through promoting higher environmental standards)

**CS14** (Promoting high quality places and conserving our heritage)

**CS15** (Protecting and improving our parks and open spaces and encouraging biodiversity)

**CS19** (Delivering and monitoring the Core Strategy)

#### Relevant Policies in Camden Development Policies

**DP20** (Movement of goods and materials)

**DP21** (Development connecting to the highway network)

**DP22** (Promoting sustainable design and construction)

**DP24** (Securing high quality design)

**DP25** (Conserving Camden's heritage)

**DP26** (Managing the impact of development on occupiers and neighbours)

**DP27** (Basements and lightwells)

### **Camden Planning Guidance 2011:**

CPG2 Housing; CPG3 Sustainability; CPG4 Basements and lightwells; CPG6 Amenity; CPG7 Transport; CPG8 Planning Obligations;

### **Fitzjohns and Netherhall Conservation Area Appraisal and Management Strategy (2001)**

### **London Plan 2011**

### **NPPF 2012**

## Assessment

### Proposal:

1.1 The application proposes:

- The amendment to the design and arrangement of the curved glass garden extension in relation to planning permission and listed building consent (ref: 2011/4019/P and 2011/4021/L) dated 03/04/2012.
- The amendment includes the alteration to the curvature and ground coverage of the glass extension. The proposed extension shall provide approximately 54sqm of additional residential accommodation, compared to 48sqm as previously approved.

1.2 The amended applications (ref: 2011/4019/P and 2011/4021/L) relate to the erection of a lower ground floor level curved, glazed extension attached to a new two-storey plus semi-basement side extension (following demolition of the existing ground and first floor side extension), to existing dwelling house (Class C3). This permission has been implemented.

1.3 The proposal has, since the initial submission, been revised including:

- Retention of boundary wall fronting Belsize Lane
- Amended design of glazed extension
- Submission of accurate drawings relating to previous permissions shown on plan

1.4 The main issues for consideration are:

- The impact of the proposal upon the character or appearance of the host building and the surrounding conservation area
- The impact of the proposal upon the special architectural or historic interest of the neighbouring listed building
- The impact that the proposal may have upon the amenity of the occupiers of the neighbouring properties
- The impact of the proposal upon the local transport infrastructure.

1.5 The Officer's report from the previous applications (ref: 2011/4019/P and 2011/4021/L) provide an overview of the consideration of issues which have not changed in the intervening period, a site visit has also been undertaken to confirm no significant material changes on or adjacent to the site which have taken place since the approval of the previous permission. The predominant focus of this assessment will be on matters which have changed significantly since the previous permission.

### **2. Impact on the host building, the setting of the neighbouring listed buildings and conservation area:**

2.1 The comments of the Council on this issue in the 2011 (ref: 2011/4019/P and 2011/4021/L) were:

*"The first element of the scheme is the demolition of the existing west wing to the building. This is a rendered structure with an unsympathetic garage and horizontal casement windows on all of the facades. According to the supporting documents this structure dates from 1928. An internal inspection of this part of the building revealed nothing of historic or architectural interest and therefore it is considered that in respect to the impact on the listed building as well as the wider conservation area, there is no objection in principle to its demolition (irrespective of the replacement building).*

*The replacement side wing proposed covers a slightly larger footprint compared to the existing 1920's extension and incorporates a gable facing onto the garden. The proposal is to be approx 6.8m in width x 6.7m in depth x 11.1m in height (measured from its highest point). Due to its location on a corner the extension would be clearly visible from Belsize Lane. Although the footprint is slightly larger than the existing it is considered to be of a scale that would still be considered subservient to the host building. The extension is proposed to be set back behind the line of the three bowed bays and would be seen as very much subservient when viewed from the rear of the property. Architectural embellishments and detailing have been kept to a minimum to reinforce this subservience whilst maintaining a connection with the host Listed building. Such an architectural approach is considered acceptable.*

*Whilst a gable was previously incorporated into the design on the garden elevation to provide a link with the verticality of the turrets of the host building and to mirror the detailing on the east wing (which dates from the late 19th century) it was considered to be detrimental on the appearance of the building from the conservation area. In views from Belsize Lane the roof would have appeared as a steep mansard which is entirely incongruous on the building. On the rest of the building on the street frontage the parapet is seen as the terminating feature with little or no roof appearing above. Therefore revisions have been sought, to reduce the proposed roof significantly to a shallow pitched form which is coherent to the rest of the building, especially that of the east wing. It is therefore considered that as the pitched form has been pushed back to the middle of the proposed roof line the built form would be read in conjunction with the main house and would not be read as a detrimental addition to the listed building.*

*A single storey, predominantly glazed extension is proposed at the western end of the site. This would be curved, following the boundary wall and from the street, it is not considered to have an impact as it would be set below the height of the existing boundary wall. The main issue is therefore the impact in views from the garden on the Listed Building.*

*This glazed extension has been designed as a clearly modern addition in terms of its scale, form and materials. As it is only a single storey in height, a lightweight design and positioned peripherally from the original building, it would clearly be distinct and subservient to the grandeur of the host building. It will be seen as an ancillary structure to the enjoyment of the garden rather than a structure which competes with the host building. Although a conservatory was refused at the eastern end of the site in 2011 it had a much greater impact on the listed building as it projected out into the garden at a right angle from the building and competed with the three bowed bays of the original building. In contrast the proposed glazed garden room runs away from the building at the wider western end of the garden where its impact in relation to the original building and the sense of openness is lesser. The dominance is also reduced through the proposals to set the building down by 1m so to line up internally with the existing lower ground floor level. Setting the proposal lower than the garden level reduces the dominance of the proposal and creates a room which is read as a separate, modern addition. Therefore, whilst it is a modern design it is not considered that the proposal competes or detracts from the integrity of the listed building and therefore, it is considered acceptable in design terms.*

*In relation to internal alterations proposed for the property, these are considered to be rather minor and just relate to the remodelling of an existing modern ensuite bathroom, as well as re-opening doorways into the new west wing (which are currently blocked). As such alterations are minor in form, and do not interrupt any architectural features, no objection is raised to such works.*

*Much concern has been raised in relation to a proposed basement included within this application. Whilst a Hydrogeological Assessment Summary has been submitted a full Basement Impact Assessment has not been submitted. However, it is considered that due to the different levels of the land, the application seeks to excavate to a depth of 1.3m, lower than the existing foundations of the 1928's extension to meet the depth of the existing semi basement level of the main dwelling house. As there is an existing semi basement level and due to the size of the proposed excavation, the proposed operation is considered to be relatively minor. It is therefore not considered that an additional depth of 1.3m to be in line with the existing land levels of the property would constitute a 'basement' development and therefore a BIA is not required in this instance. Concerns regarding issues of structural stability has been addressed through the submitted report by JD Consultants Limited and will be taken into account by Building Control when checking the design and construction under the Building Regulations 2000, under which permission would only be granted when deemed acceptable in this regard. It is noted that an informative will be placed the decision indicating the need to comply with the Building Regulations and the Party Wall Act 1996."*

*2.2 The approved glazed extension was a contextual response which ran parallel to the curved boundary wall. This resulted in the structure having a subservient appearance that related well to the plot and associated developments on site. Although the proposal would result in an increased*

footprint (approximately +6sqm), the use of glass and curved façade is maintained, thereby underlining its subordinate and lightweight nature of the extension. Unashamedly modern design, it is considered the extension neither competes nor detracts from the integrity of the listed building and therefore, is considered acceptable in design terms.

### **3. Neighbouring amenity**

3.1 The comments of the Council on this issue in the 2011 (ref: 2011/4019/P and 2011/4021/L) were:

*“Whilst it is accepted that the footprint of the proposed two storey extension is to be larger than the existing side element of the property which is to be rebuilt, it is not considered that the additional height and width would have a detrimental impact on the neighbouring properties due to the site location. The application site is situated on the corner of Belsize Lane. The neighbouring properties to the north of the site are located across the other side of Belsize Lane 21m away, and the neighbouring property to the south of the site is located approx 16m away. It is therefore not considered that the proposed extension and alterations would have a detrimental impact, in terms of amenity on the neighbouring properties.*

*In relation to the proposed garden room extension, it is not considered that this element of the scheme would have a negative impact on the amenity of the neighbouring properties as it is to sit below the existing boundary wall and not project any higher than the wall. It is also considered to be set well within the site and would not impact on the sunlight and daylight of the neighbouring properties.*

*The proposal is therefore considered acceptable as it is not considered in this instance, that they would have a detrimental impact on the host property nor the wider conservation area. In relation to concerns about noise and dust from construction traffic, such issues are controlled under the Environmental Pollution Act and an informative shall be added to any permission to ensure that the applicant is aware of the hours of construction.”*

3.2 In light of the Officer's comments, it is considered the enlarged glazed extension, by virtue of its location within the rear garden and position at lower ground floor level would be of no greater detriment to the amenity levels enjoyed by the occupants of the neighbouring properties that the implemented arrangement.

### **4. The impact of the proposal upon the local transport infrastructure**

4.1 The comments of the Council on this issue in the 2011 (ref: 2011/4019/P and 2011/4021/L) were:

“In relation to the transport implications which are associated to the site, the property benefits from planning permission 2010/5631/P for a garage to replace a former garage in the south west corner of the site. The existing garage which forms part of the eastern extension is proposed to be replaced by habitable rooms. The new garage makes use of an existing crossover and has been built in this location. As the proposal includes the demolition and rebuild of the existing side extension and replacing the existing garage into habitable accommodation, the existing crossover will be redundant to the front of the property. The applicant is required to cover the cost of reinstating the footway to the north of the house once the garage has been removed. The contribution in respect to such works include a sum of £2,239. This should be secured by means of a Section 106 Agreement.

The proposed development involves considerable demolition and construction work. The site is located at the junction of Belsize Lane which experiences traffic congestion at peak times and may present difficulties of approach for larger construction vehicles. The works proposed require considerable demolition in relation to the works proposed and included within this application. DP20 in particular seeks to minimise such effects on local amenity while DP21 seeks to protect the safety and operation of the highway network. For some development this may require control over how the development is implemented (including demolition and construction) through a Construction Management Plan (CMP) secured via S106. The factors relating to this application means that a Construction Management Plan (CMP) would need to be secured by S.106 legal agreement in order to minimise the impact on the transport network and local amenity. Amongst other details the CMP will

need to provide details of the size of vehicles, their expected numbers and regularity etc, for agreement by the Council. The applicant is therefore required to provide a Construction Management Plan, which should also be secured via the S106 Agreement.”

4.2 In this particular instance, it is considered that no other significant material changes on or adjacent to the site have taken place since the approval of the previous permission. Therefore the aforementioned Officer’s assessment is sustained and a deed of variation to the S.106 legal agreement is required.

**5. Recommendation:**

- 1) Grant Planning Permission subject to a deed of variation of the S106 Agreement
- 2) Grant Listed Building Consent

**DISCLAIMER**

Decision route to be decided by nominated members on Monday 5<sup>th</sup> November 2012.  
For further information please click [here](#).