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|--|----------------------------|--------------------------|-------------------------------------|----------------------------------|------------|
| <b>Delegated Report</b>  |                            | <b>Analysis sheet</b>    |                                     | <b>Expiry Date:</b>              | 29/12/2011 |
|  |                            | N/A / attached           |                                     | <b>Consultation Expiry Date:</b> | 07/12/2011 |
| <b>Officer</b>   |                            |                          | <b>Application Number(s)</b>        |                                  |            |
| Neil Zaayman   |                            |                          | 2011/5615/P                         |                                  |            |
| <b>Application Address</b>   |                            |                          | <b>Drawing Numbers</b>              |                                  |            |
| 57 Belsize Park<br>London<br>NW3 4EH   |                            |                          | Refer to decision notice            |                                  |            |
| <b>PO 3/4</b>  | <b>Area Team Signature</b> | <b>C&amp;UD</b>          | <b>Authorised Officer Signature</b> |                                  |            |
|  |                            |                          |                                     |                                  |            |
| <b>Proposal(s)</b>   |                            |                          |                                     |                                  |            |
| Installation of timber door at front basement level and erection of rendered brick wall within lightwell (Part Retrospective). |                            |                          |                                     |                                  |            |
| <b>Recommendation(s):</b>  |                            | Refuse permission        |                                     |                                  |            |
| <b>Application Type:</b>   |                            | Full Planning Permission |                                     |                                  |            |

|  |  |           |                  |           |                   |           |
|--|--|-----------|------------------|-----------|-------------------|-----------|
| <b>Conditions or Reasons for Refusal:</b>              | <b>Refer to Draft Decision Notice</b>  |           |                  |           |                   |           |
| <b>Informatives:</b>                                   |  |           |                  |           |                   |           |
| <b>Consultations</b>                                   |  |           |                  |           |                   |           |
| <b>Adjoining Occupiers:</b>                            | No. notified   | <b>45</b> | No. of responses | <b>02</b> | No. of objections | <b>02</b> |
|  |  |           | No. electronic   | <b>00</b> |                   |           |
| <b>Summary of consultation responses:</b>              | <p>Site notice displayed from 18/11/2011 until 09/12/2011. Advertised in the Ham and High Newspaper 24/11/2011 until 15/12/2012.</p> <p>Two letters of representation were received, raising objections in respect of the following:</p> <ul style="list-style-type: none"> <li>- The division of window bays are not acceptable</li> <li>- Harmful to the character of the street scene</li> <li>- No other french doors to the front</li> <li>- There are no other large terraces along this street</li> <li>- The terrace is lacking in character</li> <li>- The area are used as an amenity space, creating noise and disturbance</li> </ul> |           |                  |           |                   |           |
| <b>CAAC/Local groups* comments:</b><br>*Please Specify | No comments received.  |           |                  |           |                   |           |

## Site Description

The property is a 3-storey plus basement and accommodation in the loft space semi-detached building located on the south side of Belsize Park. The site lies within Belsize Park Conservation Area, and is included in a group of buildings in the Conservation Area Statement as making a positive contribution to the Conservation Area. The application relates to the basement level flat.

## Relevant History

No relevant planning history, however, extensive enforcement history and of particular relevance to this application:

**EN10/0603:** A letter sent to offender on 11/03/2011 advising to replace door with window and remove wall at basement level

## Relevant policies

### LDF Core Strategy and Development Policies

CS5 (Managing the impact of growth and development)

CS14 (Promoting high quality places and conserving our heritage)

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

CPG1 (Design)

CPG4 (Basements and lightwells)

### Belsize Conservation Area Statement

## Assessment

### Proposal:

The applicant seeks retrospective approval for the retention of the existing door and window openings to the basement flat and a rendered finish of the brick wall in the lightwell. An earlier application (Ref: 2011/4391/P) was withdrawn due to the brick finish of the wall in the lightwell.

### Design / Impact on Conservation Area:

It was noted upon site inspection that most lightwells along Belsize Park comprise a feature bay window with no doors giving access to the front garden / lightwell area. As such the purpose is to allow light internally. In this instance, the front door is visible from the street scene due to the lack of landscaping or any form of screening to the front. The front boundary wall is also low level which enables easy views from the street scene. The front door is considered to appear out of keeping with the prevailing street scene character and harmful to the character of the conservation area and the building's heritage value as a positive contributor to the conservation area.

The applicant proposes rendering the existing new retaining brick wall within the lightwell. Should permission be granted, a condition can be imposed to require the applicant to render the wall within a specific time period in order to match the render and colour of the main dwelling. A matching render would be acceptable.

### Impact on Amenity:

The front door and rendering of the brick wall would have no harmful impact on neighbouring amenity.

### Enforcement

On site it was discovered that the lightwell has been extended without planning permission. It is considered that there is demonstrable harm to the host property and surrounding conservation area as a result of the extended lightwell, amount of hardstanding and lack of soft landscaping. It is noted that an enforcement notice has already been served on the door and unrendered brick wall however, it is also considered expedient to issue an enforcement notice for the enlarged lightwell. It is considered that the lightwell should be reduced in size with a larger degree of soft landscaping, replacing the amount of hardstanding, the brick wall should be rendered to match the main building and the front door should be replaced with a window to prevent occupiers from using the lightwell as an amenity area.

**Recommendation:** Refuse full planning permission and Serve Enforcement Notice for enlargement of the lightwell; Instruct the Head of Legal Services to issue an Enforcement Notice Under Section 172 of the Town & Country Planning Act 1990 as amended - and Officers to be authorised in the event of non-compliance, to prosecute under Section 179 or other appropriate power and/or take direct action.

**The Notice shall allege the following breach of planning control:** Unauthorised works to the lightwell.

### WHAT YOU ARE REQUIRED TO DO:

Reduce the size of the lightwell which was unlawfully extended and incorporate soft landscaping; render the brick wall; replace the existing door with a window to reflect its original appearance and cease the use of the lightwell as an amenity area.

### PERIOD OF COMPLIANCE

The Notice shall require that it is removed within a period of three months of the Notice taking effect.

**REASONS WHY THE COUNCIL CONSIDER IT EXPEDIENT TO ISSUE THE NOTICE:** The combination of the enlarged lightwell, front door, brick wall, the amount of hardstanding and lack of soft landscaping and the use of the lightwell as an amenity area is an unacceptably incongruous feature in the street scene, harmful to the building's heritage value as a positive contributor in the conservation area and therefore detracting from the overall character and appearance of the Belsize Park Conservation Area, contrary to policies CS14 Promoting high quality places and conserving our heritage, DP24 Securing High Quality Design and DP25 Conserving Camden's heritage of the Camden Local Development Framework Core Strategy and Development Policies 2010, Camden Planning Guidance 2011 (CPG) and The Belsize Park Conservation Area Statement (CAS).

**Disclaimer**

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