

<b>Delegated Report</b> <b>Members Briefing</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b> 08/10/2010	
		N/A		<b>Consultation Expiry Date:</b> 16/09/2010	
<b>Officer</b> John Sheehy			<b>Application Number</b> 2010/4212/P		
<b>Application Address</b> Flats C to F 24 Belsize Park Gardens London NW3 4LH			<b>Drawing Numbers</b> Refer to draft decision		
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>		
<b>Proposal</b>					
Conversion of 4 self contained flats into 3 self-contained flats with enlargement of front and rear dormer windows, repositioned and enlarged front roof terrace and insertion of railings to form terraces at first floor front elevation and second floor rear elevation.					
<b>Recommendation:</b>		<b>Grant conditional permission</b>			
<b>Application Type:</b>		<b>Full Planning Permission</b>			
<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>24</b>	No. of responses	<b>0</b>	No. of objections
			No. electronic	<b>0</b>	<b>0</b>
<b>Summary of consultation responses:</b>		Site notice displayed from 25 <sup>th</sup> of August 2010 to 15 <sup>th</sup> of September 2010.  No comments, objections or expressions of support received from neighbouring occupiers.			
<b>CAAC/Local groups comments:</b>		Belsize CAAC, objection: "Object to all alterations on the front façade of a major building in a Conservation Area. Proposed dormer balustrades should not be placed at the edge of the roof".  Belsize Residents Association, objection, summarised as follows: <ul style="list-style-type: none"> <li>Balcony over portico would damage the architectural integrity of this fine Belsize villa;</li> <li>Balcony over rear terrace: would cause overlooking and would damage the architectural integrity of the bay;</li> <li>Dormer windows: not sympathetic with façade below and would damage the architectural integrity of this house.</li> <li></li> </ul>			
<b>Site Description</b>					
A substantial 3-storey plus basement semi-detached white stucco villa located on the northern side of Belsize Park Gardens. The site is located within a residential street located in the core area of the Belsize Park development undertaken in the 1860s.					
Although not listed, the property has been identified as making a positive contribution to the character					

and appearance of the Belsize Conservation Area in which it is located. The property is subdivided into 7 self-contained units. This application relates to the 4 units on the first, second and roof levels of the building.

## Relevant History

Application site: none

Other sites:

**39 Belsize Park Gardens** - Permission was granted on appeal on 22/09/2003 for the alteration and extension of three existing dormer windows, including the erection of roof terraces front and rear, to enlarge the existing flat in the roofspace (ref: APPX/5210/A/03/1117366).

**37 Belsize Park Gardens** - Permission was granted on 30/11/2007 for the proposed dormer roof extensions which would match those of the adjoining pair of the semi-detached villa (ref: 2007/5145/P).

**33 Belsize Park Gardens** – Planning permission was granted on 23/09/2008 for the enlargement of existing dormer windows and installation of balconies to front and rear; creation of new dormer windows to side elevation (ref: 2008/2341/P). Although the proposed dormer windows were not in accordance with the guidelines set out in Camden Planning Guidance, they were considered to be acceptable as their size, bulk and design would be in keeping with the existing dormer windows at the other pair of the semi-detached dwelling (no. 35) and the dormer windows at nos. 37 and 39.

**10 Belsize Park** Permission was refused on appeal on 17/09/2010 for enlargement of existing front and rear roof dormer windows and the creation of front and rear dormer balconies to enlarge the existing roof terraces to top floor flat (Class C3), ref. APP/X5210/A/10/2124102. *(In dismissing this appeal the Inspector was mindful of other examples of dormer extensions in the area, however did not find that they were comparable to the proposed in terms of their size, their relationship to adjoining properties or in terms of the character of the streets from which they are seen).*

## **Relevant policies**

### **London Borough of Camden Replacement Unitary Development Plan 2006**

SD6 Amenity for occupiers and neighbours  
B1 General design principles  
B3 Alterations and extensions  
B7 Conservation areas  
H1 New Housing  
H3 Protecting existing housing  
H7 Lifetime Homes

### **Supplementary Planning Guidance**

- Camden Planning Guidance 2006
- Belsize Conservation Area Statement

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

The Inspector's Report into the Camden Local Development Framework Core Strategy and Development Policies Development Plan documents ("DPD"s) was published on 13th September and found the policies in the DPDs to be sound. This means "considerable weight" can now be given to these LDF policies even though at this stage they have yet to be formally adopted by the Council. Where there is a conflict between UDP policies and these LDF policies the Planning Inspectorate would consider it reasonable to follow the latter . However prior to formal adoption UDP policies should still be taken into account as the Council's adopted Development Plan.

### **LDF Core Strategy**

CS1 – Distribution of growth  
CS6 Providing quality homes  
CS14 Promoting high Quality Places and Conserving Our Heritage

### **Development Policies Development Plan**

DP2 Making full use of Camden's capacity for housing  
DP6 Lifetimes Homes and Wheelchair Housing  
DP24 Securing High Quality Design  
DP25 Conserving Camden's Heritage  
DP26 Managing the impact of development on occupiers and neighbours

## Assessment

**Proposal:** the following works are proposed:

### Front of the building:

- Installation of railings on top of the entrance portico to form a roof terrace;
- Installation of a replacement dormer extension and roof terrace, following removal of the existing. The dormer would be wider than the existing (increase from circa 2.0m to 2.5m). The railings would enclose the entire roof terrace (increase from circa 1m W to 2.5m W).
- Blocking up of the existing small front dormer and removal of railings.

### Rear of the building:

- Installation of railings on top of the curved bay to form a roof terrace;
- Widening of rear dormer window (circa 1.2m to 1.8m).

The following change of use is proposed:

Four self-contained flats at first, second and roof level to be converted to 3 self-contained flats.

### **Assessment:**

The principal considerations material to the determination of the application is design/ impact on the Conservation Area, principle of the development in land use terms and impact on neighbour amenity.

### Design and Impact on the Conservation Area

#### *Background*

Belsize villas, due to their large attic spaces and flat-roofed entrance porticoes are particularly susceptible to creeping development. The existing dormer extension (with substantially-removed roof apron) and the adjacent narrow roof terrace enclosed by railings are incongruous features which do not form part of the original architecture of the house. However, the materials and architectural style of the elements appear to indicate that the works have been in place for a considerable period of time and may have occurred prior to the introduction of comprehensive planning control. There is a proliferation of similar large dormers extensions and enclosed roof terraces on both sides of Belsize Park Gardens, many of which date from a similar period to the works at the application property.

#### *Front dormer and roof terrace*

The proposed dormer would be circa 0.5m wider than the existing and the railing would extend across the front of the roof terrace: it would be set back from the eaves by 1.2m. The plans describe the existing small dormer as being infilled and the railings removed although details of this have not been expressed in the drawings. A large number of properties along this side of Belsize Park Gardens have had front roof terraces installed, including numbers 10, 14, 20, 26, 28 and the adjoining property at number 22. The additions vary in style and quality but many include railings of a similar appearance and relationship to the eaves as proposed here. Within this context and given the existing alteration to the roof it is considered that it would be difficult to demonstrate sufficient increased harm to the character and appearance of the host building and the conservation area to warrant the refusal of the application. This is particularly so as the visibility of the dormer from street level will be limited due to its height and the width of the street.

Consideration has been given to the appeal decisions at 39 Belsize Park Gardens and 10 Belsize Park relating to similar proposals for the enlargement of dormers. The roof form of properties on Belsize Park Gardens is considered to be more significantly eroded than that of Belsize Park. As existing, adjoining pair number 10 and 11 Belsize Park each had modest recessed front dormers. The inspector therefore considered that the significant enlargement of the dormer at number 10 and creation of the terrace would have disrupted the symmetry between the pair. However, number 24 Belsize Park Gardens and its neighbour at number 22 already include large dormers and number 22 already includes a terrace. It is not therefore considered that

there would be a comparable degree of demonstrable harm within this context.

On balance, it is therefore considered that the proposed development is not harmful enough in and of itself to justify refusal. It is considered that the grant of permission for the proposal would not set a precedent for other areas of Belsize Conservation Area as the Conservation Area contains many sets of buildings whose architectural coherence has not been compromised and where proposals similar to the current application can more easily be resisted.

No details of the infilling of the existing small dormer or the materials for the proposed replacement dormer have been provided. These details are considered to be key to the acceptability of the scheme it is therefore recommended that conditions be attached requiring the submission of details of these elements.

#### *Railings above portico*

The proposed railings on top of the entrance portico are not part of the original architecture of the house and are not considered to be sympathetic to the host building. However the other house within the pair has had such railings installed and similar railings have been installed widely in Belsize Park Gardens including, among others, nos. 16, 18 and 28. Given the immediate context, the Council would have difficulty resisting the insertion of the railings in this instance, in particular as the proposal would balance up the pair of which the application building forms part. On balance this element of the proposal is considered to be acceptable.

#### *Alterations to the rear*

The widening of the rear dormer window and the installation of railings on top of the curved bay to form a roof terrace are not considered to represent significant alterations to the appearance of the property due to the limited scope of the works and their secluded location at the rear of the property. Due to its secluded location, this part of the site is not considered to make a contribution to the visual character and appearance of the Conservation Area: as a result the proposed alterations are considered to preserve the character and appearance of the Conservation Area.

#### *Design and Conservation Area conclusion*

The Council has reservations about the relationship of the proposal to the Conservation Area. However in light of the points raised above, as well as the decisions set out in the Relevant History section, the proposal is not considered to be sufficiently harmful to justify refusal under UDP of LDF policies.

#### Housing

Under Policy H3, which is taken forward in the LDF under Policy DP2, the Council will resist proposals that would lead to a net loss of residential floorspace and will grant planning permission for a development that would involve the loss of two or more residential units.

The proposal seeks to replace a mix of 3 x 1 bedroom and 1 x 3 bedroom with 2 x 3-bedroom and 1 x 1 bedroom. Since the proposal does not involve the net loss of residential floorspace and would only involve the loss of one residential unit, it is consistent with policy H3 and DP2.

The proposed units are considered to provide a good standard of residential accommodation in terms of layout, room sizes, sunlight, daylight, ventilation and outlook. The proposal is consistent with UDP Policy H1, CS6 and the Residential Development Standards contained in Camden Planning Guidance.

All new homes should comply with Lifetime Homes criteria as far as possible. The constraints of the conversion scheme are such that not all of the criteria can be met but the measures proposed are considered acceptable in this instance.

### Amenity

The proposed roof terraces would not be large enough to result in deep views into neighbouring habitable rooms to the detriment of neighbour privacy. There would be no loss of daylight or sunlight to neighbours as a result of the proposal and the application is considered to be consistent with policy SD6.

**Recommendation:** grant conditional permission.

### **DISCLAIMER**

**Decision route to be decided by nominated members on Monday 4<sup>th</sup> October 2010. For further information see**

<http://www.camden.gov.uk/ccm/navigation/environment/planning-and-built-environment/planning-applications/development-control-members-briefing/>