

<b>Delegated Report</b>		<b>Analysis sheet</b>	<b>Expiry Date:</b>	<b>17/08/2010</b>
		N/A / attached	<b>Consultation Expiry Date:</b>	<b>13/08/2010</b>
<b>Officer</b>			<b>Application Number(s)</b>	
Aysegul Olcar-Chamberlin			1) 2010/2990/P 2) 2010/2890/P	
<b>Application Address</b>			<b>Drawing Numbers</b>	
Flat C 9 Belsize Avenue London NW3 4BL			See decision notices	
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>	
<b>Proposals</b>				
1) Replacement of existing front windows with French doors and installation of railings associated with provision of roof terrace above existing front bay windows at first floor level to existing residential unit (Class C3). 2) Replacement of front window with French doors and installation of railings associated with provision of first floor roof terrace above existing portico structure to residential unit (Class C3).				
<b>Recommendations:</b>	1) Refuse Planning Permission 2) Refuse Planning 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>31</b>	No. of responses	<b>00</b>	No. of objections	<b>01</b>
			No. electronic	<b>00</b>		
<b>Summary of consultation responses:</b>	<p>The site notice for planning application ref: 2010/2890/P was displayed from 07/07/2010 to 28/07/2010. The site notice for planning application ref: 2010/2990/P was displayed from 09/07/2010 to 30/07/2010.</p> <p>The owner of Flat B, 9 Belsize Avenue raised concerns over the provision of a roof terrace above their bay windows on the following grounds:</p> <ul style="list-style-type: none"> <li>• The roofs of the bay windows are fragile and not suitable for such use.</li> <li>• The proposed works could ruin the cornicing of their living room below.</li> <li>• The proposal could result in noise nuisance.</li> <li>• The existing façade of the building is original and should be maintained.</li> </ul>					
<b>CAAC/Local groups comments:</b>	<p><b>Belsize Residents Association</b> objected to the proposals and considered the proposed terraces with associated alterations to be out of character with the proportions of originally designed Belsize Park villas and detrimental to the character of the conservation area. They also considered the proposals would clutter the streetscene. Many of roof terraces above porches do not benefit from planning permission on this road.</p> <p><b>Belsize CAAC</b> objected to the proposed terraces with associated railings and replacement of windows with doors.</p>					
<b>Site Description</b>						
<p>The application site is a three storey mid-terrace stucco building with semi-basement level and attic level accommodation on the north-west side of Belsize Avenue close to its junction with Belsize Terrace. It is in the Belsize Park Conservation Area and considered to make a positive contribution to the appearance and character of the conservation area. The site is also subject to an article 4 direction. The building has been divided into flats.</p>						
<b>Relevant History</b>						
<p>None for the application property.</p> <p><b>3 Belsize Avenue</b> – Planning permission was granted on 14/12/1981 for the change of use involving works of conversion, and including the construction of a side extension at second floor level and balcony railings at first floor level (above front bay) to form six self-contained flats (ref: 32622).</p> <p>No planning history records for the existing balcony above the portico at 11 Belsize Avenue (adjoining property).</p>						
<b>Relevant policies</b>						
<p><b>Replacement Unitary Development Plan 2006</b></p> <p>SD6 – Amenity for Occupiers and Neighbours  B1 – General Design Principles  B3 - Alterations and Extensions  B7 – Conservation Areas</p> <p><b>Camden Planning Guidance 2006</b>  <b>Belsize Park Conservation Area Statement</b></p> <p><b>LDF Core Strategy and Development Policies</b></p>						

*As the draft LDF Core Strategy and Development Policies documents have now been published, they are material planning considerations. However, as a matter of law, limited weight should be attached to them at this stage.*

*CS1 – Distribution of growth*

*CS5 – Managing the impact of growth and development*

*CS14 – Promoting high quality places and conserving our heritage*

*DP24 – Securing high quality design*

*DP25 – Conserving Camden's heritage*

*DP26 – Managing the impact of development on occupiers and neighbours*

## **Assessment**

### **Proposals**

It is proposed to create roof terraces on the flat roof above the existing front bay windows and portico structure at first floor level to a residential flat. The proposal would involve the installation of railings and the replacement of windows with French doors on the front elevation.

### **Design and Impact on Conservation Area**

Policy B3 of the adopted UDP states *“the Council will not grant planning permission for alterations and extensions that it considers causes harm to the architectural quality of the existing building or to the surrounding area. The Council will consider whether: (a) the form, proportions and character of the building and its setting, including the garden and nearby trees, are respected; (b) extensions are subordinate to the original building in terms of scale and situation; and, (f) the architectural integrity of the front or principal facades is preserved.”*

The repetition of original features is important for the uniformity of the terrace. The proposed railings by reason of their location and appearance would be incongruous additions to the front elevation which would detract from the fine stuccoed frontage of the property and spoil the symmetry of the terrace. The proposed French doors would require removal of original first floor sash windows and lowering their sill to fit the new doors. The replacement French doors would have unsympathetic glazing bar detailing and would fail to preserve and enhance the appearance and character of the building and wider conservation area.

The existing front elevation of the application property is mainly unaltered. The rest of the properties on the terrace which the application property forms part do not have railings above their front bay windows and porticos/porches except the adjoining no.11. This property has railings around the parapet walls of the portico and replacement French doors above the portico at first floor level. Permission for a first floor balcony above front bay windows to 3 Belsize Avenue was granted in 1981. The Council has no planning records for the rest of the balconies above the front porticos.

Given the changes in the Council's planning policies and many of the first floor balconies with associated alterations on this road do not have planning permission, these alterations do not collectively form a precedent for similar developments in this terrace and to similar properties on Belsize Avenue. Rather, the existing balconies to neighbouring properties serve to illustrate the harm of such alterations to the integrity of these positive contributors to the character of the conservation area.

The proposed balconies and associated alterations to the front elevation are considered to be unacceptable in principle in design terms and contrary to policy B7.

### **Amenity**

Policy SD6 of the UDP states the Council will not grant planning permission for development that it considers harms to the amenity of occupiers and neighbours. The proposal would not be likely to raise any material amenity issues in terms of loss of daylight/sunlight, privacy and outlook to the neighbouring properties.

Given the narrow depth of the proposed first floor balconies (approximately 1m) and much angled views to the first floor front windows of the adjoining properties the proposal would not be likely to result in unacceptable overlooking to the front habitable rooms of the adjoining properties.

The use of proposed roof terraces would be associated with residential use and therefore noise disturbance from the proposed roof terraces would not be significantly greater than the existing use of the first floor flat. The proposal is considered to comply with the aims of policy SD6.

**Recommendation:**

Refuse planning permissions.

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