

2014/3724/P, 57 Belsize Park, NW3 4EH



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Top: Photo of unauthorised door installed in place of window.

Bottom: Photo of retaining wall to lightwell with coping stones on-top



Top: Photo of front boundary wall.

Bottom: Photo of different aspects of front boundary wall .



Top: Better example of front boundary walls with planting beds behind at No.'s 62 and 63.

Bottom: Example detail of wall, coping stone, pier and pier stone to the above.

Delegated Report (Member's Briefing)		Analysis sheet N/A / attached		Expiry Date: 30/07/2014			
				Consultation Expiry Date: 17/07/2014			
Officer Niall Sheehan			Application Number(s) 2014/3724/P				
Application Address 57 Belsize Park London NW3 4EH			Drawing Numbers Refer to decision notice				
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature				
Proposal(s)							
Replacing existing door opening on the front elevation of light-well with new timber sash window matching existing facade of rendering existing brickwall around the lower ground floor level patio to match existing front elevation. Erection of new raised patio area to front elevation to create new soft landscaping and flower bed to enclose lightwell.							
Recommendation(s):		Grant permission					
Application Type:		Full Planning Permission					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	46	No. of responses	02	No. of objections	02
				No. electronic	00		
Summary of consultation responses:		Site notice displayed from 27/06/2014 until 18/07/2014. Advertised in the Ham and High Newspaper 26/06/2014 until 17/07/2014.					
CAAC/Local groups* comments:		<p>Belsize Conservation Area Committee. BCAC initially objected to previously submitted proposal for a horizontal shelf of vegetation and vertical planting wall. BCAC do not object to graded landscaping and the rendering retaining wall.</p> <p>BAAC have no objections to re-instatement of timber frame windows. The first sets of drawings submitted were not clear.</p>					

Site Description

The property is a 3-storey plus basement and converted attic 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

Planning & Enforcement History:

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

2011/5615/P: P.A Refused for "Installation of timber door at front basement level and erection of rendered brick wall within lightwell (Retrospective)."
Subsequently dismissed at appeal

2013/3192/P: P.A Refused for "Erection of an enclosed storage area with green roof in front lightwell of residential building." Decision Date: 05/08/2013

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 Park Conservation Area Statement 2003

Assessment

1.0 Proposal:

1.1 "Reinstatement of timber sash window in place of door opening. Removal of coping stones and rendering of internal retaining brick wall. Reinstatement of raised planting bed area. Rendering and placement of coping stones to front boundary brick wall. All alterations to front elevation."

- The proposed bedding would measure half the depth of the lightwell and would gradually slope (ratio of approx. 1:20) from just below footpath level towards the bay window.
- The internal retaining wall which was supposedly constructed to secure the lightwell will have the coping stones to be rendered

2.0 Background:

2.1 The existing door is unauthorised and was installed without consent. The area of raised bedding proposed was previously removed without consent. A brick retaining wall was constructed to the inside of the lightwell with coping stones on top. All these works took place circa early 2011 and an application for their retention was refused and subsequently dismissed at appeal. The Council's Enforcement Team have been working with the applicant/agent since

this refusal and dismissal in order to try and find a solution given the stated necessity to keep the retaining wall.

2.2 The external brickwall which is also part of this application was constructed in the 1990's and is lawful at this stage. It's re-rendering and placement of coping stones is however included as part of the works in an attempt to remedy the entire situation and produce a betterment in overall design terms.

2.3 Significant negotiations have taken place to include all aspects of the lightwell within the works to restore the entire lightwell to its former appearance.

3.0 Design / Impact on Conservation Area:

3.1 It was noted upon site inspection that lightwells in general to the front serving basement flats are not uncommon along Belsize Park. Lightwells in the street are generally characterised by a significant level of landscaping with a smaller area being paved/covered in hard-standing. In addition, most lightwells comprise a feature bay window with no doors giving access to the front garden / lightwell area.

3.2 At present the lightwell at the application site is larger than any other lightwell on the street by virtue of the absence of bedding to the front of the property and resultantly is covered in hard standing giving it a harsh, incongruous appearance. Furthermore the brick wall although constructed in a previous era and benefitting from deemed consent is not in keeping with its surroundings and distorts from the character and appearance of the front façade, those surrounding and the wider Belsize Park Conservation Area. By virtue of its markedly different appearance to other walls in the streetscene, it ultimately draws attention to the unauthorised alterations at basement level. The door at basement level to the bay distorts the original character and appearance of the bay, and the front façade whilst the internal retaining brick wall (with cupboards) is also completely out of character with the host building and those surrounding. The absence of bedding to the front gives the lightwell a harsh appearance more befit of a rear garden than a front area and an appearance which is at odds with all other neighbouring properties.

3.3 The amended proposals as detailed above are broadly welcomed as they will restore the original character and appearance of the lightwell. The replacement of the door to the lightwell with a timber frame window to match that which was removed and those to neighbouring properties is most welcome as it will assist to restore the originality to the bay window. The installation of a planting bed with a gradual slope is appropriate in scale and massing, and whilst this will not exactly replicate that which was removed, it will nevertheless restore the form to the lightwell bringing it in keeping with the remainder of the streetscene. Furthermore a condition will be attached to the consent requesting details of a planting scheme which will be assessed by the council's Trees Officer. The attachment of this condition will assist to ensure that a suitable planting scheme commensurate with those to other lightwells at other properties in the street is devised.

3.4 With regard to the rendering of the internal supporting brick wall and the removal of coping stones on top and rendering, this will bring the internal wall back into some level consistency with those to surrounding lightwells. Whilst the preferred outcome would have been to remove the internal wall completely, given the understanding the structural stability of this wall and adjoining walls would be affected, it was considered that rendering and removal of coping stones (in addition to all the other works) was a satisfactory compromise. Moreover given the rendering and placement of coping stones and pier stones to the external front wall, this will allow the overall property frontage regain a commensurate appearance. Furthermore when the front boundary wall is rendered, less attention will be drawn to the front lightwell which will resume a more regular and unassuming position in the streetscene (taking into consideration all the other

alterations taking place). As the material finish, most notably the colour of the render to the front boundary wall, coping stones on top and the internal lightwell wall is crucial in ensuring integration, conditions have been attached requesting samples of coping stones and colours to be submitted in writing prior to works commencing onsite. Furthermore the enforcement team have been in correspondence with the applicant and have a timescale in place to ensure that works are started and progress promptly. This has been attached in an informative. The enforcement team will be keeping abreast of the situation as a final resolution is paramount.

3.5 Overall it is considered in design terms, that the combination of the re-instatement of the bay window in place of the front door to the lightwell, the rendering of the internal retaining wall and removal of its coping stones, the re-instatement of a sloped planting bed, the rendering of the front boundary wall, placement of coping stones on top would bring the character and appearance of the front boundary wall and lightwell back in keeping with that of the host building, those adjoining and the wider Belsize Conservation Area removing an unacceptable, incongruous feature in the street scene and Conservation Area.

4.0 Impact on Amenity:

4.1 The proposal is at basement level and would not result in any overlooking or invasion of privacy to neighbouring occupiers.

4.2 On assessment of the impacts of the scheme to occupiers of the basement unit, the replacement of the door with a window would not result in a significant loss of daylight or outlook. The window serving the room at lower ground floor level would measure at least 10% of the overall internal floor area of the affected room. Adequate outlook would be retained after the re-instatement of the raised bed where an angle of 25 degrees can still be taken from the midpoint of the affected window to clear the lightwell (obstruction).

5.0 Noise and disturbance:

5.1 Given that the lightwell may have previously been used as an amenity area, the re-instatement of the window will make it very difficult for future occupiers to use this area. Should usage occur and subsequent general noise and disturbance resultantly occur, this is a matter for Environmental Health and is not a planning consideration in this instance. Environmental Health legislation is always available to affected parties.

6.0 Transport:

6.1 Although significant works are taking place to the front of the property, it is not considered necessary to agree a Construction Management Plan in this instance. Highways legislation is considered sufficient to cover the placement of skips, parking of construction vehicles and the maintenance of the highway and footway for a proposal of this scale. Should any difficulties occur during the construction phase, affected parties can contact the council's Highways team.

Recommendation: Grant Conditional Permission.

Mr Ross Lakani
Homes Design Ltd
40 Wise Lane
M11 1HJ
London
NW7 2RE

Application Ref: **2014/3724/P**
Please ask for: **Niall Sheehan**
Telephone: 020 7974 3968

21 October 2014

DRAFT

Dear Sir

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:
57 Belsize Park
London
NW3 4EH

DECISION

Proposal:

Replacing existing door opening on the front elevation of light-well with new timber sash window matching existing facade of rendering existing brickwall around the lower ground floor level patio to match existing front elevation. Erection of new raised patio area to front elevation to create new soft landscaping and flower bed to enclose lightwell
Drawing No.'s: Existing: 8002, 8003 (All Rev A); Proposed: 8005, 8006 (All Rev A)

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 The development hereby granted planning permission shall be completed in accordance with the drawings hereby approved within 6 months of the date of this permission.

Reason: In order to safeguard the amenities and appearance of the area generally in accordance with the requirements of policies CS5 and CS14 of the London



Borough of Camden Local Development Framework Core Strategy and policies DP24, DP25, DP26 and DP28 of the London Borough of Camden Local Development Framework Development.

- 2 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans: Existing: OS Site Map, Block Plan, 8002, 8003 (All Rev A); Proposed: 8004, 8005, 8006 (All Rev A)

Reason: For the avoidance of doubt and in the interest of proper planning.

- 4 A sample of the colour of render to internal lightwell and front boundary walls and colour to all coping stones and pierstones shall be submitted to and approved in writing by the local planning authority prior to works commence onsite and the development shall be carried out in accordance with the approval given. Details shall be submitted within 1 month of the date of this notice and works carried out within 6 months of the date of this notice.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 5 A sample pier stone and coping stone shall be submitted to and approved in writing by the local planning authority before the works commence onsite and the development shall be carried out in accordance with the approval given. Details shall be submitted within 1 month of the date of this notice and works carried out within 6 months of the date of this notice.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 6 No development shall take place until full details of all planting and landscaping to lightwell been submitted to and approved by the local planning authority in writing. These details shall include tree and plant species and method of long term care and maintenance. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved. Details shall be submitted within

1 month of the date of this notice and works carried out within 6 months of the date of this notice.

Reason: To ensure that the development achieves a high quality of landscaping which contributes to the visual amenity and character of the area in accordance with the requirements of policy CS14, CS15 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 of the London Borough of Camden Local Development Framework Development Policies.

Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Argyle Street WC1H 8EQ, (tel: 020-7974 6941).
- 2 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Compliance and Enforcement team [Regulatory Services], Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en> or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.
- 3 You attention is drawn to the Enforcement notice EN10/0603 with which compliance was due on 31/12/2011. Failure to implement the above permission in its entirety within 6 months from the date of this decision letter will result in the council commencing prosecution procedures against you for non-compliance with the enforcement notice.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

Director of Culture & Environment