

70 Belsize Park Gardens



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Photos



1. Front elevation



2. Rear elevation showing existing bay and neighbours railings at second floor level

Delegated Report		Analysis sheet	Expiry Date:	30/09/2014
(Members Briefing)		N/A	Consultation Expiry Date:	04/09/2014
Officer			Application Number(s)	
Olivier Nelson			2014/4553/P	
Application Address			Drawing Numbers	
70 Belsize Park Gardens London NW3 4NE			See draft decision notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Change of use of first floor from 1x 4 bedroom flats to 2 x 2 bedroom flats (Class C3) and external works including erection of new entrance portico, a new window on the flank elevation at first floor level, and new railings and door onto the roof of the existing bay window at rear first floor level to create a terrace.				
Recommendation(s):		Grant conditional planning permission subject to a section 106 agreement		
Application Type:		Full Planning Permission		

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	30	No. of responses	00	No. of objections	00
			No. Electronic	00		
Summary of consultation responses:	Site Notice: 13/08/2014 – 03/09/2014 Press Notice: 14/08/2014 – 04/09/2014 No neighbouring responses were received.					
CAAC Consultation	<p>Belsize CAAC have raised objection on the following grounds:</p> <p>The committee welcomes the re-instatement of the porch but objects to:</p> <ul style="list-style-type: none"> • Glazed infill panels to front handrail. • Scale and fan light details to new rear French doors (see paragraph 5.3). • To rear roof balcony and design of balustrades (see paragraph 5.3). <p>Officer response:</p> <ul style="list-style-type: none"> • Alterations to the front boundary wall are not part of the application, the applicant relates solely to the first floor level. • Issues of design are assessed within section 5 however it is important to note that the same works were given permission in 2011 but the permission has now lapsed. 					

Site Description

The application site is a 4 storey and basement, semi-detached Victorian residential building on the northeast side of Belsize Park Gardens which has been converted into flats. The property is not listed but located within the Belsize Park Conservation Area and has been identified as one of a group of buildings (nos. 62-82) that make a positive contribution to the Conservation Area.

Relevant History

70 Belsize Park Gardens (the application site)

2011/3729/P- Change of use of first floor from 1 x 4-bedroom flat to 2 x 2-bedroom flats (Class C3) and external works including erection of new entrance portico, a new window on the flank elevation at first floor level, and new railings and door onto the roof of the existing bay window at rear first floor level to create a terrace. **Granted 14/11/2011 subject to a section 106 legal agreement.**

PWX0002460 - The change of use of the ground floor from one self-contained flat to 1 X 2 bed flat and 1 studio flat – **Refused 25/07/2000 and appeal dismissed.**

33700 – Conversion of existing lower ground floor flat into two self-contained flats. **Refused 19/04/1982**

72 Belsize Park Gardens

2010/4624/P - Conversion of 2 x 2 bedroom flats at rear ground floor and first floor levels into 1 x 3 bedroom flat (Class C3), alterations to the fenestration on the side and rear elevations and the erection of a spiral staircase from the existing terrace at rear first floor level to the garden. **Granted 29/10/2010**

Relevant policies

National Planning Policy Framework 2012

London Plan 2011

Camden LDF Core Strategy 2010

CS1 Distribution of growth
CS5 Managing the impact of growth and development
CS6 Providing quality homes
CS11 Promoting sustainable and efficient travel
CS14 Promoting high quality places and conserving our heritage

Camden Development Policies 2010

DP2 Making full use of Camden's capacity for housing
DP5 Homes of different sizes
DP24 Securing high quality design
DP25 Conserving Camden's heritage
DP26 Managing the impact of development on occupiers and neighbours

Camden Planning Guidance (updated 2013)

CPG1 Design
CPG2 Housing
CPG6 Amenity

Belsize Conservation Area November 2002

Assessment

1. Proposal

- 1.1 Planning permission is sought for the change of use of the first floor from 1 x 4 bedroom flat to 2 x 2 bedroom flats and external works including erection of new entrance portico, a new window on the flank elevation at first floor level, and new railings and door onto the roof of the existing bay window at rear first floor level to create a terrace.
- 1.2 As noted in the history section above, planning permission was granted in November 2011 for the same proposal. The works were not implemented, as such the permission has lapsed.

2. Principle of Development

- 2.1 As noted in the history section above, planning permission was granted in 2011 (2011/3729/P) for the same proposal. The proposal was considered acceptable then, and although planning guidance and policy has changed slightly over the years. The proposal is considered acceptable.

3. Mix of Units

- 3.1 The dwelling size priorities table found in policy DP5 states there is a higher need for supplying two or three bedroom flats in private developments than one bedroom ones (page 38 of LDF Development Policies). The table gives the lowest priority to one bedroom or studio flats and aims for provision of 40% of the new residential units to be two bedroom units. The application proposes 2 x two bedroom units and would be in line with council policy.

4. Standard of Accommodation

- 4.1 Both flats proposed would be 2 bed 3 persons flats and the London plan states the minimum unit size should be 61 square metres. The front flat would be 61 sqm and the rear flat 64.6 both flats would meet the minimum requirement. Such sizes would also accord with CPG2 which requires 61sqm for 3 person units.
- 4.2 In addition, CPG 2 also requires that first and double bedrooms measure a minimum of 11m² and other bedrooms to measure a minimum of 6.5m². The size of the bedrooms and the size of each unit of accommodation are considered to comply with the guidelines set out in the guidance and therefore are considered to be acceptable. In addition, both of the proposed units would be dual aspect and would have good outlook and ventilation, as recommended in CPG 2. The bedrooms in the flats would back onto one another
- 4.3 All new homes should comply with Lifetime Homes criteria as far as possible. The applicants have submitted a Lifetime Homes assessment which addresses some of the 16 points of the criteria. The constraints of the scheme are such that not all of the criteria can be met, but the measures proposed are considered acceptable.

5. Design

- 5.1 Policy DP25 of the LDF requires that all alterations and extensions to buildings within designated conservation areas are to preserve and enhance the character and appearance of the area. In addition, CPG 1 (Design) states that extensions are to be secondary to the building being extended, in terms of location, form, scale, proportions, dimensions and detailing, and respect and preserve the original design and proportions of the building, including its

architectural period and style.

- 5.2 The proposed new entrance portico is a welcome addition and its reinstatement is considered to enhance the character and appearance of the Belsize Conservation Area. The design would replicate the Victorian architectural period and style of other entrance porticos on Belsize Park Gardens.
- 5.3 The proposed French doors are considered to be acceptable, their design was previously approved and there are instances of such doors within the Conservation Area. The new French doors are modest in design, incorporating two plain panes of glass and a glass panel above (similar in proportion to the existing top glass panel of the existing sash window) and are considered to complement the host building. The proposed iron railings match the design of the railings on the rear of No.72 and are therefore regarded to be acceptable
- 5.4 For the reasons listed above the proposed works are considered to be in keeping with the character and the appearance of the Conservation Area. The proposal is considered to be consistent with LDF policies CS14 and DP25 of the London Borough of Camden's Local Development Framework as well as Camden Planning Guidance on Design.

6. Residential Amenity

- 6.1 The proposed new entrance portico and balustrade are considered not to impact on the occupiers of neighbouring properties sunlight/daylight or outlook.
- 6.2 The proposed roof terrace is relatively small in size and depth and this would reduce the overlooking of windows to adjoining properties. The roof terrace would overlook adjoining gardens, but would not significantly impact upon the privacy of the users of those gardens as they are overlooked by a substantial number of windows on the rear of premises on Belsize Park Gardens and Primrose Gardens. The proposed window on the side elevation, serving a bathroom in the rear flat, is to be obscure glazed and will therefore not result in a loss of privacy to the occupiers of No.68. For the reasons listed above the proposal is considered to be in accordance with Development Policy DP26 of the London Borough of Camden's Local Development Framework.

7. Transport

- 7.1 Camden's Parking Standards for cycles (Appendix 6 of the Unitary Development Plan), state that 1 storage or parking space is required per residential unit. The proposal is for 2 residential units; therefore 2 cycle storage/parking spaces are required, however as the proposed residential conversion is at first floor level it is difficult to insist on this provision given the existing site constraints.
- 7.2 The site has a Public Transport Accessibility Level of (PTAL) of 6b (excellent) and is within a Controlled Parking Zone that is considered to have a high level of parking stress. There is no on-site parking and none is proposed as part of the current application. Given the limited nature of parking availability within the area, in order to be acceptable in transport terms, the new residential units are recommended to be designated car-free, so that future occupiers will not be eligible for on-street parking permits. This shall be secured via a S.106 agreement. The proposal would be in line with DP18.

8. Waste

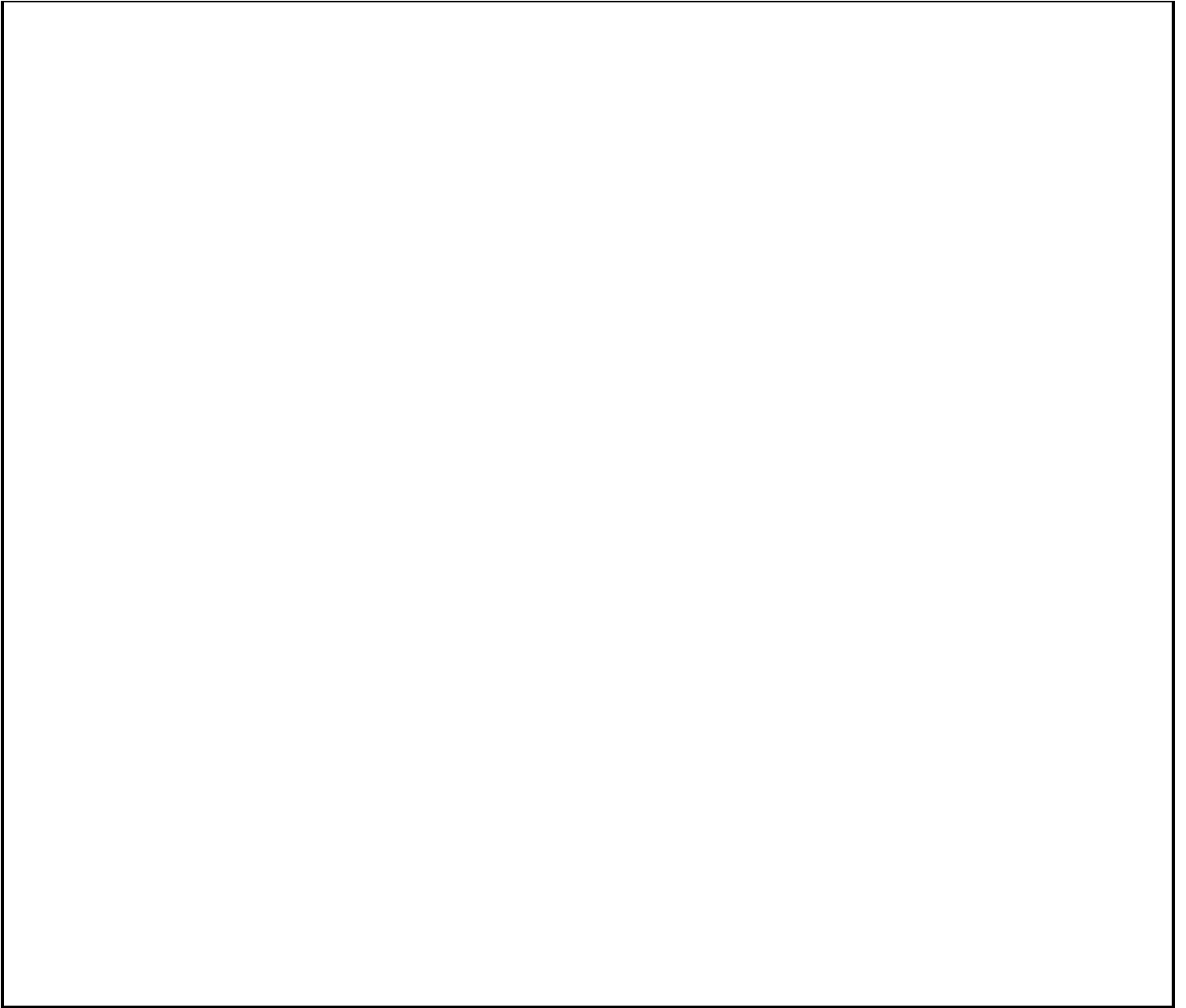
- 8.1 The proposal does not include any additional waste storage. Given the nature of the existing

property as residential, it is considered that a similar waste collection scheme can be used. There are existing recycling bins on site and it is felt that the amount of waste currently collected would not dramatically increase as a result.

9. **Recommendation:** Grant conditional planning permission subject to a Section 106 Agreement

DISCLAIMER

Decision route to be decided by nominated members on *1st December 2014*. For further information please go to www.camden.gov.uk and search for 'members briefing'



PLAN A UK LTD
Prince House
Glen Road
Grayshott
Surrey
GU26 6NFApplication Ref: **2014/4553/P**

26 November 2014

Dear Sir/Madam

DRAFT
FOR INFORMATION ONLY - THIS IS NOT A FORMAL DECISION
Town and Country Planning Act 1990 (as amended)**DECISION SUBJECT TO A SECTION 106 LEGAL AGREEMENT**

Address:

**70 Belsize Park Gardens
London
NW3 4NE**

Proposal:

DECISION
Resubmission of previously approved application 2011/3729/P for change of use of first floor from 1x 4 bedroom flats to 2 x 2 bedroom flats (class C3) and external works including erection of new entrance portico, a new window on the flank elevation at first floor level, and new railings and door onto the roof of the existing bay window at rear first floor level to create a terrace.

Drawing Nos: 11239.01.01 Rev A, 11239.03.01, 11239.03.02, 11239.03.03 Rev C, 11239.03.04 Rev A, 11239.03.05 Rev A, Design and Access Statement, Lifetime Homes Statement

The Council has considered your application and decided to grant permission subject to the conditions and informatives (if applicable) listed below **AND** subject to the successful conclusion of a Section 106 Legal Agreement.The matter has been referred to the Council's Legal Department and you will be contacted shortly. If you wish to discuss the matter please contact **Aidan Brookes** in the Legal Department on **020 7 974 1947**.

Once the Legal Agreement has been concluded, the formal decision letter will be sent to you.

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 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 11239.01.01 Rev A, 11239.03.01, 11239.03.02, 11239.03.03 Rev C, 11239.03.04 Rev A, 11239.03.05 Rev A, Design and Access Statement, Lifetime Homes Statement.

Reason:

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

- 4 The use of the roof as a terrace shall not commence until the screen, as shown on the approved drawings, has been constructed. The screen shall be permanently retained thereafter.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 of the London Borough of Camden Local Development Framework Development Policies.

- 5 The lifetime homes features and facilities, as indicated on the drawings and documents hereby approved shall be provided in their entirety prior to the first occupation of any of the new residential units.

Reason: To ensure that the internal layout of the building provides flexibility for the accessibility of future occupiers and their changing needs over time, in accordance with the requirements of policy CS6 of the London Borough of Camden Local Development Framework Core Strategy and policy DP6 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 The Mayor of London introduced a Community Infrastructure Levy (CIL) to help pay for Crossrail on 1st April 2012. Any permission granted after this time which adds more than 100sqm of new floorspace or a new dwelling will need to pay this CIL. It will be collected by Camden on behalf of the Mayor of London. Camden will be sending out liability notices setting out how much CIL will need to be paid if an affected planning application is implemented and who will be liable.

The proposed charge in Camden will be £50 per sqm on all uses except affordable housing, education, healthcare, and development by charities for their charitable purposes. You will be expected to advise us when planning permissions are implemented. Please use the forms at the link below to advise who will be paying the CIL and when the development is to commence. You can also access forms to allow you to provide us with more information which can be taken into account in your CIL calculation and to apply for relief from CIL.

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

We will then issue a CIL demand notice setting out what monies needs to paid when and how to pay. Failure to notify Camden of the commencement of development will result in a surcharge of £2500 or 20% being added to the CIL payment. Other surcharges may also apply for failure to assume liability and late payment. Payments will also be subject to indexation in line with the construction costs index.

Please send CIL related documents or correspondence to CIL@Camden.gov.uk

- 4 You are reminded that this decision only grants permission for permanent residential accommodation (Class C3). Any alternative use of the residential units for temporary accommodation, i.e. for periods of less than 90 days for tourist or short term lets etc, would constitute a material change of use and would require a further grant of planning permission.

- 5 Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which this permission is granted. Information/drawings relating to the discharge of matters covered by the Heads of Terms of the legal agreement should be marked for the attention of the Planning Obligations Officer, Sites Team, Camden Town Hall, Argyle Street, WC1H 8EQ.

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.

Yours faithfully

Culture and Environment Directorate

DRAFT

DECISION