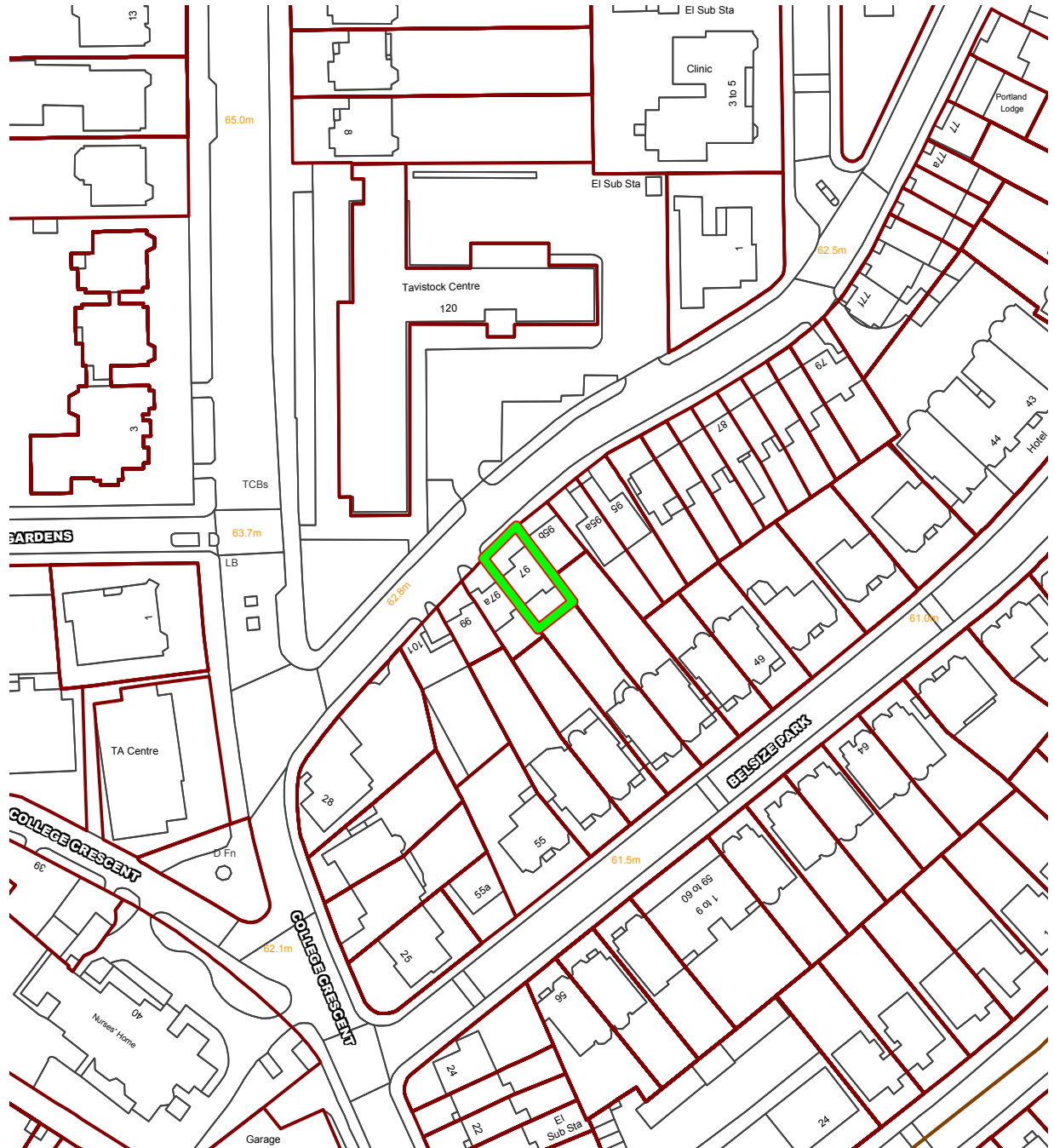


# 2015/1522/P

## 97 Belsize Lane



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Front elevation of the 97 Belsize Lane,  
Including category one tree.



Site of First floor extension





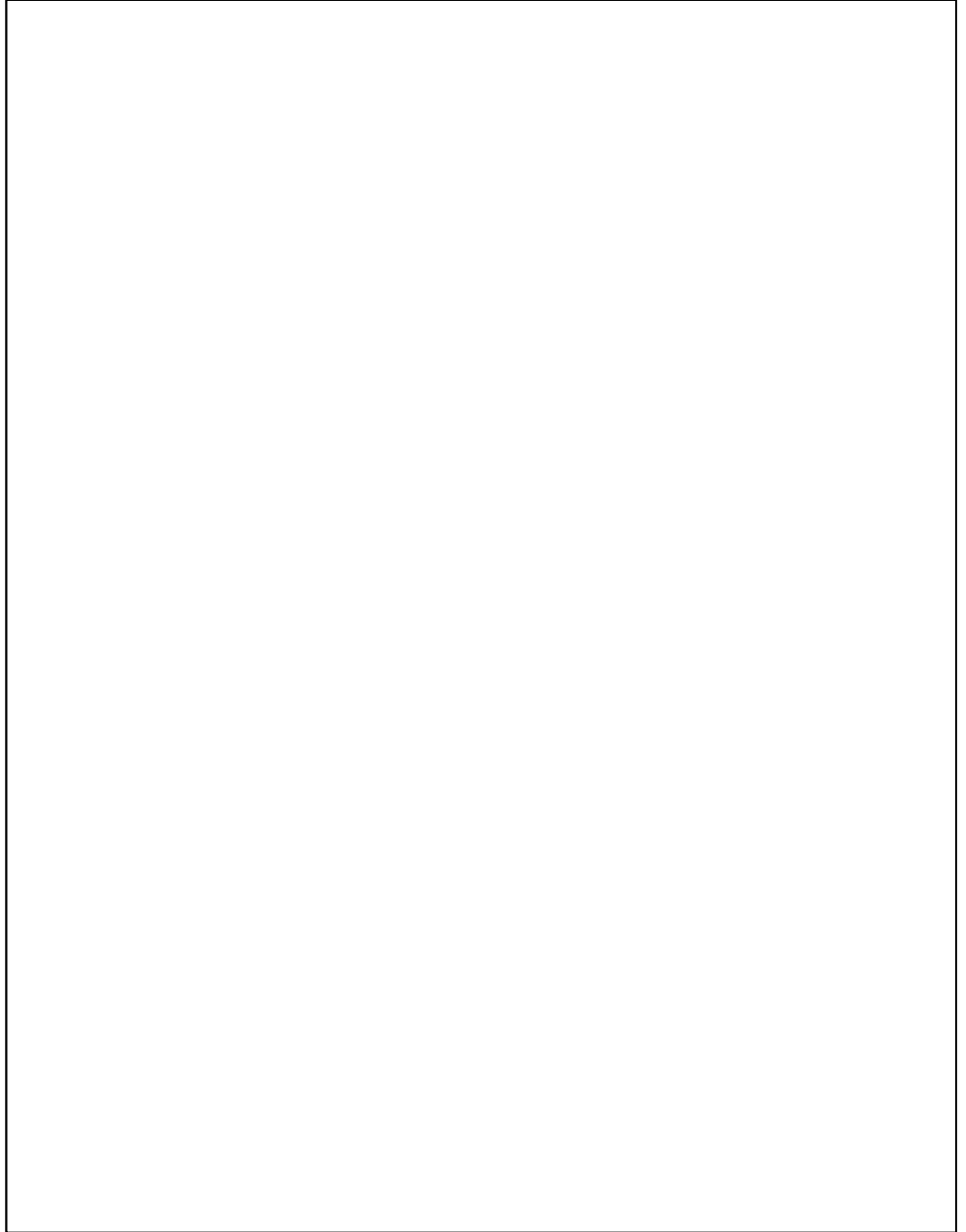
Rear elevation of No 97



Side elevation of 95A



Front elevation of 97A



<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>	<b>08/05/2015</b>
<b>(Members Briefing)</b>		N/A / attached		<b>Consultation Expiry Date:</b>	<b>30/04/2015</b>
<b>Officer</b>			<b>Application Number(s)</b>		
James Clark			2015/1522/P		
<b>Application Address</b>			<b>Drawing Numbers</b>		
97 Belsize Lane London NW3 5AU			See Draft 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>					
Erection of a first floor front extension, front boundary wall, conversion of the integral garage to habitable space and external alterations to front and rear elevations.					
<b>Recommendation(s):</b>		Grant Planning Permission subject to s106 Legal Agreement			
<b>Application Type:</b>		Householder Application			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	03	No. of responses	01	No. of objections	01
			No. Electronic	01		
Summary of consultation responses:	<p>A site notice was displayed from 02/04/2015 (expiring 23/04/2015) and a public notice was published in and Ham &amp; High from 09/04/2015 (expiring 30/04/2015).</p> <p>One objection received;</p> <p><b>No 97A Belsize Lane</b></p> <ul style="list-style-type: none"><li>The proposed front extension will block the view 30 metres down Belsize Lane to the east past the plane tree, currently enjoyed from the side window of the front bedroom of our house. It will also affect the levels of light we receive in this bedroom. This is particularly so as the proposed material for the extension is black-stained timber and will reach so close to the plane tree that the light and view restrictions imposed will extend across the width of both the extension and tree. This side window provides an important source of light to our bedroom as the other window directly faces the street and for privacy needs to have the blinds down permanently. All this will adversely affect our amenity and therefore this planning application should be turned down.</li></ul> <p><b>Officer Comment:</b> <i>The affected side window is a small secondary window that faces North East, the primary window to the habitable room faces out on to the street. The proposed front extension would be located on the opposing side of the site to the boundary with No 97A and would have limited amenity impact. The front extension would not break the 25 degree light test from the centre of the window and therefore the window is considered to receive an acceptable level of light. The outlook along Belsize lane is already limited by the forward build line of no 95A and thus the outlook impact would be considered acceptable.</i></p>					
CAAC/Local groups* comments: *Please Specify	<p>The <b>Belsize Conservation Area Advisory Committee (CAAC)</b> were formally consulted and have objected to the development on the 17/04/2015.</p> <p>Objection</p> <ul style="list-style-type: none"><li>Object to new front boundary wall and first floor extension, both of which will be too close to the tree's trunk and will visually box in the setting of this important urban tree.</li></ul> <p><b>Officer Comment:</b> <i>The impact of the proposed front boundary wall to the health of the tree is considered to be acceptable. The arboricultural report has been reviewed by the tree officer and meets with approval. The front</i></p>					

	<i>extension is modest in size and built along the existing forward projecting flank wall of the adjacent property. The introduction of the new boundary wall is in keeping with the prevailing streetscape character and does not extend across the entirety of the site. The “boxing in” of the tree by the proposed front extension and boundary wall is not considered to detrimentally harm the setting of the tree within the conservation area.</i>
<b>Trees &amp; Landscape Officer (Internal)</b>	The tree report submitted is considered to demonstrate that the trees to be retained both on and off site will be adequately protected during development in line with BS5837:2012 – “Trees in relation to design, demolition and construction”. The proposed minor pruning of T1 is considered to be acceptable as it would unlikely lead to an adverse effect on the health of the tree nor the visual amenity provided by the tree. Please condition an arboricultural method statement and that a tree officer should be present when the excavation for the proposed front boundary wall takes place



## **Site Description**

The application site is a two storey terraced property with an integral garage located on Belsize Lane within the Belsize Conservation Area. The site has a category one tree located in the front garden and is in close proximity to a group of Listed terraces between 79-93 Belsize Lane.

## **Relevant History**

97 Belsize Lane – REFUSE Works

2011/4832/T - (TPO Ref: C356) FRONT GARDEN: 1 x London Plane - Fell to ground level

71 Belsize Lane – GRANT Approval pending conditions

PWX0102184 - Erection of front and side extensions at first floor level and provision of new roof.

## **Relevant policies**

### **National Planning Policy Framework (2012)**

**The London Plan March 2015, consolidated with alterations since 2011**

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

CS5 (Managing the impact of growth and development)

CS14 (Promoting high quality places and conserving our heritage)

DP18 (Parking Standards and limiting the availability of car parking)

DP19 (Managing the impact of Parking)

DP24 (Securing high quality design)

DP25 (Conserving Camden's heritage)

DP26 (Managing the impact of development on occupiers and neighbours)

### **Camden Planning Guidance 2011/2013**

CPG1 Design

CPG6 Amenity

CPG7 Transport

### **Conservation Area Statement**

Belsize Park

## Assessment

### 1. Proposal:

1.1. The proposal first floor front extension would project approximately 2.2m over the existing first floor terrace, approximately 5.3m in width and 5.1m in height matching the existing height of the host property. The proposed boundary wall would be 4m in length and 1.5m in height constructed in front of the existing garage. The ground floor rear elevation would be modestly extended adjacent no 95B providing bi-folding doors to the rear garden.

### 2. Design:

2.1. The modest first floor extension would square off the front of the property using matching materials to the existing. The boxy shape and design of the post 1945 host property is not considered to be detrimentally impacted by the proposed front extension. The property is set back from the principle elevation of adjacent property no 95B and consequently the flank elevation projects forward of the principle elevation of the application property. The proposed front extension would extend forward along this wall and subsequently resulting in minimal impact to the street scene. The front fenestration would be completely changed on first and ground floor to accommodate the changed uses of the rooms in the dwelling resulting from the development. The existing fenestration on the principle elevation is not considered to be of great value within the conservation area and the surrounding properties all have different fenestration styles, therefore the proposed changes are not considered to harm the host property or surrounding Conservation Area but actually enhance the design.

2.2 The existing rear elevation is dated and in need of an upgrade. The changes proposed to the rear elevation are not expansive and do not change the overall character of the rear elevation. The change in fenestration is primarily to realign the windows with the changed internal layout mirroring the rational for the front fenestration changes. The modest rear extension provides a defined rear exit and is not considered to harm the design of the rear elevation. The proposed use of metal frames for the proposed window fenestration will replace timber frames contrary to policy in CPG1. However considering the contemporary design of the property and limited character value within the Conservation Area it is considered acceptable to use metal frames.

2.3 The proposed boundary wall would be constructed of Yellow London stock brickwork providing a defined boundary between the property and the highway that is a consistent streetscape feature of Belsize Lane and is welcomed. The boundary wall would be built up to the category one tree in the front garden forming both a natural and built front boundary.

2.4 The changes to the front and rear elevations have been assessed using guidance in the Conservation Area Statement and CPG1. The extensions are considered to be in keeping with the character of the property and are not harmful to the street scene or the character of the Belsize Conservation Area.

### 3. Neighbouring Amenity:

3.1. The proposed front extension projects along the party wall but does not project beyond the principle elevation of No 95B. The front extension is therefore not considered to impact the outlook or light to the front windows of 95B. The impact to the amenities of 97A is not considered to greatly impact the existing conditions to an unreasonable level. The occupier of 97A has objected to the development on grounds of reduced light and outlook to a side facing window. The front extension would be located on the opposing side of the site to No 97A and would be modest in size. It is accepted the front extension would reduce the outlook along Belsize Lane from the side window.

However the front extension would be constructed along the existing party wall, not resulting in an excessive front extension that blocks out all view of the road from the side window. The development plan policies do not protect views. The side window is a secondary window to the habitable room currently receiving relatively low light levels. The proposed extension would not encroach on the 25 degrees measured vertically from the centre of the affected windows, as prescribed in BRE guidelines and overall is not considered to reduce the neighbouring amenity in accordance with guidance in CPG6.

#### **4. Parking implications:**

4.1 The proposed development involves the loss of an integral single garage without a replacement car space allocated on the site. Policy DP19 (managing the impact of parking) considers development that increases on-street parking demand should be resisted. The conversion of the integral garage to habitable accommodation could potentially increase on street parking demand. The existing integral garage is not fit for modern car use on account of its inadequate internal dimensions and is not in active use. The property has the highest PTAL level of 6A and already has a parking permit which would be retained. On balance the loss of the off-street parking space would be unlikely to result in additional on street parking and a legal agreement for car capping is not considered necessary on the site. The creation of a front boundary wall and conversion of the integral garage to habitable accommodation renders the existing cross over redundant. The reinstatement of the highway would be secured through a section 106 agreement and the works carried out by the Highways authority (Camden Council). The approval of the application is recommended subject to the receipt of a signed s106 agreement.

#### **5. Impact on the TPO:**

5.1 The proposed extension and boundary wall would be constructed in very close proximity to the category one tree located in the front garden of the site. The applicant has submitted an arboricultural Impact Assessment and a Tree protection plan. The internal Tree officer has been consulted and considers the plans “demonstrate that the trees to be retained both on and off site will be adequately protected during development. The proposed minor pruning of T1 is considered to be acceptable as it is not likely to adversely affect the health of the tree nor the visual amenity provided by the tree”. A condition has been requested from the Tree officer regarding an arboricultural method statement and that a tree officer should be present when the excavation for the proposed front boundary wall takes place. The impact to the tree is considered acceptable.

**Recommendation:** Grant Planning Permission subject to a S106 legal agreement.

## DISCLAIMER

Decision route to be decided by nominated members on Monday 18<sup>th</sup> May 2015. For further information please click [here](#)

Stagg Architects Limited  
Third Floor 44-46 New Inn Yard  
London  
EC2A 3EY

Application Ref: **2015/1522/P**

13 May 2015

Dear Sir/Madam

**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:  
**97 Belsize Lane**  
**London**  
**NW3 5AU**

Proposal:  
Erection of a first floor front extension, front boundary wall, conversion of the integral garage to habitable space and external alterations to front and rear elevations.  
Drawing Nos: Design & Access Statement, 51420-P01, 51420-P-02, 51420-P-10, 51420-P-11, 51420-P-12, 51420-P-20, 51420-P-21, 51420-P-22, 51420-P-30, 51420-P-40, 51420-P-50 & 51420-P-60

The Council has considered your application and decided to grant permission subject to the conditions and informatives 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 51420-P01, 51420-P-02, 51420-P-10, 51420-P-11, 51420-P-12, 51420-P-20, 51420-P-21, 51420-P-22, 51420-P-30, 51420-P-40, 51420-P-50 & 51420-P-60.

Reason:

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

- 4 Prior to the commencement of any works on site, a detailed arboricultural Method Statement will be submitted in writing and approved by the Council demonstrating how trees to be retained shall be protected during construction work. Such details shall follow guidelines and standards set out in BS5837:2012 "Trees in Relation to Construction". All trees on the site, or parts of trees growing from adjoining sites, unless shown on the permitted drawings as being removed, shall be retained and protected from damage in accordance with the approved protection details.

Reason: To ensure that the development will not have an adverse effect on existing trees and in order to maintain the character and amenity of the area in accordance with the requirements of policy 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.

- 5 All works are to be carried out in accordance with the submitted Arboricultural Impact Assessment and submitted Tree protection plan Ref 150304-1 1-97BL-TPP-NK

Reason: To ensure that the development will not have an adverse effect on existing trees and in order to maintain the character and amenity of the area in accordance with the requirements of policy 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.

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