

Delegated Report		Analysis sheet		Expiry Date:		01/09/2015	
		N/A / attached		Consultation Expiry Date:		03/08/2015	
Officer				Application Number(s)			
Raymond Yeung				2015/3854/P			
Application Address				Drawing Numbers			
50 Belsize Square London NW3 4HN				See decision Notice.			
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature	
Proposal(s)							
Installation of double glazed French doors following removal of first floor window, and associated railings, to front elevation (retrospective).							
Recommendation(s):		Refuse and Warning of Enforcement Action					
Application Type:		Full Planning Permission					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	84	No. of responses	02	No. of objections	01
				No. electronic	00		
Summary of consultation responses:		Flat 1, 14 Belsize Park – Support					
CAAC/Local groups* comments: <small>*Please Specify</small>		<p>Belsize CAAC - Object to removal of existing, elegant sash window and its replacement with narrow, glazed French windows which are out of scale and character with the existing building and do not belong in this conservation area.</p> <p>There is, currently, an accelerated erosion of the fabric of these historic buildings</p>					

Site Description

The site is a three storey plus basement semi-detached villa located on the northern side of Belsize Square. It forms part of a pair with no.49 Belsize Square and is divided into 8 self-contained flats. It is located in the Belsize Conservation Area and is a positive contributor. The proposed French doors in question has already been installed.

Relevant History

No particular related planning history for this property.

Relevant policies

LDF Core Strategy and Development Policies

LDF Core Strategy and Development Policies

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)

Camden Planning Guidance 2011

CPG1 (Design) (Paragraph 5.24)

CPG6 (Amenity) (Paragraph 7.4)

Belsize Conservation Area Statement (adopted November 2002) (Page 36)

Assessment

Proposal

The proposal is for the retrospective planning application for the replacement of the existing timber sash window with a new white painted double glazed hardwood window with a fixed double glazed pane above. The development is located above the portico on the front elevation.

Design

Belsize Square is characterised by a series of architecturally coherent semi-detached villas. Apart from the unauthorised works, the front elevation of No. 50 has not been significantly altered since the building was originally constructed. It retained all of the features which contribute to the original character of the house including the grand entrance portico served by steps, and recessed sash windows diminishing in size on successive upper floors with classically detailed surrounds.

The subject site is a positive contributor to the conservation area due to its intact architectural character. This character has been significantly undermined by the inappropriate alterations.

Policies CS14, DP24 and DP25 of Camden's Local Development Framework seek to promote high quality places and conserving Camden's heritage. Policy CS14 states that the Council will ensure Camden's places and buildings are attractive, safe and easy to use by inter alia *'preserving and enhancing Camden's rich and diverse heritage assets and their settings, including conservation areas....'* Any alterations/extension to these buildings should *preserve and enhance* the character and appearance of this conservation area.

The Belsize Conservation Area Statement, at page 36 under 'Current Issues' states *'The majority of applications for planning permission within the Belsize Conservation Area involve minor alterations and extensions to existing dwellings. This can have a cumulative impact on elements that contribute to the character and appearance of buildings, streets and areas as a whole. The most noticeable changes within the area often result from one or more of the following:*

- *Addition of roof terraces or balconies. The key issue being roof terraces with inappropriate railings that are prominent in the street scene*

CPG 1 - Design at paragraph 5.24 states that balconies and terraces should form an integral element in the design of elevations and that the key to whether a design is acceptable is the degree to which the balcony or terrace complements the elevation upon which it is to be located.

The railings on top of the entrance portico and the French doors in place of the original sash window on the front elevation are at odds with the original architecture of the house and are considered to add clutter the front elevation and appear incongruous.

There are several other examples of French doors in Belsize Square. Notably properties at nos. 7, 10 and 11 Belsize Square which have all had balcony railings installed above the portico, without the benefit of planning permission. The properties at nos. 7, 11 and 13 Belsize Square have also had French doors installed at first floor level, without the benefit of planning permission.

The council granted permission for railings and French doors at No. 14 Belsize Square ref: 2008/0174/P on the basis that the changes to the immediate locality mitigated the resulting harm to the character and appearance of the conservation area. This application was determined under superseded policy and does not constitute a precedent for the subject site.

Although the neighbouring property in this case at no. 49 has been significantly altered, the remainder of the houses in the surrounding streetscene maintain their original character. Unlike the case at No. 14 the surrounding context is not considered to mitigate against the harm caused by the unauthorised works in this instance.

It is considered that the replacement of the original timber sash windows and addition of the railings,

due to their size, design and prominent location appear as an alien and incongruous feature resulting in demonstrable harm to the character and appearance of the positive contributor, the street scene and the conservation area contrary to policies DP24 and DP25.

Amenity

Policy CS5 seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered. Furthermore Policy DP26 seeks to ensure that development protects the quality of life of occupiers and neighbours by only granting permission to development that would not harm the amenity of neighbouring residents. Camden's Planning Guidance states that balconies should be carefully designed to avoid overlooking and that the most sensitive areas to overlooking are living rooms; bedrooms; kitchens and the part of a garden nearest the house.

The new doors and railings facilitate the use of the roof of the porch as a terrace. The terrace provides opportunities for overlooking into the top floor habitable room of the neighbouring property at no 50a contrary to policy DP26 and CPG.

Recommendation:

Refuse Planning Permission
Issue an enforcement notice

Authorise Enforcement Action

That the Head of Legal Services be instructed to issue an Enforcement Notice under Section 172 of the Town & Country Planning Act 1990 as amended for the French doors and railings to the front elevation at first floor level, and to pursue any legal action necessary to secure compliance and officers be authorised in the event of non-compliance, to prosecute under section 179 or appropriate power and/or take direct action under 178 in order to secure the cessation of the breach of planning control.

The Notice shall allege the following breach of planning control:

The unauthorised installation of French doors and railings to the front elevation at first floor level.

What you are required to do:

1. Remove the French doors and railings to the front elevation at first floor level;
2. Reinstall a timber-framed window; and
3. Make good any damage to the original building.

Period of Compliance: 6 months

REASONS WHY THE COUNCIL CONSIDER IT EXPEDIENT TO ISSUE THE NOTICE

Reasons for issuing the notice:

The French doors and railings, by virtue of their design, and prominent location, are incongruous additions to the host building and harm the character and appearance of the host building, the streetscene and the wider Belsize Conservation Area, contrary to policy CS14 (Promoting high quality places and conserving our heritage) of the London Borough of Camden Local Development Core Strategy; and DP24 (Securing high quality design) and DP25 (Conserving Camden's heritage), of the London Borough of Camden Local Development Framework Development Policies.

