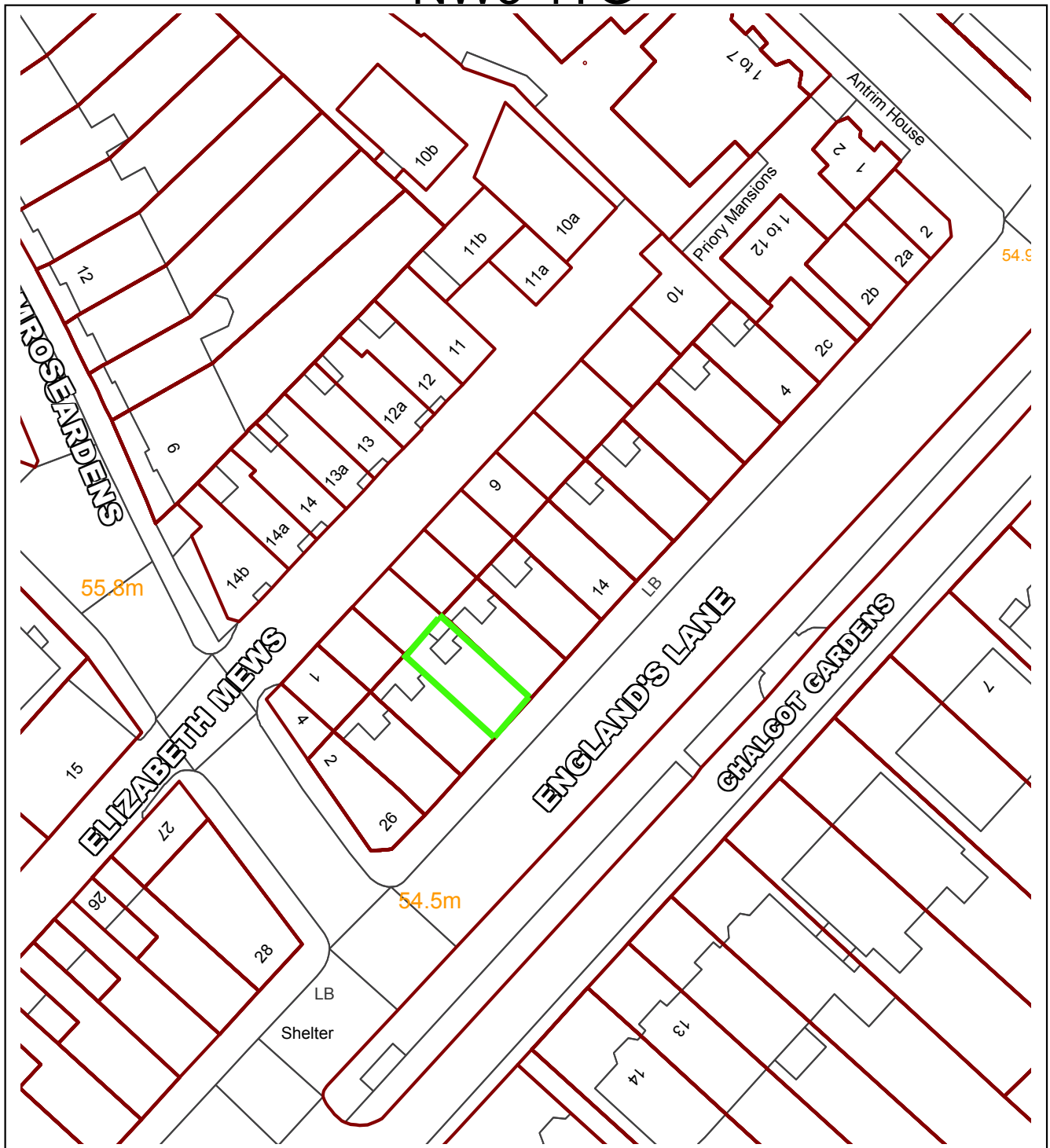


Site location plan - 20 England's Lane, NW3 4TG



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Site photos - 20 England's Lane, NW3 4TG



1. View to the rear of no 3 Elizabeth Mews



2. View towards the adjoining property at no 18 England's Lane



3. The rear of 20 England's Lane



4. The rear of 20 England's Lane



5. The rear of 20 England's Lane

Pictures from the neighbour at no 3 Elizabeth Mews



6. View from no 22 England's Lane. No 3 Elizabeth Mews the one with the white flute



7. View from the mews towards the rear of 20 England's Lane



8. Picture from the ground floor window looking towards the properties at no 22 and 24 England's Lane which have extensions that project up to the rear wall of properties at no 1 and 2 Elizabeth Mews



9. View from the property at no 22 England's Lane. No 3 Elizabeth Mews the property with the white flute

Delegated Report		Analysis sheet		Expiry Date:	15/12/2016
(Members Briefing)		N/A		Consultation Expiry Date:	01/12/2016
Officer			Application Number(s)		
Nora-Andreea Constantinescu			2016/5758/P		
Application Address			Drawing Numbers		
20 England's Lane London NW3 4TG			See draft decision notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Erection of infill two storey rear extension with metal frame and glazed panels, at the basement and ground floor levels, to facilitate external staircase to shop (Class A1).					
Recommendation(s):		Grant conditional permission			
Application Type:		Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	Site notices Press notice	04/11/16 – 25/11/16 10/11/16 – 01/12/16	No. of responses	2	No. of objections	2
Summary of consultation responses:	<p>The residents at no 8a Chesterford Gardens which owns the property at no 3 Elizabeth Mews, no 10A Elizabeth Mews and no 5 Essex Court have objected in relation to the proposed development on the following grounds:</p> <ul style="list-style-type: none">-the proposal will ruin the ground floor of the mews in terms of loss of outlook and light from the window at the ground floor.-future development plans for the mews at no 3 would require light to be received from the rear windows in order to make the space habitable. Also if a window would be built in the 2nd floor extension at no 3, the proposed extension would cause impact in terms of loss privacy, noise and nuisance-it is critical that any assessment of the application is in reference to accurate measurements-a site visit to 3 Elizabeth Mews or pictures to be sent with the views towards no 20 England's Lane-the site plan showing the mews at the back shows the wrong numbers <p>Officer response:</p> <ul style="list-style-type: none">-The proposed extension would allow a gap of over 1.6m between the rear of the property and the rear wall at no 3 Elizabeth Mews, which is considered to allow light and air to the ground floor windows. See para 4.2 for details-The ground floor of the property at no 3 Elizabeth Mews is currently a garage and therefore is not a habitable room were impact in terms of light and outlook can be considered. See para 4.2-The proposed scheme is assessed in relation to the existing situation on site and cannot relate to the future development on the neighbouring properties that has not been submitted and determined under a planning application.-The drawings show the situation on site accurately-The officer contacted the neighbour and pictures were received and attached in Site photos document part of the MB pack available online for public. The pictures show the location of the windows as seen from the adjacent property at no 22 England's Lane and from the first floor of no 3 Elizabeth Mews. In addition it shows the extension at nos 22 and 24 England's Lane approved in 2001, which projects up to the rear wall of the property at nos 1 and 2 Elizabeth Mews.-The site plan has been revised and available online.					

<p>Belsize CAAC</p>	<p>Belsize CAAC has objected in relation to the proposed development on the following grounds:</p> <ul style="list-style-type: none"> -No clear indication of the proximity of the rear windows in Elizabeth Mews -One of the other bedrooms at the first floor is already affected by a mid 30's staircase extension at the rear of half the 5.6m façade of England's Lane. The proposed extension would feature prominently and oppressively on the second window at the first floor which serves a bedroom -The "open" cage would cause noise and fumes within 2m of this second window. -Most properties, apart from two, have extended to the rear of Elizabeth Mews at basement level leaving space for light and air to the rear of Elizabeth Mews -If granted the application would create a precedent <p>Officer response:</p> <ul style="list-style-type: none"> -<i>Revised drawings have been submitted to show the relation between the proposed rear extension and the windows at no 3 Elizabeth Mews. Please see para 4.2 for details.</i> -<i>The distance in height from the eaves of the proposed extension and the first floor window at no 3 is of approximately 2.5m, with a gap of 1.6m from the rear wall to the proposed extension. Please see para 4.2 for details.</i> -<i>The proposed extension is in relation to a shop/showroom at the ground floor level which would not produce any fumes. Please see para 4.4</i> -<i>Planning permission has been granted for 4 properties along the row for a similar proposal in relation to the basement and ground floor levels. No application found to relate solely to the basement level. Please see para 3.2</i> -<i>Planning permission has been granted for similar proposals and therefore the principle of a rear extension in this instance is considered acceptable. Please see para 3.2</i>
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Site Description

The application site is located on the north-west side of England's Lane, within the basement and ground floor of a four storey mid-terrace building. The ground floor is currently classed as A1 (retail), whereas the basement is currently used as ancillary space to the ground floor, primarily for the purpose of storage of retail goods.

The property is not listed but it is located within Belsize Park Conservation area and is considered a positive contributor.

Relevant History

8905225 - The erection of an additional storey as an extension to the third floor flat as shown on drawings numbered EL1B 2A.- Appeal Refused – 19/02/1990

8905735 - Additional shop floor space to rear at ground floor only. – Granted at Appeal 30/10/1990

9200305 - Formation of additional floor space to rear at ground floor level as shown on drawing numbers EL A1a and EL A2 – Granted – 02/07/1992

Relevant planning application in close proximity to the application site:

PWX0103916 - 22-24 England's Lane - NW3 4TG Replacement of existing and ground floor rear extension at No's 22 and 24 England's Lane to cover existing rear courtyard areas. As shown on drawing no. AL1revA, 2revA, 8revA, 10revA, 12revA, 13revA, 14revA and 16revA. – Granted 18/12/2001

8905273 – 14 England's Lane – Extensions to enclose the rear courtyard at the basement and ground floor levels for shop use – Granted 30/05/1990

2006/3988/P – 12 England's Lane - Erection of a two-storey rear extension at basement and ground floor level to provide additional floorspace for the existing retail unit, plus erection of a roof extension and change of use of existing maisonette to provide two one-bedroom flats and one three-bedroom maisonette.

Relevant policies

National Planning Policy Framework 2012

The London Plan 2016

LDF Core Strategy and Development Policies

Core Strategy Policies

CS1 – Distribution of growth

CS5 – Managing the impact of growth and development

CS14 – Promoting high quality places and conserving our heritage

Development Policies

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

Camden Planning Guidance

CPG1 – Design (as amended 2015)

CPG6 – Amenity (as amended 2013)

Belsize Conservation area statement (April 2003)

Assessment

1. Proposal

- 1.1 The proposal consists in the erection of a 2 storey rear glazed extension for the lower ground and ground floor levels to enable additional floor space for the Class A1 retail unit.
- 1.2 The purpose of the proposed extension is to enlarge the existing retail unit by means of removing the existing internal staircase currently serving the basement, freeing up internal floor space. The new stairs is to be located within the proposed rear extension.

2. Considerations

- 2.1 The main planning considerations in the assessment of this application area:
 - Design – the impact the proposal has on the character of the host dwelling as well as that of the wider Belsize Conservation Area
 - Amenity – the impact of the proposal on the amenity of the adjoining occupiers

3. Design

- 3.1 The Council’s design policies are aimed at achieving the highest standard of design in all developments. The following considerations contained within policy DP24 are relevant to the application: development should consider the character, setting, context and the form and scale of neighbouring buildings, and the quality of materials to be used. Policy DP25 ‘Conserving Camden’s Heritage’ states that within conservation areas, the Council will only grant permission for development that ‘preserves and enhances’ its established character and appearance.
- 3.2 The pattern of development along this row of terrace properties indicates as a characteristic element the two storey outrigger with stepped rear elevation. Previous permissions have been granted for several properties along this terraced row to infill the recessed area with similar extensions as the proposed development at the basement and ground floor levels, as indicated in the relevant site history above. It is therefore considered that the principle of a rear extension is considered acceptable.
- 3.3 The proposed extension would infill the space between the applications site outrigger and the one at no 18 England’s Lane. Its projection would be set back by 0.14m from the outrigger rear wall and at a distance of 1.64m from the rear wall of no 3 Elisabeth Mews. The proposal would have a height significantly lower than the outriggers, by 3.3m. Part of the rear wall of the proposal would be made of clear glass, whilst the top and the first two window panes would be tinted glass, in order to overcome light nuisance to the rear

windows at no 3 Elisabeth Mews.

- 3.4 The overall design of the extension is considered to respect the character of the terraced row and Belsize Conservation Area through its lightweight materials and subordination to the host building.

4. Amenity

- 4.1 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 any proposed development protects the quality of life of occupiers and neighbours by only granting permission for development that does not cause harm to the amenity and that any development should avoid harmful effects on the amenity of existing and future occupiers and to nearby properties. CPG6 seeks developments to be "designed to protect the privacy of both new and existing dwellings to a reasonable degree" and that the Council will "aim to minimise the impact of the loss of daylight caused by a development on the amenity of existing occupiers".
- 4.2 The neighbouring property at no 3 Elisabeth Mews has a garage at the ground floor and a bedroom at the first floor. The applicant has provided further information to indicate the position of the rear windows at no 3 in relation to the proposed extension. As such, the eaves of the proposed extension would stop approximately in the middle of the garage window at no 3, whilst the middle of the first floor bedroom window is located at 2.5m distance in height from eaves of the proposed extension. Between the proposed extension and the rear wall at no 3 is a 1.64m gap which allows air and light to fill in the rooms at no 3 Elisabeth Mews.
- 4.3 Due to proposed glass material of the proposed extension concerns have been raised in relation to light nuisance to the rear windows at no 3. The proposal has been therefore amended with tinted glass to the top and on the first 2 window panes of the rear glazed wall, which will be also conditioned by this approval.
- 4.4 The applicant confirmed that the showroom at the ground floor operates during the daytime, during which any possible light nuisance (if any) is at the lowest. The extension would not part of the showroom floor space and therefore not in continuous use. Furthermore, the light sources proposed for the extension would be primarily low level, to lit the staircase treads, and be directed away from sight to avoid glare.
- 4.5 It is therefore considered that the impact on the neighbouring amenity at no 3 Elisabeth Mews have been addressed through the revisions submitted which makes the proposal acceptable.

5. Conclusion

- 5.1 Grand conditional planning permission

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 30th of January 2017, nominated members will advise whether they consider this

application should be reported to the Planning Committee. For further information, please go to www.camden.gov.uk and search for 'Members Briefing'.

Mr Coetzee Steyn
STEYN STUDIO
Studio 5
155 Commercial Street
London
E1 6BJ

Application Ref: **2016/5758/P**

Please ask for:

Nora-Andreea Constantinescu

Telephone: 020 7974 **5758**

25 January 2017

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:
20 England's Lane
London
NW3 4TG

Proposal:

Erection of infill two storey rear extension with metal frame and glazed panels, at the basement and ground floor levels, to facilitate external staircase to shop (Class A1).

Drawing Nos: Site location plan; F 0 100 P1; F 0 200 P1; D 0 100 P1; D 0 001 P2; D 0 200 P2; Design and Access Statement.

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 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).

Executive Director Supporting Communities



- 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:

Site location plan; F 0 100 P1; F 0 200 P1; D 0 100 P1; D 0 001 P2; D 0 200 P2; Design and Access Statement.

- 4 Reason: For the avoidance of doubt and in the interest of proper planning.
The roof of the extension and the first two window panes would be tinted glass and shall not thereafter be altered in any way without the prior written approval of the Local Planning Authority.

Reason: In order to prevent unreasonable light nuisance to 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.

Informative(s):

- 1 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 Noise and Licensing Enforcement Team, 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.
- 2 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).
- 3 Your proposals may be subject to control under the Party Wall etc Act 1996 which covers party wall matters, boundary walls and excavations near neighbouring

buildings. You are advised to consult a suitably qualified and experienced Building Engineer.

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

Executive Director Supporting Communities

DRAFT

DECISION