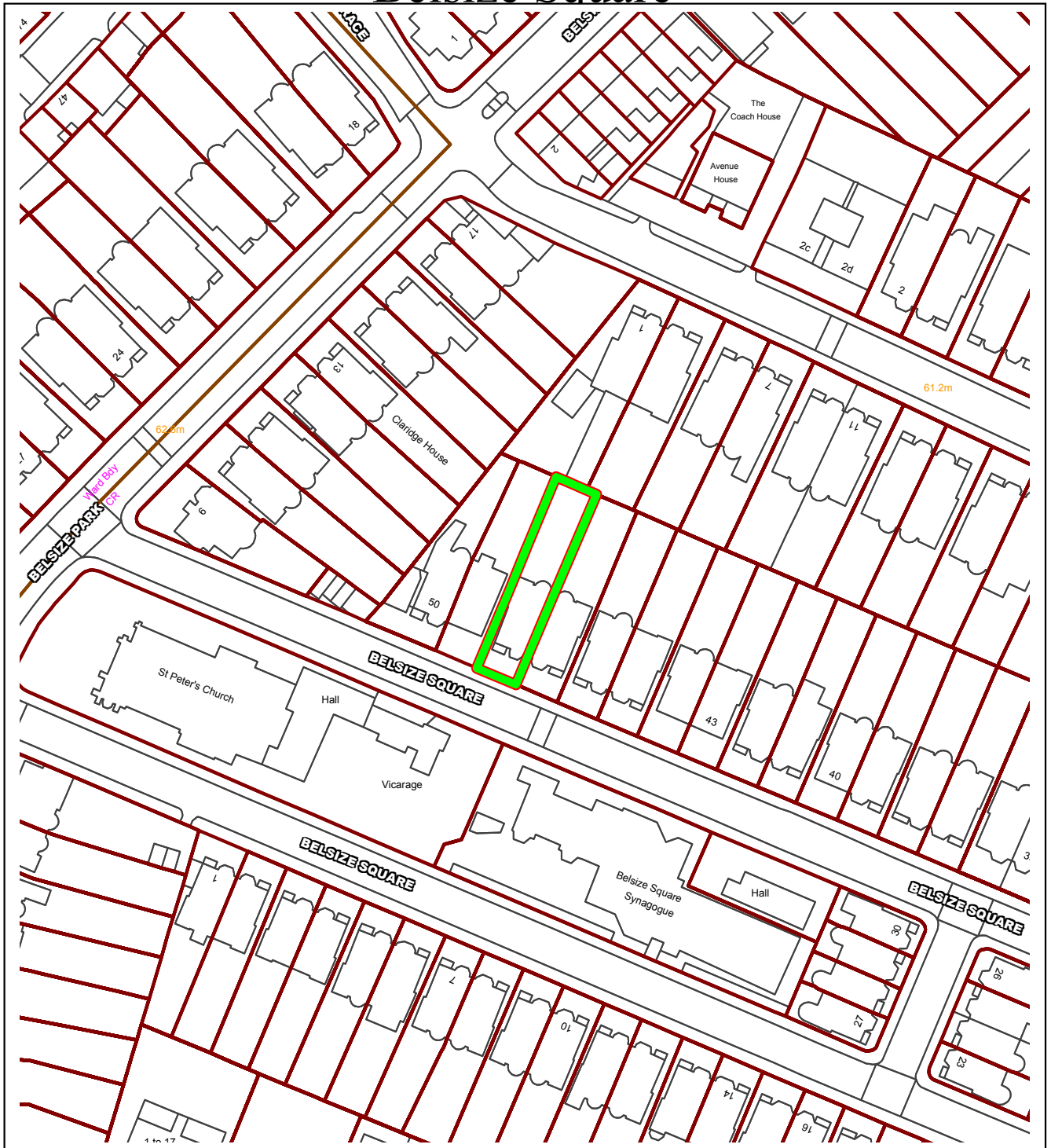


2017/1307/P - 48 Garden Flat A

Belsize Square





Photograph 1: Rear elevation of site showing existing balcony



Photograph 2: Showing rear and side access of the property



Photograph 3: Showing rear of site, extent of existing balcony and adjoining hedge/timber boundary with neighbour.

Delegated Report		Analysis sheet		Expiry Date:	1/05/2017
(Members Briefing)		N/A		Consultation Expiry Date:	27/04/2017
Officer			Application Number(s)		
Raymond Yeung			2017/1307/P		
Application Address			Drawing Numbers		
Garden Flat A 48 Belsize Square LONDON NW3 4HN			Please refer to draft decision notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Erection of a single storey rear extension to the lower ground floor flat.					
Recommendation(s):		Grant planning permission			
Application Type:		Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:			No. of responses	03	No. of objections	03
			No. Electronic	00		
Summary of consultation responses:	<p>A site notice was displayed outside the site between 30/03/2017 - 20/04/2017.</p> <p>Between 6/04/2017 and 27/04/2017 the application was advertised in the local press on 30/03/2017 (expiring 27/04/2017).</p> <p>3 objections were received:</p> <p>2no x from two occupiers of 48 Belsize Square (Flat above application site) and 1x unsolicited (on behalf of upper floor occupier), on the following issues;</p> <p><i>(Officer's response below in italics)</i></p> <ul style="list-style-type: none">• Skylight is not acceptable and would lead to light pollution <p><i>It would be 2 metres away from the neighbour's rear opening, and would not be angled toward their windows, as such it is not considered detrimental to adjoining occupiers amenity. The rooflight would be conditioned to be obscure to secure a reduction of such glare of light to cause harm.</i></p> <ul style="list-style-type: none">• Building would occupy large proportion of garden <p><i>There would still be over 18 metres remaining between the rear extension and the rear of the garden, there would be plenty of garden space remaining.</i></p> <ul style="list-style-type: none">• Steps to balcony would be enclosed <p><i>This space is outside and is not a habitable area, any access would likely to be infrequent, and such is not considered to be detrimental to the amenity of the above ground floor flat and No.47 next door. The staircase is not enclosed and is open.</i></p> <ul style="list-style-type: none">• Plans do not show details, such as materials and drainage <p><i>Plans, application form, planning letter, Design & Access describes the above in a level of detail which extends beyond the level of requirement to register a planning application.</i></p> <ul style="list-style-type: none">• Plans inconsistent <p><i>Plans are considered sufficiently clear for registration and determination purposes.</i></p> <ul style="list-style-type: none">• Destroy views of the garden from the rear window of the ground floor flat <p><i>As the proposed extension would be below the ground floor flat, such proposal is considered to not create an impact to outlook, it would definitely create an enclosed affect.</i></p> <ul style="list-style-type: none">• Felt roof not acceptable <p><i>Has been revised to be in lead, and such roof would not be seen within the public</i></p>					

	<p><i>realm and therefore considered acceptable at this location.</i></p> <ul style="list-style-type: none"> • No details with regards to the roof edge and balcony levels <p><i>Details mentioned on the plans.</i></p> <ul style="list-style-type: none"> • Steel handrail should be galvanised steel and painted black <p><i>Would not be seen within the public realm, but would reflect similarly to the existing.</i></p> <ul style="list-style-type: none"> • Removal of existing terrace <p><i>New terrace would be proposed in similar layout and design as the previous using the existing railing.</i></p>
CAAC comments:	<p><u>Belsize CAAC</u> have objected on the following grounds;</p> <ul style="list-style-type: none"> • Extension is too large <p><i>Please see design paragraph below</i></p> <ul style="list-style-type: none"> • Poorly designed <p><i>Please see design paragraph below</i></p> <ul style="list-style-type: none"> • Intrusive to neighbours <p><i>Please see amenity paragraph below</i></p> <ul style="list-style-type: none"> • Would not enhance the area <p><i>It is considered to have a neutral impact to the host property and area to rear of property</i></p>

Site Description

The subject property is located on the northern side of Belsize Square. The property forms a part of a semi-detached building and is three storeys in height with a loft conversion. The property has been divided into flats, and this application pertains to the lower ground and upper ground floor levels. The property is located within the Belsize Park Conservation Area, but it is not a listed building.

Relevant History

Application site

2016/2645/P - Erection of a single storey rear extension to the lower ground floor flat. Granted 08/07/2016

Relevant policies

National Planning Policy Framework 2012

London Plan 2016

LDF Core Strategy and Development Policies

Core Strategy

CS5 (Managing the impact of growth and development)
CS14 (Promoting high quality places and conserving our heritage)

Development Policies

DP24 (Securing high quality design)
DP25 (Conserving Camden's heritage)
DP26 (Managing the impact of development on occupiers and neighbours)

Supplementary Planning Guidance

CPG1 (Design) 2015
CPG6 (Amenity) 2011

Belsize Conservation Area Statement 2002

Draft Camden Local Plan

The Camden Local Plan was formally submitted to the government for public examination in summer 2016. Following the public hearings, the Council is consulting on Main Modifications to the Local Plan. Following the Inspector's report into the examination, which is expected in early-mid April 2017, policies in the Local Plan should be given substantial weight. Adoption of the Local Plan by the Council is anticipated in June or July. At that point the Local Plan will become a formal part of Camden's development plan, fully superseding the Core Strategy and Development Policies, and having full weight in planning decisions.

The following policies are considered to be relevant:

G1 Delivery and location of growth
A1 Managing the impact of development
D1 Design
D2 Heritage

Assessment

1.0 Background

1.1 The current application seeks an alteration from the 2016/2645/P permission for the proposal of the same description, however the main changes are as follows from the previous permission.

- Alteration to internal layout
- New rear patio-door opening to replace window and reducing window of the ones already approved
- New waterproofed area roof on the first floor balcony
- Widening the extension to be flush with the main house

2.0 Proposal

2.1 The proposal is for the erection of a single storey rear extension to the lower ground floor flat.

2.2 Revised plans were submitted to improve the scheme following concerns;

- Clarify that details of the design
- The rear bi-folding doors to be timber instead of aluminium
- Flat roof of extension to be of code 5 lead
- Metal balustrade of the roof terrace to be retained and not replaced with new

3.0 Assessment

3.1 The principle planning considerations are considered to be as follows:

- Design (impact on the character and appearance of the host building and Belsize Conservation Area); and
- Impact on neighbouring amenity.

4.0 Design

4.1 Policy CS14 aims to ensure the highest design standards from developments. This is supported by Policy DP24 which requires all development, including alterations and extensions to be of the highest standard of design and to respect the character, setting, form and scale of the host building and neighbouring properties. Policy DP25 seeks to preserve and enhance the character and appearance of conservation areas.

4.2 Section 4 of CPG1 provides advice regarding the construction of rear extensions and advises that development should be secondary to the building being extended in terms of location, form, scale, proportions, dimensions and detailing. The Council's guidance does not put a specific limitation on the width of the rear extensions as long as rear extensions are subordinate to the host building and respect the established pattern of development in the area.

4.3 The proposed single storey rear extension is subordinate to the host building in terms of form, scale and proportions, the proposed extension would extend beyond the existing building line by approximately 4.2m, would be a modest 2.5 metres in height and would not be wider than the existing property.

4.4 The location of the extension at the rear of the building would mean it has a limited impact on the conservation area, not visible from the public realm. Furthermore, it is noted that within the immediate area there is a mixture in the styles and materials, most noticeably the adjoining property at no. 49 Belsize Square. The proposal seeks to retain the existing balcony railing on the upper flat and will not cause harm to the existing stairwell which would be rebuilt as per same location and design.

4.5 The proposed extension with roof terrace would keep this pattern of development and would be subordinate to the existing building. The existing boundary would help to screen the extension from neighbouring properties.

4.6 The extension would be constructed of matching stock brickwork to the host building and would have frameless rooflights and rear glazed doors. The new rear bi-folding door opening replacing the previously approved rear windows would have timber framing to match the existing sash windows on the property. The railing on the roof terrace would be retained and be repainted, this is considered to be acceptable. The flat roof

has been revised to be in code 5 lead which is traditional and better than felt which was initially proposed. The use of sympathetic materials and detailing would ensure the extension was a sympathetic and complementary addition to the host building and wider terrace.

4.7 The proposal would retain a reasonably sized rear garden area to provide adequate outside amenity space and maintain the open character of the rear gardens in this area, as mentioned above, there would still be over 18 metres remaining between the rear extension and the rear of the garden, there would be plenty of garden space remaining.

4.8 The proposal is considered to be acceptable in design terms as the proposed extension would be subservient to the existing building and respect the architectural style of the existing building and the development pattern of the surrounding area.

5.0 Amenity

5.1 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 development protects the quality of life of occupiers and neighbours by only granting permission for development that would not harm the amenity of neighbouring residents. This includes privacy, outlook, and implications on daylight and sunlight.

5.2 In terms of privacy, the proposed ground floor terrace would allow for some overlooking to the gardens of adjoining properties but this would not worsen the existing situation which already has a ground floor rear terrace. The current scheme does not alter the terrace as previously approved. The existing boundary with no.47 would prevent a material degree of overlooking from the roof terrace to the rear windows of that property and there would be significant distance between it and No.49 on the otherside. The proposal would not significantly worsen the existing overlooking between the neighbours and the application property.

5.3 There has been objections with regards to the skylight leading to light pollution, as mentioned above, it would be 2 metres away from the neighbour's rear opening, and would not be angled toward their windows, as such is not considered to be detrimental to the neighbour amenity, however the rooflight would be conditioned to be obscure. There has also been concerns with regards to loss of outlook; as mentioned above, the proposed extension would be below the windows of the ground floor flat and as such it is not considered to result in loss of outlook to adjoining occupiers.

6.0 Conclusion

6.1 The proposal would not harm the character and appearance of the conservation area. Subject to a safeguarding condition for the proposal is not considered to unduly harm the amenities of neighbouring residents.

7.0 Recommendation

7.1 Grant 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 8th May 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 ROSS LAKANI
HOMES DESIGN LTD
40 Wise Lane Mill Hill
London
NW7 2RE
London

Application Ref: **2017/1307/P**
Please ask for: **Raymond Yeung**
Telephone: 020 7974 **4546**

3 May 2017

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:
Garden Flat A
48 Belsize Square
LONDON
NW3 4HN

DECISION

Proposal:
Erection of a single storey rear extension to the lower ground floor flat.

Drawing Nos: Existing block plan, Proposed block plan, Design and Access statement, planning letter by R.Lakani, Infiniti Glass Rooms Brochure, 8000A, 8001A, 8002B, 8003B.

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:

Existing block plan, Proposed block plan, Design and Access statement, planning letter by R.Lakani, Infiniti Glass Rooms Brochure, 8000A, 8001A, 8002B, 8003B.

Reason:

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

- 4 The roof of the extension hereby permitted shall not be used as a roof terrace/balcony.

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 hereby approved rooflight windows to be installed on the proposed rear extension shall be non-opening and obscurely glazed and shall be retained as such in perpetuity.

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.

- 6 The entirety of the existing metal railing of the existing roof terrace shall be retained for re-use relating to the replacement balcony of the new extension hereby shown in approved drawings.

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.

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 emerging London Borough of Camden Local Plan is reaching the final stages of its public examination. Consultation on proposed modifications to the Submission Draft Local Plan began on 30 January and ended on 13 March 2017. The modifications have been proposed in response to Inspector's comments during the examination and seek to ensure that the Inspector can find the plan 'sound' subject to the modifications being made to the Plan. The Local Plan at this stage is a material consideration in decision making, but pending publication of the Inspector's report into the examination only has limited weight.

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 Regeneration and Planning