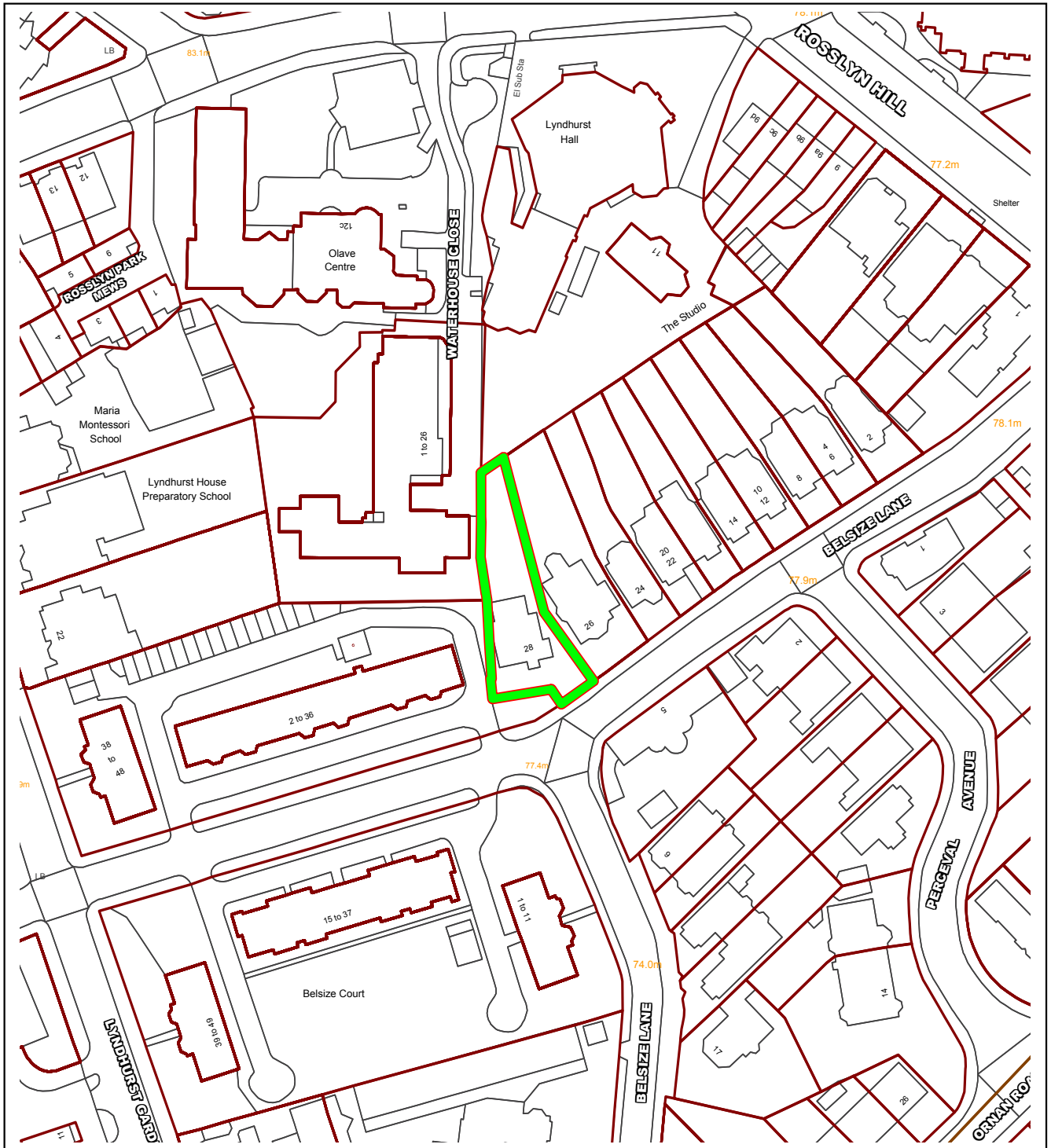


28 Belsize Lane 2017/1523/P



This material has been reproduced from Ordnance Survey digital map data with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright.

28 Belsize Lane NW3



1. 28 Belsize Lane and location of plant/refuse enclosure on driveway



2. 26 Belsize Lane



3. Streetscene of properties to east



4. Examples of unfinished vent ducts viewed from side of 26 Belsize Lane

Delegated Report		Analysis sheet		Expiry Date:		12/05/2017	
(Members Briefing)		N/A / attached		Consultation Expiry Date:		4.4.17	
Officer				Application Number(s)			
Charles Thuaire				2017/1523/P			
Application Address				Drawing Numbers			
28 Belsize Lane London NW3 5AB				See decision notice			
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature	
Proposal(s)							
Details of ventilation plant and refuse storage required by conditions 9 and 10 of planning permission ref 2010/3112/P dated 23/03/2011 (for Renewal of planning permission dated 29/4/2008 ref 2008/0285/P for the erection of a new 3 storey plus basement dwelling house with bronze cladding).							
Recommendation(s):		Approve details					
Application Type:		Approval of details					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							

Consultations

Adjoining Occupiers:	No. notified 01		No. of responses 04 No. Electronic 00		No. of objections 05	
Summary of consultation responses:	<p>1 neighbour at 26 Belsize Lane was consulted as he had made enforcement complaints against new ventilation equipment installed here.</p> <p><u>5 neighbours in flats at 26 Belsize Lane all object-</u></p> <p>New rooftop pipework installed is not 'de minimis' and does not comply with permitted plans nor with submitted ones in terms of design, size, materials, number and location; unsightly and visible from side of no.26; roof clutter of 14 pipes harms unique jewel-like quality of new house.</p> <p>Approved plans for refuse details showed small open-topped refuse enclosure and no a/c units; new store to house refuse and a/c units is significantly bigger, 190% in length and 60% in width. This is unacceptable and visually obtrusive in front of building line in conservation area. Examples submitted of other enclosures nearby are not comparable precedents; the previously approved plant room in rear garden was better as it had no impact, current location is far worse in impact on directly adjoining neighbouring bedroom windows, and a/c units have acoustic characteristics which make them more audible and disturbing.</p> <p><i>(Response- see paras 4.1-4.2, 4.4-4.5)</i></p>					
CAAC/Local groups* comments: *Please Specify	n/a					

Site Description

The site originally had a 2 storey detached dwellinghouse but is now demolished and works are underway to implement the last permission for a new house of contemporary design. It is on the north side of Belsize Lane within Fitzjohns/Netherhall conservation area. The sides of the new house face windows in the flank elevations of 26 Belsize Lane (a Victorian property divided into flats) to the east and Belsize Court (a 1930's block of flats) to the west.

Relevant History

2008/0285/P- 29.4.08- pp granted for the erection of a new 3-storey plus basement dwelling house with bronze cladding (Class C3)

2010/3112/P- 23/03/2011- pp granted with S106 - Renewal of planning permission dated 29.4.08 ref 2008/0285/P for the erection of a new 3-storey plus basement dwelling house with bronze cladding (Class C3)

2014/4163/P- 01/08/2014- NMA approved- Reconfiguration of basement level, erection of side ground floor extension, enclosure to rear first floor terrace, revision to internal layouts, and amendments to fenestration and cladding, as an amendment to planning permission reference 2010/3112/P dated 23/03/11 for the erection of a new 3-storey plus basement dwelling house with bronze cladding.

2014/0246/P- 17/02/2014- approval of details- Details of hard and soft landscaping (condition 5), tree protection (condition 7), waste storage and removal (condition 10) and sustainable urban drainage system (condition 13) required by planning permission granted on 23/03/2011 ref: 2010/3112/P

EN17/0017- External pipework added that's not included in pp (2015/4685/P). Jan 2017
EN17/0079- A large 'services' enclosure is being constructed on the east boundary at the front of the site, in front of the main building line.
EN17/0080- There are two large a/c units in this area also not shown on the approved drawings for 2015/4685/P.

Relevant policies

LDF Core Strategy and Development Policies 2010

CS1 - Distribution of growth
CS5 - Managing the impact of growth and development
CS14 - Promoting high quality places and conserving our heritage
CS18 - Dealing with waste
DP24 - Securing high quality design
DP25 - Conserving Camden's heritage
DP26 - Managing the impact of development on occupiers and neighbours
DP27 - Basements and lightwells
DP28 - Noise and vibration

Camden Local Plan Submission Draft 2016

A1 Managing the impact of development
A4 Noise and vibration
D1 Design
D2 Heritage
CC5 Waste

The Inspector's report on the Local Plan was published on 15 May 2017 and concludes that the plan is 'sound' subject to modifications being made to the Plan. While the determination of planning applications should continue to be made in accordance with the existing development plan until formal adoption, substantial weight may now be attached to the relevant policies of the emerging plan as a material consideration following publication of the Inspector's report, subject to any relevant recommended modifications in the Inspector's report.

Camden Planning Guidance 2011-2015

London Plan 2016

NPPF 2012

Assessment

1. Background-

The 2 relevant conditions from the original permission state-

Condition 9- Before the use commences, the scheme for the ventilation of and the extraction of fumes from the premises to an adequate outlet level, including details of sound attenuation for any necessary plant shall be provided in accordance with the scheme hereby approved by the Council. The development shall not be carried out otherwise than in accordance with any approval given and shall thereafter be maintained in effective order to the reasonable satisfaction of the Council.

Condition 10- Before the development commences, details of the location, design and method of waste storage and removal (including recycled materials) shall be submitted to and approved by the Council and the approved facility shall therefore be provided prior to the first occupation of any of the new units and permanently maintained and retained thereafter.

2. Proposal-

2.1 The originally approved scheme for a new house here involved a plant room at the far end of the rear garden; subsequent details approved to discharge condition 10 involved a small refuse store alongside the front of the side wall with no.26 and immediately behind the pavement- it was 2.4m long, 1m deep and 1.6m high and was open-topped with 3 doors for 2 bins.

2.2 The current proposal is for a new combined enclosure in the same location in the front garden for both waste and plant; in addition, although officers considered them to be '*de minimis*', the applicants have included rooftop vent pipes in the application to regularise everything. The previously installed a/c units and enclosures in January have now been removed, following receipt of the enforcement complaints; the vent pipes installed around the roof are awaiting completion in their finishes.

2.3 The proposed enclosure is approx. 7m long 1.4m deep and part 1.5m part 1.6m high, and will have timber slatted sides and roof plus 8 doors. It will accommodate 3 a/c units, an electric charging point, elec and gas meters, and 3 bins. It adjoins the garden boundary wall as before, but will be slightly set back behind the pavement to enable planting and will now extend the full depth of the garden to the new house's façade.

2.4 The proposed roof vents comprise 3 soil vent pipes and 9 extract vents to the bathrooms and are arranged in 4 groups- at the far rear and middle of the east side adjoining no.26, the middle of the front roofslope, and the front west corner adjoining Belsize Court. In addition there will be 2 bathroom and kitchen extract fans at the ground floor front and west elevations respectively.

3. Issues- design, impact on conservation area; noise and refuse standards, impact on amenities of neighbours

4. Assessment-

Design-

4.1 The proposed combined refuse and plant enclosure is appropriately located next to the side boundary garden wall and front driveway. It is lower than the abutting wall here so, as read against this boundary, will not create a visually bulky structure, especially as it will be further hidden behind proposed front driveway metal gates and fence (proposed in separate planning application ref 22017/1936/P). Its slatted timber materials and simple design are considered sympathetic to the character of the streetscene and will not harm the character and appearance of the host building or the conservation area. There are other similar timber trellis fences and binstores up to 1.4m high further east on the front boundaries of Victorian terraced properties, which provide a context for this.

4.2 The vent ducts on the roof are minor ancillary features which have barely any impact on the building and only the front group of 7 pipes are partially visible from the street. It should be noted that all of these are in an unfinished state and will be reduced in height to 150mm above the roof and clad in copper, which will reduce their visibility behind the perimeter parapets and will blend in with the

bronze cladding.

4.3 The proposal is considered to preserve the character and appearance of the conservation area. Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area, under s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

Amenity-

4.4 The bin/plant enclosure behind the side boundary wall will not cause any loss of light or outlook to neighbours. It is larger than the previously approved enclosure and will continue to meet waste storage standards.

4.5 The revised acoustic report demonstrates that the plant will not harm neighbouring amenities. The 3 condensers in the plant enclosure at the front will be at least 10dBA below the background noise levels at night. The vent ducts will not display any tonal characteristics so that they will meet the requirement of being 5dBA below background levels. The basement extract fan at the front elevation will similarly meet this threshold. Although the kitchen extract fan on the west side elevation facing Belsize Court will exceed the threshold, it will nevertheless ensure that recommended internal noise levels for bedrooms are still maintained. It is thus considered that there will be no demonstrable harm to neighbouring residential amenity.

4. Recommendation- discharge conditions 9 and 10.

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 22nd 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'.

Ross McDonald
Alison Brooks Architects
Unit 6
10 Highgate Studios
53-79 Highgate Road
London
NW5 1TL

Application Ref: **2017/1523/P**
Please ask for: **Charles Thuaire**
Telephone: 020 7974 **5867**

15 May 2017

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Approval of Details Granted

Address:
28 Belsize Lane
London
NW3 5AB

DECISION

Proposal:

Details of ventilation plant and refuse storage required by conditions 9 and 10 of planning permission ref 2010/3112/P dated 23/03/2011 (for Renewal of planning permission dated 29/4/2008 ref 2008/0285/P for the erection of a new 3 storey plus basement dwelling house with bronze cladding).

Drawing Nos:

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

Informative(s):

- 1 You are advised that all conditions relating to planning permission ref 2010/3112/P dated 23/03/2011, which need details to be submitted, have been approved.

Executive Director Supporting Communities



- 2 The Inspector's report on the Local Plan was published on 15 May 2017 and concludes that the plan is 'sound' subject to modifications being made to the Plan. While the determination of planning applications should continue to be made in accordance with the existing development plan until formal adoption, substantial weight may now be attached to the relevant policies of the emerging plan as a material consideration following publication of the Inspector's report, subject to any relevant recommended modifications in the Inspector's report.

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

DECISION