

2017/0340/p

Flat 4, 47 Belsize Park Gardens



View of the front elevation showing the portico and first floor window



Delegated Report		Analysis sheet	Expiry Date:	16/03/2017
(Members Briefing)		N/A	Consultation Expiry Date:	05/04/2017
Officer			Application Number(s)	
Matthias Gentet			2017/0340/P	
Application Address			Drawing Numbers	
Flat 4 47 Belsize Park Gardens LONDON NW3 4JL			See Draft Decision Notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Installation of a metal balustrade above entrance porch flat roof and replacement of front first floor sash window with timber patio door in connection with residential flat (Class C3)				
Recommendation(s):	Grant Conditional Planning Permission			
Application Type:	Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	00	No. of responses	00	No. of objections	00
			No. Electronic	00		
Summary of consultation responses:	<p>A site notice was displayed on 15/03/2017 to 05/04/2017 and a press advert was published on 02/02/2017 to 23/02/2017.</p> <p>No responses were received.</p>					
CAAC/Local groups* comments: <small>*Please Specify</small>	<p>An objection from the Belsize Conservation Area Advisory Committee was received, summarised as follow:</p> <ul style="list-style-type: none"> - To the use of the porch roof as a terrace; - To the changes of the sash window to French doors; - To the proposed 'off the shelf' balustrading. <p><u>Officer's Response:</u> Please refer to sections on Design and Amenity below for a full assessment.</p>					

Site Description

The site address is a 3-storey with attic and basement semi-detached residential property divided into flats. An Italianate Villa, from the mid-late 1880's, the building is located on the south-east side of Belsize Park Gardens and is one of many such properties forming the dominant architectural character of the street.

The building sits within Belsize Park Conservation Area. Although it is not listed, it is noted as a positive contributor in the Belsize Conservation Area statement.

Relevant History

Site Address:

2015/3339/P – (granted on 13/08/2017) - Replacement front dormer window and side dormer window and replacement rear dormer window involving creation of inset roof terrace – Flat 8;

2009/5300/P – (granted on 18/01/2010) - Creation of a lower ground floor terrace area to the front of a residential flat with associated insertion of doors to basement level bay window and construction of 1.85m high retaining wall;

2006/3249/P – (granted on 22/09/2006 - Erection of a single-storey rear ground floor level extension with green roof and rooflight (following demolition of part of existing single-storey rear extension), including provision of rainwater storage facility, and part excavation of rear garden all in connection with existing ground floor level flat (Class C3) – Flat 1.

Adjacent Sites History:

2014/3857/P – (granted on 24/07/2014) - The installation of balustrade on the existing flat roof at first floor level for the provision of a first floor roof terrace, at the front elevation - 6A Belsize Park Gardens;

2013/4522/P – (granted on 11/10/2013) - Replace first floor front terrace balustrade with new steel balustrade to existing flat (Class C3) - 72 Belsize Park Gardens;

2012/2656/P – (granted on 24/07/2012) - Installation of balustrading above entrance porch and replacement of window with door at front first floor level in connection with creation of a terrace in connection with the existing dwelling (Class C3) - 31 Belsize Park Gardens.

Relevant policies

National Planning Policy Framework 2012

National Planning Policy Framework 2012

The London Plan March 2016

Draft Camden Local Plan 2017

At application stage, the Camden Local Plan Submission Draft 2016 was in the process of being adopted. It is likely to be adopted on 3rd July, at which point the Local Plan will have full weight. The following policies are of relevance to the application:

- A1 – Managing the Impact on Development
- D1 – Design
- D2 – Heritage

LDF Core Strategy and Development Policies

The LDF Core Strategy and Development Policies will be superseded by the Camden Local Plan 2017 from 3rd

July 2017; however, these policies had full weight when the application was submitted. The following policies were relevant to the application:

Core Strategy Policies

CS5 – Managing the impact of growth

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

Camden Planning Guidance

CPG1 (Design) – Chap 3, 4 & 5 (2015)

CPG6 (Amenity) – Chapter 7

Belsize Conservation Area Statement (November 2002)

Assessment

1.0 Proposal

1.1 Planning permission is sought for the installation of a metal balustrade above the entrance porch flat roof and its use as a terrace, and the replacement of the first floor sash window with timber-framed patio doors to provide access to the terrace.

2.0 Assessment

2.1 The principle considerations in the determination of this application are:

- Design (the impact on the character and appearance of the host building and wider conservation area); and
- Impact on neighbouring amenity.

3.0 Design

3.1 The Council's design policies are aimed at achieving the highest standard of design in all developments, including where alterations and extensions are proposed. The following considerations contained within policies CS5 and CS14 of the Core Strategy and policies DP24 and DP25 of the Development Policies are relevant to the application: development should consider the principle of the development; and the impacts of the development on the character, setting, context and the form and scale of neighbouring buildings. Similarly, replacement policy D1 requires development to be of the highest architectural and urban design quality which improves the function, appearance and character of the area.

3.2 Camden's LDF policies and the Draft Local Plan are supported by CPG1 (Design) and the Belsize Conservation Area Statement 2002.

3.3 The proposals include the replacement of the existing timber sash window with timber framed patio doors to provide access to the proposed roof terrace. The window cill would be lowered but the doors would sit within the existing window aperture and would be similar in design, which would ensure the attractive appearance of the front elevation was preserved.

3.4 The proposed metal balustrade would measure 0.6m high, and surround the entrance porch at 2.8m wide and 1.3m deep. It would sit above the portico parapet wall to give an overall height of 1.1m. It would be a simple black metal design which is considered to be in keeping with the architectural character of the host building and many other properties along Belsize Park Gardens which feature the same alteration (Nos 61, 33, 31, 29, 27, 25, 23, 21 and 15 on the same side of the street, and Nos 6, 12, 14, 16, 18, 20, 22, 24, 26, 28 on the opposite side),

3.5 Although a number of these properties completed the development without the benefit of planning permission, many of them have been in place for a significant period of time and as such are considered lawful and immune from enforcement action. It is important to note that whilst the Belsize Conservation Area Appraisal states that minor alterations such as those proposed can have a cumulative impact on the character and appearance of buildings, streets and areas as a whole; in this instance, it is not considered an incongruous addition given the number of properties which already feature the same development. It can be argued that the proposed development now forms part of the character and appearance of this part of the conservation area and is therefore considered acceptable.

4.0 Amenity

4.1 Policy CS5 seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered. Policy DP26 and replacement Policy A1 support this, by seeking 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. This includes privacy, outlook, noise, daylight and sunlight.

4.2 The views from the proposed terrace would not be markedly different from those possible from the existing projecting bay window at first floor level. The development is therefore not considered to cause harm to neighbouring amenity in terms of overlooking, outlook or daylight.

5.0 Recommendation

5.1 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 3rd July 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 Kampanat Atichatpong
design-NA Architects
70 Cowcross Street
London
EC1M 6EJ

Application Ref: **2017/0340/P**
Please ask for: **Matthias Gentet**
Telephone: 020 7974 **5961**

19 June 2017

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

Flat 4
47 Belsize Park Gardens
LONDON
NW3 4JL

DECISION

Proposal:

Installation of a metal balustrade above entrance porch flat roof and replacement of front first floor sash window with timber patio door in connection with residential flat (Class C3)

Drawing Nos: Design and Access Statement; [dNA BPR] 00 000 P0 - Site Location Plan, 00 100 P0, 00 200 P0, 01 100 P0, 02 100 P0.

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 and policies A1, D1 and D2 of the Camden Local Plan Submission Draft 2016.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans: Design and Access Statement; [dNA BPR] 00 000 P0 - Site Location Plan, 00 100 P0, 00 200 P0, 01 100 P0, 02 100 P0.

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

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 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.
- 3 The emerging 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

DRAFT

DECISION