

31 Belsize Park Gardens, re: 2018/4045/P



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31 Belsize Park Gardens, ref: 2018/4045/P



1. Front elevation (i)



2. Front elevation (ii)



3. Front gates



4. Rear elevation



5. Side gate



6. Railings at ground floor



7. Portico railings

Delegated Report (Members Briefing)		Analysis sheet		Expiry Date:	14/01/2019
		N/A / attached		Consultation Expiry Date:	19/11/2018
Officer			Application Number(s)		
Matthew Dempsey			2018/4045/P		
Application Address			Drawing Numbers		
31 Belsize Park Gardens London NW3 4JH			Site Location Plan, EX/PRO1.2_B, EX02.2, EX02.3, EX02.4, EX02.5, EX03, EX/PRO1.3_A, PRO2.2_A, PRO2.3_A, PRO2.4_A, PRO2.5, PRO3.		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Installation of cast ironwork; lower ground floor side passage gate, railings to upper floor terraces and along walled front steps to entrance portico, and re-painting all ironwork throughout in dark charcoal grey (Retrospective).					
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	02
Summary of consultation responses:	<ul style="list-style-type: none">A site notice was initially displayed from; 21/09/2018, which expired 15/10/2018, however following revisions a further site notice was displayed from; 26/10/2018, which expired 19/11/2018.A press notice was published; 27/09/2018, which expired 21/10/2018, however following revisions a further press notice was displayed from 25/10/2018, which expired 18/11/2018. <p>1 x local resident objected due the proposed boundary gates being out of character with other properties along the street. They also objected to the hard standing which has been installed to the front.</p> <p><i>Officer response: The applicant has amended their proposal to remove the front boundary gates. The hard standing is not subject to this application. A separate application is expected to be submitted to seek approval for works to the front garden/ hard standing area (see relevant planning history section ref: 2018/6369/NEW).</i></p> <p>1 x local resident objected because the proposed railings are not the same style as the previously existing railings and not the same colour.</p> <p><i>Officer response: Whilst the replacement railings to the top floor terraces are not exactly the same as the pre-existing, It is considered that the proposed railings are in keeping with the conservation area. The colour shall be dark charcoal grey, which is also considered acceptable.</i></p>					
Belsize CAAC comments:	<p>The Belsize CAAC made an objection due to colour, design and the need for the boundary gates. They also objected to the numerous styles of railings/ balustrading within the conservation area.</p> <p><i>Officer response: The applicant has amended their proposal to remove the boundary gates. The colour proposed will be a very dark charcoal grey, this is considered acceptable in the conservation area. Although there may be several styles of ironwork in place along the street, given there is no definitive option, the proposed railings are considered acceptable in this location.</i></p>					

Site Description

The application site is a semi-detached Victorian town house over 5 floors including lower ground floor and converted loft space. The front of the building faces North-east.

It is brick built, white stucco render to the front elevation, with neo classical detailing at the entrance portico and around the fenestration treatments. The immediate vicinity of the property is characterised by similarly styled Italianate residential properties.

The property benefits from a decorative white render boundary wall to the front and sides enclosing a front garden space. To the South-eastern side of the property, there are steps down from the front garden to the side access way. To the rear is a private garden used as outdoor amenity space.

The site is within the Belsize Conservation Area. The property is not a listed building, but it is identified as making a positive contribution in the Conservation Area statement.

Relevant History

9401046 - Change of use of the front half of the second floor from use as rooms in multiple occupation to a one bedroom Flat. **Refused 02/09/1994.**

2008/1819/P - Change of use from a of house in multiple occupation and two self contained flats to a single family dwellinghouse (use class C3). **Refused 13/08/2008.**

2009/5310/P - Change of use from a house in multiple occupation and three self contained flats to a single family dwellinghouse (C3). **Granted subject to a Section 106 Legal Agreement 13/09/2010.**

2011/3704/P - Excavation to create basement with rear lightwell and rooflight, lowering of lower ground floor level, enlargement of dormer window with terrace in front roofslope, installation of dormer window with terrace in rear roofslope, installation of glazed lantern to side roofslope, alterations to windows and doors at front and rear lower ground floor level and ground floor level on side elevation, and creation of terraces at rear ground and first floor level all in connection with existing dwelling (Class C3). **Granted 21/10/2011.**

2011/5431/P - Details pursuant to condition 3 (tree protection) of planning permission granted 21/10/11 (ref: 2011/3704/P) for the excavation to create basement with rear lightwell and rooflight, lowering of lower ground floor level, enlargement of dormer window with terrace in front roofslope, installation of dormer window with terrace in rear roofslope, installation of glazed lantern to side roofslope, alterations to windows and doors at front and rear lower ground floor level and ground floor level on side elevation, and creation of terraces at rear ground and first floor level all in connection with existing dwelling (Class C3). **Granted 25/11/2011.**

2012/0016/P - Details pursuant to condition 4 (enclosure/balustrade to lightwell, terraces and balcony) of planning permission dated 24/10/11 (ref: 2011/3704/P) for the excavation to create basement with rear lightwell and rooflight, lowering of lower ground floor level, enlargement of dormer window with terrace in front roofslope, installation of dormer window with terrace in rear roofslope, installation of glazed lantern to side roofslope, alterations to windows and doors at front and rear lower ground floor level and ground floor level on side elevation, and creation of terraces at rear ground and first floor level all in connection with existing dwelling (Class C3). **Granted 20/02/2012.**

2012/1298/P - Details pursuant to condition 6 (solar panels) of planning permission granted 21/10/11 (ref: 2011/3704/P) for the excavation to create basement with rear lightwell and rooflight, lowering of lower ground floor level, enlargement of dormer window with terrace in front roofslope, installation of dormer window with terrace in rear roofslope, installation of glazed lantern to side roofslope, alterations to windows and doors at front and rear lower ground floor level and ground floor level on side elevation, and creation of terraces at rear ground and first floor level all in connection with existing dwelling (Class C3). **Granted 13/04/2012.**

2012/1866/P - Amendments to planning permission granted on 21/10/11 (ref: 2011/3704/P) for the excavation to create basement with rear lightwell and rooflight, lowering of lower ground floor level, enlargement of dormer window with terrace in front roofslope, installation of dormer window with terrace in rear roofslope, installation of glazed lantern to side roofslope, alterations to windows and doors at front and rear lower ground floor level and ground floor level on side elevation, and creation of terraces at rear ground and first floor level all in connection with existing dwelling (Class C3), namely moving the rooflight in the side roof slope closer to the ridge and relocation of the 2 rooflights on the front and rear roofslope to the side roofslope. **Granted 27/04/2012.**

2012/2656/P - 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). **Granted 24/07/2012.**

2013/7591/T - REAR GARDEN: 2 x Cherry - Remove. **No objection to works to tree(s) in a Conservation Area 20/12/2013.**

2014/1603/P - Installation of two light fixtures to front elevation at first floor level (Retrospective). **Granted 09/04/2014.**

2014/3491/P - Alteration of front garden landscaping and rebuilding garden wall between no.29 and no.31. **Granted 02/07/2014.**

2018/4044/INVALID - Installation of brick steps to front entrance (retrospective). **Withdrawn 16/10/2018.**

EN18/0555 - Floor landscaping (red/brown bricks) of entrance area linking street and front door. **Under investigation.**

2018/6369/NEW - Retrospective Installation of brick surface to front steps and garden area. **Received 21/12/2018, relating to 2018/4044/INVALID and EN18/0555, to be determined.**

Relevant policies

National Planning Policy Framework 2018

London Plan 2016

Camden Local Plan 2017

A1 Managing the impact of development

D1 Design

D2 Heritage

Camden Planning Guidance

CPG1 Design (2015)

CPG6 Amenity (2018)

Belsize Conservation Area Statement (2003)

Assessment

1.0 Proposal

1.1 Retrospective planning permission is sought for new and replacement ironwork to a residential dwelling, including installation of;

- i) New gate to side passage access at lower ground floor level.
- ii) New balustrading to stepped main entrance portico at ground floor.
- iii) Replacement railings to upper floor terraces, front and rear.
- iv) Painting all retained and proposed ironwork in dark charcoal grey throughout.

Revisions:

1.2 The proposal initially included new front boundary gates, although retrospective permission is being sought and the gates have already been installed. Following objections from the local community, the applicant has amended their proposal to omit the front gates from the proposal.

1.3 Upon receipt of any decision to approve the revised scheme, the applicant should see to it that the front gates are removed and the front boundary wall should be made good where necessary. A condition attached will ensure this matter, alongside Enforcement monitoring.

2.0 Considerations

The main planning considerations in relation to the proposed scheme are;

- Design and heritage,
- Amenity

3.0 Design and heritage

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 D1 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 D2 states that within conservation areas, the Council will only grant permission for development that 'preserves and enhances' its established character and appearance.

3.2 CPG1 Design key messages, state that; all schemes should consider the context of the surrounding area, the host building itself, using good quality sustainable materials, and; opportunities for improving the character and quality of the area.

3.3 Paragraph 2.11 of CPG1 states that "good design should respond appropriately to the existing context by:

- ensuring the scale of the proposal overall integrates well with the surrounding area,
- carefully responding to the scale, massing and height of adjoining buildings, the general pattern of heights in the surrounding area,
- positively integrating with and enhancing the character, history, archaeology and nature of existing buildings on the site and other buildings immediately adjacent and in the surrounding area, and any strategic or local views, vistas and landmarks. This is particularly important in conservation areas".

3.4 Paragraph 3.9 of CPG1 states that "The Council will only permit development within conservation areas, and development affecting the setting of conservation areas, that preserves and where possible enhances the character and appearance of the area in line with Local Plan policy D2 and the NPPF.

3.5 The Belsize Conservation Area statement confirms that works to frontages and within the public realm are an important constituent of maintaining the character and appearance of the conservation area. In particular, it highlights alterations to boundaries, gateposts, piers, railings and balustrading as being sensitive issues.

3.6 The proposal to install new ironwork at lower ground floor and ground floor levels are considered acceptable in terms of design and heritage. The proposed side gate will have the added benefit of providing a line of sight through from the public realm which is in-keeping with the sub-area of the conservation area. The balustrading along the walls either side of the stepped entrance way are also considered suitable. There are many examples of similar treatments along Belsize Park Gardens, although there is no strict uniformity of specific design; the option installed by the applicant is considered elegant and appropriate.

3.7 Replacement railings to the upper floor terraces at front and rear are considered to be acceptable. The terraces are existing and set back behind the roofline. The only development here is for replacement of the railings. The new railings have a slight decorative detail to each corner. Given the elevated position in which they sit, it is not considered they would be in any way dominant. Furthermore; it is unlikely anyone passing by would notice the difference. Given this is the case, one may query why the applicant has chosen to replace what appeared to be perfectly good railings in place, however; given that works have been carried out, and the character of the host building and Conservation Area have been preserved the Council is willing to accept these.

3.8 Following installation, all new and retained ironwork shall be painted dark charcoal grey and secured by attached condition. In addition to that described above this will also include;

- decorative planter holders ironwork at ground floor front window,
- railings above main entrance portico,
- all railings to rear elevation.

3.9 Belsize Park Gardens has a variety of styles, materials and colour of railings/ balustrading in place along the street. The best examples are cast-iron and painted in dark shades. Given the applicant has chosen both, The Council considered the proposed to be acceptable.

4.0 Amenity

4.1 Policy A1 seeks to protect the quality of life of occupiers and neighbours by only granting permission for development that would not harm their amenity. The main factors which are considered to impact the amenity of the neighbouring

residents are overlooking, loss of outlook, daylight and sunlight, and noise.

4.2 The proposed development is not considered to cause any negative harm to the amenity of adjoining occupiers because the proposed development does not create any new opportunities for overlooking, loss of daylight or sunlight or noise nuisance.

4.3 Given the proposal seeks to reinstate and make good original features, or install features considered entirely appropriate to the host building and surrounding streetscape, it is considered that the revised scheme is acceptable in terms of amenity.

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 14th January 2019, 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'.

Application ref: 2018/4045/P
Contact: Matthew Dempsey
Tel: 020 7974 3862
Date: 10 January 2019

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DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

31 Belsize Park Gardens London NW3 4JH

Proposal:

Installation of cast ironwork; lower ground floor side passage gate, railings to upper floor terraces and along walled front steps to entrance portico, and re-painting all ironwork throughout in dark charcoal grey (Retrospective).

Drawing Nos: Site Location Plan, EX/PRO1.2_B, EX02.2, EX02.3, EX02.4, EX02.5, EX03, EX/PRO1.3_A, PRO2.2_A, PRO2.3_A, PRO2.4_A, PRO2.5, PRO3.

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

Condition(s) and Reason(s):

- 1 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 D1 and D2 of the London Borough of Camden Local Plan 2017.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans Site Location Plan, EX/PRo1.2_A, EX02.2, EX02.3, EX02.4, EX02.5, EX03, EX/PRO1.3_A, PRO2.2_A, PRO2.3_A, PRO2.4, PRO2.5, PRO3.

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

- 3 Within 2 months of the date of this permission, the unauthorised front gates shall be removed and the associated front boundary shall be made good to match the original work as closely as possible in materials and detailed execution.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy D1 and D2 of the London Borough of Camden Local Plan 2017.

- 4 Within 2 months of the date of this permission, the new and retained metalwork shall be painted dark charcoal grey and shall be permanently retained.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy D1 and D2 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that 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, Judd St, Kings Cross, London NW1 2QS (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, Judd St, Kings Cross, London NW1 2QS (Tel. No. 020 7974 4444 or search for 'environmental health' on the Camden website 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 This proposal may be liable for the Mayor of London's Community Infrastructure Levy (CIL) and the Camden CIL. Both CILs are collected by Camden Council after a liable scheme has started, and could be subject to surcharges for failure to assume liability or submit a commencement notice PRIOR to commencement. We issue formal CIL liability notices setting out how much you may have to pay once a liable party has been established. CIL payments will be subject to indexation in line with construction costs index. You can visit our planning website at www.camden.gov.uk/cil for more information, including guidance on your liability, charges, how to pay and who to contact for more advice.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2018.

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