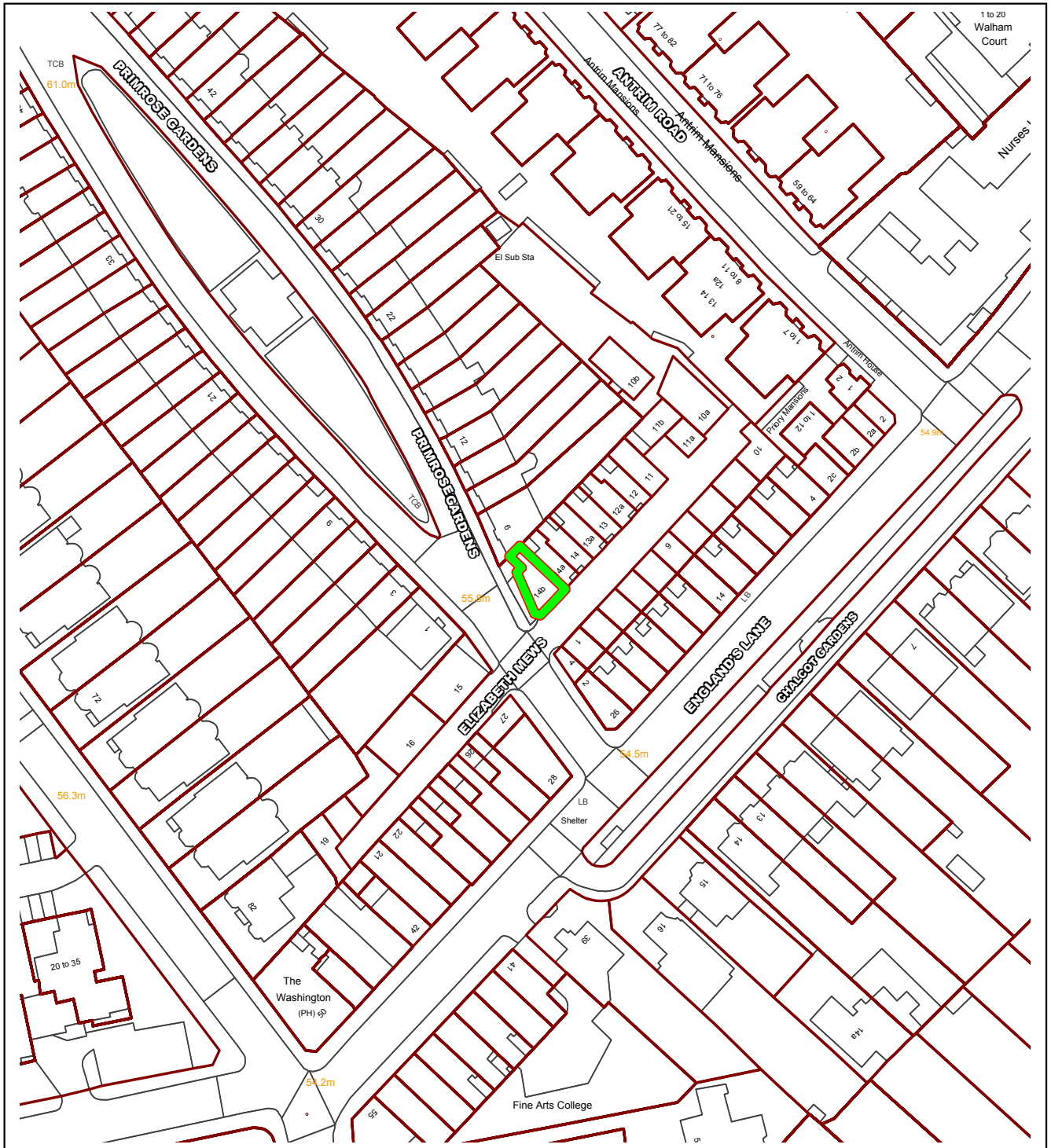


# 2018/5686/P – 14B Elizabeth Mews



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1) Taken from Primrose Gardens, rear boundary with planting as existing, balustrade visible



2) Stairs leading to terrace with existing visible balustrade and planting

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>	<b>14/01/2019</b>
<b>(Members Briefing)</b>		N/A		<b>Consultation Expiry Date:</b>	<b>03/02/2019</b>
<b>Officer</b>				<b>Application Number(s)</b>	
Ben Farrant				2018/5686/P	
<b>Application Address</b>				<b>Drawing Numbers</b>	
14B Elizabeth Mews London NW3 4TL				Please refer to draft decision notice	
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>		
<b>Proposal(s)</b>					
Extension of existing roof terrace with associated alterations to railings					
<b>Recommendation(s):</b>		Grant conditional planning permission			
<b>Application Type:</b>		Full planning application			

<b>Conditions or Reasons for Refusal:</b>	<b>Refer to Draft Decision Notice</b>			
<b>Informatives:</b>				
<b>Consultations</b>				
<b>Adjoining Occupiers:</b>	No. of responses	<b>0</b>	No. of objections	<b>0</b>
<b>Summary of consultation responses:</b>	<p>A site notice was displayed on 07/01/2019 (consultation end date 31/01/2019), and a press notice was displayed on 10/01/2019 (consultation end date 03/02/2019).</p> <p>No objections were received following public consultation on the scheme.</p>			
<b>Belsize Conservation Area Advisory Committee (CAAC)</b>	<p>The Belsize CAAC objects to the scheme on the following grounds:  “Object to proposed increase in height of boundary wall on street elevation”</p> <p><b>Officer Response:</b>  <i>The scheme has been amended since the original submission, to replace the originally proposed willow twig screen with shrubs in planters, to give a similar visual appearance to the existing situation. The proposed planting is subject to an attached condition requiring details, and is considered not to result in harm to the character or appearance of the property or conservation area (see section 3 of this report for full assessment).</i></p>			

## Site Description

The application site comprises a three storey end of terrace property on the corner of Elizabeth Mews and Primrose Gardens. The property is within the Belsize Park Conservation Area, but is not noted as a positive contributor, the property is not listed and there are no nearby listed buildings.

## Relevant Planning History

### 14B Elizabeth Mews (Application Site)

**2009/0848/P** - Erection of a metal balustrade to a first floor terrace and stairs, lowering of part of boundary wall by 3 brick courses and the retention of a timber fence along part of the boundary wall to Primrose Gardens - **Granted 31/03/2009**

**2005/0773/P** - Erection of a single storey side infill extension with enlarged roof terrace at first floor level and associated railings and staircase, and minor alterations to the fenestration - **Granted 15/04/2005**

**2004/4898/P** - Erection of a 1st floor rear extension over the existing terrace area, formation of a new terrace area to the rear at 1st floor level with steel/glass balustrading and associated alterations to fenestration - **Refused 21/01/2005** (Extension refused on impact on neighbouring amenity to no.14A Elizabeth Mews)

## Relevant policies

### National Planning Policy Framework (2019)

### London Plan (2016)

### Camden Local Plan (2017)

A1 Managing the impact of development

D1 Design

D2 Heritage

### Camden Planning Guidance

CPG1 Design (2018)

CPG Amenity (2018)

### Belsize Conservation Area Statement (2003)

## Assessment

### 1. The proposal

1.1. This application seeks planning permission for the following works:

- Extension of existing roof terrace to cover the currently recessed northern area of the flat roof at first floor level. The existing balustrade would be moved to the perimeter parapet wall to extend the terrace over the existing flat roof with an area of 7.2sq. m, giving an overall footprint of 21sq. m to the terrace.
- The existing balustrade would be removed and relocated above the existing parapet wall to match the existing 700mm high railing (above the existing 350mm high parapet).

- Shrubs in planters are proposed behind the proposed perimeter balustrade to provide screening, this would have a height of approximately 1.2m from the top of the existing parapet, and would have a similar visual appearance to the planting on site at present.

## **2. Revisions**

2.1. The plans were amended since the original submission to remove the originally proposed 1.2m high willow twig screen attached to the proposed balustrade, and replaced with boundary planting at the same height, sited behind the balustrade.

## **3. Conservation and design**

3.1. Local Plan Policy D1 states that the Council will seek to secure high quality design in development. The Council will require that development: a. respects local context and character; b. preserves or enhances the historic environment and heritage assets in accordance with policy D2 (Heritage).

3.2. Local Plan Policy D2 states that the Council will require that development within conservation areas preserves or, where possible, enhances the character or appearance of the area.

3.3. The application site is located within the Belsize Park Conservation Area, wherein the Council has a statutory duty to pay special attention to the desirability of preserving or enhancing the character and appearance of that area.

3.4. The property is within Sub Area 6 (England's Lane) of the Belsize Conservation Area Statement, but borders Sub Area 5 (Primrose Gardens/Antrim Road) to the rear. Primrose Gardens (Sub Area 5) derives its special interest largely from the long uniform curved terrace of properties, whilst the importance of Sub Area 6 is derived primarily from England's Lane; this part of Elizabeth Mews is described as retaining its original mews character.

3.5. The extended roof terrace would be sited behind the existing parapet wall, with the balustrade located above. The balustrade is visible at present at this level, and it is considered that whilst the prominence of the balustrade would increase, given its appropriate siting, scale, design and use of materials, it would have a neutral impact upon the character and appearance of the conservation area. It is considered, that the proposal would not impact upon the special interest of this part of the conservation area.

3.6. The boundary planting would give a similar visual appearance to the existing planting at roof level which archive images show as in place in July 2012. Details of the planting shall be agreed by condition prior to the commencement of development. This is considered to give an appropriate high quality finish to the boundary which is appropriate to this relatively prominent corner of the conservation area.

3.7. Whilst the overall height of the boundary would increase, given the height and finish, this would not unduly impact on the pedestrian environment or appearance of this part of Primrose Gardens.

3.8. Given the above assessment, it is considered that by reason of the siting, scale, design and material finish, the proposal would not result in harm to the character, appearance or historic interest of the conservation area and is on this basis deemed to be acceptable.

3.9. 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.

#### **4. Impact on Neighbour Amenity**

- 4.1. Policy A1 of the Local Plan seeks to protect the quality of life of neighbouring occupiers. The factors to consider include: visual privacy and outlook; sunlight, daylight and overshadowing; artificial light levels; noise and vibration.
- 4.2. Given the siting, scale and design of the proposed addition, coupled with the boundary screening (details to be agreed by condition), the proposal is considered not to result in undue harm to neighbouring amenity in terms of privacy/outlook, daylight/sunlight, overshadowing or artificial light levels. Whilst any proposal to increase the scale of a roof terrace has potential to give rise to noise concerns, given the total footprint of 21sq. m (7.2sq. m increase), existing roof terrace at this level, and residential nature of the property, this is considered not to result in undue harm, and refusal is not warranted on this basis.
- 4.3. Given the above, the proposal is considered not to result in undue harm to neighbouring amenity in compliance with policy A1 of the Local Plan.

#### **Recommendation:**

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 11<sup>th</sup> March 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](http://www.camden.gov.uk) and search for 'Members Briefing'.***

Application ref: 2018/5686/P  
Contact: Ben Farrant  
Tel: 020 7974 6253  
Date: 5 March 2019

**Development Management**  
Regeneration and Planning  
London Borough of Camden  
Town Hall  
Judd Street  
London  
WC1H 9JE

Phone: 020 7974 4444

[planning@camden.gov.uk](mailto:planning@camden.gov.uk)  
[www.camden.gov.uk](http://www.camden.gov.uk)

Rosenfelder Associates  
10-12 Perrin's Court  
London  
NW3 1QS

# DRAFT

Dear Sir/Madam

## DECISION

Town and Country Planning Act 1990 (as amended)

### Householder Application Granted

Address:  
**14B Elizabeth Mews**  
**London**  
**NW3 4TL**

# DECISION

Proposal:  
Extension of existing roof terrace with associated alterations to balustrade  
Drawing Nos: EM.937.01, EM.937.02\_Rev.A, EM.937.03\_Rev.B & EM.937.04\_Rev.A

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).

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: EM.937.01, EM.937.02\_Rev.A, EM.937.03\_Rev.B & EM.937.04\_Rev.A.

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



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

- 4 Notwithstanding the plans hereby approved, details of the boundary planting shall be submitted to, and agreed in writing by the Local Planning Authority prior to the commencement of development. The planting shall thereafter be implemented prior to the first use of the extended roof terrace, and shall be permanently retained.

Reason: To provide an acceptable appearance to the extended terrace and to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policies A1, D1 and D2 of the London Borough of Camden Local Plan 2017.

DRAFT

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, 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.
- 2 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team London Borough of Camden 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444) . Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.
- 3 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website at <https://beta.camden.gov.uk/documents/20142/1269042/Camden+Minimum+Requirements+%281%29.pdf/bb2cd0a2-88b1-aa6d-61f9-525ca0f71319> or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

DECISION

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 must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

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**