

46 BELSIZE AVENUE, NW3 4AE

APPLICATION FOR GARDEN STUDIO

Supporting Statement – May 2019

1.0 Introduction

- 1.1 This Statement is submitted in support of a planning application for the erection of a single storey garden studio within the curtilage of 46 Belsize Avenue, NW3.

 - 1.2 46 Belsize Avenue (“the site”) comprises a three storey (plus basement) Victorian property on the southern side of the street. Originally built as a single dwelling the property has been sub-divided to create a dwelling at basement and ground floor; with three further dwellings on the upper floors.

 - 1.3 The creation of a garden studio would fall within permitted development if the property was still in use as a single self-contained dwelling as originally constructed. However, given the sub-division, it is necessary to apply for planning permission for the create ancillary accommodation that accords with the pattern of development in the local area.

 - 1.4 The purpose of this Statement is to set out the planning policy context within which the application should be considered and to provide an overview of the key planning considerations relevant to the application.

 - 1.5 For the reasons set out in this Statement it is considered that the proposals are an appropriate form of development which accords with the relevant policy considerations, would not give rise to any harm and is consistent with other planning approvals in the local area.
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2.0 Planning Policy Context

2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with relevant development plan policies, unless other material considerations indicate otherwise.

2.2 For this purpose, the statutory development plan comprises The London Plan and the Camden Local Plan. These documents provide spatial strategies, development management policies and sites allocations to guide and manage development in the borough. In addition, national planning policy, supplementary guidance and emerging policies are relevant material considerations.

2.3 We set out below the planning policy context within which the application should be considered.

National Planning Policy

- National Planning Policy Framework (NPPF) (2012); and
- National Planning Practice Guidance (2014)

Regional Planning Policy

- The London Plan: Spatial Development Strategy for London (March 2016);
and
- The draft Replacement London Plan (2018); and

Local Planning Policy

- Camden Local Plan (2017);
- Camden Planning Guidance – Altering and extending your home (Draft 2018); and
- Belsize Conservation Area Appraisal

3.0 Planning assessment

(i) Principle of development

- 3.1 The general thrust of national, regional and local policies is to secure sustainable patterns of development and the efficient use of resources. This objective is a common thread running through the NPPF, The London Plan and the Camden Local Plan.
- 3.2 Whilst the proposed garden studio represents a small-scale proposal it would contribute towards the objectives of sustainable development by making better use of land in an accessible and sustainable location.
- 3.3 The proposed garden room would provide accommodation ancillary to main residential use of the property, and would enable the applicant to work from home thus reducing the need for private car-based forms of travel in accordance with sustainable development objectives.
- 3.4 As noted above, the proposed garden studio room would be considered permitted development if the property was still in use as a single self-contained dwelling. In this instance, the impacts of the proposal do not materially change as a result of the building having been converted to flats (which removed permitted development rights).
- 3.5 The presumption in favour of sustainable development is clearly set out in the NPPF and the benefits of applications proposals (no matter how small they may be), particularly in the absence of any demonstrable harm, and the otherwise permitted development nature of the proposals, should be afforded weight in the determination of this application.

(ii) Design and conservation considerations

- 3.6 The NPPF places considerable emphasis on the importance of achieving high-quality design. The Framework states that *“Good design is a key aspect of sustainable*

development, creates better places in which to live and work and helps make development acceptable to communities.” (paragraph 124).

- 3.7 Paragraph 130 of the NPPF states that, *“permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions”*. As a corollary to this, paragraph 131 states that *“in determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.”*
- 3.8 Chapter 7 of the London Plan sets out policies on a range of issues about the places and spaces in which Londoners live, work and visit that are integral to delivering the Mayor’s vision and objectives (paragraph 7.1).
- 3.9 At a local level, Local Plan Policy D1 states that the Council will seek to secure high-quality design in development, including *inter alia* development that:
- (a) respects local character and context;
 - (b) preserves or enhances the historic environment and heritage assets;
 - (c) is sustainable in design and construction, incorporating best practice in resource management and climate change mitigation and adaptation;
 - (d) is of sustainable and durable construction and adaptable to different activities and land uses;
 - (e) comprises details and materials that are of high quality and complement the local character;
 - (f) integrates well with the surrounding streets and open spaces, improving movement through the site and wider area with direct, accessible and easily recognisable routes and contributes positively to the street frontage;
 - (g) is inclusive and accessible for all;
 - (h) promotes health;
 - (i) is secure and designed to minimise crime and antisocial behaviour;
 - (j) responds to natural features and preserves gardens and other open space;

- (k) incorporates high quality landscape design (including public art, where appropriate) and maximises opportunities for greening for example through planting of trees and other soft landscaping, incorporates outdoor amenity space;
- (l) preserves strategic and local views;
- (m) for housing, provides a high standard of accommodation; and
- (n) carefully integrates building services equipment.

3.10 More detailed guidance is set out in the Council's draft Supplementary Guidance 'Altering and extending your home' published in December 2018.

3.11 Chapter 5 of the draft Guidance deals specifically with 'gardens, garden buildings and bio-diversity' and notes that these amenity spaces contribute to the setting of individual buildings and Conservation Areas, and have become particularly prone to development pressure.

3.12 Paragraph 5.22 of the Guidance deals with development within rear gardens and states that proposals should,

- ensure the siting, location, scale and design of the proposed development has a minimal visual impact on, and is visually subordinate within, the host garden.
- not detract from the open character and garden amenity of neighbouring gardens and the wider surrounding area use suitable soft landscaping to reduce its impact
- ensure building heights will retain visibility over garden walls and fences
- ensure the size of the outbuilding will not result in excessive loss of garden amenity space ensure the siting of the outbuilding will not harm existing trees of high amenity value
- use materials which complement the host property and the overall character of the surrounding area. The construction method should minimise any impact on trees (also see [CPG on Trees](#)), or adjacent structures

- address any impacts of extensions and alterations upon water run-off and groundwater flows, both independently or cumulatively with other extensions, and demonstrate that the impact of the new development on water run-off and groundwater flows will be negated by the measures proposed. Reference should be made to [CPG on Water and flooding](#).

3.13 The Camden Planning Guidance notes that the construction of garden buildings can sometimes have an adverse impact on the character of the area. Accordingly, the guidance seeks to ensure that the siting, location, scale and design of proposals has a minimal visual impact on, and is visually subordinate to, the host and surrounding gardens.

3.14 The proposed single storey outbuilding is modest in scale extending to circa. 22sqm in footprint and will site below the two neighbouring fence lines. The outbuilding is sited at the end of the garden at its furthest point from the main property ensuring that it will clearly read as a subordinate element to the original house.

3.15 The garden is currently bounded by a 2.3m high fence such that the proposed structure will not be visible from neighbouring gardens as it sits below the fence line. Furthermore, the simple architectural detailing, use of timber cladding and a sedum roof would enable the building to blend in within the vegetated character of the rear garden.

3.16 Overall, the proposed outbuilding is considered to be of a scale which relates to the host building and garden plot, and is of a size and character similar to buildings and structures in the local area. Accordingly, the proposal is considered to preserve the character and appearance of the Belsize Park Conservation Area and represents an appropriate form of development at the site.

(iii) Amenity considerations

- 3.17 The Camden Local Plan seeks to protect amenity and states that the Council will only grant permission for development that would not harm the amenity of neighbouring residents.
- 3.18 As noted above, the proposed single storey outbuilding would sit below the existing fence line and would, therefore, not result in any adverse visual intrusion to the outlook from neighbouring properties. The proposed has a glazed door facing back towards the main property but due to the levels would not result in any significant overlooking to the upper floor flats. Furthermore, as the structure is single storey, there would be no more inter-visibility than standing in the existing garden.
- 3.19 The proposed outbuilding would provide accommodation ancillary to the existing residential use of the main flat which could be further secured via condition to prevent any independent use thus ensuring there was no impact on the wider amenity of the area and neighbouring properties.

(iv) Trees and bio-diversity

- 3.20 The Local Plan seeks to protect nature conservation and bio-diversity, and states that proposals should seek to preserve trees and garden spaces that contribute to the character of the borough.
- 3.21 The proposed outbuilding would not result in the loss of any trees, whilst the garden will be re-stocked as part of the landscaping works and a sedum roof will be provided as part of the proposal. Accordingly, there will be a net increase in the bio-diversity of the site which can be secured via condition.