

Delegated Report		Analysis sheet	Expiry Date:	16/06/2019	
		N/A / attached	Consultation Expiry Date:	26/05/2019	
Officer			Application Number(s)		
Mark Chan			2019/1701/P		
Application Address			Drawing Numbers		
31 Belsize Park Gardens London NW3 4JH					
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Replacement of existing crazing paving, asphalt and mosaic tiles with handmade brick paviors, mosaic tiles and stone (Retrospective).					
Recommendation(s):		Refuse permission			
Application Type:		Full Planning Permission			
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice			
Informatives:					
Consultations					
Adjoining Occupiers:		No. of responses	02	No. of objections	02
Summary of consultation responses:		A site notice was displayed from 01/05/2019 which expired on 25/05/2019. A press notice was published on 02/05/2019 which expired on 26/05/2019. 2 local residents objected on the grounds that a very similar application was refused previously and that the installed brickwork is out of keeping with the surrounding area and ruins not just the application property but the overall feel of the street. This new but very similar application does not make a positive contribution to the area.			
CAAC/Local groups* comments: <small>*Please Specify</small>		The <u>Belsize Conservation Area Advisory Committee</u> (CAAC) object. The CAAC stated that it has already objected to similar application on two previous occasions. It objects to the loss of mosaic paving which is a distinctive feature of the houses in Belsize Park Gardens. It also objects to the new paviors which is out of keeping with the date, design or character of the property.			

Site Description

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

It is a brick building with white stucco render to the front elevation and 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 Park 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

2008/1819/P - Change of use from a 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.**

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.**

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 on 16/10/2018.**

2018/4045/P - 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). **Granted 16/01/2019.**

2018/6369/P - Alterations to front garden, including installation of brick paving to forecourt and steps to entrance portico and to steps to side passage towards rear garden (Retrospective). **Refused on 15/03/2019.**

Relevant policies

National Planning Policy Framework 2019

London Plan 2016

Camden Local Plan 2017

A1 Managing the impact of development
C6 Access for all
D1 Design
D2 Heritage

Camden Planning Guidance

CPG1 Design (2015) – sections: 2 Design Excellence, 3 Heritage, 4 Landscape and Public Realm
CPG Access for all (2018) - sections: 1, 2, 3, 4, 5, 6 & 7.

Belsize Park Conservation Area Statement (2003)

page 14, 15, 33 and 42

Approved Document Part M 4 category 1

Assessment

Proposal:

Retrospective planning permission is sought for replacement of existing crazing paving, asphalt and mosaic tiles with handmade brick paviors, mosaic tiles and stone.

It is noted that a very similar application (**2018/6369/P**) was recently refused at the subject site with the notable differences being the introduction of a stone step and the reinstatement of the mosaic tiles on the top step in front of the main entrance.

Considerations:

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

- Design and Heritage
- Amenity

Design and Heritage:

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.

CPG1 Design guidance in its key messages states 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.

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”.

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 2019.

The Belsize Park 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. An Article 4 Direction exists which takes away permitted development rights for any works to the frontages of houses within this Conservation area, including forecourt and path surfacing.

Whilst the reinstatement of the mosaic tiles and the introduction of a stone step on the top step adjoining the entrance door is appreciated, the general appearance of the development remains effectively unchanged in comparison with the previously refused scheme (**2018/6369/P**). The majority area of the forecourt, the passage and the steps would be paved with bricks. It was stated clearly in the previous report that the installation of brick paving as described in this application is considered to be unacceptable.

The previous surface treatment, visible via historic imagery, shows that in June 2015 the property had a more traditional entrance pathway and steps in paving (either York stone or concrete paviors) and probably the original decorative mosaic on the top step adjoining the entrance door. The previous surface treatments are considered to have been a more appropriate use of materials, which in their simplicity and style of form, colour and texture suited the context of the building and surrounding conservation area in terms of heritage.

In contrast, as noted in the previous report, the brick paving is considered to be inappropriate in historic and townscape terms. The rustic handmade brownish brick laid to the entire surfacing and most of the steps looks fussy and more appropriate to a rural cottage setting than to a classical townhouse. The materials' form, colour and texture appear out of context in this street of Italianate villas that are characterised by having black and white mosaic tiles and/or simple grey paviors. The brick paving would harm the character and appearance of the host building which is a positive contributor, the streetscene and conservation area. Whilst it causes 'less than substantial' harm to the conservation area, this has not been outweighed by any public benefits; using the balancing test required by NPPF guidance. Special attention has been paid to the desirability of preserving or enhancing the character and 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.

The works to the forecourt area, passage and entrance steps are thus unacceptable and should be removed due to their inappropriate design and a harmful impact on the host building and conservation area. However, it is considered that the brickwork on the steps down the side of the building and along the side passage itself is acceptable, as these areas are not visible in the public realm or hidden behind the side gate and have limited impact on the appearance of the house and none on the streetscape. Indeed the side passage paving is permitted development as it is behind the front building line.

Amenity:

Policy C6 seeks to promote fair access and remove the barriers that prevent everyone from accessing facilities and opportunities.

The key factor in this case is accessibility from the public pavement onto a private property.

As mentioned in the previous report, it is true that the brick paving imposed on the previous surfaces has resulted in a new step being introduced from the public pavement threshold, and thus has created an additional barrier. The Council's Access Officer has also advised that the additional step does not meet the requirements of Approved Document Part M 4 category 1.

However, it is worth noting that the original house already had five steps between the street and the front door and that all the steps did not have tread nosing and had changing tread lengths. Thus, upon careful reconsideration, it is decided that whilst the introduction of one additional step may make accessibility worse, the negative impact of the step would not substantiate a reason for refusal. It is also found during the Officer's site visit that some nearby properties like No. 32 Belsize Park Gardens, have an additional step on the public pavement threshold as well.

Therefore, the additional step is considered acceptable in terms of accessibility in this instance. There are no other amenity issues regarding the steps in terms of loss of light or outlook.

Recommendations:

Refuse Planning Permission.