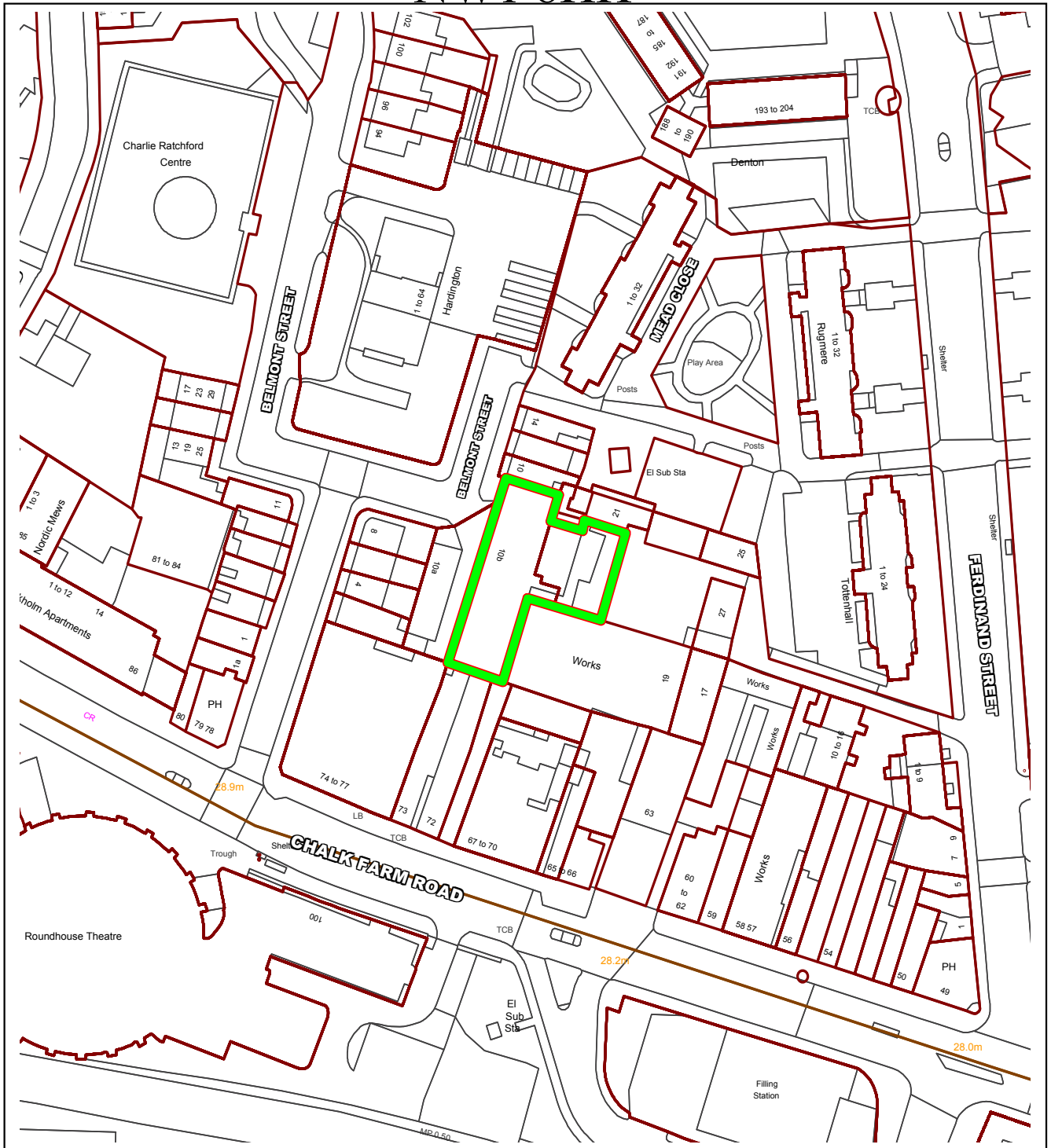


2019/1107/P – 10 A Belmont Street, NW1 8HH



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2019/1107/P – 10A Belmont Street, NW1 8HH



1) Rear elevation taken from car park



2) Rear elevation taken from terrace of no. 21 Ferdinand Street



3) Existing view from 10A Belmont Street



4) Existing view of no.21 Ferdinand Street



5) Existing view of no.21 Ferdinand Street

Delegated Report		Analysis sheet		Expiry Date:	23/04/2019
(Members Briefing)		N/A		Consultation Expiry Date:	17/05/2019
Officer				Application Number(s)	
Ben Farrant				2019/1107/P	
Application Address				Drawing Numbers	
10A Belmont Street London NW1 8HH				Please refer to draft decision notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Formation of 8 x sets of rear double doors at first to fourth floor levels, to facilitate the erection of 4 x terraces with associated balustrades, privacy screens and a glazed canopy.					
Recommendation(s):		Grant conditional planning permission			
Application Type:		Full planning application			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice			
Informatives:				
Consultations				
Adjoining Occupiers:	No. of responses	8	No. of objections	8
Summary of consultation responses:	<p>Site notices were displayed on 23/04/2019 (consultation end date 17/05/2019).</p> <p>8 objections were received from the owners/occupiers of no.39 Ainger Road, 56b Chalk Farm Road, 1-3, 21 and 23 Ferdinand Street, 36 Harwood Street, 52 Marquis Road & 26 Mead Close. The objections are summarised as follows:</p> <ol style="list-style-type: none"> 1. The proposal is of a dominant scale and an overdevelopment of the site 2. Each extension harms the former prestige of the building 3. Overlooking/loss of privacy to neighbouring properties 4. This is larger than was previously applied for (and subsequently withdrawn) in 2016 5. Any balconies should be inset to the building 6. Creates a precedent for similar development 7. Application violates a court ordered demise line across the yard 8. Developer has already constructed over a right of way 9. The developer is notorious, applying retrospectively for works or not complying with the approved plans. The built form is unlikely to reflect the plans <p><u>Officer Response:</u></p> <ol style="list-style-type: none"> 1. <i>The proposed terraces are considered to be of an acceptable siting, scale and design on the existing rear extension of the main property. See section 3 for full assessment.</i> 2. <i>Whilst it is acknowledged there have been a number of alterations to the original building, this is an addition to the modern rear extension and is considered not to result in harm to the character, appearance or historic interest of this locally listed building. See section 3 for full assessment.</i> 3. <i>There is already a considerable level of overlooking at this site, the proposed development would have privacy screens to either side and would, on balance, not result in an unduly harmful level of overlooking compared to the existing arrangement. See section 4 for full assessment.</i> 4. <i>This application has been assessed on its own planning merits, and whilst the planning history of a site is a material consideration in the determination process, the previous application could have been withdrawn for a number of reasons.</i> 5. <i>The development has been assessed as presented on its own planning merits; should an application for inset balconies be forthcoming, the planning authority would consider this.</i> 6. <i>Each application is assessed on its own merits, and any subsequent</i> 			

	<p><i>approval of this application would not necessarily form a precedent for similar development.</i></p> <p><i>7. A court ordered demise line is a legal rather than planning consideration. The developer would need to satisfy both planning and legal requirements prior to commencement.</i></p> <p><i>8. Similarly to above, a right of way is a legal rather than planning consideration. The developer would need to satisfy both planning and legal requirements prior to commencement.</i></p> <p><i>9. The reputation of the developer is not a material consideration in the determination of an application. Should the development be completed not in accordance with the approved plans, this would be subject to enforcement action.</i></p>
<p>Havistock Ward Councillor, Cllr Kelly</p>	<p>Councillor Kelly objected to the application on the following grounds:</p> <p>“I wish to strongly object to the planning application for 10a Belmont Street.</p> <p>A planning application was submitted in 2016 for the same development. It received objections from residents and Councillors. Subsequently that application was withdrawn. Then the developer built the Smoking Area at ground floor without permission. The developer subsequently applied for retrospective planning permission.</p> <p>These balconies will look directly into the flat (and flats granted p/p). This planning application is for bigger balconies than the 'Smoking Area' which Camden Council has given (retrospective) planning for on the ground floor which is already in front of the ground floor of 21 Ferdinand Street.</p> <p>This is further overdevelopment”</p> <p><u>Officer Response:</u></p> <ul style="list-style-type: none"> • <i>Whilst the proposal has an extensive planning and enforcement history, which has been considered as part of this process, this application has been assessed on its own planning merits.</i> • <i>There is already a considerable level of overlooking at this site, the proposed development would have privacy screens to either side and would, on balance, not result in an unduly harmful level of overlooking compared to the existing arrangement. See section 4 for full assessment.</i> • <i>The proposed terraces do not extend beyond the permitted (and constructed) deck at ground floor level.</i>

Site Description

10a Belmont Street is an imposing locally listed former piano factory dating from 1860 with a stock brick façade cladding a metal frame. To the rear of the site is a modern extension that backs onto a service yard and car park used by adjoining properties including an adjacent drinks wholesaler.

The property is not a listed building, nor is it within a conservation area. The property is locally listed.

Relevant Planning History

The application site has an extensive planning history, listed here are the most relevant to this application only:

Application Site:

2011/4415/P - Erection of additional 6th floor and extension to 5th floor to provide 8 residential units (Class C3) (3 x 1-bed, 4 x 2-bed, 1 x 3-bed), and erection of a five storey rear extension to provide additional office space (Class B1), including creation of roof terrace at rear 5th floor level and external terraced area at 6th floor level, creation of green roof, and associated alterations - Granted subject to S106 30/11/2011.

2012/6866/P - Erection of an additional 7th floor to provide 3 residential units (Class C3), including external terrace area with green roof and associated alterations - Refused 12/03/2013 - appeal allowed - APP/X5210/A/13/2194704 dated 04/11/2013.

2013/1999/P - Excavation to create new basement floor level beneath footprint of existing B1 (office) building with associated front and rear lightwells and installation of railings at ground floor level - Granted 14/08/2013.

2013/2070/P - Excavation to create new basement floor level beneath footprint of existing dwellinghouse (C3) with associated front lightwell and installation of railings at ground floor level - Granted 14/08/2013.

2013/5406/P - Change of use from offices (Class B1) to residential (Class C3) to provide 10 units (1x3 bedroom, 9x4 bedroom) at ground, first, second, third and fourth floor levels - Prior approval granted 16/10/2013.

2013/7394/P - Rear extension at ground, 1st and 2nd floor levels, including installation of Juliette balconies at 1st and 2nd floor levels - Withdrawn 11/12/2013.

2013/7971/P - Alteration to external staircases on north facing (flank) and east facing (rear) elevations for provision of balconies as amenity terraces for new flats at 1st to 6th floor levels - Granted 28/04/2014.

2014/5518/P - Installation of doors and Juliette balconies of 1st to 4th floors (south elevation), and lowering doors and windows to ground level Belmont street elevation (Retrospective) - Granted 18/11/2014.

2015/3769/P - New steel pergolas at 5th and 7th floors - Granted 11/11/2015.

2016/0852/P - Erection of new steel balconies at first to fourth floor levels on eastern elevation (rear) facing yard - Withdrawn.

2016/1319/P - Erection of steel pergolas over north and south facing balconies to residential building - Granted 03/06/2016.

2016/3191/P - Removal of approved pergolas and retention of north and south facing balconies on the 7th floor to residential building - Granted 10/08/2016.

2018/1567/P - External alterations including the erection of a fence and raised platform (decking); installation of extraction flue; installation of 7 x air conditioning units and enclosure; installation of boiler house (Part Retrospective) - Granted 06/02/2019.

19 Ferdinand Street:

2012/2578/P - Redevelopment of site to provide 418 sqm of office space (Class B1) at ground floor level and 16 self-contained residential flats at first, second and third floor levels (11x 2-bedroom + 2x 1-bedroom market housing units and 1x 1-bedroom + 2 x 2b affordable housing units) (Class C3) with associated waste storage, cycle storage, plant room and landscaping, following demolition of existing two storey warehouse (Class B8) - Granted subject to S106 16/08/2012. (Not implemented).

Relevant policies

National Planning Policy Framework (2019)

London Plan (2016)

Camden Local Plan (2017)

A1 Managing the impact of development

A4 Noise and vibration

D1 Design

D2 Heritage

Camden Planning Guidance

CPG Altering and extending your home (2019)

CPG Design (2019)

CPG Amenity (2018)

Assessment

1. The proposal

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

- Installation of 8 sets of rear double doors (following removal of existing windows and cills) at first to fourth floor levels, to facilitate access to 4 x terraces at first to fourth floor. Each terrace would measure 7.3m by 1.85m. The proposed double doors would match the style of the existing windows.
- A 1.1m high metal balustrade would surround each terrace (to match the existing terraces).
- Each terrace would have 1.9m high privacy screens to either side elevation (north and south). This would be formed of Georgian wire cast glass.
- A glazed canopy would be constructed above the fourth floor terrace with a width of 8.6m and depth of 1.9m to overhang the terraces below.

2. Revisions

2.1. No revisions were made during the course of the application.

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, the Council will seek to protect other heritage assets including non-designated heritage assets (including those on and off the local list), Registered Parks and Gardens and London Squares. The effect of a proposal on the significance of a non-designated heritage asset will be weighed against the public benefits of the proposal, balancing the scale of any harm or loss and the significance of the heritage asset.

3.3. The addition would be sited to the rear of the property fronting Belmont Street, it would be visible in views from the service yard/car park to the rear accessed from Ferdinand Street. The surrounding buildings use this service yard/car (entirely or in part) to access their properties. The rear elevation of the original property is almost entirely obscured by a large rear extension at ground to fourth floor level (ref: 2011/4415/P dated 30/11/2011). The proposed terraces would extend to the rear of this modern addition and would have little impact on the historic interest of the original building. The addition would be in similar materials and of a similar architectural character to the host building. Whilst it is acknowledged that the cumulative works to the property are numerous, the proposal has been reviewed by a conservation officer (given the locally listed nature of the host property), and it is considered that the proposed development is of an acceptable siting, scale and design and would not to cause harm to the character and appearance of the locally listed building, and on balance is considered to be acceptable.

3.4. It is acknowledged that the site has a long planning and enforcement history, and the property has been extended and altered in a number of ways, particularly in recent years. There are no outstanding enforcement cases open on the site.

3.5. It is noted that a similar application was submitted in 2016 (ref: 2016/0852/P); this was withdrawn, though there is no note on the planning system indicating the reason. It is noted that the balconies have been reduced since this application, measuring 7.3m (W) x 1.85m (D) compared to 8.1m (W) by 2.3m (D), a reduction of 800mm (W) and 450mm (D). The presented scheme is considered to be of an acceptable siting scale and design, and would not have a harmful impact on the character and appearance of the hot property (noted as a locally listed building), nor on the surrounding area. It is also noted that details of the doors shall be required by condition.

4. Impact on neighbours

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. Policy A4 of the Local Plan seeks to ensure that noise levels are controlled and managed.

- 4.3. The proposed development would be within close proximity of neighbouring residential windows, particularly at no.21 Ferdinand Street to the north of the site. It is acknowledged that no.21 has a terrace at second floor and roof levels some 6m from the proposed terraces. These properties at present are within close proximity of one another and both face onto the central servicing yard/car park. Given this arrangement, there is currently overlooking between the properties, particularly from second floor upwards.
- 4.4. To minimise the sense of being overlooked and decrease the opportunity to overlook these neighbours the proposal includes, obscure glazed privacy screens to the side elevations. Whilst it is acknowledged the terraces would continue to facilitate some overlooking from the rear (east) elevation, this is considered not to result in unduly harmful levels of overlooking given the existing arrangement. It is further noted that, to some degree, the 1.85m long privacy screens could help to improve the overlooking between the units when inside the property. A condition is recommended to ensure that the privacy screens are installed prior to use of the balconies and permanently retained thereafter. On balance, considering the existing arrangement of properties and level of overlooking currently achievable, it is considered that the proposal would not result in undue harm to neighbours in terms of overlooking and refusal is not warranted on this basis.
- 4.5. It is also acknowledged that no.19 Ferdinand Street to the south of the site has received consent for redevelopment including the formation of residential units (2012/2578/P dated 16/08/2012 – see planning history section). This consent does not appear to have been implemented and has since expired.
- 4.6. Given the siting, scale and design of the proposed development, it is considered not to result in undue harm to the level of daylight/sunlight or outlook to neighbouring properties.
- 4.7. Given the scale of the proposed roof terraces, it is considered that they are unlikely to result in large gatherings of people with the associated noise concerns. On balance, refusal would not be warranted on this basis.
- 4.8. Given the above, the proposal is considered, on balance, not to result in undue harm to neighbouring amenity in compliance with policies A1 and A4 of the Camden 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 8th July 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: 2019/1107/P
Contact: Ben Farrant
Tel: 020 7974 6253
Date: 4 July 2019

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

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planning@camden.gov.uk
www.camden.gov.uk

SM Planning
80-83 Long Lane
London
EC1A 9ET

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

10A Belmont Street
London
NW1 8HH

Proposal: Formation of 8 x sets of rear double doors at first to fourth floor levels, to facilitate the erection of 4 x terraces with associated balustrades, privacy screens and a glazed canopy.

Drawing Nos: A(GA)100, A(GA)110A, A(GA)120, A(GA)130, A(GA)140, A(GA)150, A(GA)400A, A(SO)001, A(SO)100, A(SO)110, A(SO)120, A(SO)130, A(SO)140, A(SO)150 & A(SO)400.

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 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.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans: A(GA)100, A(GA)110A, A(GA)120, A(GA)130, A(GA)140, A(GA)150, A(GA)400A, A(SO)001, A(SO)100, A(SO)110, A(SO)120, A(SO)130, A(SO)140, A(SO)150 & A(SO)400.

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

- 4 Before the relevant part of the work is begun, detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority:

a) Details including sections at 1:10 of all external doors;

The relevant part of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course of the works.

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.

- 5 The use of the roof as a terrace shall not commence until the screen, as shown on the approved drawings, has been constructed with obscure glass. The screen shall be permanently retained thereafter.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policies A1 and D1 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.

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 2019.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

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Yours faithfully

Director of Regeneration and Planning

DECISION