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|---|--|--|----|----------------------------------|----|-------------------------------------|----|
| Delegated Report | | Analysis sheet | | Expiry Date: | | 07/06/2019 | |
| | | N/A / attached | | Consultation Expiry Date: | | 23/12/2018 | |
| Officer | | | | Application Number(s) | | | |
| Matthew Dempsey | | | | 2018/4595/P | | | |
| Application Address | | | | Drawing Numbers | | | |
| 17 A Belsize Lane London NW3 5AD | | | | Please refer to Decision Notice | | | |
| PO 3/4 | | Area Team Signature | | C&UD | | Authorised Officer Signature | |
| | | | | | | | |
| Proposal(s) | | | | | | | |
| Erection of a timber boundary fence to front (west) elevation with vehicular and pedestrian gates, intercom and mailbox. [Retrospective]. | | | | | | | |
| Recommendation(s): | | Refused and Warning of Enforcement Action to be Taken | | | | | |
| 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 | 00 |
| Summary of consultation responses: | | A press notice was published on 29/11/2018 and expired 23/12/2018. A site notice was displayed on 28/11/2018 and expired 22/12/2018. No comments were received from individual neighbouring residents. | | | | | |
| CAAC/Local groups comments: | | No comments were received from the Fitzjohn's and Netherhall Conservation Area Advisory Committee or other local groups. | | | | | |

Site Description

The site is at the corner of Belsize Lane and Ornan Road. The host property, 17a, fronting Belsize Lane, is a Locally Listed Heritage Asset designed by John Winter, 1970. Noted within the Conservation Area statement for being elegant in simplicity, alongside its neighbour, No 40, fronting Ornan Road. The property is clad in a pale grey mosaic finish. This is noted for being an example where the contrasting materials and design make a positive contribution in position next to earlier built properties fronting Ornan Road. The property is specifically mentioned as making a positive contribution to the Fitzjohn's and Netherhall Conservation Area. Prior to the works being carried out the boundary treatment to this property consisted of a small brick wall with bamboo planting above providing screening. There were no boundary gates.

Relevant History

8601430 - Erection of a single-storey side extension for residential use as shown on drawing No.DI/3. **Grant Full or Outline Perm. With Condit. 09/10/1986.**

9005023 - Construction of first floor extension to dwelling house including new balcony and staircase as shown on drawing nos D2/1 D2/2 D2/3 D2/4 D2/5 and one un-numbered perspective drawing. **Refuse (subject to Appeal decision). 15/08/1990.**

9005244 - Construction of first floor extension to dwelling house including new balcony and staircase as shown on drawing nos D2/1 D2/2 D2/3 D2/4 D2/5 and one un-numbered perspective drawing. **Refuse Full or Outline Permission. 15/08/1990.**

9100650 - The erection of a first floor side extension above the existing ground floor extension including a balcony on the garden elevation as shown on drawing numbers D/3/1 2 3 4 and 5. **Refuse Full or Outline Permission. 05/11/1991.**

9100636 - The erection of a first floor side extension above the existing ground floor extension including a balcony on the garden elevation as shown on drawing numbers D/3/1 2 3 4 and 5. Appeal received against the Council's failure to issue their decision within the appropriate period. **Refuse (subject to Appeal decision). 05/11/1991.**

9201306 - The erection of an additional storey above the existing ground floor side extension. as shown on drawing numbers D1/4/1 2 3 and letter dated 11 March 1993. **Grant Full or Outline Perm. With Condit. 27/05/1993.**

PW9902425 - The erection of an additional storey above the ground floor side extension, As shown on drawing numbers; BEL-PL01, PL02, PL03A, PL04A and report for the protection of trees. **Grant Full Planning Permission (conds). 21/09/1999.**

PW9902924 - Application for amendment to planning permission ref. PW9902425, granted 21st September 1999, for the erection of an additional storey above the ground floor side extension, As shown on drawing numbers; BEL-PL01, BEL-PL02, BEL-A-01 rev D, BEL-A-02 rev D, BEL-A-03 and BEL-E-01 rev B. **Grant Full Planning Permission (conds). 25/01/2000.**

2005/5289/P - Alterations and replacement of external windows and doors at ground floor & 1st floor levels of the dwellinghouse. **Granted 17/01/2006.**

2016/5952/P - Single storey rear extension to the dwellinghouse (C3). **Granted 03/11/2016.**

2017/0894/P - Erection of single storey side extension at first floor level; associated works. **Granted 19/04/2017.**

Relevant policies

National Planning Policy Framework (2019)

The London Plan (2017)

London Borough of Camden Local Plan (2017)

A1 Managing the impact of development

D1 Design

D2 Heritage

C5 Safety and security

C6 Access for all

Camden Planning Guidance

Access for all 2019

Altering and Extending your Home March 2019

Design March 2019

Amenity March 2018

Fitzjohn's & Netherhall Conservation Area Statement 2000

Local List Ref 3493 - 17a Belsize Lane and 40 Ornan Road.

Assessment

1.0 Proposal

- 1.1 Retrospective planning permission is sought for the erection of a timber fence with metal framing to the front elevation of the property fronting Belsize Lane.
- 1.2 The proposed fence will be 2.3m from ground level dropping to 1.6m from ground level to account for the sloped gradient in the road from North to South.
- 1.3 The works include the creation of 2 x timber gates incorporated in the fencing. 1 x pedestrian access and 1 x vehicular access.
- 1.4 An intercom system has been installed to the pedestrian gate at approx. 1.6m from ground.
- 1.5 Stone steps and paving have been built from the new pedestrian gateway, down to the house.
- 1.6 A letter/ mailbox fitted to the top and front of the fence approximately 1.6m high.

2.0 Assessment

- 2.1 The main considerations in the determination of this application are as follows:
- 2.2 Design and Heritage (The impact of the proposal on the special character of the locally listed heritage asset and wider Fitzjohn's and Netherhall Conservation Area).
- 2.3 Amenity (Impact on neighbouring amenity in terms of daylight/ sunlight, outlook, noise and privacy).
- 2.4 Safety and Security (the impact of the proposal to create safe and attractive places to live and work, and reduce the opportunity for crime).
- 2.5 Access for all (The impact of the proposal to promote fair access and remove the barriers that prevent everyone from accessing facilities and opportunities).

3.0 Design and Heritage

- 3.1 The Council's Design Policy D1 of the Local Plan requires development to be of the highest architectural and urban design quality, which improves the function, appearance and character of the area. Development should respect the local context and character; preserve or enhances the historic environment and heritage assets; comprises details and materials that are of high quality and complement the local character; integrates well with the surrounding streets and open spaces; be secure and designed to minimise crime and antisocial behaviour; respond to natural features and preserves gardens and other open space; incorporates high quality landscape design and maximises opportunities for soft landscaping, preserves strategic and local views.
- 3.2 Careful consideration of the characteristics of a site, features of local distinctiveness and the wider context is needed in order to achieve high quality development, which integrates into its surroundings and considers the prevailing pattern and the existing rhythms, symmetries and uniformities in the townscape.
- 3.3 Policy D2 states that within conservation areas, the Council will only grant permission for development that 'preserves or, where possible, enhances' its established character and appearance, and will preserve garden spaces which contribute to the character and appearance of a conservation area.
- 3.4 The Council will resist 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.
- 3.5 It is considered that the timber fencing as installed is not a preservation or enhancement to the conservation area.
- 3.6 Although the position of the site on the corner of Belsize Lane and Ornan Road, and the nature and design of the house, may lend itself to an alternative boundary treatment; the fencing installed is considered overly dominant.
- 3.7 The prevailing character of the immediate neighbouring boundaries is that of low brick walls. Although the immediate neighbouring boundaries represent the rear boundaries of properties on Ornan Road, rather than fronting Belsize Lane, the prevailing character is such that it provides a degree of openness and visibility. The installation of the timber fencing is considered to create an undesirable enclosure.
- 3.8 Closer inspection of the fencing revealed that the finished installation is not considered of high quality. For example, there are significant gaps between fencing and gates and also at the point where the fence abuts the main house.
- 3.9 At the northern end of the fencing; Brick detailing of the neighbouring wall has not been incorporated into the junction of wall and fence giving a messy appearance. A more carefully considered design would benefit from utilising this feature within any proposed finish.
- 3.10 There is timber fencing on the other side of the road on the boundary of St. Christopher's School, however, this is located above the brick wall and extends the whole length of this part of the street, as opposed to interrupting a continuous brick wall.

4.0 Amenity

- 4.1. The Council will seek to ensure that the amenity of neighbours is protected from development. The factors the Council will consider the impact on daylight/sunlight, noise, overlooking, outlook, and artificial light levels (light pollution).

4.2. Given the nature of the proposal there would not be impacts on residential amenity.

4.3 It may be noted that the previous boundary treatment of simple bamboo planting provided a more pleasant aesthetic for people passing by and additionally would have provided a certain amount of habitat for wildlife in the vicinity.

5.0 Access for all

5.1 The Council will seek to promote fair access and remove the barriers that prevent everyone from accessing facilities and opportunities. We will expect all buildings and places to meet the highest practicable standards of accessible and inclusive design so they can be used safely, easily and with dignity by all.

5.2 Prior to works carried out the property benefitted from level access from public to private realm without hindrance. The works that have been undertaken provide a distinct barrier and prevent access for all in the simplest terms.

5.3 The Access Officer has objected on the grounds that the accessibility has been made worse in direct contravention to Council policies. Steps have been introduced where there were none previously. These steps do not have any sort of hand rail support. The intercom installed at the pedestrian gate is positioned too high for any wheelchair users to operate and there have been no details provided in relation to accessibility for those with speech, hearing and visual impairments.

5.4 As the property is a private residence as opposed to a public building, it is not considered that accessibility issues constitute a formal reason for refusal of the application, particularly with regards to the installation of the steps to the pedestrian gate which do not require express planning consent, however; it is noted that the proposed arrangement is not considered an improvement to the previous layout to promote accessibility.

6.0 Recommendation

6.1 Refuse planning permission with warning of enforcement action.