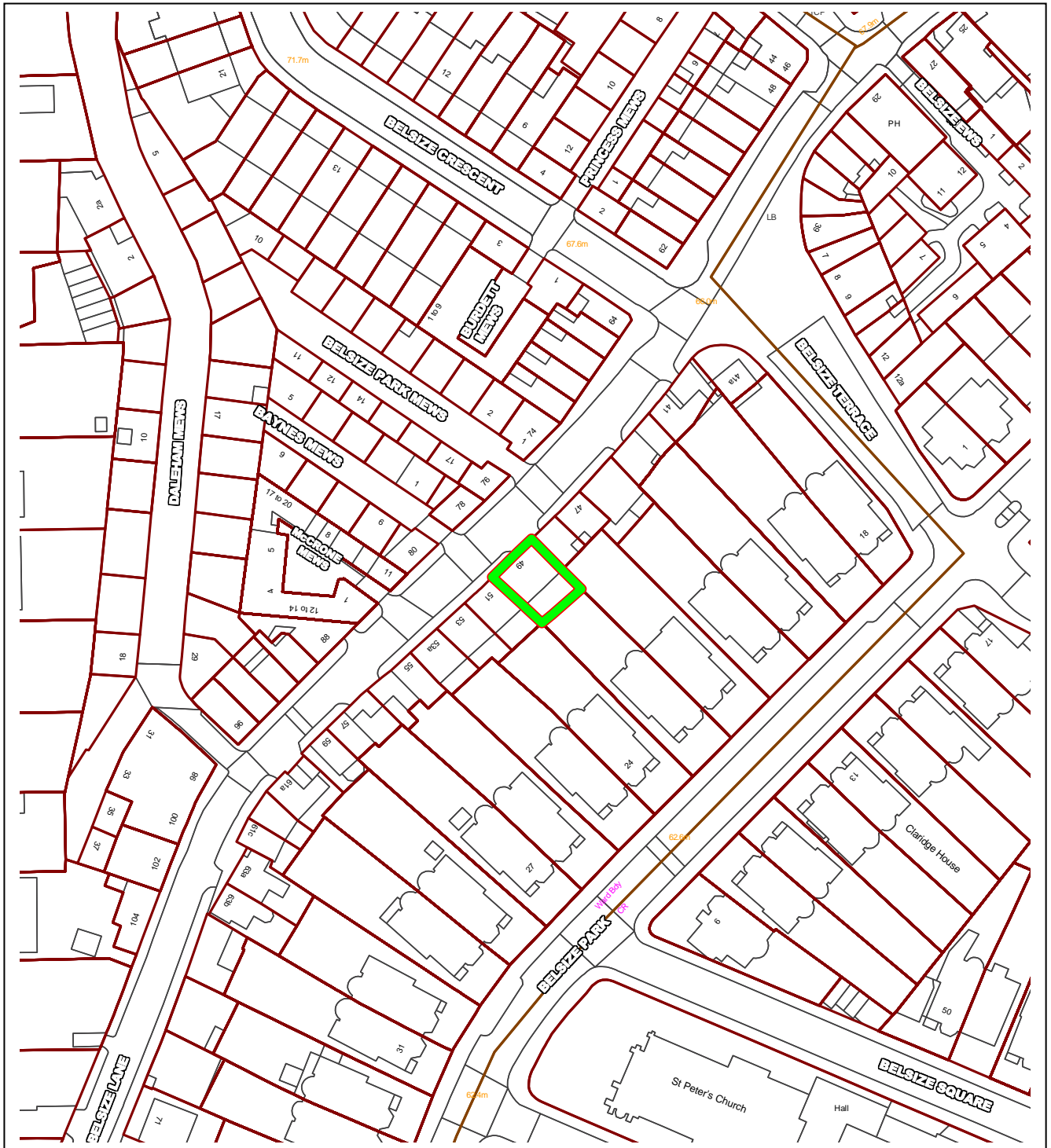


49 Belsize Lane NW3. 2019/4411/P



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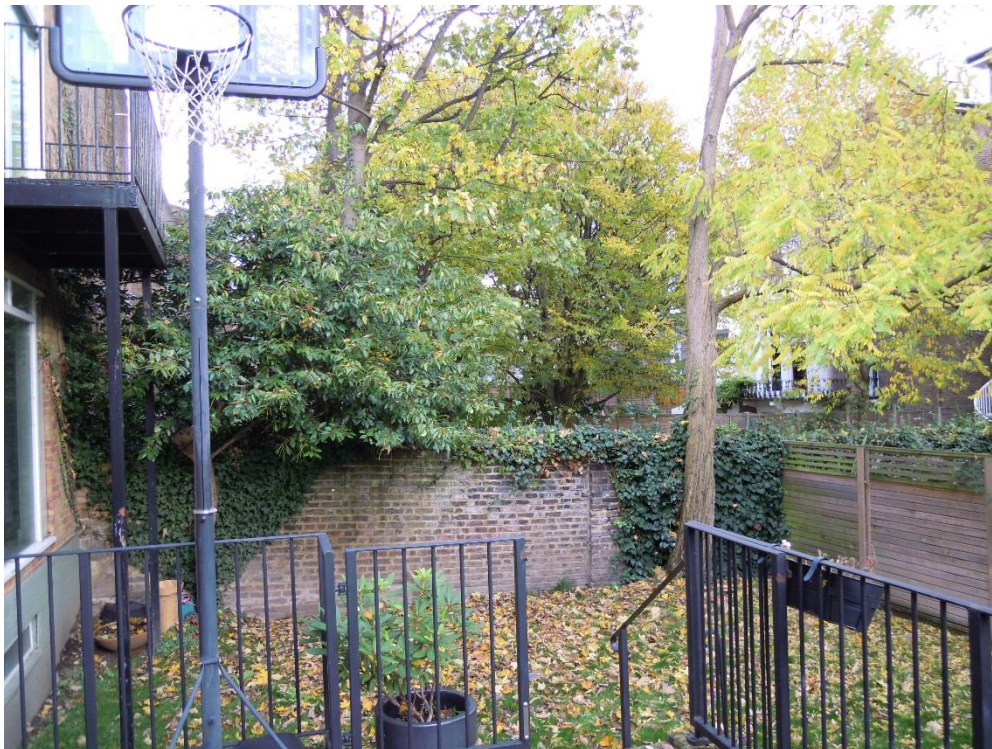
1. front



2. rear with raised terrace



3. rear showing basement room window



4. rear garden showing acacia tree to be removed

Delegated Report (Members Briefing)	Analysis sheet		Expiry Date:	24/10/2019			
	N/A / attached		Consultation Expiry Date:	07/12/2019			
Officer			Application Number(s)				
Charles Thuaire			2019/4411/P				
Application Address			Drawing Numbers				
49 Belsize Lane London NW3 5AU			See decision notice				
Proposal(s)							
Excavation to deepen and extend existing basement into rear garden, erection of raised terrace and lower patio in rear garden, and alterations to rear and front facades							
Recommendation(s):		Grant planning permission subject to S106 legal agreement					
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:		Site notice displayed 02/10/2019 to 26/10/2019 Press advert published 03/09/2019 to 27/10/2019 No response					

<p>CAAC/Local groups* comments: *Please Specify</p>	<p><u>Belsize CAAC</u> – no objection.</p> <p><u>Belsize Society</u> object- The proposal reduces the size of the garden to a small strip of unbuilt land between raised basement/terrace extension and the boundary and amounts to overdevelopment. The proposed structural support of the rear openings encroaches into the height of the openings and alters the shown rear elevation layout. The proposed pair of new doors on the front facade appear squat and badly proportioned.</p> <p><u>Officer comment</u>- <i>See section 2 on Design below.</i></p> <p><u>Historic England (GLAAS)</u>- comment- The proposal is unlikely to have a significant effect on heritage assets of archaeological interest. Although within an archaeological priority area, the proposed works are too small scale to result in a significant archaeological impact at this location. No further assessment or conditions are therefore necessary.</p>
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Site Description

1. The site is a 2 storey terraced house on south side of Belsize Lane with a small basement playroom under the house and raised patio deck in the rear garden; the ground floor of the house is raised above the garden level by over 1m. It has a very plain rendered front facade with small window openings and flat roof in a terrace of similar modest mews-type houses.

2. The site is in sub-area 2 (Belsize Village) of Belsize conservation area and is not a building that positively contributes to its character. It also lies within an archaeological priority area.

Relevant History

None

Relevant policies

- National Planning Policy Framework 2019**
- London Plan 2016**
- Camden Local Plan 2017**
A1 Managing the impact of development
A2 Open Space
A3 Biodiversity
A5 Basements
D1 Design
D2 Heritage
- Camden Planning Guidance**
CPG Design
CPG Amenity
CPG Basements
- Belsize Conservation Area Statement 2003

Assessment

1. Proposal-

1.1 The proposal is to deepen and extend the small basement room to create more habitable space under the rear garden; swap the existing raised patio deck on the south side to be above this

extended basement room on the north side; create a paved patio area with integral seating in place of the raised deck; carry out various alterations to the fenestration on both front and rear elevations.

1.2 Revisions- privacy screen added on north side of new raised terrace; permeable paving used in garden.

2. Design

2.1 The existing raised deck at the rear will effectively be moved to the north side of the garden to be above the new extended basement, and a new garden level patio installed in its place. Consequently there is no change to the overall bulk or footprint of built development in the rear garden, as the raised deck is merely swapped in position. The lower patio at garden level will have permeable paving so that there will be no further increase in impermeable surfaces within the garden or loss of potential landscaped space. New lawn and shrubs will also be added.

2.2 The rear facade is very plain with small windows and has no architectural merit. The remodelling of this elevation involves enlarged aluminium windows, new projecting bay window and more glazing at ground level, a new ground floor canopy feature and new glazed balustrades to the 1st floor balcony and new raised terrace. These alterations will enhance the appearance of the house and give it a more stylish contemporary and articulated appearance. The front elevation is also very plain and modest. The addition of 2 new matching windows, replacement of all windows with matching aluminium ones and replacement garage doors within the same opening will again enhance the symmetry and proportions of this frontage.

2.3 Overall the changes are considered appropriate in design terms and do not harm the character and appearance of the property, adjoining terrace of mews houses, streetscene and 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.

3. Basement

3.1 The existing basement room has only a 2m headroom. The proposal is to deepen this to create 2.7m headroom plus extend it into the rear garden for a new guestroom and playroom, 4.5m x 6.7m wide. The entire basement excavation will be approx. 3.7m under the house but, due the differences in levels between the house and garden, it will be only 2.5m below the garden ground level.

3.2 The overall size, footprint and location of the proposed excavation for the single storey basement would comply with the requirements of Policy A5 on basements (parts f to m) in relation to dimensions, size, depth and location of excavation, coverage of garden area and impact on trees. Notably the extended basement takes up less than half of the rear garden space; although it encroaches within the Root Protection Area (RPA) of an adjoining acacia tree, this is due to be removed following a recent consent (2019/2240/T). The other sycamore tree on the boundary will have its roots pruned to allow repair of the damaged boundary wall here, again following this consent, and the arboricultural report confirms that excavation will not harm its RPA.

3.3 The Basement Impact Assessment (BIA) has been reviewed by the Council's consultant engineers and, after revisions and clarifications, has been found to be acceptable in terms of impact on hydrology, hydrogeology and land stability and is considered to meet the criteria of CPG Basements. The house is on Made Ground with London Clay below. There is no change in impermeable site area due to the proposed development. The audit concludes that there will be no impact on slope stability or hydrology, as the revised BIA includes suitable attenuation measures. The submitted Ground Movement Assessment demonstrates that ground movements and consequential damage to neighbouring properties will be within Category 1 ('very slight') of the Burland Scale. A condition is added to ensure a suitably qualified engineer is engaged on the basement design and construction for the duration of the construction and a further condition requires the basement to be designed and constructed in accordance with the approved Basement Impact Assessment.

3.4 As confirmed by GLAAS, there will be no impact on the archaeological priority area.

3.5 Given the constrained nature of this terraced site, its lack of front garden and the scale of the excavation works to extend the basement, a Construction Management Plan (CMP) would be necessary to ensure the development can be implemented without having a detrimental impact on local amenity and transport conditions. A CMP implementation support contribution of £3,136 would also be required. Both will be secured via a S106 legal agreement.

4. Amenity

4.1 The new relocated raised terrace will not result in any new overlooking as there are no windows in the adjoining terraced property of no.47; nevertheless a privacy screen is added to reduce any possible unneighbourly direct views down below into its garden. Its installation would be secured by condition. It is considered that the proposed relocated terrace and changed rear fenestration will not harm neighbouring amenities in terms of loss of light, outlook, privacy, noise or light pollution.

5. Recommendation

Grant planning permission subject to S106 legal agreement requiring Construction Management Plan and CMP implementation support contribution of £3,136.

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 4th May 2020, 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: 2019/4411/P
Contact:
Tel: 020 7974
Date: 29 April 2020

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

Phone: 020 7974 4444

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

Ensoul
57 Spencer Park
LONDON
SW18 2SX

Dear Sir/Madam

DRAFT
FOR INFORMATION ONLY - THIS IS NOT A FORMAL DECISION
Town and Country Planning Act 1990 (as amended)

DECISION SUBJECT TO A SECTION 106 LEGAL AGREEMENT

Address:
49 Belsize Lane
London
NW3 5AU

Proposal:

DECISION
Excavation to deepen and extend existing basement into rear garden, erection of raised terrace and lower patio in rear garden, and alterations to rear and front facades

Drawing Nos: Site location plan; PL-100, 101, 102, 200, 201, 01B, 02C, 03, 20C; Design and Access Statement dated August 2019 by Ensoul Ltd; Arboricultural Impact Assessment Report, ref. ESL/49BLS/AIA/01 dated 15 August 2019 by Landmark Trees; Basement Impact Assessment (version V2 revision 2) dated April 2020 by CET Infrastructure; Planning Construction Method Statement (PCMS), revision 01 dated 28 February 2020 by Elite Designers Ltd.

The Council has considered your application and decided to grant permission subject to the conditions and informatives (if applicable) listed below **AND** subject to the successful conclusion of a Section 106 Legal Agreement.

The matter has been referred to the Council's Legal Department and you will be contacted shortly. If you wish to discuss the matter please contact **Aidan Brookes** in the Legal Department on **020 7 974 1947**.

Once the Legal Agreement has been concluded, the formal decision letter will be sent to you.

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 policies 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 - Site location plan; PL-100, 101, 102, 200, 201, 01B, 02C, 03, 20C; Design and Access Statement dated August 2019 by Ensoul Ltd; Arboricultural Impact Assessment Report, ref. ESL/49BLS/AIA/01 dated 15 August 2019 by Landmark Trees; Basement Impact Assessment (version V2 revision 2) dated April 2020 by CET Infrastructure; Planning Construction Method Statement (PCMS), revision 01 dated 28 February 2020 by Elite Designers Ltd.

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

- 4 All trees on the site, or parts of trees growing from adjoining sites, unless shown on the permitted drawings as being removed, shall be retained and protected from damage in accordance with the approved protection details and shall follow guidelines and standards set out in BS5837:2012 "Trees in Relation to Construction".

Reason: To ensure that the development will not have an adverse effect on existing trees and in order to maintain the character and amenity of the area in accordance with the requirements of policies A2 and A3 of the London Borough of Camden Local Plan 2017.

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

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policy A1 of the London Borough of Camden Local Plan 2017.

- 6 The development hereby approved shall not commence until such time as a suitably qualified chartered engineer with membership of the appropriate professional body has been appointed to inspect, approve and monitor the critical elements of both permanent and temporary basement construction works throughout their duration to ensure compliance with the design which has been checked and approved by a building control body. Details of the appointment and the appointee's responsibilities shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. Any subsequent change or reappointment shall be confirmed forthwith for the duration of the construction works.

Reason: To safeguard the appearance and structural stability of neighbouring buildings and the character of the immediate area in accordance with the requirements of policies D1, D2 and A5 of the London Borough of Camden Local Plan 2017.

- 7 The development shall be carried out in accordance with the methodologies, recommendations and requirements of the Basement Impact Assessment documents and supporting information hereby approved.

Reason: To safeguard the appearance and structural stability of neighbouring buildings and the character of the immediate area in accordance with the requirements of policies D1, D2 and A5 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 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)

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.

- 4 Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which this permission is granted. Information/drawings relating to the discharge of matters covered by the Heads of Terms of the legal agreement should be marked for the attention of the Planning Obligations Officer, Sites Team, Camden Town Hall, Argyle Street, WC1H 8EQ.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

Yours faithfully

Supporting Communities Directorate