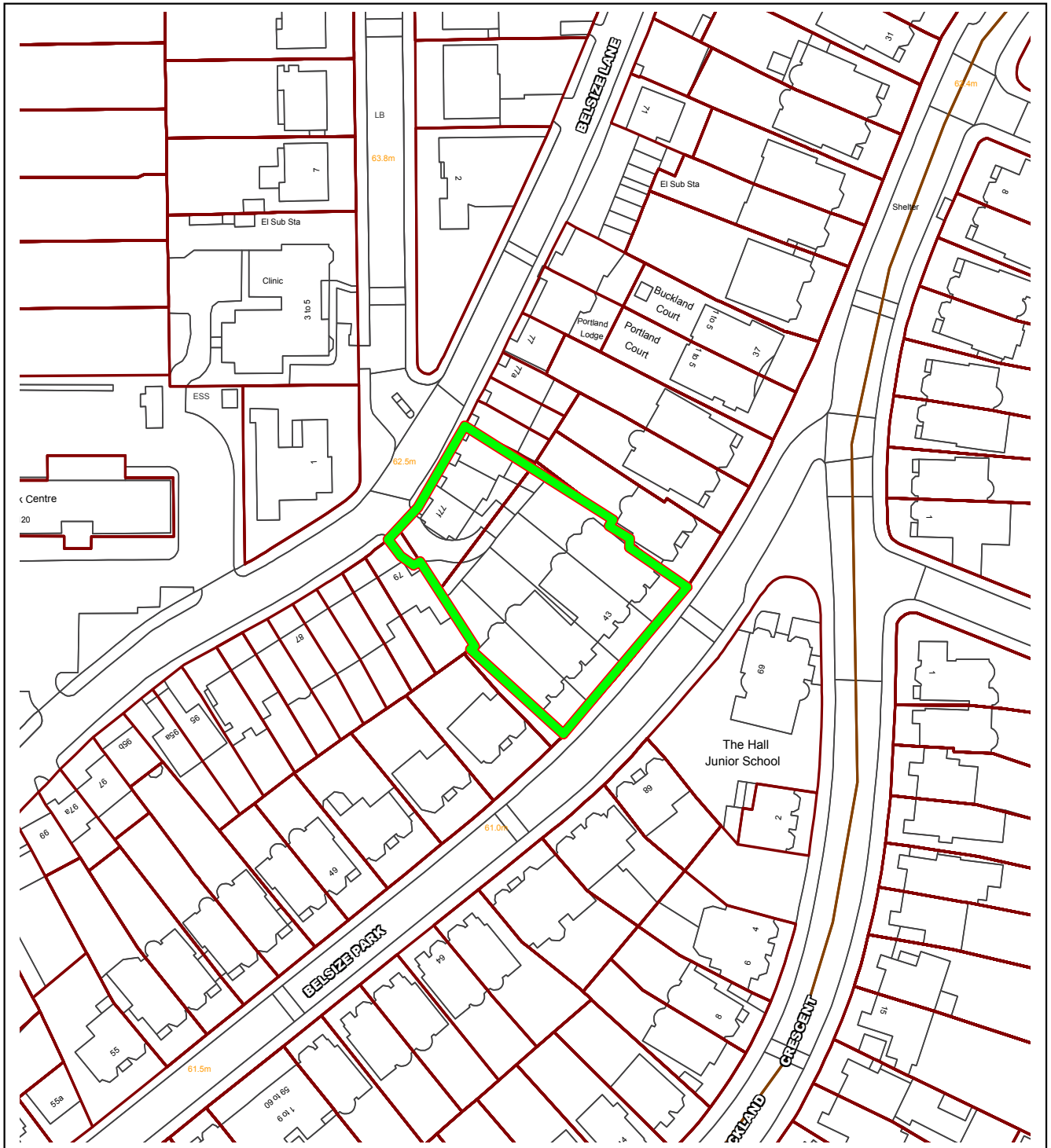


Parking garage to the rear of 42 to 45 Belsize Park (adjacent 77f Belsize Lane), NW3 4EE - Ref. 2020/1176/P



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Site photo



1) View from Belsize Lane facing 42 to 45 Belsize Park

Delegated Report (Members Briefing)		Analysis sheet	Expiry Date:	29/06/2020
		N/A	Consultation Expiry Date:	16/08/2020
Officer			Application Number(s)	
Sofie Fieldsend			2020/1176/P	
Application Address			Drawing Numbers	
Parking garage to the rear of 42 to 45 Belsize Park (adjacent 77f Belsize Lane) London NW3 4EE			See draft decision notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Erection of mechanical gates and associated railings to parking garage fronting Belsize Lane				
Recommendation(s):		Grant conditional planning permission		
Application Types:		Full Planning Permission		

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice			
Informatives:				
Consultations				
Adjoining Occupiers:	No. of responses	0	No. of objections	2
Summary of consultation responses:	<p>Site notice consultation: 06/05/2020 until 30/05/2020 Press notice consultation: 07/05/2020 until 31/05/2020</p> <p>1 objection was received during this statutory consultation period from No. 79c Belsize Lane. Their objection can be summarised as follows:</p> <ol style="list-style-type: none"> 1) Not a precedent for this development and out of character with Belsize Lane 2) Noise from gates and idling vehicles noise 3) Concerns about bins and waste collection. 4) Properties have existing security fencing and security guard; existing sensor lighting to driveway results in harm to amenity <p><i>Officer response:</i></p> <ol style="list-style-type: none"> 1) See sections 2.1-2.7 2) The applicant has stated that the gates will open in 3-5 seconds to reduce idling/noise and an informative has been attached advising that the fob should have a range of at least 10m. See section 2.10 3) The applicant has stated that the bins are located in the garage and placed outside on collection day before being returned to the garage which is the same as the existing situation 4) Lighting is not part of this application <p>Following a revised design of the gates further consultation was undertaken.</p> <p>Site notice consultation: 17/07/2020 until 10/08/2020 Press notice consultation: 23/07/2020 until 16/08/2020</p> <p>1 objection was received from no. 79a Belsize Lane and 1 additional objection from Flat 79c Belsize Lane. Their new objections (not already mentioned above) can be summarised as follows:</p> <ol style="list-style-type: none"> 1) Poor design. The existing arrangement already provides adequate security and new gate will attract crime 2) Harm setting of neighbouring Grade II listed terrace 3) Restricts access to No. 79a Belsize Lane's side wall and boiler vent for maintenance <p><i>Officer response:</i></p> <ol style="list-style-type: none"> 1) See section 2.1-2.7 2) See section 2.5 3) This is a civil matter not a material planning consideration as the property does not have a right of access to this driveway. 			

The Belsize Society	<p>The Belsize Society objected to the original scheme on the following grounds:</p> <ol style="list-style-type: none">1) The entrance to the parking area for these properties is already very unattractive and out of keeping but this proposal would actually make a bad situation much worse.2) This type of solid blocking off of driveways of residential properties along Belsize Lane is inappropriate and sets a dangerous precedent. High solid garage gates are an alien concept in Belsize Park and this application should be refused.3) The design is very poor and with the spiked railings looks like a fortress. If there are issues with security then these should be addressed by other means. <p><u>Officer response:</u></p> <p><i>See section 2.1-2.7</i></p>

Site Description

The site comprises underground garages fronting onto Belsize Lane which serve four properties No.'s 42 to 45 Belsize Park. The new gate will be on the East side of Belsize Lane between No.77f and 79 Belsize Lane.

These buildings are not listed but are noted as being positive contributors within the surrounding Belsize Park Conservation Area. The adjacent terrace at No.79-93 Belsize Lane is Grade II listed.

Relevant History

None relevant.

Relevant policies

National Planning Policy Framework 2019

London Plan 2016

London Plan Intend to publish (2019)

Camden Local Plan 2017

Policy A1 Managing the impact of development

Policy D1 Design

Policy D2 Heritage

Camden Planning Guidance

CPG Amenity (2018)

CPG Design (2019)

CPG Altering and extending your home (2019)

Belsize conservation area statement (2003)

Assessment

1. Proposal

- 1.1. The proposal is for the erection of metal railing mechanical gates to the vehicle access to an underground parking garage to the rear of 42 to 45 Belsize Park and 77F Belsize Lane. The vehicle access fronts Belsize Lane. The application also seeks approval for associated railings above the side boundary wall.
- 1.2. Revisions
- 1.3. Following discussions with the Council's Conservation Officer the design was revised to propose metal railing gates rather than solid timber gates.

2. Assessment

Design and heritage

- 2.1. Local Plan policy D1 seeks to achieve high quality design in all developments. Policy D1 requires development to be of the highest architectural and urban design quality, which improves the function, appearance and character of the area. Through Local Plan policy D2, the Council seeks to preserve and, where appropriate, enhance Camden's conservation areas.
- 2.2. CPG 'Altering and extended your home' outlines that front boundary treatments are a prominent element in a streetscene. As such, we will expect the design, detailing and materials used to provide a strong positive contribution to the character and distinctiveness of the area that will complement the property and integrate it into the streetscene.
- 2.3. The railed gates (metal) would stand at 2m high with matching metal railings on top of the existing side boundary wall. It is noted that there are similar height gates found at No.'s 41/41a, 57, 95a and 101 Belsize Lane.
- 2.4. This part of the Belsize Park Conservation Area is characterised by a generous open character. The originally proposed solid gates would have closed off this area which would have conflicted with this character and was not supported. The proposed metal railings still allow for views and provide a gap in this location while providing security. The revised design would not appear out of character within Belsize Lane or the wider Belsize Park Conservation.
- 2.5. It is noted that the neighbouring terrace at No's.79-93 Belsize Lane is Grade II listed. It is considered that the revised gate and proposed railings appear less solid and less defensive and would not harm the setting of the listed buildings.
- 2.6. It is therefore in terms of its siting, revised detailed design and scale not considered to harm the character and appearance of the host properties, street, neighbouring Grade II listed terrace or Belsize Park Conservation Area, in accordance with policies D1 and D2 of the Camden Local Plan.
- 2.7. Special regard has been attached to the desirability of preserving or enhancing 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.

Neighbour amenity

- 2.8. Policy A1 seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered. It seeks to ensure that development protects the quality of life of occupiers and neighbours by only granting permission for development that would not harm the amenity of neighbouring residents. This includes privacy, outlook, daylight and sunlight.
- 2.9. Given the scale, siting and detailed design of the proposal it is not considered to have an adverse impact on the amenity of the neighbouring properties in terms of loss of light, privacy, overlooking or a sense of enclosure.
- 2.10. Concerns have been raised that the gate mechanism could cause noise disturbance. The applicant has confirm that each gate is independent in operating and each leaf does not touch the other. It is considered that noise from the gates operating would be unlikely to harm the amenity of neighbouring properties to the extent that would warrant a reason for refusal.

3. 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 14th September 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: 2020/1176/P
Contact: Sofie Fieldsend
Tel: 020 7974 4607
Email: Sofie.Fieldsend@camden.gov.uk
Date: 8 September 2020

Development Management
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2B Beech Road
Hale
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DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

**Parking garage to the rear of 42 to 45 Belsize Park (adjacent 77f Belsize Lane)
London
NW3 4EE**

Proposal:

Erection of mechanical gates and associated railings to parking garage fronting Belsize Lane
Drawing Nos: LP and O1 Rev.C.

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 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:

LP and O1 Rev.C.

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

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 You are advised that the gate fob should have a range of at least 10m to reduce vehicle idling.

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>

Yours faithfully

Director of Economy, Regeneration and Investment

DRAFT

DECISION