

LONDON BOROUGH OF CAMDEN
TOWN AND COUNTRY PLANNING ACTS

14 AUG 1996

Ward: Belsize

BEL Belsize

RECOMMENDATION AGREED
ON BEHALF OF THE COUNCIL

Officer: Rob Brew

Park Conservation Area

*Approved report emailed to shari
25-7*

Type of Application: Full Planning Application

Application number: 9500249^{R6}~~95~~ Case File: G7/11/K

Address: 42-45 Belsize Park and land adjoining 79 Belsize Lane,
NW3

Proposal:

*Discrepancies in drawings
- agree under delegated powers*

The change of use of the existing building from a hotel to 26 self-contained residential units together with the erection of a single storey rear extension at basement level, and the landscaping of the land to the rear together with the provision of 17 car parking spaces.

Ward: Belsize

BEL Belsize Park Conservation Area

Officer: Rob Brew

Type of Application: Conservation Area Demolition

Application number: 9560026^{R6}~~95~~ Case File: G7/11/K

Address: 42-45 Belsize Park and land adjoining 79 Belsize Lane,
NW3

Proposal:

Partial demolition of the building.

Drawing Numbers: 9603/001, 100B, 110A, ^{111B}~~111A~~, 112A, ^{220B, 250B}~~220A, 250A~~.

RECOMMENDATION SUMMARY: FPC CAA

OFFICER REPORT

1. SITE

1.1 Two pairs of semidetached houses located on the northwest

side of Belsize Park that are currently in a poor state of repair and in use as a private hotel. The buildings are arranged on 3 floors plus a basement and attic, and 42 Belsize Park has a full width rear extension at basement level that projects 5.5m from the rear face of the building.

- 1.2 The rear garden area to the building is at a height between basement and ground floor levels, but the garden slopes down towards the building so that the basement floor is exposed. The rear garden area has a vehicular access from Belsize Lane located between 77C and 79 Belsize Lane, and is partly laid out as parking space and has been poorly maintained in recent years. There are 3 large trees on site and there is a large tree nearby located in the rear garden to 46 Belsize Park.

2. PROPOSAL

- 2.1 The proposed change of use of the building to 26 self-contained flats and maisonettes is a revision to a similar scheme for the conversion and extension of the building that was granted planning permission on 21.10.94. The approved and proposed schemes can be compared as follows:

	Approved	Proposed
1 bed	2	2
2 bed	8	5
3 bed	16	18
4 bed	0	1
Total	26	26
Habitable rooms	103	103
Floorspace (m ²)		+121
Resid.density (hra)	161	161
Parking spaces	15	17

- 2.2 The landscaping scheme includes the planting of 2 new trees, new areas of lawn and shrubbery with garden walls constructed of second hand stock bricks. The parking area is to be formed of brick paving bedded on a permeable base. The boundary is to be formed of a second hand stock brick wall with metal railings and entrance gate. The soil levels near the trunks of the retained trees are to remain as existing. The front garden area are to be landscaped with lawn and shrubbery, and refuse bin stores of an unspecified design are proposed.
- 2.3 The current proposal differs from the approved scheme in the size of the rear basement level extension. The approved scheme included 3 small rear additions that would project 3.6m from the rear face and the current scheme includes 2 large rear additions that would project 5.5m from the rear face of the building. Other than the increased size of the rooms at the rear, the internal plan at basement level is the same as previously approved. The roofs of the basement level extensions are to be used to provide roof terraces for the ground floor level units with privacy screens included. The only other significant departure from the approved scheme is that a small infill extension between the 2 pairs of semidetached houses is proposed to extend to 1.6m behind the rear face of the building in comparison to the approved 3.5m.
- 2.4 The proposal includes the insertion of a mezzanine floor over much of the ground floor which is of the same size as the mezzanine floor that formed part of the approved development. The only difference between the approved and current

development in the internal layout at ground and mezzanine floor levels is that one unit is now a 4 bed unit rather than the approved 3 bed unit with a study. The proposed internal layout at first floor level is similar to that approved with the only change being the relocation of some internal partitions.

- 2.5 The approved layout includes 2 x 3 bed, 3 x 2 bed, and 1 x 1 bed unit at second floor level with 2 x 3 bed units (with large studies) at attic floor level. The proposed layout includes 8 x 3 bed maisonettes at second and attic floor levels. The proposed roof arrangement, including the location and number of velux and dormer windows, is the same as approved. The proposed front elevation of the building is not changed from that previously approved, and the proposed rear elevation is changed from the approved only in the treatment of the basement floor. The proposed internal floor to ceiling heights are the same as previously approved, and the proposed rear boundary treatment to Belsize Lane is also the same as approved.
- 2.6 The original version of the current application was for the erection of a 2 storey plus attic residential building in the rear garden area to accommodate 5 flats with 20 parking spaces at basement level.
- 2.7 R1 - The conversion of the main buildings at 42-45 Belsize Park to 26 residential units was included in the scheme.
- 2.8 R2 - The design of the new building in the rear garden area was amended to comprise 2 semidetached 2 storey houses with 17 car parking spaces at basement level.
- 2.9 R3 - The new building on the rear garden area were omitted from the scheme, and the erection of 3 storey rear extensions to the main buildings were included.
- 2.10 R4 - The site plan was amended to exclude part of the curtilage of the adjoining property at 46 Belsize Park that had been included in error.
- 2.11 R5 - The size of the proposed rear extensions to the main buildings were reduced to a single storey.

3. RELEVANT HISTORY

- 3.1 As stated in paragraph 2.1, planning permission was granted on 21.10.94 for the change of use of the existing buildings from a hotel to 26 self-contained residential units, together with the erection of single storey rear extensions and elevational alterations and the provision of car parking space for 15 cars at the rear. The landscaping details were reserved by condition. Conservation area consent was also granted on 21.10.94 for works of demolition in association with the development.

4. RELEVANT POLICIES

- 4.1 The relevant Borough Plan policy is UD18 to give full consideration to aesthetic and environmental factors when assessing planning applications within conservation areas. The design guidance given within the Environmental Code is also relevant.

- 4.2 The relevant Draft UDP policies are EN27 on daylight and sunlight, EN33 on protecting the character and appearance of conservation areas, EN35 on ensuring a high quality of development in conservation areas, EN40 on the protection of trees within conservation areas, EN50 on alterations and extensions to existing buildings in general, EN51 on alterations affecting the appearance of existing buildings, EN52 on the size and siting of extensions, EN53 on side and rear extensions, EN* on the amenity value of open space, DS5 on visual privacy and overlooking, and DS9 on car parking. The advice given on design matters in the SPG is also relevant.
- 4.3 Although the principle of the conversion of the building to residential flats has been established by the earlier planning permission, the following policies are relevant to the conversion aspects of the current proposal: Borough Plan policy TM6 relating to hotel accommodation, and the parking standard in the Environmental Code; Draft UDP parking standard DS9.

5. CONSULTATIONS

5.1 **Statutory Consultee Comments**
English Heritage - No objection.

5.2 **Conservation Area Advisory Committee Comments**
Belsize CAAC - Object on design grounds: the proposed rear extensions will result in the loss of the existing bay windows at this level; and, the appearance of the proposed front entrance is overdominant and gives the impression of a block of flats.

5.3 **Local Group comments**
Daleham Group - Object to the R3 scheme on the grounds that the size of the proposed extensions is excessive, and they will encroach upon the existing garden space.

5.4 Adjoining Occupiers	Number Notified	48
	Replies Received	11
	Objections	11
	In support	0

Only one of the letters of objection relate to the R5 scheme, and this raises objections on the grounds that the proposal has inadequate parking that will result in additional parking congestion in the area.

Objections raised to the R3 scheme include to the inadequate level of parking, the loss of rear garden space, the size of the proposed extensions which constitute an overdevelopment of the site, and the loss of sunlight, daylight and privacy for adjoining occupiers.

Objections raised to the R2 scheme include the basement car park will damage the roots of retained trees, the design of the new building is not in keeping with the character and appearance of the are, and will result in the loss of open space.

Objections raised to the original scheme are that the proposal will lead to parking problems, and the design is not in keeping.

6. ASSESSMENT

- 6.1 **Proposed rear extensions** - The main consideration is the impact of the principal difference between the approved scheme and the current scheme, which is the proposed rear basement level extensions. The proposed height of the extensions is the same as the 3 smaller rear extensions that were previously approved, and the projection from the rear face of the building is the same as the existing full width extension to 42 Belsize Park. Note that the existing extension is not visually prominent when viewed from Belsize Lane because the street is at a higher level than the basement floor, and there is an existing garden wall that obscures views. This arrangement also means that the existing bay windows at ground and basement levels are partially obscured, and the ground floor element to the bays is visually dominant. Consequently the loss of the bay windows feature at basement level is not considered to have a harmful effect on the appearance of the building or the surrounding area. The scale of the proposed extensions is considered acceptable, and the extensions are not considered to be disproportionately large or disruptive to the historic pattern of development in the area.
- 6.2 The extensions are at a lower level than the trees that are to be retained on site and are sufficient distance away to not result in damage to the tree crowns. The foundations to the new extensions can be constructed without damage to tree roots, but it is considered prudent to attach a condition reserving details of the foundations so that this can be ensured. Similarly, it is considered appropriate to attach a condition requiring the trees to be protected during the duration of the works. The size and location of the extensions are not considered to be harmful to the amenity value of the rear garden area.
- 6.3 The materials proposed are stock bricks with timber joinery, which are considered appropriate in principle, although it is considered appropriate to reserve the details of the facing materials by condition. The proposed extensions do not contravene the Council's daylighting standards, and the inclusion of privacy screens, of a design and location to be subsequently agreed, for the proposed terraces on the roof of the extensions would prevent the unreasonable overlooking of adjoining premises. Therefore the general design, size and location of the extensions are considered acceptable, and are considered to be in keeping with established townscape.
- 6.4 **Other alterations** - Of the other external alterations only the increase in the size of the small infill extension between the 2 pairs of semidetached houses is a significant departure from the approved drawings. This increase will not result in a significant increase in floorspace, and a reasonable setback from the rear face of the building is retained so that the 2 pairs of houses maintain some visual separation. The external alterations are considered to be acceptable in principle and the main architectural features of the building are to be retained. The scale of the submitted drawings are 1:100 and it is considered appropriate to require larger scale drawings to be subsequently submitted to ensure the architectural detailing is acceptable. The front elevation and roof form proposed are identical to that already approved.

- 6.5 The parking provision of 17 spaces for 26 residential units is below the Council's standard of one space per unit, but is an increase in provision over the approved scheme. The parking layout proposed is considered to accommodate the maximum number of spaces that can be safely used and still maintain a decent amenity value for the rear garden area, and the parking arrangements are considered acceptable. The landscaping scheme is also considered acceptable, although details of the refuse stores to be provided at the front of the buildings are reserved.
- 6.6 The change of use proposed is the same as recently approved, and the housing mix and standard of accommodation is considered acceptable. Internally, the only significant change from the approved scheme is the switch from flats to maisonettes at the top 2 floor levels, and the proposed mezzanine floor between ground and first floors is as approved. In conclusion, the proposals are considered to preserve the character and appearance of the area, and the refurbishment of the building can only enhance its visual appearance.

7. LEGAL COMMENTS

7.1 None.

8. RECOMMENDATION

8.1 That the Sub-Committee grant planning permission subject to the following conditions:

Conditions

1. The details of the elevations and facing materials to be used on the building shall not be otherwise than shall have been submitted to and approved by the Council before any work on the site is commenced. (CD01)
2. Privacy screens shall be provided to the proposed roof terraces at rear ground floor level, details of which shall be submitted to and approved by the Council before the development is begun, and the screens shall be permanently retained.
3. The details of the design of the refuse bin stores that form part of the development hereby approved shall not be otherwise than as shall have been submitted to and approved by the Council before the development is begun.
4. Details of the design of building foundations and the layout, with dimensions and levels, of service trenches and other excavations on site in so far as these items may affect trees on or adjoining the site, shall be submitted to and approved by the Council as the local planning authority before any works on site are commenced. (CE08)
5. 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 to the satisfaction of the Council for a period of at least 12 months following the completion of the development hereby approved, or such longer period as may be required under Sections 198 and 211 of the Town and Country Planning Act 1990. (CE06)

6. All hard and soft landscaping works shall be carried out to a reasonable standard in accordance with the approved landscape details, prior to the occupation for the permitted use of the development or any phase of the development, whichever is the sooner. Any trees or areas of planting which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced as soon as is reasonably possible and, in any case, by not later than the end of the following planting season, with others of similar size and species, unless the Council gives written consent to any variation. (CE04)

7. The whole of the car parking accommodation shown on the drawings shall be provided and retained permanently for the parking of vehicles of the occupiers and users of the remainder of the building. (CH01)

8. The entrance gate to the rear garden of the adjoining building at 46 Belsize Park shall be removed and the opening filled with fencing to match the existing, as set out in the letter from KKM Architects dated 17.6.96.

Reasons for Conditions

1. To ensure that the Council may be satisfied with the external appearance of the building. (DD01)

2. In order to prevent unreasonable overlooking of neighbouring premises. (DD07)

3. In order that the Council may give consideration to the details of the proposed development. (DA01)

4. To ensure that the Council may be satisfied that the development will not have an adverse effect on existing trees and in order to maintain the character and amenities of the area. (DE03)

5. To ensure that the Council may be satisfied that the development will not have an adverse effect on existing trees and in order to maintain the character and amenities of the area. (DE03)

6. To ensure that the landscaping is carried out within a reasonable period and to maintain a satisfactory standard of visual amenity in the scheme. (DE02)

7. To ensure the permanent retention of the accommodation for parking purposes and to ensure that the use of the building does not add to traffic congestion. (DH01)

8. In order to clarify the details of the proposed development.

Informatives

1. All architectural features on the front elevation, e.g. cornices, architraves, porches, balustrades, etc. and railings should be retained and restored in order to maintain the appearance of the building and the area. (IB04)

2. Works of construction and ancillary activity should not take place other than between the hours of 8 am to 6 pm on

Monday to Friday and 8 am to 1 pm on Saturday, with no working on Sunday or Bank Holidays, in order to comply with locally enforced standards. (IE04)

- 8.2 That the Sub-Committee grant conservation area consent subject to the following condition:

Condition

1. No works of demolition shall take place until contracts have been exchanged for the redevelopment of the site in accordance with a scheme for which full planning permission has been granted. (CM01)

Reason for condition

1. To protect the visual amenity of the area. (DM01)

Additional condition 9

No part of the roof at lower ground floor level over the basement level extension shall ~~not~~ be used as a roof terrace, and the bay windows that overlook that part of the roof shall not be altered so as to allow access onto the roof, as shown on drawing numbers 9603/220B, 111B

except that part marked as terrace on the approved drawing

Reason for condition 9

- To protect the amenities of adjoining occupiers.

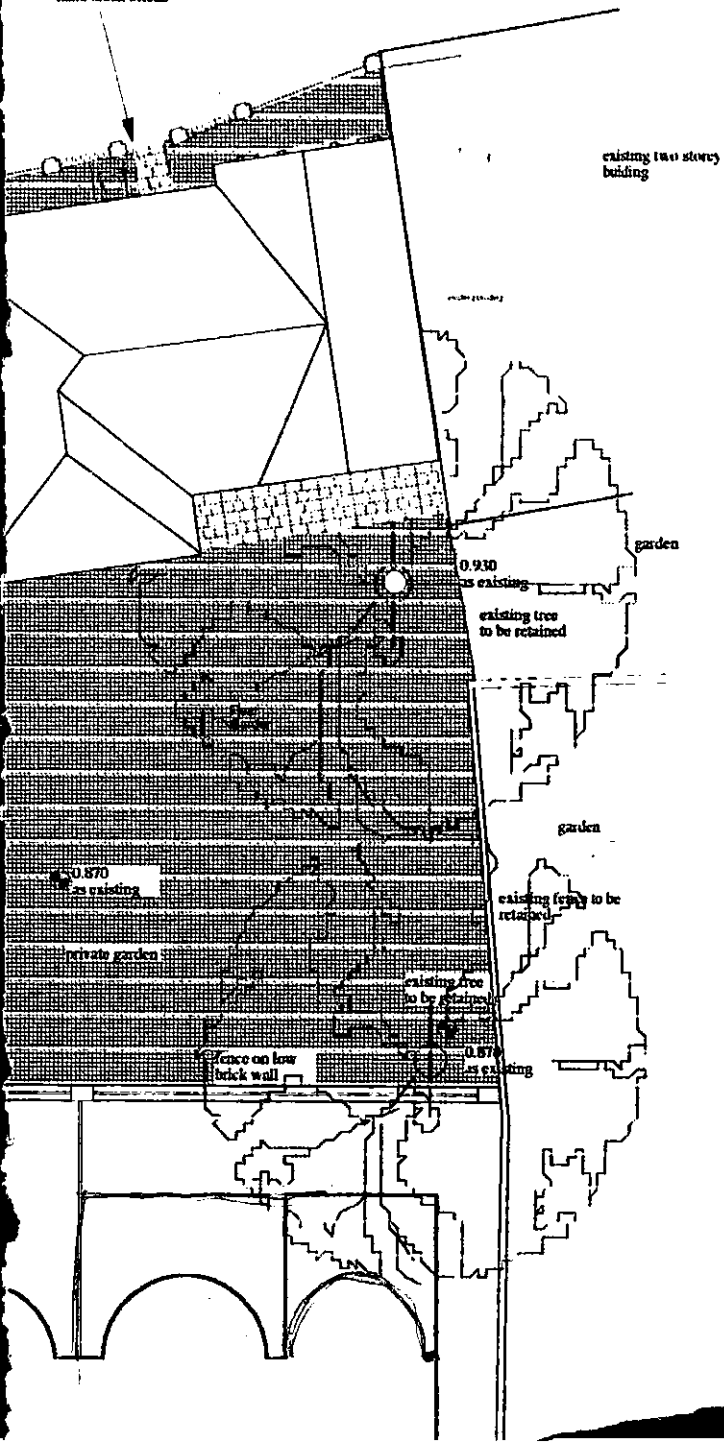
NAH

... At ... these trees ...
reason in ...
No compaction or excavation to take
place under tree canopies

existing brick
wall to be
demolished

new brick wall to be
constructed from second
hand stock bricks

Site Level



existing two storey
building

garden

0.930
as existing

existing tree
to be retained

garden

existing tree to be
retained

0.870
as existing

private garden

existing tree
to be retained

fence on low
brick wall

0.870
as existing