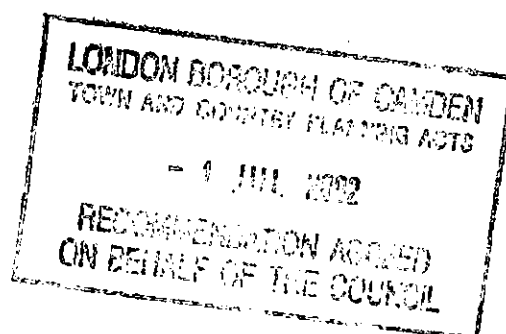


<b>Delegated Report</b> (Members Briefing)		Analysis sheet		Expiry Date:	30/04/02
		Attached		Cons. Expire:	16/04/02
Officer			Application Number(s)		
Rob Brew			PWX0103947R1 <b>3</b>		
Application Address			Drawing Numbers		
42-45 Belsize Park and land adjoining 79 Belsize Lane, NW3.			569/DP/001C, 002B, 003-007, 200, 300, J/6.12/01, and letter dated 1 <sup>st</sup> March 2002 from Chris Yarrow & Associates.		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
	<i>SWadden</i>		<i>M. Borden</i>		
Proposal(s)					
Amendment of the design of 3 new houses together with a 30 space underground car park and associated landscaping as a variation to the planning permission granted on 27 <sup>th</sup> August 1998 (ref: PW9802361R2) for the conversion of 42-45 Belsize Park to 25 self-contained flats, the erection of 3 new houses and construction of a 26 space underground car park with landscaping above on land adjoining 79 Belsize Lane.					
Recommendation(s):		Grant PP with conds			
Code:		FPC			



**Conditions:**

(Use Pacis codes for standard text)

1. The development hereby permitted must be begun not later than 27<sup>th</sup> August 2003. [Do not attach cond CBO1]
2. The details of the design of the elevations of the new houses to Belsize Lane at a scale of 1:50, including details of typical elements at a scale of 1:10, shall be submitted to and approved by the Council before work on this aspect of the scheme is commenced, and the scheme shall be completed in full accordance with the approved details. Note that the detailing of the front parapet wall is also reserved by this condition and details of the junction between the proposed houses and 77 Belsize Lane shall be submitted at a scale of 1:10.
3. All new external work to the existing buildings fronting Belsize Park shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified on the approved drawing.
4. All damaged or missing mouldings and other architectural features to the existing buildings on Belsize Park shall be replaced to match the original design. Details of proposed external reinstatement of these elements, including details of the balustrading, boundary wall, windows, doors, eaves, dormers, and window architraves at a scale of 1:5, shall be submitted to and approved by the Council prior to any work commencing on this part of the scheme, and the scheme shall be completed in full accordance with the approved details.
5. No pipes or plumbing, other than rainwater pipes, shall be fixed on the external face of the building hereby approved.
6. Privacy screens shall be provided to the proposed roof terraces at rear ground floor level of the Belsize Park buildings, details of which shall be submitted to and approved by the Council before the premises on Belsize Park are occupied, and the screens shall be permanently maintained.
7. No development shall take place until full details of hard and soft landscaping, irrigation systems, ventilation and access stairs to the car park, and means of enclosure have been submitted to and approved by the Council, and the scheme shall be implemented in full accordance with the approved details. The trees set out in the letter dated 1st March 2002 from Chris Yarrow & Associates shall be incorporated into the proposed landscape details.
8. CE04
9. Notwithstanding the provisions of Article 3 of the Town & Country Planning (General Permitted Development) Order 1995, or any Order revoking and re-enacting that order, no development within Part 1 (Classes A, C, D, and E) of Schedule 2 of that Order shall be carried out without the grant of planning permission having first been obtained from the Council.
10. The details of the vehicle and bicycle control/entry mechanism to be installed at the top of the car park entrance ramp, together with details of the refuse storage area and bicycle stands within the car park, shall be submitted to and approved by the Council before the works are commenced, and the scheme shall be implemented in full accordance with the approved details.
11. The felling of the copper beech tree currently protected by a TPO hereby approved shall not be undertaken before a contract for the carrying out of the works of redevelopment of the site has been made and full planning permission has been granted for which the contract provides.

^ the redevelopment for

Reasons for Conditions:	<ol style="list-style-type: none"> <li>1. DB01</li> <li>2. DD01 [insert policies EN1, EN13 and EN31]</li> <li>3. DD04 [insert policies EN1, EN13 and EN31]</li> <li>4. DD04 [insert policies EN1, EN13 and EN31]</li> <li>5. DD01 [insert policies EN1, EN13 and EN31]</li> <li>6. DD07 [insert policies EN1 and EN19]</li> <li>7. DA01</li> <li>8. DE02 [insert policies EN1 and EN15]</li> <li>9. DI01 [insert policies EN1 and EN31]</li> <li>10. DA01</li> <li>11. DM01 (insert policy numbers EN1, EN31 and EN35)</li> </ol>
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Informatives:	1. The applicants should note that it is considered that the total amount of building on the site granted by this permission is the maximum the site can accommodate without harm to the established townscape, and any further application for more accommodation is unlikely to be approved.
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### Consultations

Adjoining Occupiers:	No. notified	34	No. of responses	00	No. of objections	00
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CAAC & Local group comments:	<p>Belsize CAAC object on grounds that proposed new houses appear to be crammed in and the façade should be designed to give the appearance of a single dwelling. Also, existing copper beech tree should be retained and proposed replacement tree would take time to grow to adequate size. Further details required of access stairs and ventilation outlets to underground car park. [The CAAC will be consulted on the relevant approval of details applications]</p> <p>Belsize R/A object on grounds that loss of copper beech would be an irreparable loss and proposed replacement tree is unrealistic. Also, restoration of architectural features of 42-45 Belsize Park inadequate. [This application does not include any alteration to the approved works, which includes restoration of architectural features, to 42-45 Belsize Park]</p>
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### Site Description

The site comprises 2 pairs of large semidetached houses at 42-45 Belsize Park in use as a hostel, and open land at the rear with a vehicular access to Belsize Lane that is used as a car park. There is a large copper beech tree on the open land that is protected by a TPO. Adjoining the site to the northeast on Belsize Lane are a row of modern 2 storey residential dwellings and the adjacent site at 77 Belsize Lane was redeveloped by the erection of 3 houses in the 1980's when a row of garages that extended to the current site were demolished. The adjoining site at 79-93 Belsize Lane accommodates a listed 3 storey residential terrace. The site lies within the Belsize CA.

### Relevant History

A number of alterations have been carried out to 42-45 Belsize Park since the 1950's in association with its use as a hotel and latterly a hostel.

21/10/94 (PL9300154R7) - PP granted for conversion to 26 flats together with rear extensions and a 15 space car park at the rear.

14/8/96 (9500249R5) - PP granted for variation of PP of 21/10/94. This PP allowed the increase in size of the proposed rear extensions and the expansion of the car park to 17 spaces.

27/3/98 (PW9702158) - PP refused for variation of PP of 14/8/96 by formation of additional basement rooms at the rear of 42-45 Belsize Park on the grounds that the proposed formation of a basement area (lightwell) at the rear would be uncharacteristic and visually harmful as it would be visible from Belsize Lane.

27/8/98 (PW9802361R2) - PP granted for variation of PP of 14/8/96. The number of flats in 42-45 Belsize Park was reduced from 26 to 25, a 17 space surface car park was replaced with a 26 space underground car park with landscaping above, and 3 new houses were included to Belsize Lane. The current application seeks to vary this PP.

20/10/00 (PWX0002497) - Application withdrawn before determination for 5 new houses on Belsize Lane.

### Relevant Policies

EN1, EN13, EN14, EN15, EN19, EN31, EN35, EN41, TR17, DS5, DS8, SP6, CA Statement.

## Assessment

The relevant considerations in this case are the impact on local amenity and the character/appearance of the area of the proposed design changes for the 3 new houses, the impact on local traffic conditions of increasing the capacity of the underground car park from 26 to 30 car spaces, and the impact on local amenity and the character/appearance of the area of the replacement of the existing copper beech tree.

### New Houses

The 3 new houses approved on 27/8/98 are 2 storey plus attic buildings with 2 x 3 bed 4 room houses and 1 x 2 bed 3 room house, with a total floorspace of 413m<sup>2</sup>. One house was smaller than the others because of a desire to protect a 6m radius around the copper beech tree. The 3 houses now proposed are 2 storey plus attic buildings with 2 x 4 bed 5 room houses and 1 x 6 bed 7 room house, with a total floorspace of 599m<sup>2</sup>. The proposal therefore comprises a 45% increase in floorspace and a 55% increase in the number of habitable rooms. Whilst this is a significant increase in floorspace, it arises from the fact that the footprint of the previous development was deliberately kept shallow in order to protect the copper beech tree, and the proposed footprint is expanded to its natural limit (ie that of the adjoining houses at 77 Belsize Lane). If the loss of the copper beech tree is acceptable then the proposed footprint would be acceptable as it is in keeping with the established townscape. The provision of larger units is welcomed.

In elevational terms the proposed design is considered to be a refinement and an improvement over the approved elevations, and the proposed height would match that of 77 Belsize Lane. It is not considered appropriate to have a facade that has the appearance of a single dwelling, as suggested by the CAAC, as the character of this part of Belsize Lane is marked by small terraces of dwellings in contrast to the more imposing dwellings on Belsize Park. The facing materials are considered to be appropriate (stucco walls, timber windows and doors with metal sliding doors at rear ground floor, slate roof with lead covered dormers). The proposed new houses are considered to preserve the character and appearance of the CA and the setting of the nearby listed terrace. In terms of amenity the proposed houses would not result in a significant loss of daylight or sunlight for neighbours. The windows of the proposed houses would be more than 18m from the windows to the approved flats at the rear of 42-45 Belsize Park except for the windows at lower ground floor level at 42-45 Belsize Park, which would be 16m away. However, there would be a considerable amount of planting including trees and raised planter beds between the two, and so there would adequate levels of visual privacy for the future occupants.

### Underground Car Park

The current application includes 2 layouts for the proposed car park as it is proposed to construct the development in 2 phases. Phase 1 includes the construction of most of the car park (26 spaces) and the houses on Belsize Lane, and phase 2 includes the completion of the car park (30 spaces) and the conversion of 42-45 Belsize Park to 25 flats. The layout of both phases is safe and in accordance with SPG traffic standards. In comparison to the approved car park layout the current proposal is not significantly different in terms of area but has a more efficient layout in that an extra 4 spaces can be incorporated because the protected area for the copper beech tree is no longer included and is larger and less conveniently located than that for the proposed replacement tree. The proposed parking provision for the completed development would be 30 spaces for 28 residential units (a provision of 1.07), which is in line with the Council's parking standards. The layout includes space for cycle parking and refuse storage. If the loss of the copper beech tree is acceptable, then the proposed parking layout is acceptable.

### Replacement Tree

The existing tree is a large mature copper beech tree that makes a considerable contribution to the character, appearance and ecological value of the area. The proposed replacement tree is a lime tree, which would have a height of 8-9m, a crown spread of 4-5m, and a stem circumference of 50-60cm, and so would be of such a size that it would make an immediate contribution to the character, appearance and ecological value of the area. Although the contribution of the replacement tree would initially be less than the existing tree, the proposed tree would be located in the gap between the proposed new houses and 79 Belsize Lane whereas the existing tree would be located to the rear of the new houses previously approved, and so the replacement tree would be more visible from the public realm than the existing. The tree would be located in a large enough volume of soil with appropriately designed drains and soakaways to ensure the tree does not flood or dry out. The proposed landscaping scheme also includes a semi-mature birch with a height of 5-6.5m, a spread of 2-3m and a circumference of 25-30cm, 2 crab and 2 snowy mespil trees, each of height 4-5.5m and spread 1.2-2.5m, and various hedges/shrubs in a high quality landscaping scheme. In the circumstances it is considered that the proposed landscaping scheme as a whole would

make a greater contribution to the surrounding area than the existing tree would in the previously approved scheme.

#### **Other issues**

The proposed excavation is not considered likely to result in any land instability that would affect the structural integrity of the listed terrace or the other buildings nearby. There were a large number of conditions attached to the previous PP and it proposed to attach these again, together with some new conditions that relate specifically to the details of the current proposal (for example, details are reserved of the car park access stairs and ventilation structures). It was previously considered necessary to require an archaeological watching brief to be adopted for the site, but following further investigation English Heritage have since confirmed that this will not be necessary. The current application is for the variation of the previous permission and not for its renewal, and so the standard 5 year condition should not be used and the permission should expire on 27/8/03.

#### **Conclusion**

The proposed houses are considered to be an improvement in elevational design terms over those previously approved, and their size and bulk are considered acceptable in this context. The revised parking layout is considered acceptable, as is the loss of the existing copper beech tree in view of the high quality of the proposed replacement planting. Consequently the development is considered to be an overall enhancement over the previously approved scheme, and is considered to preserve the character and appearance of this part of the CA. It is also considered that by increasing the size of the proposed houses the amount of building proposed is the maximum the site can accommodate and still remain in keeping with the surrounding townscape.