

Delegated Report		Analysis sheet	Expiry Date:	07/02/2005
		N/A / attached	Consultation Expiry Date:	
Officer		Application Number(s)		
Mary Samuel		2004/5025/P		
Application Address		Drawing Numbers		
42-45 Belsize Park and land adjoining 79 Belsize Lane London NW3 4EE		See decision		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
OT	MB 212.			
Proposal(s)				
Retrospective approval of details solely relating to the erection of three new houses on Belsize Lane, including:				
<ul style="list-style-type: none"> a) Details of the elevations, detailing of the front parapet wall and details of the junction between the proposed houses and 77 Belsize Lane, pursuant to condition 2 of planning permission dated 1st July 2002 (Reg. PWX0103947/R1) for the erection of 3X3 storey town houses and other development related to 42-45 Belsize Park, as amended by condition 1 of planning permission dated 2nd October 2003 (Reg. 2003/0066/P), specifically related to the erection of 3 houses along Belsize Lane, b) Full details of hard and soft landscaping for the 3 houses, means of enclosure and ventilation to the car park, pursuant to part of condition 7 of planning permission dated 1st July 2002 (Reg. PWX0103947/R1), in relation to the 3 new houses only, and c) Details of the refuse storage areas and bicycle stands pursuant to part of condition 10 of planning permission dated 1 July 2002 (Reg. PWX0103947/R1) in relation to the 3 new houses only. 				
Recommendation(s):		Part approve and part refuse with a view to enforce		
Application Type:		Approval of Details		

LONDON BOROUGH OF CAMDEN
TOWN AND COUNTRY PLANNING ACTS

07 FEB 2005

RECOMMENDATION AGREED
ON BEHALF OF THE COUNCIL

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	00	No. of responses	01	No. of objections	01
Summary of consultation responses:	“Having now seen what the finish looks like, we are appalled that after such care being taken over the size and appearance of the overall building, that the finish of the brick work could be so revolting. It does not complement the houses either side and stands out like a sore thumb.”					
CAAC/Local groups* comments: *Please Specify						

Site Description

The site of the original permission included 42-45 Belsize Park as well as land adjoining 79 Belsize Lane. The conditions attached to that permission relate to the whole development, but this application seeks permission for approval of details in so far as they relate to land adjoining 79 Belsize Lane, as outlined in the submitted site plan. This piece of land is now under a different ownership and is developed with 3 terraced houses of the same footprint and bulk as approved both by the original permission PWX0103947/R1 as varied subsequently by planning permission 2003/0066 approved on 2/10/03.

Note that the 3 houses and rear landscaped area have now been substantially completed.

Relevant History

On 1/7/2002 conditional p.p. was granted for the erection of 3 new houses along Belsize Lane and the change of use and works of conversion of a hostel along Belsize Park to provide 25 residential flats, including an underground car park and associated landscaping (PWX0103947/R1)

On 2/10/03 conditional p.p. was granted for a variation to the above permission, which related only to the 3 town houses, in respect of design amendments to the roof, dormer windows and front and rear elevations. (2003/0066/P)

Relevant policies

UDP: EN1, EN13, EN15, EN19, EN31, TR21, TR22, TR23

SPG: Advice on residential development

Belsize Park conservation area statement: Advice on new development in the conservation area

Assessment

The proposals are specific to the conditions it aims to clear in relation to the 3 houses.

A. Condition 2 of the original permission, as revised by condition 1 of the later variation to the original permission, states:

The details of the design of the elevations of the 3 new houses 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. The wording of this condition is almost identical to that of condition 2 of the original permission.

The approved front elevation drawing no. 603-DW-300A of p.p. 2003/0066/P is significantly different from drawing 603-DW-300C submitted with this application, which shows the detail design of the as-built elevations. The as-built facing materials are as per the approved scheme. Also, there are no objections regarding the rear and side elevation or the parapet detail, nor on how the new buildings abut No 77 Belsize Lane. However the following features of the as-built front elevation, as shown on the submitted plans, are materially different from the previously approved plans, and are considered unacceptable in design and conservation area terms.

- The articulated sub-division of the front elevation in a distinctive horizontal and vertical pattern has been lost
- The 3 bays at ground floor have lost their articulation
- A series of rectangular motifs have been formed by channelled grooves in the render above and below the first floor windows and on each side and below the ground floor windows of the bays. At first floor these are narrower than the windows themselves and at ground floor are offset from the window positions. These appear as a series of disconnected panels set into a continuous plane of the rendered façade. The effect appears as a 'dumping-down' of the approved distinctive pattern of articulation of the front elevation.
- The horizontal string course at first floor level, which is indented by the 3 bays at ground floor level projecting into the string course – the effect appears arbitrary, detracting from the visual coherence of the approved elevation.
- The distinctive keystone over the first floor windows has been lost.
- Not only has the articulation of the elevation been lost, the elevation is no longer rhythmic or well modulated.

For the above reasons the as-built front elevation is considered detrimental to the building itself, to the street scene and the character and appearance of the conservation area conflicting with policies EN1, EN13 and EN31. As this condition relates to all aspects of the elevational details, the whole condition is recommended for refusal, with an informative attached to advise that other aspects (re the rear/side elevations, parapet detail etc.) are deemed acceptable..

B. Condition 7 of planning permission PWX0103947/R1 states:

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 and Associates shall be incorporated into the proposed landscape details.

This condition related to the larger scheme for 42-45 Belsize Park and land adjoining 79 Belsize Lane. The elements related to the 3 new houses in the land adjoining No 79 Belsize Lane are:

- a) Part of the hard and soft landscaping
- b) Ventilation to the car park
- c) Means of enclosure

Access to the car park is outside the land of the 3 houses, and the car park itself is under a different ownership now. The irrigation system and the trees referred to in the Chris Yarrow report also relate to the site outside the 3 houses. Therefore these elements of the condition are not to be cleared by this application.

Soft landscaping: The proposed planting in the rear gardens of the 3 houses consists of a variety of shrubs, of different colours, heights and forms, planted mainly in brick constructed raised beds in the perimeter of the gardens. The planting is low maintenance and provides screening between the residential units. The landscaping is considered to be well detailed and simple and is considered to compliment the architectural scale and style of the new development. The planting of a tree in the rear garden of house 77D accords with the original approval. Given the proximity of the tree to the houses along Belsize Lane and the underground car park close by, the choice of a Weeping Birch, an ornamental tree, is considered appropriate and acceptable for that location.

Hard landscaping: Timber decking is proposed for the rear of each property and marshalls concrete pavers for the pedestrian areas. These materials are hardwearing and are considered sensitive to the character and appearance of the site and the conservation area. The design is also considered compatible with the scale and character of the surrounding properties.

Means of enclosure: The fencing for each property is in close-boarded timber 1,8m high. The material and height conforms with the neighbouring properties and is sensitive to the character and appearance of the conservation area. Also acceptable is the design and materials of the ventilation to the car park, although it is unfortunate that planning permission 2003/0066/P allowed alterations to the floor plans of the 3 houses, as a result of which the garden of 77F not only has a peculiar shape but would allow direct overlooking to windows at 77E at very close proximity and from a higher level.

A trellis 1.8m high is recommended along the raised decked area which, with the help of the proposed climbing plants on the other side, would provide screening between the raised patio and rear windows at 77E. A condition is imposed to require the erection of this privacy screen before use of the raised patio. Otherwise, condition 7 is recommended to be discharged to the extent that this relates to the 3 houses.

C. Condition 10 states:

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.

This condition clearly relates to land and development mainly outside the ownership of the site covered by this application and the condition relating to the carpark ramp etc. as such cannot be addressed here. However, the issues of storage and bicycle stands are still relevant and these are commented upon here.

From the above condition, it would appear that refuse storage was originally envisaged to be located in the underground car park. However scheme 2003/0066 approved on 2/10/03 shows that dustbin enclosures have been approved on the front elevation close to each house's entrance (drg. no 603-

DW-10) The doors of these enclosures were opening directly out onto the public footway. This is considered unacceptable as it would hinder pedestrian movement and would be dangerous. The drawings were revised to show the doors opening sideways which is an acceptable detail, although a condition is attached to ensure that this is implemented in accordance with the revised drawing.

Cycle storage can be easily accommodated within the car parking area, which is a secure and spacious area and would not require particular provisions such as secure bicycle stands. It is understood that all 3 houses have access and parking spaces in that car park.

In conclusion, the recommendation is to –

- A. refuse details pursuant to condition 1 of planning permission 2003/066, on the sole basis that the detailed treatment of the front elevation is not considered acceptable, with an informative advising that the other elements are acceptable.
- B. approve details pursuant to condition 7 of planning permission PW0103947/R1 relating to landscaping as far as this relates to the 3 new houses, with the additional requirement that a 1.8m screen shall be erected along the north side of the raised deck in the garden of house 77F to protect house 77E from overlooking.
- C. Approve details of refuse storage, provided this is implemented as designed, and the provision of secure cycling in the car park.