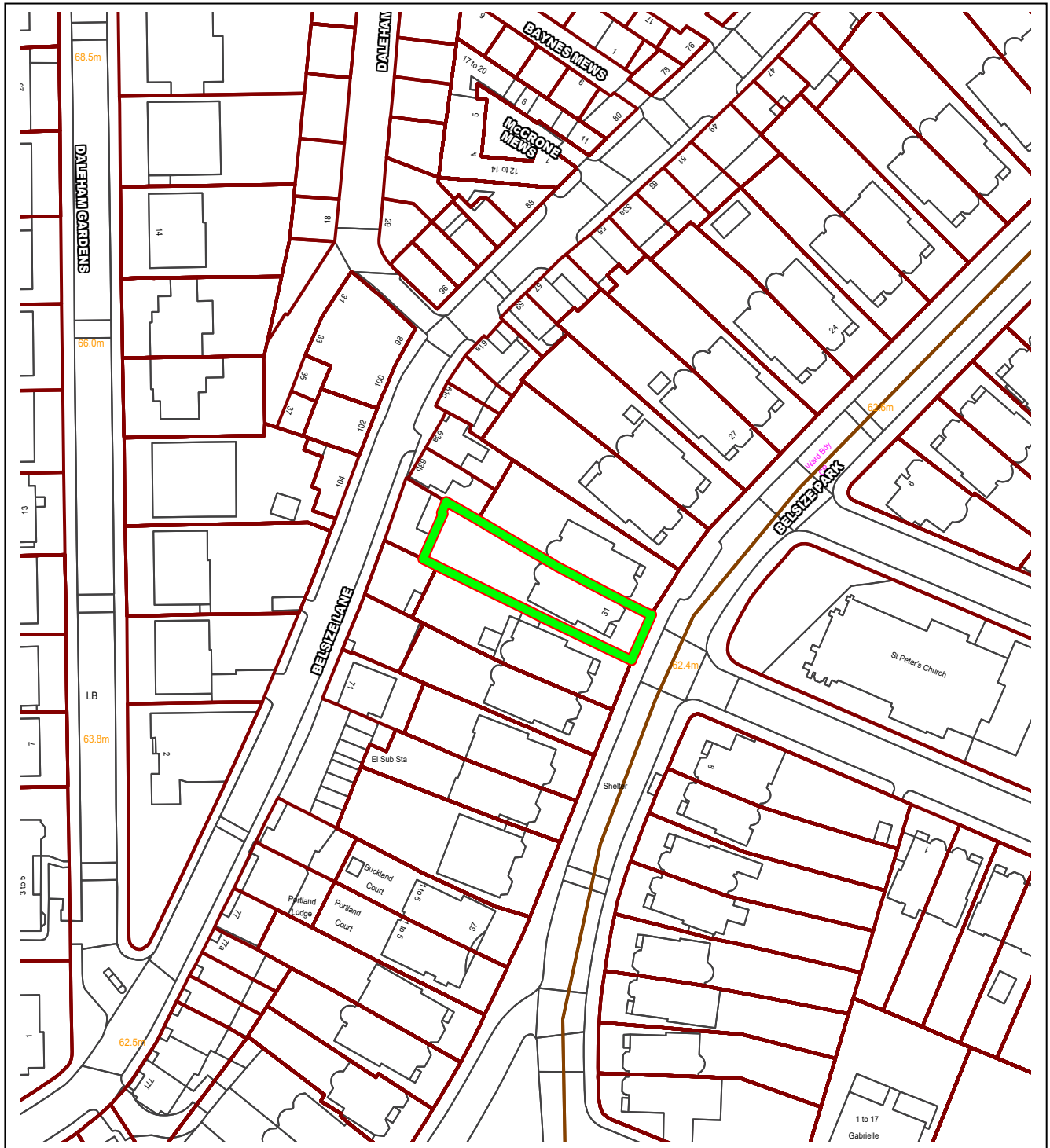


# 2021/1545/P - 31 Belsize Park



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31 Belsize Park – Site of proposed garden building (in rear corner of garden)





Siting would not result in the loss of any 'green' garden land



View to rear of garden (proposal would be in far corner)

|   |                     |   |      |                                       |                   |            |    |
|---|---------------------|---|------|---------------------------------------|-------------------|------------|----|
| Delegated Report<br>(Members Briefing)                        |                     | Analysis sheet  |      | Expiry Date:                          |                   | 02/07/2021 |    |
|   |                     | N/A   |      | Consultation<br>Expiry Date:          |                   | 13/06/2021 |    |
| Officer   |                     |   |      | Application Number(s)                 |                   |            |    |
| Adam Greenhalgh   |                     |   |      | 2021/1545/P                           |                   |            |    |
| Application Address   |                     |   |      | Drawing Numbers                       |                   |            |    |
| Basement Flat<br>31 Belsize Park<br>London<br>NW3 4DX         |                     |   |      | Please refer to draft decision notice |                   |            |    |
| PO 3/4  | Area Team Signature |   | C&UD | Authorised Officer Signature          |                   |            |    |
|   |                     |   |      |                                       |                   |            |    |
| Proposal(s)   |                     |   |      |                                       |                   |            |    |
| Erection of outbuilding in rear garden for use as home office |                     |   |      |                                       |                   |            |    |
| Recommendation(s):  |                     | Grant Conditional Planning Permission   |      |                                       |                   |            |    |
| Application Type:   |                     | Full Planning Application   |      |                                       |                   |            |    |
| Conditions or Reasons for Refusal:                            |                     | Refer to Draft Decision Notice  |      |                                       |                   |            |    |
| Informatives:   |                     |   |      |                                       |                   |            |    |
| Consultations   |                     |   |      |                                       |                   |            |    |
| Adjoining Occupiers:  |                     | No. of responses  |      | 01                                    | No. of objections |            | 01 |
| Summary of consultation responses:                            |                     | Site notice: 14/05/2021 – 07/06/2021<br>Press notice: 20/05/2021 – 13/06/2021<br><br>One letter of objection following statutory consultation (address not known).<br>Objection raised on grounds of: <ol style="list-style-type: none"> <li>1. The loss of green space in the Conservation Area</li> <li>2. Very unsightly addition to the garden</li> <li>3. Loss of privacy</li> </ol> |      |                                       |                   |            |    |



|                     |  |
|---------------------|--|
|                     | <p><u>Planning Officer comment:</u></p> <ol style="list-style-type: none"> <li>1. See 'Open space/biodiversity &amp; Design and Conservation' below</li> <li>2. See 'Design and conservation' below</li> <li>3. See 'Effect on amenity of neighbouring occupiers' below</li> </ol>           |
| <b>Belsize CAAC</b> | <p><b>Objection</b></p> <p>Object to the development of office accommodation in the rear gardens and loss of garden space</p> <p><u>Planning Officer comment:</u></p> <ol style="list-style-type: none"> <li>1. See 'Open space/biodiversity &amp; Design and Conservation' below</li> </ol> |

### Site Description

31 Belsize Park is one of a pair of four storey semi-detached villas. It is subdivided into flats. The application relates to the basement flat. The application relates to the rear garden which is under the ownership of the basement flat.

The application building is located within the Belsize Conservation Area and is identified as making a positive contribution to the character of the area. It is not listed.

### Relevant History

**2012/0564/P** - Erection of single-storey side extension at lower ground floor (to replace existing lean to), replacement of all existing lower ground floor level windows with double glazing, installation of French doors in rear bay window, installation of timber doors to existing bin store and alterations to ramp in rear garden all in connection with existing residential flat (Class C3) – **granted 01/02/2012**

**2020/3577/P** - Erection of a single storey rear extension to lower ground floor flat – granted **15/12/2020**

### Relevant policies

#### National Planning Policy Framework 2021

#### The London Plan 2021

#### Camden Local Plan 2017

A1 Managing the impact of development

A2 Open space

A3 Biodiversity

A4 Noise and vibration

D1 Design

D2 Heritage

#### Camden Planning Guidance (CPG)

Design (2021)

Amenity (2021)

Home Improvement (2021)

## **Belsize Conservation Area Statement (2003)**

### **Assessment**

#### **1. PROPOSAL**

1.1 Planning permission is sought for the erection of a garden building to be used as a home office. Situated in the far (south east) corner of the rear garden, the garden room would be 3m wide and 4m deep. It would have timber clad walls with glazed bi-fold doors and a green roof. It would be flat roofed, with a height of 2.5m.

#### Amendments during the course of the application

1.2 The garden room was originally proposed to be sited 5m from the rear elevation of the single storey rear extension which is underway at the site (planning permission 2020/3577/P granted on 15/12/2020). Following the consultation responses which were received, the applicant amended the siting to the rear (south east corner) of the garden, where it would be over 14m from the main building, 31 Belsize Park.

#### **2 ASSESSMENT**

2.1 The material considerations for this application are as follows:

- Open space/biodiversity
- Design and Conservation
- Effect on amenity of neighbouring occupiers

#### **2.2 Open space/biodiversity**

2.2.1 Policy A2 (part e) of the Local Plan requires development to protect non-designated open spaces with nature conservation, townscape and amenity value, including gardens. Policy A3 (part c) requires sites of nature conservation, including gardens, to be protected.

2.2.2 The proposal would be sited in the rear (south east corner) of the garden where there is a rubber crumb surface and children's play equipment. The proposal would not result in the loss of any grass or other natural features. It would not diminish the townscape, biodiversity, natural or amenity value of the garden and consequently, it would not be contrary to the Council's policies for open space (A2) or biodiversity (A3).

#### **2.3 Design and Conservation**

2.3.1 Local Plan policies D1 (Design) and D2 (Heritage) are aimed at achieving the highest standard of 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; and Policy D2 states that the Council will preserve, and where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas and listed buildings.

2.3.2 Sited in the far (south east) corner of the rear garden and 4m in width and 3m in depth (and 2.5m in height) the proposed garden room would not detract from the character or significance of the garden

in the Conservation Area. The garden room would occupy the site of existing children's play structures on a rubber crumb surface in a far corner of the garden. The siting and design of the proposal would not result in any harm to the appearance of the main building or the garden and it would not result in harm to the character and appearance of the Conservation Area.

2.3.3 Similar garden outbuildings have been permitted at neighbouring sites in Belsize Park in recent years. 2015/0536/P (27/04/2015) was for a 7.9m wide, 3.6m deep outbuilding at 24 Belsize Park. 2018/5275/P (08/03/2019) was for the retention of a 3.4m x 4.6m outbuilding at 39 Belsize Park and 2020/1561/P (20/07/2020) was for a 4.5m x 5m outbuilding at 14 Belsize Park.

2.3.4 No trees would be removed to accommodate the garden room. As stated, the size and siting of the proposal, in the far, south east corner of the site, would not detract from the layout, spacing and green character of the garden in the Conservation Area. The Council seeks the provision of green roofs on outbuildings in rear gardens, in the interests of the appearance and biodiversity of the gardens. A green roof is indicated and details of species and maintenance can be secured by way of a condition prior to the commencement of development. The walls of the outbuilding are indicated as being of timber or UPVC. The latter would not be in keeping with the green and traditional appearance of the site and so a condition is recommended that the outbuilding has timber walls.

2.3.5 Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013. The size, scale, design and location of the proposed alterations, would ensure no harm is caused to the character of the host building and would preserve the character and appearance of the surrounding conservation area, in accordance with policies D1 and D2 of the Camden Local Plan.

## **2.4 Effects on amenity of neighbouring occupiers**

2.4.1 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, overlooking, outlook and implications on daylight and sunlight. CPG6 (Amenity) provides specific guidance with regards to privacy, overlooking and outlook.

2.4.2 The proposal would not result in any overlooking or loss of privacy from any neighbouring rooms or amenity spaces. It would not result in any loss of light or outlook from any neighbouring rooms or gardens.

2.4.3 A planning condition is suggested to ensure that the proposed outbuilding remains ancillary to the main dwelling.

2.4.4 In summary, the proposal would not result in any loss of residential amenity for any neighbouring dwellings.

## **3.0 Recommendation: Grant 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 26<sup>th</sup> July 2021, 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](http://www.camden.gov.uk) and search for 'Members Briefing'.***

Application ref: 2021/1545/P  
Contact: Adam Greenhalgh  
Tel: 020 7974 6341  
Email: [Adam.Greenhalgh@camden.gov.uk](mailto:Adam.Greenhalgh@camden.gov.uk)  
Date: 22 July 2021

**Development Management**  
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[planning@camden.gov.uk](mailto:planning@camden.gov.uk)  
[www.camden.gov.uk](http://www.camden.gov.uk)

Prof Tobias Arkenau  
Basement Flat  
31 Belsize Park  
London  
NW3 4DX

**DRAFT**

Dear Sir/Madam

**DECISION**

Town and Country Planning Act 1990 (as amended)

**Full Planning Permission Granted**

Address:

**Basement Flat  
31 Belsize Park  
London  
NW3 4DX**

**DECISION**

Proposal: Erection of outbuilding in rear garden for use as home office

Drawing Nos: Location Plan, Manufacturer's Images (Rooms Outdoor) - Plans, elevations and 3D images (SAC/GR/100), Proposed location plan, Rear garden plan (A102a)

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 Notwithstanding the information shown on drawing SAC/GR/100 hereby approved, the walls of the garden room hereby approved shall be of timber.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy 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/drawings:

Manufacturer's Images (Rooms Outdoor) - Plans, elevations and 3D images (SAC/GR/100), Proposed location plan, Rear garden plan (A102a)

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

- 4 Prior to commencement of development, full details in respect of the green roof in the area indicated on the approved roof plan shall be submitted to and approved by the local planning authority. The details shall include:

- i. a detailed scheme of maintenance
- ii. sections at a scale of 1:20 with manufacturers details demonstrating the construction and materials used
- iii. full details of planting species and density

The green roof shall be fully provided in accordance with the approved details prior to first occupation and thereafter retained and maintained in accordance with the approved scheme.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies G1, CC1, CC2, CC3, D1, D2 and A3 of the London Borough of Camden Local Plan 2017.

- 5 The outbuilding hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 31 Belsize Park.

Reason: To protect amenity of adjoining occupiers and also ensure the outbuilding hereby permitted does not become a self-contained dwelling, separate and apart from the original dwellinghouse known as 31 Belsize Park in accordance with policies H1, H6, A1 and A4 of the 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, 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 (search for 'Camden Minimum Requirements' at [www.camden.gov.uk](http://www.camden.gov.uk)) 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.

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

Chief Planning Officer