

Delegated Report		Analysis sheet	Expiry Date:	05/10/2021
		N/A / attached	Consultation Expiry Date:	24/10/2021
Officer			Application Number(s)	
Sofie Fieldsend			2021/3864/P	
Application Address			Drawing Numbers	
5 Belsize Park Mews London NW3 5BL			See decision notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Erection of single storey roof extension and terrace. Erection of single storey rear extension with associated rear 1st floor terrace. Insertion of roof lights. Front fenestration alterations including replacement of garage door with windows. Insertion of rear windows				
Recommendation:	Refuse planning permission			
Application Type:	Householder Planning Permission			

Conditions or Reasons for Refusal:	Refer to Decision Notice
Informatives:	

Consultations

Adjoining Occupiers:	No. notified	00	No. of responses	6	No. of objections	6
			No. electronic	00	No. of comments	00

Summary of consultation responses:

A site notice was displayed on the 29/09/2021 and the consultation period expired on the 23/10/2021. A press notice was advertised on 30/09/2021 and expired on 24/10/2021.

6 objections were received from neighbouring properties. Their objections are summarised as follows:

Amenity:

- Loss of light and privacy to No 4 Belsize Park Mews, terrace would look directly into their lightwell and skylight
- Loss of light to 5A and 7 Belsize Crescent. Use of white reflective render not effective due to trellis proposed
- Loss of privacy from terraces and outlook from privacy screen to No.5A Belsize Crescent. Rear windows of this neighbour are only 9.7m away
- Sense of enclosure to No.5A and 7 Belsize Crescent
- Noise concerns regarding terraces

Character:

- Overdevelopment of the site and too many terraces

Other:

- Application does not state the process/amendments that other sites went through to achieve planning permission
- Application made by a commercial developer
- 3D image 'Aerial view of roof terrace' misleading as there is no indication of the sliding door that opens from the master bedroom on to the 'walk on glass'.

**CAAC and other
community groups**

Belsize CAAC objected on the following grounds:

- 1) Existing drawings of the application building and its neighbours should be included for comparison.
- 2) Timber rather than aluminium frames should be specified.
- 3) The amount of glazing is excessive and will generate an unacceptable level of light pollution.

Site Description

The site is a two storey mid terrace property located on the northern side of Belsize Park Mews. The site is located within the Belsize Conservation Area and it is not listed.

Relevant History

Application site

2021/0706/P - Erection of single storey roof extension and front terrace. Erection of two storey rear extension. Demolition and creation of a new rear terrace at first floor. Front fenestration alterations including replacement of garage door with windows. Insertion of rear windows - **Withdrawn**

Neighbouring properties

3 Belsize Park Mews

2017/6198/P -Erection of extension at roof level- **Granted 13/02/2018**

9 Belsize Park Mews

2013/2506/P - Erection of additional floor at second floor level, to include green roof, 2 x roof lights to rear roof slope, 2 x balustrades to front elevation of single dwelling house (Class C3). - **Refused 25/06/2013**

Reasons for refusal:

- 1) The proposed roof extension, by reason of its height, bulk, mass and detailed design would appear as an incongruous and unduly prominent addition which would detract from the character and appearance of the existing building and would fail to preserve and enhance the character and appearance of the street scene and Conservation Area, contrary to policies CS14 (Promoting high quality places and conserving our heritage), DP24 (Securing high quality design) and DP25 (Conserving Camden's Heritage) of the London Borough of Camden Local Development Framework Core Strategy and Development Policies.
- 2) In the absence of a Daylight/Sunlight study that takes into account the proposed additional storey, insufficient information has been provided to demonstrate that the development would not have an adverse impact upon the residential amenity of neighbours in terms of daylight/sunlight contrary to policy CS5 (Managing the impact of growth and development) of the London Borough of Camden Local Development Framework Core Strategy and to policy DP26 (Managing the impact of development on occupiers and neighbours) of the London Borough of Camden Local Development Framework Development Plan.

10 Belsize Park Mews

2019/4295/P - Erection of single storey conservatory at ground floor with rear terrace, following demolition of existing rear addition; sheer storey roof extension at second floor level; replacement of plastic cladding with white render to front and rear; conversion of garage to habitable room including replacement of door with wall and window; erection of bin store. – **Refused 04/12/2019. Dismissed at appeal 13/10/2020 (amenity grounds upheld)**

Reasons for refusal:

- 1) The proposed second floor level extension, by reason of its size, bulk, design and siting, would be out of keeping with the character of Belsize Park Mews and would harm the character and

appearance of the Belsize Conservation Area contrary to Policy D1 (Design) and D2 (Heritage) of the London Borough of Camden Local Plan 2017.

- 2) In the absence of a daylight and sunlight report, the applicant has failed to demonstrate that the amenity of neighbouring occupiers would be protected contrary to Policy A1 (Managing the impact of development) of the London Borough of Camden Local Plan 2017.
- 3) The proposed extension, by reason of its size, bulk and siting, would appear overbearing to the occupiers of 9A Daleham Mews, contrary to Policy A1 (Managing the impact of development) of the London Borough of Camden Local Plan 2017.

Relevant policies

National Planning Policy Framework (2021)

London Plan (2021)

Camden's Local Plan (2017)

A1 – Managing the impact of development

D1 – Design

D2 – Heritage

T1 - Prioritising walking, cycling and public transport

T2 - Parking and car parking

T4 - Sustainable movement of goods and materials

Supplementary Guidance (2021)

- CPG Home Improvements
- CPG Design
- CPG Amenity
- CPG Transport

Belsize Conservation Area Appraisal and Management Strategy (2003)

Assessment

1.0 Proposal

1.1 Planning permission is sought for the following:

- Erection of single storey roof extension and terrace.
- Erection of single storey rear extension with associated rear 1st floor terrace.
- Insertion of roof lights.
- Front fenestration alterations including replacement of garage door with windows.
- Insertion of rear windows

2.0 Assessment

2.1 The main considerations in relation to this proposal are:

- The visual impact upon the character and appearance of the host property, streetscene and Belsize conservation area (Design and Character)
- Impact on the amenity of adjoining occupiers
- Transport

3.0 Design and Appearance

Policy/background

3.1 Policy D1 of Camden's Local Plan outlines that the Council will require all developments to be of the highest standard of design and will expect developments to consider character, setting, context and the form and scale of neighbouring buildings and the character and proportion of the existing building. In addition it should integrate well with the surrounding streets and contribute positively to the street frontage. Policy D2 states that Council will only permit development within conservation areas that preserves and enhances the character and appearance of the area.

3.2 CPG Home improvements states that 'a successful roof extension would consider the overall roof form of the existing building, adjoining buildings and impact in key views (when relevant) and be proportionate to the roof slope being extended.'

3.3 Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area when considering applications relating to land or buildings within that Area.

3.4 The effect of this section of the 1990 Act is that there is a statutory presumption in favour of the preservation of the character and appearance of Conservation Area. Considerable importance and weight should be attached to their preservation. A proposal which would cause harm should only be permitted where there are strong countervailing planning considerations which are sufficiently powerful to outweigh the presumption. The NPPF provides guidance on the weight that should be accorded to such harm and in what circumstances such harm might be justified (paras 193-202). Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

3.5 The property falls within Sub Area Two (Belsize Village) of the Belsize Conservation Area. Within this sub area is the distinct character area of the Mews. The Conservation Area Statement (CAS) notes 'the Mews Area' is characterised by single-aspect, two storey mews terraces built generally in London stock brick, with red brick detailing, fronting directly onto the narrow streets and courtyards.

Extensions and terraces

3.6 The existing rear lightwell will be infilled at ground with a terrace at first floor. The terrace will be screened by a 1.8 m high trellis on top of the parapet (2m high from the floor of the terrace).

3.7 While there is no objection to the rear single storey extension and terrace with an adequate privacy screen, it is unclear how the proposed 1.8m screen for the 1st floor would appear as the drawings are lacking detail however it is acknowledged that the final appearance could be conditioned if the development was approved.

3.8 At roof level, a single storey extension is proposed to provide a second floor consisting of a home office and bathroom. A front terrace will be accessed from this floor which is enclosed by a metal balustrade. A door is proposed off the staircase to provide access to another terrace to the rear. The extension will be a light grey render with a glass structure to the front to facilitate the staircase with a frosted glass wall to the rear.

3.9 It is acknowledged that while large scale roof extensions are not characteristic of mews buildings in the area, nor of the group of buildings within Belsize Mews that there a number of small scale projections at roof level that are significantly set back from the front elevation so that they are not visible from the mews. It is considered that the footprint, height and siting reflects the existing pattern of development at this level. It is considered that the roof extension would appear subordinate to the host building and the adjoining group. The railing to the front is also modest in height and views of it would be restricted, this would also not appear out of character given the number of roof terraces within the mews.

Fenestration alterations:

3.10 The proposed rear infill extension will have a high level rear frosted windows at ground floor which open inwards and frosted windows at 1st floor. A set of clear sliding doors at 1st floor onto the proposed rear terrace will be introduced. At 2nd floor a high level frosted window that opens outwards and frost glass wall with an access door are proposed.

3.11 It is considered that the ground floor windows which are proposed on the boundary with No.5 Belsize Crescent would appear imposing, incongruous, and dominant in this location. It is noted that the large skylight above would likely provide sufficient light to this room and the proposed windows are not essential to the development. While rear windows on blank elevations are not normally encouraged, the windows on the upper floors are set further back from the rear boundary than at ground floor and are partially screened by the proposed privacy screen at 1st floor and therefore appear less imposing on the elevation so in this instance they would be acceptable.

3.12 On the front elevation the fenestration at ground and first floor will be replaced, including the removal of the existing garage door and the relocation of the front entrance door. All fenestration will be double glazed dark grey aluminium apart from the wooden front entrance door. Full height glazing is proposed at ground floor.

3.13 While it is noted there the variety of fenestration at ground floor on the front elevations within the mews there is still a rhythm to the fenestration and no other property has installed full height glazing that covers the majority of the ground floor. The fenestration pattern within this mews has a larger solid-to-void ratio at this level, often with the inclusion of a solid/non-glazed stallriser to give the elevation a more proportionate and balanced appearance. While there is not an objection to the upper-level fenestration, it is considered that fenestration at ground floor detracts from the front façade and neither enhances or preserves the character of the conservation area.

3.14 Belsize CAAC have objected to the use of metal fenestration and stated that it should be timber instead. Within the mews there are a variety of window materials and opening methods and the existing plastic windows don't make any positive townscape contribution. It is considered that the proposed use of metal is not uncharacteristic of a mid-late 20th century mews residential development and would be contextual within the mews.

3.15 In conclusion while there is no objection to the use of metal fenestration, the proposed the ground floor windows on the front and rear elevations would harm the character and appearance of the host property, terrace and wider Belsize Conservation area.

4.0 Amenity impact on neighbouring properties

4.1 Local Plan Policy A1 seeks to ensure that the amenity of neighbours is protected including visual privacy, outlook, sunlight, daylight and overshadowing.

4.2 CPG Amenity states that development should be designed in order to ensure that “the proximity, size or cumulative effect of any structures do not have an overbearing and/or dominating effect that is detrimental to the enjoyment of their properties by adjoining residential occupiers” and that where development is considered to have a detrimental impact upon levels of daylight, sunlight or overshadowing into neighbouring properties, the submission of further evidence of this impact may be required.

4.3. 5A and 7 Belsize Crescent raised concerns about loss of light and a sense of enclosure, 5A also raised concerns about overlooking from the terraces. No 4 Belsize Park Mews was concerned about loss of light and privacy through overlooking to their lightwell and skylight.

4.4 While 7 Belsize Crescent considered that the development would result in loss of light and a sense of enclosure, this property is set a significant distance from the site and given its footprint/massing it is unlikely to have an adverse impact on their amenity in terms of loss of light and a sense of enclosure.

4.5 A sunlight/daylight study was submitted and the following neighbouring properties were assessed:

- 5 Belsize Crescent
- 3, 4, 6, 12 and 15 Belsize Park Mews

4.6 In terms of VSC, No.5 Belsize Crescent, the figures to all applicable windows will largely remain unaltered with a reduction of 0-0.99 which is well within an acceptable range. The report outlines that the windows to No.4 Belsize Park Mews that are applicable will again largely remain unaffected or experience marginal decreases. All windows would comply with BRE guidance therefore the development would not result in a detrimental loss of light to neighbouring properties that would warrant a reason for refusal.

4.7 It is noted that No 4 Belsize Park Mews adjoins the site and they have a glazed structure at roof level which contains access stairs to their roof. This property has raised concerns about loss of privacy as the development would create issues of overlooking into this lightwell/staircase and skylight. It is noted a bedroom is served from this structure. The development shows that the flat roof between the roof extension and No.'s 4 conservatory will be accessible from the staircase. Although the rear glazed wall is proposed to be obscure the use of this space as a terrace would be unacceptable on amenity grounds as it would result in direct overlooking into No.4 and their roof terrace.

4.8 No.5A Belsize Crescent raised concerns about loss of privacy and outlook from the proposed rear terraces/privacy screen. The rear roof terrace is screened by Burdett Mews and is not considered to allow direct views into this property. A trellis is proposed as a privacy screen to the 1st floor rear terrace, a privacy screen would be required in this location to protect the privacy of No.5A Belsize crescent, it is not clear from the detail provided if this would be planted or if the detailed design of the spacing would be sufficient to protect their privacy. However, a screen of this height is not supported on design grounds as set out above.

4.9 Although there are sliding clear glazed doors onto the first floor terrace, their side location is unlikely to allow for direct views onto on the rear elevations of No.5 and 7 Belsize Crescent.

4.10 The proposed new windows at ground floor right on the rear boundary with No.5 Belsize Crescent although frosted and high level, they are not fixed shut and appear imposing and give the appearance of a loss of privacy and sense of looking to the garden and rear windows of this neighbouring property. In addition, the room is to be used as a dining room which if the windows were open would generate potential noise and disturbance given their location right on the boundary.

4.11 Given the frosted nature and set back of the proposed windows at the upper levels they are not considered to have a material impact on privacy to the properties to the rear.

4.12 Noise concerns were raised about the use of the new rear terraces. While it is acknowledged that the 1st floor rear terrace would be lower than the existing roof terraces within the mews but given its scale it is not able to facilitate large groups of people and therefore it cannot be justified as a reason for refusal. Again the terrace at 2nd floor is small scale.

4.13 Belsize CAAC raised concerns about the glass rooftop extension creating light pollution. The extension is a mix of glazing and render, given the location and scale of the glazing there will be some light pollution but not to the extent that would warrant a reason for refusal. It is also considered that the glass structure to the front could be frosted by condition to reduce light spill.

4.14 It is considered that the development would harm the amenity of neighbouring properties at No.4 Belsize Park Mews and No.5 Belsize Crescent.

5.0 Transport

5.1 Highways officers have reviewed the development and consider that a CMP would not be required if the scheme was acceptable.

6.0 Conclusion

6.1 The proposed front and rear ground floor windows by reason of their siting, scale, and detailed design, would appear as visually obtrusive and incongruous on both elevations. To the detriment of the character and appearance of the host building, terrace and the wider conservation area. It is therefore contrary to policies D1 (design) and D2 (heritage) of the Camden Local Plan 2017.

6.2 The proposed rear roof terrace, by reason of its siting and scale, would result in potential close overlooking and loss of privacy to 4 Belsize Park Mews contrary to policy A1 (Managing the impact of development) of the London Borough of Camden Local Plan 2017.

6.3 The proposed ground floor rear windows, by reason of their siting on the boundary, scale, and detailed design would result in the sense of overlooking, loss of privacy and potential noise disturbance to 5 Belsize Crescent contrary to policy A1 (Managing the impact of development) of the London Borough of Camden Local Plan 2017.

7.0 Recommendation

7.1 Refuse planning permission.