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Head of Planning and Development Control  
Camden Council  
Camden Town Hall  
London  
WC1H 8ND

**Subject: 41 Priory Terrace, London, NW6 4DG**

Dear Sir/ Ma'am,

We submit a request on behalf of our client, Mr Al-Faki, for a minor material amendment under section 73 for a variation to the approved planning permission reference: 2020/2839/P at 41 Priory Terrace, London, NW6 4DG ("the Site").

### 1. The approved development

Planning application reference: 2020/2839/P was approved on 14 April 2021 for:

*Erection of 2-storey plus basement house with front lightwell and associated landscaping following demolition of existing garage*

### 2. Supporting Documents

This application is supported by the following documents:

- Completed application forms and certificates;
- This planning and heritage letter prepared by Keystone Planning;
- Site Plan prepared by SHH Architects ref: (919)001\_PL02;
- Existing (as approved) drawings pack prepared by 4S Architecture containing the following drawings:
  - o Existing Ground Floor Plan ref: 22-028 P100;
  - o Existing Lower Ground and First Floor Plan and Proposed Roof Plan ref: 22-028 P101;
  - o Existing West and North Elevation ref: 22-028 P120;
- Proposed drawings pack prepared by 4S Architecture containing the following drawings:
  - o Proposed Ground Floor Plan ref: 22-028 P200;
  - o Proposed Lower Ground and First Floor Plan and Proposed Roof Plan ref: 22-028 P201;
  - o Proposed West and North Elevation ref: 22-028 P400; and
- Bin store specifications;
- Bike store specifications;
- Planning fee of £298.00 paid via Planning Portal with reference PP-12199557.

### 3. The Section-73 Application

The proposed amendment comprises minor-material alterations to accommodate a new boundary fence, two glass balustrades to upper-ground floor, and relocating the bin store and cycle store.

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The key changes comprise:

- The erection of a vertical-slatted timber fence as privacy screen to front garden on Priory Terrace and Abbey Road;
- The installation of safety balustrades to upper-ground floor windows, and; The reprovision of the bin store and the secure cycle store to have direct access from the garden.

#### 4. Legislation and Guidance

The decisions for applications must be assessed in respect of the statutory planning balance (“the planning balance”) in (section 38(6) of the Planning and Compulsory Purchase Act 2004).

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention be given to preserving or enhancing the character or appearance of a conservation area.

The National Planning Policy Framework (NPPF) was updated in July 2021. It sets out the Government’s planning policies for England and how these are expected to be applied.

Decisions should apply a presumption in favour of sustainable development and that means approving development proposals that accord with an up-to-date development plan without delay (paragraph 11).

#### 5. Development Plan Policy

The local development plan comprises of the following documents:

- Camden Local Plan 2017; and
- Camden Supplementary Planning Guidance:
  - o Home Improvements (2021)
  - o Design (2021)

The following policies of the Camden Local Plan are relevant for this application:

- Policy D1 Design;
- Policy D2 Heritage;
- Policy A1 Managing the impact of the development;
- Policy C5 Safety and security
- Policy CC5 Waste; and
- Policy T1 Prioritising walking, cycling and public transport.

#### 6. Planning assessment

We have identified the key considerations as follows:

- Design;
- Heritage; and
- Amenity;
- Safety;
- Cycle parking; and
- Waste and recycling.

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We will address the relevant key considerations for each of the three elements in the sections below.

#### **i. Design**

Local Plan Policy D1 “Design” seeks to secure high quality design. The Council expects developments to (a) respect local context and character; (b) preserve or enhance the historic environment and heritage assets in accordance with Policy D2 Heritage; (e) comprise details and materials that are of high quality and complement the local character; amongst others.

The proposed new fence is simple, high quality, vertically slatted timber. It is designed to afford privacy to occupants while allowing views through. Permitted development rights for a fence on a highway limit height to 1m for highway safety reasons. The fence is located behind the existing brick boundary wall, which is between 670 mm and 770 mm high at the relevant length of boundary. The proposed fence is 990 mm high above the wall. At no point does the overall height breach 1.8m. While the adjacent property south at No. 39 only has a low wall, Priory Lodge, adjacent west has a boundary wall approximately 1.8 m high. Across the conservation area are myriad boundary treatments, including vertical boarding (at no. 38 Priory Terrace), horizontal boarding (at no. 29 Priory Road), fencing screens (at no. 41 Priory Road), trellises (at no. 46 Priory Road), walls (at no. 21 Priory Terrace), and many hedges. In this case, in order to afford privacy more quickly than encouraging hedge growth, we consider the proposed boundary treatment is appropriate in design and dimensions and meets policy.

The proposed clear glass balustrades outside the approved french windows on the upper ground floor comprise a sleek and minimalist design with no framing. The balustrades are fixed onto the front elevation along Priory Terrace using small studs, light-weight in appearance. The visual impact to the building concludes in a contemporary treatment to a recently approved façade. It is, we consider, overall negligible. The design preserves the character of the area.

The proposed relocation of the cycle and bin store so they are accessed from within the site has a neutral effect in design terms. The scale and position of these are the same and the proposed material as timber is appropriate to this location and purpose.

Overall, the three elements have been designed to not detract from the local character and use high-quality materials and design. We therefore consider the amendments to be acceptable in terms of design policy D1.

#### **ii. Heritage**

Local Plan Policy D2 “Heritage” seeks to maintain the character of Camden’s conservation areas by taking conservation area statements, appraisals and management strategies into account when assessing applications within conservation areas. In part (e), the Council requires that development within conservation areas preserves or, where possible, enhances the character or appearance of the area.

We consider the proposals, as evaluated in the design section, accord with Policy D2. The scale of the development, its functional necessity for the amenity, safety, and privacy of the future occupants, and its contemporary design has a neutral impact and preserves the character and appearance of the CA.

We therefore consider the proposed amendments to be acceptable in heritage terms.

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### iii. Amenity

Policy A1 of the Camden Local Plan requires developments to safeguard the quality of life of occupiers and neighbours and consider factors such as (a) visual privacy and outlook and (k) odour, fumes and dust amongst others.

A vertical-slatted timber fence is installed along the curved front boundary wall to mitigate overlooking from the street into the front garden, which serves as the primary external amenity space for the occupants since there is no rear garden.

Two sets of french windows are approved on the front elevation of the site on the upper ground floor. The proposed balustrades to the approved french windows are intended to improve internal amenity of occupants so they may be near open windows without risk of fall. We consider the installation of these balustrades poses no change to neighbour amenity arising from privacy or overlooking. Therefore, we consider the addition of balustrades to improve amenity of occupants and have no impact on neighbours.

The approved access to the bin store and cycle store in the host application was from a shared entryway between the site and the neighbours at 39 Priory Terrace. The proposed amendment repositioning these so that they are accessible from within the site minimises disruption to neighbours, thereby improving impacts on neighbour amenity.

We, therefore, consider the proposed amendments meet Camden Local Plan Policy A1.

### iv. Safety

Policy D1 (i) requires developments to be secure and designed to minimise crime and antisocial behaviour.

According to Policy C5 (b), developments are required to demonstrate that they have incorporated design principles which contribute to community safety and security.

The boundary fence improves site security by adding height to an easily surmountable boundary wall.

The balustrades are constructed out of high-quality tamper-proof glass to ensure safety of the future occupants from falls.

The proposed bin store and cycle store will be installed with an internal access from the garden to improve protection against theft.

Therefore, we consider the proposed amendments meet Camden Local Plan Policy D1 and C5.

### v. Cycle Parking

Camden Local Plan Policy T1 Prioritising walking, cycling and public transport requires all developments to provide safe and secure cycle parking as per the London Plan Cycling Standards.

The proposal is for the replacement of the approved built-in bike store with a detached bike store of the same size that meets the parking standards, but with access from within the site, rather than externally from the shared passage with the neighbours.

Therefore, we consider the proposed amendments meet Camden Local Plan Policy T1.

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#### vi. Waste and Recycling

Camden Council seeks to ensure that developments include facilities for the storage and collection of waste and recycling through Local Plan Policy CC5.

The proposal is for the replacement of the approved built-in refuse and recycle bins store with a detached bin store of the same size, but with access from within the site, rather than externally from the shared passage with the neighbours.

Therefore, we consider the proposed amendments meet Camden Local Plan Policy CC5.

#### 7. Conclusions

The proposal comprises minor alterations to improve the safety and privacy of the future occupants. The key changes comprise:

- The erection of vertical-slatted timber fence as privacy screen to front garden on Priory Terrace and Abbey Road;
- The installation of safety balustrades to upper-ground floor windows, and;
- The reprovision of the bin store and the secure cycle store to have direct access from the garden..

We consider that the proposals are in accordance with the development plan and the application may be approved without delay.

I trust the application can be registered promptly and I look forward to receiving confirmation. If you have any queries, please let me know.

Yours sincerely

A handwritten signature in black ink, appearing to read "Tom Darwall-Smith".

Tom Darwall-Smith MA MRTPI  
Director