



# 13 Regent's Park Road

Planning Statement

**Boyer**

Report Control

Project:	13 Regent's Park Road, NW1 7TL
Client:	Charles Blackburn
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# 1. INTRODUCTION

- 1.1 Boyer have been instructed by our client, Charles Blackburn ('Applicant'), to prepare and submit a full planning application in respect of the development at 13 Regent's Park Road, NW1 7TL ('Site').
- 1.2 This application is seeking retrospective planning permission for the:

"Balustrade running around perimeter of existing roof terrace."
- 1.3 This Planning Statement ('Statement') sets out that the proposal is acceptable in planning terms and, as such, should be fully supported by the Council.
- 1.4 In terms of structure, this Statement will provide a summary of the Site and it's planning history before exploring the planning justification for the proposal. Against this background, this Statement addresses the following:
  - Site and Surroundings;
  - Planning History and the Proposed Development;
  - Planning Policy; and
  - Planning Justification.
- 1.5 This Statement concludes that the proposed development is compliant with national, regional and local planning policy and is therefore acceptable in planning terms. As such, planning permission should be granted without delay.

## **2. SITE AND SURROUNDINGS**

- 2.1 The Site comprises the lower ground floor flat of a large, 4 storey, semi-detached property situated on the southern side of Regent's Park Road.
- 2.2 Regent's Park Road comprises large semi-detached and terraced Italianate Villas and a block of flats, all in residential (Class C3) use. Many of these residential properties have been converted from single dwellings into flats, as well as basement excavations that are in use as habitable dwellings.
- 2.3 The character of the surrounding area is predominantly residential, with a small number of commercial premises located along Gloucester Avenue.
- 2.4 Whilst the property is not listed, it is located within the Primrose Hill Conservation Area and is identified as making a positive contribution to the character of the area.
- 2.5 The site has a PTAL score of 3, meaning it is a reasonably accessible location. Camden Town Station is located approximately an 8 minute walk to the east of the Site. The Site is also within easy walking distance to a number of bus stops situated along Regent's Park Road.
- 2.6 The Site falls within Flood Zone 1, meaning it has a low probability of flooding.

### **3. PLANNING HISTORY**

- 3.1 An application (Ref: 2021/1586/P) was approved in May 2022 for the “excavation of single storey basement, erection of front extension at lower ground level, recladding of existing ground floor extension and other façade alterations including new windows, doors and rooflights.”
- 3.2 As part of this application, a new balustrade was proposed to run around part of the existing roof terrace. However, this balustrade did not run around the full perimeter of the roof terrace, and instead only covered part of it creating an awkward and discordant appearance.
- 3.3 The balustrade has now been erected but instead runs around the entire perimeter of the roof terrace to give a more cohesive and harmonious appearance. It is for this balustrade that retrospective planning permission is being sought.
- 3.4 The Council's approval of the above application demonstrates that they considered the proposed alterations, including the provision of a balustrade, as acceptable.

## 4. PROPOSED DEVELOPMENT

- 4.1 This application seeks retrospective planning permission for the erection of a balustrade to run around the entire perimeter of the existing roof terrace.
- 4.2 As has been discussed, the Council, through their approval of the previous application (Ref: 2021/1586/P), have already confirmed that the balustrade is acceptable and as such, this minor repositioning of the balustrade is considered justified.
- 4.3 As can be seen on the accompanying drawing (Ref: 1062.03), the materials are sympathetic to the existing character of the host building and do not result in any significant impact to its setting. Indeed, the balustrade is considered to be aesthetically congruous with the existing structure.
- 4.4 The extension of the balustrade to run around the full perimeter of the existing roof terrace will not result in any detrimental impacts to setting or amenity and is considered justified in planning terms.
- 4.5 The re-positioning of the balustrade results in a more harmonious and cohesive development than that which was previously approved and is considered to have a more positive impact on the setting of the Conservation Area.
- 4.6 Further to this, the re-positioning of the balustrade is a safety feature that ensures existing and future occupiers can enjoy the roof terrace without the risk of falling off.
- 4.7 In light of the above, the proposal is considered acceptable in planning terms and planning permission should be granted without delay.

## 5. PLANNING POLICY

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act requires that an application for planning permission is determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 5.2 The application Site falls within the administrative boundary of the London Borough of Camden. The Development Plan comprises the following key documents:
- London Plan (2021); and
  - Local Plan (2017).
- 5.3 Whilst there are numerous planning policies whose objectives are relevant to the determination of this proposal, only those whose objectives are of greatest importance are discussed hereunder.

### **London Plan (March 2021)**

- 5.4 Policy HC1 relates to heritage conservation and growth. Part C of the policy states that development proposals affecting heritage assets, and their settings, should conserve their significance by being sympathetic to the assets' significance and appreciation within their surroundings.

### **Local Plan (2017)**

- 5.5 Policy A1 confirms that the Council will seek to protect the quality of life of occupiers and neighbours and will grant permission unless this causes unacceptable harm to amenity.
- 5.6 Policy D1 states that the Council will seek to secure high quality design in development and, amongst other things, will require that development respects local context and character and preserves or enhances the historic environment.
- 5.7 Regarding the historic environment, policy D2 advises that the Council will require development within Conservation Areas to preserve or, where possible, enhance the character and appearance of the area.

### **Other Material Considerations**

#### **National Planning Policy Framework (NPPF) (2021)**

- 5.8 The NPPF sets out the Government's economic, environmental and social planning policies and guidance and identifies that the purpose of the planning system is to promote sustainable development. The NPPF advises that the primary aim of development management is to foster the delivery of sustainable development, not to hinder or prevent development from taking place.

#### **Camden Planning Guidance – Design (2021)**



- 5.9 This document provides guidance in relation to the design of development proposals involving residential properties. The guidance provides information on all types of detailed design issues within the Borough. The relevant sections for this application include design excellence and heritage.
- 5.10 Regarding design excellence, the Guidance outlines what schemes should do to deliver high quality design, including considering context, the existing building, use and function as well as good quality sustainable materials.
- 5.11 The Guidance also addresses applications that affect Camden's heritage assets, which includes Conservation Areas. The Council will only permit development within Conservation Areas that preserves and, where possible, enhances the character and appearance of the Conservation Area in line with Local Plan policy D2.

**Primrose Hill Conservation Area Statement (2000)**

- 5.12 Significant consideration has been given to the Primrose Hill Conservation Area Statement. The Site falls within sub area one, 'Regent's Park Road South', which is characterised by low density development and abundant vegetation with a large number of mature street trees and private trees to garden areas creating green corridors to the principal roads. These roads are dominated by large villa style properties that are set back from the highway and surrounded by substantial garden spaces. Rear gardens are also visible through gaps between buildings and in views from secondary roads and mews. The majority of the Italianate villas are three and four storeys high, with basements, and are decorated with stucco plasterwork.

## 6. PLANNING JUSTIFICATION

6.1 This Section assesses the development proposal in more detail against the relevant planning policies and guidance. Broadly, the below are considered to be the principal matters relevant to the determination of the application, which we justify below.

6.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires proposals to be determined in accordance with the Development Plan unless material considerations indicate otherwise.

### **Heritage Impact**

6.3 Great care and consideration have gone into ensuring that the balustrade is of an appropriate and acceptable design which positively respects the character of the Conservation Area.

6.4 Indeed, it is important to note that the Council have already determined that a balustrade is acceptable as demonstrated through their approval of the previous planning application (Ref: 2021/1586/P).

6.5 This application merely seeks to retrospectively alter the position of the balustrade so that it encompasses the entire perimeter of the existing rear roof terrace.

6.6 The balustrade for which permission was granted under the previous application, only covered just over half of the existing roof terrace. This is considered to not only restrict the use of the roof terrace which is contradictory to the enjoyment of the property for the occupiers, but also results in an incomplete and disjointed appearance.

6.7 The minor extension of the balustrade to run around the entire perimeter of the roof terrace results in a more cohesive and harmonious appearance and is considered to sit better within the context of the Conservation Area.

6.8 Local Plan policies D1 and D2 both support proposals that respect the context of the local area and enhance the appearance of Conservation Areas.

6.9 The minor extending of the balustrade to cover the entire perimeter of the roof terrace is considered to result in a more positive contribution to the setting of the Conservation Area by ensuring that the roof terrace is seen in its entirety as opposed to effectively being split in half.

6.10 As can be seen on the accompanying drawings, the balustrade cannot reasonably be considered to have any noticeable or significant impact on the setting of either the host building or wider area and adds a degree of cohesiveness and completeness to the property.

6.11 It has already been confirmed that the balustrade is considered acceptable in heritage terms and, as discussed, this minor extension is considered to result in a more cohesive and harmonious development which makes a more positive contribution to the Conservation Area by ensuring a degree of uniformity.

6.12 The proposal is therefore considered to be in full compliance with the provisions of Local Plan policies D1 and D2 and is therefore acceptable in heritage terms and should be welcomed by the Council.

**Amenity**

6.13 The proposal is considered acceptable in amenity terms and will not result in any significant detrimental impacts to neighbour amenity.

6.14 Local Plan policy A1 seeks to protect the amenity of both occupiers and neighbours.

6.15 It is important to consider that the roof terrace is existing and this proposal is not seeking to extend this terrace but rather erect a balustrade that runs round the entire length of the perimeter.

6.16 As Officer's noted in their pre-application advice for the previous application (Ref: 2020/3832/PRE), the (as then proposed) roof terrace at ground floor level would share the same location and outlook as the existing terrace and would not exacerbate current levels of overlooking.

6.17 This demonstrates that there is an existing level of overlooking and the minor extending of the balustrade to cover the entire perimeter of the roof terrace will not increase this.

6.18 Occupiers are able to use the entirety of the roof terrace and the extending of the balustrade is considered a safety feature that provides increased security for occupiers by further protecting against falling.

6.19 The proposal will have no significant impact on amenity and so is in full compliance with the relevant criteria of Local Plan policy A1.

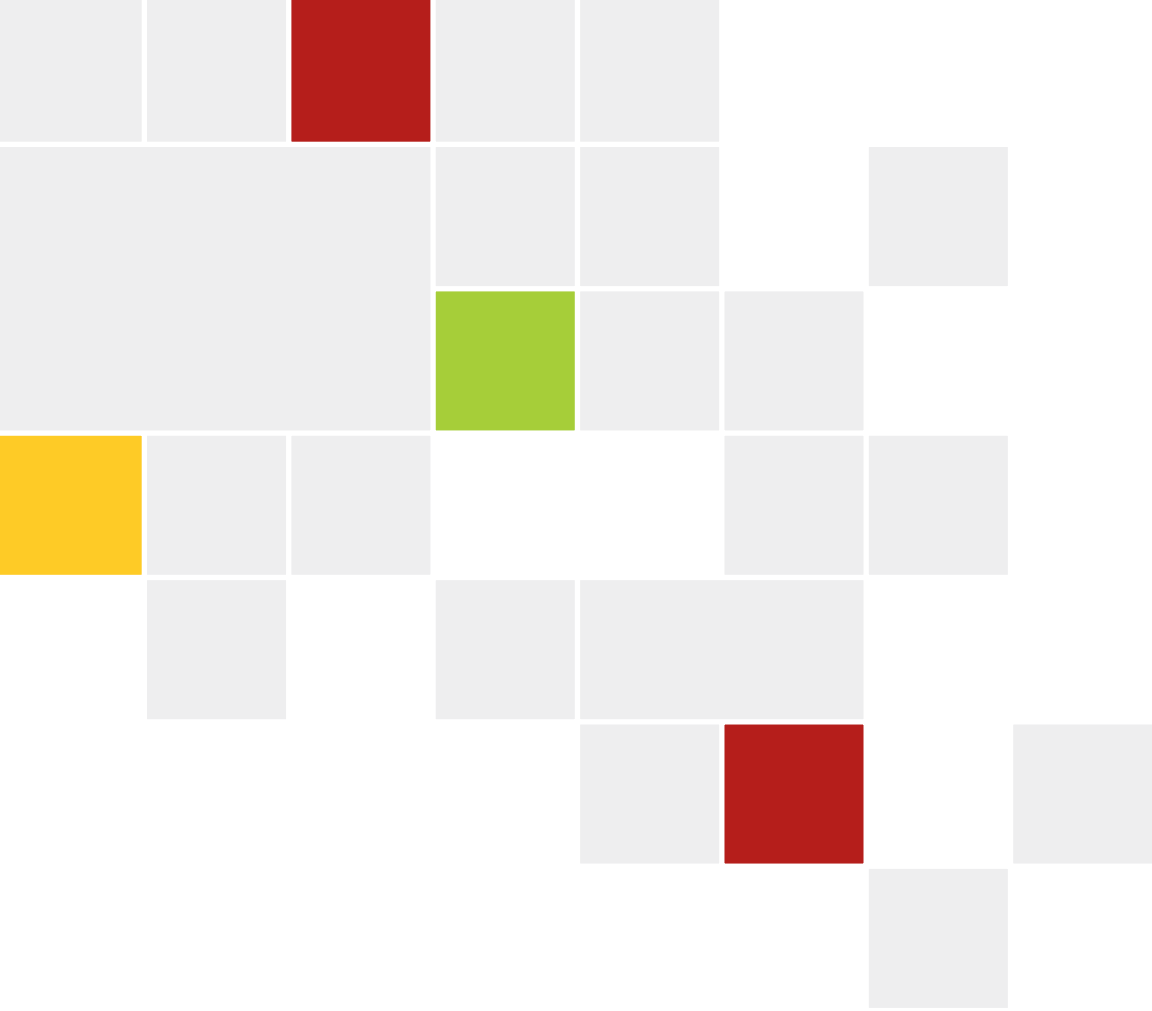
6.20 In light of the above, the proposal is considered acceptable and in agreement with all relevant planning policy.

6.21 As such, planning permission should be granted without delay.

## 7. CONCLUSION

- 7.1 This retrospective planning application has been submitted on behalf of our client, Charles Blackburn, for the:  

“Balustrade running around perimeter of existing roof terrace.”
- 7.2 As has been demonstrated throughout this Statement, the proposal is considered acceptable in planning terms and will not result in any negative impacts regarding heritage or amenity.
- 7.3 Through their approval of the previous application (Ref: 2021/1586/P), the Council has determined that a balustrade to the existing roof terrace is acceptable and will not result in any negative impacts in terms of heritage or amenity. It is therefore considered that this position is still true for this proposal.
- 7.4 This proposal simply seeks to extend the balustrade to cover the perimeter of the roof terrace in its entirety.
- 7.5 The choice of materials is considered acceptable and appropriate for the Site and should be welcomed by the Council.
- 7.6 As discussed, this minor extension will result in a more cohesive and harmonious development which will make a more positive contribution to the setting and appearance of the Conservation Area.
- 7.7 The proposal will not result in any detrimental impacts on terms of amenity or heritage and is in full agreement with all relevant planning policy.
- 7.8 The Council is therefore respectfully requested to grant planning permission without delay.



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