

Sam FitzPatrick  
Planning and Building Development  
5 Pancras Square  
London  
N1C 4AG

13<sup>th</sup> November 2023

Dear Sam

**Planning Application ref: 2023/2589/NEW**

**The Penthouse, 23 Prince Albert Road, NW1 7ST.**

On behalf of our client Mr. and Mrs. Leslau, Planning Resolution Ltd submit for your consideration a full planning application for the *'Erection of a flat roofed glazed extension to the existing stair enclosure at roof-top level; the enclosure of 2 no. existing balconies at seventh floor level to form internal space, erection of new balcony at seventh floor level within alcove; and associated alterations including replacement of brick balustrading with Corten steel at sixth and seventh floors'* at The Penthouse, 23 Prince Albert Road, NW1 7ST.

## Introduction

The proposed works forming this planning application have been subject to initial pre-application discussions in June 2022, and latterly through formal pre-application discussions in August 2023 (ref: 2023/1709/PRE).

The pre-application response raised concerns regarding the impact of the proposals on the character and appearance of the Primrose Hill Conservation Area, in which the building is situated, and on views from Primrose Hill and Regent's Park, and concerns around potential daylight and sunlight impacts arising from insufficient assessment.

Following a review of the pre-application comments, Alistair Downie Ltd have amended the scheme to replace the existing solid brick balustrades on the outer balconies at Sixth and Seventh level with solid Corten steel balustrades and install a solid Corten steel balustrade on the new balcony at seventh-floor level within the alcove – whereas open metal railings were shown in the pre-application material.

In addition, given the concerns regarding the impact of the proposals on the character and appearance of the Primrose Hill Conservation Area, and on views from Primrose Hill and Regent's Park, Accurate Visual Representations (AVRs) were created by Visualhorizon3D who are Architectural Visualisation Specialists, which have helped inform a detailed Heritage Impact Statement, prepared by Asset Heritage Consulting Ltd which provides an assessment of the potential impact on heritage assets of the proposed alterations of the Penthouse apartment at No.23 Prince Albert Road.

Furthermore, in addressing the concerns around potential daylight and sunlight impacts arising from insufficient consideration of the fifth floor apartment, additional assessment and commentary is provided in the Daylight and Sunlight Assessment prepared by Erban Consulting.

## The Site

The Site is located on the northern side of Prince Albert Road on the corner of the junction with Albert Terrace.

23 Prince Albert Road is an 8-storey building built in the 1960's, that is sub-divided into flats. It is a modern red-brick building with windows in each elevation. On the southern elevation the flats have balconies, and there is a roof terrace.

The area that is subject to the proposed works comprises floors 06 and 07, and the level 08 roof terrace, which all form the 'penthouse' unit within the applicant's ownership.

Immediately to the north-west is Primrose Hill and to the south are Regents Canal and London Zoo. The northern side of Prince Albert Road is predominantly residential.

The building is not listed but lies within the in the very south-western corner of the Primrose Hill Conservation Area. Therefore, views of the proposed development from within the Conservation Area are limited.

Furthermore, the building has been identified in the Primrose Hill Conservation Area Appraisal as making a 'negative' contribution to the character and appearance of the Conservation Area.

Primrose Hill is not within the Conservation Area designation but is registered as Metropolitan Open Land and a Site of Nature Conservation Importance. There is a Protected Vista (4A) at the summit of Primrose Hill under the London View Management Framework March 2012, however the Site falls outside of the assessment corridors.

The neighbouring terraces, nos. 17-22, to the east along Prince Albert Road are Grade II listed. The North Entrance Gate, Keepers Office, Storage Kiosk And Canopy, across Prince Albert Road, to the south, are Grade II listed (within the London Borough of Westminster).

Chalk Farm station lies just under a 1/2 mile to the north of the site. Camden Town station lies approximately 1/2 mile to the east of the site.

## Planning History

The planning history of relevance to the application premises is as follows:

- 2017/2382/P – Replacement of existing single glazed aluminium windows & doors on all elevations with like-for-like double glazed windows & doors. Certificate of lawfulness granted 18/05/2017.
- 2016/0449/P - Replacement of existing single glazed aluminium windows & doors on all elevations with like-for-like double glazed windows & doors. Certificate of lawfulness granted 27/09/2016.
- 2014/4027/P - Retention of 4 x air conditioning condenser units, timber decking and a glass balustrade, a fireplace flue and rainwater pipes, 2x rooflights and a freestanding hot tub and planters in connection with use of the roof as a terrace to existing flat (Class C3). Granted 02/09/2014.
- 9300952 - The external alterations to the main building including alterations at roof level to replace existing stair enclosure with new roof access; enclosure of balconies and glazed enclosure at 7th floor; alterations to the entrance. Granted 12/08/1994.
- 9300951 - Alterations and extensions at sixth and seventh floor levels plus extension at eighth floor level to residential flat and to ground floor entrance. Refused 22/04/1994.
- 8502187 - Retention of a roof terrace and stair enclosure above flat 12 and the provision of a roof terrace and stair enclosure above flat 13. Granted 15/07/1986.
- TP23753/20260 – The erection of an eight-storey block containing one two-room and 11 three-room flats, and two six-room maisonettes at No. 23, Prince Albert Road, St. Pancras. Granted 11/02/1963.

## Proposed Works

The area that is subject to the proposed works comprises floors 06 and 07, and the level 08 roof terrace, which all form the 'Penthouse' unit within the applicant's ownership.

The Architects have prepared a holistic response that enhances connections for the occupiers with nature and the outside environment, and refreshes the external appearance of the building, which is tired and in need of enhancement – as identified by its contribution as a 'negative building' in the Primrose Hill Conservation Area Statement.

The proposals have been thoughtfully and holistically designed to enhance connections with nature and the outside environment. Biophilic interventions, including glazed spaces to provide better views, planters for herbs and flowers, and a revitalised roof terrace space, will create a healthier, more vibrant living space throughout all seasons.

The proposed works are set out in the Design and Access Statement prepared by Alistair Downie Ltd, and in summary comprise the following:

- Level 08: the erection of a small extension to the existing glazed stair enclosure and landing at roof-top level;
- Level 07: the enclosure with glazing of the two existing inner balconies to form habitable internal space;
- Level 07: the replacement of the solid brick balustrades to the two outer balconies with solid Corten steel balustrades;
- Level 07: the insertion of a new balcony centrally, within the existing vertical recess between the two 'blocks' of the building on the front elevation. This will have a solid Corten steel balustrade; and
- Level 06: the replacement of the solid brick balustrades to the two existing balconies with solid Corten steel balustrades.

## Planning Consideration

This section seeks to address the key planning considerations associated with the proposal and demonstrates its compliance with adopted planning policy.

The key planning considerations affecting the consideration of the change of use of the site are as follows:

- Design and Conservation
- Neighbouring amenity

### Design and Conservation

The proposed works are set out in the Design and Access Statement prepared by Alistair Downie Ltd.

Accurate Visual Representations (AVRs) were created by Visualhorizon3D who are Architectural Visualisation Specialists, which have helped inform a detailed Heritage Impact Statement, prepared by Asset Heritage Consulting Ltd which appraised the contribution of No.23 Prince Albert Road to the character and appearance of the Conservation Area and to the settings of adjoining listed buildings, and has considered its relationship to the Primrose Hill and Regent's Park Registered Parks and Gardens.

The Heritage Impact appraisal, alongside a number of Accurate Visual Representations (AVRs), has then informed the assessment of the impact of a number of proposed external alterations to the building's Penthouse apartment in terms of any impact these may potentially have on the conservation area or on views towards the building from the Registered Parks.

The AVRs and Heritage Impact Statement demonstrate and conclude that the proposals will not affect the character and appearance of the conservation area in any discernible way, or the significance or setting of any listed building, and that in longer-distance views from the Registered Parks, the proposals will simply not be perceptible in any meaningful way.

As such, the author of the Heritage Impact Statement is of the view that the proposed development complies with the advice on conserving the historic built environment contained in the NPPF, all relevant local policy, and the statutory tests set in Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Furthermore, the proposed development preserves and indeed enhances the character or appearance of the Conservation Area. The proposed development is therefore considered to be in accordance with Policy D2 - Heritage of the Local Plan.

In addressing the comment raised in the pre-application response around the proposed open metal railings on the existing and proposed balconies, these are now shown as a solid Corten Steel panel with a consistency in arrangement and materiality.

The proposals have been thoughtfully and holistically designed to enhance connections with nature and the outside environment. Biophilic interventions, including glazed spaces to provide better views, planters for herbs and flowers, and a revitalised roof terrace space, will create a healthier, more vibrant living space throughout all seasons.

The proposed development provides a creative opportunity to improve and enhance the function of the building, its character and quality of the building and area, and is therefore consistent with Policies D1 Design and A3 Biodiversity of the Local Plan, Camden Planning Guidance – Design, and Camden Planning Guidance – Biodiversity.

#### Neighbouring amenity

The ownership of the top level dwelling includes Level 06, 07, and 08 (Roof). The proposal is also supported by a Daylight and Sunlight Assessment prepared by Erban Consulting, which provides an assessment of the daylight and sunlight levels of the proposed/existing habitable rooms on the 6th and 7th floor of 23 Prince Albert Road with the proposed minor reconfigurations in place.

In addressing the concern raised in the pre-application response, it also gives consideration to the impact of the proposed minor reconfigurations on the daylight and sunlight of the habitable rooms of the ground floor to 5th floor of the building.

In summary, the Assessment concludes:

- All proposed/existing habitable rooms would achieve daylight factors far in exceedance of those recommended in BR 209 with the proposed minor reconfigurations in place.
- The main living room area on the 7th floor has a window that receives 535 minutes of sunlight on 21 March with the proposed minor reconfigurations in place, far in exceedance of the 90 minutes

recommended in BR 209.

- It is asserted that the impact of the proposed minor reconfigurations on the daylight and sunlight of the habitable rooms of the ground floor to 5th floor of the building would be negligible. The only windows that may be affected to some extent are three windows on each floor located directly below the proposed balcony. It is understood that the floor layouts of the ground to 5th floor are the same as the floor layout to the 6th floor, as shown in appendix A of the Assessment.

The three windows that may be affected to some extent are circled in blue in appendix A of the Assessment. The central window serves a corridor, a non-habitable room that has no particular requirement for daylight or sunlight. The window to the right of the central window as you look at it serves a bathroom, a non-habitable room that has no particular requirement for daylight and sunlight.

The window to the left of the central window as you look at it serves a dressing room, which is served by much larger main windows to the front which would be unaffected by the proposed development. It is clear and obvious from the plans and elevations that the impact on the skylight and sunlight of this window would be considered acceptable when the larger main windows to the front are considered. This includes the impact of the proposed development on the VSC of the window in question, whereby the area weighted VSC of the window and the larger main windows to the front would be calculated as per the following guidance from BR 209 paragraph 2.2.8.

*2.2.8 If there would be a significant loss of light to the main window but the room also has one or more smaller windows, an overall VSC may be derived by weighting each VSC element in accordance with the proportion of the total glazing area represented by its window. For example, a room has a main window of area 2m<sup>2</sup> whose VSC would drop from 24% to 18%, 0.75 times the value before. However, it also has a smaller window, area 1m<sup>2</sup>, for which the VSC would be unchanged at 30%. The area weighted VSC 'before' would be  $(24 \times 2 + 30) / 3 = 26\%$ . 'After' it would be  $(18 \times 2 + 30) / 3 = 22\%$ , 0.85 times the value 'before'. Thus, the loss of VSC to the room as a whole would meet the guideline.*

The proposed works comprise enhancement of existing open balconies through minor interventions, the enclosure of existing balconies, formation of a new balcony within the alcove, and the insertion of a new extended enclosure to the existing roof terrace. As such, these balcony/terrace amenity spaces are currently in existence and in established use, and the proposed works would not result in any overlooking or privacy impacts, as they would not create new opportunities for views into any neighbouring windows or habitable rooms.

In consideration of the conclusions of the above technical assessment, the proposal is in accordance with Policy A1 Managing the impact of development of the Local Plan, Camden Planning Guidance – Amenity, and BRE Guidance.

### Submitted Documents

In addition to this cover letter (inc. Planning Statement), we enclose the following information:

- Design and Access Statement and Design Update, prepared by Alistair Downie Ltd
- Existing and Proposed Planning Drawings, prepared by Alistair Downie Ltd
- Daylight and Sunlight Assessment, prepared by Erban Consulting
- Heritage Impact Statement, prepared by Asset Heritage Consulting
- Accurate Visual Representations (AVRs) and Methodology, prepared by Visualhorizon3D

The requisite application fee payment has been made via the Planning Portal.

Please do not hesitate to call me should you require any further clarification or information.

Yours faithfully

**David Williams**  
**Director**  
**Planning Resolution Ltd**