

Planning Statement

Removal of Condition Application

Removal of Condition 4 of planning permission 2023/2555/P

182 Regents Park Road, London, NW1 8XP

DLA Ref: 23/456

January 2024

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1.0 INTRODUCTION

1.1 This application is for the removal of a condition relating to a site at 182 Regents Park Road, London, NW1 8XP.

1.2 Planning Permission 2023/2555/P gave consent for the removal of an existing boundary wall and its replacement with a gated vehicular entry and new brick wall, the creation of a car parking space and new hard and soft landscaping. Condition 4 of the permission stated:

“This permission is personal to Charalambous Loizou and shall endure for the period of their occupation only. Within 12 months of Charalambous Loizou vacating the premises, the parking space and vehicle entry gate shall be removed and the front yard and front boundary treatment shall be remediated in accordance with Proposed Remediation Ground Floor Plan & Front Elevation Plan, dwg. no. 5, rev A2 dated September 2023, and referenced in condition 2 of this consent.

Reason: In recognition of the special circumstances of the applicant and to protect the long term character of the conservation area, in accordance with policies D1, D2, C6 and T2 of the London Borough of Camden Local Plan.

1.3 The application seeks the removal of Condition 4.

2.0 SITE & CONTEXT ANALYSIS

2.1.0 Location

- 2.1.1 The site is located on the south-eastern side of Regents Park Road and to the north-west of Camden town centre.

2.2.0 Application Site

- 2.2.1 The site comprises an end property in a terrace of three-storey, villa-style buildings. The property has white stucco rendered elevations and a shallow pitched roof. It is in use as a single family dwelling.

2.3.0 Context

- 2.3.1 The surrounding area has a mixed residential and commercial character. Properties on the south-eastern side of the road have relatively deep front forecourts. There is variety in how these areas are laid out, with differing ratios between hard and soft landscaping. Properties on the other side of the road are generally built up to the pavement.

2.4.0 Policies Map Notation

- 2.4.1 The site is within the Primrose Hill Conservation Area. The terrace is part of a collection of buildings that are identified in the Conservation Area Appraisal as making a positive contribution.

3.0 RELEVANT PLANNING HISTORY

3.1.0 Application Site

- 3.1.1 The only planning history relevant to this application is 2023/2555/P, as set out in the introduction.

4.0 POLICY CONTEXT

4.1.0 National Policy / Guidance

4.1.1 The National Planning Policy Framework (NPPF) 2023, sets out the Government's planning policies for England. The following sections are considered directly relevant:

- 8 Promoting healthy and safe communities
- 12 Achieving well-designed and beautiful places
- 16 Conserving and enhancing the historic environment

4.2.0 Camden Local Plan 2017

4.2.1

Policy No.	Title
A1	Managing the impact of development
D1	Design
D2	Heritage
T2	Parking and car-free development

4.3.0 London Plan

4.3.1

Policy No.	Title
D4	Delivering good design
D5	Inclusive design

5.0 DESCRIPTION OF DEVELOPMENT

- 5.1 The application seeks the same development as permitted by 2023/2555/P. This is for the removal of the existing front boundary wall and its replacement with a gated vehicular entry and new brick wall, the creation of a car parking space and new hard and soft landscaping.
- 5.2 However, it seeks for the removal of Condition 4 without the requirement for the majority of the works to be reversed in accordance with the Remediation Plan once the applicant is no longer living at the property.

6.0 PLANNING CONSIDERATIONS

6.1 Planning application 2023/2555/P originally proposed permanent alterations to the access, boundary treatment and new hard and soft landscaping to the front forecourt. The applicant's daughter agreed to a personal planning permission when advised that the application would otherwise be refused. Condition 4 therefore requires the parking space and vehicle entry gate to be removed and alterations to the boundary treatment and landscaping.

6.2 However, as set out below, it is considered that there is sufficient justification for Condition 4 to be removed without causing long-term harm to the Primrose Hill Conservation Area

6.3 Existing contribution to the Conservation Area

The planning application was supported by a Heritage Impact Assessment (HIA) and which is also included as part of the current submission. Whilst the HIA found that the application site makes a positive contribution to the Conservation Area, this was primarily due to the architectural merit of the building itself. The forecourt reflects the proportions of other properties within the terrace, which creates a regular grain to the townscape.

6.4 However, the HIA also notes that the boundary wall has no historic value and is actually a modern construction. It is inconsistent with the streetscene by reason of its stepped form and lack of railings to the front. The frontage planting makes some contribution to the character of the area, albeit this consists primarily of overgrown shrubs. It is the trees, both on-street and within adjoining forecourts, that make the biggest contribution to the area's verdant appearance, but there are no trees within the application site.

6.5 Impact of proposals on the Conservation Area

The HIA acknowledges that when a car is parked on the forecourt this will have some negative impact by reducing the sense of openness. But this will be countered to some extent by the removal of the on-street parking, which will have a minor positive impact on the appearance of the streetscene. The reduction in landscaping will not have a significant impact due to the relatively low quality of the existing planting and the inclusion of 4 new planting areas within the proposed layout.

6.6 The Officer Report for the planning application recognised that the changes to the forecourt would not appear as an anomaly within the streetscene. It referred to No 178 Regents Park Road which already had vehicle entry gates and an off-street car parking space. In addition, the forecourts at Nos 188 and 190 Regents Park Road comprise almost entirely of hardsurfacing. All 3 of these properties are in close proximity to the application site and are an important part of its context.



Vehicular gates and hardsurfacing to front of No 178 Regents Park Road



Hardsurfacing to front of Nos 188-190 Regents Park Road

- 6.7 It is not considered that these forecourts detract from the character and appearance of the Conservation Area. They are neatly maintained and include some planting. They simply form part of the mix of frontages in this part of Regents Park Road. The proposal reflects this character and would also include new planting that would become part of the streetscene. It is the mature trees located both within and adjacent to the forecourts that make the most significant contribution to the appearance of the area. These are not affected by the proposal and so they would continue to perform an important role.



View looking north-east along Regents Park Road, in which trees are a prominent feature © google maps

6.8 The HIA found that the works to the boundary wall would amount to a sensitive restoration of the traditional configuration of the roadside boundary treatment. It further states that reinstatement of the wall at a consistent height and the addition of railings above would represent a minor enhancement. It did not consider that the provision of railings to the new entrance would result in any harm.

6.9 **Applicant's personal circumstances**

The applicant's medical condition and the need for the new access arrangements were set out in the planning application, such that there is no requirement to repeat them here. The applicant and his family are grateful to the Council for understanding this situation and granting the planning application. However, the requirement to largely reverse the works when the applicant is no longer living in the property is considered to be unduly onerous. For the reasons stated previously, and as concluded in the Heritage Impact Assessment, it is

considered that the proposed works would have a neutral impact on the character and appearance of the Conservation Area.

- 6.1.10 Even if this were not the case and it were found that some harm would occur, this must be attributed as less than substantial and at the lower end of that range. This minor harm would be offset by the public benefit of allowing the works to be retained. It would ensure significantly improved living arrangements for someone living with dementia, but without the costly requirement of having to then reverse them. The works involved to the forecourt and boundary will not be inexpensive. The family will also have to pay a fee to revoke the existing on street parking space. Whilst it is appreciated that Condition 4 allows for a year to implement the Remediation Plan, there is still the potential for all of the costs to occur within a relatively short period of time. It is considered that this would be a disproportionate burden given the reasons behind the application proposal and its approval
- 6.1.11 Furthermore, there are many people living with similar conditions to the applicant or with other mobility issues. Allowing the permitted works to be retained would allow for a more suitable type of accommodation for that section of the population. This would accord with local, regional and national planning guidance. Paragraph 3.8 of the Local Plan acknowledges that there is a need to provide homes that meet the needs of different groups within the community, including people with disabilities. This is backed up by a freedom of information request carried out by the applicant's daughter (Appendix 1). Although unable to give a precise shortfall, the response confirmed that there is not a sufficient supply of accessible housing within the Borough.
- 6.1.12 The Camden Planning Guidance Access for All provides more detailed advice on how to achieve an inclusive and accessible environment. This includes providing parking spaces as close as possible to entrances and recognising that people with disabilities are often reliant on travel by private car. Policy D7 of the London Plan seeks to provide suitable housing and genuine choice for London's diverse population, including older people and people with disabilities. Paragraph 60 of the NPPF states that it is important to meet the needs of groups with specific housing requirements. The works can therefore be considered to offer a tangible public benefit, such that it should not be necessary for any parts of them to be subsequently reversed.

7.0 CONCLUSIONS

7.1 This statement relates to a proposal for the removal of Condition 4 from planning approval 2023/2555/P. The removal of the condition would allow the approved works to the forecourt and boundary treatment to be retained without the requirement to subsequently alter the works in accordance with the Remediation Plan.

7.2 The removal of Condition 4 is considered acceptable for the following reasons:

- The approved works, by reason of their good design and the inclusion of new planting areas, would have a neutral impact on the character and appearance of the Conservation Area.
- Even if this were not the case, improving the living conditions for people with a disability is a public benefit that would outweigh any modest harm to the heritage asset that might occur.

APPENDIX 1

Date: 20/11/2023

Ref: CAM6386

Dear Requester,

Thank you for your request for information dated 03/11/2023 about **disability housing in Camden for an aging population**. We have dealt with this under the Freedom of Information Act 2000.

Response

The council holds the information requested and the answers to your questions are as follows:

1. Is there a shortage of disability access housing in Camden?

Yes, there is a shortage of disability access housing in Camden.

2. Is there a demand for such housing with access needs for such residents?

Yes, accessible housing is in demand by Camden residents.

3. Is there any such Government quota that needs to be met by Camden council?

There are no central or local government quotas to be met for accessible housing.

4. And if so has the council met that Quota?

No. Please see the response to Q3 above.

Further Information

We do not give our consent for any names and contact details provided in this response to be sent marketing material. Any such use will be reported to the ICO as a breach of General Data Protection Regulations and the Privacy and Electronic Communication Regulations.

Why not check our Portal [Open Data Camden](#) before making a new request as your question may already be answered by a previous [FOI response](#) or in one of our many useful and interesting datasets.

Your Rights

If you are not happy with how your response was handled you can request an Internal Review within 2 months of this letter by email to foireviews@camden.gov.uk or post: