



Planning, Heritage & Design Statement

Bracknell Gate, Frogna Lane, London, NW3 7EA

Replacement of balcony railings and removal of coal lifts

J Butterworth Planning Limited

71-75 Shelton Street

London, WC2H 9JQ

07803 588 479

jeremy@jbutterworthplanning.co.uk

jbutterworthplanning.co.uk

Title Planning Statement
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Client Bracknell Gate Properties Limited
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Prepared By  Jeremy Butterworth BSc (Hons) MA MRTPI

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Registered Office: 71-75 Shelton Street, Covent Garden, London, WC2H 9JQ

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1 Introduction, Purpose and Development Proposals

1.1 Introduction

- 1.1.1 This statement represents a Planning, Heritage and Design Statement submitted in support of the planning application for removal of the existing coal lifts and adjacent balcony railings and installation of new balcony railings (the 'proposed development') at Bracknell Gate, Frogmal Lane, London, MW3 7EA (the 'site').
- 1.1.2 This statement has been prepared to assess the proposed development against the provisions of the Development Plan to demonstrate policy compliance and any material considerations which are relevant.

1.2 Purpose

- 1.2.1 Planning law¹ requires that applications (and appeals) for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The purpose of this statement is therefore,
- to identify development plan policies that may be relevant in the assessment of the development proposal; and
 - to consider whether the proposal conflicts with their provisions and, if so, whether there are material considerations that outweigh any conflict with the development plan.
- 1.2.2 The Courts² have determined that it is enough that a proposal accords with the Development Plan when considered as a whole. It is not necessary to accord with each and every policy contained within the Development Plan. Indeed it is not at all unusual for development plan policies to pull in different directions.
- 1.2.3 The Planning & Compulsory Purchase Act 2004 defines the Development Plan for the purposes of this assessment process as the regional strategy for the region in which the site is located and Development Plan documents, taken as a whole, which have been approved or adopted for the area.
- 1.2.4 The principal purpose of this Statement is to assess the proposed development in accordance with the Development Plan and any material considerations and more specifically any alterations to policy since the previous granting of planning permission.
- 1.2.5 This statement should be read in conjunction with the other submitted planning application documents which include the application form and the following drawings:
- P9078_00 – Site Location Plan
 - P9078_E01 – Existing Ground Floor Plan
 - P9078_E02 – Existing First Floor Plan

¹ Section 70(2) of the Town and Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004

² Laura Cummins and London Borough of Camden, SSETR and Barrett Homes Limited [2001]; R. v Rochdale MBC ex parte Milne [2000] & City of Edinburgh Council v. Secretary of State for Scotland [1997]

- P9078_E03 – Existing Second Floor Plan
- P9078_E04 – Existing Third Floor Plan
- P9078_E05 – Existing Elevations Block A
- P9078_E06 – Existing Elevations Block B
- P9078_E07 – Existing Elevations Block C
- P9078_P01 – Proposed Ground Floor Plan
- P9078_P02 – Proposed First Floor Plan
- P9078_P03 – Proposed Second Floor Plan
- P9078_P04 – Proposed Third Floor Plan
- P9078_P05 – Proposed Elevations Block A
- P9078_P06 – Proposed Elevations Block B
- P9078_P07 – Proposed Elevations Block C
- Engineering Report

- 1.2.6 This statement and the associated documents confirm that the development is in accordance with relevant national, strategic and local plan policy and as such, in accordance with Section 70(2) of the Town and Country Planning Act 1990 and Section 38 (6) of the Planning and Compulsory Purchase Act 2004, planning permission could be contemplated.

1.3 Development Proposals

- 1.3.1 The proposed development seeks the following elements:

- Removal of Coal Lifts located on the rear elevations of Blocks A, B and C
- Replacement of Balcony Railings on the rear elevations of Blocks A, B and C

- 1.3.2 The accompanying Engineering Report confirms that the balconies have a number of recurring defects and therefore need replacing.

2 Site Location, Description and History

2.1 Site Location and Description

- 2.1.1 The application site is located at the corner of Froggnal Lane and Bracknell Gardens within the Redington and Froggnal Conservation Area and consists of a four storey block of purpose built flats.
- 2.1.2 The surrounding area is generally residential contains a mixture of flats and large family houses.



Existing Site in street scene

2.2 Planning History

- 2.2.1 The planning history of the site comprises the following applications which have an impact on the external appearance of the building.

Reference	Description	Decision
2016/1256/P	Replacement of windows with double glazed white steel to front and white powder coated aluminium windows to rear of residential block.	Approved

- 2.2.2 In addition, there have been various applications relating to trees and works to individual flats. However, these are not material to the application scheme.

3 Development Plan Context, Designations and Policies

3.1 Development Plan Context and Designation

- 3.1.1 The Development Plan context in West Hampstead is provided by the London Plan (2015) and the Camden Core Strategy (2010), the Camden Development Policies DPD (2010) and the Camden Policies Map (2010).
- 3.1.2 The Proposals Map confirms that the site lies within the Redington and Frognal Conservation Area. There are no other designations.

3.2 Relevant Development Plan Policies

- 3.2.1 The London Plan is strategic in nature and therefore the majority of the policies are not relevant to the proposed development.
- 3.2.2 However, relevant policies within the London Plan have been identified as follows:
- Policy 7.8 – Heritage Assets and Archaeology
- 3.2.3 Relevant policies within the Camden Core Strategy have been identified as follows:
- Policy CS14 – Promoting high quality places and conserving our heritage
- 3.2.4 Relevant policies within the Barnet Development Management Policies DPD have been identified as follows:
- Policy DP24 – Securing high quality design
 - Policy DP25 – Conserving Camden’s heritage
 - Policy DP26 – Managing the impact of development on occupiers and neighbours
- 3.2.5 These are discussed in more detail below where relevant.

3.3 Material Considerations - National Planning Policy Framework

- 3.3.1 The Government’s National Planning Policy Framework (March 2012) (the ‘Framework’) is a material consideration in the assessment of development proposals.
- 3.3.2 The Framework confirms that the purpose of the planning system is to contribute to the achievement of sustainable development and that the policies contained in paragraphs 18-219 of the Framework, taken as a whole, constitute the Government’s view of what sustainable development means in practice for the planning system.
- 3.3.3 The proposed development meets the aims of sustainable development and the National Planning Policy Framework. This is discussed in more detail below.

3.4 Material Considerations – Camden Planning Guidance

- 3.4.1 The Camden Planning Guidance (CPG) provides advice and information on how the Council will apply the adopted planning policies. The CPG1 (Design) is therefore relevant to the proposed development. This is discussed in more detail below.

3.5 Material Considerations – Redington / Frogna Conservation Area Appraisal

- 3.5.1 Conservation area appraisals and management strategies define the special character of a conservation area and set out our approach for its preservation and enhancement. Generally, they include:
- an appraisal of the special character of the area
 - lists of buildings which make a positive contribution to the character and appearance of the area
 - lists of sites that have a negative impact on the conservation area or where an opportunity may exist for improvement of the area by redevelopment of a building or site
 - management strategies which set out our policies and procedures for managing, monitoring and enforcing change in the area
- 3.5.2 This is discussed in more detail below.

4 Planning Analysis

4.1 Introduction

- 4.1.1 The following assessment considers the relevant Development Plan policies identified in the preceding section and the degree to which the proposed development complies with their provisions or not as the case may be.
- 4.1.2 From the analysis of the above planning policies and a review of the planning history of the site and given that the application is minor in nature, it is considered that the only considerations in the determination of any planning application would be in respect of the principle of development and design and conservation.
- 4.1.3 These are discussed below.

4.2 Principle of Development

- 4.2.1 The National Planning Policy Framework (NPPF) confirms that the purpose of the planning system is to contribute to the achievement of sustainable development and confirms that there are three dimensions to sustainable development – economic, social and environmental.
- 4.2.2 The NPPF explains in the Ministerial foreword that the purpose of planning is to help achieve sustainable development. Sustainable means ensuring that better lives for ourselves don't mean worse lives for future generations and development means growth. The foreword continues by confirming that sustainable development is about positive growth – making economic, environmental and social progress for this and future generations and that the planning system is about helping to make this happen. Development that is sustainable should go ahead, without delay.
- 4.2.3 A presumption in favour of sustainable development is the basis for every decision.
- 4.2.4 The proposed development clearly falls into the category of sustainable development by providing an enhanced residential building.
- 4.2.5 Paragraph 9 of the NPPF confirms that sustainable development includes seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life, including improving the conditions in which people live, work, travel and take leisure and widening the choice of high quality homes. The application proposal will contribute to the pursuit of sustainable development by improving the existing residential block.
- 4.2.6 Paragraph 47 of the NPPF aims to deliver a wide choice of quality homes. Housing applications should be considered in the context of the presumption in favour of sustainable development. The development proposal is compliant with the approach advocated in the NPPF.

- 4.2.7 Paragraph 187 of the NPPF advises LPAs that they should look for solutions rather than problems and decision-takers at every level should seek to approve applications for sustainable development where possible.
- 4.2.8 In addition, Paragraph 197 confirms that in assessing and determining development proposals, LPAs should apply the presumption in favour of sustainable development. The proposal represents a form of highly sustainable development on an urban site and therefore qualifies for a grant of planning permission under this presumption.
- 4.2.9 In this respect there can be no objections to the principle of development subject to other considerations which are discussed below.

4.3 Design and Impact on the Character of the Area

- 4.3.1 Paragraph 56 of the NPPF confirms that good design is a key aspect of sustainable development; it is indivisible from good planning and should contribute positively to making places better for people.
- 4.3.2 Paragraph 58 states that planning decisions should aim to ensure that developments function well and add to the overall quality of the area; establish a strong sense of place; optimise the potential of the site to accommodate development; respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation and are visually attractive as a result of good architecture and appropriate landscaping.
- 4.3.3 Paragraph 60 advises that planning decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles; although it is proper to seek to promote or reinforce local distinctiveness.
- 4.3.4 Paragraph 61 states that although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations and planning decisions should address connections between people and places and the integration of new development into the natural, built and historic environment.
- 4.3.5 Paragraph 63 advises that in determining applications, greater weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area.
- 4.3.6 In this respect the NPPF offers support to the proposed development which is of a high quality design which will have no impact on the streetscene or the character of the area.
- 4.3.7 At a more local level Policy CS14 seeks to ensure that Camden's places and buildings are attractive, safe and easy to use by:
 - a. *requiring development of the highest standard of design that respects local context and character;*

The proposed development will be of a high quality and will not have any impact on the character of the existing building

- b. preserving and enhancing Camden's rich and diverse heritage assets and their settings, including conservation areas, listed buildings, archaeological remains, scheduled ancient monuments and historic parks and gardens;*

The proposed development will not have any impact on any heritage assets. This is discussed below.

- c. promoting high quality landscaping and works to streets and public spaces;*

This is not relevant to the proposed development

- d. seeking the highest standards of access in all buildings and places and requiring schemes to be designed to be inclusive and accessible;*

The proposed development will not have any impact on the access

- e. protecting important views of St Paul's Cathedral and the Palace of Westminster from sites inside and outside the borough and protecting important local views.*

This is not relevant to the proposed development

4.3.8 Therefore it is clear that there is no conflict with the above.

4.3.9 In addition, Policy DP24 states that the Council will require all developments, including alterations and extensions to existing buildings, to be of the highest standard of design and will expect developments to consider:

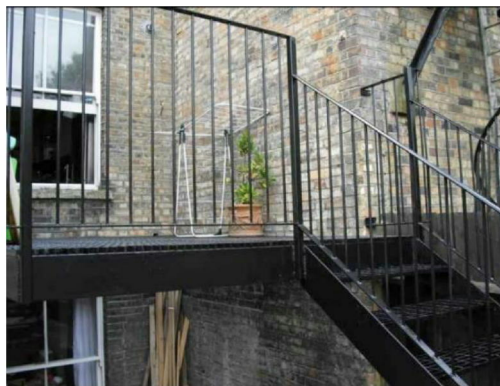
- a. character, setting, context and the form and scale of neighbouring buildings;*
- b. the character and proportions of the existing building, where alterations and extensions are proposed;*
- c. the quality of materials to be used;*
- d. the provision of visually interesting frontages at street level;*
- e. the appropriate location for building services equipment;*
- f. existing natural features, such as topography and trees;*
- g. the provision of appropriate hard and soft landscaping including boundary treatments;*
- h. the provision of appropriate amenity space; and*
- i. accessibility.*

4.3.10 It is clear that the proposed development will comply with the above requirements.

- 4.3.11 In addition, the Camden Planning Guidance 1 – Design, states that alterations should always take into account the character and design of the property and its surroundings. A harmonious contrast with the existing property and surroundings may be appropriate for some new work to distinguish it from the existing building; in other cases closely matching materials and design details are more appropriate so as to ensure the new work blends with the old.
- 4.3.12 In respect of the Conservation Area policy DP25 states that in order to maintain the character of Camden’s conservation areas, the Council will take account of conservation area statements, appraisals and management plans when assessing applications within conservation areas and will only permit development within conservation areas that preserves and enhances the character and appearance of the area;
- 4.3.13 This is also echoed by Policy 7.8 of the London Plan.
- 4.3.14 Furthermore, the National Planning Policy Guidance, and legislation in the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that proposals must have special regard to the desirability of preserving or enhancing the character or appearance Conservation Area, and those features which make it special.
- 4.3.15 In this respect, the NPPF, at paragraph 128, states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.
- 4.3.16 Paragraph 131 of the NPPF states that in determining planning applications, local planning authorities should take account of:
- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - the desirability of new development making a positive contribution to local character and distinctiveness.
- 4.3.17 In addition, paragraph 132 of the NPPF, states that:

When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.*

- 4.3.18 The NPPF confirms at paragraph 138 that not all elements of a World Heritage Site or Conservation Area will necessarily contribute to its significance.
- 4.3.19 It is clear from above that it is first necessary to define the significance of the Heritage Asset (the Conservation Area) and in this respect it is important to refer to the Conservation Area Appraisal.
- 4.3.20 The Redington and Frogmal Conservation Area Appraisal states that Frogmal Lane is of a generally uniform and consistent character on its southern side and to the northern side is a wide mix of quality styles of architecture.
- 4.3.21 In respect of the application site it states that:
- 1 & 3 Frogmal Lane and Bracknell Gate are well set back from the road and their main contribution to the character and appearance of the street is the original boundary wall which is partly constructed from "lava" bricks - misfired bricks from the local brickfields.*
- 4.3.22 In this respect it is clear that the significance of this part of the Conservation Area is the positive contribution made by the boundary wall.
- 4.3.23 From the above it is not considered that replacement balconies of the same appearance would have any impact on the significance of the Conservation Area or the character and appearance. Examples of similar balconies are shown below and show compatibility with the local area.



- 4.3.24 Furthermore, the removal of the coal lifts is not considered to impact on the significance of the Conservation Area as this is minor in nature and will not be visible from longer views'
- 4.3.25 It is also clear that the proposed development will not have any impact on the amenity of existing residents. In this respect there is no conflict with Policy DP26.
- 4.3.26 The above assessment of the relevant planning policies in the adopted Development Plans confirms that there is no conflict with their provisions and the statutory test imposed by Section 70(2) of the Town and Country Planning Act and Section 38(6) of the Planning and Compulsory Purchase Act 2004 is met.

5 Summary and Conclusion

5.1 Summary

- 5.1.1 In summary, the above assessment has considered the proposed development against the relevant provisions of the Development Plan as required by planning law. It is considered that the proposal can be considered compliant with relevant policies in the Development Plan.
- 5.1.2 The National Planning Policy Framework is a material consideration. An assessment of the relevant policies in the Framework has been undertaken and no conflict is identified. The proposed development can therefore be considered a form of sustainable development in line with paragraph 6 of the Framework which explains that the policies in paragraphs 18 to 219 taken as a whole constitute the Government's view of what sustainable development in England means in practice for the planning system.
- 5.1.3 As a form of sustainable development the proposed development benefits from the presumption in favour of sustainable development that the Framework describes as a golden thread running through both plan-making and decision-taking (paragraph 14).
- 5.1.4 In terms of decision-taking the Framework confirms that this means approving development proposals that accord with the Development Plan without delay.
- 5.1.5 Furthermore the high quality design will have no impact on the host building or the character of the Conservation Area and no impacts have been identified in respect of neighbouring amenity.

5.2 Conclusion

- 5.2.1 In conclusion, the proposed development is considered compliant with the relevant provisions of the Development Plan. Planning law dictates that this justifies a grant of planning permission.
- 5.2.2 Assessment against the policies contained within the Framework, which is a material consideration, further confirms that the development can be considered to be a form of sustainable development and therefore benefit from the presumption in favour of sustainable development which is a golden thread running through decision-taking.
- 5.2.3 The proposal is therefore promoted on this basis and that it can be supported and receive a grant of planning permission.

Jeremy Butterworth BSc (Hons) MA MRTPI

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