

MRPP

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PLANNING STATEMENT

**106 – 108 REGENT'S PARK ROAD,
LONDON, NW1 8UG**

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CONTENTS

	Page
1. INTRODUCTION	1
2. DECISION MAKING FRAMEWORK	2
3. ASSESSMENT	4
4. PROCEDURE	6
5. CONCLUSION	7

1. INTRODUCTION

1.1 This Planning Statement has been submitted in support of a s.73 application to vary Condition 3 attached to planning permission 2018/0478/P in relation to three dwellings at 106-108 Regents Park Road, granted on 30th April 2018. The approved development is comprised of:

“Erection of rear extensions at lower ground and ground floor levels and other external alterations including reinstatement of garden wall in association with reconfiguration of building into single dwelling house (5-bed) and two self-contained units (1x1-bed; 1x2-bed) (C3)”

1.2 Specifically, this application seeks to make the following alterations to that recently approved development:

- Creation of two additional rear conservatory window extensions at first floor roof level with a total combined volume of c.2.4m³.
- Upgrading of all existing single glazed windows with identical double glazed slimlite windows. Slimlite Double glazing would also to be used for the additional new windows associated with the approved development.

1.3 Section 2 of this planning statement identifies the Decision Making Framework, Section 3 provides an assessment of the proposals in relation to that Decision Making Framework. The appropriateness of s.73 as a procedure is explained at Section 4. The statement is concluded at Section 5.

2. DECISION MAKING FRAMEWORK

- 2.1 Planning applications are to be determined in accordance with the development plan unless material considerations indicate otherwise¹.

Development Plan

- 2.2 The Development Plan is comprised of:

- GLA London Plan (March 2016)
- Camden Local Plan (July 2017)

Material Considerations

- 2.3 The NPPF (July 2018) is an important material consideration in decision making, and the NPPG is also relevant.
- 2.4 The New Draft London Plan was published for consultation from 1st December 2017 to 2nd March 2018, and the issues arising out of that consultation are currently being compiled into a report. It is therefore a material consideration and carries some weight in decision-making.
- 2.5 Supplementary planning guidance and other documents produced by LB Camden are material considerations in the determination of planning applications. The following documents have been identified as relevant to this proposal:
- Camden Planning Guidance 1, Design CPG1 (July 2015, Updated March 2018)
 - Primrose Hill Conservation Area Statement (CAS) (December 2000)

¹ S38 (6) Planning and Compulsory Purchase Act 2004.

Heritage Framework

- 2.6 As the site is within the Primrose Hill Conservation Area (CA), Section 72 of the 1990 Listed Buildings Act also applies to this proposal. That Act states, "*In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.*"

3. ASSESSMENT

- 3.1 The minor material amendments proposed in this application are as a result of the desire to increase the quality of the approved dwellings by bringing them up to the expected standards of modern living and further enhancing their collective appearance.
- 3.2 Martin O'Rourke has produced an addendum to the original Heritage Appraisal (January 2018) (Rev 1) which is provided in support of this application. This addendum and the original Heritage Appraisal should be read in conjunction with each other, the proposals, and this assessment.

Extensions to the rear first floor conservatory roof

- 3.3 The proposed extensions' to the first floor conservatory roof on each side would increase the glazed area of the upper part of the extension by c.1.2m³ at 106 Regent's Park Road and c.1.2m³ at 108 Regents Park Road. The extensions would not increase the floor space of the dwellings. The proposals would however increase the volume of the building very slightly by c.2.4m³ in total through increasing the amount of glazing to upper portion of the existing conservatory extension.
- 3.4 The purpose of this proposal is to increase the amount of natural light entering the first floor in a modest manner and facilitate some minor amendments to the internal arrangement of the properties, whilst not compromising the symmetrical appearance of the rear elevation of both properties, or the amenity of the properties' neighbours.
- 3.5 This proposal is therefore in accordance in accordance with D1 (Design) and D2 (Heritage) of the Camden Local Plan (2017). PH30 of the Primrose Hill Conservation Area Statement, Guidance produced by LB Camden, does state that conservatory extensions should be at "*ground floor level only*". However,

PH30 is clearly intended to relate primarily to larger conservatory extensions that could have a negative effect on the significance of the Conservation Area's character and appearance. PH30 does not veto conservatory extensions altogether and allows small-scale proposals that are "*subordinate to the original building*", such as this.

Replacement Double Glazing

- 3.6 The window treatment across the properties is currently characterised by single glazed panels with wooden casements. Their various styles are set out in the Heritage Appraisal (January 2018).
- 3.7 As part of this application, the windows are proposed to be upgraded to double glazing 'like for like' in order to improve the energy efficiency of the dwellings, in addition to improving their comfort and liveability for future occupiers.
- 3.8 The proposed windows are intended to be sympathetic to and enhance the properties' original features and their overall contribution to the character and appearance of the Primrose Hill Conservation Area. Slimlite 4mm double glazing would be used to ensure this is achieved. This would be comprised of wooden frames with integrated glazing bars², and has the benefit of technology developed specifically to give the appearance of single glazing in terms of the clarity achievable.
- 3.9 The proposed replacement double glazing is therefore in accordance with the Camden Local Plan (2017) Policy D1 (Design) and D2 (Heritage) and in particular the supporting text to that policy at paragraph 7.54. The proposal is also in accordance with P10 and P11 of the Primrose Hill Conservation Area Statement, and Camden Planning Guidance: Design CPG 1: Update March 2018 at paragraph 4.7

² A generic section is provided on the plan provided, Drawing Number 1939 P-204 rev A

4. PROCEDURE

- 4.1 S.73 of the Act³ allows applications to be made for planning permission that seek to solely to amend or remove conditions attached to an existing planning permission. The Local Planning Authority then decides whether the proposed changes to the planning permission's conditions are acceptable. NPPG goes further to describe that these applications are likely to include "*any amendment where its scale and/or nature results in a development which is not substantially different from the one which has been approved*".
- 4.2 The nature and scale of the approved development would change marginally only owing to the greater scrutiny required to assess its acceptability within the Primrose Hill Conservation Area through the application of s.73⁴. This is as a result of the following reasons:
- The extension to the conservatory windows feature on the first floor of the rear elevation is only to extend the roof by combined volume of 2.4m³. No floorspace would be created.
 - The single glazed windows would be replaced by double glazed windows 'like for like' in terms of materials and appearance and would utilise high quality slimlite glazing technology, with the recently approved additional windows also utilising slimlite.
- 4.3 It is thus clear that the proposals could not be considered "*substantially different*" as they seek only to make minor further improvements to the refurbishment and restoration works already approved at the three properties. A s.73 application is therefore the most appropriate procedure through which to deal with these proposals.

³ Town and Country Planning Act 1990 (As amended)

⁴ Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended)

5. CONCLUSION

5.1 This s.73 application proposes to further improve the development relating to the refurbishment and restoration of the three properties at 106-108 Regents Park Road.

5.2 The proposed amendments very marginally alter the scale and nature of the development which is within a Conservation Area, which in part leads to these modifications warranting consideration under a s.73 application.

5.3 The proposed amendments have been carefully considered in order to ensure they serve to enhance the character and appearance of the Primrose Hill Conservation Area. As a result they have been found by the Heritage Consultant Martin O'Rourke to enhance the character and appearance of the Conservation Area in relation to its contribution to the Conservation Area's significance, and therefore satisfying the statutory tests.

5.4 Furthermore these alterations have been tested against and found to be in accordance with the relevant policies in the Camden Local Plan (2017), (predominantly D1 (Design) and D2 (Heritage)) and the relevant material considerations i.e the Primrose Hill Conservation Area Statement and Camden Planning Guidance: Design CPG 1: Update March 2018.

5.5 The proposals are in accordance with the Development Plan and should be approved without delay.