

Head of Planning  
London Borough of Camden  
5 Pancras Square  
London N1C 4AG

Our ref: 8943

**21 September 2018**

Dear Sirs

**Retrospective Planning and Listed Building Consent for a new fence at 4 St Mark's Square, London, NW1 7TN**

On behalf of our clients, Mr & Mrs Carter, we submit this retrospective application for Planning and Listed Building Consent to regularise the fence addition to the boundary wall at 4 St Mark's Square, London, NW1 7SX. This application is being submitted following an invitation from the London Borough of Camden to do so on 14<sup>th</sup> August 2018.

This letter forms the **Planning and Heritage Report** and **Design and Access Statement** for the application.

In addition, this application is supported by:

- Site Location Plan;
- Existing and Proposed Site Plan; and
- Existing and Proposed Elevations.

The proposed development relates to a small 45cm high fence that has been erected on top of the existing brick wall at 4 St Mark's Square. The addition of the fence increases the height of the boundary treatment to approximately 2m. The fence is wooden and natural in appearance and is made up of 6 panels that run horizontally along the whole length of the existing wall. The additional fence has been erected for security reasons, taking the total height from approximately 1.55m to 2m.

The property at 4 St Mark's Square is Grade II Listed and also falls within the Primrose Hill Conservation Area.



## PLANNING POLICY

Section 70 of the Town and Country Planning Act 1990 and 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications should be determined in accordance with the development plan unless other material considerations indicate otherwise. In the case of this application, the relevant development plan documents consist of the London Plan and the Camden Local Plan (adopted July 2017).

The main material consideration is the National Planning Policy Framework July 2018 (NPPF) which sets out the Government's up to date strategy and guidance for plan making and decision making.

Policy D1 from the Camden Local Plan sets out that the Council will seek to secure high quality design in development. This policy requires that:

- development respects local context and character;
- preserves or enhances the historic environment and heritage assets;
- comprises details and materials that are of high quality and complement the local character;
- integrates well with the surrounding streets and open spaces;
- is secure and designed to minimise crime and antisocial behaviour;
- incorporates high quality landscape design.

The points raised above are those most relevant to this application. In terms of the general design of the proposal, it is very simple. The fence is 45cm tall, wooden, made up of 6 horizontal panels and it sits atop the existing brick wall at 5 St Mark's Square. The image below shows the design and appearance of the fence that has been added to the property.



(Image 1: Fence, 2018)



One of the reasons for erecting this fence was for security reasons. The existing brick wall stands at approximately 1.55m, along Princess Road there is a lot of street furniture that sits against the boundary. The image below shows the extent of the street furniture along the boundary. The extra 45cm that the fence adds gives more privacy to the occupiers of 4 St Mark's Square in the garden and also improves security.



(Image 2: View of property from Princess Road, 2018)

As already set out, the property is a Listed Building and also falls within the Primrose Hill Conservation Area. Policy D2 identifies that the Council will preserve and, where appropriate, enhance Camden's rich and diverse heritage assets and their settings. In accordance with the statutory requirements the policy requires that development within conservation areas preserves or, where possible, enhances the character or appearance of the area. It also is clear that the Council will not permit the loss of, or substantial harm to, a designated heritage asset.

Along similar lines the London Plan in Policy 7.8 sets out that 'development affecting heritage assets and their setting should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail'.

The development does not result in the loss or substantial harm to a designated heritage asset in this case. The development is small scale and is in keeping with the character and appearance of the Conservation Area.

An assessment of the surrounding area reveals a varied mixture of boundary treatments including walls, fences and railings. There are some examples, within a close radius of the site, which are very similar to the fence which is the subject of this application, as shown in the images below.





(Image 3: Regents Park Road, 2018)



(Image 4: 6 Albert Terrace, 2018)



(Image 5: 6 Albert Terrace, 2018)



(Image 6: Prince Albert Road, 2018)

## NPPF

Paragraph 127 of the NPPF sets out that planning decisions should ensure that developments:

- *will function well and add to the overall quality of the area;*
- *are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; and*
- *are sympathetic to local character and history;*

Similar to the Local Plan policies, the NPPF places a lot of emphasis on delivering good design.

Paragraph 192 of the NPPF sets out 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.*



In considering the potential impacts, paragraph 193 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 (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance’.

The NPPF then goes on to set out the tests for substantial harm and less than substantial harm (paragraph 194, 195, and 196). The nature and limited scale of this development means it is unlikely to result in any harm.

## HERITAGE STATEMENT

The site is located within the Primrose Hill Conservation Area. The property is also Grade II Listed (list entry: 1245875), having first been listed in May 1974.

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 sets out that ‘in considering when to grant planning permission which affects a listed building or its setting, the local planning authority ... shall have special regard to the **desirability of preserving the building or its setting...**’. Section 69 of the Act also explains that the Council should ‘determine which parts of their area are areas of special architectural or historic interest the character of appearance of which it is desired to preserve or enhance’. Section 72(1) of the same Act the goes on to state that, ‘in the exercise, with respect to any buildings or other land in a conservation area ... special attention shall be paid to the **desirability of preserving or enhancing** the character or appearance of that area’. The statutory tests from the Act have highlighted in the text above.

The description for the Listed property from Historic England is as follows:

*‘Includes: No.36 Regent’s Part Road. 2 semi-detached villas. No.4 formed by the return and rear of No.36 Regent’s Park Road. Mid C19. Stucco with rusticated ground floor and quoins. Slated hipped roof with dormers and projecting bracketed eaves. 3 storeys, attic and basements. Double fronted with 3 windows. No.36 Regent’s Park Road with side portico having arched entrance, fanlight and half glazed door. No.4 with central portico having arched entrance flanked by Ionic three quarter columns and brackets carrying dentil cornice which continues around the house at 1<sup>st</sup> floor level; doorway with fanlight, sidelight and half glazed door. No.36 with ground floor bay window; No.4 with canted bay window having cast-iron balcony. Round-arched, recessed 1<sup>st</sup> floor casements with patterned heads; central window with stucco balustraded balcony and flanked by pilasters carrying entablature. Right hand window with cast-iron balcony. 2<sup>nd</sup> floor with architraved segmental headed sashes with cast-iron balconies on large console bracket support, the central console forming a keystone to the window below on the outer bays. Tall slab chimney-stacks. Interiors: not inspected.’*

In terms of the listing description, this does not refer to the boundary treatment at 4 St Mark’s Square. The focus of the description is on the features of the building internally and externally, which does not focus on the boundary treatment of the property. Whilst we acknowledge that the boundary treatment is part of the setting of the listed property, it is not integral to its significance.





The Council have produced a Conservation Area Statement for Primrose Hill, which provides an indication of the Council's approach to the preservation and enhancement of the Primrose Hill Conservation Area. The statement describes the character of the area and provides an outline of the key issues and development pressures.

Within the document the Conservation Area is divided into four sub-areas, the application site falls within Area 1 which relates to 'Regent's Park Road South'. This sub area is characterised by a low density of development and abundant vegetation with a large numbers of mature street trees and private trees to garden areas creating green corridors to the principle roads.

The document does make specific reference to No.1-10 St Mark's Square, it states they are '*grand terraces of listed houses with limited stucco detailing. These terraces are of four storeys, with basements, and are narrow in width, with two windows to each floor. They are discretely designed to form symmetrical composition. This symmetry is achieved through variations in form and decoration at the centre and/or end of the terrace, including projecting sections and arrangements of porches. The properties at Gloucester Avenue have front garden areas with low brick walls, whilst the properties at St. Mark's Square have large front areas with railings and plinths*'.

The Conservation Area Statement provides guidance on certain aspects, one of which is 'front gardens and boundary structures'. PH36 states that boundaries in the Conservation Area are predominantly formed by brick walls or railings set into plinth and that proposals to erect new boundary structures or replace or alter existing boundary structures should respect the original boundary style.

In response to this, the fence that has been erected on top of the existing wall respects the original boundary style. The existing boundary style is a brick wall, with the vegetation from the garden of 4 St Mark's Square projecting above the wall, which helps contribute to the green corridors mentioned in the description of the area. This situation has remained the same, with it simply the case that the boundary is 45cm higher. The fence is natural in appearance and blends into the vegetation within the garden of 4 St Mark's Square. The images below show the fence in situ. The character of the area is not affected by the fence and given the retrospective nature of this application can be fully assessed as part of this application.



(Image 7: 4 St Mark's Square, 2018)



(Image 8: 4 St Mark's Square, 2018)



## CONCLUSION

This retrospective planning and listed building consent is seeking approval for the erection of a panelled wooden fence which sits atop the existing boundary brick wall at 4 St Mark's Square. The application is retrospective, which means the impact of the development can be fully assessed as part of this application.

The fence does not harm the Conservation Area or the Listed Building, it blends into the boundary treatment. We have identified that the surrounding area has a variety of boundary treatments, some of which are very similar to that proposed in this application. The Conservation Area contains a mix of boundary treatments, which the proposed fence is in keeping with.

The existing wall remains the main feature and the fence is a small addition. 4 St Mark's Square has a substantial level of vegetation in the garden which contributes to the green low-density character of area. The level of vegetation has remained unchanged and the overall appearance of the property on the street scene is also largely unchanged.

Local planning policies and national guidance requires that development is delivered to a good design standard. The development is of a simple design to respect the setting of the listed building and wider Conservation Area. The 45cm fence does not detract from the character or appearance of the Conservation Area.

In line with paragraph 11 of the NPPF the Council should approve this development proposal without delay. If you require any further information please do not hesitate to contact the writer.

Yours faithfully  
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