

MRPP

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**PLANNING, DESIGN AND ACCESS
STATEMENT**

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

JANUARY 2019

1. INTRODUCTION

1.1 This Planning Statement supports an application for full planning permission submitted on behalf of Robert Klimt and Alexander Klimt in relation to 106-108 Regent's Park Road.

1.2 Specifically, this application proposes the:

- Lowering of lower ground floor across the site by 500mm only.
- Partial infill of lower ground floor front area at 108/108a Regent's Park Road.

1.3 This application also seeks to consolidate the proposed works in 1.2 with the two previously approved planning applications that were granted planning permission in April 2018 and November 2018. These are:

- The reconfiguration of the three units that currently exist at the sites¹
- Restorations to the façade on the front elevations²
- Lower ground and ground floor rear extensions and associated details³
- Re-instatement of rear garden wall to delineate sites⁴
- Restoration of front façade⁵
- Creation of two additional rear conservatory window extensions at first floor roof level with a total combined volume of c.2.4m³.⁶

¹ Planning Reference: 2018/0478/P

² Planning Reference: 2018/0478/P

³ Planning Reference: 2018/0478/P

⁴ Planning Reference: 2018/0478/P

⁵ Planning Reference: 2018/0478/P

⁶ Planning Reference: 2018/4760/P

- Upgrading of existing and approved single glazed windows with double glazed Slimlite windows.⁷

1.4 These approved works have not yet been implemented.

1.5 Section 2 of this planning statement identifies the Decision Making Framework, Section 3 provides context to the existing site and describes the proposals; Section 4 provides an assessment of the proposals in relation to that Decision Making Framework. The statement is concluded at Section 5.

⁷ Planning Reference: 2018/4760/P

2. DECISION MAKING FRAMEWORK

2.1 Planning applications are to be determined in accordance with the development plan unless material considerations indicate otherwise⁸.

Development Plan

2.2 The Development Plan is comprised of:

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

Material Considerations

Policy and Guidance

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, the updated Draft New London Plan showing Minor Suggested Changes, taking into account the responses from this consultation was published on 13th August 2018. 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)

⁸ S38 (6) Planning and Compulsory Purchase Act 2004.

- Camden Planning Guidance, Basements, (March 2018)
- Primrose Hill Conservation Area Statement (CAS) (December 2000)

2018 Planning Permissions

2.6 Planning permission was granted on 30th April 2018 for development 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)”⁹

2.7 At the same site planning permission was also granted on 23rd November 2018 for development comprised of:

“Enlargement of rear conservatory at first floor level and alterations to front and rear fenestration including replacement of single glazed windows with double glazed fittings.”¹⁰

2.8 The works proposed in this application would be undertaken in conjunction with the recently approved development as part of the restoration and sympathetic modernisation of the properties. This application seeks to consolidate these approved works under one planning permission. These extant planning permissions are therefore important material considerations in the determination of this planning application.

Heritage Framework

2.9 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*

⁹ Planning Reference: 2018/0478/P

¹⁰ Planning Reference: 2018/4760/P

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),7 special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.”

3. EXISTING CONTEXT AND PROPOSALS

- 3.1 106 and 108 Regent’s Park Road are comprised of three dwellings located in the Primrose Hill area of north London. From the street their appearance is that of two terrace houses.
- 3.2 At the main access to the properties on Regent’s Park Road there exists a ground floor access and porch below which an area is located, accessible by stairs, to what would have historically been a second means of access to the properties and now currently exists two autonomous lower ground floor apartments. The lower ground floor then remains level through the buildings’ depth to the rear gardens where after continuing for between 2.5 and 3 metres (at 106 and 108 respectively) it steps up to ground level in an “*ad hoc*” manner.
- 3.3 This application proposes to slightly increase the head height of the lower ground floor within the dwellings’ footprint to improve the quality and standard of living space at lower ground floor level to equal that of the levels above. This would create a lighter and more open space for the future occupier of the lower ground floor apartment at 108a Regent’s Park Road, in addition to improving the lower ground floor living space for the future occupier of 106 Regent’s Park Road¹¹. This lowered ground floor would extend into the front area and the rear gardens to ensure that a good level of light is received and both the rear and front access at this level is unimpeded by a level change beyond the properties’ footprint.
- 3.4 It in order to achieve this improvement lower ground floor level would only be lowered by 500mm across the site.
- 3.5 In the lower ground floor area at 106 Regent’s Park Road, there exists enclosed storage (see Figure 1). At 108 Regents Park Road limited storage exists in the

¹¹Planning Permission 2018/0478/P approved the reorganisation of the residential units 106-108 to allow 106 Regent’s Park Road to be reinstated as single dwelling.

same location, and there is a larger paved void area (see Figure 2). This application proposes to provide storage at 108 Regents Park Road to match 106 Regents Park Road.

- 3.6 The principle of the proposed works is identical to that of the previously approved extant permissions that this application is seeking to consolidate i.e. to sympathetically modernise the properties so that they are up to current living standards, while enhancing their historical character.



Figure 1: Lower Ground Floor Level of 106 Regent's Park Road



Figure 2: Lower Ground Floor Area at 108 Regents Park Road

4. ASSESSMENT

- 4.1 As previously set out, the minor works 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 standards of modern living and further enhancing their collective appearance.

Lowering of the floor of the lower ground by 500mm

- 4.2 There is no set definition as to what constitutes a basement in the Camden Local Plan (2017) or Camden's Planning Guidance. Instead, there are general recommendations in the supporting text to LB Camden's Local Plan Policy A5 on basement development it states that when assessing whether the proposed development could be considered basement development "*A basement is a floor of a building which is partly or entirely below ground level. A ground or lower ground floor with a floor level partly below the ground level (for example on a steeply sloping site) will therefore generally be considered basement development.*" Paragraph 1.6 of Camden's Planning Guidance (March 2018) on Basements requires the assessment of whether a floor can be considered a 'Basement' in policy terms to be made case by case basis as a matter of "*fact and degree*".
- 4.3 The lower ground floor at the properties is technically below ground level, however there is a large area at both the back and front of the properties at this level which gives a feeling of openness. It is not a basement in the traditional sense.
- 4.4 Policy A5 sets out in the policy text itself that should a development be considered 'basement development' LB Camden may require a Basement Impact Assessment to be submitted in support of an application for that

development. The Inspector's report on the Examination of Camden's Local Plan (May 2017) helpfully clarifies this policy at paragraph 111 that "*This approach is pragmatic and recognises that a full assessment may not be necessary in every case; for example in less complex schemes.*"

- 4.5 The proposed 500mm excavation could not be considered complex, and therefore a BIA is not necessary as it would be wholly disproportionate to the scale of development proposed as part of this application.
- 4.6 Additionally, a pre-application discussion regarding the requirement for Basement Impact Assessments on minor excavations took place with a Planning Officer at LB Camden, Kristina Smith, in the preparation of this application. In that conversation, it was stated that the threshold for the requirement of BIA is an excavation of greater than 500mm from floor level. This is understood to be a procedural 'rule of thumb' exercised by the Council as it is not present within the Camden's Supplementary Planning Guidance or Local Plan Policy.
- 4.7 The proposed basement excavation of only 500mm would increase the amenity of two dwellings and significantly improve the quality of residential accommodation through exceedingly minor works. Therefore, the proposed development is in accordance with Policy A5 of Camden Local Plan and Camden Planning Guidance on Basements (March 2018).

Partial infill of lower ground floor area at 108/108a Regent's Park Road

- 4.8 These proposed works will increase the quality of the residential accommodation through the provision of a greater level of shared storage. These works will also enhance the properties symmetry and collective appearance and contribute positively to the character of the conservation area.

By undertaking these works not only will more storage space be provided, the symmetry of the dwellings will also be enhanced.

2018 Planning Permissions

- 4.9 As previously set out, the purpose of this planning application is to apply for the works proposed above, in addition to consolidating the previous approved permissions granted in 2018 that remain unimplemented. Upon approval of this application the works would then be implemented in conjunction with one another. These works are set out in Appendix 1.
- 4.10 These works have already been granted permission and are included in this application for clarity to bring all the approved and unimplemented development within the application boundary under one planning permission. Therefore, no assessment is required as to their acceptability in planning terms.

5. CONCLUSION

- 5.11 This planning application proposes to further improve the development relating to the refurbishment and restoration of the three properties at 106-108 Regents Park Road. It seeks to do this through lowering the floor of the lower ground floor by 500mm only and partially infilling the lower ground floor area in front of the property at 108 Regents Park Road.
- 5.12 The proposed works 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 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.
- 5.13 Furthermore these alterations have been tested against and found to be in accordance with the relevant policies in the Camden Local Plan (2017), (A5 (Basements) D1 (Design) and D2 (Heritage)) and the relevant material considerations i.e the Primrose Hill Conservation Area Statement, Camden Planning Guidance: Design CPG 1: Update March 2018 and Camden Planning Guidance: Basements: March 2018.
- 5.14 The proposals are in accordance with the Development Plan and should be approved without delay.

APPENDIX 1

Works	Planning Ref	Date approved
The reconfiguration of the three units that that currently exist at the site to reinstate 106 Regents Park Road as a single property and create a maisonette above a lower ground floor flat at 108 Regents Park Road.	2018/0478/P	30 th April 2018
Restorations to the façade on the front elevations	2018/0478/P	30 th April 2018
Lower ground and ground floor rear extensions and associated details	2018/0478/P	30 th April 2018
Re-instatement of rear garden wall to delineate sites	2018/0478/P	30 th April 2018
Upgrading of existing and approved single glazed windows with double glazed Slimlite windows.	2018/4760/P	23 rd November 2018
Creation of two additional rear conservatory window extensions at first floor roof level with a total combined volume of c.2.4m ³ .	2018/4760/P	23 rd November 2018