

LDC Report	19/01/2022	
Officer		Application Number
Nora-Andreea Constantinescu		2021/5594/P
Application Address		Recommendation
Regent's Park, Outer Circle, NW1 4NR		Grant approval
1st Signature		2nd Signature (if refusal)
Proposal		
Construction of a swale and attenuation pond in the Regent's Park.		
Assessment		
<p>1. Application site</p> <p>1.1 The application site is located within Regent's Park, Gloucester Gate playground, near the north eastern corner of the Park, which falls within London Borough of Camden boundary.</p> <p>1.2 The site lies within Regents Park Conservation area, and is Grade I listed on the Historic England Register of Parks and Gardens of Historic Interest. The park is designated as Metropolitan Open Land (MOL) and Site of Importance for Nature Conservation (SINC).</p> <p>1.3 The site is owned by Her Majesty the Queen in right of the Crown and statutory responsibility for their management rests with the Government. The Royal Parks (TRP) is a charity that has been contracted to manage and care for the parks on behalf of the Government.</p> <p>2. Proposal</p> <p>2.1 The application seeks to confirm that the proposed works for drainage attenuation by creating a new swale with a small attenuation pond, adjacent to the eastern and southern boundaries of the new Gloucester Gate Playground, are permitted development under Town and Country Planning (General Permitted Development) (England) Order 2015, Schedule 2, Part 13, Class C – development by drainage</p>		

bodies.

2.2 To satisfy the above, the applicant is required to demonstrate, that the proposed works fall within relevant Class of GPDO and that The Royal Parks (TRP) are a drainage body.

3. Applicant's Evidence

3.1 The applicant has submitted the following information in support of the applications:

- Application form;
- Site Location Plan (RGT08.001 Rev A)
- Sections from alignments – swale drainage and attenuation ponds (716.3.SP.2.3)
- Long section of swale drainage and attenuation pond (716.3.SP.2.2)
- Proposed swale drainage and attenuation pond (716.3.SP.2.1)
- Planning Report prepared by LUC dated November 2021

4. Council's Evidence

4.1 A summary of the relevant planning history for the property is given below:

Planning History:

2018/3336/P - Redevelopment and extension of the existing Gloucester Gate Playground (Sui Generis) within Regent's Park including demolition of all existing surfaces, fencing and play equipment; regrading of land to create undulating mounds; installation of new play equipment; and full scheme of hard and soft landscaping with ecological enhancements. - **Granted 13/12/2018**

2019/1506/P - Details of construction strategy, tree protection and hard and soft landscaping, as required by conditions 3, 4 and 5 respectively of planning permission 2018/3336/P (dated 13 December 2019) for the 'Redevelopment and extension of the existing Gloucester Gate Playground'. – **Granted 23/07/2019**

5. Assessment

5.1 A drainage body is defined in the Land Drainage Act (1991) and GPDO (2015 as amended) as an internal drainage board or any other body that has power (i.e. landowner, district and borough councils, environmental agency) to make or maintain works for the drainage of the land.

5.2 The information provided by the applicant indicates that The Royal Parks Charity (TRP) is the organisation designated by the Government Department of Culture, Media and Sport in 2017, to be responsible for managing the parks. As such, in this instance, as TRP have the responsibility for the long-term management of the Parks, they can be considered to be a drainage body for Regent's Park.

5.3 The topography of the site currently allows for surface water run-off to collect from Gloucester Green and channels it towards the Outer Circle. When high rainfall events flooding can occur. The proposal includes the construction of a swale and small attenuation pond, with the purpose of reducing and slowing down the discharge of

water from the site, improve attenuation, improve drainage of the surrounding parkland and control the flooding that occurs in the area. Drainage works as part of the playground works as granted consent under application 2018/3336/P and subsequent discharge of conditions application 2019/1506/P have helped to alleviate the problem, and the swale and the presence of water will create further opportunities to increase biodiversity, diversify habitat and provide informal play opportunities in this area.

5.4 It is estimated that 400m³ will be excavated as part of the construction and will be redistributed on site to eliminate any removal off site. The swale is expected to hold water up to 300mm deep for short periods of time following a storm event. The attenuation pond will have a maximum water depth of 400mm before it discharges to the drainage network. In winter the pond may hold water for longer periods but unlikely to the extent that it overflows into the drainage system – likely to happen approximately 10-15 times per year.

5.5 Relevant Class C of GPDO (2015 as amended) states that a *development by a drainage body is permitted in, on or under any watercourse or land drainage works required in connection with the improvement, maintenance or repair of that watercourse or those works*. The information presented by the applicant demonstrates that the proposed works are in relation to the improvement and maintenance works for the parks, and therefore in line with the conditions and limitations of permitted development.

6. Conclusion

6.1 It is considered that the evidence submitted along with the Council's records are adequate to demonstrate that on balance of probability, the proposed works would represent improvement and maintenance of the drainage the surface water run-off in the north east side of the park, and they would be undertaken by a drainage body, The Royal Parks charity – TRP. It is therefore confirmed that this development proposed would comply with Town and Country Planning (General Permitted Development) (England) Order 2015, Schedule 2, Part 13, Class C – development by drainage bodies.

7. Recommendations:

7.1 Approve certificate of lawfulness