

Application ref: 2022/1416/P
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Date: 17 August 2022

Development Management
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London
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Ms Niki Duignan
Regent's Park Office
Inner Circle
London
NW1 4NR

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

The English Gardens
Street Record
Broad Walk
London
NW1 4LL

Proposal:

Annual installation of a public display of outdoor sculpture as part of Frieze Sculpture within The English Gardens in Regent's Park. Seasonal display taking place between September and November each year not exceeding 90 days.

Drawing Nos: Site Location Plan, English Gardens The Regents Park Site Map, Tree Protection Plan 19-812 TPP C, Tree Survey Report Rev C 19-812 C (prepared by Canopy Consultancy), photographs of sample sculptures,

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans

Site Location Plan, English Gardens The Regents Park Site Map, Tree Protection Plan 19-812 TPP C, Tree Survey Report 19-812 Rev C (prepared by Canopy Consultancy), photographs of sample sculptures,

Reason:

For the avoidance of doubt and in the interest of proper planning.

- 2 The structures hereby permitted are for a temporary period only and must not exceed 90 days between the period of 1 September and 30 November each year.

Reason: The type of structures are not such as the Council is prepared to approve, other than for a limited period, in view of their appearance. The permanent retention of the structures would be contrary to the requirements of policies D1 and D2 of the Camden Local Plan 2017.

- 3 Details of the existing gardens and park where the temporary structures will be displayed must be recorded prior to the erection of the structure. Once the structures have been dismantled, the park and gardens shall be returned to their original condition.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policies D1 and D2 of the Camden Local Plan 2017.

- 4 Prior to the commencement of works on site, tree protection measures shall be installed and working practices adopted in accordance with the arboricultural report ref. 19-812 C and tree protection plan ref. 19-812-TPP-C by Canopy Consultants. All trees on the site, or parts of trees growing from adjoining sites, unless shown on the permitted drawings as being removed, shall be retained and protected from damage in accordance with BS5837:2012 and with the approved protection details. The works shall be undertaken under the supervision of the project arboriculturalist.

Reason: To ensure that the development will not have an adverse effect on existing trees and in order to maintain the character and amenity of the area in accordance with the requirements of policies A2 and A3 of the Camden Local Plan 2017

Informative(s):

- 1 Reasons for granting permission.

The proposals are for the annual seasonal installation of the Frieze Sculpture. The exhibitions would consist of up to twenty-four pieces with a maximum height of 12m and a maximum footprint of 15m by 15m. The sculptures would only be temporary and are not considered to harm the character and appearance of the open space and conservation area provided they are not permanent and are thus considered acceptable. A condition is attached limiting the exhibition to 90 days every year. A further condition is attached to ensure that the grass is made good following any damage as a result of the exhibition. The proposals have been reviewed by a member of the Council's Conservation Team who deem them to be acceptable.

Due to the requirement to dig shallow foundations for the sculptures, and their locations close to existing trees, details of tree protection measures have been submitted which the Council's Trees & Landscaping Officer has reviewed and confirmed is sufficient to demonstrate that the trees to be retained will be adequately protected in line with BS5837:2012.

Due to the temporary nature and location of the sculptures, they are not considered to cause harm to neighbouring occupier amenity in terms of loss of daylight, outlook or privacy.

The proposal is considered to preserve the character and appearance of the conservation area. Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area, under s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

No objections have been received prior to making this decision. The planning history of the site has been taken into account when coming to this decision.

As such, the proposed development is in general accordance with policies A1, A2, A3, D1 and D2 of the Camden Local Plan 2017. The proposed development also accords with the London Plan 2021 and the National Planning Policy Framework 2021.

- 2 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).
- 3 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444). Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.
- 4 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website (search for 'Camden Minimum Requirements' at www.camden.gov.uk) or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays

and Public Holidays. You must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2021.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

A handwritten signature in black ink, appearing to read 'DP', is positioned above the typed name and title.

Daniel Pope
Chief Planning Officer