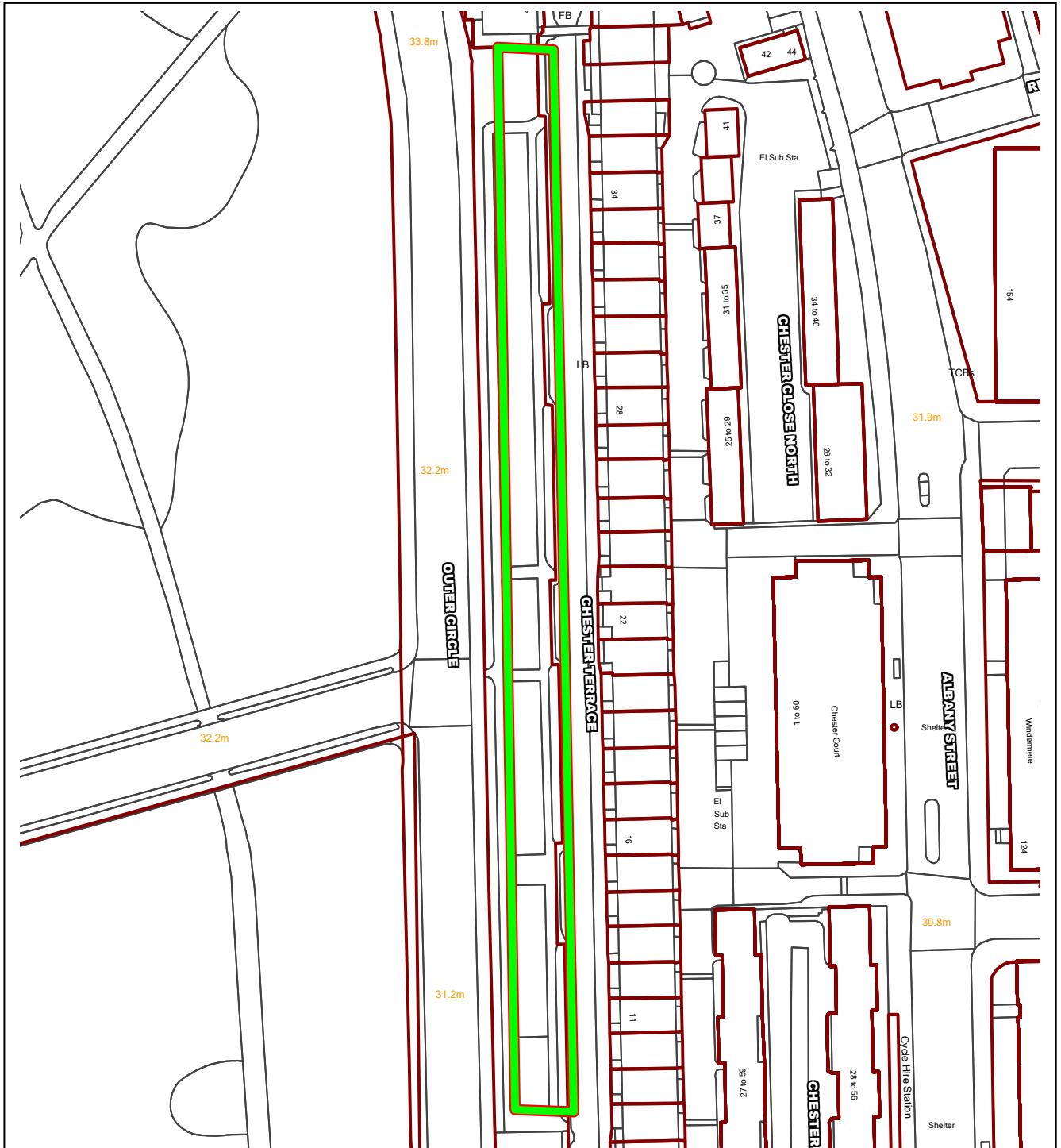


2023/0282/P & 2023/0650/L
Chester Terrace Gardens



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Site Photos



1. Chester Terrace Gardens aerial view



2. Chester Terrace as viewed from Regent's Park



3. Chester Terrace as viewed from Outer Circle



4. Existing balustrade cordoned off by temporary gates



5. Existing wall with cracks being propped up by scaffolding and cordoned off by temporary gates



6. Existing wall cordoned off



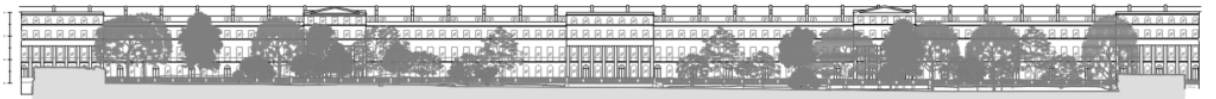
Existing West Elevation



Proposed West Elevation - Y1

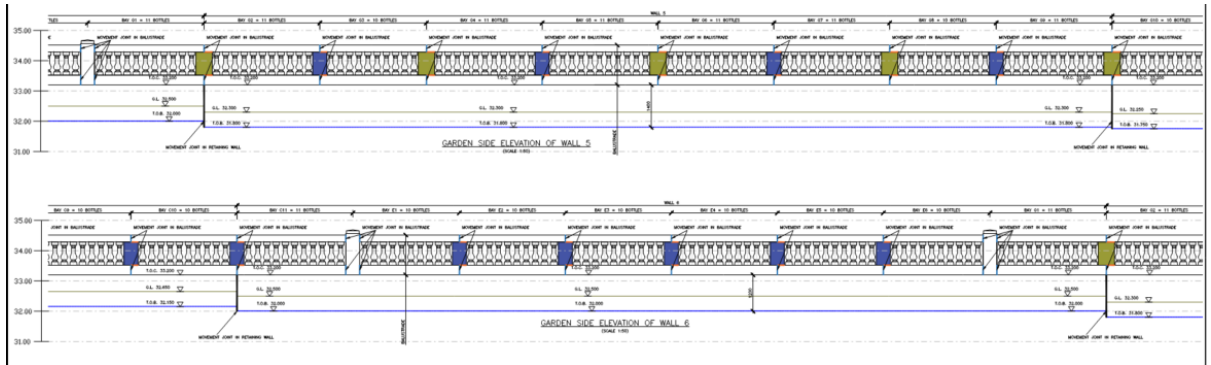


Proposed West Elevation - Y10



Proposed West Elevation - Y40

7. Existing and proposed tree planting after 1, 10 and 40 years



8. Proposed wall and balustrade

Delegated Report (Members Briefing)		Analysis sheet	Expiry Date:	i) 26/01/2023 ii) 26/01/2023
		N/A / attached	Consultation Expiry Date:	i) 27/08/2023 ii) 10/09/2023
Officer			Application Number(s)	
Edward Hodgson			i) 2023/0282/P ii) 2023/0650/P	
Application Address			Drawing Numbers	
Chester Terrace Gardens Chester Terrace London NW1 4ND			See draft decision notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
i) Demolition and rebuilding of listed garden retaining wall and balustrade ii) Demolition and rebuilding of listed garden retaining wall and balustrade				
Recommendation(s):		i) Grant Conditional Planning Permission ii) Grant Listed Building Consent		
Application Types:		i) Full Planning Permission ii) Listed Building Consent		

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice			
Informatives:				
Consultations				
Adjoining Occupiers:	No. of responses	25	No. of objections	24
Summary of consultation responses:	<p>Press Notice: published 23/02/2023, expired 19/03/2023 Site Notice: displayed 22/02/2023, expired 18/02/2023</p> <p>The application was readvertised following amendments to the site location plan:</p> <p>Press Notice: published 03/08/2023, expired 27/08/2023 Site Notice: displayed 02/08/2023, expired 26/08/2023</p> <p>24 Letters of objection were received from residents along Chester Terrace and the surrounding area. Their letters of objection can be summarised as below:</p> <ul style="list-style-type: none"> • Loss of 20 mature trees, which add character the appearance of the listed terrace, the conservation area, and an important for noise mitigation, privacy screening, air pollution and biodiversity • Insufficient replacement planting to mitigate the loss of the trees • The wall and balustrades have historic cracks and there has been no recent deterioration • Reinstatement of the 1800s Nash vision for Chester Terrace is not a valid reason for the loss of the trees • The plan to remove trees is expensive <p><u>Officer's Response:</u></p> <ul style="list-style-type: none"> • <i>Tree and landscaping are discussed in section 5 of the report below</i> • <i>Design and heritage are discussed in section 3 of the report below</i> • <i>The cost of a proposal is not considered to be a material planning consideration</i> <p>1 letter of support was received from a nearby resident along Chester Terrace, stating that the rebuilding of the balustrade will be safer and the removal of trees will improve the aesthetics of the gardens.</p>			
Regent's Park CAAC	<p>A number of letters of objection were received by the Regent's Park CAAC in August 2023, November 2023, and May 2024. Concerns arising from the objection are summarised below:</p> <ul style="list-style-type: none"> • Further details are needed for the forms of the replacement balustrade, noting the high standard of restoration of historic fabric • Loss of historic trees, the impact on biodiversity and ecology <p><u>Officer's Response:</u></p> <ul style="list-style-type: none"> • <i>Design and heritage impacts of the proposed development are assessed in Section 3 below.</i> 			

	<ul style="list-style-type: none"> • <i>Tree and landscaping are assessed in Section 5 below.</i>
Chester Terrace Residents Association	<p>A number of letters of objection were received by the CTRA in April 2023, November 2023, and April and May 2024. Concerns arising from the objection are summarised below:</p> <ul style="list-style-type: none"> • Loss of existing mature trees and insufficient replacement trees which impacts on biodiversity and ecology. • A more sensitive approach to repairing the wall should be explored, rather than using a 21 tonne excavator • Restoring the original Nash vision for the terrace from the 1800s is flawed and outdated. <p><u>Officer's Response:</u></p> <ul style="list-style-type: none"> • <i>Design and heritage impacts of the proposed development are assessed in Section 3 below.</i> • <i>Tree and landscaping are assessed in Section 5 below.</i>
London Parks and Gardens	<p>A letter of support was received from the London Parks and Gardens (affiliated to The Gardens Trust), on the grounds that the existing balustrade is in poor condition and accepts that existing trees need to be removed. The proposals are acceptable if sufficient tree root protection is provided. The tree planting will be in stricter accordance with the original design and with the Crown Estate Paving Commission Tree Management Strategy</p>
Historic England	<p>Historic England were consulted on the application and responded with no advice on the application and the Council should seek the views of their own specialist conservation advisers.</p>

Site Description

The application site relates to Chester Terrace Gardens, a private garden space located to the front of Chester Terrace and an existing balustrade separates the road from the gardens which adjoin Outer Circle.

Nos. 1-42 Chester Terrace are Grade I listed, and the forecourt and garden is Grade II listed along with the 14 lamp posts and railings and parapets. The site is also within the Regent's Park Conservation Area.

The listed wall is approx. 230m long comprises a balustrade wall constructed from cast stone, formed of copings, bottles and plinths between die blocks. The eastern length of wall is broken by three sets leading into the gardens and a central recessed bay with three associated original metal access gates. The wall sits on top of a mass concrete and brick retaining wall which separates the roadway from the private garden below. This specific length of balustrade and parapet retaining wall is of post-war 1950s reconstruction in cast concrete to the original Nash design following WWII bomb damage.

Relevant History

No relevant planning history at the application site

Cumberland Terrace Gardens

2011/2631/L - Partial rebuilding and repair of forecourt wall in front of Cumberland Terrace. **Granted - 11/08/2011**

Relevant policies

The National Planning Policy Framework 2023

The London Plan 2021

Camden Local Plan 2017

A1 Managing the impact of development

D1 Design

D2 Heritage

A2 Open Spaces

A3 Biodiversity

Camden Planning Guidance

Amenity CPG (2021)

Design CPG (2021)

Trees CPG (2021)

Regent's Park Conservation Area Statement (2011)

Draft Camden Local Plan

The Council has published a new [Draft Camden Local Plan](#) (incorporating Site Allocations) for consultation (DCLP). The DCLP is a material consideration and can be taken into account in the determination of planning applications, but has limited weight at this stage. The weight that can be given to it will increase as it progresses towards adoption (anticipated 2026).

Assessment

1. Proposal

1.1. The applications propose the replacement of the existing balustrade, with a new retaining wall and balustrade. It would be constructed with reinforced concrete retaining wall on piles, which would be steel screw piles. The bottles, di blocks, piers and coping stones would match the existing profiles and the wall would have a painted finish. To facilitate the works, 14 lamp posts, 3 gates, York stone paving, and granite kerbs will be removed – repaired as required and reinstated at the completion of works.

1.2. In addition, 20 existing trees would be removed to allow the wall and balustrade to be replaced.

Revisions:

1.3. Originally, it was proposed to plant 11 new trees following the removal of the existing 20, however, following discussions with the Council's Tree Team, 22 replacement trees would now be planted.

2. Assessment

2.1. The principal considerations material to the determination of this application are as follows:

- i) Design and Heritage
- ii) Amenity
- iii) Trees

3. Design and Heritage

- 3.1. Policy D1 states that the Council will seek to secure high quality design in all cases. This policy states that in order to demonstrate high quality, developments should meet several criteria including: respecting local context and character; being sustainable and durable; and comprise details and materials that are of high quality and complement the local character. It continues to state that the Council will resist development of poor design that fails to take the opportunities available for improving the character and quality of an area. Policy D2 states that the Council will preserve and enhance Camden's heritage assets and their settings.
- 3.2. Sections 16, 66, and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 ("the Listed Buildings Act") provide a statutory presumption in favour of the preservation and enhancement of the character and appearance of conservation areas, and the preservation and enhancement of listed buildings and their settings. Considerable importance and weight should be attached to their preservation. A proposal which would cause harm should only be permitted where there are strong countervailing planning considerations which are sufficiently powerful to outweigh the presumption.
- 3.3. The existing wall and balustrade are in a state of disrepair resulting from movement including from trees which has resulted in cracking and the leaning of the wall. It is considered to be unsafe and is currently cordoned off for public safety reasons and propped up with scaffolding. Although not original or historic fabric, the walls and balustrade are Grade II listed. It has been adequately demonstrated that the poor condition of the structure is such that a retention and repair approach is not viable, and that total demolition is necessary to fully address the structural concerns. The proposal would involve screw piles which are design to mitigate against the impact of future movement. The approach demonstrated by the applicant has been reviewed by the Council's Structures Team who deem it to be acceptable. The 21-tonne excavator is required to provide sufficient power to install the piles that are needed. A smaller excavator would not be able to provide enough torque to the piles to reach the design depth.
- 3.4. The proposed demolition of the balustrading would not involve the loss of original historic fabric as these elements are of post WWII construction. The demolition and reconstruction of the garden retaining wall has been specifically designed to avoid harm to the coal vaults of the Grade I Listed Numbers 1-42 Chester Terrace that run under the length of Chester Terrace.
- 3.5. It is proposed that the balustrade be reconstructed in precast concrete with no visible expansion joints, and a smooth painted finish in Regents Park Cream, as per estate guidelines. The design of the new balustrade will match the original Nash design exactly (with bottles, di blocks, piers etc.). The moulded detail would be replicated from a section of original balustrade on Cumberland Place. The quality of the finish of the new balustrade will be of higher quality than the existing and proved and enhancement to the setting, character and appearance of the historic urban landscape of Chester Terrace.
- 3.6. Three existing Grade II listed original metal gates and fourteen lampposts are to be removed, restored and reinstated within 4 weeks of the completion of works as secured by condition. Lamp columns will be repainted in black gloss paint with gilded royal ciphers and reinstated with frogs beneath the lanterns in line with their original form and the recommendations set out in the Regent's Park Streetscape document. The existing non-original "nico" lanterns will be replaced with period appropriate square "Windsor" lanterns. Non-Designated heritage assets that contribute to the Regents Park Conservation Area, including the granite kerbstones and

York stone paving will be retained and re-laid on completion of the works. Where sections of kerbing are broken or have been unsympathetically replaced with post-war granolithic material, authentic traditional granite kerbs to match the original will be re-laid. All surviving sections of York stone paving alongside the balustrade will be set aside, stored and re-laid with matching natural York stone where sections are damaged or missing.

3.7. Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area and listed building, under s.72, s.66 and s16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

3.8. Overall, the proposed works and would not be harmful to the character or appearance of the listed host building, street scene or the Regent's Park Conservation Area, in accordance with the requirements of policies D1 and D2 of the London Borough of Camden Local Plan 2017.

4. Amenity

4.1. Policy A1 of the Local Plan seeks to ensure that development does not cause adverse amenity impacts to neighbours in terms of sunlight, daylight, privacy and overlooking, noise, vibration, and odour.

4.2. The works would replace the existing wall and balustrade, and given the nature of the proposal, it would not impact upon neighbouring occupiers in terms of loss of daylight/sunlight, privacy, overlooking, noise or vibration.

4.3. As such, it is considered there would be no detrimental impact on neighbouring amenity from the proposal and it would be in accordance with Policy A1 of the Camden Local Plan 2017.

5. Trees

5.1. Policy A3 of the Camden Local Plan, in relation to trees states that the Council will resist the loss of trees and vegetation of significant amenity, historic, cultural or ecological value including proposals which may threaten the continued wellbeing of such trees and vegetation; k. require trees and vegetation which are to be retained to be satisfactorily protected during the demolition and construction phase of development in line with BS5837:2012 'Trees in relation to Design, Demolition and Construction' and positively integrated as part of the site layout; l. expect replacement trees or vegetation to be provided where the loss of significant trees or vegetation or harm to the wellbeing of these trees and vegetation has been justified in the context of the proposed development; m. expect developments to incorporate additional trees and vegetation wherever possible.

5.2. In order to facilitate the demolition and rebuild of the wall and balustrade, 20 existing trees would be removed from the gardens. This would consist of 1no. category A, 18no. category B and 1no. category C. Therefore, the majority of trees to be removed are not of the highest quality and are mostly moderate quality. The trees are considered to contribute to the garden in terms of amenity, ecology, biodiversity and air quality mitigation, and contribute to the verdant character of the conservation area. The loss of the trees is therefore regrettable and would result in less than substantial harm to the Conservation Area; however, the Council considers that in this specific instance, the loss of these trees has been justified. The wall and balustrade are in a hazardous condition, and its current situation is not long-term. As outlined in section 3, the replacement of the walls and balustrade would be an improvement to the listed building and wider conservation area when compared to the existing situation. The use of a 21-tonne excavator is also required to provide the power for the piles. Any smaller excavator would not be able to provide sufficient power to reach the desired pile depth. The proposed balustrade and wall would be designed to best avoid any future damage from ongoing movement and the use of deep piles would help ensure this.

5.3. Two alternative options have been explored by the applicant. The first option involved underpinning and using ground anchors; however, this was discounted as it would interfere with the existing listed vaults under the properties and services in the road. The second option included foundations down to the London clay formation, using a concrete mass instead of screw piles. This option was discounted due to the impact on future vegetation growth and the excessive amount of spoil that would need to be removed. It is argued that screw piles would be less disruptive. The screw pile option is therefore accepted as the most feasible option that would provide a long-term solution. The Council's Structures Team have reviewed this option and consider it acceptable. In addition, the existing planting is congested in places, with some trees growing in positions not sustainable for the long term. Therefore, when balancing the justification from the applicant, the long-term public benefits of a more stable and safer structure, and the heritage benefit of reinstating the wall and balustrade, the loss of the trees in this specific instance is on balance acceptable.

5.4. In order to mitigate against the loss of the 20 trees, a replacement planting strategy is proposed which would involve 22 replacement trees, resulting in 2 additional trees. It is accepted that any replacement tree planting is not going to be of the same maturity level as the existing trees. The originally proposed planting scheme was not considered to mitigate against the loss of canopy and amenity provided by the existing trees. However, after discussion including with the Council's Tree Officer, the proposed replacement planting is considered to, over time, mitigate the loss of canopy provided by the trees that would be removed and would be sustainable in terms of space afforded to trees as they mature. The full details of landscaping, including a tree planting maintenance plan is secured via condition. The protection of the other remaining trees is also secured by a compliance condition requiring the works to be carried out in accordance with the submitted tree protection plan.

6. Planning Balance

6.1. Paragraph 208 of the National Planning Policy Framework 2023 states that 'where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use'.

6.2. The loss of 20 trees would result in less-than-substantial harm to the character and appearance of the Regent's Park Conservation Area. However, the repair of the balustrade and terrace would restore and enhance this element of the designated heritage asset. In addition, it would improve the safety of the gardens and road by repairing a hazardous structure which is a public benefit. The revised replanting strategy is now considered to mitigate the loss of the trees as far as reasonably possible. Therefore, in this instance, the harm is considered to outweighed.

7. Recommendation

7.1. i) Grant conditional planning permission

7.2. ii) Grant conditional listed building consent

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 1st July 2024, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to www.camden.gov.uk and search for 'Members Briefing'.

Application ref: 2023/0282/P
Contact: Edward Hodgson
Tel: 020 7974 8186
Email: Edward.Hodgson@camden.gov.uk
Date: 21 June 2024

Development Management
Regeneration and Planning
London Borough of Camden
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Judd Street
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Phone: 020 7974 4444

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Philip Davies Heritage and Planning
51 Clarendon Court
Finchley Road
Hampstead Garden Suburb
London
NW11 6AD

DRAFT

DECISION

Dear Sir/Madam

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:
Chester Terrace Gardens
Chester Terrace
London
NW1 4ND

DECISION

Proposal:
Demolition and rebuilding of listed garden retaining wall and balustrade

Drawing Nos: Site Location Plan Rev 02, 24509-11 P1, 24509-50 P1, 24509-80 P1, 24509-81 P1, 24509-82 P1, 24509-101 P1, 24509-102 P1, 24509-103 P1, 24509-104 P1, 24509-105 P1, 24509-106 P1, 24509-107 P1, 24509-110 P1, 24509-111 P1, 24509-112 P1, 24509-113 P1, 24509-114 P1, 24509-115 P1, 24509-116 P1, 24509-117 P1, 24509-120 P1, 24509-122 P1, 24509-125 P1, 24509-126 P1, 24509-127 P1, 24509-128 P1, 24509-130 P1, 24509-131 P1, 24509-132 P1, 24509-133 P1, 24509-201 P1, TLG.515.SS.400, TLG.515.SS.401, TLG.515.SS.402, TLG.515.SS.403, TLG.515.SS.404 REV A, TLG.515.SS.405 REV A, TLG.515.SS.406 REV A, TLG.515.SS.407 REV A, TLG.515.SS.408 REV A, TLG.515.SS.409 REV A, TLG.515.SS.410 REV A, TLG.515.SS.411 REV A, TLG.515.SS.412 REV A, TLG.515.SS.413 REV A, TLG.515.SS.414 REV A, TLG.515.SS.415 REV A, TLG.515.SS.416 REV A

Documents: Design and Access Statement, Method Statement (Hurst Peirce + Malcom 27/11/2022), Arboricultural Report (Tim Moya Assoc Nov 2022), Chester Terrace Balustrade Summary of ABA Initial Review 1942/200/DB (dated 22/07/21), RETAINING WALL REMEDIATION STRUCTURAL REVIEW (Ramboll August 2021), Scheme Proposals and Pricing Summary Document HPM DOC 24509-211213(REV07) (Hurst Peirce + Malcom 13/12/2021), Balustrade Structural Appraisal Addendum Report (Hurst Peirce + Malcom 28/11/2020)

DRAFT

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 must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

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

Site Location Plan Rev 02, 24509-11 P1, 24509-50 P1, 24509-80 P1, 24509-81 P1, 24509-82 P1, 24509-101 P1, 24509-102 P1, 24509-103 P1, 24509-104 P1, 24509-105 P1, 24509-106 P1, 24509-107 P1, 24509-110 P1, 24509-111 P1, 24509-112 P1, 24509-113 P1, 24509-114 P1, 24509-115 P1, 24509-116 P1, 24509-117 P1, 24509-120 P1, 24509-122 P1, 24509-125 P1, 24509-126 P1, 24509-127 P1, 24509-128 P1, 24509-130 P1, 24509-131 P1, 24509-132 P1, 24509-133 P1, 24509-201 P1, TLG.515.SS.400, TLG.515.SS.401, TLG.515.SS.402, TLG.515.SS.403, TLG.515.SS.404 REV A, TLG.515.SS.405 REV A, TLG.515.SS.406 REV A, TLG.515.SS.407 REV A, TLG.515.SS.408 REV A, TLG.515.SS.409 REV A, TLG.515.SS.410 REV A, TLG.515.SS.411 REV A, TLG.515.SS.412 REV A, TLG.515.SS.413 REV A, TLG.515.SS.414 REV A, TLG.515.SS.415 REV A, TLG.515.SS.416 REV A, TLG.515.SS.416 REV A

Documents: Design and Access Statement, Method Statement (Hurst Peirce + Malcom 27/11/2022), Arboricultural Report (Tim Moya Assoc Nov 2022), Chester Terrace Balustrade Summary of ABA Initial Review 1942/200/DB (dated 22/07/21), RETAINING WALL REMEDIATION STRUCTURAL REVIEW (Ramboll August 2021), Scheme Proposals and Pricing Summary Document HPM DOC 24509-211213(REV07) (Hurst Peirce + Malcom 13/12/2021), Balustrade Structural Appraisal Addendum Report (Hurst Peirce + Malcom 28/11/2020)

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

- 3 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

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 London Borough of 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 Tree Protection Plan by Tim Moya Associates ref. 220928-PD-11b dated November 2022. 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 development shall be monitored by the project arboriculturalist in accordance with the approved report.

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.

- 5 No development shall take place until full details of hard and soft landscaping and means of enclosure of all un-built, open areas have been submitted to and approved by the local planning authority in writing. Such details shall include details of any proposed earthworks including grading, mounding and other changes in ground levels and include a tree planting maintenance plan with irrigation information. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Reason: To ensure that the development achieves a high quality of landscaping which contributes to the visual amenity and character of the area in accordance with the requirements of policies A2, A3, A5, D1 and D2 of the London Borough of Camden Local Plan 2017.

- 6 All hard and soft landscaping works shall be carried out in accordance with the approved landscape details by not later than the end of the planting season following completion of the development or any phase of the development. Any trees or areas of planting (including trees existing at the outset of the development other than those indicated to be removed) which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced as soon as is reasonably possible and, in any case, by not later than the end of the following planting season, with others of similar size and species, unless the local planning authority gives written consent to any variation.

Reason: To ensure that the landscaping is carried out within a reasonable period and to maintain a high quality of visual amenity in the scheme in accordance with the requirements of policies A2, A3, D1 and D2 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 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.
- 2 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.

- 3 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).

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 2023.

You can find advice about your rights of appeal at:

<https://www.gov.uk/appeal-planning-decision>.

Yours faithfully

Chief Planning Officer

Application ref: 2023/0650/L
Contact: Edward Hodgson
Tel: 020 7974 8186
Email: Edward.Hodgson@camden.gov.uk
Date: 21 June 2024

Development Management
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Philip Davies Heritage and Planning
51 Clarendon Court
Finchley Road
Hampstead Garden Suburb
London
NW11 6AD

DRAFT

Dear Sir/Madam

DECISION

Planning (Listed Building and Conservation Areas) Act 1990

Listed Building Consent Granted

Address:
Chester Terrace Gardens
Chester Terrace
London
NW1 4ND

DECISION

Proposal:
Demolition and rebuilding of listed garden retaining wall and balustrade

Drawing Nos: Site Location Plan Rev 02, 24509-11 P1, 24509-50 P1, 24509-80 P1, 24509-81 P1, 24509-82 P1, 24509-101 P1, 24509-102 P1, 24509-103 P1, 24509-104 P1, 24509-105 P1, 24509-106 P1, 24509-107 P1, 24509-110 P1, 24509-111 P1, 24509-112 P1, 24509-113 P1, 24509-114 P1, 24509-115 P1, 24509-116 P1, 24509-117 P1, 24509-120 P1, 24509-122 P1, 24509-125 P1, 24509-126 P1, 24509-127 P1, 24509-128 P1, 24509-130 P1, 24509-131 P1, 24509-132 P1, 24509-133 P1, 24509-201 P1, TLG.515.SS.400, TLG.515.SS.401, TLG.515.SS.402, TLG.515.SS.403, TLG.515.SS.404 REV A, TLG.515.SS.405 REV A, TLG.515.SS.406 REV A, TLG.515.SS.407 REV A, TLG.515.SS.408 REV A, TLG.515.SS.409 REV A, TLG.515.SS.410 REV A, TLG.515.SS.411 REV A, TLG.515.SS.412 REV A, TLG.515.SS.413 REV A, TLG.515.SS.414 REV A, TLG.515.SS.415 REV A, TLG.515.SS.416 REV A

Documents: Design and Access Statement, Method Statement (Hurst Peirce + Malcom 27/11/2022), Arboricultural Report (Tim Moya Assoc Nov 2022), Chester Terrace Balustrade Summary of ABA Initial Review 1942/200/DB (dated 22/07/21), RETAINING WALL REMEDIATION STRUCTURAL REVIEW (Ramboll August 2021), Scheme Proposals and Pricing Summary Document HPM DOC 24509-211213(REV07) (Hurst Peirce + Malcom 13/12/2021), Balustrade Structural Appraisal Addendum Report (Hurst Peirce + Malcom 28/11/2020)

DRAFT

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

Conditions And Reasons:

- 1 The works hereby permitted shall be begun not later than the end of three years from the date of this consent.

Reason: In order to comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

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

Site Location Plan Rev 02, 24509-11 P1, 24509-50 P1, 24509-80 P1, 24509-81 P1, 24509-82 P1, 24509-101 P1, 24509-102 P1, 24509-103 P1, 24509-104 P1, 24509-105 P1, 24509-106 P1, 24509-107 P1, 24509-110 P1, 24509-111 P1, 24509-112 P1, 24509-113 P1, 24509-114 P1, 24509-115 P1, 24509-116 P1, 24509-117 P1, 24509-120 P1, 24509-122 P1, 24509-125 P1, 24509-126 P1, 24509-127 P1, 24509-128 P1, 24509-130 P1, 24509-131 P1, 24509-132 P1, 24509-133 P1, 24509-201 P1, TLG.515.SS.400, TLG.515.SS.401, TLG.515.SS.402, TLG.515.SS.403, TLG.515.SS.404 REV A, TLG.515.SS.405 REV A, TLG.515.SS.406 REV A, TLG.515.SS.407 REV A, TLG.515.SS.408 REV A, TLG.515.SS.409 REV A, TLG.515.SS.410 REV A, TLG.515.SS.411 REV A, TLG.515.SS.412 REV A, TLG.515.SS.413 REV A, TLG.515.SS.414 REV A, TLG.515.SS.415 REV A, TLG.515.SS.416 REV A

Documents: Design and Access Statement, Method Statement (Hurst Peirce + Malcom 27/11/2022), Arboricultural Report (Tim Moya Assoc Nov 2022), Chester Terrace Balustrade Summary of ABA Initial Review 1942/200/DB (dated 22/07/21), RETAINING WALL REMEDIATION STRUCTURAL REVIEW (Ramboll August 2021), Scheme Proposals and Pricing Summary Document HPM DOC 24509-211213(REV07) (Hurst Peirce + Malcom 13/12/2021), Balustrade Structural Appraisal Addendum Report (Hurst Peirce + Malcom 28/11/2020)

Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of policy D2 of the Camden Local Plan 2017.

- 3 All new work and work of making good shall be carried out to match the existing adjacent work as closely as possible in materials and detailed execution.

Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of policy D2 of the Camden Local Plan 2017.

- 4 Within 4 weeks of the completion of works the 14 lamp posts and 3 gates shall be reinstated in their original locations.

Reason: In order to safeguard the special historic interest of the streetscape elements, and maintain the setting of the listed buildings in accordance with the requirements of policy D2 of the Camden Local Plan 2017.

Informative(s):

- 1 You are advised that any works of alterations or upgrading not included on the approved drawings which are required to satisfy Building Regulations or Fire Certification may require a further application for listed building consent.
- 2 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.
- 3 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 2023.

You can find advice about your rights of appeal at:

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

Yours faithfully

Chief Planning Officer

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DECISION