

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

**Date:** 4 April 2023

**Our ref:** 60656/01/NG/26456100v1

Laura Dorbeck

## **Application for a Minor Material Amendment under Section 73 of the Town and Country Planning Act 1990 and Section 19 of the Planning (Listed Buildings and Conservation Areas) Act 1990**

On behalf of Jaga Developments (London) Ltd, please find enclosed an application for a Minor Material Amendment (MMA). This application seeks permission for amendments to the approved scheme design under planning permission Ref:2019/6151/P and listed building consent Ref:2019/6305/L.

We have submitted via the Planning Portal (Ref: PP-12048759 and PP-12071201) an electronic copy of the following information:

- 1 Completed planning application and listed building consent application forms and relevant certificates.
- 2 A completed CIL additional information form.
- 3 Application Drawings prepared by Bowker Sadler. A drawing schedule is attached in Appendix 1.
- 4 Heritage Impact Assessment prepared by Lichfields (forming part of this letter).
- 5 A Noise Impact Assessment prepared by Scotch Partners.

The planning application fee has been paid via the Planning Portal. A corresponding submission has also been made via Section 19 of Listed Buildings and Conservation Areas) Act 1990 to secure the amendments to the Listed Building Consent Ref:2019/6305/L.

### **The Site**

The wider site is known as The Hoo and is located at 17 Lyndhurst Gardens, NW3 5NU in the London Borough of Camden. The Hoo is a grade II listed building and is located within Fitzjohns Netherhall Conservation Area. The building was designed by Horace Field and built in 1889-90 in the Arts and Crafts style, constructed in red brick with a tile hung upper storey.

17 Lyndhurst Gardens is situated on the west side of Lyndhurst Gardens, with its principal 'garden front' facing south and a secondary elevation facing east, set back from the street behind a boundary wall and hedges.

The site is in flood zone 1 (i.e., land least likely to flood) and has a Public Transport Access Level (PTAL) of 3 on a scale of 0-6, with level 6 representing the most accessible sites.

## **Relevant Planning History**

A planning and listed building consent application was submitted to London Borough of Camden in November 2019 for the conversion of the existing building to residential use. Full planning permission (Ref:2019/6151/P) was granted on 29 September 2021 for:

*“Change of use from Class D1 use (non-residential institution) to Class C3 Use (residential) as 1 x 5 bedroom unit, 1 x 5 bedroom unit and 1 x 4 bedroom unit, internal alterations, external alterations including a new glass link element and lowering of basement level, hard and soft landscaping including the removal of 10 trees, a summer house with internal cycling parking, a bin store, a cycle store and other associated works.”*

Listed building consent was also granted on 29 September 2021 (Ref:2019/6305/L) for:

*“Internal alterations associated with the change of use to 3 x residential dwellings, external alterations including a new glass link element and lowering of basement level, hard and soft landscaping including a summer house with internal cycling parking, a bin store, a cycle store and other associated works.”*

Planning permission and Listed Building Consent was granted on 18 January 2023 (Ref: 2022/5064/P and Ref:2022/5448/L) for:

*“Removal of the existing canopy and erection of replacement porch on the eastern elevation.”*

A planning and listed building consent application has also recently been submitted to the Council for the replacement of the southern boundary wall (2023/0033/P and 2023/0084/L) and is awaiting determination. In addition, a Non Material Amendment application has been submitted to secure internal changes and this application is awaiting validation.

## **Proposed Works**

As part of the design revisions to the Hoo, it is now necessary to install two dormers to the northern pitched roof of the redesigned Annexe building. This alteration is required to accommodate new indoor building services plant. Further information on the technical requirements of the building and the necessary new plant mechanisms can be found within the Design and Access Statement produced by Bowker Sadler Architecture and submitted as part of this application.

The approved positioning of the plant for the Annexe building was to situate this within the pitch of the northern section of the building. The amended proposals relate to installation of two contemporary style dormers in the same location as the protruding flues, to accommodate plant.

The two dormers would be located either side of the northern pitch of the annexe building.

## **Planning Policy**

In accordance with paragraph 38 (6) of the Planning and Compulsory Purchase Act 2004, regard should be given to the development plan for the determination of planning applications, unless material considerations indicate otherwise.

The National Planning Policy Framework (NPPF, 2021) sets out the Government's planning policies for England.

The statutory development plan for the application site comprises:

- The London Plan 2021
- Camden Local Plan 2017.

The heritage statutory tests for the proposal are s.16 (2), s.66 (1) and s.72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 ('the Act').

## **Planning and Heritage Assessment**

The Annexe building was constructed in the 1980s and is not of special interest and does not make any contribution to the significance of the Hoo. The approved redesign of the Annexe results in an improvement to the 1980s building. No historic fabric would be disturbed or removed as part of the works.

The proposed dormers, which will accommodate the plant, would be clad in a bronze-coloured aluminium to match the approved materials chosen for the southern section of the Annexe. Adopting this material would ensure, as the southern section is, that the addition is seen as a contemporary, but sympathetic one which sits harmoniously with the host building. Dormer windows are characteristic of the style of the main building and the surrounding Conservation Area, and the proposed dormers are an appropriate interpretation of this.

As the dormer is to be utilised for plant, externally there would be louvres applied to where conventionally windows would be. The louvres would be powder coated, meaning that there would be no reflection. Additionally, the louvres would be recessed into the dormers further reducing visibility.

There are currently no views out of the western elevation of the Hoo towards the western section of the site, meaning that the dormers would not interrupt any important views which contribute to the significance of the building. Additionally, the annexe is situated away from Lyndhurst Gardens, reducing visibility from along this street. Views towards the southern elevation of the Hoo from the Gardens of the house would remain undisturbed as the dormers are located on the northern section of the Annexe - hidden behind the southern section which is clad in a bronze colour and set slightly higher with a large dormer.

The dormers would have no material impact on any view within the Fitzjohn/Netherhall Conservation Area due to the existence of dense vegetation to the north of the Site, meaning they would be largely screened from the surrounding area and seen as part of the contemporary addition. Dormers are characteristic of this Conservation Area and can be seen along Lyndhurst Gardens and the wider area; the conservation statement for the area states 'the most common types of roof are gables (various

designs), pitched with dormers.' Due to the subservient nature of the Annexe to the host building, views of the Annexe are not possible from Lyndhurst Gardens.

The location, design and scale of the dormers are sympathetic and subservient to the host building and area. Overall, there will be no harm to the significance of The Hoo or the Fitzjohn/Netherhall Conservation Area.

The proposed changes would therefore preserve the special interest and significance of The Hoo in accordance with Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the NPPF and the statutory development plan. The minor change to the approved scheme would also preserve the character and appearance of the Fitzjohn/Netherhall Conservation Area, within which the building is located, in line with Section 72(1) of the 1990 Act.

## **Noise Impact**

A Noise Impact Assessment has been undertaken by Scotch Partners and submitted as part of this MMA submission.

This report presents an assessment of the noise emission of new building services equipment, based on the findings of an environmental noise survey that has been undertaken at the site. Guidance from the Local Authority (Camden Council) sets down noise thresholds, and these are used to inform the assessment.

It has been established that the current equipment proposals would generate noise that is within the Green threshold advised by the Local Authority when assessing the noise to windows of neighbouring properties, and within the Amber range at neighbouring gardens and at the Annexe window. In all assessment conditions, the equipment is predicted to have a low impact, in line with guidance given in BS 4142:2014.

It is concluded that noise levels can be controlled in line with the expected requirements of the Council, provided noise control measures achieving or exceeding the given performances are implemented successfully, in accordance with Local Plan Policy A4.

## **Concluding Remarks**

Overall, the proposals comply with the local and regional planning policy requirements.

The Council's design policies are aimed at achieving the highest standard of design in all developments, including where alterations and extensions are proposed. Local Plan Policy D1 (Design) requires development to be of the highest architectural and urban design quality which improves the function, appearance and character of the area.

The proposed scheme design respects the local context and character and preserves and enhances the historic environment and heritage assets in accordance with Policy D2 (Heritage). Therefore, it is considered the scheme complies with Local Plan Policy D1 and London Plan Policy 7.6.

The proposals are minor in nature and will result in minor material changes to the extant planning permission. We therefore request that Condition 2 of planning permission Ref: 2019/6151/P is amended to reflect the updated drawing references listed in Appendix 1 of this letter. In addition,

Condition 2 of 2019/6305/L should also be updated in line with these drawing changes (covered by separate submission).

We trust that you have sufficient information to validate and determine this application within the statutory timescales and will contact you shortly to confirm this. In the meantime, should you require any further information, please do not hesitate to contact me or my colleague Neil Goldsmith.

Yours sincerely

A handwritten signature in blue ink, reading "J Woods", positioned above a thin horizontal line.

**Jennifer Woods**  
Associate Director