

23 June 2023



Development Management
Camden Council
5 Pancras Square
London
N1C 4AG

Henry Bell
E: henry.bell@savills.com

33 Margaret Street W1G 0JD
T: +44 (0) 20 7499 8644
F: +44 (0) 20 7495 3773
savills.com

Dear Sir / Madam

MINOR MATERIAL AMMENDMENT TO APPLICATION REF. 2017/1718/P

46 AVENUE ROAD, LONDON, NW8 6HS

Following on from Pre-Application discussions in early 2022, on behalf of Neha Hiranandani ("The Applicant"), Savills have been instructed to submit a Minor Material Amendment (MMA) Application to vary Full Planning Permission Ref. 2017/1718/P ("the Extant Permission") at 46 Avenue Road, London, NW8 6HS ("the site"). The application is for the consideration of London Borough of Camden (LBC / the Council) for the following proposed description of development:

Minor-Material Amendment to Condition 3 (approved drawings) of Full Planning Permission Ref. 2017/1718/P. Proposed changes include: At lower ground floor; reduced size of front lightwells, new lightwell in north eastern corner, amended pool location, new sky light above the pool and new lift location: At ground floor level; omission of canopy on rear extension to enlarge garden area, rear ground floor walls removed to form covered terrace area, new sliding doors between the new rear building line and the covered terrace area, omission of balustrade in rear garden, new stair to the basement, omission of side windows on eastern elevation: At first floor level; amended fenestration design on eastern and western elevations, addition of two new sky lights: At second floor level; amended fenestration design on eastern and western elevations; new rear elevation design, new terrace area with 1.1m metal railings to rear and 1.8m opaque glass to the sides: Roof level; parapet raised to accommodate additional roof insulation and drainage falls, new circular skylight in centre of the roof, lift overrun, reconfiguration of plant and PV panels (final locations tbc by MEP): and Summer house; amended discrepancy from consented drawings where ground floor plan is smaller than the elevation and roof plans.

This Planning Letter outlines the background of the site and the proposed amendments and should be read in conjunction with the following documents:

- **Location Plan (FMQ-100 Rev A)**, prepared by BB Partnership;
- **Proposed Plans**, prepared by AU Architects;
- **Consented vs Proposed Overlay Plans**, prepared by AU Architects; and
- **Community Infrastructure Levy Form 1**, prepared by Savills Planning.

The requisite Application Fee and Application Forms have been paid and completed under a separate cover.

Offices and associates throughout the Americas, Europe, Asia Pacific, Africa and the Middle East.

Savills (UK) Limited. Chartered Surveyors. Regulated by RICS.

A subsidiary of Savills plc. Registered in England No. 2605138. Registered office: 33 Margaret Street, London, W1G 0JD



Site context

The site comprises 46 Avenue Road, a three storey stucco detached villa dwellinghouse, with a footprint the width of the property and set back from Avenue Road with a hard surfaced forecourt for parking, including a subterranean car stacker. The Site includes a basement under part of the house with a rear lightwell, rear garden and rear summerhouse consistent with the style of the main dwellinghouse. The property is typical of the immediate residential character of Avenue Road and surrounds, reflective of the 1820's Eyre Estate.

The site has extant planning permission to demolish the site and erect a replacement dwelling behind a retained façade with basement development (ref: 2017/1718/P). The full description of development is as follows:

Demolition of existing building and erection of replacement dwellinghouse behind retained façade; excavation of part/part two storey basement level with front and rear lightwells; erection of replacement summerhouse with plant room to rear.

On 1 July 2022, a Certificate of Lawfulness Ref. 2022/1583/P was granted confirming that Application Ref. 2017/1718/P has been implemented, as such the permission is now extant (herby referred to as the "Extant Permission" / "Extant Consent").

Condition 3 of permission ref: 2017/1718/P states that the approved development shall be carried out in accordance with the following plans:

- FQM-100 (Rev A);
- FQM-101 (Rev A);
- FQM-102 (Rev A);
- FQM-103 (Rev A);
- FQM-104 (Rev D);
- FQM-105 (Rev A);
- FQM-106 (Rev D);
- FQM-107 (Rev D);
- FQM-108 (Rev D);
- FQM-109 (Rev D); and
- FQM-101 (Rev A).

For context, all of the consented plans above are provided with this application and have also been overlaid with the proposed changes and are contained within this submission package and outlined in the Figures below. This is in addition to the proposed set of drawings the subject of this application.

Other relevant planning permissions include ref: 2011/6067/P; 2014/2510/P; 2014/6395/P and 2014/7452/P all of which relate to, inter alia, historic basement excavations. It is important to note the extent of the basement approved under permission ref: 2014/6395/P is greater than under the extant consent ref: 2017/1718/P.

After the submission of the Certificate of Lawfulness, the Applicant engaged in a Pre-Application with the Council (Nathaniel Young) where the principle of the proposed changes were agreed and it was recommended that an MMA was submitted.

Proposals

Since the granting of this permission the property has changed hands, with the new owners (the Applicant) seeking a renewed approach to the approved works to better suit their needs and aspirations for their new home.

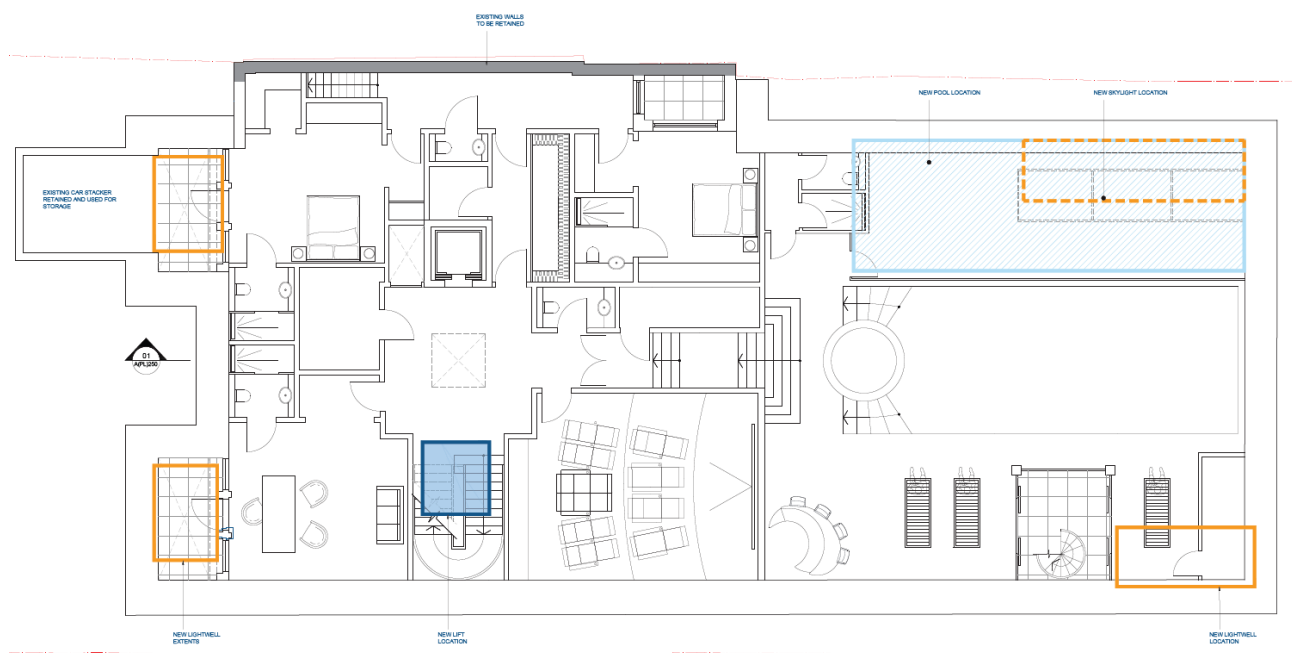
As a result AU Architects have been instructed by the client to present a set of amendments and alterations to the approved plans that in our view and agreed at Pre-Application are minor material when viewed against the permission as a whole, and will be both more sustainable and an improvement on the previous design.

The key proposed amendments comprise the following changes:

Lower Ground Floor

Reduced size of front lightwells, new lightwell in north eastern corner, amended pool location, new sky light above the pool and new lift location. This is demonstrated in the following **Figure 1**.

Figure 1 – Consented Basement Plan vs Proposed Overlays

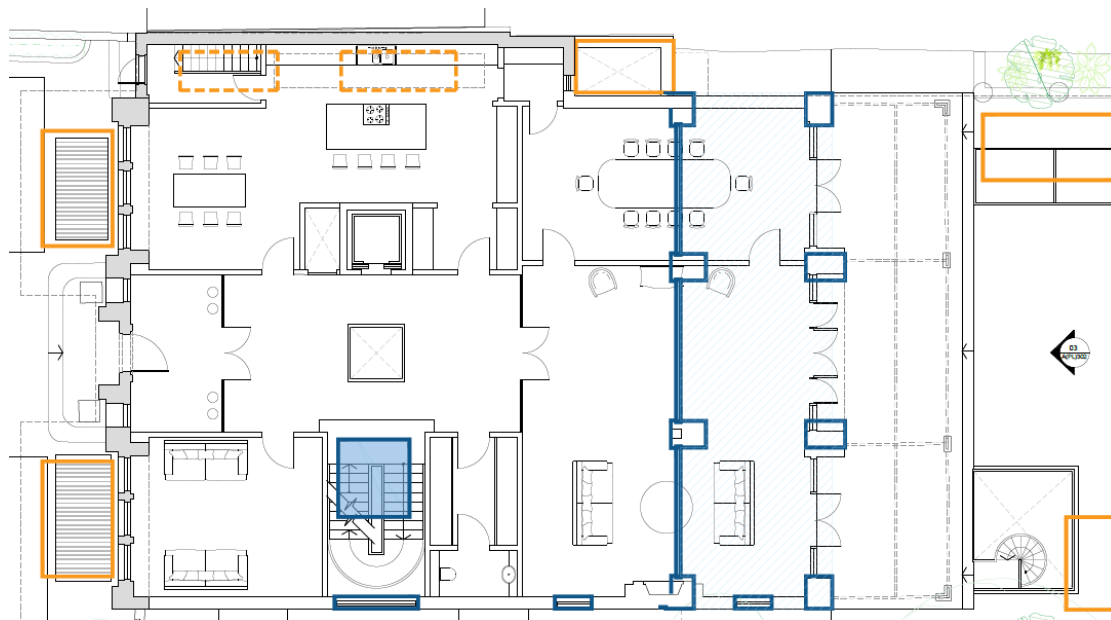


(AUA)

Ground Floor

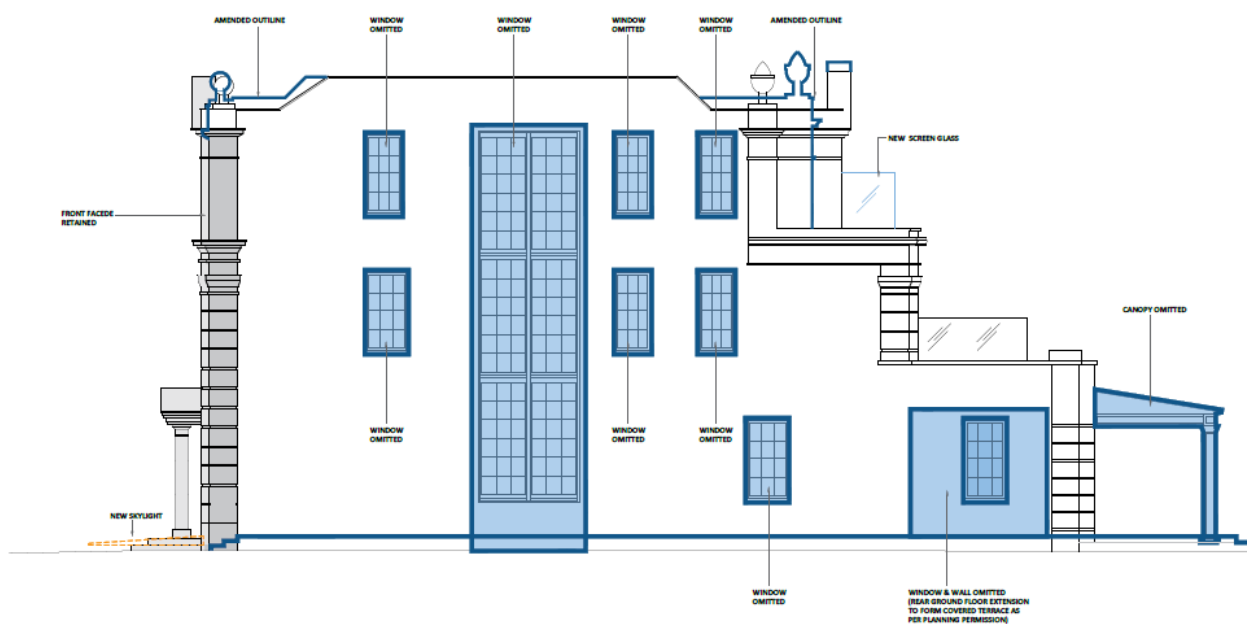
The proposals seek to extend the ground floor to the rear to provide a covered terrace, as per the planning permission, but to now remove the canopy beyond it. New sliding doors are proposed between the rear building line and the covered terrace area. The side windows on the eastern elevation are omitted. A new stair to the basement is also proposed. This is demonstrated in the following **Figures 2, 3, 4 and 5**.

Figure 2 – Consented Ground Floor Plan vs Proposed Overlays



(AUA)

Figure 3 – Consented East Side Elevation vs Proposed Overlay



(AUA)

Figure 4 – Consented Rear Elevation vs Proposed Overlays

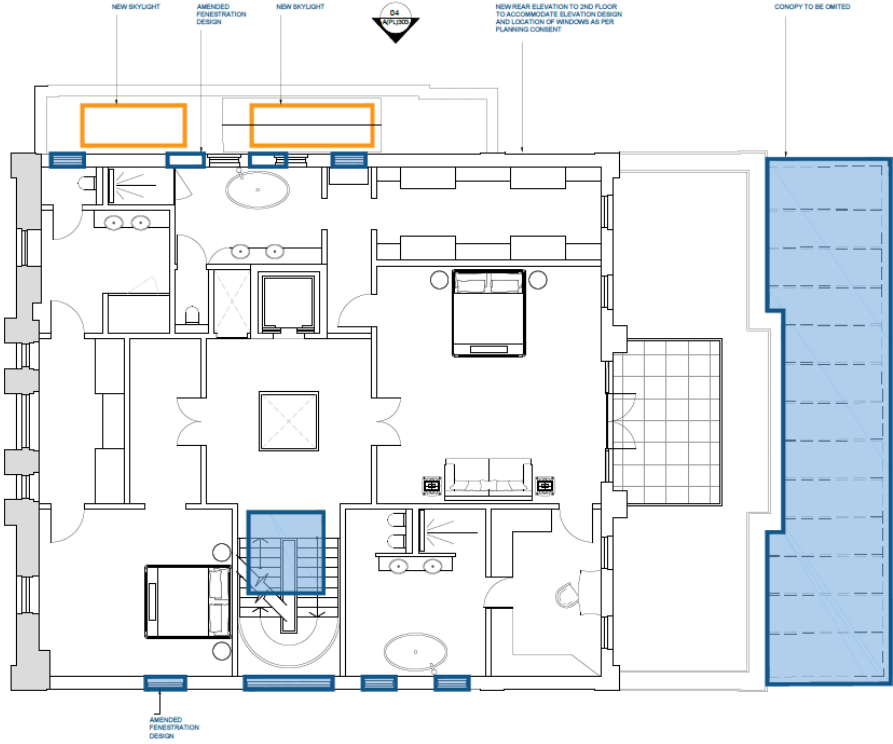


(AUA)

First Floor

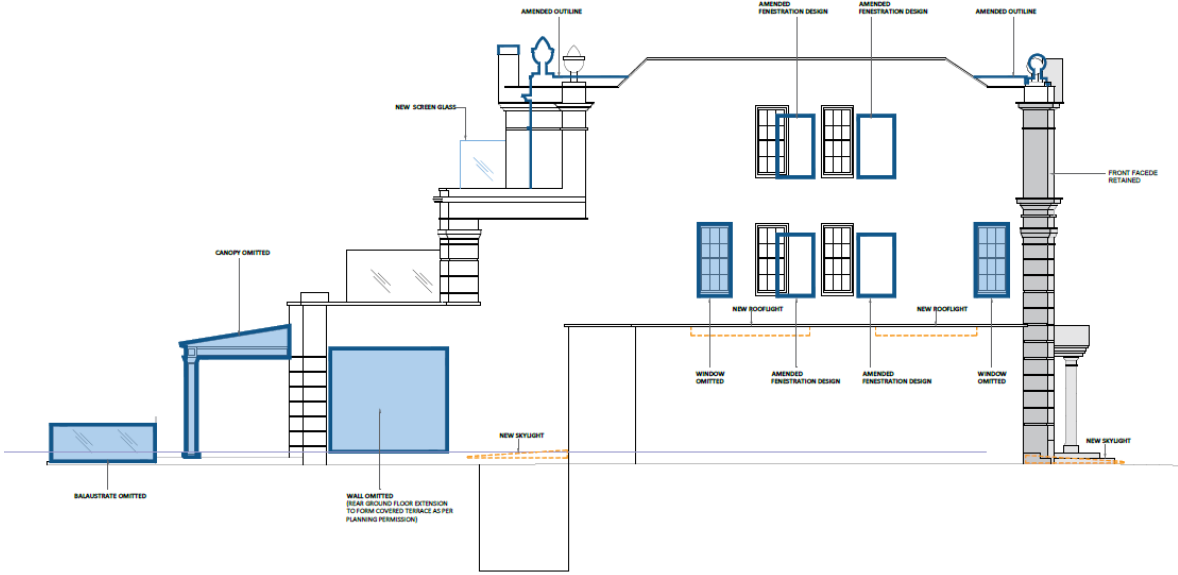
Amended fenestration design on eastern and western elevations. Addition of two new sky lights. As demonstrated in **Figure 3** above and the following **Figures 5** and **6**.

Figure 5 – Consented First Floor Plan vs Proposed Overlays



(AUA)

Figure 6 – Consented West Side Elevation vs Proposed Overlays

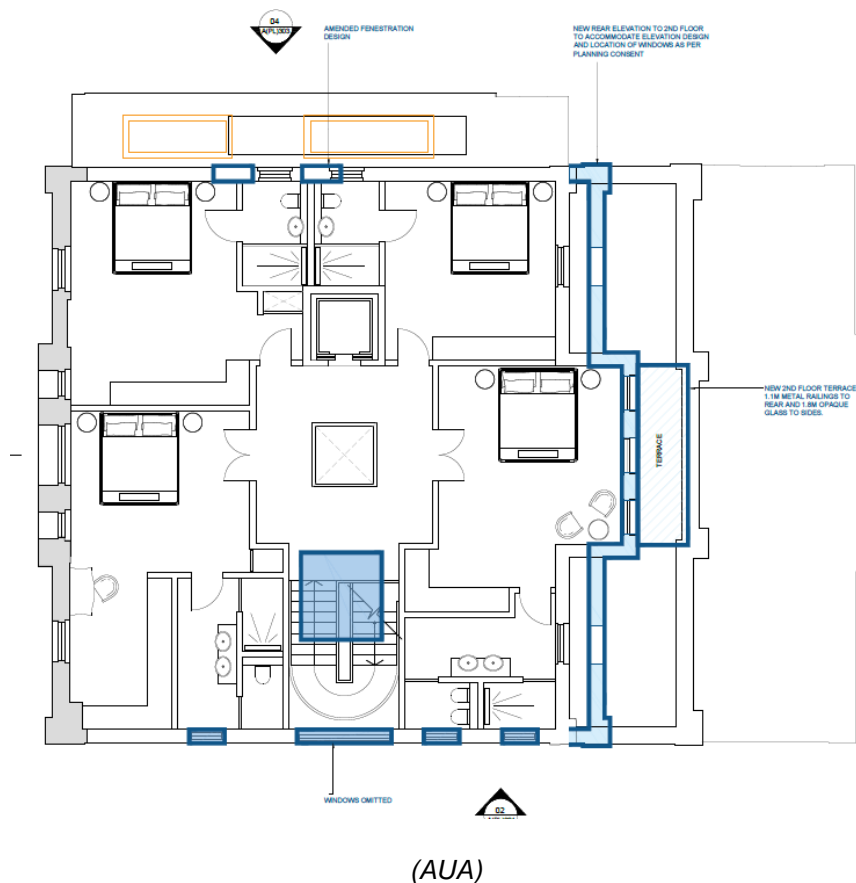


(AUA)

Second Floor

Amended fenestration design on eastern and western elevations, new rear elevation design, new terrace area with 1.1m metal railings to rear and 1.8m opaque glass to the sides. As demonstrated in **Figures 3, 4 and 6** above and the following **Figure 7**.

Figure 7 – Consented Second Floor vs Proposed Overlays



Roof Level

Parapet raised by a further 50mm from consented to accommodate additional roof insulation and drainage falls, new circular skylight in centre of the roof, lift overrun, reconfiguration of plant and PV panels (final locations tbc by MEP). As demonstrated in the following **Figure 8 and 9**.

Figure 8 – Consented Roof Plan vs Proposed Overlays

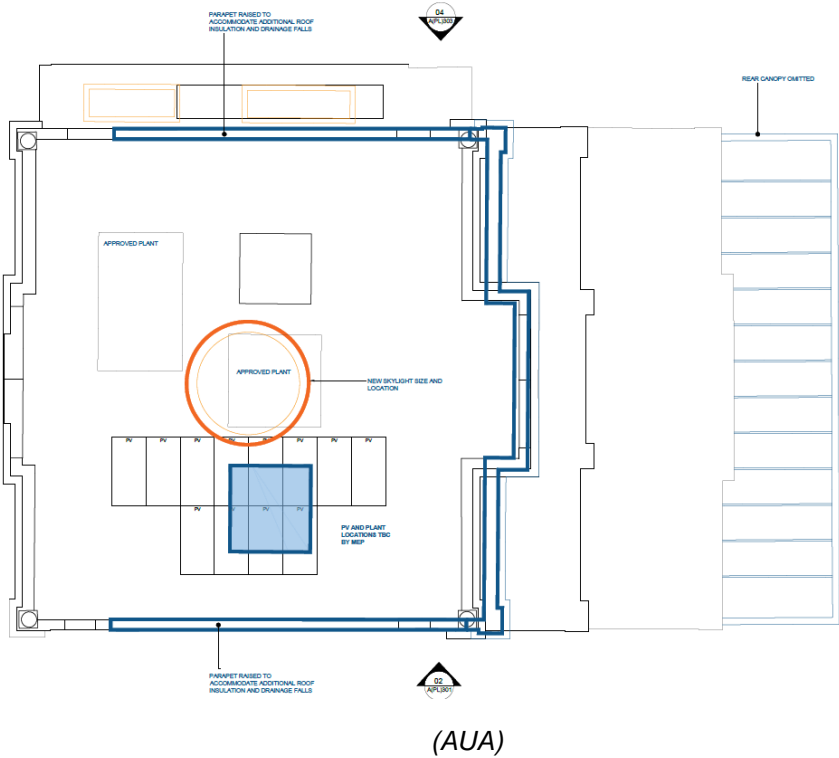


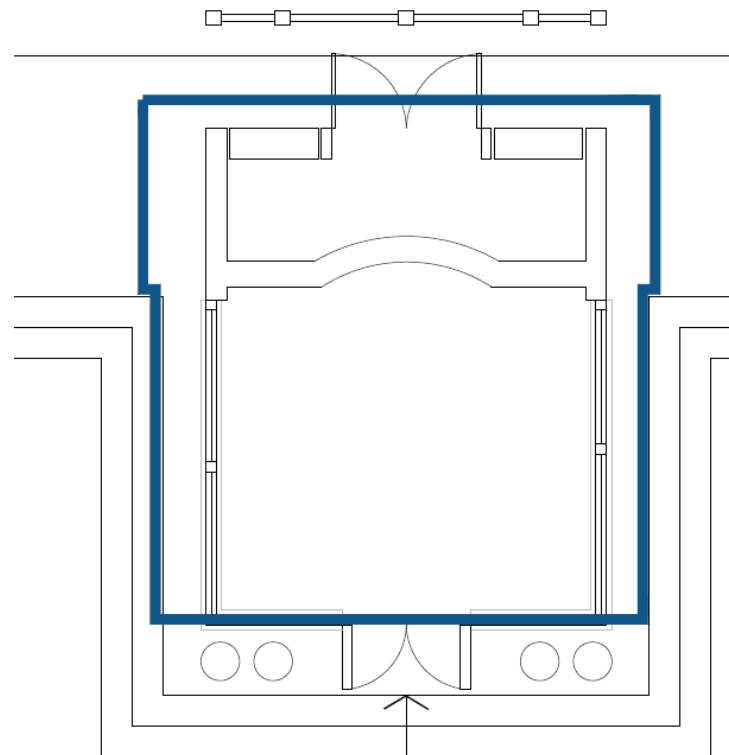
Figure 8 – Consented Front Elevation vs Proposed Overlays



Summer House

Amended discrepancy from consented drawings where ground floor plan is smaller than the elevation and roof plans. As demonstrated in **Figure 9** below.

Figure 9 – Consented Summer House Ground Floor Plan vs Proposed Overlays



DISCREPANCY ON PLANNING CONSENT DRAWINGS TO THE
SUMMER HOUSE WHERE GROUND FLOOR PLAN IS SMALLER
THAN ELEVATION AND ROOF PLAN

(AUA)

Full details of the proposals are contained within the submitted Proposed Drawings, prepared by AU Architects. It is the intention of this application to replace all of the previously Consented Drawings, prepared BB Partnership.

Planning Assessment

Camden’s Local Plan contains a basement specific Policy A5 (Basements) which applies a strict criteria that basements are expected to satisfy. The approved basement under Extant Permission Ref. 2017/1718/P complied with the requirements of policy A5, to the satisfaction of officers as illustrated in the in the table at Paragraph 8.1 of the approved Officer Report. Furthermore, the submitted Basement Impact Assessment (BIA) was also found appropriate and satisfactory as set out at Paragraph. 8.5. of the Report.

Officer comments in para 8.4 critically provide a sound framework for which basement proposals must have close regard to:

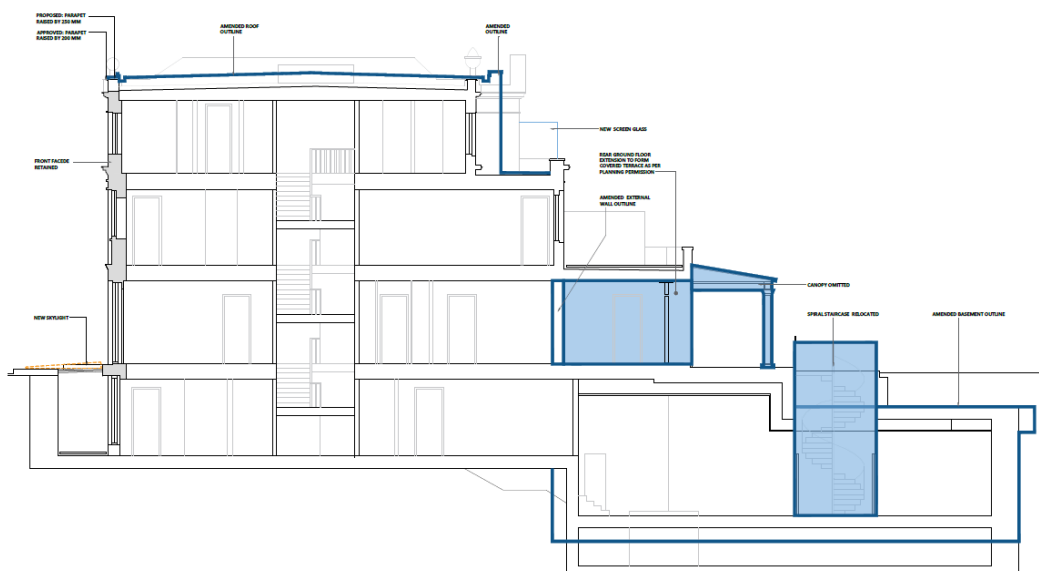
“Basements must have minimal impact on, and be subordinate to, the host building and property. The basement proposed is of significant scale, but remains in proportion and subordinate to the large existing property, and proposed property when rebuilt, as demonstrated by the above indicators at 8.1. Large houses with significant basements form part of the character of this area and the proposal is therefore in accordance with the development plan.”

It therefore follows that where a basement meets the criteria of Policy A5, and accords with the key attributes listed by officers above, a basement is considered acceptable.

The Applicant is simply seeking to slightly reduce the size of the consented front lightwells add a new lightwell in the north eastern corner and move the location of the pool from the centre of the basement to the western side of the basement. This is demonstrated in **Figure 1** above.

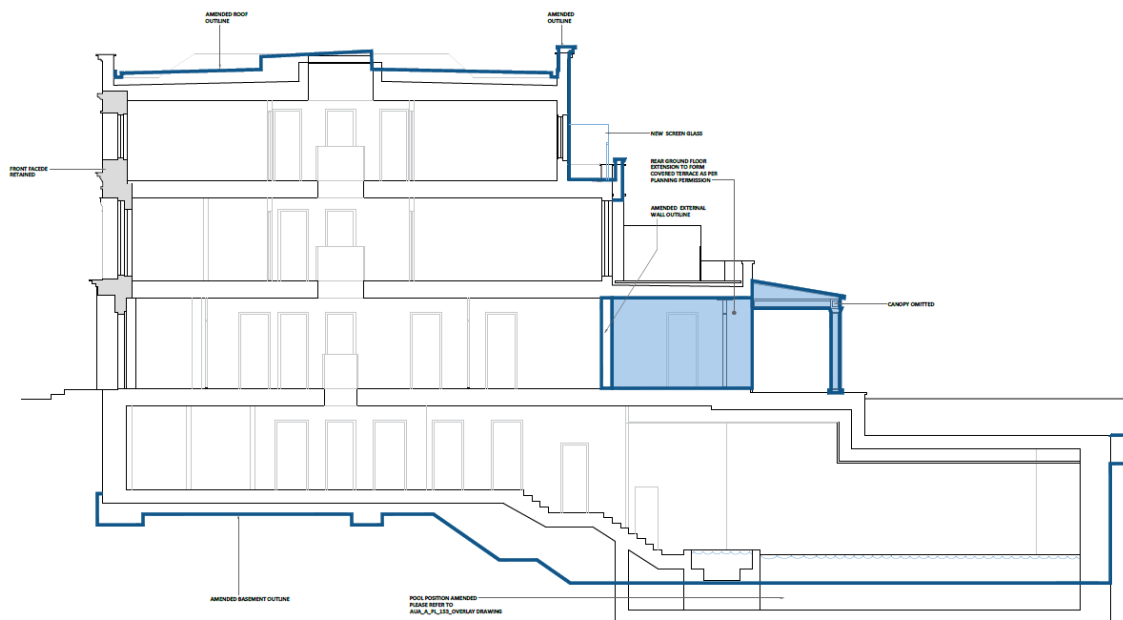
The proposed minor changes will remain in the footprint of approved basement while the overall depth will be reduced. The reduced depth is portrayed in the following **Figures 10** and **11**.

Figure 10 – Consented Section C vs Proposed Overlays



(AUA)

Figure 11 – Consented Section B vs Proposed Overlays



(AUA)

No changes are introduced in terms of number of storeys, coverage underneath of the front or rear gardens, or position within the overall curtilage. The only additional external manifestation will be the new lightwell which is positioned in the north eastern corner of the property away from public views.

Simply reducing the size of the consented front lightwells, introducing an additional discrete lightwell and locating the pool with an overall reduced depth within the consented footprint as demonstrated in **Figure 1, 10** and **11** above, still meets and satisfies the principle parameters of Policy A5 of the Local Plan.

Other Alterations

The specific alterations, as detailed earlier in this letter, are in keeping with the general aesthetic and vernacular established through the approved plans, and serve to create an improved amenable space. The alterations are not deemed, in our view, to be a material departure from what is approved as discussed below.

The changes at ground floor rear retain the covered terrace as a key design feature established in the extant consent and which will extend the space afforded to the dining and reception rooms providing greater circulation space to the benefit and enjoyment of these spaces. The rooms and relationship to the terrace area will function better as a result.

The new rear elevations at first and second floor are in keeping with the design and articulation of the rear elevation, as approved, allowing them to be read in conformity with the rest of the rear elevational treatment. They will serve as a subtle improvement to the façade at both levels. The new terrace on the second floor is subservient to the terrace on the 1st floor, and the extension at ground floor again creating a natural hierarchy of scale in this regard. It will provide a small but quality area of additional amenity space, and the new sliding

doors will be in keeping with and add to the fenestration of the rear façade, as established through the extant consent.

The new terrace will be centrally located on the rear elevation and of moderately shallow projection from the rear building line of the property. As such the line of sight from the terrace to adjoining neighbouring properties, and vice versa, will be restricted. Further, the terrace is unlikely to be regularly used owing to the generous and high quality covered ground floor terrace and rear garden. The new terrace will not therefore cause any undue harm to neighbouring amenity.

The raising of the parapet by 50mm from the consented height is again subtle in its visible change and overall departure from the consented roof, but important architecturally to ensure the property, inclusive of the aforementioned amendments, can be constructed soundly.

Other sought amendments, including the introduction of sky lights, roof lights and fenestration alterations are very minor in their departure from the approved plans however they serve to improve the overall function and enjoyment of the dwellinghouse to the benefit of the new owner. It is considered these changes are minor material.

Conclusion

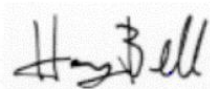
This Planning Letter follows on from Pre-Application discussions with LBC in 2022 and supports an MMA Application proposing amendments to the approved drawings under extant consent 2017/1718/P.

The proposed amendments are minor-material and can therefore be submitted as part of a Section 73 planning application to vary the approved drawings under condition 3 of the Decision Notice. These amendments have been sought by the Applicant following the lawful implementation of the Extant Permission as confirmed by the Certificate of Lawfulness Ref. 2022/1583/P.

The works proposed serve to improve the functionality and enjoyment of the property, reflective of the aspirations of the Applicant, and have been designed to remain in keeping with the consented vernacular and architectural merit of the property. Other changes are subtle and negligible in their visible impact and change to the approved drawings. As such, it respectfully requested that Planning Permission is granted.

If you require any further details or information please do not hesitate to contact me using the details found at the header of this letter.

Yours Sincerely



Henry Bell MRTPI
Savills Planning