

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

Date: 3 July 2023
Our ref: 60656/01/NG/JWo/26751461v1

Laura

Application for a Non Material Amendment under Section 96a of the Town and Country Planning Act 1990

On behalf of Jaga Developments (London) Ltd, please find enclosed an application for a Non Material Amendment (NMA). This application seeks permission for amendments to Conditions 9 and 11 attached to planning permission Ref:2019/6151/P.

We have submitted via the Planning Portal (Ref: PP-12283066) 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;

The planning application fee has been paid via the Planning Portal.

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.”

Non material changes to the above planning permission and listed building consent were approved on 21 June 2023 relating to *“Changes to windows, rooflights, internal layout and areas of demolition within the Annexe; changes to the structure of the Link building and its roof pergola, addition of a canopy and rearrangement of internal spaces; widened internal openings in the main house; re-routing and partial removal of rainwater pipe to east elevation of the Lodge and relocation of internal cylinder cupboard; minor changes to services; and other minor changes”* (Ref:2023/0625/P and Ref: 2023/0605/L).

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 consented (22 May 2023) for the replacement of the southern boundary wall (2023/0033/P and 2023/0084/L).

Proposed Changes to Conditions 9 and 11

The applicant has already discharged the relevant pre-commencement condition attached to 2019/6151/P and work is progressing on the remaining conditions to enable a start on site in summer 2023. Conditions 9 and 11 are yet to be discharged.

The trigger detailed within these conditions relate to details being agreed prior to commencement of above-ground development. The procurement of the details for condition 9 and 11 are yet to be secured by the applicant as they relate to external works which will happen much later in the construction programme. In addition, to secure a high quality scheme, it is the applicant's preference to not install landscaping works until after the main construction works are concluded. This will prevent damage being caused to newly installed surface treatments and planting.



Therefore this application seeks to amend the wording of the conditions 9 and 11 to allow construction to progress in line with the applicant's programme and have the details approved prior to their installation.

Condition 9

For completeness, we set out a "tracked changed" version of the proposed changes to condition 9:

Prior to commencement ~~of the relevant landscaping works above-ground development (excluding demolition and any site preparation works)~~, full details of hard and soft landscaping and means of enclosure of all un-built, open areas shall be 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 details of number, species and location of replacement trees including details of planting method and maintenance. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Condition 11

For completeness, we set out a "tracked changed" version of the proposed changes to condition 11:

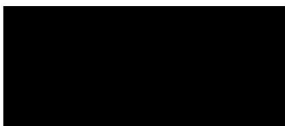
"~~Prior to the installation of the green roof commencement (excluding demolition and any site preparation works)~~, full details in respect of the green roof in the area indicated on the approved roof plan shall be submitted to and approved in writing by the local planning authority. Details of the green roof provided shall include: species, planting density, substrate and a section at scale 1:20 showing that adequate depth is available in terms of the construction and long term viability of the green roof, as well as details of the maintenance programme for green roof. The buildings shall not be occupied until the approved details have been implemented and these works shall be permanently retained and maintained thereafter."

Conclusion

The above changes are considered non material in the context of the wider development at The Hoo and still provide the Council control over securing details prior to the relevant works being completed.

We trust that you have sufficient information to validate and determine the application, but if you have any queries or require further information on the proposals, please do not hesitate to contact me or my colleague Neil Goldsmith.

Yours sincerely



Jennifer Woods

MTCP MRTPI