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08.08.23

Dear Elaine,

**MINOR MATERIAL AMENDMENT APPLICATION TO PLANNING PERMISSION REF: 2008/0661/P
AT HEATH HOUSE, NORTH END WAY, LONDON NW3 7ET**

On behalf of our client, Aria Construction Management Limited, we hereby submit a Minor Material Amendment Application in respect of planning permission 2008/0661/P (amended by consent 2012/5432/P). The consented development is described as:

“Demolition of garage block and erection of new west side wing comprising basement, lower ground, ground and 1st floors including double garage; erection of rear ground floor conservatory extension; remodelling of roofs of main house and east side wing; various external alterations; and associated landscaping including new walled courtyard to rear of garage wing.”

As discussed in the previous pre-application meeting (ref: 2022/5062/NEW), and as set out in detail in this letter, the changes are almost entirely procedural and seek to unify the previous planning consents to facilitate the delivery of the development.

In support of this planning application, we enclose the following documents:

- Application Form
- This Covering Letter
- Site Location Plan
- CIL Form
- Architectural Drawings (Clive Chapman Architects)

Site Background

The site comprises Heath House, a Grade II* Listed residential building on the west of Hampstead Heath and is within the Hampstead Conservation Area. The site is bounded by the garden of a large residential property – Heath Park – to the north, by North End Way to the west and by Spaniards Road to the east. To the south is Hampstead War Memorial, which sits on the edge of the roundabout

connecting North End Way and Spaniards Road. The surrounding area is characterised by the greenery of Hampstead Heath and large residential homes.

Planning History

To explain the nature of the application, it is essential to first summarise the relevant planning history of the site.

The site was the subject of planning permission¹ for the following development in 2009:

“Demolition of garage block and erection of new west side wing comprising basement, lower ground, ground and 1st floors including double garage; erection of rear ground floor conservatory extension; remodelling of roofs of main house and east side wing; various external alterations; and associated landscaping including new walled courtyard to rear of garage wing.”

This development was implemented and saved in January 2012, via demolition works.

In 2012, the consent was amended via a Section 96a application², solely to introduce the now standard ‘approved drawings’ condition to facilitate a future Section 73 (Minor Material Amendment) application.

In 2018, a further Section 96a application³ was approved. The application related to a number of proposed internal and external alterations, most notably the removal of the originally proposed basement level, which had included a swimming pool.

In 2021, a Section 73 application⁴ was also approved. This application replaced the EcoHomes report that had originally been provided in support of the application with a BREEAM report to reflect changing energy standards.

Current Proposal

The Applicant wishes to take forward the original 2008 scheme with the proposed basement level and swimming pool that formed part of the original application (which has been implemented), while retaining all other amendments made since then (including a condition requiring the submission of BREEAM report). Most of these elements have been approved at some stage by the Council and the present application would seek to unify them under single consent, with some minor changes. Once unified, the Applicant will be in a position to deliver the development and swiftly bring it into use.

Design Considerations

The enclosed drawings demonstrate the changes made. Those that were previously consented in 2018 are highlighted in blue. These changes include the reconfiguration of window opening and doors and the provision of a new lead flat roof. As explained above, all of these changes were deemed to be acceptable by the Council in its determination of the application consented in 2018.

¹ Ref: 2008/0661/P

² Ref: 2012/5432/P

³ Ref: 2017/4294/P

⁴ Ref: 2018/4786/P

There are two changes that are newly proposed and did not form part of the previous consents for the site. These changes are highlighted in blue. The first the repositioning of the stair case to the consented basement floor, while the second replaces the domed staircase consented in 2008 with a study room at lower ground floor and a gym on the basement floor. These changes are purely internal and would not give rise to any material planning considerations and should therefore be considered acceptable.

Appropriate Procedure

It is the Applicant's position that a unified consent would be most appropriately (and lawfully) achieved via a Section 73 Application that would amend the 2008 consent⁵ to incorporate the following:

1. All internal and external changes consented in 2018⁶, excluding the removal of the basement and swimming pool.
2. Condition securing the replacement of the EcoHomes Report with the BREEAM Report, as was consented in 2021⁷.

The application fee of £234 has been paid. We look forward to confirmation that the application is valid.

Yours sincerely,



Tarun Cheema
Senior Planner
Centro Planning Consultancy

⁵ Ref: 2008/0661/P As revised by 2012/5432/P

⁶ Ref: 2017/4294/P

⁷ Ref: 2018/3786/P