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Via Planning Portal Only

12th April 2024

Dear Sir/Madam

MATERIAL MINOR AMENDMENT (SECTION 73) - THE TOWN & COUNTRY PLANNING ACT 1990

MINOR MATERIAL AMENDMENT TO PLANNING PERMISSION 2013/6912/P (AS AMENDED) - EXCAVATION WORKS TO PROVIDE SINGLE BASEMENT FLOOR LEVEL WITH SWIMMING POOL, SIDE AND REAR EXTENSIONS AT GROUND FLOOR LEVEL, EXTENSION AND ALTERATIONS TO COACH HOUSE AND OTHER EXTERNAL ALTERATIONS INCLUDING NEW WINDOWS, DOORS AND REINSTATEMENT/ REPAIR OF BOUNDARY TREATMENTS, REMOVAL OF CAR PORT AND ERECTION OF CYCLE STORE, ASSOCIATED LANDSCAPING, AND CONVERSION FROM SIX SELF-CONTAINED FLATS TO A DWELLING HOUSE (CLASS C3) AT 14 TEMPLEWOOD AVENUE, LONDON, NW3 7XA.

Please accept this covering letter as planning and heritage statement and accompaniment to this minor material amendment application to amend the approved plans condition (condition 2) of planning permission 2013/6912/P to facilitate internal and external changes to the consented development.

Please also find enclosed a completed application form, CIL questions form, a full set of existing plans, demolition and proposed plans and a planning addendum that includes a comparison between the previously consented and proposed scheme.

The Site

The site comprises a grade two listed, detached, two storey building with basement and rooms in the roof, designed by Charles Quennell. The building is constructed of red brick and a pitched roof. Also within the site is a two-storey former coach house. The site is located in Redington and Frogna Conservation Area. Opposite the site is the grade II listed no.15 Templewood Avenue (also designed by Quennell). The surrounding area is dominated by large detached neo-Georgian houses with large front and rear landscaped gardens.

The site lies within a flood risk zone of 1 and is not identified as being at risk of surface water flooding, on the Environment Agencies Flood Risk Map for Planning. The site is in an area with a public transport accessibility level (PTAL) of 0.

Planning History

On the 11th of April 2024, a non-material amendment application was submitted (reference PP-12935812) to amend the description of development of planning permission 2013/6912/P. The application is awaiting registration at the time of writing.

On the 15th of May 2020, a lawful development certificate (reference 2020/0699/P) was granted confirming that planning permission 2013/6912/P (for excavation works to provide a single basement floor level, side and rear extensions at ground floor level, extension and alterations to coach house and other external alterations, removal of car port and erection of cycle store, associated landscaping and conversion from 5 self-contained flats to a dwelling house) had been lawfully implemented.

On the 28th of December 2018, a discharge of condition application (reference 2018/6028/P) was granted to discharge condition 6 of planning permission 2013/6912/P.

On the 16th of December 2014, listed building consent was granted (reference 2014/1402/L) for internal alterations including removal of internal partitions and amendments to circulation.

On the 29th of April 2016, listed building consent was granted, subject to legal agreement, (reference 2013/6973/L) for alterations in connection with excavation works to provide single level basement floor, extensions at ground floor level, extension and alterations to coach house and other external alterations, removal of car port and erection of cycle store, associated landscaping, and works of conversion from five self-contained flats to a dwelling house (class C3).

On the 29th of April 2016, planning permission was granted, subject to legal agreement, (reference 2013/6912/P) for excavation works to provide single basement floor level, side and rear extensions at ground floor level, extension and alteration to coach house and other external alterations, removal of car port and erection of cycle store, associated landscaping and conversion from five self-contained flats to a dwelling house (Class C3).

On the 31st of January 2014, planning permission was granted (reference 2013/7774/P) for the conversion of six flats to a single family dwelling house following occupation of four new flats at 14/15 Collage Crescent. The permission was subject to legal agreement.

On the 7th of February 2011, planning permission was granted (reference 2010/4998/P) for the conversion of six flats to single family dwelling house (Class C3).

On the 21st of July 2010, listed building consent (reference 2010/2895/L) was granted for internal alterations related to the conversion of the building from 6 flats to a single dwelling house (class C3).

On the 7th of February 2011, planning permission was granted (reference 2010/4998/P) for the conversion of six flats to a single family dwelling house (Class C3).

On the 11th of January 2010, planning permission was refused (reference 2009/4648/P) for the conversion of 6 flats to a single dwelling house (Class C3).

On the 11th of January 2010, listed building consent was refused (reference 2009/4651/L) for the conversion of 6 flats to a single dwelling house (Class C3).

On the 12th of July 2006, listed building consent was granted (reference 2006/1758/L) for the erection of a single storey conservatory to the rear ground floor level of the existing flat.

On the 12th of July 2006, planning permission was granted (reference 2006/1757/P) for the erection of a single storey conservatory to the rear ground floor level of the existing flat.

On the 16th of September 2004, listed building consent was refused (reference 2003/1594/L) for the conversion of the loft to provide additional habitable accommodation for the second floor flat, including internal alterations and installation of 3 rooflights in the rear roof slope and 2 rooflights in the side roof slope.

On the 16th of September 2004, planning permission was refused (reference 2003/1594/L) for the conversion of the loft to provide additional habitable accommodation for the second floor flat, including internal alterations and installation of 3 rooflights in the rear roof slope and 2 rooflights in the side roof slope.

In April 1991, planning permission (reference 9100418) was granted for the change of use of and extension to the garage to provide a two-bedroom house.

In May 1956, planning permission (reference AR/TP.79332.NW) was granted for alterations and for the conversion of the property into six self-contained flats.

The Proposal

The proposal seeks a material minor amendment to full planning permission reference 2013/6912/P to amend the approved plans condition (condition 2).

The proposed amendments to the approved plans include:

1. Rear extension to the coach house
2. Modest enlargement of the basement excavation

3. Reconfiguration of the rear lightwell staircase
4. Excavation to create a pool at basement level
5. Removal of previously approved front lightwell
6. Fenestration alterations including new openings and retention and enlargement of existing openings
7. Retention of existing balcony and railing to the front
8. Retention of existing dormer window and balcony to the side

This application has been submitted following a non-material amendment application to amend the description of development. The non-material amendment application sought to regularise errors in the description of development and amend the description of development to ensure it accurately describes the consented development, including the proposed changes.

Planning Legislation and Policy:

Legislation

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that determinations under the planning acts must be made in accordance with the development plan unless material considerations indicate otherwise.

Section 16/66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a statutory duty on decision makers to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a statutory duty on decision makers to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

National Planning Policy

The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. At the heart of the NPPF is a presumption in favour of sustainable development which incorporates three specific strands – economic, environmental and social. The following sections are relevant to the consideration of this application; Section 12 (achieving well designed places) and Section 16 (Conserving and enhancing the historic environment).

Local Planning Policy

For the purposes of this application, the adopted development plan for the London Borough of Camden comprises the London Plan (2021) and the Local Plan (2017). Camden's Supplementary Planning Guidance Documents are material planning considerations.

London Plan (2021)

GG6: Increasing efficiency and resilience

D1: London's form, character and capacity for growth

D3: Delivering Good Design
D6: Housing Quality and Standards
D7: Accessible Housing
D10: Basement Development
D13: Agent of Change
D12: Fire Safety
HC1: Heritage Conservation Area and Growth
G7: Trees and Woodlands
SI2: Minimising Greenhouse Gas Emissions
SI13: Sustainable Drainage
T4: Assessing and Mitigating Transport Impacts
T5: Cycle Parking
T6.1: Residential Parking
T7: Deliveries, servicing and construction

Local Plan (2017)

G1: Delivery and location of growth
DM1: Delivery and monitoring
A1: Managing the impact of development
A4: Noise and vibration
A5: Basements
D1: Design
D2: Heritage
T1: Prioritising walking, cycling and public transport
T2: Car free development

Supplementary Planning Guidance Documents

Basements (2021)
Design (2021)
Amenity (2021)
Home Improvements (2021)
Transport (2021)
Redington and Froggnal Conservation Area Appraisal (2022)

Planning Analysis:

Principle of development

The general principle of reverting the six flats to a single dwelling has been established by planning permission 2013/6912/P. The planning permission has been lawfully implemented and therefore can be lawfully completed, as confirmed by lawful development certificate 2020/0699/P. The general principle of the proposed development continues to be acceptable.

Design, visual and character impacts

London Plan Policy D3 advocates making the best use of land by optimising the capacity of sites through a design led approach.

Local Plan Policy D1 sets out that the Council will seek to ensure that all new development constitutes high quality design.

The building is an architecturally and historically significant building. The proposal reverts the building back to a single family dwelling, which was its original intended purpose. The proposed amendments are primarily associated with proposed modern components of the building. Notably, at basement level and the detached coach house. The proposed rear extension to the coach house would not be readily visible from public vantage points, a degree of visual separation between the coach house and the main building is retained to the front. The modest increase in basement extent, the excavation to create a swimming pool and the re-configuration of the rear lightwell steps would similarly not be readily visible from public vantage points.

The external alterations to the main house comprise of the retention of some features that were previously proposed for removal and modest alterations to fenestration, including the re-opening of previously blocked up openings and enlargement of some openings. This also includes the retention of dormer windows and a balcony in the flank elevation and the balcony on the front elevation. None of these elements would materially affect the external appearance of the building or the contribution it makes to the character of the area.

The proposal remains high quality design, in accordance with London Plan Policy D3 and Local Plan Policy D1.

Heritage Impact

Sections 16/66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires decision makers to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Section 72 requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of conservation areas.

London Plan Policies HC1 reiterates that development affecting heritage assets and their settings should conserve their significance by being sympathetic to the assets significance and appreciation in their surroundings.

Local Plan Policy D2 states that the Council will preserve and where appropriate enhance heritage assets including listed buildings and conservation areas. The policy continues to set out that the Council will not permit development that results in harm unless the public benefits of the proposal convincingly outweigh the harm.

The building is grade II listed, designed by Charles Quennell and constructed by George Washington in 1910/11. The building was listed in January 1990. The list description describes the building as:

"CAMDEN TQ2586SE TEMPLEWOOD AVENUE 798-1/15/1602 (South East side) No.14 GV II Large detached house. 1910-11. By CHB Quennell. Red brick with full height brick pilasters to angles supporting a moulded brick

cornice and 4 to central bay. Tiled hipped roofs with dormers and tall brick slab chimney-stacks. Symmetrical free Baroque design. 2 storeys and attics. Windows read 3:2:3:2:3. Central entrance bay and outer bays project. All windows are flush framed sashes with exposed boxing and gauged brick flat arches except the central 1st floor and central ground-floor which are round-arched to give Venetian window effect. Distyle-in-antis pedimented portico flanked by oculi. 1st floor has 2 narrow sashes flanking a round-arched sash the head of which breaks into the brick pediment carried on pilasters; windows with shaped brick aprons. INTERIOR: not inspected"

The Redington and Frogmal Conservation Area Appraisal describes the character of the area as large detached houses with common architectural features of strong group value. These include Georgian style red brick buildings with decorated chimneys, brick quoins, projecting open porches with brick boundary walls and hedges.

The building is built in a Neo Georgian style and is understood to have been converted into flats in the 1950's/1960's. As a result, the building has been heavily altered internally.

The proposed changes to the consented scheme primarily relate to a modest increase in the rear extension depth to the clubhouse, modest changes to the basement excavation extent, fenestration alterations and the retention of features that were previously consented for removal such as the existing dormer and balcony on the flank elevation and the front balcony.

The proposed alterations to the coach house and basement would not result in the removal of any historic fabric. The coach house would remain a subservient addition to the principal building. The proposed basement and coach house alterations do not materially affect the consented ground floor layout in respect to the previously consented stair and lift access.

The proposed fenestration alterations seek to open up previously closed openings in the rear and side elevations. This would improve the fenestration pattern on the facades and would not harm the special interest of the building or the contribution it makes to the character of the area.

The proposed changes to the consented scheme preserves the special interest of the listed building and the contribution it makes to the special interest of the conservation area. The proposal accords with London Plan Policy HC1, Local Plan Policy D2 and sections 16, 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Neighbour amenity impact

London Plan Policy D3 states that development should deliver appropriate outlook, privacy, and amenity for neighbours. Policy D6 seeks to ensure that new development achieves a good standard of amenity for all.

Local Plan Policy A1 seeks to protect the quality of light of neighbouring occupiers by only granting permission for development that would not harm amenity. This includes impacts such as overlooking, overbearing, light, outlook, sense of enclosure, light pollution and noise.

The site is bound by residential development to the north, south and east. The shared boundaries are well planted with established trees and hedges. Given that the proposed changes to the built extent are at ground floor level and at basement level, the proposal would not have a materially different impact on neighbour amenity than the previously consented scheme. The proposed fenestration alterations and retained elements would not result in any materially greater levels of overlooking or loss of privacy.

The proposal accords with London Plan Policies D3 and D6 and Local Plan Policy A1.

Parking

Para 115 of the NPPF advises that development should only be refused on highway grounds if there would be unacceptable highway safety impacts.

London Plan Policy T5 sets out that new developments should provide 1-1.5 long stay cycle parking spaces per 1 bedroom dwelling and 2 parking spaces for all other dwelling types. London Plan Policy T6 advocates car free development in areas of high Public Transport Accessibility Rating. LP Policy T6.1 sets out that up to 1.5 vehicle parking spaces should be provided in areas with a Public Transport Accessibility Rating of 0-1.

Camden Local Plan Policy T2 advises that the Council will limit the availability of parking and require all new development in the borough to be car free. It states that this will be achieved by not issuing on street parking permits in connection with new development and use legal agreements to ensure that future occupants are aware that they are not entitled to on-street parking permits and limit on site parking to spaces designated for disabled people and/or essential operational or servicing needs.

The property has two vehicular cross overs servicing an in/ out drive with capacity to park 4 plus vehicles. The proposal does not seek to increase car parking capacity above that of the previously consented scheme. Cycle parking can be accommodated in the consented garage or cycle store. The proposed car parking arrangement is therefore considered to be acceptable and in accordance with London Plan Policies T5, T6.1 and Local Plan Policy T2.

Arboricultural Impacts

Local Plan Policy A3 advises that the Council will protect and enhance sites of biodiversity value and protect trees of amenity value.

The proposed increase to the built extent at both basement and ground level is modest. The existing consented tree protection arrangements would ensure that the existing trees of merit would be suitably protected during development.

The proposal would not have any adverse arboricultural impacts in line with Local Plan Policy A3.

Basement Development

CLP Policy A5 (criteria a-e) states that the council will only permit basement development where it is demonstrated that the proposal would not cause harm to neighbouring properties; the structural, ground, or water conditions of the area; the character and amenity of the area and the significance of heritage assets.

In determining proposals for basements and other underground development, the council will require an assessment of the scheme's impact on drainage, flooding, groundwater conditions and structural stability in the form of a Basement Impact Assessment (BIA). As part of this assessment, it requires criteria n-u of Policy A5 to be considered. These criteria require the applicant to demonstrate a 'very slight' risk of damage to neighbouring properties, to avoid adverse drainage or water environment impacts, avoid harm to amenity of neighbours, to provide satisfactory landscaping and soil depth, avoid harm to the property and the established character of the area, protect archaeological remains and not prejudice the ability of the garden to support trees, where are part of the character of the area.

Camden's adopted planning guidance on basements (CPG Basements) provides further detail on the application of Policy A5.

The planning application was accompanied by a basement impact assessment. The assessment that confirmed the proposal would not adversely impact stability, hydrological or hydrogeological impacts. Notwithstanding this, a further assessment of the Basement Impacts accompanies this submission.

CLP Policy A5 also states that the siting, location, scale and design of basements must have minimal impact on, and be subordinate to, the host building and property, and provides a set of specific criteria (criteria j-m) which needs to be met. Below is an assessment of the proposed development against the aforementioned criterion:

f. not comprise of more than one storey

Passes - The proposed basement is limited to a single storey.

g. not be built under an existing basement

Passes –The proposal will not be built under an existing basement.

h. not exceed 50% of each garden within the property;

Passes – The proposed basement accounts for less than 50% of the rear garden

i. be less than 1.5 times the footprint of the host building in area;

Passes – The proposed basement has a footprint of less than 1.5 times the footprint of the host building.

j. extend into the garden no further than 50% of the depth of the host building measured from the principal rear elevation;

Passes – The proposed basement extends less than 50% of the depth of the host building when measured from the principal rear elevation

k. not extend into or underneath the garden further than 50% of the depth of the garden;

Passes – The proposed basement does not extend underneath the front and rear garden further than 50% of its depth.

l. be set back from neighbouring property boundaries where it extends beyond the footprint of the host building;

Passes – Where the basement extends beyond the footprint of the host building, it is set back from the shared boundaries with the neighbouring properties.

m. avoid the loss of garden space or trees of townscape or amenity value.

Passes – The proposed basement will not result in the loss of any existing garden space or result in the loss of any trees of townscape or amenity value. The proposal includes new and replacement soft landscaping.

As demonstrated above, the proposed basement meets the requirements of policy A5. The principle of the proposed basement is acceptable.

Summary & Conclusion

As demonstrated within this letter and supporting documents, the proposed works are considered to respond positively to the character and appearance of the conservation area and the host property. The proposal would not harm highway safety, neighbour amenity or any trees of merit. The development fully accords with the development plan and national planning policy guidance, and it is respectfully requested that the material minor amendment is granted.

I trust this letter and the enclosed documents provide you with sufficient information to determine the application but if you require any points of clarification or have any questions, please do not hesitate to contact me.

Yours faithfully.



Stuart Minty
Director
SM Planning