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**Via Planning Portal only**

16<sup>th</sup> July 2024

Dear Brendan Versluys

**Listed building consent application – planning (listed building and conservation areas) act 1990**  
**14 Templewood Avenue, London, NW3 7XA**  
**Application to amend listed building consent ref. no. 2013/6973/L**

### **Introduction**

We are submitting on behalf of our client, Mr Benjamin Khalili, this listed building consent application alongside a corresponding material minor amendment application to amend planning permission ref. no. 2013/6912/P (as amended by non-material amendment bearing ref. no. 2024/1436/P).

The purpose of this application is to amend the description of development to remedy an erroneous description of development and amend the approved plans for listed building consent bearing ref. no. 2013/6973/L.

In support of this application please find enclosed a full set of existing, demolition and proposed plans and a planning addendum that includes a comparison between the previously consented and proposed scheme.

In the event that this application is approved, it is envisaged that the following changes to the previously imposed conditions could be made:

Condition 1 (time limit for implementation)– given that the development has begun there should not be a condition imposing a time limit for implementation.

Condition 2 (materials) - this can be re-applied.

Condition 3 (making good works to match) - this can be re-applied.

### **The Proposal**

The proposed amendments to the consented scheme include:

1. Change of description of development from:

*“Excavation works to provide 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 five self-contained flats to a dwelling house (Class C3).”*

To:

*“Excavation works to provide single basement floor level, side and rear extensions at ground floor level, extension and alterations to coach house, including linking the coach house to the main house and other external alterations, repair and reinstatement 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).”*

2. Rear extension to the coach house to connect it to the main house
3. Reduction in basement excavation extent to minor lower of part of the existing basement
4. Omission of the previously approved front lightwell
5. Fenestration alterations including new openings and retention and enlargement of existing openings
6. Retention of existing balcony and railing to the front
7. Retention of existing dormer window and balcony to the side
8. Rear external staircase alterations
9. Lowering of ground level to the side by up to 70cm

Given this we suggest that the following description of development is used:

*Amendment of Listed Building Consent bearing ref. no. 2013/6973/L (Authorising excavation works to provide 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 five self-contained flats to a dwelling house (Class C3)) to change the description of development to Excavation works to provide single basement floor level, side and rear extensions at ground floor level, extension and alterations to coach house, including linking the coach house to the main house and other external alterations, removal of car port and erection of cycle store, associated landscaping, and conversion from six self-contained flats to a dwelling house (Class C3). Changes include: erection of a link to connect the coach house to the main house, reduction in extent of basement excavation, modifications to internal layout, omission of front-lightwell, changes to fenestration, retention of existing balcony and railings, retention of existing dormer window and balcony on the side elevation, changes to the external staircase and modest lowering of ground level.*

In terms of background, pre-commencement conditions were discharged in respect of the Planning Permission, and the development was commenced lawfully on the 26th of April 2019 through the demolition of the car port and the laying of a pipe in a trench in the rear garden. The lawful implementation of planning permission 2013/6912/P was verified by a Certificate of Lawfulness for Proposed Use or Development issued on the 15th of May 2020 bearing your ref. 2020/0699/P. Also, a

non-material amendment (s.96a) application was approved on the 15th of May 2024, to correct an erroneous description of development. Given the fact that the listed building consent and planning permission shared the same description of development and determined at the same time, it follows that the listed building consent was also lawfully implemented. A detailed account of the planning history of the site can be found at Appendix 1.

### **Legislation and policy:**

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.

#### 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. Section 16 (conserving and enhancing the historic environment) is relevant to the determination of this application.

#### Local Planning Policy

For the purposes of this application, the adopted development plan for the London Borough of Camden comprises the London Plan (2021), the Local Plan (2017) and Redington and Frognal Neighbourhood Plan (2020). Camden's Supplementary Planning Guidance Documents are material planning considerations. Please see Appendix 2 for a list of relevant planning policy and guidance documents.

### **Planning Assessment**

#### Heritage Appraisal

Context:

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.

Case law dictates that decision makers are required to give *great weight* to any harm to the significance of a heritage asset and how this should be applied is set out in section 16 of the NPPF.

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 site and its significance:

Historically the site formed part of Manor Farm, a 356 ha agricultural estate which was owned by Westminster Abbey. After the C16 dissolution of the monasteries, the estate passed to Sir Thomas Wroth, Sir William Langhorne, the Maryon family and then to Sir Thomas Spencer Wilson in 1777. When Sir Thomas Spencer Wilson died in 1821, the estate was divided between his sons and the ability of the estate to be developed inhibited by Sir Thomas Spencer Wilson's will. Sir Thomas Maryon Wilson engaged in a lengthy legal battle to change the will but he failed in his endeavours resulting in the land remaining as farmland into the 1870's. When Sir Thomas Maryon Wilson died in 1896, his brother Sir John Maryon Wilson was free to grant building leases to his son Spencer Maryon Wilson. In 1873 it was agreed that the estate would be divided with his son, who's parcel included the area of land on which Templewood Avenue now sits.

One of the main influences shaping the estate was F. J. Clark, a land agent, who advised the Maryon Wilson family to build the main roads and sewers and subsequently release the land for building in a sequential manner. In 1898, Spencer Maryon Wilson sold the land which is now occupied by West Hampstead Estate to George Washington Hart, a builder/ developer who employed Charles Quennell to design the houses. The laying out of the estate began in the southern and north western part of the estate, with Templewood Avenue not being laid out until 1904. Charles Quennell and George Washington Hart worked on approximately 100 houses in the west Hampstead Estate over a 15 year period. Templewood Avenue was the final phase of the estate and comprised the grandest houses in the development.

Quennell's architectural career began with Newman and Newman, JD. Sedding and Henry Wilson. In 1896, he set up his own practice which primarily focused on middle class housing in Hampstead, Bickley and Northwood. His residential buildings took influence from Arts and Crafts and Queen Anne styles, which later developed into the Neo-Georgian style adopted for 14 Templewood Avenue.

There are currently 23 Charles Quennell buildings that are statutorily listed in England, including 14 Templewood Avenue. 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 building was converted into 6 flats in 1956, pursuant to planning permission reference 3143. Several permissions were granted in the 2000's for extensions to the building and excavations to enlarge the basement. Notably, listed building consent was granted for a substantially similar development to that proposed (reference 2013/6973/L). The planning associated permission has been confirmed to have been lawfully implemented by lawful development certificate reference 2020/0699/P. It therefore follows that the listed building consent has also been lawfully implemented and is a material consideration in the determination of this application.

As a result of historic interventions, the building has been heavily altered internally with its original plan form being obscured by later partitions and many of its original decorative features being removed or covered over. Most of the remaining fixtures and fittings inside the building are modern and of no architectural or historic significance. As set out in the listed description, the significance of the building is largely derived from special aesthetic and architectural value of its external treatments.

This application seeks to make changes to the listed building consent previous listed building consent and in line with a corresponding minor material amendment application to planning permission 2013/6912/P.

#### The proposal and its impacts

The proposed external works relate to replacement of and extensions to modern parts of the building including the coach house, basement and conservatory. These elements remain subservient to the host building and are to be finished in high quality materials that are sympathetic to the architectural finish of the existing building. The alterations primarily relate to later additions and would result in nominal loss of historic fabric.

The proposed window alterations improve the fenestration pattern across the façade and enhance the appearance of the building.

The modest changes in levels (up to 70 cm) within the existing basement and side passage would not affect the special interest of the listed building.

The internal changes to the building bring the internal partitions closer to the original plan form by removing later (1950's) partitions, kitchens and bathrooms and the main entrance hall would be reinstated. This restores rooms closer to their original proportions. The principal staircases are proposed to be retained in their existing positions with a lift shaft being located in an alternative position. The new position would not adversely impact historically sensitive fabric (the stairs).

The proposal continues to revert the building back to a single dwelling, its original intended purpose.

The inside of the building is to be comprehensively refurbished with remaining historic fabric being retained. Given the extent of internal changes to the building that have taken place to date, the proposal would constitute an enhancement.

The proposed works will preserve the character and significance of the listed building. In turn, the proposal will preserve the contribution that the building makes to the special interest of the conservation area. The proposal is considered to be in line with London Plan Policy HC1 and Local Plan Policy D2.

### Summary

For the reasons set out in this letter it is considered that the proposed development constitutes sustainable development in accordance with the National Planning Policy Framework. The proposal is in accordance with the adopted development plan and there are no over-riding material planning considerations which suggest the development should not be determined anything but positively in accordance with the adopted development plan.

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**

## **APPENDIX 1: PLANNING HISTORY**

On the 15<sup>th</sup> of May 2024, a non-material amendment application was granted (reference PP-12935812) to amend the description of development of planning permission 2013/6912/P to Excavation works to provide single basement floor level, side and rear extensions at ground floor level, extension and alterations to coach house and other external alterations, 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).

On the 15<sup>th</sup> 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 28<sup>th</sup> 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 16<sup>th</sup> 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 29<sup>th</sup> 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 29<sup>th</sup> 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 31<sup>st</sup> 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 7<sup>th</sup> 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 21<sup>st</sup> 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 7<sup>th</sup> 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 11<sup>th</sup> 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 11<sup>th</sup> 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 12<sup>th</sup> 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 12<sup>th</sup> 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 16<sup>th</sup> 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 16<sup>th</sup> 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.