

DP6771/AM/LLJ/AT
28 March 2025

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FAO: Josh Lawlor – Principal Planning Officer

Dear Josh,

**33-35 Jamestown Road, London, NW1 7DB and 211 Arlington Road, London, NW1 7HD
Applicant Amendments to Proposed Development and Response to Consultation**

This letter has been prepared on behalf of 4C - Jamestown Road Ltd (the “Applicant”) to outline the proposed amendments made on the planning application (2024/4953/P) for the development site of 33-35 Jamestown Road and 211 Arlington Road, London (the “Site”) which is currently pending consideration.

Since the application was submitted, the Applicant has taken the decision to reduce the height of the student accommodation building in order to change the building from being categorised as a “high risk building” for the purposes of the Building Safety Act. This letter addresses the changes to act as an addendum to the submitted Planning Statement, and also provides a response to the consultation responses received on the application thus far.

November 2024 Submission

The application for full planning permission for the Proposed Development was first submitted to Camden on 11 November 2024 (the “Application”) for:-

“Demolition of existing buildings and structures to facilitate redevelopment comprising a Purpose Built Student Accommodation (Sui Generis) block over the basement, ground, plus six storeys and seventh-floor plant room with flexible commercial (Class E) on the ground floor and a residential (Class C3) block over the ground plus five storeys. Each block has two private courtyards with hard and soft landscaping, cycle parking, and associated works”.

The consultation period for the application expired on 16 of December 2024 albeit some comments were lodged after this date.



As set out above, this letter has been prepared to outline the series of amendments to the submitted Application, primarily in response to the reduction in height of the student accommodation building, and subsequent changes to floorspace figures, change in areas, proposed unit mix and cycle parking numbers. This letter also provides a response to objections and other statutory consultees who have made comments on the Application.

In addition, this letter also provides a summary of relevant policy updates since the time of the submission of the Application, primarily the publication of the revised National Planning Policy Framework in December 2024 by the Ministry of Housing, Communities and Local Government.

The amendments to the submitted Application (November 2024) are submitted in the form of the following supplementary documents and additional information:-

1. Addendum Cover Letter;
2. Updated Additional CIL Information Form;
3. Revised Proposed Plan Set;
4. Design and Access Statement Addendum;
5. Updated Drawing Schedule;
6. Townscape Visual Impact Assessment Addendum;
7. Revised Affordable Housing Statement;
8. Financial Viability Assessment Addendum;
9. Health Impact Assessment Addendum;
10. Transport Assessment Addendum;
11. Fire Statement Addendum;
12. Energy Statement and Overheating Assessment Addendum;
13. Sustainability Statement Addendum;
14. Daylight and Sunlight Assessment Addendum; and,
15. Economic Regeneration Addendum.

The table at Appendix 1 outlines the form of documentation and the rationale for the updates.

Summary of Amendments

As outlined above, since the application was submitted, the Applicant has taken the decision to reduce the height of the student accommodation building in order to change the building from being categorised as a “high risk building” for the purposes of the Building Safety Act. These changes are referred to throughout as the “Addendum Submission”.



As a result of the above changes, the proposed description of development is amended as follows:-

*“Demolition of existing buildings and structures to facilitate redevelopment comprising a Purpose Built Student Accommodation (Sui Generis) block over the basement, ground, plus ~~six~~ **five** storeys and ~~seventh~~ **sixth** floor plant room with flexible commercial (Class E) on the ground floor and a residential (Class C3) block over the ground plus five storeys, each block has two private courtyards with hard and soft landscaping, cycle parking, and associated works.”*

Revised Proposed Floorspace

As outlined in the submitted Updated Additional CIL Information Form, the proposed floorspace figures have changed as a result of the proposed amendments to the student accommodation building. The revised floorspace figures are shown in Table 1 below.

Table 1. Revised Proposed Floorspace Figures

Proposed floorspace (with plant apportioned)	GEA (sqm)	GIA (sqm)
Flexible Commercial (Class E)	385 sqm	339 sqm
Residential (Class C3)	3,401 sqm	2,905 sqm
Purpose Built Student Accommodation (Sui Generis)	6,495 sqm	5,946 sqm
TOTAL	10,281 sqm	9,190 sqm

Change in areas

The residential areas have changed marginally due to internal layout co-ordination and the introduction of an enclosed stair at roof level which was not previously proposed in the November 2024 submission. The revision to the partition between the residential and student accommodation and overall external wall thickness has altered the total residential areas on each floor marginally also. There is no change proposed to the unit mix or tenure.

The residential now represents 33% affordable housing as a percentage of the total residential gross internal area, and 35% affordable housing by habitable room.

Revised Proposed Unit Mix and Habitable Rooms

Table 2 below sets out the updated proposed unit mix and habitable rooms as a result of the amendments to the student accommodation building.



Table 2. Revised Proposed Unit Mix and Habitable Rooms

	Intermediate rented units	Social Rented Units	Intermediate hab rooms	Social Hab Rooms	PBSA Units
1-bedroom	5	-	10	-	
2-bedroom	7	6	21	18	-
3-bedroom	-	9	-	45	-
PBSA	-	-	-	-	178
Sub-total	12	15	31	63	178
Total	27		94 (35%)		178
Total overall			272		

Revised Cycle Parking numbers

As a result of the change in unit mix and habitable rooms, the proposed development's cycle parking provision has been amended accordingly. The revised cycle parking is as follows: -

- Long stay (student), total 134:
 - Adaptive spaces: 8 (6%)
 - Two tier spaces: 100 (73%)
 - CaMden Stands 28 (20%)
- Short stay (student), total 5
- Long stay (residential), total 54:
 - Adaptive spaces: 3 (5%)
 - Two tier spaces: 40 (75%)
 - CaMden Stands 11 (20%)
- Short stay (residential), total 2
- Long stay (commercial), total 6
- Short stay (commercial), total 1

Viability Matters

The submitted Financial Viability Assessment has been subject to independent review by BPS Surveyors. This process has concluded that the Proposed Development is in deficit and is delivering the maximum level of affordable housing on Site. The submitted Financial Viability Assessment Addendum, prepared by BNP Paribas Real Estate appraises the revised proposals which remains in a deficit using the methodology that was agreed with BPS during earlier reviews. It remains the case that the revised proposals are delivering the maximum level of viable affordable housing.



Response to Consultation Matters and Planning Policy Assessment

At the time of writing, sixteen objections have been received to the Application. This includes objections from neighbouring residents and occupiers of Jamestown Road, Arlington Road, Inverness Street and the Primrose Hill Conservation Area Advisory Committee (PHCAAC).

The objections raise comments surrounding a range of planning matters which are thoroughly addressed in full in the original submission, for completeness these are repeated here to address points raised by objectors.

Many of the objections are identical in wording and are addressed collectively in turn by the planning issues which are raised in each:-

- Daylight and sunlight;
- Construction, parking and traffic impacts;
- Fire safety;
- Height, massing and heritage impacts;
- Demand for student accommodation; and
- The need for an environmental impact assessment.

This section also deals with the planning policy assessments related to these topics and summarises the outcomes of the assessment work for the addendum submission.

Daylight/sunlight

Many of the objections received to date refer to a daylight and sunlight impacts arising from the Proposed Development. As outlined in the originally submitted Daylight and Sunlight Assessment, prepared by GIA and section 7 of the Planning Statement, the impacts to 22 properties have been assessed. The assessment acknowledges that there are some impacts to neighbouring properties which are in excess of the BRE Guidelines, and that these impacts are fully justified.

Since the November 2024 submission, the Applicant team have decided to reduce the height of the proposed student accommodation building. As set out in the Daylight and Sunlight Addendum letter (dated 19 March 2025), the proposed changes are unlikely to have an material difference in impact, with some properties to the south, southeast and southwest likely to see an improvement to the daylight and sunlight impact on neighbouring properties. Overall, the daylight/sunlight impacts are not considered to be materially different to the original scheme.

The Proposed Development is considered acceptable in daylight/sunlight terms.



Construction, parking and traffic

The impacts of construction are recognised and these are addressed in the submitted application documentation. The Applicant understands the potential negative impacts of construction on neighbours and has committed to preparing a demolition management plan, and construction management plan including a construction working group to liaise with neighbours. The draft Construction Logistics Plan submitted with the application sets out how the Applicant intends to construct the development and manage construction during the process.

Ultimately, the final measures would be expected to be controlled by section 106 legal agreement should the Council be minded to grant planning permission. All matters relating to construction impacts are considered to be able to be appropriately controlled via these mechanisms.

Objections relating to parking and traffic are not considered to be material considerations. The Proposed Development will be car free, with any disabled parking need to be secured by a commuted sum for Camden to deliver on-street in case a need arose from users of the Proposed Development. There are considered to be no direct transport impacts from the Proposed Development that are not mitigated by way of the direct measures proposed, or any of the financial contributions sought by Camden in line with the Transport CPG. The comment relating to the development increasing visitor parking into the area is unfounded, and there is nothing to suggest that the Proposed Development would derive any more visitors driving to and parking at the Site over and above any other car users outside of the Controlled Parking Zone hours.

A Transport Assessment Addendum (dated March 2025), prepared by Iceni Projects, has been submitted alongside this covering letter and sets out that the revised development proposals have been assessed and that they do not result in any significant or material changes to the assessments / analysis undertaken as part of the submitted application. The Addendum concludes that the previously established conclusions of the Transport Assessment submitted, as part of the current application, remain valid and there is no justifiable reason to object to the application on highways grounds.

Fire Safety

Many objectors raise comments relating to ‘lessons learned from Grenfell’. As set out above, since the application was submitted, the Applicant has taken the decision to reduce the height of the building to change it being categorised as a “high risk building” for the purposes of the Building Safety Act. For the avoidance of doubt, the submitted proposals did not cause a fire safety risk at all and this decision has been taken entirely at the Applicant’s discretion. The original application was reviewed by the Health and Safety Executive who concluded that fire safety had been sufficiently considered in the submission.

The revised development proposals have been designed to the highest standards of fire safety, as outlined in the revised submitted documents including the Design and Access Statement Addendum, and Fire Statement Addendum.



Height, massing and heritage impacts

A number of objections relate to the overall bulk and height of the Proposed Development. As set out in several of the Application documents, it is considered that the Proposed Development successfully optimises a vacant, brownfield site through the design led approach to provide high quality purpose built student accommodation, affordable housing and flexible commercial space.

A detailed objection relating to the heritage impact assessment has been received, which has been responded to accordingly by Turley, and is appended to this letter at Appendix 2. For the avoidance of doubt it is considered that this objection is baseless.

Student accommodation demand

Many of the objectors question the need for student accommodation in London, providing anecdotal evidence that the need is in decline. The Applicant strongly disagrees and would highlight the extensive research contained within the Economic Regeneration and Employment and Skills Strategy prepared by Volterra that highlights that London has constantly delivered an undersupply of student accommodation. An Economic Regeneration Addendum has been submitted in support of the latest amendments.

To be clear, not only is there demand for this use, the proposed student accommodation has an important economic relationship to the delivery of traditional affordable homes on site.

The need for an environmental impact assessment

One objector has requested that a full Environmental Impact Assessment (EIA) be prepared. The Proposed Development was subject to an EIA Screening Opinion from the London Borough of Camden (ref. 2024/3371/P) which was issued on 2 September 2024 which confirmed the development was not EIA development and that an Environmental Statement is not required.

The submitted application documents address all relevant environmental considerations in a full and proportionate manner commensurate with the scale of the Proposed Development.

Section 106 Obligations

As a result of the reduction in floorspace, two of the Section 106 financial obligations have altered. For completeness, a list of the agreed Section 106 financial obligations through discussions with the London Borough of Camden are listed below to supersede chapter 8 of the submitted Planning Statement:-

- Affordable Housing – securing the 27 proposed affordable homes;
- Car Free Development;
- Section 278 works and contribution - £94,000 to include:-
 - Removal of a crossover from Arlington Road and reinstating as footway;
 - Alteration of the road layouts to install double yellow lines for loading and unloading on both



Arlington Road and Jamestown Road;

- Provision of four CaMden stands to meet the short stay cycle parking requirements
- A commuted sum to deliver a blue badge space should need arise from the development in the future;
- Rain Garden enhancements;
- A Controlled Parking Zone Review
- Cycle hire/e-scooter bay and micromobility contributions;
- Pedestrian, cycle and environmental contribution – £350,000;
- Public Open Space Contribution - £355,348.62;
- Employment and Skills Contribution – approximately £107,865.00;
- 17 construction apprenticeships;
- Apprenticeship support fee - £27,200;
- Travel Plan Monitoring Contribution - £11,348;
- Energy and Sustainability Plans;
- Construction Working Group;
- Demolition and Construction Management Plan;
- Demolition and Construction Management Plan Support Contribution - £30,513 ;
- Construction Impact Bond - £30,000;
- Carbon offsetting contribution - £49,961;
- Student management plan;

Policy Updates

On 14 December 2024, the Ministry of Housing, Communities and Local Government published a new National Planning Policy Framework (“NPPF”). The revised NPPF takes immediate effect and we have provided a summary of relevant policy updates below in Table 3 insofar as they relate to being a material consideration in Camden’s assessment of the Proposed Development.

This should be read alongside and act as an addendum to the submitted Planning Statement, the table below highlights the original sections from the Planning Statement with updated policy wording and assessment.



Table 3. Revised Policy and Assessment

Original Planning Statement Paragraph Numbers	Revised Policy and Assessment
6.3-6.4	The NPPF, published in 2024 sets out the Governments national planning policy strategy. The new NPPF places significant weight on the importance of delivering new homes on brownfield land. National Planning Practice Guidance on Viability was also updated on 12 December 2024.
7.42-7.44	Paragraph 11(d) of the NPPF has been updated to strengthen the presumption in favour of sustainable development, of relevance, where policies are out of date (in this case, Camden's Housing Delivery Test for 2023 has shown further under-delivery of housing, remaining in the "presumption" category), the application of policies in this framework that protect assets of particular importance provides a strong reason for refusing the development, or , any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.
7.70	The Proposed Development engages the "titled balance" outlined at paragraph 11(d) of the NPPF. It is considered that there are no areas or assets of particular importance which would weigh against the Proposed Development individually or in combination that would constitute a strong reason for refusal in line with the Framework. The Proposed Development is considered to be fully in accordance with the strong presumption in favour of sustainable development.
7.42 and 7.44	Paragraph 60 is now paragraph 61 of the NPPF (no material wording change)
7.10	Paragraph 157 now paragraph 161 of the NPPF (no material wording change)
7.5	Paragraph 123 is now paragraph 124 of the NPPF (no wording change)
7.106-7.109 and 7.116	Paragraph numbers with no wording changes are updated below: Was 189, now 202 Was 194, now 207 Was 199, now 212 Was 202, now 214 Was 203, now 215
7.139	Paragraph 116 is now paragraph 117 of the NPPF (no wording change)
7.152	Paragraph 191 is now paragraph 198 of the NPPF (no wording change)
8.5	Paragraphs 55-57 are now paragraphs 56-58 of the NPPF (no wording change).

Conclusions

The revised Proposed Development would continue to bring forward much needed housing on a vacant, brownfield site with an emerging allocation. It would transform these dilapidated buildings to



deliver a mix of purpose built student accommodation and affordable housing along with employment floorspace.

For the reasons set out in this letter and the submitted Planning Statement, it is considered that the proposals are in full accordance with the development plan, and in line with Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended), there are no material considerations that indicate that planning permission for the Proposed Development should not be granted.

We look forward to receipt of this letter and amended application documentation. Should you have any queries in the meantime please do not hesitate to contact Alexandra Milne, Liam Lawson Jones or Annie Timms at this office.

Yours faithfully

DP9 Ltd.

DP9 Ltd.



Appendix 1 - Supplementary Documents and Additional Information

	Document and Author	Form of Document	Rationale for the Updates
1.	Cover Letter (this letter) DP9	New (to sit alongside the originally submitted)	A new Covering Letter has been provided to set out which documents have been provided for the Application Amendments.
2.	Updated Additional CIL Information Form 4C - Jamestown Road Ltd	New (to supersede)	Amendments to proposed floorspace figures have been incorporated into the updated Additional CIL Information Form.
3.	Revised Proposed Plan Set Morris + Company	New (to supersede)	Amendments to some originally submitted drawings; some additional drawings. Please refer to the submitted drawing schedule.
4.	Design and Access Statement Addendum Morris + Company	New (to sit alongside the originally submitted)	The Design and Access Statement Addendum outlines the proposed changes to the previously submitted application.
5.	Updated Drawing Schedule Morris + Company	New (to supersede)	Amendments to some originally submitted drawings; some additional drawings.
6.	Townscape Visual Impact Assessment Addendum Turley	New (to sit alongside the originally submitted)	An updated Townscape Visual Impact assessments have been undertaken as a result of the changes to the originally submitted application.
7.	Revised Affordable Housing Statement Regal London	New (to supersede)	A revised Affordable Housing Statement to reflect the revised housing mix.
8.	Financial Viability Assessment Addendum BNP Paribas	New (to sit alongside the originally submitted)	A revised Financial Viability Assessment following independent review by BPS on behalf of the London Borough of Camden.
9.	Health Impact Assessment Addendum Volterra	New (to sit alongside the originally submitted)	A Health Impact Assessment Addendum has been prepared to support the revised proposals.
10.	Transport Assessment Addendum Iceni	New (to sit alongside the originally submitted)	Updated transport assessments have been undertaken as a result of the changes to the originally submitted application.
11.	Fire Statement Addendum Jenson Hughes	New (to sit alongside the originally submitted)	A revised Fire Statement has been provided to set out how the changes to the originally submitted application impact the previous conclusions on fire safety.
12.	Revised Energy Statement and Overheating Assessment Wallace Whittle	New (to supersede)	An addendum document for the originally submitted Energy and Overheating Assessment has been prepared to reflect revised proposals.



	Document and Author	Form of Document	Rationale for the Updates
13.	Revised Sustainability Statement Wallace Whittle	New (to supersede)	As above.
14.	Daylight and Sunlight Assessment Addendum GIA	New (to sit alongside the originally submitted)	An updated daylight and sunlight assessment has been undertaken as a result of the changes to the originally submitted application.
15.	Economic Regeneration Addendum Volterra	New (to sit alongside the originally submitted)	An Economic Regeneration Addendum has been submitted in support of the latest amendments.



Appendix 2 – Turley Heritage Response Note

Brilliant Buildings LLP: Consultation Comments

Nos. 33—35 Jamestown Road, London NW1 7DB

December 2024

Introduction

1. A planning application¹ was submitted on 11th November 2024 for:

“Demolition of existing buildings and structures to facilitate redevelopment comprising a Purpose Built Student Accommodation (Sui Generis) block over the basement, ground, plus six storeys and seventh-floor plant room with flexible commercial (Class E) on the ground floor and a residential (Class C3) block over the ground plus five storeys. Each block has two private courtyards with hard and soft landscaping, cycle parking, and associated works.”

2. A letter was received on 12th December 2024 from Smith Jenkins Planning & Heritage who, on behalf of Brilliant Buildings LLP (the freehold owners of 57D Jamestown Road), were tasked ‘to review the application with a view to identifying if the proposals are compliant with the development plan’. The assessment was focused on the submitted Design and Access Statement (prepared by Morris + Co) and the Heritage, Townscape and Visual Statement (prepared by Turley).
3. This note responds to some of the misjudged perceptions around the approach to, and assessment of, heritage, townscape and visual impacts, and there are set out below in **Table 1**.
4. In summary, we dispute the allegations regarding methodology and process, some of which are based upon misguided interpretations of guidance and practice and confirm that the HTVS follows guidance, advice and best practice as far as is practicable and relevant, whilst being proportionate in approach, given context, setting and the nature and extent of the Proposed Development.
5. An incorrect understanding of the requirement of the statutory duty (s66) is also made and it’s important to note that the requirement is actually placed on the decision-maker – i.e. London Borough of Camden, who will make their assessment in accordance with duty in determination of the application.
6. We also note that whilst a number of screenshots from Vu.City software are provided, they appear crudely modelled and importantly, are non-verified and accordingly attract little weight. There is no explanation of what element of setting that contributes to the significance of the relevant heritage assets is being identified as being impact upon.
7. Ultimately, assessment of heritage, townscape and visual impacts requires professional judgement based upon experience and that opinions may vary. Nevertheless, we are confident that the assessment and conclusions reached are robust and sufficient to assist the local planning authority in determination of the planning application.

¹ Planning Ref. No. 2024/4953/P

Table 1: Response to Brilliant Buildings LLP Comments

Topic	Brilliant Buildings LLP Comments	Turley Response
Townscape Baseline	<ul style="list-style-type: none"> ‘The Townscape Character Areas identified in the HTVS appear to not be reliant on an assessment of the actual townscape but focussed on the presence of conservation areas. This is a fundamental error in the methodology used in the preparation of the HTVS...Such an approach does not reflect Best Practice guidance and fails to undertake a proper assessment of the local townscape character.’ (Page 2). Assertion that the ‘Jamestown Road Townscape Character Area’ be split into two character areas, marked ‘A’ and ‘B’, and that area ‘A’, within which the Site is located, is more closely related to those properties within the Primrose Hill Conservation Area (Page 4). 	<ul style="list-style-type: none"> There is no prescribed methodology for identifying townscape character areas. Our assessment follows best practice guidance, including the Landscape Institute’s <i>Townscape Character Assessment Technical Information Note 05/2017</i>. We have reviewed these comments in the context of our assessment and are confident that it is robust and proportionate. Importantly, conservation areas are, by definition, special areas of townscape and/or landscape character and it is entirely appropriate they can form discrete townscape character areas.
Heritage Baseline	<ul style="list-style-type: none"> <i>‘We would expect the HVIS to include the overlay of the location of heritage assets with the ZTV to ensure that the scoping of the assets is aligned. The GLA guidance on the preparation of Heritage Impact Statements identifies such analysis as a basic requirement of such documents. Such an illustration is missing. The absence of such an overlay shows that the scoping of the heritage assets has not been robustly undertaken.’</i> (Page 5). <i>‘The ZTV clearly shows that there will be some visibility of the scheme within from within the Regent’s Park (conservation area and Registered Park and Garden) and also from Primrose Hill (conservation area and Registered Park and Garden and also the location of LVMF 4 (Primrose Hill to St Pauls and the Palace of Westminster). There is no justification provided for why an assessment of the effect of the application proposals on either of these assets has not been provided.’</i> (Page 5). <i>‘The scoping of heritage assets in HVIS appears to be solely based on visual matters only. As Historic England guidance GPA3: The Setting of Heritage Assets identifies, there are many elements of setting that may or may not contribute to significance, being for instance traffic, noise etc. Such an assessment has not been properly carried out in the HVIS.’</i> (Page 5). Omission of any assessment of the Grade II listed former Piano Factory on Oval Road or explanation as to why it has not been undertaken (Page 5—6). Overall conclusion that the baseline heritage assessment is insufficient to understand the potential impact of the application proposals. 	<ul style="list-style-type: none"> The methodology for the scoping of heritage assets is set out in paragraphs 3.8 to 3.16 of the HVIS. This was informed by the ZTV as well as on-site visual survey and initial consideration of the significance of heritage assets – and the relative contribution of setting to that significance. Such scoping includes other factors in addition to simple visual modelling. The scoping was agreed with officers at London Borough of Camden through the pre-application process. Absence of an ‘overlay’ simply reflects the production of the ZTV plan by the visualisation consultant and the heritage visual mapping by Turley. Importantly, the resultant information is sufficient and proportionate to understand potential impacts. Nevertheless, the base mapping of both plans is clear such that a reading across both is a simple task. Although intervisibility with the Proposed Development is shown on the ZTV outside of the 250m study area, given the separating distances and the established urban context, any potential visibility of the Proposed Development in these views is unlikely to affect the overall heritage significance of heritage assets. As ever in these circumstances a view is established on the basis of experience and professional judgement and the scoping of heritage assets was confirmed and agreed with the London Borough of Camden through the pre-application process.
Visual Baseline	<ul style="list-style-type: none"> Views to be assessed in the HVIS are within c. 200m radius of the Site, <i>‘which would suggest that there would be only very localised effects arising from the application proposals.’</i> <i>‘Despite clear visibility of the proposals, the HVIS fails to include any assessment to identify why such views [i.e., from the north along Harmood Street, to the southwest from Regent’s Park, from the west in Primrose Hill and to the north west from Haverstock Hill] should be excluded from assessment.’</i> (Page 6). Question as to why there is no view taken from within the complex of buildings associated with the Piano Factory. 	<ul style="list-style-type: none"> As set out above, although intervisibility with the Proposed Development is shown on the ZTV outside of the 250m study area, the degree of change experienced within these views will be limited, given the extensive separating distances and the established urban context. The viewpoints were chosen to be a representative selection, reflecting the areas of greatest likely change within the townscape. They were agreed with officers at the London Borough of Camden through the pre-application process. This reflects the proportionate approach recommended by guidance. In summary, the heritage, townscape and visual baselines are robust, properly informed by guidance, advice, best practice and experience.

Topic	Brilliant Buildings LLP Comments	Turley Response
The Proposals	<ul style="list-style-type: none"> <i>‘The buildings on the existing site are replaced with buildings of 6 to 8 storeys...The application proposals would be of a very different character. This is the result of the lack of appropriate assessment within the HVIS which wrongly identifies the boundaries of the townscape character areas, attempting to identify the application site as being of an area suggested to be characterised by taller elements when it is of a much lower scale.’ (Page 7).</i> 	<ul style="list-style-type: none"> The Proposed Development, but its nature, involves a significant change to the site, but that degree of change is assessed as appropriate to townscape context. The Proposed Development has undergone extensive and iterative pre-application consultation and engagement with officers at the London Borough of Camden, including detailed consideration of achieving an appropriate form of development that allows for the opportunity the site provides to be realised whilst respecting local context.
Townscape Effects	<ul style="list-style-type: none"> <i>There is ‘very limited assessment of the impact of the proposals on the specific townscape character areas, and limited information to understand those elements of the local townscape that have informed the design proposals.’ (Page 8).</i> <i>‘If the townscape character areas had been properly assessed, the change in scale within the specific urban block would have a detrimental impact on the townscape character area as a result of the change in scale and grain of development which would be detrimental to the character of the area’. (Page 8).</i> 	<ul style="list-style-type: none"> The likely townscape impacts of the Proposed Development have been assessed proportionate to their likely effects and ultimately are matter of professional judgment. Again, the scale of change appears to be automatically equated to an adverse impact, which is not the case given wider townscape context and capacity. The assessment is robust.
Heritage Effects	<ul style="list-style-type: none"> <i>‘The HVIS concludes that the significance of no. 31 Jamestown Road would be preserved. However, given the above two views, it is difficult to see how such a conclusion can be reached. The ability to appreciate the significance of the locally listed building in its townscape is significantly reduced. There would be a change to the setting of the locally listed building from one which has open skyspace around it to one that is built.’ (Page 10).</i> <i>‘We note that the HVIS suggests that that the significance of the locally listed buildings which form part of the piano factory complex would be preserved by the application proposals. The evidence in the attached document clearly shows that this would not be the case. As a result of the change within the setting of these buildings, replacing development of a generally low scale with buildings which do not sit well within their context, the proposals would cause an element of harm to these non-designated heritage assets, requiring a balanced judgement in line with paragraph 216 of the NPPF’. (Page 10).</i> <i>‘Whilst the ZTV shows no visibility from Oval Road in association with the Piano Factory, the effects on heritage assets are not just limited to visual effects. The HVIS has already identified that there are a number of locally listed buildings associated with the Piano Factory and the change in character in the surrounding area to these must be considered to cause an element of harm to their significance, replacing a low scale building with a scheme which is much larger in scale and mass. This change would be noticeable from within the listed building where the current view out to the surrounding area is one of a low scale of surrounding development with taller elements set at some distance away. The proposals would change this context considerably.’ (Page 11).</i> <i>‘The HVIS then goes on to conclude at paragraph 6.48 that the public benefits delivered by the Proposed Development would outweigh that harm. It is not the place of the HVIS consultant to provide a planning balance in line with paragraph 208 of the NPPF unless it is considered that there are specific heritage benefits which would lead to a heritage balance of effects. The HVIS does not identify any specific benefits.’ (Page 11).</i> <i>‘Concluding harm does allow for a planning balance exercise (which is normally undertaken in the Planning Statement), but there is a process, established by appeal decisions and high court judgements which is required to be considered to illustrate that the special attention has been paid to the statutory duty in respect of listed buildings and conservation areas. This must include an assessment of whether a different scheme could cause either a lower degree of harm, or that harm could be eliminated altogether. Such an exercise has not been undertaken in the HVIS. In this regard, the application proposals fail to show that they have given special regard to the statutory duty.’ (Page 11)</i> 	<ul style="list-style-type: none"> The impacts of the Proposed Development are ultimately a matter of professional judgment based upon understanding of the relative heritage significance of the asset concerned, the degree or not of contribution of setting to that significance, and the nature and extent of the application proposals. The extent of visibility of the Proposed Development does not equate to harmful effect. It is erroneously assumed that change ‘being noticeable’ to setting equates to harm. In these terms the conclusions reached are robust. In relation to illustrating that special attention has been paid to the relevant statutory duties, the Proposed Development has undergone extensive and iterative pre-application consultation and engagement. This included testing of various massing options for the Site, informed by an understanding of built heritage, townscape and visual matters and associated advice. The principal aim, in heritage impact terms, has been to reduce and minimise any potential impacts on heritage significance. It is open to the townscape and heritage consultant to be aware of, and refer to, the findings of others in the applicant’s team, regarding the nature and extent of public benefits that will accrue from the Proposed Development.
Visual Assessment	<ul style="list-style-type: none"> <i>‘The visual assessments concludes the effects of the application proposals in table 7.1, concluding that there are several adverse effects. However, this is preceded with discussion at paragraph 7.19 that the proposals are considered to be appropriate to its context. The conclusions are contradictory – the proposals cannot have an adverse effect but also be considered to be appropriate for its context.’ (Page 12).</i> 	<ul style="list-style-type: none"> Some potential slight adverse visual effects were identified within a wider context of mainly none or neutral visual impacts and the assessment has to be read as a whole. Importantly, it is entirely right that the Proposed Development can have some slight adverse visual impacts whilst overall having a positive effect on townscape character. The assessment is robust.

Topic	Brilliant Buildings LLP Comments	Turley Response
Summary and Policy Considerations	<ul style="list-style-type: none"> • <i>‘In considering the proposals, we agree with the HVIS that there would be an element of heritage harm arising from the proposals, namely on the Primrose Hill Conservation Area and the listed buildings on Gloucester Crescent (a total of 12 individually listed buildings). This harm would be less than substantial. We have also identified other harmful impacts on the grade II listed piano Factory (which has not been assessed in the HVIS) and also on no. 31 Jamestown Road (a locally listed building).’</i> • <i>‘In respect of the listed buildings and conservation areas, this provides a conflict with the statutory duty and requires a judgement on the planning balance in line with paragraph 215 of the NPPF. The application proposals would similarly not meet the London Plan policy on heritage (HC1) and the Local Plan (D2).’</i> • <i>‘We have also identified that if the townscape character was properly assessed, then the proposals would have a detrimental impact on the local townscape. The proposals would be therefore not comply with policy D1 of the Local Plan as well as policy D1 of the London Plan which seeks to protect the character of London.’ (Page 12).</i> 	<ul style="list-style-type: none"> • Some, less than substantial harm is assessed to the significance of the Primrose Hill Conservation Area and associated listed buildings on Gloucester Crescent, as the principal heritage impact of the Proposed Development. • On the basis of our assessment, which remains robust, we do not find harm to the significance of the Grade II listed Piano Factory or No. 31 Jamestown Road, given the nature and extent of their own heritage significance and the nature and extent of the Proposed Development and wider townscape character and context. • Potential heritage, townscape and visual impacts of the Proposed Development are ultimately matters of professional judgment. We remain confident that the conclusions reached are robust. • A full consideration of policy relating to the historic environment and good design is included within the HTVIS. The Planning Statement, prepared by DP9 planning consultants, also sets out the full list of public benefits arising from the scheme.

Turley, December 2024

REGH3006