

Date: 20/12 /19  
Your Ref:  
Our Ref: 14233



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Dear Sir or Madam

**20 WELL ROAD, LONDON, NW3 1LH**  
**S73 TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)**

1. DWD are instructed to submit an application under s73 of the Act to seek minor material amendments to the **“Approved Development”** at 20 Well Road, London, NW3 1LH for *“Construction of a basement extension, erection of replacement single storey side extension, including increased height of boundary wall; erection of new smaller dormer windows (on east, west and north roofslopes), replacement rooflights and repositioning of entrance; installation of window and removal of French Doors”* that was approved on 25 April 2019 under reference 2018/2456/P, and was accompanied by an application for listed building consent for the same works under reference 2018/2984/L (**“LBC”**).
2. 20 Well Road forms part of a grouping of buildings known as The Logs which are listed and have the listing addresses of 17-20 Well Road and 1, 2, 3 Cannon Lane. The Grade II listed buildings were once a single dwelling before substantial additions were made to the original building over time, with the resultant building subdivided into separate dwellings. 20 Well Road is one of the later 1920s additions to the original building but is nevertheless included in the Historic England listing and is therefore a designated heritage asset. The 1920s core of 20 Well Road has also been subject to a number of further alterations and extensions from the 1950s.
3. Prior to the Approved Development an application for planning permission and listed building consent was approved under references 2014/1426/P and 2014/2438/L, which included construction of a new side extension and dormer windows in addition to some fenestration and internal alterations. Subsequently these applications were resubmitted and approved in 2017 under references 2017/1426/P and 2017/1848/L (**“2017 Applications”**). The Approved Development incorporates the 2017 Applications with the addition of a basement extension underneath the footprint of the house and two external lightwells to the side of the host property.
4. Now, the homeowner is seeking the addition of a front lightwell to the building which would enhance the quality of habitable space in the approved basement extension. In addition, a centrally located internal lightwell is also proposed which would further improve the quality of accommodation,

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without negatively impact the significance of the designated heritage asset. The full list of alterations are tabulated over page.

5. Planning condition 2 attached to both the Approved Development and LBC decision notices includes a schedule of the approved plans and documents which the Approved Development should be carried out in accordance with. The minor material amendments proposed would not result in a scheme substantially different from the one which has been approved. The drawings submitted with this application seek to replace some of those drawings as per the table over page; all of the approved drawings are listed for clarity.
6. S73 of the Act allows for an application to be made to vary or remove conditions associated with a planning permission. The Act explains that *“On such an application the local planning authority shall consider only the question of the conditions subject to which planning permission should be granted, and – if they decide that planning permission should be granted subject to conditions differing from those subject to which the previous permission was granted, .... they shall grant planning permission accordingly”*.
7. Paragraph 013 of The Planning Practice Guidance (“PPG”) states *“one of the uses of a s73 application is to seek a minor material amendment, where the relevant condition can be varied”*. Paragraph 017 of the PPG goes on to explain *“there is no statutory definition of a ‘minor material amendment’ but it is likely to include any amendment where its scale and/or nature results in a development which is not substantially different from the one which has been approved”*.

### **Proposed Amendments**

8. The amendments sought under this application are limited to the construction of a front lightwell to serve the lower ground floor, which is intended to reference the design of the lightwell at the adjoining property at no. 19 Well Road. The proposed lower ground floor elevation will be constructed with brick which matches the host property, the fenestration and apertures on the lower ground floor will also match the host property and the lightwell will be covered with a light galvanised steel open grille (see submitted drawing 06.953.24 Rev C). The modest depth, design and materiality of the additional lightwell is intended to ensure the development causes no harm to significance of the designated heritage asset or the character and appearance of the Conservation Area.
9. Corrie Newell Historic Buildings Consultancy have undertaken a detailed Heritage Impact Assessment (“HIA”) of the proposed amendments and their report is submitted with this application for minor material amendments. The host property having had its core constructed in 1920s is of medium significance but was subject to a number of alterations/extensions in the 1950s, as part of the conversion of The Logs into six maisonettes, which are considered to have neutral significance.
10. The HIA concludes that the proposed lightwell would join a group of existing wells and basement access at The Logs, and would not appear as an alien feature which depresses the heritage significance of the existing building. It would have a neutral impact on the significance of the designated heritage asset by virtue of the works being unobtrusive and not visible from the public realm, whilst the

construction would not result in the removal or damage of any of the original C19 fabric of the building. The lightwells would also have amenity benefits of the occupier of the dwelling.

11. In addition to the front lightwell, an internal lightwell is proposed adjacent to the lower ground floor utility room which would result in an alteration to the siting of the proposed staircase and the removal of the lower ground floor bathroom. This is intended to provide additional natural light into the lower ground floor, further improving the quality of accommodation (see submitted drawing 06.953.15 rev. C). The lightwell would not be visible from the public realm given its positioning and would be an alteration to the 1980s side extension and would not involve works to the fabric of the original 1920s building, which the HIA considers to have medium significance. Therefore, it is considered that this alteration to the internal layout would also cause neutral harm to significance of the designated heritage asset.
  
12. The drawings submitted in support of the s73 application include a set of **existing** drawings, **approved demolition** plans in addition to a set of **approved proposed** drawings some of which this s73 application seeks to replace. A drawing schedule is outlined below which provides a full list of all planning drawings included on the decision notices for the Approved Development and Listed Building Consent and the new revision numbers for drawings to be replaced as part of this s73 application:

Title	Approved Ref (2018/2456/P & 2018/2984/L)	Proposed Ref.	Comments	Drawing Labels
Proposed Section B-B	06.953.24 Rev B	Rev C	Section and plan view show proposed front lightwell and fenestration.	Rev B: Previously approved
				Rev C: Proposed
Proposed Section A-A	06.953.23	Rev A	Section shows proposed internal lightwell	.23: Previously approved
				Rev A: Proposed
Proposed View from Adjoining 19 Well Road	06.953.22	<i>No change proposed</i>		Approved
Proposed Garden Elevation seen from 18 Well Road	06.953.21	<i>No change proposed</i>		Approved
Proposed Garden Elevation	06.953.20	<i>No change proposed</i>		Approved
Proposed Garden Elevation Facing Well Road	06.953.19 Rev B	Rev C	Introduction of a lightwell and fenestration at lower ground level	Rev B: Previously approved
				Rev C: Proposed

Proposed Second Floor and Roof Plan	06.953.18	<i>No change proposed</i>		Approved
Proposed First Floor Plan	06.953.17	Rev A	Removal of one roof light and introduction of internal lightwell	.17: Previously approved
				Rev A: Proposed
Proposed Ground Floor Plan	06.953.16 Rev B	Rev C	Introduction of lightwells and repositioning of lower ground floor stairs as discussed above. Soft landscaping proposed to provide a 'green' screen to the lightwell.	Rev B: Previously approved
				Rev C: Proposed
Proposed Lower Ground Floor Plan	06.953.15 Rev B	Rev C	Internal reconfiguration including swapping of the cinema and tv/games rooms; introduction of a lightwell in the northern corner of the basement floorplate; re-positioning of the staircase.  Introduction of a front lightwell which wraps around the approved lower ground floor projection which will become a bay window with the introduction of fenestration to match the host property.	Rev B: Previously approved
				Rev C: Proposed
Proposed Site Plan	06.953.14 Rev B	Rev C	Introduction of front and internal lightwells	Rev B: Previously approved
				Rev C: Proposed
Existing Section A-A showing Approved Alteration	06.953.13	<i>No change proposed</i>		Previously approved
Existing Section B-B showing Approved Alteration	06.953.12	<i>No change proposed</i>		Previously approved
Existing Elevation seen from adjoining owners showing Approved Alteration	06.953.11	<i>No change proposed</i>		Previously approved
Existing elevation seen from no. 18 showing Approved Alteration	06.953.10	<i>No change proposed</i>		Previously approved

Existing Elevations showing Approved Alteration	06.953.09	<i>No change proposed</i>	Previously approved
Existing Elevation showing Approved Alteration	06.953.08	<i>No change proposed</i>	Previously approved
Existing Garden Elevation	06.953.07	<i>No change proposed</i>	Previously approved
Existing Front Elevation	06.953.06	<i>No change proposed</i>	Previously approved
Existing Second Floor and Roof Plan	06.953.05	<i>No change proposed</i>	Previously approved
Existing First Floor	06.953.04	<i>No change proposed</i>	Previously approved
Existing Ground Floor	06.953.03	<i>No change proposed</i>	Previously approved
Existing Site Plan	06.953.02	<i>No change proposed</i>	Previously approved
Location Plan and Site Plan	06.953.01	<i>No change proposed</i>	Previously approved

### Relevant Applications

13. At the time of submitting this application work has not commenced on any of the extant consents which includes the Approved Development ref: 2018/2456/P dated 25 April 2019 or application reference 2017/1426/P which was consented on 31<sup>st</sup> March 2017.

Yours faithfully

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