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**FAO Mr David Fowler**

14 April 2020

LW/AS – 16/085  
Via PLANNING PORTAL

Dear David

**SECTION 96A APPLICATION TO VARY CONDITION 2 AND 45 OF PLANNING PERMISSION  
2018/5774/P**

**HIGHGATE NEWTOWN COMMUNITY CENTRE, 25 BERTRAM STREET, LONDON N19 5DQ**

On behalf of London Borough of Camden Development Division (the 'Applicant') please find enclosed an application made under Section 96A of the Town and Country Planning Act 1990 (as amended) to amend planning permission 2018/5774/P, as approved by the London Borough of Camden (the 'Council') on 29 March 2019, for development at Highgate Newtown Community Centre, 25 Bertram Street, London N19 5DQ (the 'Site').

The purpose of this application is to secure a range of minor modifications to the approved development which have become necessary as part of the detailed design of the scheme. These changes include minor internal alterations, minor external changes and a revision to the approved Energy Strategy to remove the use of a Combined Heat and Power (CHP) system.

In support of this application we provide the following documentation:

- This covering letter;
- Proposed Drawings and Drawing Schedule, prepared by RCKa Architects;
- Energy Statement, prepared by McBains;
- Acoustic Note, prepared by ION Acoustics;
- Site Location Plan;
- Application forms and certificates; and
- Application fee of £234.

**a. Background**

Planning permission was granted on 29 March 2019 for the following development:

*"Variation of development granted under reference 2016/6088/P dated 30/06/17 for "Redevelopment of the existing Highgate Newtown Community Centre and Fresh Youth Academy and the change of use of the People's Mission Gospel Hall to provide replacement*

*community facilities (Use Class D1) and 31 residential units (Use Class C3) with associated public open space, landscaping, cycle storage, plant and disabled parking."*

*Namely to make the following changes:*

- Amend the height/bulk and massing, elevations*
- Increase the number of residential units from 31 to 41*
- Include 7 affordable units (intermediate) as opposed to none*
- Reduce the area of the community facilities, to result in a smaller increase above the existing floorspace*
- Remove most of the basement*
- Include the existing right of way on the western side of the site."*

Since the grant of planning permission, the Applicant has been working with the Council to discharge the relevant pre-commencement conditions in advance of implementing the consent in the Summer. As part of this work, the design team have been carrying out detailed design work to ensure the scheme can address the specific technical requirements of utility providers, the relevant conditions attached to the consent and to identify opportunities to ease the buildability of the scheme.

As such, a number of minor amendments are sought to the approved development that are considered to fall under the definition of a 'non-material amendment' under Section 96A of the Town and Country Planning Act 1990 (as amended). These changes include:

- Alterations to the substation design in order to respond to UK Power Network (UKPN) requirements
- Alterations to the roof design of community centre hall (Block B)
- Internal alterations to the community centre layout and minor changes to openings at ground floor level (Block B)
- Internal and external alterations to Block C to improve the standard of accommodation and to improve the relationship to adjoining properties.
- The use of Air Source Heat Pumps (ASHPs) instead of the use of Combined Heat and Power (CHP) units, improving the overall environmental performance of the development.

As such, it is proposed to amend Condition 2, setting out the approved drawings and documents, and Condition 45 which sets out the requirements for the Energy Strategy.

## **b. The proposed amendments**

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As noted above, this application seeks to secure a range of non-material amendments to the approved development. These are described in detail below and should be read in conjunction with the drawings and documents submitted with this application.

### **Substation amendments**

The approved development made provision for a new substation to be located adjacent to the Croftdown Road entrance to the site. The new substation structure would be designed to adjoin the existing mansion block at 118 Croftdown Road and be constructed with similar materials and finishes.

During consultation with UKPN post consent to determine the necessary technical requirements for the new substation, UKPN instructed the design team that the new substation should be completely detached and not adjoin the property at 118 Croftdown Road. The reason for this is associated with noise and vibration, both of which could transfer through the party wall into the residential accommodation. Ensuring the new substation was detached, would avoid this problem.

As such, the overall footprint and size of the substation has been reduced in order to introduce a 1m 'gap' between the substation building and 118 Croftdown Road. The use of a gate to maintain access

to this area would be provided. It is also important to note that this change would not see the new access path made smaller in any way.

### **Alterations to the roof of the community centre (Block B)**

In order to ensure the acoustic performance of the community centre hall meets the necessary requirements and standards, some minor alterations are required. This has resulted in the overall thickness of the roof to increase, resulting in a minor increase in overall height of 98mm. This minor additional height would have no material change on the appearance of the hall and it would result in no material change to outlook, views and daylight and sunlight conditions when compared to the approved development.

In addition, a reduction in the quantum of rooflights to the community centre are proposed. A total of 12 rooflights would be provided to the hall (a reduction of 3) and a total of 3 rooflights (a reduction of 2) would be provided on the ground floor roof in the south eastern corner of the site. The reduction in the number of rooflights would still ensure a high level of light would be provided to the community centre.

### **Internal alterations and external changes at ground floor level to the community centre**

A number of internal alterations are proposed to the community centre to improve the overall layout and functioning of the space. This includes changes to partition walls and meeting rooms.

Associated with these internal changes, it is also proposed to modify one door opening at ground floor level. This change would improve with the overall functioning of the community centre and would not have any material change to the appearance of the development.

### **Alterations to Block C**

Internal and external changes are proposed to Block C (the former People's Gospel Mission Hall) following further structural investigations and detailed design work. These changes include revised internal layouts to improve the overall standard of accommodation.

Externally, the changes are primarily associated with the ground floor rear elevation, where the size of the rear openings to the rear garden space would be reduced in size. The location of rooflights would also change slightly associated with the internal layout changes and there

These changes would result in less intervention into the former People's Gospel Mission Hall, ensuring as much of the existing building fabric can be retained.

Collectively, these alterations to Block C would result in a higher standard of accommodation for future residents, would reduce the amount of intervention into the existing building undergoing conversion and, by virtue of the reduced openings on the rear elevation, would ensure there would be an improvement in the relationship with the rear of properties on Bertram Street.

### **Alterations to the energy strategy to use ASHPs instead of CHP**

The energy strategy for the development is proposed to be altered. This alteration would see the use of ASHPs to replace the CHP, which formed part of the approved development. The use of ASHPs would improve the overall environmental and air quality outcomes of the development and are considered to be improvements compared to the approved development.

The ASHP would be located within the approved plant enclosure on Block B and would not change the overall appearance of the development. Potential noise from the ASHP has been assessed in an Acoustic Note prepared by Ion Acoustics. This note demonstrates that providing the ASHP atop the roof of Block B would not result in any increased noise from the development. The analysis also shows that the development, inclusive of ASHPs, would meet the noise level's set by Condition 26 attached to the consent, ensuring the residential amenity of surrounding properties would not be affected.

As part of this revised energy strategy, the overall environmental performance of the development would improve. This has seen a reduction in the amount of the carbon offset payment, as compared to the approved development. The revised carbon offset payment is £39,670, compared to £52,380.

### **c. Proposed condition rewording**

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In order to facilitate the changes described above, it shall be necessary for the Section 96A application to vary the wording of Condition 2 and Condition 45.

#### **Variation to Condition 2**

Condition 2 lists the approved drawings and documents that form part of the approved development. A separate Drawing List has been submitted with this application that lists the amendments to the approved drawings that are being sought, together with additional drawings for Block C.

An updated Energy Statement (Rev P5) has been submitted and should supersede the previously approved Energy Statement. It shall also be necessary to include the Acoustic Note dated 25 March 2020 as an approved document in Condition 2.

#### **Variation to Condition 45**

Condition 45 is currently worded as follows:

*On or prior to the Implementation Date (excluding demolition works) an energy and sustainability plan shall be submitted to and approved in writing by the local planning authority. Such plan shall:*

*(a) be based on a Building Research Establishment Environmental Assessment Method assessment with a target of achieving a Very Good or Excellent rating and attaining at least 60% of the credits in each of Energy and Water and 40% of the credits in Materials categories.*

*(b) include a pre-Implementation review by an appropriately qualified and recognised independent verification body certifying that the measures incorporated in the Sustainability Plan are achievable.*

*(c) provide details of the CHP.*

*(d) provide future proofing details of opportunities to connect to a future decentralised energy network.*

*Prior to first occupation of the non-residential elements of the development a post-completion certificate which demonstrates that the employment element has achieved BREEAM Very Good shall be submitted to and approved in writing by the local planning authority.*

It is proposed to vary this condition to read as follows:

*On or prior to the Implementation Date (excluding demolition works) an energy and sustainability plan shall be submitted to and approved in writing by the local planning authority. Such plan shall:*

*(a) be based on a Building Research Establishment Environmental Assessment Method assessment with a target of achieving a Very Good or Excellent rating and attaining at least 60% of the credits in each of Energy and Water and 40% of the credits in Materials categories.*

*(b) include a pre-Implementation review by an appropriately qualified and recognised independent verification body certifying that the measures incorporated in the Sustainability Plan are achievable.*

*(c) provide future proofing details of opportunities to connect to a future decentralised energy network.*

*Prior to first occupation of the non-residential elements of the development a post-completion certificate which demonstrates that the employment element has achieved BREEAM Very Good shall be submitted to and approved in writing by the local planning authority.*

This condition has been reworded to remove the requirement to provide details of the CHP system, which no longer forms part of the energy strategy for the development.

#### **d. Summary and Conclusions**

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This application is made under Section 96A of the Town and Country Planning Act 1990 (as amended) to secure a number of non-material amendments to the approved development.

These changes are necessary in order to respond to specific technical requirements associated with utility providers, to comply with conditions attached to the consent, to secure improved environmental outcomes of the development, and also to improve the overall functioning and quality of the community centre.

We trust the enclosed is sufficient for your current purposes and we look forward to receiving confirmation that the application has been registered validation. In the meantime, please contact Lewis Westhoff on 020 3640 1024 or [lwesthoff@iceniprojects.com](mailto:lwesthoff@iceniprojects.com) in the first instance should you have any questions.

Yours faithfully,



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enc. As listed above