

PD10653/PB/KFH

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15 May 2020

Dear Ms Carr and Ms Todd

**TOWN AND COUNTRY PLANNING ACT 1990**

**PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990**

**KIDDERPORE HALL, FORMER KING'S COLLEGE LONDON HAMPSTEAD RESIDENCE, KIDDERPORE AVENUE,  
LONDON, NW3 7SU**

**APPLICATION FOR PLANNING PERMISSION AND LISTED BUILDING CONSENT**

On behalf of Mount Anvil (Kidderpore) Ltd, please find enclosed an application for Planning Permission and Listed Building Consent in relation to Kidderpore Hall at Hampstead Manor, Kidderpore Avenue.

**Description of Development**

The description of development for which planning permission is sought is as follows:

*'Construction of sunken enclosure for external plant condenser unit associated with the residence at Kidderpore Hall.  
Creation of a new boundary treatment with railings and brick piers. Associated works to the garden.'*

**Background**

As you are already aware, Kidderpore Hall was recently the subject of an application for listed building consent (Ref. **2018/6346/L**), accompanied by an application for a Material Planning Amendment (Ref: **2018/6347/P**), which were consented in October 2019, for the refurbishment and conversion of the property for use as a single residential dwelling. The original grant of consent was in April 2016 and sought the conversion of the listed building into two dwellings (Ref. **2015/3936/P** and **2015/4116/L**).

The most recent consented proposals to refurbish the property for the use of one family included substantial works to modernise the building and bring it back to habitable accommodation as a seven bedroom single dwelling. Officers agreed that the proposals to convert the building to a single residence brought significant benefits to the significance of the listed building being occupied in this way. The previous scheme to split the building into two apartments had knock on effects to the historic planform and acoustic and thermal treatments to bring the building up to a standard of modern living.

The grant of consent in 2019 allowed for the house to be upgraded as a single residence, including the provision of environmental controls for the family occupier whilst ensuring these were incorporated in the least intrusive way. This strategy required four condenser units to be located outside of the listed building in four separate enclosures in two locations in the garden.

Following further development of the design and the testing of different options for the type and location of the external plant units as part of the preparation and submission of details for approval under Condition 40 of the Planning Permission (Ref. 2018/6347/P), it became clear the unit type was not appropriate for the characteristics of the site and needed to be changed in order to ensure the units would function efficiently and with minimal disturbance to the landscaped garden and setting of the listed building.

This application seeks approval for a new enclosure in a new location to that which was previously consented. The proposals are for one sunken external plant area which will house one condenser in an Acoustic Shroud. This has been identified as being the most discreet way of incorporating the proposed acoustic enclosure and boundary design.

The works which are now the subject of these applications comprise the following:

- small opening to be formed in the retaining wall at the lower ground floor level between the lightwell and the garden;
- construction of a sunken solid floor level and enclosure with boundary piers and railings;
- minor works to the lawn and hedge areas to make good the changes to the garden.

These works have been the subject of two pre-application meetings with officers at Camden Council to present the solutions for the location of the new condenser enclosure and discuss the options for its design and materials.

### **Application Submission**

This listed building consent application submission comprises the following documents:

- a completed **listed building consent application form** incorporating an agricultural holdings declaration and completed ownership Certificate A (To be confirmed by MA)
- a **site location plan** identifying the location of the site and its extent (9000-SK-KH-385 Rev D);
- **A Heritage Impact Assessment** prepared by Montagu Evans (included in this letter);
- **existing and proposed drawings** as set out in the drawing schedule ;
- **Design and Access Statement** prepared by A&Q Partnership, including images of the proposed materials and style – photographs and physical samples could be provided if requested and to avoid conditions attached to a grant of consent;
- **A statement on the acoustic performance of the external condensers and enclosures** prepared by Sol Acoustics;

- **Specification documents** for the condenser units and acoustic enclosure: Environ Selection Acoustic enclosures for VRV/VRF/Chiller Applications, Toshiba air conditioning schematics, Toshiba's latest generation all inverter VRF system.

#### *Drawing schedule*

- 9000-DRG-02KH-EL902 West Elevation As Proposed - New External Condenser Housing
- 9000-DRG-02KH-EL904 West Elevation As Existing
- 9000-DRG-03KH-LG920 Level LG Existing GA Plan
- 9000-DRG-03KH-LG930 Lower Ground Proposed GA Plan - New External Condenser Housing
- 9000-DRG-03KH-UG921 Level UG Existing GA Plan
- 9000-DRG-03KH-UG931 Upper Ground Proposed GA Plan - New External Condenser Housing
- 9000-SK-KH-385 Rev D - Condenser enclosure – proposed detail

#### **Planning Policy Assessment**

##### *Overview of Planning Policy Framework*

Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that planning applications should be determined in accordance with the adopted Statutory Development Plan unless material considerations indicate otherwise.

In London the development plan for any area comprises the London Plan, the local plan and any neighbourhood plan that may have been adopted for the area in question. The documents of the local statutory development plan relevance to this planning application are therefore as follows:

- Camden Local Plan (adopted June 2017); and
- Camden's Planning Policies Map (2014, updated 2017).

We note that the Redington Froggnal Neighbourhood Forum have a draft Neighbourhood Plan that was published for consultation in July 2019 (Regulation 14) but this has yet to be adopted as part of the statutory development plan for the area.

The most relevant policies that will inform the assessment completed in this covering letter are as follows:

- London Plan Policy 7.8 (Archaeology and Heritage Assets); and
- Local Plan Policy D2 (Heritage).
- Local Plan Policy A4 (Noise and Vibration)

The principal planning considerations for the determination of these proposals to locate the new sunken condenser enclosure in the proposed location comprise the following:

- Effect on heritage assets – the Grade II listed wall at the lower ground floor, the setting of the Grade II listed Kidderpore Hall and the effect on the overall character and appearance of the Redington Frogna Conservation Area.
- Effect on neighbouring amenity – acoustic impact

The wider site at Hampstead Manor does contain trees of amenity value, none of which will be affected by the development proposals which concern only a small part of the garden of Kidderpore Hall.

We consider the planning issues in the following section of this letter.

### **Heritage Impact Assessment**

#### *Heritage Assets - Summary Statement of Significance*

A full Heritage Statement was submitted with the previous applications to convert the site for residential development. That document sets out a detailed history of the whole site at Kidderpore Avenue and the significance of the buildings upon it, which comprises statutorily listed buildings and non-listed buildings. The report set out also an assessment of the Redington Frogna Conservation Area.

In the interests of completeness, we set out below the relevant statements of significance for the designated heritage assets that may be affected by the proposals submitted with this application, these being the Conservation Area and Kidderpore Hall.

#### *The Redington Frogna Conservation Area*

The significance of the Redington and Frogna Conservation Area exists in the concentration of distinguished Victorian and Edwardian, residential, suburban architecture. Properties display a variety of formal and free architectural styles typical of late nineteenth century early twentieth century architecture which was led by established and distinguished architects of the era.

The site lies in sub area three of the Conservation Area. The significance of sub area three lies in the general high architectural quality of the buildings in this area and the historic importance attached to the associations with the early landowners as part of the Child's Hill estate, and the early twentieth century development of the area which included the work of established architects.

The Grade II\* listed St Luke's Church and the Grade II listed St Luke's Vicarage are significant positive contributors to this sub area and are identified within the Council's Statement as some of the most impressive buildings within the designated area. Significance is also derived from the buildings and historic associations with the Westfield College, one of the earliest colleges dedicated to the education of women outside of Oxbridge. The listed buildings of Kidderpore Hall, Maynard Wing and Skeel Library, those which front Kidderpore Avenue, are key buildings which help define the character and appearance of this part of the Conservation Area and thus make a significant positive contribution to its special interest.

It is our assessment that the listed and non-listed buildings of the former Westfield College derive group value from their historic common use and their institutional site setting in this sub area of the Conservation Area. We consider that the architectural and historic value of the site as a whole makes a positive contribution to the character and appearance of the Conservation Area.

### *Kidderpore Hall*

Kidderpore Hall possesses significant architectural, artistic and historic value as a fine example of a mid-nineteenth century villa built as part of the early development of this residential suburb. The character of the former villa residence which was originally designed by T Howard in 1843 to be appreciated from all aspects, has, however, been eroded by the extension and infill of the property to Bay House which was carried out in the early to mid-twentieth century.

Both the immediate and wider setting of Kidderpore Hall have altered almost beyond recognition with the development of the site for the Westfield site from 1890, and the residential development of the wider area from the early twentieth century.

The immediate setting of Kidderpore Hall has been the subject of repeated change. The former D shaped lawn has been re-landscaped as part of the consented and implemented planning permission (**2015/3936/P** and amendments). Kidderpore Hall is enclosed to the east by the Maynard Wing. This Grade II listed Maynard Wing contributes to the significance of the listed building through historical associations and the quality and execution of the architecture.

Kidderpore Hall remains the focus listed building on this site in its redeveloped form, albeit its original character and setting as a grand mid nineteenth century villa have been changed beyond recognition, it now being part of, effectively, a terrace to Kidderpore Avenue. The openness of its original grounds have been enclosed by the development of the site and the gardens.

Notwithstanding the poor condition of some of the interiors, the property has intrinsic architectural interest in its internal architectural features and planform. Those internal features which contribute to the interest of the building include the original principal staircase which leads from the ground to the first floor level. The retaining wall at the lower ground floor level, which separates the garden area from the walkway within the lightwell, is constructed of bricks which have been painted white. Whilst clearly an original part of the listed building, this wall makes a limited contribution to an understanding of the listed building as a whole.

An important part of the experience and appreciation of the asset are the views of the building gained from the public vantage points on approach to the site along Kidderpore Avenue. The villa is seen in context with the new landscaping and boundary treatments which have been implemented following the earlier grants of consent. The border hedges denote the demise of the Hall and green the edges of the garden as seen from the street. This prevents views of the lower ground level of the property from the street level, aside from some glimpsed views of the string course at the top of this floor level and the brick cap stones on top of the piers.

### **Assessment of the condenser location and design**

The principle of modernising the property through the introduction of services and refurbishment for the requirements of a modern family was established with the previous planning permission and listed building consent (Refs.2018/6347/P and 2018/6346/L), along with the principle for the location of four external condensers within the garden to Kidderpore Hall.

In reviewing the proposed location and specification of the condenser units as part of the preparation and submission of details for approval under Condition 40 of the Planning Permission (Ref. 2018/6347/P), it became clear the unit type was not appropriate for the characteristics of the site and needed to be changed in order to ensure the units would function efficiently and with minimal disturbance to the landscaped garden and setting of the listed building.

A number of alternatives were considered and these are set out in the Design and Access Statement submitted with the application. The proposed new location for the condenser unit has been chosen as the most discrete option with the least amount of disruption to the garden, the historic boundary treatment of the property and the setting of the listed building and its appearance in the Conservation Area.

The reduction of the previously proposed four units to one single unit means the garden area can be retained as open lawn without the need for separately landscaped enclosures. The small enclosure now proposed is located as close as possible to the listed building and has been designed as an extension and continuation of the low retaining wall which forms the boundary to the lower ground floor circulation. The enclosure will be detailed with piers at each corner, capped with stones in the same style as the existing piers on the wall in order to retain the character of the historic boundary wall. The proposals seek to minimise the visual effect of the enclosure by sinking the level of the base as far as possible without affecting the existing drainage routes.

The works will necessitate the creation of a small opening in the brick wall at the lower ground level which currently forms the retaining wall between the walkway in the lightwell and the main dwelling. This does result in the loss of some historic fabric, but this will be minimal, and is in line with the proposals originally granted consent for the creation of an acoustic enclosure at the lower ground floor level (see Design and Access Statement). Overall, the majority of the listed wall will be preserved. Given this wall does not make a significant contribution to the listed building as a whole, in our view the significance of the listed building as a whole will not be harmed as a result of the proposals.

In response to the consultation advice given by Officers at Camden, photorealistic CGIs have been prepared to demonstrate the visual effects of the proposals on the experience of Kidderpore Hall from within the garden of the property and on approach to the property along Kidderpore Avenue within the Conservation Area. These demonstrate how from wider views, there will be no material change to the appearance of the Hall and how it is experienced from the key approaches. The garden setting of the listed building will be improved as a result of this revised proposal, retaining a wider area of open lawn in the manner of the original building.

It is our assessment that the proposals will preserve the significance of the listed building and the character and appearance of the Conservation Area in line with the relevant local and national planning policies. The setting of the listed buildings in the immediate vicinity of Kidderpore Hall will be preserved. We find the proposals to be entirely in line with Local Plan Policy D2 and London Plan 7.8.

#### *Amenity – noise impacts*

Policy A4 (Noise and Vibration) of the Local Plan sets out the Council's commitment to only granting '*permission for noise generating development, including any plant and machinery, if it can be operated without causing harm to amenity.*'

Given the external plant is likely to generate noise, and the site is in an area characterised by residential properties which are particularly sensitive to higher noise levels, Acoustic Engineer at Sol have assessed the noise performance of the equipment and the attenuated shroud. The engineers state that: '*In conclusion, therefore, it is the case that the current proposed acoustic mitigation to the proposed condenser unit, comprising of full bespoke Environ acoustic enclosure, vibration isolation pads, should be regarded as acoustically acceptable.*' The proposals are therefore compliant with the planning requirements set out in the condition attached to the previous grant of planning permission and Policy A4 has been met.

#### **Fees**

The application fee of £462 will be paid upon submission of the application.

**Closing**

We trust that the application material is complete and look forward to receiving notification of validation. Should you require any further information or have any queries, please do not hesitate to contact Kate Falconer Hall ([Kate.falconerhall@montagu-evans.co.uk](mailto:Kate.falconerhall@montagu-evans.co.uk), 02073127466) at this office.

Yours sincerely,

*Montagu Evans*

**MONTAGU EVANS LLP**