

15<sup>th</sup> July 2020  
Our Ref: 20.5062

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London  
SE1 9HF

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London Borough of Camden 2nd Floor,  
5 Pancras Square  
c/o Town Hall,  
Judd Street

Dear Sir/Madam,

**Re: 7 & 9 Heath Cut Lodge, North End Way, London NW3 7HQ: S73 of the Town and Country Planning Act 1990**

We write on behalf of our clients Mr James Wright and Mr Simeon Howard with an application under Section 73 (S73) of the Town and Country Planning Act 1990. Planning permission was granted on 9<sup>th</sup> March 2018 (reference 2017/6838/P) for:

*Construction of side extension at second floor level and side and rear extension at third floor level.*

This application seeks to amend the approved plans and increase the extension at second and third floor levels as well as minor external alterations. The application is accompanied by the following documents;

- Site Location Plan
- Existing, approved and proposed plans prepared by Cove Burgess
- Existing, approved and proposed area schedule prepared by Cove Burgess

***Proposed development***

The proposed development comprises an increase to the extension at second floor level of apartments 7 and 9 Heath Cut Lodge.

***Principle of development***

In the previous assessment of the development, officers focused on the design of the extension and the impact on the conservation area. It is considered that the amendments to the scheme present a development that accords with the conclusions previously made and the proposed changes are acceptable. The detail is discussed further below.

***Quantum of development***

The proposed alteration to the plans would increase the extensions at second and level. For the extensions, the existing, approved and proposed floor areas of the units are listed in the table below;



Floor	Existing	Approved	Proposed
2 <sup>nd</sup> floor	88	123	140
3 <sup>rd</sup> floor	88	138	138

As is demonstrated by the above figures, the increase in built form is small when considered against the previous consent and the existing building. The uplift from the existing building to the approved scheme constitutes a 39.78% increase for the second floor and a 56% increase for the third floor. These percentage increases were approved under the 2018 consent.

The proposed change made under this S73 application will present a minor increase in floor area compared to what has already been consented. For the second floor the increase from consented floor area comprises just 13% and there is no increase at the third floor level.

The increase of 13% from the consented floor area is considered to be within the remits of a minor material amendment and should be considered acceptable.

#### *Design of development*

In the officer's report, reference was made to the existing building line and the stepped appearance (page 3). The proposed amendment would retain the stepped building line as demonstrated on the elevation extracts below.



Figure 1: consented front elevation reference 2017/6838/P



Figure 2: Proposed front elevation

Policy D1 of the Local Plan outlines the Council's requirements in regards to design. The policy requires (among other things) development to be of high quality design that respects the local character and contexts, preserves and enhances the historic environment and integrates well with the surrounding areas. The increased extension would comprise comparable materials as the existing building and the consented extension and would continue the glazing across the increased area. Moreover, the proposed amendment would not impact the long views up or down North End Way and would be acceptable in design terms.

The external alterations proposed comprise alterations to some of the windows and doors. The proposed provisions will match the existing provision and their inclusion accords with the design requirements of Policy D1.

Further to design, Camden Local Plan sets out how development should respond to the historic environment through Policy D2. This states that the LPA will preserve, and where appropriate enhance the borough's rich and diverse heritage assets and their settings including conservation areas, listed buildings, and other heritage assets. In the previous application, officers considered that the proposed development would '*not significantly detract from the character and appearance of the subject dwelling or the surrounding conservation area*'. Given the minor alteration proposed and the continued design narrative of the amendments it is considered that the proposed development would have a negligible impact to the conservation area.

In summary, the proposed extension in regards to its quantum and design is in line with the previous consent and the adopted planning policies. Given this conclusion, it is considered that the amendment to the scheme can be made under S73 of the Town and Country Planning Act and the proposed amendments are considered acceptable.

#### Amenity space

The proposed development would alter the proportion of amenity space to the units. The below table details the change;

Floor	Existing (SQM)	Consented (SQM)	Proposed (SQM)
Second floor	74	40	23
Third floor	84	48	74

The terraces resulting from the amendment to the scheme would exceed the London Plan requirements for units of this size. Whilst there is a reduction proposed at second floor level, it is important to note that a previous reduction was approved under the 2018 consent and the resultant terrace exceeds the required standard for a unit of this size. For the third floor unit, the development would provide an uplift of terrace space (54% increase) and this provision should be welcomed by the Council.

#### *Surrounding amenity*

Policy A1 of the Local Plan seeks to manage the impact of development in the borough. The policy will seek to ensure the amenity of communities, occupiers and neighbours by protecting visual privacy and outlook, sunlight and overshadowing as well as other areas such as noise, pollution and transport impacts.

The resultant extension would be situated 6.8m from Elmwood House and 16.2m from Wildwood Grove. These separation distances are considered acceptable given the existing context and the fact that the distance has been established by merit of the existing terraces at Heath Cut Lodge. The extensions would not allow for any increased overlooking or impact to privacy and there would be no impact to the daylight or sunlight status of the surrounding properties. Overall there is no impact on surrounding amenity and the proposed development accords with the requirements of Policy A1.

#### *Summary and conclusion*

The proposed development would increase the extension at second floor level as well as increasing the terrace size at third floor level. Minor external alterations are also proposed. The design would continue the stepped building line which exists and was maintained under the 2018 consent. The development accords with the aspirations of policies D1 and D2 in regards to design and heritage. The proposals would increase the floor area at the second floor and would create an uplift in amenity space at the third floor level. There would be no impact on surrounding residential amenity as a result of the development.

It is considered that the proposed development accords with the adopted planning policies and should be considered acceptable.

We trust you have sufficient information to validate this application and allocate it to an officer. However if you require anything further, please don't hesitate to get in touch.

Yours sincerely

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**Boyer**

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