



2 Maresfield Gardens, London, NW3 5SU

**Variation of condition 1 of planning permission reference 2015/6894/P (as amended by 2020/2719/P) to facilitate minor material amendments to external building services (electrical, gas, air source heat pump and bin store enclosures); external alterations to railings to comply with Building Regulations; and internal alterations**

Planning Statement

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# AZ URBAN STUDIO

## 2 Maresfield Gardens, London, NW3 5SU

Client:

2 Maresfield Limited

Reference: AZ1407  
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**CONTENTS**

1. Introduction ..... 4

2. Description of approved development (Section 5 of application form) ..... 7

3. Proposed removal and changes to conditions that are sought (section 6 of application form)..... 8

4. Proposed changes to design..... 9

5. Reason for design changes sought (section 6 of application form)..... 10

6. Proposed revised drawings..... 18

7. Conclusion..... 20

## 1. INTRODUCTION

- 1.1. This statement is submitted on behalf of 2 Maresfield Limited in support of an application made under Section 73 of the Town and Country Planning Act 1990 (as amended) to vary a condition to facilitate minor material amendments following the grant of planning permission. The application is for amendments to planning permission 2015/6894/P as approved on 24<sup>th</sup> August 2016 for the following development:

*“Variation of condition 3 (approved plans) of planning permission 2014/6313/P dated 30/03/2015 (for addition of one storey at second floor level with replacement roof level accommodation above, alterations to Coach House facade and use of resulting building as 6 residential units), namely increase in size of front lightwell, creation of rear stepped lightwell to Coach House, glazed infill extension to rear, creation of 1st floor roof terrace at rear including replacement of windows with French doors”.*

- 1.2. This permission was subsequently amended by the following non-material amendment:

- *Ref: 2020/2719/P - Non-material amendment to planning permission 2015/6894/P dated 24.08.2016 and variation of condition 3 (approved plans) of planning permission 2014/6313/P dated 30/03/2015 for addition of one storey at second floor level with replacement roof level accommodation above, alterations to Coach House facade and use of resulting building as 6 residential units), namely increase in size of front lightwell, creation of rear stepped lightwell to Coach House, glazed infill extension to rear, creation of 1st floor roof terrace at rear including replacement of windows with French doors’.*

- 1.3. The building at 2 Maresfield Gardens has been the subject of a long and drawn-out process of refurbishment over many years. This has included changes of ownership as a result of previous developers falling into financial difficulties, and this has led to a number of pauses in the development process and also a series of planning changes over the years. Finally, the development is now well advanced and should be completed in the coming months, and the six residential units provided can be put to beneficial use.

- 1.4. As the current owner has worked through the construction process a number of small amendments to the approved scheme have been identified as either desirable or necessary, or both. This includes amendments to comply with Building Regulations, and the clients desire to provide a development with stronger sustainability credentials. The amendments are all of a minor nature within the overall scale, context and complexity of the development approved, and are considered to be 'minor material amendments' within that overall context.
- 1.5. A schedule of the current approved drawings for the development as approved under 2015/6894/P (as amended by 2020/2719/P) is provided in section 6.
- 1.6. The purpose of this supporting statement is to provide a detailed explanation and assessment of the amendments now sought. The statement is broken into five sections and for ease, these are cross referenced with the application form:
- Section 2 – a brief description of the consented scheme (section 5 of the form)
  - Section 3 – provides details of the changes to the conditions that are sought (section 6 of form)
  - Section 4 – provides details of proposed changes to design (section 6 of form)
  - Section 5 - provides a rationale for the design changes and outlines why the proposed changes are appropriate and in accordance with relevant policies (section 6 of form)
  - Section 6 – provides details of the proposed revised drawings
- 1.7. This statement should be read in conjunction with the associated application documents which are:
- Completed application form (PDF)
  - Architects drawings – approved proposed (A3 PDF) (By Pinzauer)
  - Architects drawings – amended proposed (A3 PDF) (By Pinzauer)
  - This supporting statement (PDF)
  - Arboricultural Impact Assessment (PDF) (By Andrew Day Consultancy - dated 01/06/20)

- Plant Noise Impact Assessment (PDF) (By Environmental Equipment Corporation Limited - dated 01/05/20)

## 2. DESCRIPTION OF APPROVED DEVELOPMENT (SECTION 5 OF APPLICATION FORM)

2.1. The description of the approved development (Ref: 2015/6894/P) is:

*‘Variation of condition 3 (approved plans) of planning permission 2014/6313/P dated 30/03/2015 (for addition of one storey at second floor level with replacement roof level accommodation above, alterations to Coach House facade and use of resulting building as 6 residential units), namely increase in size of front lightwell, creation of rear stepped lightwell to Coach House, glazed infill extension to rear, creation of 1st floor roof terrace at rear including replacement of windows with French doors’.*

2.2. The planning reference number of the consented scheme is: 2015/6894/P.

The development was granted consent by the London Borough of Camden on: 24/08/16. The development has been implemented and is now well advanced and nearing completion.

2.3. That permission was subsequently amended by the following non-material amendment. The planning reference number of the non-material amendment to the consented scheme is 2020/2719/P. The non-material amendment was granted consent on the 12/10/20.

### 3. PROPOSED REMOVAL AND CHANGES TO CONDITIONS THAT ARE SOUGHT (SECTION 6 OF APPLICATION FORM)

- 3.1. The proposed changes sought to the conditions are scheduled below:
- Variation to condition 1 to replace drawings as scheduled in section 6 of this statement
- 3.2. Rationale for the proposed change to condition 1 and each of the design changes incorporated within the drawings is included in section 4 and 5 of this statement.
- 3.3. Below we have provided a description of the proposed development:

*‘Variation of condition 1 of planning permission reference 2015/6894/P (as amended by 2020/2719/P) to facilitate minor material amendments to external building services (electrical, gas, air source heat pump and bin store enclosures); external alterations to railings to comply with Building Regulations; and internal alterations’*



## 4. PROPOSED CHANGES TO DESIGN

- 4.1. The proposed changes are wholly appropriate to the character and appearance of the site when viewed within the context of both the existing approved building, its grounds, and the wider street scene. The amendments will have no impact on the neighbouring, or adjacent properties. The proposed amendments are summarised as follows:

### **Front, side and rear elevation**

- Revised balustrade to unit 5 terrace (roof of coach house)

### **Internal**

- Internal alterations to units 1, 3, 4, 5 and 6

### **Front Garden**

- Electric and gas services enclosures to the front garden
- Refuse / recycling enclosure
- Installation of painted metal railings to front lightwells

### **Rear garden**

- Air Source Heat Pump enclosure to the rear garden

## 5. REASON FOR DESIGN CHANGES SOUGHT (SECTION 6 OF APPLICATION FORM)

5.1. Below we have included the reasoning for each of the proposed changes scheduled in section 4.

### Front, side and rear elevation

#### *Revised balustrade to unit 5 terrace (top of coach house)*

5.2. The existing painted metal balustrade to the roof terrace of the Coach House does not meet Building Regulations requirements and is required to be replaced with a compliant railing.

5.3. The existing ornate railings do not comply with Building Regulations Part K. Specifically:

- Do not have the minimum height of 1100mm;
- Do not resist the minimum loads given in BS EN 1991-1-1 with its UK National Annex and PD 6688-1-1;
- Do not prevent children from falling given that the ornate design does not prevent a 100mm sphere from passing through its openings; and
- Do not prevent children from readily being able to climb given the brick upstand is effectively an horizontal surface that could be used as a step

5.4. The design team have explored options which retain the ornate metal balustrade in some capacity, this included two options:

1. Install a secondary guarding element; or
2. Provide a parapet build-up of 1.1 meters, with the ornate railing installed on top

5.5. Option 1 - by providing an additional guarding element whilst keeping the existing ornate railings would effectively undermine the clear reading of the ornate railings and contribute to a compromised solution which would neither elevate or complement the original features of the building.

5.6. Option 2 - by providing a parapet build-up of 1.1 meters, with the ornate railing installed on top would impact the relationship between the principal

elevation, and the elevation of the coach house; primarily in regard to proportions and loss of the horizontal relationship between the two.

- 5.7. As the Coach House is recessed in plan and very much a secondary feature of the building, it is considered that replacement with a simple, functional and appropriate painted metal balustrade that will comply with building regulations, is appropriate to the existing building and its immediate context
- 5.8. The balustrading proposed is consistent in detail and appearance with all the new proposed balustrades to the rear and front garden. This very minor change will not have any material impact upon the character and appearance of the building, or the wider conservation area.

## **Internal**

### *Internal alterations to units 1, 3, 4, 5 and 6*

- 5.9. The internal alterations to units 1, 3, 4, 5 and 6 outlined below were annotated on the planning drawings submitted as part of the of the Non-Material Amendments (Ref: 2020/2719/P), however not explicitly flagged. For completeness we are highlighting these alterations as part of the Minor-Material amendment, these include:

#### Unit 1

- Yoga room converted to extended hallway

#### Unit 3

- Amendments to design of internal stair

#### Unit 4 & 5

- Dining room converted to library

#### Unit 6

- Bedroom 1 layout updated

## **Front garden**

### *Electrical, gas and bin store enclosures to the front garden*

- 5.10. The approved ground floor and site plans indicated a line of 6 refuse bins placed along the southern boundary near to the entrance of the site with no enclosure. This is considered by the Applicant to be an extremely poor quality arrangement that will not be attractive when viewed from the street, and will create a poor sense of entrance and arrival to the building. A modest refuse / recycling bin store enclosure is therefore proposed along the same boundary but slightly further into the site, to ensure that it is less visible within the streetscape.
- 5.11. In the approved drawings there was no provision made for services and meters that are required for the building, and these must be provided in line with the relevant regulations governing their location and spacing etc. Two small enclosures are required – one for gas metering and one for electricity metering.
- 5.12. The three enclosures are identical in terms of materiality and appearance. There is however variation in scale, as set out below.

	<b>Height</b>	<b>Width</b>	<b>Length</b>
<b>Electrical</b>	1.61	1.28	3.66
<b>Gas</b>	1.61	0.63	2.80
<b>Bin store</b>	1.91	1.04	4.33

- 5.13. The enclosures have been located so as to not be readily visible within the street scene; discretely nestled behind both the existing front boundary wall, and existing landscaping to the front of the building.
- 5.14. The enclosures include shallow concrete plinths set into the ground within the Root Protection Areas of the Robinias within the front garden. As such, an Arboricultural Impact Assessment was commissioned, and has been submitted as part of this application. The assessment confirms that all proposed works to the front garden will not cause harm to the trees on or adjacent to the site.
- 5.15. We consider these minor necessary enclosures, carefully located and designed, to be entirely appropriate within the nature and scale of the

development as a whole. The front garden area is large and generous in its scale, and the enclosures have been designed to follow the boundaries and thus remain as visually discreet as possible.

*Installation of painted metal railings to front lightwells*

- 5.16. The extant planning permission does not include any physical barrier between the front landscaping, and the front lightwells to units 1 and 2; presenting both a safety hazard, and security risk to future occupiers.
- 5.17. The front lightwells are new to the original building and therefore Part K compliant guarding is required. In order to meet Building Regulations the proposal includes the installation of discreet painted metal balustrading, akin to the revised balustrade to unit 5 terrace (top of coach house). The simple design ensures that the railing proposed are visually subordinate when viewed against the decorative railings located to the upper floors.
- 5.18. The proposed railings were carefully considered in context to the existing building, and by reviewing other examples on properties along Maresfield Gardens. Examples can be found at properties including Nos. 28, 33, 35, 37, 43 and 52 and such railings therefore form part of the established street scene.



*39 Maresfield Gardens*



#### *41 Maresfield Gardens*

- 5.19. The railings proposed are entirely appropriate to the character and appearance of the existing building, and the wider street scene of Maresfield Gardens.

#### **Rear garden**

##### *Air source heat pumps acoustic enclosure to the rear garden*

- 5.20. A small enclosure is proposed within the rear garden to house air source heat pump equipment. This is effectively a compact replacement for the large concrete trench along the rear of the garden that was previously approved to house services equipment. The enclosure will be placed discreetly behind dense evergreen hedging to minimise the visual impact both on the apartment amenities and neighbouring properties.

- 5.21. The enclosure is akin in nature to a domestic shed or other outbuilding that could be erected within the garden of the Coach House (a single dwelling house) without planning permission (PD Class E) following completion of the development.
- 5.22. It is also similar in nature to other outbuildings housing services in the immediate neighbouring properties, as illustrated in the photo below that shows an outbuilding with large roof extract flues located in the neighbouring garden on Fitzjohn’s Avenue.



- 5.23. The dimensions of the enclosure are set out below:

	<b>Height</b>	<b>Width</b>	<b>Length</b>
<b>Air Source Heat Pump Acoustic Enclosure</b>	2.35	3	5.51

- 5.24. Similar to the enclosures proposed within the front garden, the enclosure includes a shallow concrete plinth set into the ground within the Root Protection Area of an oak tree, and a row of lime trees. The Arboricultural Impact Assessment submitted confirms that the proposed ground works will not cause harm to the trees.



- 5.25. A plant Noise Impact Assessment has been submitted as part of the application. The report outlines that plant noise limits have been set based on the methodology contained in BS4142, the results of a background noise survey and the requirements of LBCC, to control the noise from the proposed units. In accordance with the LBCC, the noise limit has been set 10 dB below the lowest measured background noise level. Predictions have shown that the noise criterion is met at all assessment locations during all periods of the units proposed operation, assuming, they are housed in high-performance acoustic housing detailed in Section 5.08 of the assessment is included in the installation.
- 5.26. The assessment concludes that noise does not pose a material constraint to the operation of the units, and will therefore not have any undue impact on the amenity of either the future residents of the development, nor that of neighbours.
- 5.27. Given that the small garden enclosure will demonstrably have no material impacts upon amenity nor to trees, and it is entirely comparable in nature to a standard domestic outbuilding of the type found throughout the area, we believe that it can be considered an acceptable addition to the proposed development.

## 6. PROPOSED REVISED DRAWINGS

6.1. The drawings, and supporting material currently approved under application reference 2015/6894/P (as amended by 2020/2719/P) are shown in the table below alongside their now proposed replacement drawing numbers (where applicable), and amended or additional supporting material.

Drawing title	Approved Drawing number	Change Yes / No	Amended proposed drawing
<b>Proposed front elevation</b>	0052_201 Rev F	Yes	0052_201 Rev G
<b>Proposed side elevation</b>	0052_202 Rev D	Yes	0052_202 Rev E
<b>Proposed rear elevation</b>	0052_203 Rev E	Yes	0052_203 Rev F
<b>Proposed coach house elevation</b>	0052_204 Rev D	Yes	0052_204 Rev E
<b>Proposed rear elevation 2</b>	0052_205 Rev C	Yes	0052_205 Rev D
<b>Proposed ground floor plan</b>	0052_100 Rev F	Yes	0052_100 Rev G
<b>Proposed basement floor plan</b>	0052_101 Rev D	Yes	0052_101 Rev E
<b>Proposed ground floor plan</b>	0052_102 Rev E	Yes	0052_102 Rev F
<b>Proposed first floor plan</b>	0052_103 Rev D	Yes	0052_103 Rev E
<b>Proposed second floor plan</b>	0052_104 Rev C	Yes	0052_104 Rev D
<b>Proposed third floor plan</b>	0052_105 Rev C	Yes	0052_105 Rev D
<b>Proposed roof plan</b>	0052_106 Rev C	Yes	0052_106 Rev D
<b>Proposed section aa</b>	0052_300 Rev F	Yes	0052_300 Rev G
<b>Proposed section bb</b>	0052_301 Rev E	Yes	0052_301 Rev F
<b>Proposed section cc</b>	0052_302 Rev E	Yes	0052_302 Rev F
<b>Proposed section dd</b>	0052_303 Rev E	Yes	0052_303 Rev F
<b>Proposed section ee</b>	0052_304 Rev E	Yes	0052_304 Rev F
<b>Proposed section ff</b>	0052_305 Rev D	Yes	0052_305 Rev E
<b>Proposed section gg</b>	0052_306 Rev D	Yes	0052_306 Rev E
<b>Proposed section hh</b>	0052_307 Rev D	Yes	0052_307 Rev E
-	-	-	<b>ASHP Enclosure - 005_501</b>
-	-	-	<b>Utilities Enclosure - 005_502</b>

-	-	-	Arboricultural Impact Assessment prepared by Andrew Day Consultancy dated 01/06/20
-	-	-	Plant Noise Impact Assessment prepared by Environmental Equipment Corporation Limited dated 01/05/20

6.2. Please note that a number of documents approved under 2015/6894/P (as amended by 2020/2719/P) remain unchanged, and therefore have not been resubmitted as part of this application. This includes:

- Arboricultural Implications Report prepared by ACS Consulting dated 23rd October 2015;
- Addendum to Arboricultural Implications Report prepared by ACS Consulting dated 13/06/16;
- Basement Impact Assessment prepared by Abbey Pynford dated 01/09/15;
- Construction management plan prepared by AZ Urban Studio dated 27/11/15.

6.3. Please also note that condition 2 (appointment of suitably qualified chartered engineer) has been discharged and the basement works have been carried; therefore does not need to be re-imposed on the future planning approval.

## 7. CONCLUSION

- 7.1. As set out above, this development has been ongoing for many years, and has suffered from a number of setbacks including changes in ownership and contractors becoming bankrupt. The approved development is now finally nearing completion and a number of small changes to the design are proposed.
- 7.2. We are advised by the directors of 2 Maresfield Ltd that there is a serious risk of financial default if the amendments sought are not approved within the next six weeks. It should be noted that, in the current very difficult economic climate, another developer is unlikely to quickly pick up the pieces and complete the development should this happen, and even if that were to happen, it would likely take a number of years for completion to take place. This would be because taking over a failed project from another developer is fraught with risk, and often it is the case that the new developer has to undertake full scale strip out of plant and equipment so that it can all be re-installed and guaranteed by a single contractor. We believe that these are important material considerations that should be taken into account by the Local planning authority when determining this application.
- 7.3. This supporting statement outlines the nature of and reasoning for a small number of minor amendments to the consented scheme at 2 Maresfield Gardens. As outlined, the proposed changes relate to external building services (electrical, gas, air source heat pump and bin store enclosures); external alterations to railings to comply with Building Regulations; and internal alterations
- 7.4. The design changes will result in a well-designed building which will continue to respect the character of the street scene and will cause no harm to neighbouring amenity in terms of outlook, sunlight, daylight or privacy. The development will remain entirely compliant with the development plan and supplementary planning guidance, and will contribute positively to the character and appearance of the conservation area.
- 7.5. We therefore respectfully ask that the Minor-Material Amendment application is granted for the changes sought, to enable this development to be finally brought to a conclusion and be beneficially occupied.