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Planning Portal Numbers:
PP-10574223

1 February 2021

Dear Mr Marfleet

55 Cumberland Terrace, London, NW1 4HJ

**APPLICATION FOR VARIATION OF CONDITION 3 FOLLOWING GRANT OF PLANNING PERMISSION
(2021/1393/P) – SECTION 73 OF THE TOWN AND COUNTRY PLANNING ACT**

**APPLICATION FOR VARIATION OF CONDITION 3 FOLLOWING GRANT OF LISTED BUILDING CONSENT
(2021/1766/L) – SECTION 19 OF PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990**

On behalf of our Clients, Mr and Mrs Esfandi, we enclose:

- an application to under Section 73 of the Town and Country Planning Act 1990 (as amended) to vary Condition 3 of permission 2021/1393/P to permit minor material amendments to the development at 55 Cumberland Terrace.
- an application under Section 19 of the Listed Building and Conservations Areas Act 1990 to vary Condition 3 of consent 2021/1766/L to the development at 55 Cumberland Terrace.

The description of the approved planning permission is as follows:

“Conversion of 55 Cumberland Terrace and 29 Cumberland Terrace Mews into single family dwelling (Class C3) with associated external alterations including installation of air handling plant at roof level and enlargement of link extension to the rear.”

The description of the approved listed building consent is as follows:

“Conversion of 55 Cumberland Terrace and 29 Cumberland Terrace Mews into single family dwelling (Class C3) with associated internal and external alterations including installation of air handling plant at roof level.”

The site is Grade I listed and lies within the Regent's Park Conservation Area.

Condition 3 for both permissions 2021/1393/P and consent 2021/1766/L states:

The development hereby permitted shall be carried out in accordance with the following approved plans: E 000, E 001 A, E 000, E 002 A, E 003 A, E 004 A, 2001 E 005 A, E 006, E 007, E 1000, P 001 A, 2001 E 000 C, 2001 P 002 C, 2001 P 003 B, 2001 P 004 A, 2001 E 000, 2001 P 005 A, 2001 P 006 B, 2001 P 007 C, 2001 D 001 D, 2001 E 000 B, 2001 D 002 B, 2001 D 003 B, 2001 D 004 A, 2001 E 000, 2001 D 005 B, 2001 D 006 B, 2001 D 007 B, 2001 P 200 A, 2001 E 000 B, 2001 P 201 B, 2001 P 300, 2001 E 000, 2001 P 301 A, 2001 P 302 B,

2001 P 400, 2001 P 500 A, 2001 P 501 B, 2001 2001, 2001 2100, 2001 2101, 2001 2102, 2001 2200, 2001 2300, 2001 3100, 2001 3001, 2001 3002, 2001 3003, 2001 3004, 2001 3005, 2001 3006, 2001 3007, 2001 3008, 2001 3009, 2001 3010, 2001 3011, 2001 3012, 2001 3013, 2001 301 B, 2001 310, 2001 311, 2001 312 A, 11188-01 B, 11188-02 B, 11188-03 C, 11188-04 C, 11188-05 B, 11188-06 B, 11188-07 B, 11188-08 B, 11188-09 B, 11188-010 B, 11188-011 B, 11188-012 B, XX-LG-DR-S-1099 P2, XX-GF-DR-S-1100 P2, XX-GF-DR-S-1101 P2, XX-01-DR-S-1102 P1, XX-02-DR-S-1103 P1, XX-02-DR-S-1104 P2, 6618 MEP103 P4, 6618 MEP104 P2, 6618 MEP105 P2, 6618 MEP106 P2, 6618 S101 P1, 6618 M101, 6618 M102 P5, 6618 M103 P4, 6618 M104 P4, 6618 M105, 6618 M106 P5, 6618 M107 P5, 6618 M108 P6, 6618 M109 P2, 6618 M110 P2, 6618 M111 P2, 6618 M112 P2, 6618 M113 P2, 6618 M114 P2, 6618 E108 P1, 6618 PH101 P5, 6618 PH102 P5, 6618 PH103 P5, 11188-15 A, 11188-14 C, 11188-13 D, KUT Cooling Hierarchy dated 6 November 2020, Plant Noise Assessment 27769/PNA1, Planning and Heritage Statement March 2021, M&E Residential Services Strategy 6618, Daylight Sunlight Report 87970/46/DTO/SMM, Design and Access Statement Rev A

The approved plans for both permissions are:

E 000, E 001 A, E 000, E 002 A, E 003 A, E 004 A, 2001 E 005 A, E 006, E 007, E 1000, P 001 A, 2001 E 000 C, 2001 P 002 C, 2001 P 003 B, 2001 P 004 A, 2001 E 000, 2001 P 005 A, 2001 P 006 B, 2001 P 007 C, 2001 D 001 D, 2001 E 000 B, 2001 D 002 B, 2001 D 003 B, 2001 D 004 A, 2001 E 000, 2001 D 005 B, 2001 D 006 B, 2001 D 007 B, 2001 P 200 A, 2001 E 000 B, 2001 P 201 B, 2001 P 300, 2001 E 000, 2001 P 301 A, 2001 P 302 B, 2001 P 400, 2001 P 500 A, 2001 P 501 B, 2001 2001, 2001 2100, 2001 2101, 2001 2102, 2001 2200, 2001 2300, 2001 3100, 2001 3001, 2001 3002, 2001 3003, 2001 3004, 2001 3005, 2001 3006, 2001 3007, 2001 3008, 2001 3009, 2001 3010, 2001 3011, 2001 3012, 2001 3013, 2001 301 B, 2001 310, 2001 311, 2001 312 A, 11188-01 B, 11188-02 B, 11188-03 C, 11188-04 C, 11188-05 B, 11188-06 B, 11188-07 B, 11188-08 B, 11188-09 B, 11188-010 B, 11188-011 B, 11188-012 B, XX-LG-DR-S-1099 P2, XX-GF-DR-S-1100 P2, XX-GF-DR-S-1101 P2, XX-01-DR-S-1102 P1, XX-02-DR-S-1103 P1, XX-02-DR-S-1104 P2, 6618 MEP103 P4, 6618 MEP104 P2, 6618 MEP105 P2, 6618 MEP106 P2, 6618 S101 P1, 6618 M101, 6618 M102 P5, 6618 M103 P4, 6618 M104 P4, 6618 M105, 6618 M106 P5, 6618 M107 P5, 6618 M108 P6, 6618 M109 P2, 6618 M110 P2, 6618 M111 P2, 2 6618 M112 P2, 6618 M113 P2, 6618 M114 P2, 6618 E108 P1, 6618 PH101 P5, 6618 PH102 P5, 6618 PH103 P5, 11188-15 A, 11188-14 C, 11188-13 D, KUT Cooling Hierarchy dated 6 November 2020, Plant Noise Assessment 27769/PNA1, Planning and Heritage Statement March 2021, M&E Residential Services Strategy 6618, Daylight Sunlight Report 87970/46/DTO/SMM, Design and Access Statement Rev A.

A minor material amendments are now sought for:

Roof

- Skylight replaced with a roof hatch
- Existing European slates replaced with Welsh slates

Third Floor

- Two rooms with modern layout consolidated to one

First Floor

- Existing opening between the drawing room and the reception room enlarged by 20cm in order to centre the opening on the elevation
- Reception room ceiling raised from where it was previously to original proportions

- 8 no. uplights recessed into the new and consented timber floor in the two reception rooms
- Existing render in the staircase and throughout the property to be made good where cracked
- Steel brackets supporting the half and quarter landings to the main staircase retained but concealed in fibrous plaster works to look intentional in the language of the property
- The first half landing window fitted with traditional timber shutters
- 4 no. dome type CCTV cameras, one outside the front windows, one outside the rear window, one outside, as well as one on the parapet wall to the mews roof (all required to improve security)

Ground Floor

- Study room ceiling raised to the original proportions of the room
- Dining room door to be modestly reduced in width in order to allow for an architrave to be installed to improve the appearance of the opening commensurate to the significance of this part of the building
- Dining room ceiling raised to original proportions.
- Existing chimney breast in dining room to be retained and not reinstated as a fireplace.
- Entrance hall top step modestly increased in height from the basement staircase
- The new balustrade to be single balusters and not double
- Door at entrance is to be removed together with its frame
- Family room's raised floor to be removed, and is now proposed to be level with kitchen
- The existing opening between office and sports room to be enlarged by 55cm
- Office: 2 no. niches to be formed either side of window
- Front entrance door with a CCTV camera and a video intercom
- Rear courtyard with passive infra-red detector

Lower Ground

- Coffers in gymnasium omitted
- Introduction of waterproofing to the vaults and lower ground floor using sympathetic drained cavity waterproofing as recommended by building conservation specialists Hutton + Rostron
- Office: new cupboards added either side of the existing window, together with new traditional timber shutters to this window
- New traditional timber shutters added to 2 no. existing French doors within link building
- Entrance hall and staircase, new panelling to side wall of lower ground to ground floor staircase
- Sports room: the existing block wall to the north and south elevation has been removed to expose two existing chimney breasts. These are to be panelled over
- Outside the entrance door proposed to install a CCTV camera and passive infra-red detector
- Lower ground floor courtyard proposed to install a CCTV camera and passive infra-red detector
- Outside window, proposed to position a CCTV camera

The Applications

This application comprises the following documents:

- Application Covering Letter;
- Planning Application Forms;
- Site Location Plan;
- Proposed Drawings;
- Lighting and Camera Equipment Specifications;
- Hutton and Roston Vault Report;
- Hutton and Roston Timber Condition Investigation;
- Hutton and Roston Timber Visual Strength Grading; and
- Hutton and Roston Investigation of Basement Damp.

Heritage Analysis

The proposals set out as part of these applications represent the culmination of detailed design through the construction phase. The works proposed generally affect modern or consented fabric, or will result to further benefits to the building such as reinstating the original heights in the receptions rooms, and so would not impact on the special architectural or historic interest of the listed building.

The works relating to security (ie installation of CCTV) have been discussed and agreed in principle with the Crown Estate. The cameras are inconspicuous and located in areas that would not detract from the viewer's appreciation of the architectural and historic interest of the listed building. Indeed, they are required to provide a level of security that is commensurate with the status of the house and its location, and are found on other similar listed buildings. In our judgement these works would not harm the interest of the listed building.

Finally, through the construction phase it has become clear that the lower ground floor and vaults continue to suffer from damp. The Applicant has worked with specialist historic building pathologists Hutton + Rostron to identify the conservation-led approach to repair using drained cavity waterproofing. This is an approach that has been applied to listed buildings previously and we consider this work would lead to an enhancement to the listed building by contributing to the security of the listed buildings' long-term future.

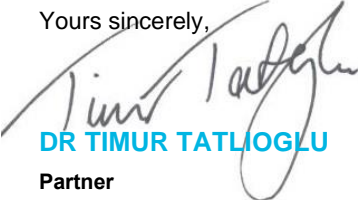
Overall, we consider that the works comply with development plan policies and, in turn, the decision maker is able to discharge their legal duties as set out in sections 16 (2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Application Procedure

The application fee of £234.00 has been calculated in accordance with The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012 (as amended).

We would be grateful if you could confirm that our application is complete and will be validated shortly. If you have any outstanding queries on this matter, please contact Dr Timur Tatlioglu (Tel. 020 7312 7413 / timur.tatlioglu@montagu-evans.co.uk) or Annabel Johnson (Mob. 07818 538 221 / annabel.johnson@montagu-evans.co.uk) .

Yours sincerely,


DR TIMUR TATLIOGLU

Partner

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