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Planning Department
London Borough of Camden
5 Pancras Square
London
N1C 4AG

FAO Mr David Fowler

24 August 2022

LW/TF – 16/085
Via PLANNING PORTAL

Dear David

SECTION 73 APPLICATION TO VARY CONDITION 2 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 73 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 minor modifications to the approved development which have become necessary as part of the detailed design of the scheme. Specifically, condition 2 is to be modified to replace selected approved plans to facilitate minor external amendments.

These amendments have become necessary in order to meet health and safety requirements and to facilitate the appropriate maintenance of the 4th floor of Block A and the roof of the community centre (Block B).

In support of this application, we provide the following documentation:

- This covering letter;
- Proposed Drawings and Drawing Schedule, prepared by RCKa Architects;
- Site Location Plan;
- Application forms and certificates; and



a. Background

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

Our services include: archaeology | design | engagement | heritage & townscape | landscape | planning | sustainable development | transport

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"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 planning permission. As part of this work, the design team have been carrying out detailed design work to ensure the future buildings can be appropriately maintained once in operation. This has resulted in the requirement for two minor external amendments to the approved development.

On 28 July 2022 the Applicant and project team met with Council planning officers to discuss the proposed minor external amendments and to confirm the appropriate approval pathway to facilitate these changes.

As such, a number of minor amendments are sought to the approved under Section 73 of the Town and Country Planning Act 1990 (as amended). These changes are summarised as follows:

- Conversion of the selected existing windows to sliding doors at the eastern and western elevations to the 4th floor penthouse units of Block A;
- Allocation of the external areas at the eastern and western elevations to the 4th floor penthouse units of Block A to 'private amenity' to facilitate use of this space in accordance with Condition 6 of the planning permission;
- Provision of a guardrail on top of the parapet wall to the external areas at the eastern and western elevations to the 4th floor penthouse units of Block A;
- Conversion of a window at the first floor to a sliding door at the eastern elevation of the community centre (Block B); and
- Conversion of a double hung window at the first floor to a larger single opening window at the eastern elevation of community centre (Block B).

Further details of the above amendments are outlined in section b of this covering letter, and the proposed amendments to planning permission 2018/5774/P are detailed in section c.

b. The Proposed Amendments

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

Block A Amendments

The following minor external amendments are sought to Block A:

- Conversion of selected windows to sliding doors at the eastern and western elevation to the 4th floor penthouse units of Block A;

- Provision of a guardrail on top of the parapet wall to these external spaces to ensure they meet relevant British safety standards for external amenity spaces.
- Allocation of these space as 'private amenity' as Condition 6 of the planning permission currently restricts access.

Currently these areas are inaccessible to future occupants of the 4th floor penthouse units to Block A which is likely to result in long term maintenance issues for the building. The current arrangements would likely require a maintenance person to access this area from the roof level which is considered unsafe and an impractical long-term solution.

The above amendments would, therefore, allow future occupants to access and maintain these external spaces, whilst also creating additional amenity space improving their overall quality.

The area of the eastern elevation will overlook the internal courtyard of the development which will improve its passive surveillance.

It is noted that the area at the western elevation would allow potential overlooking to the rear gardens of the existing residential flat buildings along Croftdown Road. Notwithstanding this, allowing access to these areas would not result in material impacts to adjoining development in that:

- The apartments on the lower floors of the building have balconies to the western elevation which already permit overlooking to the rear gardens;
- The space cannot accommodate tables and chairs and therefore does not allow meaningful use as amenity space due to its size; and
- The principal amenity space to this apartment is large and already permits overlooking to this area.

Community Centre (Block B) Amendments

The following minor external amendments are sought to the first-floor level at eastern elevation of the Community Centre (Block B):

- Conversion of a selected window at the first floor to a sliding door; and
- Conversion of a double hung window to a larger single opening window.

The above changes are necessary to meet health and safety regulations. Access is required to the roof of the new community centre for its maintenance, which is currently only possible through climbing out the existing window at the first-floor level which is considered unsafe.

The proposed amendment is considered minor in that the use of the access point will be restricted to maintenance persons only and would not be accessible to occupants of the community centre. Access would also be prevented through an existing condition in planning permission (Condition 6) along with suitable prevention mechanisms such as an alarm and appropriate signage to prevent improper use.

c. Proposed Condition Rewording

In order to facilitate the changes described above, it shall be necessary for the Section 73 application to vary the wording of Condition 2.

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.

The proposed amendments to condition 2 are indicated by ~~strike through~~ and the replacement plans are indicated in **red** as follows:

2.

Approved drawings

The development hereby permitted shall be carried out in accordance with the following approved plans:

Proposed plans:

PL-E-100 E-F, PL-E-101 G H, PL-E-102 E, PL-E-103 E-F, PL-E-104, PL-E-105, PL-GA-002 A, PL-GA-A-600 Z, PL-GA-B-599 X, PL-GA-C-600 E, PL-GA-B-600 Z, PL-GA-A-601 S, PL-GA-B-601 T-V, PL-GA-A-602 W, PL-GA-B-602 W, PL-GA-A-603 V, PL-GA-B-603 W, PL-GA-A-604 R-S, PL-GA-B-604 U, PL-GA-A-605 N Q, PL-GA-700 F, PL-GA-701 Q, PL-GA-703 L, PL-GA-706 M, PL-GA-707 L, PL-GA-712 K, PL-GA-713 B, PL-GA-714 D, PL-GA-715 D, PL-GA-ST-800 Q, PL-GA-ST-801 M, PL-GA-ST-802 S, PL-GA-ST-803 S, PL-GA-ST-804 N, PL-GA-ST-805 J, PL-GA-ST-899 F.

Proposed documents:

Addendum Design and Access Statement HNCC-RCK-ZZ-XX-PP-A-138-S3-P5 (rcka) November 2018, Statement of Community Involvement (rcka) November 2018, Heritage Statement (Iceni) November 2018, Daylight and Sunlight Study (Neighbouring Properties) (Right of light Consulting) November 2018, VSC Corrections (uploaded 22/01/2019), Sunlight Corrections (uploaded 22/01/2019), Energy Strategy (McBain's) November 2018, Sustainability Statement (Iceni) November 2018, Acoustic Report A973 R03B (ION Acoustics) 20th November 2018, Air Quality Assessment 01.0129.001/AQ v2 (Isopleth) November 2018, Transport Technical Note (Systra) 20/11/18, Transport Statement (JMP) November 2016, Draft Framework Travel Plan (JMP) November 2016, Draft Servicing Management Plan(JMP) November 2016, Draft Construction Management Plan, (JMP) November 2016, Transport Statement (JMP) November 2016, Draft Framework Travel Plan (JMP) November 2016, Draft Servicing Management Plan(JMP) November 2016, Draft Construction Management Plan, (JMP) November 2016, Ground Investigation and Basement Impact Assessment J16021A (GEA) October 2018, Addendum Drainage Strategy (McBain's) November 2018, Viability Report (Savills) November 2018, Planning Statement (Iceni) November 2018, Preliminary Ecological Survey (Syntegra) November 2018, Daylight and Sunlight Study (Within Development) v2 (Right of Light Consulting) November 2018, Arboricultural Constraints/Arboricultural Impact Assessment/Arboricultural Method Statement HNCC_AIA_revis_11102018_JP_V3_Arboricultural Assessment.pdf (Greenman) 11/10/2018, Endoscope Survey Brief 18-4442 (Syntegra) December 2018

Reason: For the avoidance of doubt and in the interest of proper planning.

d. Summary and Conclusion

This application is made under Section 73 of the Town and Country Planning Act 1990 (as amended) to secure a minor material amendment to the approved development.

These changes are necessary in order to meet health and safety requirements and to facilitate the appropriate maintenance of the 4th floor of Block A and the roof of the community centre (Block B). As demonstrated in this letter, the proposed amendments are considered to be minor and will not result in any additional amenity impacts to surrounding development.

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 [REDACTED] in the first instance should you have any questions.

Yours faithfully,



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enc. As listed above