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Your Ref: PP-12451064
Our Ref: 12698

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Planning Department
Camden Council
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Dear Sir or Madam

APPLICATION UNDER SECTION 96A OF THE TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) FOR NON-MATERIAL AMENDMENTS TO PLANNING PERMISSION REF. 2021/3580/P AT TYBALDS ESTATE, NEW NORTH STREET, LONDON, WC1N 3JT.

DWD written on behalf of London Borough of Camden Council ('Applicant'), to submit the enclosed application under Section 96a of the Town and Country Planning Act 1990 (as amended) in relation to non-material changes to the planning permission ref. 2021/3580/P.

The application for planning permission was approved on 14th October 2022 for:

"Demolition of existing storage sheds and infill development on the existing Tybalds Estate including erection of three blocks, two mews terraces, and conversion of the lower ground floor of three existing blocks to provide a total of 56 residential homes (Class C3) comprising 28 affordable and 28 market units with associated community space, alterations to existing residential block entrances, provision of a lift to existing Devonshire Court, refuse facilities, public realm improvements, alterations to parking layout, cycle parking, landscaping and associated works".

This application seeks:

"Non-material amendment for alterations to the consented ramp access within the Falcon Courtyard".

Application Package

The application comprises this letter, which sets out the background, justification and detail of the proposed non-material amendments, and the following drawings:

Drawings Approved under ref. 2021/3580/P	Updated drawings submitted
Underbuilds: Falcon Proposed Lower Ground Floor Plan (Drawing ref. TE-UF-100)	Underbuilds: Falcon Proposed Lower Ground Floor Plan (Drawing ref. TE-UF-100)
Tybalds Underbuilds: Falcon Courtyard Landscape Proposals (Drawing ref. LL02)	Proposed Falcon Ramp (Drawing ref. TE-UF-250-C02)

	Falcon Ramp Typical Details (Drawing ref. TE-902-C01)
	Tybalds Underbuilds – Falcon Courtyard Landscape Proposals (Drawing ref. LL02)

Proposed Amendments

Section 96A (1) of the Town and Country Planning Act 1990 (as amended) allows a local planning authority to make a change to any planning permission relating to land in their area if they are satisfied that the change is not material.

Paragraph 002 (ref. 17a-002-20140306) of the National Planning Practice Guidance (NPPG) states that there is no statutory definition of ‘non-material’ and that this is because it will be dependent on the context of the overall scheme – an amendment that is non-material in one context may be material in another. The local planning authority must be satisfied that the amendment sought is non-material in order to grant an application under section 96A of the Town and Country Planning Act 1990.

The non-material amendment proposed relates to the Falcon Courtyard. The specific amendment within this application is to the consented ramp to Falcon Courtyard. In particular, a revised ramp layout is proposed and the steps serving the ramp are repositioned, with associated railings serving the altered ramp.

Full details of the proposed amendment can be seen on the plans submitted with this application. The landscaping details plan has also been updated and submitted as part of this application to reflect the revised ramp design. With the exception of the altered ramp layout, the remainder of the hard and soft landscaping work remain as already consented and signed off under the discharge of condition application for condition 4.

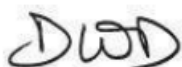
As set out above, the amendment is non-material in nature and is required to optimise accessibility for current and future occupiers of Falcon. It does not materially alter the development as approved or cause adverse impacts not previously assessed.

Summary

In summary, it is our opinion that the approved development, as outlined above, would not be materially affected by the proposed amendment, and therefore it is considered to be non-material within this context.

I trust this provides you with all of the required information, however if you do have any queries then please contact Lucy Freeman (lucy.freeman@dwdllp.com) or Emma Penson (emma.penson@dwdllp.com) of this office.

Yours faithfully,



DWD