

Fuller Long

London Borough of Camden

Development Management
F.A.O David Peres Da Costa

Submitted via planning portal

18th October 2023

Dear David

Non material amendment to planning application 2018/2316/P. Land fronting Stephenson Way (to the rear of 222 Euston Road adjacent to 210 Euston Road), London NW1 2DA

On behalf of the applicant, Churchgate Ltd, we hereby submit an application under S96A of the Town and Country Planning Act for a non material amendment in relation to the above planning permission. The approved development was described as follows:

“Erection of a 7-storey building plus basement for student accommodation use with 78 rooms of accommodation on the upper floors including shared amenity space at ground and sixth floor level and terrace at 6th floor level fronting Stephenson Way (Sui Generis). Retention of the vehicular easement from Stephenson Way to the rear of 222 Euston Road.”

Section 96A allows a non material amendment to be made to an existing planning permission via an application procedure. No definition is given as to what constitutes a non material amendment as this will vary on a case by case basis.

In making a decision on such an application, the Local Planning Authority must have regard to the effect of the change, together with any previous changes made under this section.

Following the continued detailed design of the scheme we submit an NMA for the following minor internal changes to the basement.

- Addition of the extra space under the ramp for plant use. This extended space will have external access through a cat ladder from above as per Building Control and fire requirements.
- Part of the external north retaining wall has been moved by 250mm. This is due to an existing retaining wall where advice has been given not to be removed since it supports the highway.

The drawing number of the latest consented basement plan is (PL)-03100B_P01, which should be replaced with (PL)-03100B_P02. We have provided a plan showing the revisions with bubbles and a plan without.

Materiality

The main issues relating to the non material amendment are the effect that it would have on the character of the area and the impact that it would have on the amenity for the occupants surrounding residential properties. In deciding whether proposed changes can be considered to be non material, careful consideration needs to be given to the following points:

1. Do the proposed changes differ in substance from the development that was granted planning permission?

The development as approved will not be materially altered as part of this application. There is no change to the overall footprint, mass or height of the building. The changes are internal only, hidden under the ramp and therefore will have no effect on the external appearance or approved built form.

It is therefore considered that the proposed alterations will not impact upon the overall layout or design of the scheme, nor will they have a detrimental impact upon the streetscene or visual and residential amenities of the neighbouring properties.

2. Would acceptance of the proposed changes as a non material amendment deprive those who should have been consulted from such additional consultation?

Neighbours will not be affected by the proposed changes, given they are internal minor amendments, and as such neighbour notification regarding the proposed alterations is not considered necessary.

3. Does the cumulative impact of a series of non material amendments result in a development that is quite different from the original permission?

The proposed amendments will not lead to the scheme differing from the development originally approved as detailed above. As such, it is considered that the proposed amendments will not have any detrimental impact in terms of the impact on the street scene or the wider area that the buildings lies within.

As described above, the overall scheme in terms of its scale, height, design and function remain as permitted. Furthermore we consider the changes proposed will have no impact on any matter of planning importance when compared to the original permission and can therefore be supported and approved.

We trust the above is non controversial. However if you have any queries relating to the submission, please do not hesitate to contact me.

Yours sincerely,

Clare Preece
Planning Director
Fuller Long Limited