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London Borough of Camden  
Planning and Building Development  
5 Pancras Square  
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**FAO: David Da Peres Costa**

17 May 2024

**Our ref: LJW/ANE/KHU/AJA/U0010962**

**Your ref: 2020/3880/P // PP-13065681**

Dear Sir / Madam,

**Acorn House, 314-320 Gray's Inn Road, London, WC1X 8DP**  
**Town and Country Planning Act 1990 (as amended) – Section 96A**  
**Application for Non-Material Amendment**

We write on behalf of our client, Eelam Properties Limited, to submit an application for a non-material amendment under Section 96A of the Town and Country Planning Act 1990 to amend planning permission ref. 2020/3880/P at Acorn House, 314-320 Gray's Inn Road, London, WC1X 8DP (the 'Site').

The Applicant seeks amendments for:

- i. Alterations to the substation door arrangement and access to the bin and cycle stores;
- ii. Amendments to the rear balconies;
- iii. Terrace balustrade alterations;
- iv. Additional roof plant and reduction of PV panels; and
- v. Alterations to location of the M4(3) adapted units.

Section 96A empowers local planning authorities to make changes to planning permissions where they are satisfied that the change is non-material. There is no statutory definition of what non-material is and Planning Practice Guidance explains that this is because it will depend on the context of the overall scheme in any given case. It is contended that these are an entirely non-material change in the context of the approved scheme.

## **Background**

Planning permission (ref. 2020/3880/P) was granted on 01 November 2021 for the:

**“Redevelopment of Acorn House as a part 6, part 10 storey mixed-use building with 33 affordable homes (with external play space at level 6, a community room and terrace at level 9), affordable office space and retail unit at ground and basement level; together with cycle parking facilities and associated ancillary uses.”**

The permission has since been implemented and various conditions and obligations have been discharged.

## The Proposals

This application seeks to amend planning permission ref. 2020/3881/P for the following items:

- i. Alterations to the substation door arrangement and access to the bin and cycle stores
- ii. Amendments to the rear balconies
- iii. Terrace balustrade alterations
- iv. Additional roof plant and reduction of PV panels
- v. Alterations to location of the M4(3) adapted units.

### Alterations to the substation door arrangement and access to the bin and cycle stores

The substation door arrangement is proposed to be adjusted to suit UKPN's design requirement. Following a detailed review with UKPN they have stated that the current design would not be feasible. Therefore, in order to meet the requirements of UKPN, double doors with a fixed side panel to either side are proposed.

As a result of this change direct access to the bin store and cycle store is proposed to be removed from the residential lobby. Access to these areas would then be via the footpath with a secondary airlock door proposed to the cycle store. This would have the additional benefit of improving the fire compartment to the escape lobby. The positioning of the bin store doors would also be shifted to suit these changes.

Condition 12 attached to the planning permission requires 66 secure cycle stands, including two non-standard wider spaces, to be installed and made available for the residential users. The proposed amendment would ensure that at least 66 cycle spaces, including two non-standard wider spaces, would remain within the basement.

### Amendments to rear balconies

It is proposed to update the section drawings of the projecting balconies to the rear of the building to match the previously approved elevations (solid vs railings). It is proposed to raise the soffit of the balconies slightly so they abut the two building brick courses above the precast band in order to avoid the interface between the balconies and the projecting band.

### Terrace balustrade alterations

It is proposed that the balustrade heights on the 9th floor terrace are increased to 1600mm high. Although the requirement for balustrades under Part K of the Building Regulations is 1100mm, Newlon Housing Association, who will operate the building, have requested that the terrace balustrades are increased to 1500mm high for the communal area terrace, for safety reasons. The height of 1500mm for the balustrade has been carried through to the plant area to maintain consistency.

### Additional Roof Plant and Reduction of PV Panels

Following further detailed design, it has been determined that the plant space allocated for fresh air intakes at roof level is too small. Therefore, additional plant for the fresh air ventilation is proposed at roof level to ensure that the building is sufficiently ventilated. The additional space that this plant would require will impact the positioning of the Automatic Opening Vents and would reduce the amount of PV Panels at roof level. The Automatic Opening Vents are proposed to be shifted in location, whilst the amount of PV panels are proposed to be reduced from 25 to 9.

As part of the approved Energy Efficiency and Renewable Energy Plan which was determined on 3 August 2023 it was determined that the carbon reductions that were approved under the extant planning permission could be achieved without any PV panels being erected on the roof. Therefore, the proposed reduction in PV Panels should be deemed as acceptable. However, the Applicant intends to retain as many PV Panels as possible, for sustainability purposes, which is why 9 are still proposed.

#### Conclusion

In light of the above, it is considered that the proposed amendments would not have any material effect on the planning permission and can be formalised via a non-material amendment to planning permission ref: 2020/3880/P.

#### **Application Documentation**

In accordance with the validation requirements of the London Borough of Camden, alongside this Covering Letter, we hereby enclose the following documentation to discharge this condition:

- Application Form, prepared by Gerald Eve LLP;
- Covering Letter (this document), prepared by Gerald Eve LLP;
- Design Pack, prepared by Brookes Architects;
- Existing Plans, Elevations and Sections, prepared by AHMM;
- Proposed Plans, Elevations and Sections, prepared by Brookes Architects; and
- Drawing Register, prepared by Brookes Architects.

#### **Summary**

This approval of details application has been submitted via the Planning Portal. The requisite approval of details application fee of £293.00 (including the £70.00 Planning Portal service charge) has been made concurrent to the submission of this application by our client and will follow in due course.

We look forward to confirmation of the registration and subsequent validation of this approval of details application shortly. In the meantime, should you have any queries, please do not hesitate to contact Katie Hughes (020 3486 3494) or Andrew Jackson (020 3486 3734) of this office.

Yours faithfully,



#### **Gerald Eve LLP**

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