

Application ref: 2024/2085/P
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Date: 18 July 2024

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Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Grant of Non-Material Amendments to planning permission

Address:

551-557 Finchley Road
London
NW3 7BJ

Proposal:

Amendments to the wording of Condition 7 (accessible homes) of planning permission 2023/0383/P dated 13/12/2023 for 'Variation of condition 2 (approved drawings) of planning permission 2020/5444/P approved 24/12/2021 for the part change of use from Use Class E and F1 and remodelling of the existing building to provide residential apartments (C3) along with flexible commercial (Class E)/pub/wine bar/drinking establishments (Sui Generis) uses, alterations including partial demolition and extensions at the rear at lower ground, ground and first floor levels, extension to provide an additional storey at roof level, levelling of the lower ground floor level, remodelling and restoration of front facade, amenity space, cycle parking and associated works; namely, changes to approved dwelling mix and internal layouts, reduction in commercial floorspace and minor changes to elevations.'

Drawing Nos:

Cover letter dated 20th May 2024; Drawing no. 22-055-A-010.

The Council has considered your application and confirms that the proposals are acceptable as non-material amendments to the planning permission set out above.

For the purposes of this decision, condition no.7 of planning permission 2023/0383/P shall be replaced with the following condition:

REPLACEMENT CONDITION 7

All units hereby approved shall be designed and constructed in accordance with Building Regulations Part M4(1) with units G1 and G2 designed and constructed in accordance with Building Regulations Part M4(2).

Reason: To ensure that the internal layout of the building provides flexibility for the accessibility of future occupiers and their changing needs over time, in accordance with the requirements of policy H6 of the Camden Local Plan 2017 and policy 1 of the Fortune Green and West Hampstead Neighbourhood Plan 2015.

Informative(s):

1 Reasons for granting planning permission:

This non-material amendment application seeks adjustments to the wording of Condition 7 (accessible homes) to accord with earlier changes to the condition agreed via an earlier non-material amendment permission (ref. 2022/3596/P) and the amended plans approved by minor material amendment permission (ref. 2023/0383/P).

Planning permission ref. 2022/3596/P has already confirmed that the proposed revisions to the wording of Condition 7 to replace Part M4(3) requirements for two dwellings with the need to achieve Part M4(2) instead is considered non-material, as the development would continue to provide flexibility for the accessibility of future occupiers in accordance with Policy H6. Therefore, the same can be agreed as part of this follow-up non-material amendment application.

Planning permission ref. 2023/0383/P approved plans (namely drawing no. 22-055-A-151 Rev D) which, amongst other changes, amended the names of the M4(2) units on the ground floor of the development from '3A' and '3B' to 'G1' and 'G2'. This change has already been actioned, in effect, by these approved plans. This application proposes to amend Condition 7 to refer to G1/G2 instead of 3A/3B, which would ensure that the wording of the condition tallies with the relevant flats as indicated on the plans.

There would be no internal or external changes to the approved development. The change relates to the wording of Condition 7 only and, as discussed above, would bring the condition in line with the approved plans.

Given the nature of the application as a non-material amendment to a previously approved scheme, no neighbour consultations were undertaken. The planning history of the site has also been taken into account when coming to this decision.

The full impact of the development has already been assessed by virtue of the previous permission granted 2023/0383/P dated 13/2/2023. In the context of the permitted scheme, it is considered that the amendments would not have any material effect on the approved development in terms of appearance and neighbour impact, or for any other reason. The amendments would not change the nature of development and are therefore regarded as a non-material variation of the approved scheme.

- 2 You are advised that this decision relates only to the changes highlighted on the plans and/or set out in the description and on the application form and shall only be read in the context of the substantive permission granted on 13/12/2023 under reference number 2023/0383/P and is bound by all the conditions and obligations attached to that permission.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2023.

Yours faithfully

A handwritten signature in black ink, appearing to read 'DPope', is positioned above the typed name and title.

Daniel Pope
Chief Planning Officer

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