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Dear Sir / Madam,

14 Greenaway Gardens, London, NW3 7DH
SECTION 96 OF THE TOWN AND COUNTRY PLANNING ACT 1990 NON-MATERIAL AMENDMENT APPLICATION

On behalf of the Client, Savills have been instructed to prepare and submit this Section 96 Non-Material Amendment application to consent reference 2021/0984/P granted at 14 Greenaway Gardens, London, NW3 7DH for the following proposals:

Demolition of summerhouse in rear garden and landscaping works

The application seeks to amend the approved drawings granted, specifically, the approved landscaping plan. The only amendment is for the inclusion of an outdoor swimming pool in the rear garden, all other elements of the consented scheme remain identical. Via a condition, the consent required the submission of full details of hard and soft landscaping to be submitted to the LPA prior to any development. Such details were submitted and subsequently approved by LB Camden on 29 March 2022 (ref: 2021/5768/P), with the landscaping plan approved under drawing reference (0942)0012_P02.

The pre-existing situation at the site included an outdoor swimming pool, and therefore, this NMA application is simply proposing to replace the outdoor swimming pool in a slightly different location within the rear garden, with all remaining matters remaining as previously consented under both the parent permission, and condition discharge application. As such, this amendment is deemed non-material. An updated proposed landscaping plan has been prepared by SHH and should be read in conjunction with this application. It is understood that following this NMA, the condition will need to be re-discharged accordingly.

The relevant fee will be paid under a separate cover.

Background

14 Greenaway Gardens (the 'Site') comprises a detached two-storey dwelling, located in the north-eastern side of Greenaway Gardens. The Site is not listed, but is situated within the Redington & Frognal Conservation Area. The large T-shape garden to the rear of the main house is the subject of the parent consent outlined above, involving the demolition of a summerhouse and various landscaping works.

Offices and associates throughout the Americas, Europe, Asia Pacific, Africa and the Middle East.

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Prior to the parent consent, the rear landscape consisted of the main lawn directly behind the house, an outdoor swimming pool at the end of the lawn, a tennis court to one side of this, and a BBQ terrace to the other (where a pool house was once located). A small, paved patio terrace also sat directly behind the house.

S96 Basis

There is no statutory definition of what constitutes a non-material amendment to an approved planning permission, and it is a matter for the discretion of the individual local authority. Whether an amendment is material will depend on the effects of the amendments, bearing in mind its context. In assessing the application, the planning authority must have regard to the effect of the change in visual and amenity terms.

The proposed amendments are considered very minor and will not have no material impact on the nature of consented development or adjoining residential amenity or conservation area impacts.

Proposed Non Material Amendment

The application simply proposes to introduce an outdoor swimming pool, in a similar location to where it was previously consented. The size of the pool is also very similar.

The pre-existing site plan, along with the consented landscaping plan approved under condition application ref: 2021/5768/P are both shown below alongside the proposed landscaping plan which shows the new location of the outdoor swimming pool.

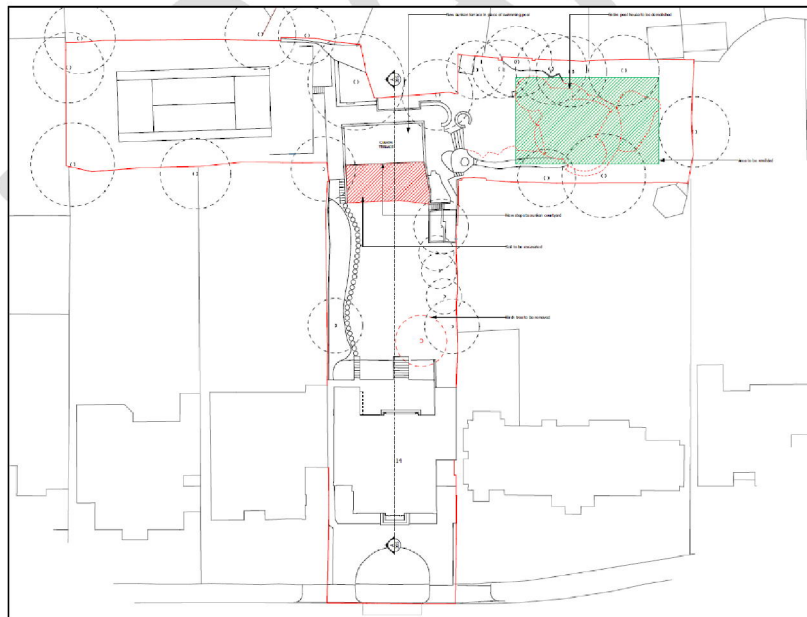


Figure 1: Pre-existing Site Plan

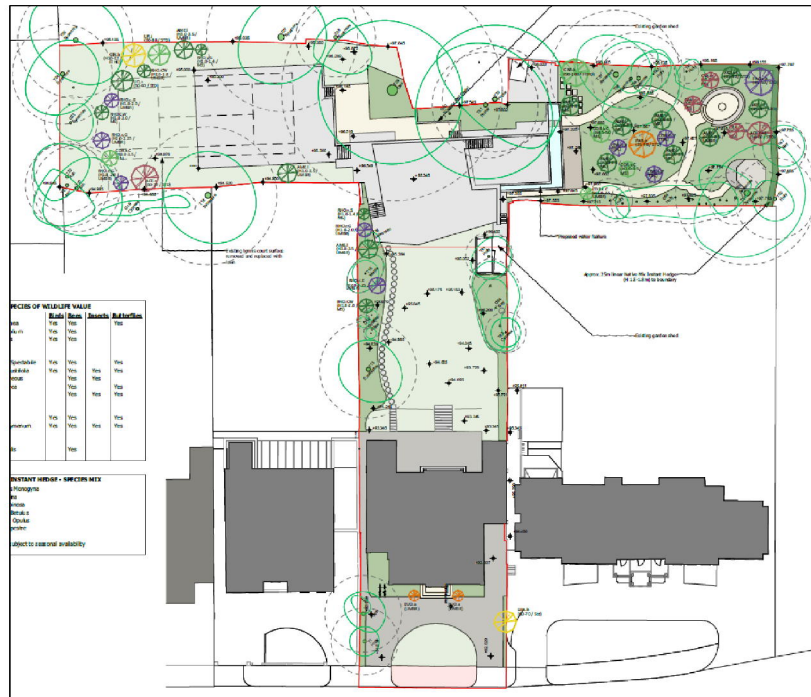


Figure 2: Consented Landscaping Plan – ref:2021/5768/P

The plans above make it clear that the amendment proposed only concerns one area of the garden, the rear central lawn. The pre-existing swimming pool was also located within this area, and so the proposed non-material amendment does not alter the character or appearance of the conservation area.

In and of themselves, the proposed works do not require planning permission in their own right. The NMA is sought to maintain consistency with the overarching planning permission, which contains a condition in relation to rear landscaping.

Given the gardens along Greenaway Gardens are fairly well screened and swimming pools are a common feature of the landscape, no impact will be caused in terms of neighbouring amenity.



Conclusion

This NMA application simply seeks to introduce an outdoor swimming pool within the rear garden of the Site at 14 Greenaway Gardens. The pre-existing situation contained an outdoor swimming pool in a very similar location, and of a similar size, and therefore, this application simply seeks to reinstate a similar pool to an area of hardstanding, with no trees or soft landscaping being lost in the process. The scheme has been sufficiently assessed against all relevant policies and all the relevant details have been outlined in this covering letter and the supporting drawings, which should be read in conjunction.

We trust that the information provided is sufficient in proceeding with this NMA application. should you require anything further from ourselves, please don't hesitate to contact me via the details shown at the head of this letter.

Yours sincerely



Aman Parekh
Savills Planning

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