

Application ref: 2024/5432/P
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Montagu Evans LLP
70 St Mary Axe
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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:

**100 Avenue Road
London
NW3 3HF**

Proposal: Non-material amendment to Planning Permission ref. 2014/1617/P (allowed at appeal ref: APP/X5210/W/14/3001616) on 18 February 2016 to alter and simplify the description of development, and to add a condition containing the specific residential unit numbers, building storey heights and the quantum of floorspace following the removal of these details from the description.

Drawing Nos: PL_099 P3, PL_100 P2, PL_101 P1, PL_102 P1, PL_105 P3, PL_106 P1, PL_107 P2, PL_108 P1, PL_113 P2, PL_119 P1, PL_121 P1, PL_123 P1, PL_124 P1, PL_161 P1, PL_162 P1, PL_163 P1, PL_164 P1, PL_170 P1, PL_171 P1, PL_172 P1, PL_173 P1, PL_200 P1, PL_201 P2, PL_202 P1, PL_203 P1, PL_204 P1, PL_205 P1, PL_206 P1, PL_207 P1, PL_210 P1, PL_211 P1, PL_401 P1, PL_402 P1, PL_403 P1, PL_404 P1, PL_405 Pt, PL_406 P1, LL443-100-001 P1, LL443-100-002 P2, LL443-100-003 P1, LL443-100-001 P1, LL443-100-004 P1, LL443-100-005 P2, LL443-100-006 P1, LL443-100-007 P1, LL443-100-100, LL443-200-101.

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, the description of planning permission ref. 2014/1617/P (allowed at appeal ref. APP/X5210/W/14/3001616) shall be replaced with the following description:

REPLACEMENT DESCRIPTION

Demolition of the existing building and redevelopment comprising residential units (Class C3) and flexible commercial, business and service use (Class E) and community use (Class F2(b)) with associated works including enlargement of the existing basement level to contain disabled car parking spaces and cycle parking, landscaping and access improvements.

For the purposes of this decision, a new condition (no.34) is being added to the planning permission:

NEW CONDITION 34

The development hereby approved shall be restricted in development quantum to the following:

Development of a 24 storey building and a part 7 part 5 storey building comprising:
*184 residential units (Class C3);
*Up to 1,041 sqm of flexible commercial, business and service use (Class E) inclusive of part sui generis floorspace or potential new London Underground station access fronting Avenue Road; and
*Up to 1,350sqm of community use (Class F2(b)).

Reason: In the interests of proper planning and for clarity over the development hereby approved.

Informative(s):

1 Reason for granting approval:

This non-material amendment application seeks an alteration to the description of development for planning permission ref. 2014/1617/P (allowed at appeal ref. APP/X5210/W/14/3001616) which would enable minor amendments to the approved development to be applied for in future.

The changes proposed are to the application description only. No changes are proposed to any of the approved plans or conditions of the planning permission referenced above. The amended wording would not change the specific details of the application in any way. The function of the change is that it would provide flexibility to enable the approved development to be altered via a minor amendment application if so required (and as long as such changes were to be in accordance with the intent of the original permission).

In the interests of clarity and ease of reference a further condition will be added to the decision notice that specifies the key characteristics of the approved development that are currently referenced within the development description, but which would be removed by the proposed amendment. Such characteristics are also currently specified by the approved drawings and documents which are shown in Condition 2, and which are not to be amended by this application.

The full impact of the scheme has already been assessed by virtue of the previous permission (referenced above) which was allowed at appeal in 2016. In the context of the permitted scheme the amendments to the description would not have any material effect on the approved development in terms of its appearance, neighbouring amenity impact, transport considerations, or for any other reason. The changes can therefore be regarded as a non-material variation of the approved scheme.

No comments were received in respect of this application. The planning history of the site has been taken into account when coming to this decision.

As such, the alterations to the description and the new condition is not a material change, taking into account the development plan, and all other material considerations. These non-material amendments accord with the Camden Local Plan 2017, the London Plan 2021, and the National Planning Policy Framework 2024.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with the National Planning Policy Framework. The council publishes its adopted policies online, along with detailed Camden Planning Guidance. It also provides advice on the website for submitting applications and offers a pre-application advice service.

Yours faithfully

A handwritten signature in black ink, appearing to read 'DPope', written in a cursive style.

Daniel Pope
Chief Planning Officer

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