

T: 07900 413080

DDI: 0207 692 0643

E: stuart@smplanning.com

W: www.smplanning.com

80-83 Long Lane,
London,
EC1A 9ET

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Via Planning Portal only

Dear Sir/Madam,

NON-MATERIAL AMENDMENT APPLICATION – SECTION 96A OF THE TOWN & COUNTRY PLANNING ACT 1990.

NON-MATERIAL AMENDMENT TO PLANNING PERMISSION 2024/2497/P - FOR THE REPLACEMENT OF WINDOWS AND DOORS ON THE FRONT, SIDE AND REAR ELEVATIONS, REPLACEMENT OF ROOFLIGHT, NEW ROOFING MEMBRANE WITH BALLAST TOP LAYER AND NEW PARAPET LEAD COPING.

43A LANCASTER GROVE LONDON NW3 4HB

Please accept this covering letter as an accompaniment to this non-material amendment application in relation to planning permission ref: 2024/2497/P at 43A Lancaster Grove ('the site') under S96A of the Town and County Planning Act 1990 (as amended).

This letter provides a summary of the site and the proposal. To assist the council in their consideration of the proposed amendments, please refer to the updated drawings which have been submitted in support of the application.

The Site:

The site is located on the northern side of Lancaster Grove in close proximity to the junction of Lancaster Drive that lies to the west. The site comprises of an unlisted two storey dwelling, with a basement level and roof accommodation. The dwelling has been subdivided to accommodate two self-contained units.

The site is situated within the Belsize Conservation Area (sub area three: The Eton Avenue area), where it is identified as a positive contributor to the character and appearance of the Conservation Area, as part of a group listing No.39-43.

The surrounding context of Lancaster Grove is predominantly residential, characterised by a mixture of detached and semi-detached properties with similarly sized rear gardens that are predominated by vegetation and trees.

Relevant Planning History:

On the 13th November 2024, planning permission was granted (2024/2497/P) for the replacement of windows and doors on the front, side and rear elevations, replacement of rooflight, new roofing membrane with ballast top layer and new parapet lead coping.

On the 3rd July 2017, planning permission was granted (2014/3048/P) for the replacement of rear entrance door and lowering of entrance level.

On the 21st November 2008, planning permission was granted (2008/2089/P) for the retention of two windows on the front elevation at lower ground level.

On the 16th March 1998, planning permission was granted (PW9702992) for the alterations at first floor level to provide a vertical flank wall and flat roof to replace a pitched roof to the rear of the building.

Legislation/Guidance:

Section 96A of the Town and Country Planning Act 1990 (as amended) provides powers to local planning authorities to make changes to planning permissions on land in their area if they are satisfied that the change is nonmaterial.

The NPPG confirms that there is no statutory definition of 'non-material'. This is because it will be dependent on the context of the overall scheme.

The Proposal:

The proposal seeks a non-material amendment to full planning permission reference 2024/2497/P to change the approved plans.

The proposed amendment seeks to change the side elevation single glazed (with internal secondary glazing) window to a double-glazed painted timber sash window, with fixed side screens and structural glazing bar details. The window unit is to mirror existing, being double height encompassing the ground and first floor side elevation.

Planning Assessment:

The proposal includes a minor external change, in relation to the replacement of the consented single glazed window (with internal secondary glazing) with a fully double-glazed window, being of a mirroring design and composition to that of existing. The newly proposed window will enhance the sites thermal performance for the internal space. The scale and design of the dwelling remains as consented.

The window does not harm the appearance of the host dwelling, due to its sensitive location and sympathetic scale and design mirroring those existing on the dwelling façade (timber sash). The window would remain at the side elevation (within the existing opening), thus obscured from public vantage points. The frame profile and glazing bars match the details approved in the extant permission. The proposed location and design of the window reflect the existing character of the site whilst retaining fenestration alignment, thus there would be no material impact upon the character and appearance of the host building or Conservation Area.

Given the minor and modest nature of the proposed window alteration, the proposal does not result in any materially different overlooking or privacy impact than the consented development. There would be no new openings which could otherwise give rise to adverse impacts upon residential amenity.

The proposed amendment would not harm neighbour or visual amenity. In the context of the consented development at the site, the proposed change to the approved plans is not material and does not alter the nature of the development or the intention of the permission, to an extent that would require re-consultation with interested parties.

Summary:

As demonstrated within this letter and supporting documents, the proposed changes to the approved plan subject of permission ref: 2024/2497/P are not material. It is therefore respectfully requested that the proposed amendment is approved by the local planning authority pursuant to S96A of the Town and Country Planning Act 1990 (as amended).

I trust this letter and the enclosed documents provide you with sufficient information to determine the application but if you require any points of clarification or have any questions, please do not hesitate to contact me.

Stuart Minty
Director
SM Planning