

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>		<b>09/08/2012</b>	
		N/A / attached		<b>Consultation Expiry Date:</b>		<b>12/07/2012</b>	
<b>Officer</b>				<b>Application Number(s)</b>			
Neil Zaayman				2012/3656/P			
<b>Application Address</b>				<b>Drawing Numbers</b>			
154 Loudoun Road London NW8 0DJ				Refer to decision notice.			
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>				
<b>Proposal(s)</b>							
Non-material amendments to planning permission granted on 30/09/09 (ref: 2009/2946/P) for the redevelopment of the site to provide a part-four, part-seven and part-eight storey building to provide 42 dwellings with associated access, car parking, cycle storage, servicing and landscaping namely, to add a two-storey glazed entrance lobby to the undercroft.							
<b>Recommendation(s):</b>		Refuse non-material amendment					
<b>Application Type:</b>		Non Material Amendments					
<b>Conditions or Reasons for Refusal:</b>		Refer to Draft Decision Notice					
<b>Informatives:</b>							
<b>Consultations</b>							
<b>Adjoining Occupiers:</b>		No. notified	<b>00</b>	No. of responses	<b>00</b>	No. of objections	<b>00</b>
				No. electronic	<b>00</b>		
<b>Summary of consultation responses:</b>		N/A					
<b>CAAC/Local groups* comments:</b> *Please Specify		N/A					

## Site Description

The application site is located on the eastern side of Loudoun Road, between South Hampstead Railway Station and the recently converted Grade II Listed All Souls Church. The site is currently undergoing redevelopment following planning permission (ref: 2009/2946/P) to provide a part-four, part-seven and part-eight storey building for 42 dwellings with associated access, car parking, cycle storage, servicing and landscaping.

## Relevant History

**2009/2946/P:** Redevelopment of the site to provide a part-four, part-seven and part-eight storey building to provide 42 dwellings with associated access, car parking, cycle storage, servicing and landscaping. **Granted on 30/09/2009.**

## Relevant policies

The proposed amendments are assessed for materiality – not on the basis of their planning merits. Planning policies therefore do not apply.

## Assessment

### Proposal:

Consent is sought for amendments to an earlier planning application given consent on 30/09/2009, Planning Ref: 2009/2946/P.

The amendments proposed are as follows:

- the addition of a glazed 2-storey entrance lobby to the undercroft on Loudoun Road.

The entrance lobby would measure 4.4m x 3m and 2-storey in height (5.7m) and include post boxes and an entry system.

### Assessment:

S.190 of the Town and Country Planning Act 2008 states *“In deciding whether a change is material, a local planning authority must have regard to the effect of the change, together with any previous changes made under this section, on the planning permission as originally granted.”*

Whilst there is no statutory definition of ‘non-material’, the LPA must be satisfied that the amendment sought is non-material in order to grant an application.

Although this alteration and increase in size is minor in the context of the larger scheme, it is still considered to be a significant enough alteration to be considered material. The proposal would bring the main entrance forward from its original position, changing the character and appearance of this main entrance area. It would also enclose one of the kitchen windows at 1<sup>st</sup> floor level which will now be fixed shut as a result of the proposal. Officers are therefore of the opinion that the proposal raises material matters to be considered and does therefore not constitute a non-material amendment.

### Summary:

The proposed change is viewed to be materially different as it would fundamentally alter the size and appearance of the entrance to the development and is therefore too significant to be considered as a non-material amendment.

### Recommendation:

Refuse non-material amendments.

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