

8 July 2015

**Submitted via Planning Portal**

Planning Department  
Camden Council  
5 Pancras Square  
London N1C 4AG

Dear Sir/Madam

## **MINOR-MATERIAL AMENDMENT TO PLANNING PERMISSION 2012/4975/P**

### **36 HEATH DRIVE, LONDON NW3 7SD**

On behalf of Mr and Mrs Wadhvani and in respect of the above site, please find enclosed a s73 application seeking a minor-material amendment to planning permission 2012/4975/P which permitted the:

*“Excavation to create new basement with 3 front and 1 rear lightwells, erection of two storey rear extension including the reconfiguration of existing dormers to single dormer window in rear roofslope, side extensions at ground and first floor to residential house (Class C3).”*

The application seeks to amend the plans approved under condition 3, which states:

*“The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan: prefix (2012/0265) 002; 003; 004; 005; 101 rev 01; 102 rev 01; 103 rev 01; 104 rev01; 005; 010; 020 rev 01; 021 rev 01; Basement Impact Assessment by Site Analytical Services August 2012; Report on Ground Investigation by Site Analytical Services August 2012.”*

The application, which has been submitted via the Planning Portal (ref: PP-04321822), comprises this cover letter and the following:

- application forms
- complete set of drawings for approval
- previously approved drawings for information
- Basement Impact Assessment prepared by Site Analytical Services
- Report on a Ground Investigation prepared by Site Analytical Services

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The requisite £195 planning fee has been paid via the Planning Portal.

## PROPOSED MINOR-MATERIAL AMENDMENTS

This application seeks to amend the plans approved in accordance with condition 3. For avoidance of doubt, the table below shows the plans that are proposed to be replaced:

Originally approved plan	Proposed replacement plan
	Proposed MMA site plan D032.45
Lower ground floor plan as proposed 2012/0265/101	Proposed MMA basement floor plan D032.39
Ground floor plan as proposed 2012/0265/102	Proposed MMA ground floor plan D032.40
First floor plan as proposed 2012/0265/103	Proposed MMA first floor plan D032.41
Second floor plan as proposed 2012/0265/104 and roof plan as proposed 2012/0265/005	Proposed MMA second floor and roof plan D032.42
Side elevation and section AA existing and proposed 2012/0265/010	Proposed MMA section AA and side elevation D032.52
Front elevation existing and proposed 2012/0265/020	Proposed MMA front elevation D032.50
Rear elevation existing and proposed 2012/0265/021	Proposed MMA rear elevation D032.51

Condition 3 should therefore be amended as follows:

*“The development hereby permitted shall be carried out in accordance with the following approved plans:*

*Location plan 012/0265/001; existing plans 2012/0265/002, 2012/0265/003, 2012/0265/004, 2012/0265/005; proposed plans D032.45, D032.39, D032.40, D032.41, D032.42, D032.52, D032.50, D032.51; Basement Impact Assessment by Site Analytical Services August 2012; Report on Ground Investigation by Site Analytical Services August 2012.”*

In summary, this minor-material amendment application seeks external changes to the windows, doors, lightwells, eaves and the position of the dormer and rear valley roof plane; additional windows and rooflights; internal reconfigurations; and changes to the footprint of the basement and garage as approved under permission 2012/4975/P. Each change is annotated on the submitted proposed drawings.

## SCOPE OF MINOR-MATERIAL AMENDMENT APPLICATIONS

While there is no statutory definition of what constitutes a minor-material amendment, the national Planning Practice Guidance states that it is likely to include any amendment where its *“scale and/or nature results in a development which is not substantially different from the one which has been approved”*.

Furthermore, Oxford City Council offer good practice guidance on what type of changes are acceptable as minor-material amendments, and consider that *“slight increases to the footprint or scale of buildings may be acceptable under this process but only where there is no impact upon neighbouring properties”*.

In this context, the proposed amendments clearly fit within the scope of what can be permitted as a minor-material amendment.

## **POLICY COMPLIANCE**

For basement development proposals, Camden's Development Policies Policy DP27 requires an assessment of the scheme's impact on drainage, flooding, groundwater conditions and structural stability. As part of the original application, a basement impact assessment and ground investigation report were submitted. The committee report for that application considered that these documents demonstrated the proposed basement was acceptable in terms of Policy DP27. While this application seeks minor-material amendments to the basement that would slightly alter its footprint, the alterations are minimal and therefore the conclusions reached by the aforementioned reports are still applicable and the amendments are compliant with Policy DP27. For the avoidance of doubt, the originally submitted basement impact assessment and ground investigation report are provided as part of this minor-material amendment application.

As with the original application, the proposed changes to the position of the dormer and rear valley roof plane ensures that the extension appears subordinate to the host building; and therefore complies with Development Policies Policy DP24, which seeks the highest standard of design, and Development Policies Policy DP25, which seeks to maintain the character of Camden's conservation areas. The internal and external changes and additional windows and rooflights would also comply with these policies.

In terms of amenity, the committee report for the original application makes clear that there is no significant adverse impact upon the amenity of the neighbouring properties. Given that the proposed minor-material amendments largely comprise internal and minor external alterations, the proposals would be acceptable in terms of amenity. Therefore, the proposals comply with Development Policies Policy DP26 which seeks to protect the quality of life of occupiers and neighbours.

## **CONCLUSION**

The proposed amendments to permission 2012/4975/P fall within the scope of what can be permitted as a minor-material amendment. The proposed amendments are acceptable in terms of design and amenity. Therefore the conclusions reached by the originally submitted relevant reports are still applicable.

On this basis, we respectfully request that planning permission is granted for this minor-material amendment application.

We trust that this is acceptable. If you have any queries or require further information, please contact me or my colleague Anna Snow.

Yours faithfully

Craig Slack  
**Assistant Planner**

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