

PD7193/WE/ARS

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21 March 2016

London Borough of Camden  
Town Hall  
Judd Street  
London  
WC1H 8ND

**F.A.O Michael Cassidy**

**Via the Planning Portal  
Ref. PP-04881531**

Dear Sir / Madam

**44-44a GLOUCESTER AVENUE**

**APPLICATION FOR NON MATERIAL AMENDMENTS TO PLANNING PERMISSION REF. 2015/1243/P**

On behalf of our client, Victoria Square Property Company Ltd, we have been instructed to apply, under Section 96A of the Town and Country Planning Act 1990, for non-material amendments to planning permission ref: 2015/1243/P.

The application seeks the following non-material amendments:

- Relocation of the 4 affordable units; and
- Relocation of 2 of the 4 units designated as Building Regulations Part M4 (3) units (Condition 18).

**Affordable Units**

As set out within the legal agreement units B04, B05, 1.1 and 1.11 are allocated for affordable housing which equates to 3 x 2 bedroom units and 1 x 3 bedroom unit. However following discussions with Registered Providers concerns have been raised with regards to the location of the units, and associated management implications of the units not being located together.

Following these comments our client has reviewed the permitted scheme and a revised layout is proposed which relocates the affordable units to reflect the observations made.

As shown on the attached plan the 4 social rented units have been relocated to the south west of the site. The proposed changes incorporate a number of benefits to the scheme as set out below:

- The proposed unit layout creates 1 additional bed space. The permitted scheme created 16 bed spaces and the proposed scheme creates 17 bed spaces;
- The proposed revised location creates 1 x 3 bed 5 person unit and 3 x 2 bed 4 person unit;
- The proposed family unit (3 bed unit) has private amenity space. The permitted scheme did not provide any private amenity space for the affordable units;

- The proposed location is more preferable as the units have been located away from the railway;
- The proposed location of the units will decrease the level of management required;
- The proposed location of the units will decrease the level of service charge in comparison to the permitted location; and
- All of the proposed units are accessed from street level.

The changes to the proposed scheme will encompass alterations to the internal layout. It is considered that these changes are non-material and can be sought under a section 96A of the Town and Country Planning Act, in conjunction with a Deed of Variation to the legal agreement to reflect the relocation of the 4 affordable housing units.

**Condition 18**

Condition 18 of decision ref: 2015:1243/P states:

*"Units G04, 108, 208 and 304 as indicated on the plans hereby approved shall be designed and constructed in accordance with Building Regulations Part M4 (3).*

*Reason: to ensure that the internal layout of the building provides flexibility for the accessibility of future occupiers and their changing needs over time, in accordance with the requirements of policy CS6 of the London Borough of Camden Local Development Framework Core Strategy and policy DP6 of the London Borough of Camden Local Development Framework Development Policies".*

As the scheme has been worked up it has become apparent that to comply with this regulation the internal layout of units 208 and 304 would be severely compromised. We also note that units 208 and 304 are not located on the lower floors and it considered beneficial that from an access / escape prospective that the allocated wheelchair accessible units are located on the lower floors.

As a consequence it is requested that the condition wording is amended to include the following four units: G,01, G.02, G.04 and 108.

This amendment does not materially alter what has already been permitted, and it is therefore considered that the changes can be dealt with by way of a non-material amendment.

**Application Procedure**

This application has been submitted online via the planning portal under planning portal reference: PP-04881331. The application fee of £195 has been calculated in accordance with The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012. A cheque has been sent in the post with a copy of this letter.

We trust the enclosed is sufficient to enable you to validate the application. If you have any queries, please do not hesitate to contact Anna Russell-Smith at this office.

Yours faithfully

**MONTAGU EVANS LLP**