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Dear Sir/Madam

**Application for Non-Material Amendment  
Linton House, 39-51 Highgate Road, NW5 1RT**

On behalf of the applicant, Linton Property Developments Ltd, we seek your approval in respect of alterations proposed at the above property which differ from those shown on approved drawings.

Planning permission was granted on 3 February 2016 (Ref: 2015/6513/P) for:

*Variation of condition 2 (development in accordance with approved plans) of planning permission 2013/3494/P (granted on appeal under APP/X5210/A/13/2207697) dated 03/03/2014 (for an additional floor at roof level to provide 7 residential flats and a ground floor extension to provide an entrance, cycle and refuse storage) to allow the following- expansion of approved roof level extensions and raising the existing parapet of the building, amended mix of residential units to provide 1x1 bed, 3x2 bed and 3x3 bed units, external alterations at ground floor level, alterations to the roof level terraces, sedum roof and plant equipment, and the introduction of winter garden structures at roof level.*

This permission followed an earlier permission for a number of minor amendments granted on 5 November 2015 (Ref: 2015/1627/P). It is considered that the most recent permission granted in February 2016 and noted above incorporates all changes to the building noted in both minor amendments previously granted.

The approved development is now nearing completion. In finalising the construction, the applicant now seeks to make amendments to the approved scheme that are considered to be non-material amendments relative to that previously approved.

Specifically, it is proposed to:

- Increase the height of the approved plant enclosures by 300mm; and
- Provide a lightning conductor rod.

This proposal is discussed in more detail below.

In addition to this covering letter, please find enclosed the following:

- The relevant application forms;
- The decision notice for permission ref: 2015/6513/P to which these amendments relate;

- Relevant approved drawings from permission ref: 2015/6513/P; and
- Proposed drawings showing the revised development.

A cheque for the relevant application fee of £195 has been submitted by post.

### **Non Material Amendment**

Section 96A of the Town and Country Planning Act 1990 (as amended) allows a non-material amendment to be made to an existing planning permission via a simple application procedure with a quick decision time.

Government advice notes that there is no statutory definition of 'non-material'. This is because it is so dependent on the context of the overall scheme; what may be non-material in one context may be material in another.

### **Proposed Amendment**

The height of the approved plant enclosures will be increased by 300mm. This will provide additional support to protecting the amenity of residents by further reducing the effects of noise from the approved plant equipment to the accommodation at roof level.

The height of the enclosures remains significantly less than that of the winter garden enclosures also found at this level. There will be no significant increase in the appearance of massing as a result of this change and long views of the building will not change with the winter gardens remaining as lightweight, standalone elements.

The provision of a lightning conductor rod is a necessary element of finishing the building. By its nature, such a rod must extend above the highest point of the building but its slender nature is such that it will be all but invisible in even long views. Its effect upon the appearance of the development is therefore negligible.

### **Summary**

The amendments noted above and as shown on the enclosed drawings do not materially change the character of the approved development. All changes reflect items encountered during the works to convert the existing building and ensure that new and existing elements are successfully integrated.

These amendments therefore raise no material or new planning considerations in the context of the existing planning permission and as such do not constitute a material alteration to the approved scheme.

I trust that everything is in order. Should you need to discuss this application further, please do not hesitate to contact me using the details set out at the head of this letter.

Yours faithfully

A handwritten signature in dark ink, appearing to read "Nigel Dexter", written in a cursive, slightly stylized script.

Nigel Dexter  
Associate