

HA/615/NW6/26/1

20 February 2017

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LONDON  
BIRMINGHAM  
BRISTOL  
EDINBURGH  
HUNTINGDON  
MANCHESTER

Dear Sir/Madam,

**RE: VARIANCE OF CONDITION 4 FOR APPLICATION REF NO. 2015/2396/P IN RELATION TO APPROPRIATE BUILDING REGULATIONS OF MANSARD ROOF AT INTERLINK HOUSE, 73A MAYGROVE ROAD, LONDON, NW6 2EG**

Further to the grant of planning permission, Ref no: 2015/2396/P, regarding the above site, I am instructed, on behalf of our client, Granada Development Ltd, to submit a non material amendment application to vary Condition 4 with regard to designated Building Regulations.

The following documents have been submitted in support of the application.

- Completed application form;
- Cover letter;
- Copy of Decision Notice 2015/2396/P;
- The following drawings as approved as part planning permission (Ref no: 2015/2396/P):
- Site Location Plan (dwg no. 279-B10P00);
- Proposed Section AA (dwg no. A20S00);
- Proposed Section BB (dwg no. A20S01);
- Proposed Plan Roof Level (dwg no. A20P10);
- Proposed Plan Loft Floor (dwg no. A20P03);
- Proposed Floor Plans (dwg no. A20P01);
- Proposed Elevations (dwg no. A20E01); and
- Proposed Site Plan (dwg no. A20P03).

In addition to the above, payment of **£195** will be made direct to the council. The planning application has been submitted electronically via the Planning Portal. The reference for this submission is PP-05813503.

### Background

Full planning permission 2015/2396/P was granted for the following rooftop extension at Interlink House, 73A Maygrove Road, London:

*"Erection of a mansard roof incorporating 3 residential dwellings (1x1 bed & 2x2 bed)."*

Condition 4 as attached to 2015/2396/P states:

RAPLEYS LLP IS REGISTERED AS A  
LIMITED LIABILITY PARTNERSHIP  
IN ENGLAND AND WALES

REGISTRATION NO: OC308311

REGISTERED OFFICE:  
FALCON ROAD, HINCHINGBROOKE  
BUSINESS PARK, HUNTINGDON  
PE29 6FG

REGULATED BY RICS

*The 3x residential units within the mansard hereby approved shall be designed and constructed in accordance with Building Regulations Part M4 (2).*

### **The Proposal**

Further to receipt of the planning permission and consideration of the construction requirements including the requirements as set by Building Regulations M4 (2), our client in conjunction with PWC Building Control Services Limited has identified that two parts of Building Regulations M4 (2) are inappropriate for this type of development and do not allow the roof top extension to be built out as permitted. The correct building regulations for this type of development are, in fact, M4 (1).

Building Regulations M4 (2) requires all new-build residential development to provide step-free access, and 850mm sill heights. As the planning permission 2015/2396/P is for a roof top extension, it is not appropriate to insist that such a development provide step-free access

By insisting upon step-free access for a third storey roof-dwelling, Condition 4 places an unfeasible demand upon the proposal, the designs of which have already been approved by the Council.

A second requirement pertinent in this instance is that windows sills be no more than 850mm from the floor in order to allow wheelchair users to utilise the space. As the development will not be providing step-free access, the units will not be used by disabled people who require step-free access. It is therefore considered that this requirement is inappropriate. In addition the proposal, as approved, shows sills with a height of 1200mm (the plans have been reattached for ease).

We request that Condition 4 be varied so as to require that the proposal is designed and constructed in accordance with Building Regulations Part M4 (2), except in regards to sill height and step free access. This would not necessitate a change to the designs as submitted; it would simply allow for the construction of the proposal as approved by the Council. We therefore suggest the following wording is used:

*"The 3x residential units within the mansard hereby approved shall be designed and constructed in accordance with Building Regulations Part M4 (2), except for the requirement to provide step free access and sill heights of 850 mm."*

We trust that these changes can be dealt with positively by way of a variation of conditions application and I look forward to receiving confirmation that the application has been registered in due course. Should you require any further details please do not hesitate to contact me on the details contained within this letter.

Yours faithfully,

*Henry Asson*

Henry Asson (Feb 20, 2017)

**Henry Asson**  
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