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Dear Sir/Madam

29 New End, NW3 1JD
Application for Minor Material Amendments

On behalf of the applicant, New End LLP, we seek your approval in respect of alterations proposed at the above property which differ from those shown on approved drawings.

Planning permission was given on appeal on 2 February 2015 (PINS Ref: APP/X5210/A/14/2218243, LPA Ref: 2012/3089/P) for:

Demolition of the existing building at 29 New End and creation of 17 residential (C3) units over lower ground, ground, first, second, third, fourth and fifth floor levels; creation of a new vehicular access and access to basement parking; works to boundary wall; works to soft and hard landscaping; and other incidental works.

Following the earlier demolition of the existing building, substantive works have recently commenced on-site. The applicant now seeks to make a small number of amendments that are considered to be Minor Material Amendments to the scheme as previously approved. The proposed alterations are set out below.

Proposed Minor Material Amendments

As the approved development has progressed through detailed design it has undergone revision in order to enhance the overall development and support the buildability of the scheme. This has resulted in a number of amendments to the approved development as follows:

- Revision of garden lift to stairlifts;
- Revision to path to clear root protection area and revision of ramp;
- Adjustments to parapet details and roofline including increase in height of about 250mm;
- Adjustments to perimeter footprint of penthouse;
- Minor elevational changes and additional windows in recesses;
- Adjustment to the lift overrun;
- Revision to recess lift into building and change high level elevation to brickwork;
- Revision to make external wall of stair consistent for its whole height;

- Roof plant enclosure clarified following services coordination;
- Amendment to balcony above entrance area and rationalisation of railings;
- Amended rooflights to bedrooms in Apartments 1 and 2 and extension to ground floor terraces above;
- Revisions of flat roofs to terraces accessed from bedroom 4 of Apartments 8 and 9;
- Revisions to glazed conservatory to Apartments 3, 4, 5 and 6; and
- Amendments to the assessment of sustainability in order to reflect current requirements.

Further details are provided within the submitted Design Document prepared by KSR Architects.

In accordance with the Planning Practice Guidance section '*Flexible options for planning permissions*' the recommended route for dealing with minor material amendments after permission has been granted is through a S.73 application, which allows changes to conditions.

The guidance advises that an application for minor material amendments can be made through a S.73 application to change a condition listing approved plans. The guidance advises that local authorities should impose a condition listing approved plans on permissions as it would facilitate the use of S.73 to make minor material amendments.

As such, in addition to this covering statement please find enclosed the following;

- A copy of the appropriate application forms with necessary certificates;
- A copy of the appeal decision notice for planning permission reference: 2012/3089/P, to which these amendments relate;
- A Site Location Plan;
- Relevant approved drawings from planning permission reference: 2012/3089/P;
- Relevant replacement drawings which demonstrate the proposed amendments;
- A Design Development Statement, prepared by KSR Architects; and
- An additional Daylight/Sunlight Assessment of the revised scheme, prepared by GIA.

The relevant application fee of £195 will be sent separately.

Background to this Submission

Following the granting of planning permission in 2015 and demolition of the existing building on the site in late 2016, substantive works have recently commenced on-site. As a part of ongoing design evolution as the development moves towards the construction stage, some minor amendments relative to the approved design have been proposed.

This submission is made following pre-application discussions earlier in 2017 with both planning and design officers at the Council (Ref: 2016/2588/PRE). From these discussions, the applicant was advised that the principle of these alterations should be acceptable, subject to formal assessment.

As requested by officers, further details on the submitted drawings of the proposed plant enclosure and a Daylight/Sunlight assessment of the revised scheme have both been provided.

Proposed Alterations

Condition 2 of the current planning permission states that:

The development hereby permitted shall be carried out in accordance with the following approved plans, or as modified in compliance with other conditions in this schedule: Site plan NEN-PL-001B; Proposed plans NEN-PL-003B, 090P, 100M, 110L, 120L, 130L, 140K, 150J, 160I, 200E, 210N, 220H, 230G, 240G, 300E, 310G, 320F, 330E, 340E, 350D, 370D, 380D; Landscaping plans 1375-11-01 rev 1, 1375-11-02 rev 1; On street parking layout 2011-1007-CR-004; Overlooking plan NEN-SK-05.

As such, it is **proposed to amend Condition 2** in order to replace those drawings that reflect the changes that have been proposed to the approved scheme. Specifically, the following drawings will be replaced:

Drawing Title	Approved Reference	Proposed Reference	Replacement
Proposed Block Plan	NEN-PL-003 Rev B	NEN-PL-003 Rev J	
Proposed Lower Ground Floor Plan	NEN-PL-090 Rev P	NEN-PL-090 Rev J	
Proposed Ground Floor Plan	NEN-PL-100 Rev M	NEN-PL-100 Rev J	
Proposed First Floor Plan	NEN-PL-110 Rev L	NEN-PL-110 Rev J	
Proposed Second Floor Plan	NEN-PL-120 Rev L	NEN-PL-120 Rev J	
Proposed Third Floor Plan	NEN-PL-130 Rev L	NEN-PL-130 Rev J	
Proposed Fourth Floor Plan	NEN-PL-140 Rev K	NEN-PL-140 Rev J	
Proposed Fifth Floor Plan	NEN-PL-150 Rev J	NEN-PL-150 Rev J	
Proposed Roof Plan	NEN-PL-160 Rev I	NEN-PL-160 Rev J	
Proposed Section AA	NEN-PL-200 Rev E	NEN-PL-200 Rev J	
Proposed Section BB	NEN-PL-210 Rev N	NEN-PL-210 Rev J	
Proposed Section CC	NEN-PL-220 Rev H	NEN-PL-220 Rev J	
Proposed Section DD	NEN-PL-230 Rev G	NEN-PL-230 Rev J	
Proposed Section EE	NEN-PL-240 Rev G	NEN-PL-240 Rev J	
Proposed South Elevation	NEN-PL-300 Rev E	NEN-PL-300 Rev J	
Proposed East Elevation	NEN-PL-310 Rev G	NEN-PL-310 Rev J	
Proposed North Elevation	NEN-PL-320 Rev F	NEN-PL-320 Rev J	
Proposed West Elevation	NEN-PL-330 Rev E	NEN-PL-330 Rev J	
Proposed West Elevation (Lightwell)	NEN-PL-340 Rev E	NEN-PL-340 Rev J	
East Elevation (Context)	NEN-PL-370 Rev D	NEN-PL-370 Rev J	
West Elevation (Context)	NEN-PL-380 Rev D	NEN-PL-380 Rev J	

In addition, in regard to sustainability it is proposed that following the withdrawal of the Code for Sustainable Homes the requirements for this development to minimise carbon dioxide emissions should be amended such that the expectation responds to London Plan Policy 5.2 and Local Plan Policy CC1.

The existing commitment to minimising carbon dioxide emissions and the previously approved form of on-site renewable energy production (photovoltaic panels) will be maintained.

To address this change in assessment, a further amendment to the existing Section 106 Agreement (specifically, paragraph 4.9) will be required in order to amend the appropriate test from a post-completion confirmation of meeting the Code for Sustainable Homes to an equivalent assessment with reference to current regulation on sustainable energy.

This change can form part of a deed of variation to the existing S106 Agreement.

Summary

These are minor amendments to the previously approved scheme that maintains the key features of the existing proposal. The overall design and appearance of the development is maintained, as is the mix and number of units previously approved.

The majority of these changes respond to internal layout changes such as to further enhance the quality and amenity of each unit. Additionally, the minor external changes will enhance the overall appearance of the building.

The minor alteration to the requirements in regard to sustainability ensure that the development reflects current regulations in terms of energy efficiency.

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

Yours faithfully

A handwritten signature in black ink, appearing to read "Savills" in a cursive, stylized script.

Nigel Dexter
Associate