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**Via Planning Portal only**

3<sup>rd</sup> July 2019

Dear sir/madam,

**Variation of condition 2 attached to planning permission 2015/0925/P  
Section 73 of the Town and Country Planning Act 1990 (as amended)  
17 & 25-27 Ferdinand Street, London, NW1 8EU**

Please accept this covering letter as an accompaniment to this planning application to vary condition 2 (approved plans) of planning permission 2015/0925/P. Please also find enclosed amended plans and elevations, a floorspace schedule, construction management plan and sustainability and energy statements in support of the proposal.

**Planning permission 2015/0925/P**

Application reference 2015/0925/P was granted planning permission on 27 November 2015. The description of development read:

*'Erection of additional 4th and 5th floors, 5 storey extension to courtyard (west) elevation, single storey extension to east elevation all at 17 and 27 Ferdinand Street and redevelopment of 25 Ferdinand Street to create 5 storey building to provide 10 additional residential units (9 units already in situ) and Class B1a office floorspace'.*

**The proposal**

This application seeks permission for a minor material amendment via S73 of the Town and Country Planning Act to planning permission 2015/0925/P. The proposed amendment to the previously approved scheme is summarised below:

- Extension of previously approved single storey east elevation by 4 storeys. This will result in a 5-storey extension on the eastern elevation to match the extension approved on the west elevation of the building.
- The proposed extension will provide additional floorspace for the previously approved flats and will not result in an increase in the number of flats approved. Flats 5, 8 and 13 will be increased from 1 to 2 bedrooms.
- The 2015 permission was granted for 1907 sqm of residential floorspace, an additional 998.5sqm above what was the existing residential space (909.1sqm). This application seeks an uplift in the approved floorspace by 134 sqm (125 sqm GIA).

The proposed development can therefore be described as follows:

*'Variation of condition 2 (approved plans) of planning permission 2015/0925/P dated 27/11/2015 for the 'Erection of additional 4th and 5th floors, 5 storey extension to courtyard (west) elevation, single storey extension to east elevation all at 17 and 27 Ferdinand Street and redevelopment of 25 Ferdinand Street to create 5 storey building to provide 10 additional residential units (9 units already in situ) and Class B1a office floorspace', namely to extend the approved single storey east elevation extension to 5 storeys'.*

Where an application under Section 73 is granted, the effect is the issue of a new planning permission, sitting alongside the original permission, which remains intact and unamended. A decision notice describing the new permission should be issued.

### **Affordable housing contribution**

The 2015 permission was subject to a s106 legal agreement requiring £262,602.50 to be paid towards affordable housing. In granting permission, the planning officer concluded that as the development would provide 10 new residential units with a floorspace under 1,000sqm, the development would be below the scope of the sliding scale method for calculating affordable housing (prescribed by the affordable housing policy at that time). Accordingly, the affordable housing contribution was calculated at 10% of the new floorspace.

Following the grant of permission for the 2015 application, Camden Local Plan 2017 has been adopted whereby Policy H4 applies to affordable housing. Policy H4 now seeks to apply a sliding scale target to all residential developments that provide one or more additional homes, and which involve a total addition to residential floorspace of 100 sqm GIA or more. Whilst the proposed amendment does not result in the creation of any new residential units, Policy H4 does advise that 100 sqm of housing floorspace is generally considered to create capacity for one home.

On the basis that affordable housing contributions have already been calculated for the 2015 approved scheme, it is considered reasonable that any further contribution towards affordable housing for this S73 application should apply only to the uplift in floorspace (134 sqm/125sqm GIA).

Therefore, should permission be granted by the Council, any amendments to the affordable housing contribution could be dealt with as part of this application by a deed of variation to the existing s106 legal agreement.

### **Summary**

As outlined above, the proposal seeks only to improve the living accommodation of the 2015 scheme with no increase in the number of residential flats. The amendment to the floorplan of the building will make better use of the site, providing for an improved internal layout whilst maintaining the external scale, bulk and appearance of the building, in accordance with the previously approved scheme.

I trust the commentary above is clear but if you require any points of clarification or have any questions please do not hesitate to contact me.

Yours sincerely

**Ian Pickup**  
**Associate**  
**SM Planning**