

Mr Richard Evans
WYG
11th Floor
1 Angel Court
London
EC2R 7HJ

Application Ref: **2019/1405/P**
Please ask for: **Jonathan McClue**
Telephone: 020 7974 **4908**

7 May 2019

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Grant of Non-Material Amendments to planning permission

Address:
100 Avenue Road
London
NW3 3HF

Proposal: Amendment of condition 18 (facing materials, external frames, balconies and roof terraces) to require details prior to above ground works (other than demolition) and for a 1:1 mock-up of a typical elevation bay and other technical drawings, of planning permission granted under reference 2014/1617/P (allowed by appeal under APP/X5210/W/14/3001616 dated 18/02/2016) for: demolition of existing building and redevelopment for a 24 storey building and a part 7 part 5 storey building comprising a total of 184 residential units (Class C3) and up to 1,041sqm of flexible retail/financial or professional or café/restaurant floorspace (Classes A1/A2/A3) inclusive of part sui generis floorspace for potential new London Underground station access fronting Avenue Road and up to 1,350sqm for community use (class D1) with associated works including enlargement of existing basement level to contain disabled car parking spaces and cycle parking, landscaping and access improvements.

Drawing Nos: Cover letter (ref. RE/HG3405) dated 14/03/2019,

The Council has considered your application and confirms that the proposals are acceptable as non-material amendments to the planning permission set out above.

For the purposes of this decision, condition no.18 of planning permission 2014/1617/P dated 18/02/2016 shall be replaced with the following condition:



REPLACEMENT CONDITION 18

Development works above ground (other than demolition) shall not take place until details of the following have been submitted to, and approved in writing by, the local planning authority:

- a) Material samples and detailed drawings (scale 1:10) for typical external materials;
- b) 1:1 mock-up of typical elevation bay, including windows and cladding surrounds for either the north or south elevations of the tower building;
- c) Detailed drawings (scale 1:10) of the structural grid, in terms of its proportions and thickness of elements and the technical detail of these elements;
- d) Detailed technical drawings of all types of walls and external features (scale 1:10), showing in detail the interface and joints of all different materials and features;
- e) Detailed drawings (scale 1:10) including typical sections at 1:10 of external windows and door frames; and
- f) Material samples of typical balconies and roof terraces.

The relevant part of the works shall not be carried out otherwise than in accordance with the details approved.

Reason: To safeguard the appearance of the site and the character of the immediate area in accordance with the requirements of policies D1 and D2 of the Camden Local Plan 2017.

Informative(s):

1 Reasons for granting non-material amendment.

The amendment allows the discharge of condition 18 (materials and details) prior to above ground works (excluding demolition) rather than prior to any development works (excluding demolition) as well as the requirement of a greater level of detail to be secured.

The change to the trigger of when the details need to be discharged is not considered to result in a material amendment to the scheme, as the details do not need to be agreed prior to below ground works such as the laying of the basement slab. The Local Planning Authority would still have control over the materials/details before any above ground works take place, to ensure visual amenity is not harmed. Furthermore, the delay in the approved trigger allows more time to agree the more technical details achieved through the amended condition wording.

The full impact of the proposed development has already been assessed by virtue of the previous approval granted under 2014/1617/P (allowed by appeal under APP/X5210/W/14/3001616 dated 18/02/2016). Overall the revised wording of the condition is considered to be more appropriate as the details are not needed to be confirmed until construction has reached this point. The proposed change will not have a material impact on the development or its final appearance. It will allow more time for the applicant and the Council to consider the details required by the

condition.

Third parties are not normally consulted for the discharge of materials details so no one would be prejudiced by the delaying of the details which will need to be formally submitted and agreed before above ground works commence in any event.

Two comments were received from third parties. One requested further time on the consultation process. It is noted that non-material amendment applications do not have a statutory consultation process; however, more than 21 days were given to allow for any comments. Another comment was received objecting in general, which is not considered to be an objection to the merits of the non-material proposal given the contents of the written submission are related to the trustworthiness of the developer.

- 2 You are advised that this decision relates only to the trigger and details required by condition 18 (materials) and shall only be read in the context of the substantive permission granted on 18/02/2016 under reference number 2014/1617/P and is bound by all the conditions attached to that permission.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2019.

Yours faithfully

A handwritten signature in black ink, appearing to read 'DPope', is written over a light grey grid background.

Daniel Pope
Chief Planning Officer

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