

15 September 2021

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Dear Sir/Madam,

22 FROGNAL WAY, LONDON, NW3 6XE

APPLICATION MADE UNDER SECTION 96A TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) FOR A MINOR MATERIAL AMENDMENT TO PLANNING PERMISSION 2015/3530/P GRANTED UNDER APPEAL REF. APP/X5210/W/16/3150327.

We write on behalf of our client, Jez San, to apply for non-material amendments to the above planning permission relating to the following development:

“Demolition of existing dwelling house at 22 Frognal Way redevelopment to provide a single detached family dwelling house and all other necessary works”

Site Planning History

Under application ref 2019/0564/P a non-material amendment was previously granted for the following works:

- Installation of additional PV panels on the roofs of the building;
- Installation of 2 chimney termination flues; and
- Installation of 2 vent terminals

S96A Assessment

S96A of the Town and Country Planning Act (1990) (as amended) allows for a Local Planning Authority to grant changes to be made to any planning permission relating to land within their area so long as they are satisfied that the change is not material. Sub-section (2) of s96A states that *“in deciding whether a change is non-material, a local planning authority must have regard to the effect of the change, together with any previous changes made under this section, on the planning permission as originally granted.”*



There is no statutory definition of 'non-material' as the materiality of any proposed amendments are dependent on the context of the overall permission to which the amendment is sought, and a consideration of any cumulative changes already consented.

This application seeks a further non-material amendment to planning permission ref. 2015/3530/P for the relocation of the same quantum additional PV panels previously approved under NMA application ref. 2019/0564/P.

It is proposed that the PV panels are relocated from the southern roof onto the north-western roof. The proposed new roof location benefits from a higher parapet which will visually shield the relocated PV panels from view.

Furthermore, this roof already includes several PV panels as per the originally approved roof plan. Therefore, it is not considered that the proposed relocation of the PV panels would have any appreciable impacts upon the overall appearance of the development.

The proposed amendments are considered to be non-material as there will be minimal effect as a result of the changes to the basement mainly due to the fact that they will not alter the visual appearance or siting of the building.

Consequently, the changes proposed in this application would cause no greater impacts beyond those which have already been consented under the original planning permission.

Drawings

The approved and proposed drawing references are set out below for convenience:

Previously Approved Drawings

FGW-P-110 rev A Previously approved roof plan (ref: 2019/0564/P)
FGW-P-301 rev B Previously approved north elevation (ref: 2019/3397/P)
FGW-P-302 rev A Previously approved south elevation (ref: 2019/0564/P)
FGW-P-303 rev A Previously approved west elevation (ref: 2019/0564/P)

Proposed Drawings

FGW-P-110 rev B Proposed roof plan
FGW-P-301 rev C Proposed north elevation
FGW-P-302 rev B Proposed south elevation
FGW-P-303 rev B Proposed west elevation

Conclusion

The application has been submitted via planning portal ref (PP-10219414) and the fee of £34 has been paid online. Should you have any queries or require any further information, please do not hesitate to contact Harri Aston at this office.

Yours faithfully,