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Regeneration and Planning
Culture and Environment
London Borough of Camden
5 Pancras Square
London
N1C 4AG

Nigel Dexter
E: ndexter@savills.com
DL: +44 (0) 20 7420 6374
F: +44 (0) 20 7016 3769

33 Margaret Street
London W1G 0JD
T: +44 (0) 20 7499 8644
savills.com

Dear Sir/Madam

100 Avenue Road, NW3 3HF
Application for Non-Material Amendments to Planning Permission Ref: 2014/1617/P

On behalf of the applicant, Essential Living (Swiss Cottage) Ltd, please find enclosed an application for non-material amendments (NMA) under Section 96A of the 1990 Town and Country Planning Act (as amended) to Planning Permission reference: 2014/1617/P.

Specifically, it is proposed to undertake a number of small internal and external amendments to the approved development that will differ from the detail shown on the approved drawings. These changes arise from the ongoing design development during the construction phase of the project but do not change or amend any of the main principles of the development as approved.

In support of this application, in addition to this covering statement please find enclosed:

- The completed application form;
- A site location plan;
- Approved Drawings, prepared by GRID Architects;
- Proposed Drawings, prepared by GRID Architects;
- Annotated Comparison Drawings (for information only) to highlight the amendments proposed, prepared by GRID Architects; and
- A copy of Decision Notice ref: 2014/1617/P dated 18 February 2016.

The relevant fee of £234 (plus £32.20 administrative fee) will be paid via the Planning Portal.

Background to the Submission

Planning permission was granted on 18 February 2016 (Ref: 2014/1617/P) by Appeal for the following development at the above named site:

Demolition of the existing building and redevelopment with 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 or 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 the existing

basement level to contain disabled car parking spaces and cycle parking, landscaping and access improvements.

This permission has subsequently been subject to two non-material amendment (NMA) approvals. Firstly, the wording of Condition 18 was amended (Ref: 2019/1405/P, granted 7 May 2019) and secondly some minor changes to internal layouts and external details were approved (Ref: 2018/4239/P, granted 4 August 2020).

The planning permission was implemented and works have commencement on-site.

Proposed Non-Material Amendments

Continued design development as led to proposals for a number of small amendments to the proposed development. These includes both internal and external changes.

Although these changes will not impact upon any principles of the approved development they do result in some changes compared to the layouts and forms shown on the approved drawings.

This application is therefore made to regularise the approved drawings relative to the non-material amendments being proposed. The followings updated drawings demonstrate the proposed amendments:

Drawing Title	Approved Reference No	Proposed Reference No
Basement Plan	SC_GRID_0_A_PL099 Rev P3	SC_GRID_0_A_PL099 Rev P6
Ground Floor Plan	SC_GRID_0_A_PL100 Rev P2	SC_GRID_0_A_PL100 Rev P6
First Floor Plan	SC_GRID_0_A_PL101 Rev P1	SC_GRID_0_A_PL101 Rev P4
Second to Fourth Floor Plan	SC_GRID_0_A_P102 Rev P1	SC_GRID_0_A_P102 Rev P4
Fifth Floor Plan	SC_GRID_0_A_PL105 Rev P3	SC_GRID_0_A_PL105 Rev P5
Sixth Floor Plan	SC_GRID_0_A_PL106 Rev P1	SC_GRID_0_A_PL106 Rev P4
Seventh Floor Plan	SC_GRID_0_A_PL107 Rev P2	SC_GRID_0_A_PL107 Rev P4
Eighth to Twelfth Floor Plan	SC_GRID_0_A_PL108 Rev P1	SC_GRID_0_A_PL108 Rev P3
Thirteenth to Eighteenth Floor Plan	SC_GRID_0_A_PL113 Rev P2	SC_GRID_0_A_PL113 Rev P3
Nineteenth to Twentieth Floor Plan	SC_GRID_0_A_PL119 Rev P1	SC_GRID_0_A_PL119 Rev P3
Twenty First to Twenty Second Floor Plan	SC_GRID_0_A_PL121 Rev P1	SC_GRID_0_A_PL121 Rev P3
Twenty Third Floor Plan	SC_GRID_0_A_PL123 Rev P1	SC_GRID_0_A_PL123 Rev P3
Roof Plan	SC_GRID_0_A_PL124 Rev P1	SC_GRID_0_A_PL124 Rev P3
Northern Block – North Elevation	SC_GRID_0_A_PL200 Rev P1	SC_GRID_0_A_PL200 Rev P4
Northern Block – South Elevation	SC_GRID_0_A_PL201 Rev P2	SC_GRID_0_A_PL201 Rev P5
Northern Block – East Elevation	SC_GRID_0_A_PL202 Rev P1	SC_GRID_0_A_PL202 Rev P5
Northern Block – West Elevation	SC_GRID_0_A_PL203 Rev P1	SC_GRID_0_A_PL203 Rev P5
Southern Block – North Elevation	SC_GRID_0_A_PL204 Rev P1	SC_GRID_0_A_PL204 Rev P5

Southern Block – South Elevation	SC_GRID_0_A_PL205 Rev P1	SC_GRID_0_A_PL205 Rev P5
Southern Block – East Elevation	SC_GRID_0_A_PL206 Rev P1	SC_GRID_0_A_PL206 Rev P5
Southern Block – West Elevation	SC_GRID_0_A_PL207 Rev P1	SC_GRID_0_A_PL207 Rev P5
North and South Contextual Elevation	SC_GRID_0_A_PL210 Rev P1	SC_GRID_0_A_PL210 Rev P3
East and West Contextual Elevation	SC_GRID_0_A_PL211 Rev P1	SC_GRID_0_A_PL211 Rev P3
Tower Typical Bays	n/a, additional drawing now provided for reference	SC_GRID_0_A_PL213 Rev P4
Lower Block Typical Bays	n/a, additional drawing now provided for reference	SC_GRID_0_A_PL214 Rev P4
Section 1 – Northern Block and Southern Block	SC_GRID_0_A_PL401 Rev P1	SC_GRID_0_A_PL401 Rev P3
Section 2 – Northern Block and Southern Block	SC_GRID_0_A_PL402 Rev P1	SC_GRID_0_A_PL402 Rev P4
Section 3 – Northern Block	SC_GRID_0_A_PL403 Rev P1	SC_GRID_0_A_PL403 Rev P3
Section 4 – Southern Block	SC_GRID_0_A_PL404 Rev P1	SC_GRID_0_A_PL404 Rev P4
Section 5 – Southern Block	SC_GRID_0_A_PL405 Rev P1	SC_GRID_0_A_PL405 Rev P4
Section 6 – Northern Block	SC_GRID_0_A_PL406 Rev P1	SC_GRID_0_A_PL406 Rev P4

Please note, a marked-up set of the proposed drawings have also been provided as an easy reference to highlight the amendments now being proposed. These are offered for information only alongside the ‘clean’ pack of updated proposed drawings.

All other previously approved drawings are unaffected by the proposed amendments and remain valid without change.

Assessment

Within the guidance set out in the Planning Practice Guidance there is no statutory definition of a ‘non-material amendment’. It states that the nature of the amendment will depend on the context of the overall scheme, as an amendment that is non-material in one context may be material in another.

Section 96A of the Town and Country Planning Act 1990 (as amended) allows a non-material amendment to be made to an existing planning permission via a simple application procedure with a quick decision time.

In this case, the amendments being proposed will not change the approved scheme in terms of the overall number of units provided, the range of ancillary services, the external appearance of the building, the overall envelope of the building or any of the primary external or internal dimensions.

The full range of changes are highlighted on the submitted drawing packs, including more detailed explanation within the notes on each of the comparative drawings. The majority of changes (beyond refinement of internal layouts) are found only on the lower floors of the approved development to enhance access and usability around the accesses to the building.

The following provides a summary of the amendments proposed:

- *Internal reconfiguration of layouts for residential units with associated changes to some access corridors and hallways (no change to number or mix of unit numbers or tenures);*
- *Removal of dedicated back-of-house goods lifts from both buildings and associated reconfiguration of back-of-house service spaces;*
- *Alterations to layout of services on roof of lower block;*
- *Alterations to layout of residential amenity area at 23rd floor level;*
- *Relocation of some openable windows to reflect amendments to internal layouts;*
- *Rearrangement of amenity space at first floor level of main tower;*
- *Relocation of some access doors at ground floor level;*
- *Reconfiguration of landscaping at base of main tower;*
- *Reconfiguration of bin stores and substation accesses at ground floor level (to suit UKPN requirements);*
- *Internal reconfiguration of proposed layout of retail space at ground floor level; and*
- *Internal reconfiguration of proposed layout of community space.*

These amendments will not change any of the principles of the approved development. These changes simply reflect opportunity to improve, enhance and make more efficient the layout and form of the development as detailed design has continued within the construction phases. Given the overall scale of the approved development these very limited changes to internal and external layouts will be non-material.

I trust that everything is in order. If any further information is required, please do not hesitate to contact me using the details set out at the head of this letter.

Yours faithfully



Nigel Dexter
Associate