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14th October 2022

PLANNING PORTAL REFERENCE: PP-11582776

Dear Chris,

52-68 STAMFORD ROAD, LONDON N15 4PZ

APPLICATION PURSUANT TO S96A OF THE TOWN & COUNTRY PLANNING ACT 1990 (AS AMENDED) - CONDITION 2

On behalf of the Applicant, Kimbrook Property Developments Limited, we hereby submit an application pursuant to Section 96A ('S96A') of the Town and Country Planning Act 1990 (as amended) for a non-material amendment (NMA) to Condition 2 of Planning Permission reference HGY/2019/1401 (dated 2 March 2020) for the redevelopment of the above site.

BACKGROUND

Planning permission (reference HGY/2017/0426) for the comprehensive redevelopment of the site for a mixed-use scheme was granted on 6 September 2017. The permission was for:

Demolition of existing building and erection of a mixed use development comprising 1140 sqm (NIA) of commercial floorspace (Use Class B1) and 48 residential units (Use Class C3), together with associated vehicular access, car and cycle parking spaces, bin stores, plant, landscaping and amenity space.

A Section 73 (S73) minor material amendment, pursuant to the above permission, was granted on 2 March 2020 (reference HGY/2019/1401). This allowed changes to the ground floor layout to incorporate an on-site substation to serve the development and reduce the number of car parking spaces.

Subsequent to this, a number of non-material amendments (S96A) to the permission have been granted including:

- Amendments to the wording of Condition 24 was granted on 12 October 2020, under reference HGY/2020/2373, to allow for the remediation requirements set out in the Method Statement to be undertaken at the appropriate stages of the construction phase rather than as a pre-commencement requirement.
- Amendments to the approved drawings was granted on 25 March 2021, under reference HGY/2021/0616, to allow for the relocation of office entrance door; alternations and increase in height of metal fin stair core enclosure to screen the lift shaft overruns; replace brick soffits with a slimline aluminium finish to the courtyard facades only; and inclusion of metal rainwater downpipes.

- Amendments to the approved drawings was granted on 9 November 2021, under reference HGY/2021/2931, to allow for the relocation of office entrance door; revised layouts to apartments across first, second, third, fourth and fifth floors; and inclusion of PV panels and metal rainwater downpipes.

LEGISLATIVE CONTEXT

Section 96A of the Town and Country Planning Act 1990 (as amended) provides for ‘non-material amendments’ to be made to planning permissions. There is no statutory definition of ‘non-material’, with the Planning Practice Guidance advising that “an amendment that is non-material in one context may be material in another”.

In determining whether a change is non-material, the Local Planning Authority must take in to account the effect of the change and whether it materially alters the development. However, the merit of the change does not fall to be considered, nor should it be assessed against adopted or emerging planning policy.

NON-MATERIAL AMENDMENT

In summary, the following changes are sought to the approved scheme:

Ground Floor	• Relocation of internal doors and revised internal layout of plant and substation rooms • Inclusion of external louvred grilles
First Floor	• Subdivision of existing external terrace between 2 no. apartments • Inclusion of railing and gates that match those proposed elsewhere
Fifth Floor	• Revised positions of balcony railings to assist access for roof maintenance • Change of window to door with side light on 1 no. apartment
Elevations	• West: Revised balcony access and railings • North: Revised balcony access and railings • East/South: Inclusion of louvered door and louvered grille • West (Courtyard): Replacement of aluminium panels with brickwork for compatibility with wall build-up for passenger lift

For further information and detail, please refer to the Explanatory NMA Report (prepared by ACG Architects) that accompanies this application.

PLANS FOR APPROVAL

The following plans are submitted for approval:

No.	Drawing Title	Existing Approved Plan	Revision	Plan Submitted	Revision	Prepared by
Proposed Floor Plans						
1	Ground Floor Plan	192_PLN_200	P	192_PLN_200	R	ACG Architects
2	First Floor Plan	197_PLN_201	N	1510-PO2	P	ACG Architects
3	Fifth Floor Plan	197_PLN_205	M	1510-C11	N	ACG Architects
Proposed Elevations						
4	West Elevation	197_PLN_300	L	197_PLN_300	N	ACG Architects
5	North Elevation	197_PLN_301	K	197_PLN_301	L	ACG Architects



6	East Elevation	197_PLN_302	M	197_PLN_302	O	ACG Architects
7	South Elevation	197_PLN_303	L	197_PLN_303	N	ACG Architects
8	West Elevation (Courtyard)	197_PLN_304	L	197_PLN_304	M	ACG Architects

In addition to the above plans, this submission also comprises:

- Completed non-material amendment form - prepared by CBRE Limited;
- Explanatory Covering Letter (this document) - prepared by CBRE Limited;
- Explanatory NMA Report - prepared by ACG Architects; and
- Site Location Plan (197_PLN_001) - prepared by ACG Architects.

The requisite application fee for this submission (£234.00) has been paid via the Planning Portal.

We trust that the information provided is sufficient. If you have any queries, or require further information, please do not hesitate to contact me using the details provided.

Yours sincerely,



Sam Berry

CBRE PLANNING & DEVELOPMENT

Enclosures: As detailed above