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Dear Sir or Madam,

**Application under Section 96a of the Town and Country Planning Act 1990
64 Hamilton Terrace, London, 9UJ**

I write in support of an application under Section 96a of the Town and Country Planning Act 1990 to make non-material changes to the planning permission granted on 21 September 2021 under reference: 21/00864/FULL. Planning permission was granted for the following development:

Partial demolition, excavation below the building to create basement, erection of single storey rear extension, fenestration alterations to north elevation and at lower ground floor level on the front facade.

This S96a application seeks to make minor changes to the scheme that relate to the extent of demolition on the rear elevation.

This letter is supported by replacement demolition plans and a letter from Heyne Tillett Steel (HTS).

Relevant legislation

Section 96A of the Town and Country Planning Act 1990 allows a non-material amendment (NMA) to be made to an existing planning permission via a simple application procedure with a quick decision time. There is no statutory definition for what constitutes an NMA, but the NPPG states that whether an amendment is material will ultimately depend on the nature and context of the overall scheme (Paragraph: 002 Reference ID: 17a-002-20140306).

Proposed alterations

The proposed alterations involve marginally increasing the extent of demolition on the rear elevation at first and second floor. The consented demolition plans did not include the removal of the bay at first floor and the removal and replacement of all the windows. This has been shown on the updated 'consented' demolition plans for the avoidance of doubt when comparing the change.

This NMA therefore seeks to substitute the following drawings:

- 230 – DWG – 003 (first floor demolition plan) with 230 – DWG 003 Rev A (first floor demolition plan)
- 230 – DWG – 004 (second floor demolition plan) 230 – DWG 004 Rev A (second floor demolition plan)

The additional demolition is at first and second floor only and shown on the plans below.

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The proposed change relates solely to the rear façade, of which a significant proportion has already been allowed to be demolished or changed. The demolition only relates to brickwork, not to any other architectural feature as, again, consent is already granted for this.

As described in the accompanying letter from HTS, the level of demolition currently consented would require significant structural alterations and propping to allow it to take place. The removal of this additional brickwork will make the structural elements of construction much simpler, and will also strengthen the building's rear façade in the long term.

Within the context of the scheme, these changes are considered to be non-material. They do not require a change in the description of development and raise no new material planning considerations. The additional

demolition does not cause harm to the conservation area and the replacement façade will be identical to that which is already consented. The resultant building is therefore identical to that which has consent and this alteration is being done solely for structural reasons. There would also be no prejudice to neighbouring occupiers from no further consultation. As such, in our view, these changes are not material.

Summary

The proposal seeks to secure more demolition which, as explained in the HTS letter, is needed for structural reasons. What is material is not defined in planning policy and is down to the decision maker considering the context of the scheme. This change is considered to be non-material as a significant proportion of the façade already has consent to be removed and this change relates solely to additional brickwork at first and second floor. It does not require a change in the description of development and it has no impact on the resultant appearance of the building, nor does it prejudice any consultees.

It is therefore respectfully requested that permission is given for this NMA.

Yours faithfully,

Emilios Tsavellas MRTPI
Senior Planner