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Planning and Regeneration
Culture & Environment Directorate
London Borough of Camden
2nd Floor, 5 Pancras Square
London
N1C 4AG

Date: 6 June 2023

Our ref: 64060/01/NG/26589912v2

Dear Sir/Madam

**13-17 Fitzroy Street, London, W1T 4BQ - Application under Section 96a
(Town and Country Planning Act 1990) for Non-Material Amendments**

On behalf of our client, DGE Fitzroy Street Limited, please find enclosed an application seeking approval for non-material amendments to planning permission ref. 2022/2087/P at 13-17 Fitzroy Street, London, W1T 4BQ.

The application comprises:

- 1 Application form;
- 2 This cover letter;
- 3 Drawings, prepared by Squire and Partners, including:
 - a Proposed – Site Plan (ref. 21063-SQP-ZZ-ZZ-DR-A-PL111 Po3)
 - b Proposed – Block Plan (ref. 21063-SQP-ZZ-ZZ-DR-A-PL112 Po3)
 - c Proposed – South Elevation (ref. 21063-SQP-ZZ-ZZ-DR-A-PL212 PO2)
 - d Previously Approved Proposed – Site Plan (ref. 21063-SQP-ZZ-ZZ-DR-A-PL111 Po2)
 - e Previously Approved Proposed – Block Plan (ref. 21063-SQP-ZZ-ZZ-DR-A-PL112 Po2)
 - f Previously Approved Proposed – South Elevation (ref. 21063-SQP-ZZ-ZZ-DR-A-PL212 PO1); and
- 4 Design Document dated June 2023, prepared by Squire and Partners.

A payment of £234 plus the Portal administration fee has been made via the Planning Portal (ref. PP-12160985) in respect of the Council's planning application fee.

Background

Planning permission ref. 2019/2198/P was granted on 31 May 2019 and the description of development was:

“Construction of a two storey rooftop extension to Block B to create additional office (Class B1) floorspace, reconfiguration and alterations to the existing main entrance, atrium and external facade, creation of roof terrace and replacement of rooftop plant.”

The following amendment applications amended the original permission.

2021/0056/P – *“Non-material amendments to planning permission ref: 2019/2198/P dated 10/07/2020 for 'Construction of a two storey rooftop extension to Block B to create additional B1 floorspace', comprising reconfiguration of the existing main entrance and atrium, external facade alterations, changes at roof level incorporating revised terrace entrance and rationalisation and replacement of rooftop plant.”* Granted on 5 March 2021.

2022/2087/P – *“Minor material amendment to vary Condition 3 (Approved Plans) of 2019/2198/P dated 10/07/2020 for (Construction of a two storey rooftop extension to Block B to create additional office (Class B1) floorspace, reconfiguration and alterations to the existing main entrance, atrium and external facade, creation of roof terrace and replacement of rooftop plant) to involve: Ground floor façade amendment on the junction of Fitzroy Street and Howland Street, to insert a new glazed entrance to the office unit, internally the slab to this unit will be lowered to facilitate this, relocation of the approved green roof from recently approved Block B extension onto Block C roof, alongside reinstatement of existing rooflights at Block C, Block B proposes a new terrace to be used by office tenant, change in colour of the existing external metal ductwork, including the large 'bug' feature on Howland Street elevation from green to black, revision to the Block A plant enclosure, introduction of a louvered door at lower ground within the lightwell on Howland Street to provide access to below ground drainage, introduction of louvres at lower ground within the lightwell to Fitzroy Street to support the buildings overall servicing strategy and internal alterations.”* Granted on 5 June 2023.

As a result of further detailed design work undertaken by the team, a series of minor external changes to improve the safety and design of the building have been identified.

Proposed amendments

The overall aim of the application is to remove the combustible installation located on the inside of the 'bug' feature on the southern elevation of the building. Through site investigations and detailed design, the design team have assessed a number of options of how best to remove any combustible materials located within the existing 'bug' feature. Following a series of investigations and workshops, the conclusion was that both the external Glass Reinforced Plastic (GRP) skin and the internal insulation was combustible. Therefore, full replacement is the only option to improve the safety and efficiency of the façade. As such, the proposal comprises removal of the existing 'bug' and installation of a new 'bug' including:

- 1 Removal of the GRP skin of the 'bug' and replacement with aluminium cladding panels.
- 2 Removal of the combustible insulation and replacement with a non-combustible insulation.
- 3 Removal of the “bug” skylights to optimise the façade performances.

Additionally, three external amends are proposed as part of this application to the southern elevation at roof level including:

- 1 The introduction of a ramp to the access route of the Block A terrace to improve accessibility from the existing plant room doors to the terrace.
- 2 Increase the lift overrun parapet by 150mm. The increase is required to suit the requirements of the lift shaft (from below) and provide suitable upstands above to achieve a warranty from the roof covering/waterproofing manufacturer.
- 3 Reduce the extent of cladding replacement approved under the MMA application ref. 2022/2087/P to align with the project sustainability ambitions. The proposed cladding is now limited to the lift extension only.

Summary

The amendments are detailed in the Design Document, prepared by Squire & Partners and are also shown on the proposed drawings, prepared by Squire & Partners. These changes are non-material for the following reasons:

- 1 There is no change to the permitted use or any change to the approved description of development, and all of the conditions imposed remain relevant.
- 2 The proposed changes are barely visible (unless you view the plans side by side).
- 3 The changes would have no material effect on the character and appearance of the area.
- 4 The proposed changes are not material within the context of the overall proposed development.

Condition wording

In agreeing the amendments proposed under this Section 96a application, we request that Condition 2 of permission ref. 2022/2087/P is amended accordingly to refer to the updated drawing references. The amendment of the wording of conditions is in line with the Town and Country Planning Act (1990) under Section 96a(1) which states that a local planning authority may make a change to planning permission relating to land in their area where it is satisfied that the change is non-material. Under Section 96a (3) this includes the power to (a) impose new conditions and (b) remove or alter existing conditions. We set out revised wording below to assist (amendments in bold and removals in red and strikethrough).

Condition 2

“For the purposes of this decision, condition no.3 of planning permission 2019/2198/P shall be replaced with the following condition:

REPLACEMENT CONDITION 3

The development hereby permitted shall be carried out in accordance with the following approved plans - 21063-SQP-ZZ-ZZ-DR-A-PL100 Rev P01, 21063-SQP-ZZ-ZZ-DR-A-PL101 Rev P01, 21063-SQP-ZZ-LG-DR-A-PL102 Rev P01, 21063-SQP-ZZ-GF-DR-A-PL103 Rev P01, 21063-SQP-ZZ-01-DR-A-PL104 Rev P01, 21063-SQP-ZZ-02-DR-A-PL105 Rev P01, 21063-SQP-ZZ-03-DR-A-PL106 Rev P01, 21063-SQP-ZZ-04-DR-A-PL107 Rev P01, 21063-SQP-ZZ-05-DR-A-PL108 Rev P01, 21063-SQP-ZZ-06-DR-A-PL109 Rev P01, 21063-SQP-ZZ-RF-DR-A-PL110 Rev P01, 21063-SQP-ZZ-ZZ-DR-A-PL201 Rev P01, 21063-SQP-ZZ-ZZ-DR-A-PL202 Rev P02, 21063-SQP-ZZ-ZZ-DR-A-PL203 Rev P01, 21063-SQP-ZZ-ZZ-DR-A-PL204 Rev P01, 21063-SQP-ZZ-ZZ-DR-A-PL301 Rev P01, 21063-SQP-ZZ-ZZ-DR-A-PL302 Rev P01, ~~21063-SQP-ZZ-ZZ-DR-A-PL111 Rev P02~~ **21063-SQP-ZZ-ZZ-DR-A-PL111 P03**, ~~21063-SQP-ZZ-ZZ-DR-A-PL112 Rev P02~~ **21063-SQP-ZZ-ZZ-DR-A-PL112 P03**, 21063-SQP-ZZ-LG-DR-A-PL113 Rev P01, 21063-SQP-ZZ-GF-DR-A-PL114 Rev P01, 21063-SQP-ZZ-01-DR-A-PL115 Rev P01, 21063-SQP-ZZ-01-DR-A-PL116 Rev P01, 21063-SQP-ZZ-03-DR-A-PL117 Rev P01, 21063-SQP-ZZ-04-DR-A-PL118 Rev P01, 21063-SQP-ZZ-05-DR-A-PL119 Rev P01, 21063-SQP-ZZ-06-DR-A-PL120 Rev P01, 21063-SQP-ZZ-RF-DR-A-PL121 Rev P02, 21063-SQP-ZZ-ZZ-DR-A-PL211 Rev P02, ~~21063-SQP-ZZ-ZZ-DR-A-PL212 Rev P01~~ **21063-SQP-ZZ-ZZ-DR-A-PL212 P02**, 21063-SQP-ZZ-ZZ-DR-A-PL213 Rev P02, 21063-SQP-ZZ-ZZ-DR-A-PL214 Rev P02, 21063-SQP-ZZ-ZZ-DR-A-PL311 Rev P01, 21063-SQP-ZZ-ZZ-DR-A-PL312 Rev P02, Cover letter May (2022), Daylight and Sunlight Report April (2019), Design and Access Statement REV A (July 22), Draft Framework Travel Plan April 19, Economic Benefits Assessment April 19, Energy and Sustainability Planning Context May 2022, Noise Impact Assessment (updated) 17 February 2020, Update to the noise impact assessment report 2 Addendum A Rev A, Planning Statement May (2022), Transport Statement April 19, Transport Note - Disabled Parking August 19, Planning Statement (April 2019), 13 Fitzroy Street Block C Roof (03/01/2023), Daylight and Sunlight Report (May 2022), Design and Access Statement (April 2019).

Reason: For the avoidance of doubt and in the interest of proper planning.”

Should you require any additional information or have any questions, please contact me or my colleague, Hannah Whitney.

Yours sincerely



Lily Galek
Planner