

P08895
26th July 2023

Camden Council
Planning and Building Control
5 Pancras Square
London
N1C 4AG

Dear Sir/ Madam

37 Gray's Inn Road. London. WC1X 8PQ
Application under Section 96A of the Town and Country Planning Act 1990 (as amended) for non-material amendments to Planning Permission 2019/2097/P

Planning Portal Ref: PP-12342271

On behalf of our client, Rodell Properties Ltd. (the 'Applicant'), Rolfe Judd Planning ('the Agent') have prepared an application under S.96A of the Town and Country Planning Act 1990 (as amended) (TCPA 1990) for a non-material Amendment to planning permission 2019/2097/P at 37 Gray's Inn Road, London, WC1X 8PQ.

To assist London Borough of Camden Council in their consideration of the proposed amendments, please find enclosed the following information as submitted:

- Pre-Existing drawings (Prior to construction) (*previously prepared by Fresson and Tee*);
 - Basement, Ground and First Floor Plans As Existing (dwg no. E01);
 - First, Second, Third & Loft Floor Plans As Existing (dwg no. E02-RevA);
 - Section Plans As Existing (E03);
 - Elevation Plans As Existing (dwg no. E04)
- Consented drawings (*previously prepared by Fresson and Tee*);
 - Basement, Ground and First Floor Plans As Consented (dwg no. P01-RevC);
 - Second, Third & Fourth Floor Plans As Consented (dwg no. P02-Rev C);
 - Section Plans As Proposed (dwg no. P03-RevB);
 - Elevation Plans As Consented (dwg no. P04-RevB)
- Proposed Drawings (*prepared by TD-RE Property Professionals*) (showing changes proposed under this NMA)
 - Basement, Ground and First Floor Plans As Proposed (dwg no. 20102/P01 Rev. C);
 - Second, Third & Fourth Floor Plans As Proposed (dwg no. 20102PP02 Rev. C);
 - Section plan As Proposed (dwg no. 20102/P03 Rev F).

The application has been submitted electronically online via the Planning Portal, along with the requisite application fee of £234.00 (plus a £64 service charge) which has also been paid online via the Planning Portal. [Site Description](#)

The site is located on the northern end of Gray's Inn Road and consists of a five storey Victorian building of, prior to the above planning permission, solely commercial floorspace. The site is not listed, however lies within the Bloomsbury Conservation Area.

Planning Application 2019/2097/P

Full planning permission was granted on 22nd January 2020 (application reference 2019/2097/P) for the following proposal (as listed on the Decision Notice):

“Change of use from retail at part basement and part ground floor levels and office use part basement, part ground and first. Second and third floors to retail use (Class A1) at basement and ground floor levels, and residential use (Class c3) on levels 1,2,3 and 4 (creation of 3 x 2-bed self-contained flats and 1 x 1-bed self-contained flat); alterations to shopfront; alterations to fenestration on front elevation; increase in height of front wall and erection of mansard roof extension above; demolition of rear elevation and erection or rear extension to ground, 1st, 2nd and 3rd floor levels”

This application seeks changes to the approved drawings under planning permission 2019/2097/P.

Proposed Non-material Amendment

This S.96a non-material amendment seeks to rotate the layout of the 1st and 4th floors at the site, so that the bedrooms at these levels are located at the rear of the building, with the living areas towards the front. This will mirror the layout of the ‘as consented’ 2nd and 3rd floors, approved under planning permission ref. 2019/2097/P. As such, the proposed changes simply seek to unify the layouts across the upper floors.

The internal layout changes will not impact the outside materiality of the site. There will be no change to neighbouring amenity, nor any material changes proposed as part of these revisions. Planning permission 2019/2097/P has been implemented, with the site currently under construction. In accordance with Camden’s validation criteria, Table 1.0 (below) provides a breakdown of pre-existing drawings (these being prior to construction commencing), approved drawings (as approved under application 2019/2097/P) and proposed drawings (showing the internal layout changes proposed under this NMA application).

Table 1: Pre-existing drawings (prior to construction). Approved Drawings (As Consented) and Proposed Drawings

Drawing Title	Existing Drawings (Pre-existing to construction) (application ref. 2019/2097/P)	Approved Drawings (as Consented) (application ref. 2019/2097/P)	Proposed NMA Drawings (July 2023)
Basement, Ground and First Floor Plans As Proposed	E01	P01-Rev C	20102/P01 Rev. C
Second, Third & Fourth Floor Plans	E02-Rev A (inc. First and Loft Floor Plan)	P02-Rev C	20102PP02 Rev. C
Section Plans	E03	P03-Rev B	20102/P03 Rev. F
Elevation Plans	E04	P04-Rev B	No Change from

			approved drawing P04- Rev B.
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Reasoning for Non-material Amendment

It is considered that that the proposed amendments to the approved scheme are 'non-material', given the nature of the revisions which solely relate to internal layout changes of the 1st and 4th floors to mirror the 2nd and 3rd floor layouts. Furthermore, the proposed changes comply in terms of the following considerations (as per the 2009 issued guidance by the Department of Communities and Local Government (DCLG)) when determining a non-material amendment:

- The proposed change will not significantly change in scale (i.e. height) in relation to the original approval;
- The proposed change will not result in a detrimental impact either visually or in terms of amenity – the proposals relate solely to internal layout changes;
- The interests of any third party or body who participated in or were informed of the original decision will not be disadvantaged in any way;
- The amendment will not be contrary to any development plan policy of the LPA; and
- The development's red line boundary will remain unchanged.

The proposed change will not breach the conditions of planning permission 2019/2097/P and are consistent with the approved development.

Conclusion

In accordance with Section 96a of the TCPA 1990 (As Amended) the internal amendments are non-material and remain compliant with Local Policy and DCLG guidance. The proposals remain appropriate to the original consent, and will mirror the consented layout of the 2nd and 3rd floors.

We trust sufficient information has been provided for the consideration of the proposed revisions to be determined under a non-material amendment under S.96A of the TCPA 1990. However, should you have any further queries or require further information, please do not hesitate to contact us.

Yours faithfully

Tassia de Paula - Yarmohammadi

For and on behalf of
Rolfe Judd Planning Limited
26 July 2023