

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

Date: 2 November 2023

Our ref: 64060/01/NG/LG/27074284v2

Dear Sir/Madam

15 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 (as amended) at 15 Fitzroy Street, London, W1T 4BQ.

The application comprises:

- 1 Application form;
- 2 This cover letter;
- 3 Drawings, prepared by Squire & Partners (set out in Annex 1); and
- 4 Design Document, dated October 2023, prepared by Squire & Partners.

A payment of £234 plus the Planning Portal administration fee has been made via the Planning Portal (ref. PP-12524109) in respect of the Council's planning application fee.

For clarity, previous applications have referred to the site as 13-17 Fitzroy Street. The building has since been renamed to 15 Fitzroy Street. This was confirmed with the Street Naming Team at LB Camden on 7 September 2023.

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 lowered 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.

2023/2320/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 to fully replace the side 'bug' and install a new side 'bug' and further alterations to the roof and lift shaft.” Granted on 10 August 2023.

As a result of further detailed design work undertaken by the team, a series of non-material changes to the design are proposed.

Proposed amendments

The proposed amendments include replacement of the entrance double doors with two revolving doors. The revolving doors would allow for a more efficient flow of people in and out of the building, improve the interior climate by reducing draughts and are considered to be more sustainable by reducing heat loss.

The proposed revolving doors will be situated within the consented feature entrance portal and the single leaf entrance door will remain as consented to provide access and egress for less-able bodied users.

The doors would sit well in the surrounding streetscape; it is noted that other buildings on Fitzroy Street have revolving doors including the adjacent ARUP building on Fitzroy Street. Amending the approved double doors at 15 Fitzroy Street to two revolving doors would therefore not be out of character within the area and is considered to be acceptable in principle..

In addition to the proposed revolving doors, the existing Building Maintenance Units (BMU) on Cleveland Mews are to be replaced with new systems to better serve the development and conform with

modern standards. The new BMU will be slightly higher in its resting position (approximately 700mm) to ensure it does not interfere with the approved terrace balustrade and approved access stair. The new BMU will ensure that the building can be cleaned and maintained to a high standard and for the majority of the time will be in a resting position.

Other non-material changes include reduction in the extent of cladding proposed to the core 1 façade on the east elevation at roof level. The proposed cladding is proposed to be limited to the lift extension only. A minor extension in the lift cladding is also proposed to ensure sufficient space for insulation.

Finally, an additional single-leaf glazed door is proposed at level 5 to provide enhanced access to the approved Block B external terrace. The additional door is proposed to improve circulation and to avoid the need for tenants and their visitors to have to go through landlord areas within the core to access the approved external terrace.

The proposed amendments are detailed fully in the Design Document, prepared by Squire & Partners and are also shown on the proposed drawings, prepared by Squire & Partners. We note that the Existing – East Elevation drawing and Existing – West Elevation drawings have been re-provided to show the approximate height of the existing BMU unit.

Summary

The changes are considered to be 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 proposals do not alter the overall scale of the consented scheme or its footprint.
- 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 – as amended) (also referred to as condition 3 of 2019/2198/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

“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~~ **P02**, 21063-SQP-ZZ-ZZ-DR-A-PL204 Rev ~~P01~~ **P02**, 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 P03, 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~~ **P02**, 21063-SQP-ZZ-01-DR-A-P115 Rev P01, 21063-SQP-ZZ-01-DR-A-P116 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~~ **P02**, 21063-SQP-ZZ-06-DR-A-PL120 Rev P01, 21063-SQP-ZZ-RF-DR-A-PL121 Rev ~~P02~~ **P03**, 21063-SQP-ZZ-ZZ-DR-A-PL211 Rev P02, 21063-SQP-ZZ-ZZ-DR-A-PL212 ~~P02~~ **P03**, 21063-SQP-ZZ-ZZ-DR-A-PL213 Rev ~~P02~~ **P03**, 21063-SQP-ZZ-ZZ-DR-A-PL214 Rev ~~P02~~ **P03**, 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 faithfully



Lily Galek

Planner

BSc (Hons) MSc

Annex 1: Drawings, prepared by Squire & Partners

| Drawing Name | Approved Reference | Proposed Reference |
|-----------------------------------|--|------------------------------------|
| Site Plan | 21063-SQP-ZZ-ZZ-DR-A-PL111 Rev P03 | - |
| Existing – East Elevation | 21063-SQP-ZZ-ZZ-DR-A- PL203 Rev P01 | 21063-SQP-ZZ-ZZ-DR-A- PL203 P02 |
| Existing – West Elevation | 21063-SQP-ZZ-ZZ-DR-A- PL204 Rev P01 | 21063-SQP-ZZ-ZZ-DR-A- PL204 P02 |
| Proposed – East Elevation | 21063-SQP-ZZ-ZZ-DR-A-PL213 Rev P02 | 21063-SQP-ZZ-ZZ-DR-A-PL213 P03 |
| Proposed – West Elevation | 21063-SQP-ZZ-ZZ-DR-A-PL214 Rev P02 | 21063-SQP-ZZ-ZZ-DR-A-PL214 P03 |
| Proposed – South Elevation | 21063-SQP-ZZ-ZZ-DR-A-PL212 Rev P02 | 21063-SQP-ZZ-ZZ-DR-A-PL212 P03 |
| Proposed – Ground Floor | 21063-SQP-ZZ-GF-DR-A-PL114 Rev P01 | 21063-SQP-ZZ-GF-DR-A-PL114 P02 |
| Proposed – Fifth Floor | 21063-SQP-ZZ-05-DR-A-PL119 P01 | 21063-SQP-ZZ-05-DR-A-PL119 P02 |
| Proposed – Roof Plan | 21063-SQP-ZZ-RF-DR-A-PL121 P02 | 21063-SQP-ZZ-RF-DR-A-PL121 P03 |