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Regeneration and Planning
London Borough of Camden
5 Pancras Square
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FAO Adam Greenhalgh

Our ref: NLR/TEY/0017870
Your Ref: 2022/4361/P

13 May 2024

Dear Mr Greenhalgh,

Town and Country Planning Act 1990 (as amended)
Application for non-material amendments to planning permission ref. 2022/4361/P (Section 96a)
21 Bloomsbury Street, London, WC1B 3HF.

On behalf of our client, Venture Real Estate Limited (the 'Applicant'), we write to submit an application under Section 96a of the Town and Country Planning Act 1990 (as amended) for non-material amendments to planning permission ref. 22/4361/P, dated 9 August 2023. This application seeks approval of amendments at lower ground floor level which are required to facilitate the installation of a new UKPN substation internally at lower ground floor level and, in association, removal of the gate and metal stairs at ground floor level on the Bloomsbury Street elevation and reinstatement of railing to match the original.

Background

The building is currently being refurbished and extended to deliver much improved office accommodation. Full planning permission (ref. 2022/4361/P) was granted on 9 August 2023 for the following development:

“Alterations to existing building comprising: rear extension at second to fifth floor levels with associated terraces, relocation of existing sixth floor/roof-top plant enclosure and erection of an additional (sixth storey) of offices on the existing roof (with new dormer windows and louvres in the Bedford Avenue and Bloomsbury Street roofs to serve the new sixth floor extension) formation of pavilion, external terraces and green roof at sixth floor level and on roof of new sixth floor extension (and an extended lift over-run), replacement of windows; alterations to entrances; replacement of faux chimney stacks and associated works.”

Procedure

On 1 October 2009, Section 190 of the Planning Act 2006 introduced Section 96a to the Town and Country Planning Act 1990 (as amended). This enables non-material changes to existing planning permissions to be made without requiring the submission of a new planning application or an application under Section 73 of the Act, which relates to minor material amendments.

This approach has been agreed with Camden Planning Officers via email on 30 April 2024.

Proposed Amendment

It is proposed to amend Condition 2 of planning permission ref. 2022/4361/P, which provides the list of drawings approved by the planning permission. The non-material amendments to the drawings detail the works that are required to facilitate the installation of a new, replacement UKPN substation at lower ground floor level. In addition, owing to access no longer being required from Bloomsbury Street directly to the lower ground floor lightwell, the opportunity has been taken to remove the modern gate and stairs at ground floor level and to replace with railing to match existing.

Planning Policy Framework

The National Planning Policy Framework (2023) ('NPPF') is a material consideration in the determination of planning applications. It sets out the government's overarching planning policies for England and how they are to be applied.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the Statutory Development Plan unless material considerations indicate otherwise. The adopted Statutory Development Plan for the purpose of this application comprises the London Plan (2021) and the Camden Local Plan (2017).

Camden concluded a two-month consultation on the Draft New Local Plan on 13 March 2024. Consideration of all responses received is underway and Camden intend to public an update for further consultation later in 2024. Due to the very early stage of the Draft New Local Plan, it is considered to carry very limited weight in the determination of an application for planning permission.

Assessment

Since planning permission (ref. 2022/4361/P) was granted on 9 August 2023 our client has had long running discussions with UKPN in respect of the existing substation located on the Bloomsbury Street side at lower ground floor level. The substation is currently accessed via a gate at ground floor level, which has been inserted into the traditional railing, and down a metal staircase leading down to the lower ground floor level.

Planning permission was granted for the comprehensive refurbishment to the building. The broad aspiration is to future proof the building to create an asset for the long term within the parameters of the existing structure and facade. As noted, these works are ongoing, but forming part of this was a review of the current electrical loads. It has been concluded that under the existing supply capacity, the loads are insufficient. UKPN have confirmed that the substation cannot be upgraded and therefore a new one must be installed. This would provide a dedicated supply to 21 Bloomsbury Street, which in turn would free up capacity for surrounding buildings seeking to switch to electrical power, thereby facilitating moves away from fossil fuel

reliance. The proposed new substation is therefore considered a benefit and is considered to be in accordance with Local Plan Policy CC1 and the Draft New Local Plan Policy CC1, which require that development minimise the effects of climate change, meet the highest of environmental standards, and support the retrofitting of buildings to make them more energy efficient.

In terms of design and conservation, Local Plan Policy D1 (also Draft New Local Plan Policy D1) seeks to secure high quality design in development, requiring that local context and character is respected. Policy D2 states heritage assets and their setting should be preserved and where appropriate enhanced. This policy is carried forward in the Draft New Local Plan at Policy D5. Two lower ground floor windows on the Bloomsbury Street elevation must be replaced with louvres which serve the new substation. Some minor demolition is required to the window surrounds to accommodate the louvres and the sill of the larger opening is proposed to be lowered slightly.

Additionally, because access is no longer required via the existing metal stair set on the Bloomsbury Street elevation, the opportunity has been taken to remove the unsightly stairs and reinstate matching railings to provide a consistent treatment along this elevation. The window to be lost sits below the landing to the main entrance and the impact on the external appearance is therefore considered minimal, while the reinstatement of the original railings is considered a betterment and a benefit of the scheme to the character and setting of the Bloomsbury Conservation Area that balances any perceived potential negative impact resulting from the loss of the lower ground floor window.

The proposed alterations are subtle and continue to carefully consider the Site’s context and the character and setting of the Bloomsbury Conservation Area. The alterations are required to facilitate the installation of a new UKPN sub-station and will subtly amend the partially obscured lower ground floor level fenestration arrangement, while removing the existing unsightly stair set and reinstating the railing. The proposed development has been carefully designed by the retained project architects, Stiff & Trevillion, to ensure no overall detrimental impact on the character and setting of this part of the Bloomsbury Conservation Area.

Summary

Section 96a to the Town and Country Planning Act 1990 (as amended) enables non-material changes to existing planning permissions to be made without requiring the submission of a new planning application or an application under Section 73 of the Act, which relates to minor material amendments.

The proposed amendments would not result in a material change to the approved scheme. The overall intent is unchanged and the development remains consistent with original planning permission. It is therefore considered that the proposed development would remain in accordance with development plan policy.

Replacement Drawings

The following table confirms the list of approved drawings as referenced on the decision notice, and those drawings which are submitted to as replacements or new via this non-material amendment application.

Drawing Title	Approved Drawing Reference	Replacement Drawing Reference
Proposed Lower Ground Floor Plan	02-09PL P01	02-099PL P02
Proposed Ground Floor Plan	02-100PL P01	02-100PL P02
Proposed First Floor Plan	02-101PL P01	02-101PL P02
Proposed Second Floor Plan	02-102PL P01	02-102PL P02

Proposed Third Floor Plan	02-103PL P01	02-103PL P02
Proposed Fourth Floor Plan	02-104PL P01	02-104PL P02
Proposed Fifth Floor Plan	02-105PL P01	02-105PL P02
Proposed Sixth Floor Plan	02-106PL P01	02-106PL P02
Proposed Seventh Floor Plan	02-107PL P01	02-107PL P02
Proposed Roof Plan	02-108PL P01	02-108PL P01
Proposed East Elevation	03-100PL P01	03-100PL P02

The following are submitted as new drawings.

Drawing Name	Drawing Reference
Existing Lower Ground Floor Elevation	30-360-P03
Demolition Lower Ground Floor Elevation	30-361-P03
Proposed Lower Ground Floor Elevation	30-362-P03
Existing Lower Ground Floor Extract Elevation	30-420-P02
Demolition Lower Ground Floor Extract Elevation	30-426-P01
Proposed Lower Ground Floor Extract Elevation	30-422-P01
Existing and Proposed Railings Elevation	30-430-P01

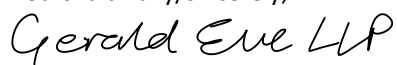
Application Documents

In addition to this covering letter, this non-material amendment application comprises the following documents:

1. Application form and Certificate, prepared by Gerald Eve LLP;
2. Site location plan, prepared by Stiff and Trevillion;
3. Approved, demolition and proposed plans, elevations and sections, prepared by Stiff and Trevillion;
and
4. Design and Access Statement Addendum, prepared by Stiff and Trevillion.

The application fee of £363 (including the Planning Portal processing fee) will be paid electronically. We trust that you have all the necessary information to validate this application and we look forward to confirmation of this shortly. If you have any queries, please contact Natalie Rowland (020 7333 6220) or Tom Eyres (020 7333 6429) of this office.

Yours faithfully/sincerely,



Gerald Eve LLP