

**PD12929/JL**

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11 June 2024

**Submitted via the Planning Portal: PP-12892922**

Dear Elaine

**TEMPLAR HOUSE, 81-87 HIGH HOLBORN, LONDON WC1V 6NU  
TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)  
APPLICATION FOR A NON-MATERIAL AMENDMENT TO PLANNING PERMISSION 2020/1351/P**

On behalf of our client, CER Investment SARL ("the Applicant"), we submit this application under Section 96a of the Town and Country Planning Act 1990 (As Amended) to seek a non-material amendment to Planning Permission 2020/1351/P approved by the London Borough of Camden ("LBC" / "the Council") on 30 April 2021.

This application has been submitted via the Planning Portal under ref. PP-12892922.

**Site Description**

Templar House (81-87 High Holborn and 24 to 27 Eagle Street) comprises a part-nine (plus plant area) part-seven storey building (plus basement) faced with Portland stone on the High Holborn elevation and a mixture of brick and stone on the Eagle Street elevation. The side elevations are not visible from the public realm.

The existing building on the Site was constructed in 1959 to designs by Richard & McLaughlin Architects and was an infill building following bomb damage during WWII.

The building is laid out as three blocks, one fronting onto High Holborn to the south, one onto Eagle Street to the north and one forming a connecting block in between. The latter is set in from the boundaries with the adjoining sites creating courtyard spaces to the west and east.

The Site is in the Bloomsbury Conservation Area.

There are no statutorily listed buildings adjacent to the site however there are listed buildings in the wider area, including the Rosewood Hotel at 247-252 High Holborn (Grade II) approximately 20m south of the Site.

**Background and Application Format**

CER Investments SARL purchased the Site on 28 September 2019, with the intention for Uncommon to both own, occupy and manage the building.

To facilitate this objective, three standalone planning applications were submitted and duly approved (refs. 2020/1350/P, 2020/1310/P, and 2020/1351/P), and which were subsequently amended as follows:

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A list of members' names is available at the above address.

- Planning Permission A: 2020/1350/P – as amended by 2021/3561/P and 2022/4204/P.
- Planning Permission B: 2020/1310/P – as amended by 2021/3885/P and 2022/4205/P.
- Planning Permission C: 2020/1351/P – as amended by 2021/3887/P and 2022/4206/P.

This non-material amendment relates to Planning Permission C: 2020/1351/P (as amended 2021/3887/P and 2022/4206/P). For the avoidance of doubt Planning Permission 2023/2617/P and Planning Permission 2023/2617/P were approved in 2023, and are unaffected by this non-material amendment, given they relate to a different part of the Proposed Development not covered by the scope of this submission.

### **Proposed Development**

Driven by a desire to bring the building back in to functional and operational use at the earliest opportunity, our Client has been reviewing the works permitted, and following this review and further design refinement it has become apparent that there is the ability to maximise the quality of the internal floorspace at ground floor through the reinstatement of windows previously proposed to be in-filled to the Link Block part of the Site.

This will ensure the Site contributes in the fullest to the commercial desires for the area and maximises the quality of accommodation within. There is no issue from an amenity perspective as these windows are located in the same place as the previous arrangement, and do not look onto any residential uses.

The changes are set out further in the supporting plans and drawings which have been submitted as part of this application, together with the accompanying Design Document prepared by astudio architects which includes a comparison between the previous and proposed arrangement. In addition, a drawing schedule is provided that includes details of the relevant drawings to be superseded through this non-material amendment.

### **Section 96a Route**

S96a provides the appropriate mechanism to make non-material amendments to planning permissions, and it has been agreed with the Council during a pre-application meeting undertaken on 16 July 2021, that this can be facilitated under Section 96a of the Town and Country Planning Act 1990 (As Amended).

S96a (1) states:

*“(1) a local planning authority may make a change to any planning permission relating to land in their area if they are satisfied that the change is not material.”*

With regard to what constitutes a material change, Planning Practice Guidance confirms that there is no statutory definition, as it depends on the specifics of the scheme (Reference ID: 17a-002-20140306).

When considering the case, s96a (2) outlines that:

*“(2) In deciding whether a change is material, a local planning authority must have regard to the effect of the change, together with any previous changes made under this section, on the planning permission as originally granted”.*

Section 96a provides an appropriate mechanism to make non-material amendments to planning conditions.

As set out in S96a(3), the power to make changes to a planning permission extends to ‘remove or alter’ existing planning conditions:

*“(3) The power conferred by subsection (1) includes power-  
(a) to impose new conditions;  
(b) to remove or alter existing conditions.”*

Primary legislation is therefore clear that if the determining authority is content that the effect of the proposed change is non-material, a planning permission can be amended, existing planning conditions altered and new conditions imposed under s96a of the Act. As set out above, the changes sought are considered to be non-material in the context of the scheme, and s96a provides the appropriate mechanism to accommodate them.

### **Closing and Administrative Matters**

The proposed amendments are sought to ensure quality of the office accommodation on the Site by reinstating windows previously proposed to be infilled. Thus the approach continues to adhere to relevant planning policy and the principles established through the previous planning permissions (as amended), and should therefore be welcomed given the overall enhancement to the internal office environment with no impact on amenity.

This application has been submitted via the Planning Portal, and the application fee of £363 has been calculated in accordance with The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) (As Amended). Payment has been made to the Planning Portal directly.

### **Closing**

We trust that the information submitted is sufficient and allows you to validate the application. Should you require any further clarification, information or assistance please do not hesitate to contact James Leuenberger ([james.leuenberger@montagu-evans.co.uk](mailto:james.leuenberger@montagu-evans.co.uk)) at this office in the first instance.

Yours sincerely,

*Montagu Evans*

**Montagu Evans LLP**  
Enc.