

TH/SM/DP6666  
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**Camden Council**  
**Planning Development Control**  
**Camden Town Hall**  
**London**  
**WC1H 8ND**

Dear Sir/Madam,

## **NON-MATERIAL AMENDMENT APPLICATION AT MIDDLESEX HOUSE, 34-42 CLEVELAND STREET, CAMDEN, W1T 4JE**

On behalf of our client, Derwent Valley Property Investments Ltd ('the Applicant'), please find enclosed an application for a non-material amendment (NMA) application under the provisions of Section 96a of the Town and Country Planning Act 1990 in relation to proposed development approved at Middlesex House, 34-42 Cleveland Street, Camden, W1T 4JE ('the Site').

Planning permission was granted on 12 September 2024 by Camden City Council ('the Council') under the Local Planning Authority's (LPA) reference 2024/2020/P for the following development:

*"Minor refurbishment and rooftop works including: upgraded entrance and reception area; new cycle storage and associated end of trip facilities; new/replaced rooftop plant and plant enclosures; creation of a rooftop amenity area with pavilion structure; hard and soft rooftop landscaping; and all associated and ancillary works."*

This NMA is being proposed to improve the accessibility and use of the building on the ground floor and office floors, as well as to improve the amenity space on the roof terrace. We set out below the justification for the proposed changes as an NMA to the approved scheme.

### **Planning Submission**

Alongside this Covering Letter, this NMA application is accompanied by the following documents to form part of the submission to be Considered by the Council:

- Application Form and Certificates;
- Proposed Drawings by Fletcher Priest Architects;
- Design Update Document by Fletcher Priest Architects.



## **Site Description and Planning History**

The Site comprises Middlesex House, an existing office building of approximately 6,327 sqm across 5 storeys. Middlesex House was designed in the art deco style in 1934 and sits within the Charlotte Street Conservation Area alongside the neighbouring streets of Whitfield and Chitty Street. There are several listed buildings located within close proximity of the Site, most notably the Former Strand Union Workhouse (Middlesex Hospital Annex) which is directly adjacent to the site.

The planning history of the site comprises of mainly applications looking to alter the externalities of the building rather than internal changes. In 2013, there was an application granted for the 'Change of use at basement level from car park (sui generis) to office use (Class B1) and enclosure of external ramped area involving replacement of roller shutter with metal door and glazing and addition of a roof canopy; other associated works include replacement of glazing at basement level elevation, alterations to street level railings and installation of stair to front lightwell' under application ref. 2013/7188/P, which was followed by discharge of condition applications in 2014 and 2015.

The most recent application (ref. 2024/2020/P) was for minor refurbishment and rooftop works which was granted in September 2024. It is the approved drawings under Condition 2 of this permission which this application proposes to amend.

## **Proposed Amendments**

The proposed amendment relates to planning permission ref. 2024/2020/P and comprises of the following changes in summary:

- Simplification of the main entrance door and addition of canopy;
- Minor updates to the south core and adjacent ventilation shafts on the office floors; and
- Updates to the roof terrace design, including change to plant screening and the provision of an additional WC.

The previously approved up-and-over main entrance door on the ground floor is proposed to be simplified with a fully automated double door with a canopy on top. An additional ramp is also proposed to improve accessibility and use of the building. The new door design retains the symmetry of the approved scheme but enhances its flexibility for its use and is easier to operate. The internal balconies which were previously consented from the first floor to the roof floor levels are proposed to be removed in this application which will help to retain the existing levels of daylight in the courtyard.

Internally, the existing staircase from the ground floor to the fourth floor was previously omitted under application ref. 2024/2020/P, however, it is now proposed for this staircase to be retained in the final scheme. There is also proposed for an existing WC on the second floor to be retained which was originally proposed to be removed. The ventilation shafts and lobbies are also proposed to be updated in line with the latest detailed advice from the Fire and Mechanical, Electrical, Plumbing and Heating (MEPH) engineers.

At roof level, it is proposed to increase the plant screen by 650mm perimeter height to ensure all equipment is hidden. The roof terrace is proposed to have an amended layout with a reduced number



of canopies and more tree planting to improve the amenity space and surrounding context. Furthermore, the existing WC layout has been updated and an additional WC is proposed on the roof to improve accessibility.

Due to the amendments to the roof terrace and the additional of HVRF cupboards on the office floors, there is a minimal increase in the proposed Gross Internal Area (GIA) and a decrease in the proposed Net Internal Area (NIA). In total, the GIA is proposed to increase from approximately 7,501.1 sqm to 7,509.6 sqm, and the NIA is proposed to decrease from 6,041.9 sqm to 5,937 sqm.

To facilitate these non-material amendments, updated proposed drawings have been prepared by Fletcher Priest Architects and are submitted as part of this NMA application. The proposed amendments are set out in detail within the proposed drawings and the Design Update Document by Fletcher Priest Architects.

The changes to planning permission 2024/2020/P are considered to be non-material for the following reasons:

- There is no change to the permitted use or any change to the approved description of development and all of the conditions previously imposed remain applicable;
- The proposals do not alter the overall scale of the consented scheme or its footprint;
- The changes would have no material impact on the character or appearance of the area; and
- The proposed changes are not material within the context of the overall proposed development.

The table below sets out the original drawings approved under LPA ref. 2024/2020/P which are to be replaced with the updated drawings submitted with this S96a application.

Application Drawings (ref. 2024/2020/P)	
Original Drawings (Approved)	New Drawings (Proposed)
Proposed Ground Floor (ref. 1759-FPA-XX-00-DR-A-16011-P02)	Proposed – Level GF (ref. 1759-FPA-XX-00-DR-A-16011-P03)
Proposed Level 01 (ref. 1759-FPA-XX-01-DR-A-16012-P01)	Proposed – Level 01 (ref. 1759-FPA-XX-01-DR-A-16012-P02)
Proposed Level 02 (ref. 1759-FPA-XX-02-DR-A-16013-P01)	Proposed – Level 02 (ref. 1759-FPA-XX-02-DR-A-16013-P02)
Proposed Level 03 (ref. 1759-FPA-XX-03-DR-A-16014-P01)	Proposed – Level 03 (ref. 1759-FPA-XX-03-DR-A-16014-P02)
Proposed Level 04 (ref. 1759-FPA-XX-04-DR-A-16015-P01)	Proposed – Level 04 (ref. 1759-FPA-XX-04-DR-A-16015-P02)
Proposed Roof (ref. 1759-FPA-XX-00-DR-A-16016-P00)	Proposed – Level RF (ref. 1759-FPA-XX-05-DR-A-16016-P03)
Proposed Upper Roof (ref. 1759-FPA-XX-00-DR-A-16017-P00)	Proposed – Level URF (ref. 1759-FPA-XX-05-DR-A-16017-P02)
Proposed North Elevation (ref. 1795-FPA-XX-ZZ-DR-A-16203-P00)	Proposed – North Elevation (ref. 1759-FPA-XX-05-DR-A-16203-P02)
Proposed East Elevation (ref. 1795-FPA-XX-ZZ-DR-A-16200-P01)	Proposed – East Elevation (ref. 1759-FPA-XX-05-DR-A-16200-P02)
Proposed West Elevation (ref. 1795-FPA-XX-ZZ-DR-A-16202-P00)	Proposed – West Elevation (ref. 1759-FPA-XX-05-DR-A-16202-P02)



Proposed Section A-A (ref. 1759-FPA-XX-ZZ-DR-A-16204-P00)	Proposed – Section A-A (ref. 1759-FPA-XX-05-DR-A-16204-P02)
Proposed Roof Plant Plan (ref. 1759-FPA-XX-05-DR-A-16018)	Roof Enclosure Plant Plan (ref. 1759-FPA-XX-05-DR-A-16018-P01)
Roof Plant Enclosure Elevations (ref. 1759-FPA-XX-ZZ-M2-A-16019)	Roof Enclosure Elevations (ref. 1759-FPA-XX-ZZ-DR-A-16019-P01)
Roof Plant Enclosure Typical Section (ref. 1759-FPA-XX-ZZ-M2-A-16020)	Roof Enclosure Typical Section (ref. 1759-FPA-XX-ZZ-DR-A-16020-P01)

## Condition 2 Wording

In agreeing the amendments proposed under this S96a application, it is requested that Condition 2 of planning permission 2024/2020/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 a 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. The revised wording below has been set out to assist for Condition 2 (amendments in **bold** and removals in ~~red and strikethrough~~).

*“The development hereby permitted shall be carried out in accordance with the following approved plans:*

*Drawing: 1759-FPA-XX-ZZ-DR-A-16204\_Existing Section AA; 1759-FPA-XX-00-DR-A-16011\_Proposed Ground floor; 1759-FPA-XX-00-DR-A-16000\_Site Location Plan; 1759-FPA-XX-00-DR-A-16002\_Existing Ground Floor; 1759-FPA-XX-05-DR-A-16007\_P00 Existing Roof; 1759-FPA-XX-ZZ-DR-A-16100\_P00 Existing East Elevation; 1759-FPA-XX-ZZ-DR-A-16102\_P00 Existing West Elevation; 1759-FPA-XX-ZZ-DR-A-16103\_P00 Existing North Elevation; 1759-FPA-XX-00-DR-A-16017\_Proposed Upper Roof; **Proposed – Section A-A 1759-FPA-XX-05-DR-A-16204-P02** ~~1759-FPA-XX-ZZ-DR-A-16204\_P00 Proposed Section AA~~; **Proposed – East Elevation 1759-FPA-XX-05-DR-A-16200-P02** ~~1795-FPA-XX-ZZ-DR-A-16200\_P01 Proposed East Elevation~~; **Proposed – West Elevation 1759-FPA-XX-05-DR-A-16202-P02** ~~1795-FPA-XX-ZZ-DR-A-16202\_P00 Proposed West Elevation~~; **Proposed – North Elevation 1759-FPA-XX-05-DR-A-16203-P02** ~~1795-FPA-XX-ZZ-DR-A-16203\_P00 Proposed North Elevation~~; 1759-FPA-XX-00-DR-A-16016\_Proposed Roof; Existing level 4 1759-FPA-XX-04-DR-A-16006-P00; **Proposed – Level 04 1759-FPA-XX-04-DR-A-16015-P02** ~~Proposed level 4 1759-FPA-XX-04-DR-A-16015-P01~~; Existing level 1 1759-FPA-XX-01-DR-A-16003-P00; **Proposed - Level 01 1759-FPA-XX-01-DR-A-16012-P02** ~~Proposed level 1 1759-FPA-XX-01-DR-A-16012-P01~~; Existing level 2 1759-FPA-XX-02-DR-A-16004-P00; **Proposed – Level 02 1759-FPA-XX-02-DR-A-16013-P02** ~~Proposed level 2 1759-FPA-XX-02-DR-A-16013-P01~~; Existing level 3 1759-FPA-XX-03-DR-A-16005-P00; **Proposed – Level 03 1759-FPA-XX-03-DR-A-16014-P02** ~~Proposed level 3 1759-FPA-XX-03-DR-A-16014-P01~~; Existing ground floor 1759-FPA-XX-00-DR-A-16002-P01; **Proposed – Level GF 1759-FPA-XX-00-DR-A-16011-P03** ~~Proposed ground floor 1759-FPA-XX-00-DR-A-16011-P02~~; **Proposed – Level RF 1759-FPA-XX-05-DR-A-16016-P03** ~~Proposed roof 1759-FPA-XX-00-DR-A-16016-P00~~; **Proposed – Level URF 1759-FPA-XX-05-DR-A-16017-P02** ~~Proposed upper roof 1759-FPA-XX-00-DR-A-16017-P00~~; Roof Enclosure Typical Section (ref. 1759-FPA-XX-ZZ-DR-A-16020-P01) ~~1759-FPA-XX-ZZ-M2-A-16020~~; Roof Enclosure Elevations (ref. 1759-FPA-XX-ZZ-DR-A-16019-P01) ~~1759-FPA-XX-ZZ-M2-A-16019~~; Roof Enclosure Plant Plan (ref. 1759-FPA-XX-05-DR-A-16018-P01) ~~1759-FPA-XX-05-DR-A-16018~~; Site location plan 1759-FPA-XX-00-DR-A-16000-P01*



*Document: Middlesex House Cover Letter; Heritage statement and Final DAS\_Part1; Final DAS\_Part2; Final DAS\_Part3; Final DAS\_Part4; Final DAS\_Part5; landscaping plan and Final DAS\_Part6; including sustainability info Final DAS\_Part7; ACOUSTIC REPORT 31677-PNA-Rev0-STG;*

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

### **Conclusion**

The application has been submitted via the Planning Portal and requisite fee of £298 (+ £85 service charge) has been paid online. We trust that the above information is sufficient for you to validate the application, however, should you require any further information in respect of the above, please contact Sana Miraj or Tim Holtham at this office.

Yours faithfully

*DP9 Ltd.*

**DP9 Ltd.**