

Delegated Report		Analysis sheet		Expiry Date:		15/08/2013	
		N/A / attached		Consultation Expiry Date:		n/a	
Officer				Application Number(s)			
Jonathan Markwell				2013/4536/P			
Application Address				Drawing Numbers			
106-109 Saffron Hill London EC1N 8QS				Please see decision notice			
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature	
Proposal(s)							
Non material amendments to omit a louvre window and a blank window on the rear (west) elevation at second floor level, all to planning permission dated 04/10/2012 (Ref: 2011/5323/P) for the erection of third and fourth floors with associated external terraces at fourth floor level to create 4 (2x2-bed and 2x1-bed) residential units, remodelling of existing office (Class B1) space at basement to second floor level including rear extensions at basement, first and second floor level, and erection of plant enclosure at fifth floor level with 17 Photovoltaic Panels and brown/sedum roof, all following demolition of existing building barring retention of the Saffron Hill (east elevation) facade.							
Recommendation(s):		Grant Approval					
Application Type:		Non Material Amendments					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	00	No. of responses	00	No. of objections	00
				No. electronic	00		
Summary of consultation responses:		None.					
CAAC/Local groups* comments: <small>*Please Specify</small>		None.					
Site Description							
The application site comprises a basement and a three-storey unlisted building located on the west side of Saffron Hill, between the junctions with St Cross Street (to the north) and Greville Street (to the south) and opposite (to the east) of the junction with Lily Place. The building is within Hatton Garden Conservation Area. The site is also located within the Central London Area, an archaeological priority area, the designated Hatton Garden area and a clear zone area.							

This building dates from c.1900. The front elevation is of yellow stock brick with a rendered ground floor 'shopfront' featuring simple moulded pilasters, fascia and cornice. Whilst the building is modest in scale and fairly plain it is considered to reflect its historic warehouse/light industrial use and is characteristic of other late 19th/early 20th century buildings within this part of the Hatton Garden Conservation Area. The building appears to have suffered bomb damage at second floor level where it has been rebuilt with flat lintels and steel framed windows. Nonetheless, the window openings broadly match the rhythm and width of those on the floor below and the building as a whole retains its character and strong sense of horizontality. Although not identified within the Hatton Garden Conservation Area statement (published 1999) as a positive contributor, such statements are not static documents and given its age and simple functional character, it is considered to be of some significance within the conservation area as a whole.

The surrounding area comprises a mix of uses with both residential and commercial uses on Saffron Hill and Kirby Street (which runs parallel with Saffron Hill to the west). Directly to the north of the site is the basement and five storey 104-105 Saffron Hill building, which is in use by a jewellery trader at basement and ground floor level and has residential uses at first to fourth floor level (Application references: 2010/0949/P and 2011/1963/P). To the east is 41-43 Saffron Hill, a six storey building in use for residential purposes. Also to the east of the site is the cul-de-sac of Lily Place. To the south of the site is a single storey warehouse building. To the west of the site is the rear of 15-19 Kirby Street, a basement and six storey office building (refurbished and roof extension added as part of permission 2004/4109/P).

Relevant History

2007/4782/P - Erection of new third, fourth and fifth floors plus rear extension to existing floors and new basement floor to provide Class B1 (offices) on basement ground and first floors and 8 new residential units on second to fifth floors. Withdrawn on 05/12/2007 prior to a formal decision being made by the Council.

2008/0450/P - Demolition of existing building and erection of a new six storey building plus basement with office accommodation (Class B1) on basement, ground and first floors and residential accommodation (Class C3) on second to fifth floors providing 7 self contained units (six x 2 bed and one x 3 bed units). Refused 02/05/2008.

2008/0451/C - Demolition of existing building. Refused 02/05/2008.

2008/2990/P - Change of use of the basement from storage/plant area to B1 (office), change of use of the 2nd floor from B1 (office) to residential (Class C3), and the erection of new third and fourth floors to facilitate 7 new flats (4x 1-bed, 2x 2-bed and 1x 3-bed). Granted following completion of S106 Legal Agreement 30/10/2008.

2010/3555/P - Change of use of the basement from storage/plant area to office use (Class B1) with rear extensions from basement, first, second floors to create additional office space and erection of new third and fourth floors with terrace and balustrades to create 3 new flats (Class C3) (1x 1-bed, 1x 2-bed and 1x 3-bed), and green roof. Withdrawn on 26/08/2010 prior to a formal decision being made by the Council.

2010/3557/C - Demolition of existing building retaining the facade. Withdrawn on 26/08/2010 prior to a formal decision being made by the Council.

2010/4669/P - Erection of third and fourth floors with associated external terraces at fourth floor level to create 4 (2x2-bed and 2x1-bed) residential units and remodelling of existing office (Class B1) space at basement to second floor level including rear extensions at basement, first and second floor level, following demolition of existing building barring retention of the Saffron Hill (east elevation) facade. Granted following completion of S106 Legal Agreement 08/08/2011. This application was considered

at Development Control Committee on Wednesday 15th December 2010, where it was unanimously resolved that planning permission be granted subject to conditions and a Section 106 legal agreement, as set out in the report.

2010/4677/C - Demolition of existing building barring retention of the Saffron Hill (east elevation) facade. Granted 22/12/2010. This application was considered at Development Control Committee on Wednesday 15th December 2010, where it was unanimously resolved that conservation area consent be granted subject to conditions as set out in the report.

2011/5323/P - Erection of third and fourth floors with associated external terraces at fourth floor level to create 4 (2x2-bed and 2x1-bed) residential units, remodelling of existing office (Class B1) space at basement to second floor level including rear extensions at basement, first and second floor level, and erection of plant enclosure at fifth floor level with 17 Photovoltaic Panels and brown/sedum roof, all following demolition of existing building barring retention of the Saffron Hill (east elevation) facade. Granted following completion of S106 Legal Agreement 04/10/2012.

2011/5417/C - Demolition of existing building barring retention of the Saffron Hill facade (east elevation). Granted 04/10/2012.

Relevant policies

The proposed amendments are assessed for materiality – not on the basis of their planning merits. Planning policies therefore do not apply.

Assessment

Introduction

Planning permission was granted on 04/10/2012 (Ref: 2011/5323/P) for:

Erection of third and fourth floors with associated external terraces at fourth floor level to create 4 (2x2-bed and 2x1-bed) residential units, remodelling of existing office (Class B1) space at basement to second floor level including rear extensions at basement, first and second floor level, and erection of plant enclosure at fifth floor level with 17 Photovoltaic Panels and brown/sedum roof, all following demolition of existing building barring retention of the Saffron Hill (east elevation) facade.

A non-material amendment application is now sought for the omission of a louvre window and a blank window on the rear (west) elevation at second floor level. It is proposed for these features to be replaced with blank brickwork.

The applicant has outlined that the reasons behind the amendments sought are owing to detailed design amendments, with the applicant outlining that this the originally proposed louvre window and blank window is no longer required and instead a blank wall will feature at this point instead.

Assessment

Whilst there is no statutory definition of what constitutes a ‘non-material’ amendment, Section 96A, part 2 of the Town and Country Planning Act 1990 (as amended) states that, *"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."* In the context of the permitted scheme it is not considered that the amendments, either individually or cumulatively will have any material impact on the overall design idiom, neighbour amenities or conservation area character. This is primarily owing to the context of the overall approved scheme and the nature of the neighbouring buildings, with the proposed changes being of a relatively minor scale and nature in this context.

An informative is recommended which states that this permission relates only to the changes

highlighted on the plans. Furthermore it shall only be read in the context of the substantive planning permission granted on 04/10/2012 under reference number 2011/5323/P, and is bound by all the conditions and obligations attached to that permission.

Recommendation

Approve non-material amendments