

Delegated Report		Analysis sheet		Expiry Date:		25/03/2010	
		N/A / attached		Consultation Expiry Date:		N/A	
Officer				Application Number(s)			
Jonathan Markwell				2010/1169/P			
Application Address				Drawing Numbers			
43 Shelton Street London WC2H 9HJ				Please see decision notice			
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature				
Proposal(s)							
Non-material amendments to planning permission granted 14/01/2010 (2009/3423/P) for change of use and works of conversion of first, second and third floors from ancillary retail space (Class A1) to provide flexible residential (Class C3) or office (Class B1) and other associated alterations. Amendments comprise alterations to design of ground floor entrance and access, provision of new opening to create door at first floor level on side elevation and replacement of window/door at third floor level with bi-folding doors on Shelton Street elevation.							
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							
<p>The application site comprises a four-storey building located on the north-west side of Shelton Street, between the junctions with Endell Street (to the north-east) and Nottingham Court (to the south-west). The application site dates from the early 1980's and is largely rectangular in shape, although it also includes a stepped back zig-zag form on the north-east elevation, providing small external balcony areas at these points. There are further small external terrace areas on the front (Shelton Street) elevation at first, second and third floor level and on the rear (north-west) elevation at second and third floor level. The internal staircase is located adjacent to the Shelton Street frontage.</p> <p>The general area comprises a mix of commercial offices, residential and retail uses in close vicinity to the application site. At ground floor level are predominantly retail shop uses, with residential or offices on the upper floors. Immediately to the north-east of the application site is a shared amenity space for the occupiers of nine flats located at No. 47 Shelton Street. This building is situated at first, second</p>							

and third floor level, with external terrace areas at third floor level facing towards the application site. To the south-west of the application site is a three-storey building, in retail use at ground floor level and in office use on the upper floors. Although the building is not listed, it is located within Seven Dials (Covent Garden) Conservation Area.

Relevant History

2009/3423/P - Change of use and works of conversion of first, second and third floors from ancillary retail space (Class A1) to provide flexible residential (Class C3) or office (Class B1) use, comprising 2x2 bed and 1x1 bed self-contained flats or 3 floors of office accommodation; associated alterations including new front entrance at ground floor level (residential and office uses) and installation of first floor rear balcony, new rear bi-folding doors at first, second and third floor level (residential units only). Granted following completion of S106 Legal Agreement 14/01/2010.

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

The originally approved scheme at the site, in addition to the change of use to either residential (Class C3) or office (Class B1), included a number of associated alterations regarding elements such as the front entrance point at ground floor level, provision of a rear first floor balcony and various fenestration alterations on the rear and side elevations.

The applicant has now indicated that further amendments are sought if the residential element is to be implemented. These amendments comprise:

- Revised design to the Shelton Street entrance leading to the upper floors of the building, together with provision of a downlight/wall lights and replacement of entrance step with sloping access.
- Provision of a new opening (door) at first floor level on north-east side elevation (but close to south-east Shelton Street elevation) to serve existing balcony area.
- Replacement of windows/door on south-east front elevation (Shelton Street) at third floor level to bi-folding doors to access an existing balcony.

Assessment

The entrance on the Shelton Street elevation is sought to be amended from the approved metal framed glazed entrance door to black ebony timber door and frame with stainless steel fittings and an etched glass side window. Such an amendment is considered to be relatively minor in nature and not considered sufficient to be materially different from that approved. Alongside the door it is proposed to install wall lights and a downlight to assist the lighting of the entrance, improving safety at this point. Furthermore, the existing brick step is sought to be removed in order to provide a sloped entrance, improving accessibility to the building. Again, these changes are not considered to be significant enough to be classed as a material amendment to the approved scheme.

Turning to the additional opening at first floor level, it is acknowledged that the provision of a door on this elevation at first floor level may lead to an increase in overlooking/ loss of privacy issues for adjoining occupiers. However, given the provision of existing windows elsewhere on this elevation (and that approved at second floor level as part of planning permission 2009/3423/P) it is considered, on balance, that this alteration is also a non-material amendment to the approved scheme. In addition, the proposed materials sought replicate the existing and those already approved at the site.

Finally, the provision of timber framed bi-folding doors on the Shelton Street elevation at third floor level, replacing the existing windows/door combination providing access to an existing balcony, is not considered to be materially different to the existing. Again, the proposed materials will replicate the existing and those previously approved at the site.

In overall terms it is thereby considered the variations can be treated as non-material amendments to the approved scheme granted planning permission.

Recommendation: Approve non-material amendments.

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