

Delegated Report		Analysis sheet		Expiry Date:	09/06/2014
		N/A / attached		Consultation Expiry Date:	
Officer			Application Number(s)		
Nanayaa Ampoma			2014/3252/P		
Application Address			Drawing Numbers		
69 Charlotte Street London W1T 4PJ			Refer to decision notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Alterations to ground floor shopfront elevation and single storey glazed extension approved under planning permission 2012/4646/P dated 10/12/12.					
Recommendation(s):		Objection			
Application Type:		Non Material Amendment			
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice			
Informatives:					
Site Description					
<p>The application site relates to a four storey property with a roof conversion at the corner of Charlotte Street and Tottenham Street. It's position has given it the advantage of a double frontage at both these street levels. The property is mixed use in character with commercial (A1) at ground floor, B1 use at first and second floor and residential (C3) above this.</p> <p>The site is part of the Charlotte Street Conservation Area and also falls within the Central Contribution Area and Central London Area. The site is west of the borough close to Goodge Street tube station.</p>					
Relevant History					
2012/4646/P: Change of use of the first and second floors from office (Class B1) to 2 x 2 bedroom flats (Class C3), erection of a mansard roof extension to enlarge the existing 1 bed flat at third floor level to create a 3 bedrooms maisonette, erection of a single storey glazed extension at ground floor level to replace the existing structure on Tottenham Street, replacement of the existing shopfront and refurbishment of the existing facade. - Granted Subject to a Section 106 Legal Agreement					
Relevant policies					
N/A					

Assessment

Under Section 96A of the Town and Country Planning Act 1990 (brought into force on 1 October 2009) via the commencement of Section 190 of the Planning Act 2008 a local planning authority in England may make a change to any planning permission relating to land in their area if they are satisfied that the change is not material.

As there is no specified statutory definition as to what is 'non-material' the Local Planning Authority must use their discretionary powers to make these decisions. In general, the following are unlikely to be accepted as Non Material:

- An amendment that relates to the application site and another site not mentioned on the original application form.
- A change that requires outside consultation.
- An increase in floor space
- An amendment to a listed building application
- The demolition of house
- Any development that would adversely affect the amenity of any neighbour.

Proposal

A non-material amendment is sought to:

1. Make considerable Shopfront changes to the double shop frontage
2. Increase the size of the glass enclosure

Supporting documents include plans A1419-200/-, 21277A/13 AND A1419-401/-.

Assessment

After careful consideration of the details submitted it is concluded that the current amendments cannot be considered as Non Material for the following reasons:

- There is a proposed Increase in floor space for the glass enclosure
- The removal of architectural features would require the external consultation of neighbourhood groups and general external publication.
- The proposed new shop front is considerably different to that originally approved and would also require outside consultation.

As a result, the proposed changes under this application would require a formal application rather than a NMA if they are to be effected.

RECOMMENDATION: NON MATERIAL AMENDMENT REFUSED