

Delegated Report		Analysis sheet	Expiry Date:	22/08/2014
		N/A	Consultation Expiry Date:	N/A
Officer			Application Number(s)	
Seonaid Carr			2014/4520/P	
Application Address			Drawing Numbers	
Granby House Granby Terrace London NW1 3SA			See draft decision notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Introduction of a condition which lists the drawings on which permission was obtained under granted planning permission ref 2008/4883/P dated 02/11/09.				
Recommendation(s):	Grant non material amendment			
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:	N/A					
CAAC/Local groups* comments: *Please Specify	N/A					

Site Description

The site is not located within a Conservation Area, and the building is not listed; it is within a strategic view corridor; it is within close proximity to Regent's Park and Mornington Crescent underground station. The site was cleared in preparation for building works to commence in 2012, building works are now in progress.

Relevant History

2007/0291/P - Demolition of existing building and erection of a four storey building with offices (Class B1) at ground floor level and 5 self-contained flats above (Class C3).

2008/4883/P - Amendments to the elevations and plans of the approved scheme ref: 2007/0291/P for demolition of existing building and erection of a four storey building with offices (Class B1) at ground floor level and 5 self-contained flats above (Class C3). Application approved without a condition listing out approved plans.

2013/2187/P - Details in relation to conditions 3 (doors, windows and new gates or means of enclosure), 4 (hard and soft landscaping), 6 (sedum roofs), 8 (cycle storage), 9 (refuse and recycling) and 10 (noise protection) of planning permission granted on 23/02/09 (ref. 2007/0291/P) for demolition of existing building and erection of a four storey building. Application approved.

2014/3864/P - Details of brick samples required by condition 2 of planning permission 2007/0291/P dated 23/02/2014 for the redevelopment of 4 storey building with offices at ground floor and 5x flats above. Application approved.

Relevant policies

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

Assessment

Proposal

Permission is sought to add a condition to the original consent 2008/4883/P to list out the approved plans. The purpose of which is to enable the applicant to make some minor material amendments by varying this condition at a later date rather than applying for full planning permission again.

The plans as noted on the decision notice are as follows:

J06/28/P-301; J06/28/P-300D; J06/28/P-100D; J06/28/P-101; J06/28/P-200D; J06/28/P-201;
J06/28/P-403; J06/28/P-402.

As such the new condition would read as follows:

The development hereby permitted shall be carried out in accordance with the following approved plans J06/28/P-301; J06/28/P-300D; J06/28/P-100D; J06/28/P-101; J06/28/P-200D; J06/28/P-201; J06/28/P-403; J06/28/P-402.

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

Assessment

S.190 of the Town and Country Planning Act 2008 states "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."

Whilst there is no statutory definition of 'non-material', the LPA must be satisfied that the amendment sought is non-material in order to grant an application.

The proposed amendment would not make any material changes to the development approved under application 2008/4883/P. The plans listed in the condition would be the same as those approved under the application. As such the addition of the condition would not materially change the original permission.

Recommendation: Grant non-material amendment