

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>		15/07/2014	
		N/A / attached		<b>Consultation Expiry Date:</b>		n/a	
<b>Officer</b>				<b>Application Number(s)</b>			
Obote Hope				2014/3947/P			
<b>Application Address</b>				<b>Drawing Numbers</b>			
100-102 Arlington Road London NW17HP				Please refer to decision notice			
<b>PO 3/4</b>		<b>Area Team Signature</b>		<b>C&amp;UD</b>		<b>Authorised Officer Signature</b>	
<b>Proposal(s)</b>							
Amendment to planning permission ref: 2006/5312/P dated (21/03/2007A) for; Demolition of the Crown and Goose public house and the snooker hall and erection of new part 3 part 4 storey building to create 1 x A3 unit at ground floor level and 10 x residential units on upper floors, namely, alterations to reposition lift shaft, internal alterations for new internal storage space, increased the depth of the proposed roof terrace, new lift and AOV overrun enclosure and the installation of photovoltaic panels behind the parapet wall as approved under planning permission.							
<b>Recommendation(s):</b>		<b>Grant Consent</b>					
<b>Application Type:</b>		<b>Non Material Amendments</b>					
<b>Conditions or Reasons for Refusal:</b>		Refer to Draft Decision Notice					
<b>Informatives:</b>							
<b>Consultations</b>							
<b>Adjoining Occupiers:</b>		No. notified	<b>00</b>	No. of responses	<b>00</b>	No. of objections	<b>00</b>
				No. electronic	<b>00</b>		
<b>Summary of consultation responses:</b>		n/a					
<b>CAAC/Local groups* comments:</b>		n/a					
*Please Specify							

## Site Description

The site comprises Area B of the wider masterplan site, which is bounded by Hawley Road to the north and north-west; Kentish Town Road to the east; and the northern viaduct to the south. The site is contiguous with the Grade II Listed 1 Hawley Road and is traversed by Torbay Street that includes some residential and commercial premises.

## Relevant History

**2011/5496/P: LDC – Refused** Demolition of the Crown and Goose Public House and the Snooker Hall at 100-102 Arlington Road and 16-18 Delancey Street.

**2011/0069/P:** Submission of details of ground investigations pursuant to condition 6(a) of planning permission (Ref. 2006/5312/P) allowed on appeal 29/2/2008 (Ref. X5210/A/07/2056174) for (Demolition of the Crown and Goose public house and the snooker hall and erection of new part 3 part 4 storey building to create 1 x A3 unit at ground floor level and 10 x residential units on upper floors). Granted 17/02/2011.

**2011/0075/C:** Submission of details of written scheme of investigation pursuant to condition 2 of conservation area consent (Ref. 2006/5766/C) allowed on appeal 29/2/2008 (Ref. X5210/A/07/2056174) for (Demolition of the Crown and Goose public house and the snooker hall and erection of new part 3 part 4 storey building to create 1 x A3 unit at ground floor level and 10 x residential units on upper floors). Granted 17/02/2011.

**2010/6833/P:** Submission of details of sample materials pursuant to condition 2 of planning permission (Ref. 2006/5312/P) allowed on appeal 29/2/2008 (Ref. X5210/A/07/2056174) for (Demolition of the Crown and Goose public house and the snooker hall and erection of new part 3 part 4 storey building to create 1 x A3 unit at ground floor level and 10 x residential units on upper floors). Granted 07/02/2011.

**2010/4531/P** and **2010/4536/C:** Renewal of planning permission 2006/5312/P granted on appeal on 29/02/2008 (ref APP/X5210/A/07/2056174) for demolition of the Crown and Goose public house and the snooker hall and erection of new part 3 part 4 storey building to create 1 x A3 unit at ground floor level and 10 x residential units on upper floors. Refused 14/01/2011.

**2006/5312/P** and **2006/5766/C:** Demolition of the Crown and Goose public house and the snooker hall and erection of new part 3- part 4-storey building to create 1 x A3 unit at ground floor level and 10 x residential units on upper floors. Refused 21/03/2007. Appeal allowed 29/02/2008.

## Enforcement History

**EN11/01058:** unauthorised demolition of positive contributor building (the snooker hall) in conservation area. Findings; Notice quashed on appeal. Inspector decided that the previous consent had been implemented. Complainants notified on 4/01/2013

## Relevant policies

**NPPF**

## Assessment

### 1.0 Background

1.1 The proposed site have an problematic development history, especially as, the original application for the demolition of the existing building and redevelopment of site were mainly refused and allowed on appeal, the main planning (2006/5312/P) and conservation area consent (2006/5766/C) for: Demolition of the Crown and Goose public house and the snooker hall and erection of new part 3- part 4-storey building to create 1 x A3 unit at ground floor level and 10 x residential units on upper floors. Refused 21/03/2007. Appeal allowed 29/02/2008.

1.2 Significantly, the Lawful Development Certificate (existing) under reference number 2011/5496/P was sought to demonstrate that the proposed works had already begun was refused for; Demolition of the Crown and Goose Public House and the Snooker Hall at 100-102 Arlington Road and 16-18 Delancey Street. Enforcement was issued (EN11/01508) and later squashed by the inspectorate on 04/01/2013. Please see the enforcement section above.

### 2.0 National Policy background

2.1 On 1st October 2009 Section 96A was inserted into the Town and Country Planning Act 1990 (as amended), in order to allow a non-material amendment to be made to an existing planning permission via a simple application and quick decision time (statutory consultation and publicity is not required). Purposely there is no statutory definition of 'non-material', because it is a matter of judgement on overall the context of any particular scheme – what may be material in one context may not be another. Generally however, changes would be non-material if they are discrete to the overall appearance and operation of a scheme and do not introduce any new amenity issues.

### 3.0 Proposed amendments

- Adjustment to the party wall to the north elevation due to not being vertical straight or level, relocation of existing lift shaft and installation of electric meters in its location, repositioning of the staircase, the addition of structural support, and new draining and Installation of new doors to the south elevation;
- Installation of new internal storage area for M&E equipment at first floor level;
- Used the proposed plant room to the north elevation as new study area and Installation of new internal storage area for M&E equipment to second floor;
- Increased of the existing terrace on the third floor area to the north east elevation to 1.0 - 2.8m (depth) and Installation of new internal storage area for M&E equipment, and;
- Lift and AOV overruns added and the installation of photovoltaic panels to the flat roof behind the roof parapet.

### 4.0 Conclusions

4.1 Considering the majority of what is proposed is internal works and the other works that are proposed would not have a visual impact due to the design of the proposed roof and being hidden by the proposed parapet wall, the plans were approved under application 2010/6833/P for details of sample material. And as such there would be a very limited noticeable change to the overall scale of the building when viewed from the surrounding streets. Also, by virtue of the massing yet to be designed in detail this would limit any change in appearance even further.

4.2 Due to the nature, form and scale of the moderate changes there would be no impact on sunlight, daylight, outlook or privacy of any neighbours.

4.3 The amendments are all considered to be consistent with the overall design and scope of the approved scheme. As a result, the proposal is not considered to be materially different from the approved scheme and accords fully with Section 96A of the Town and Country Planning Act 1990 (as amended).

**4.4 Recommendation:** Grant non-material amendments.

