

Delegated Report		Expiry Date:	13/06/2014	Officer:	David Peres Da Costa
Application Address		Application Number(s)	1st Signature	2nd Signature	
Guinness Court St Edmund's Terrace London NW8 7QE		2014/1794/P			
Proposal(s)					
Non-material Amendment to approved permission 2010/4850/P for conversion of ground floor cycle store to porter's lodge and relocation of cycle racks to basement care park.					
Recommendation(s):		Refuse non-material amendment			
Application Type:		Non-material amendment			
Consultations	Date advertised	21 days elapsed	Date posted	21 days elapsed	
Press notice	n/a		Site notice	n/a	
	Date sent	21 days elapsed	# Notified	# Responses	# Objections
Adjoining Occupier letters	n/a				
Consultation responses (including CAACs):	No responses received.				
Site Description					
Guinness Court is located off the north side of St Edmunds Terrace, it is bound to the east by Broxwood Way, a private road. The area is characterised by large blocks of flats which vary in age, height and detailing, interspersed by short terraces of Victorian and more contemporary houses. The site is not located within a conservation area. The site is a short walk from the public open spaces of Primrose Hill and Regent's Park as well as the shops and services at St John's Wood High Street and Primrose Hill Village.					
Relevant History					
2010/4850/P: Erection of two buildings (4-storeys and 6-storeys) with basement to provide 64 (28 private and 36 affordable) residential units (2 x 4-bedroom, 15 x 3-bedroom, 19 x 2-bedroom, and 28 x 1-bedroom) with 29 car parking spaces (19 underground and 10 surface level), 71 cycle parking spaces, and associated landscaping (following demolition of all existing buildings on site). <u>Granted Subject to a Section 106 Legal Agreement 13/12/2010</u>					
2013/0505/P: Variation of conditions 2 (development to be carried out in accordance with approved plans) and 22 (landscaping layout details) of planning permission dated 28/09/11 (Ref: 2010/4850/P) for erection of two buildings (4-storeys and 6-storeys) with basement to provide 64 (28 private and 36 affordable) residential units (2 x 4-bedroom, 15 x 3-bedroom, 19 x 2-bedroom, and 28 x 1-bedroom) with 29 car parking spaces (19 underground and 10 surface level), 71 cycle parking spaces, and					

associated landscaping (following demolition of all existing buildings on site), namely alterations to elevations of Block A (window positions) and layout and elevations of Block B as well as amendments to landscaping to incorporate comfort cooling. Granted Subject to a Section 106 Legal Agreement 30/04/2014

2014/1116/P: Variation of condition 2 (development to be carried out in accordance with approved plans) of planning permission granted 13/12/10 (2010/4850/P) for the erection of two buildings (4-storeys and 6-storeys) with basement to provide 64 (28 private and 36 affordable) residential units (2 x 4-bedroom, 15 x 3-bedroom, 19 x 2-bedroom, and 28 x 1-bedroom) with 29 car parking spaces (19 underground and 10 surface level), 71 cycle parking spaces, and associated landscaping (following demolition of all existing buildings on site), namely changes to the design and treatment of the elevations to Block B. Granted Subject to a Section 106 Legal Agreement 08/08/2014

Relevant policies

LDF Core Strategy and Development Policies

CS1 (Distribution of Growth)

CS5 (Managing the Impact of Growth and Development)

CS11(Promoting sustainable and efficient travel)

CS14 (Promoting High Quality Places and Conserving Our Heritage)

DP17 (Walking, cycling and public transport)

DP18 (Parking standards and limiting the availability of car parking)

DP24 (Securing High Quality Design)

DP26 (Managing the Impact of Development on Occupiers and Neighbours)

Camden Planning Guidance

London Plan 2011

NPPF 2012

Assessment

Proposal: Permission was granted 13/12/2010 for the erection of two buildings (4-storeys and 6-storeys) with basement to provide 64 residential units with 29 car parking spaces (19 underground and 10 surface level), 71 cycle parking spaces, and associated landscaping (ref: 2010/4850/P). A non-material amendment to this permission is now sought.

Fifty-two cycle parking spaces are provided internally within Block A and are Josta two-tier cycle stands. This comprises 12 cycle parking spaces for the private housing and 40 cycle parking spaces for the affordable housing within Block A.

The non-material amendment would involve the relocation of the private housing cycle store from ground floor level (adjacent to staircase A1) in Block A to basement level (next to a plant room in the south west corner). It is proposed to use the ground floor level store as a porters lodge. Vehicular and pedestrian access to the site is from St Edmunds Terrace. The vehicular entrance to the underground car park (a double car lift) is located on the south-east elevation of Block A. The underground car park is located below the central courtyard and can be accessed via lift and stairs from both Blocks A and B. Access to the basement cycle store would be via the car lift (through the basement car park).

Assessment:

Section 96A 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".

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 relocation of the private housing cycle store to basement level would result in this cycle store being less accessible as it would require the use of the car lift and traversing the basement car park and a narrow corridor. The proposed location is not considered acceptable. Nor is the proposed change considered to be non-material.

Recommendation: Refuse non-material amendment.