

Mr. Rupert Litherland
Rolfe Judd Planning
Old Church Court
Claylands Road
The Oval
London
SW8 1NZ

Application Ref: **2016/3413/P**
Please ask for: **Hugh Miller**
Telephone: 020 7974 **2624**

4 August 2016

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Grant of Non Material Amendments to planning permission

Address:
Thomas Neal Centre
35 Earlham Street
London
WC2H 9LD

Proposal: Use at basement and/or ground floor levels for restaurant use (Class A3) of no more than 300sqm floorspace in total, and/or retail (Class A1); granted planning permission under reference 2013/0599/P dated 25/03/2013.

Drawing Nos: Superseded: - 4621/ TP(20) P-1 RevP1; 4621/ TP(20) P00 RevP1.

Proposed: 5689 T(SK) 019 RevB; 5689 T(SK) 020 RevB.

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 For the purposes of this decision, condition no.2 of planning permission : 2013/0599/P shall be replaced with the following condition:

REPLACEMENT CONDITION 2



The development hereby permitted shall be carried out in accordance with the following approved plans- [4621/T(10)LP01 P1; T(10)PA00 P3; T(10)PA-1 P5; T(10)PE101; T(10)PE102; T(10)PE103; T(10)PE104; T(10)PE-1 P4; T(10)PE00 P5; T(10)PE01 P3; T(10)PE05 P4; T(10)EE01 P1; T(10)SE01 P2; T(10)SE02 P2; 5689 T(SK) 019 RevB; 5689 T(SK) 020 RevB; TP(20)P05 P1; TP(20)P100 P1; TP(20)E01 P1; TP(20)S01 P1; TP(20)S02 P1; TP(20)S04 P1].

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

The Council has considered your application and confirms that the proposals are acceptable as non-material amendments to the planning permission set out above.

Informative(s):

1 Reasons for granting permission:

The Thomas Neal Centre is located in the designated Central London Activity Zone, Central London Local Area and Primary Frontage, albeit without a physical retail frontage.

The extant permission encompasses retail A1 and A3 uses on both the basement and ground floors; which include dual/alternative uses between A1 and A3 (kiosk) at basement level, in compliance with policy DP12 and CPG5 Planning Guidance for Central London, Food, Drink and Entertainment, Specialist and Retail Uses.

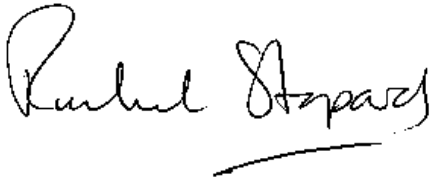
The applicant is seeking to improve the retail opportunities by seeking to implement the A3 use in a flexible manner rather than being restricted to the basement floor. Thus the two separate A3 restaurants of 105 sqm and 195 sqm (300sqm in total) could effectively be located at the ground floor level separately or together. With regard to safeguarding the amenities of the area in, A3 units in excess of 100sqm are contrary to CPG5 retail guidelines. Given that the application site is an enclosed centre without a traditional retail shop frontage and existing units above 100sqm are already in situ, the potential amalgamation or creation of an A3 unit of 300sqm in total would not result in the detrimental intensification of the site and in this instance an exception is considered acceptable.

In the context of the permitted scheme, it is considered that the amendments would not have any detrimental material impact upon the character, function, vitality and viability of the local area, without harm to the residential amenity of the locality. Given the internal nature of the proposed amendments, no detrimental harm would impact upon the appearance of the host building, street scene or the Hatton Garden Conservation Area.

2 This approval under Section 73 of the 1990 Act effectively varying the relevant condition of the previous planning permission is subject otherwise to the same terms, drawings, conditions (and obligations where applicable) as attached to the previous planning permission. This includes condition 1 providing for a 3 year time period for implementation which for the avoidance of doubt commences with the date of the original decision (and not this variation).

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Rachel Stopard', with a horizontal line underneath the name.

Rachel Stopard
Director of Supporting Communities

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