

Delegated Report		Analysis sheet		Expiry Date:		17/10/2016	
		N/A / attached		Consultation Expiry Date:			
Officer				Application Number(s)			
John Diver				2016/5369/P			
Application Address				Drawing Numbers			
12 Gower Mews London WC1E 6HP				Refer to draft decision notice			
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature				
Proposal(s)							
Amendment to scheme approved under reference 2015/6593/P dated 07/03/16 for 'conversion of ground floor garage into habitable room & associated alterations to front elevation' including the variation of door design / opening method.							
Recommendation(s):		Refused					
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	
Summary of consultation responses:	N/A						
CAAC/Local groups* comments:	N/A						

Site Description
<p>The application site contains a mews property on the south side of Gower Mews, WC13 6HP. The mews properties would have originally been constructed as ancillary dwellings to the adjacent properties along Bedford Square (grade I listed), however this property was historically annexed and now hosted a self-contained unit at first and second floor levels, with garage at ground floor and mansard roof extension.</p> <p>Due to significant bomb damage, the northern row of mews properties was fully rebuilt circa 1946 and many of their original features at ground floor level were not replaced. Conversely, properties along the Southern row of mews properties all retain characteristic features such as regular openings, black heavy Collinge hinged doors and regular fan lights. The consistency in appearance along this row is</p>

very high and subsequently the row contributes greatly to the character of the local area.

The application site is located within the Bloomsbury Conservation Area. The Bloomsbury Conservation Area Appraisal and Management Strategy document (adopted 2011) describes the row of properties as follows: *“To the south [of Gower Mews], is a consistent and simple two-storey mews terrace dating from the 19th century, which has garages at ground-floor level, vertically proportioned first-floor windows, and small dormer windows in the mansard attic storey”.*

This document additionally includes the application property (and the row within which it sits) as making a positive contribution to the Conservation Area. There are no Article 4 Directives which have been applied to the application site.

Relevant History

The planning history for the site can be summarised as follows:

Address: 12 Gower Mews London WC1E 6HP

Application No.: 2015/6593/P

Description: Conversion of ground floor garage into habitable room & associated alterations to front elevation. Internal alterations.

Date of Determination: 07/03/2016

Decision: Granted

Address: 21-25 Bedford Square and 12-13 Gower Mews WC1.

Application No.: PL/9000115 / 9070052

Description: Formation of enlarged fire escape from No.22, fire escape through 13 Gower Mews, fire escape on roof of No. 23, tank rooms on roof of No. 23 and 25, and internal alterations to No. 21,22 and 23, as amendments to previous permission date 28th October 1988 (No. 8800180)

Date of Determination: 25/02/1991

Decision: Granted

Address: 21/25 Bedford Square and 11/12 Gower Mews, WC1.

Application No.: HB/8870076/

Description: Demolition of rear extensions of 21-25 Bedford Square and of 12 Gower Mews (unlisted). Renovation of main buildings of 21-25 Bedford Square and rebuilding of 12 Gower Mews and building of new rear extensions to 21, 22, 24 and 25 Bedford Square. Alterations to 11 Gower Mews.

Date of Determination: 28/10/1988

Decision: Granted (Listed Building Consent)

Address: 21/25 Bedford Square and 11/12 Gower Mews, WC1.

Application No.: PL/8800180

Description: Renovation of main buildings 21-25 Bedford Square and rebuilding of house at 12 Gower Mews and building of rear office extensions to 21, 22, 24 and 25 Bedford Square and alterations to 11 Gower Mews.

Date of Determination: 28/10/1988

Decision: Granted

Address: 12 Gower Mews W.C.1.

Application No.: CTP/N13/21/H/14666

Description: Continued use of first floor of 12 Gower Mews W.C.1. as offices

Date of Determination: 17/11/1972

Decision: Refused

Address: 12 Gower Mews W.C.1.

Application No.: CTP/N13/21/10/10260

Description: Change of use for a limited period of the first floor, 12 Gower Mews W.C.1. from residential to offices purposes.

Date of Determination: 25/03/1971

Decision: Grant temporary use (12 Months)

Relevant policies

This application is to determine whether the proposed alterations to the approved development are 'non-material' and hence can go ahead without the specific grant of planning permission from the local planning authority. An assessment of its planning merits as to its acceptability under current policies is therefore not relevant or possible here, as it is purely a legal determination.

The scheme can therefore only be assessed against the relevant planning legislation which is section 96a of the Town and Country Planning Act 1990.

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. A judgement on "materiality" in any particular case, is one of fact and degree, along with taking into account the likely impact of the amendment on the local environment. Materiality is considered against the development as a whole, not just part of it. The basis for forming a judgement on materiality is always the original planning permission.

In this instance the following amendments are proposed:

- Alterations to design / method of opening of the front garage door to result in a set of full height bi-fold opening doors rather than the inset bi-folds as previously approved.

The proposed changes outlined above would include alterations to the opening style and design of the approved doors as well as greater alterations/intervention into the existing doors via the full height bisection, including through the Collinge hinges as well as the fanlights. These changes would significantly modify the appearance and functionality of the approved doors, and would substantively alter the approved scheme as well as its impacts upon the host dwelling, setting of adjacent listed buildings and wider Conservation Area.

It is considered that the amendment would result in a greater visual impact as the consistency of the row would be undermined by the unique appearance of the proposed doors and hinges. Consequently it is considered that the proposed alteration would result in a scheme which was contrary to the Council's adopted policy DP25. The proposed alteration would furthermore exacerbate concerns raised by third parties at original planning application stage.

Consequently, the proposed amendment, are not considered to constitute non material amendments. Therefore the changes cannot be considered as part of a non-material amendment application, the applicant would need to submit a planning application / variation of conditions application to seek approval for the proposed amendments. Accordingly, this application will be refused.

Recommendation: *Refuse non-material amendment.*