

Date: 17th May 2019

Planning Department
London Borough of Camden
5 Pancras Square
Kings Cross
London
N1C 4AG

Dear Sir / Madam

**Re: TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)
SECTION 73 MINOR MATERIAL AMENDMENT APPLICATION**

77-79 CHARLOTTE STREET, LONDON, W1T 4PW

I hereby submit a Section 73 application for a minor material amendment to planning permission ref. 2018/1716/P for development at the above site approved on 28th September 2018. The September 2018 permission received approval for:

"Erection of four storey rear extension, fifth floor roof extension and alterations to the fenestration of the existing building"

The extensions and alterations approved under the September 2018 permission are to the existing office building to improve the standard of office accommodation within the building. The building will remain in office use with the overall office floorspace increasing in size.

This section 73 application seeks an amendment to the new fifth floor extension by varying the approved proposed drawings listed under condition 3 of planning permission 2018/1716/P.

The proposed amendment relates to the rear of the new fifth floor and are required in order to create a more usable and high quality space for potential future tenants on the top floor of the building.

Proposed amendment

The amendment would extend the fifth floor to the rear by 18sqm over the approved 5th floor rear terrace. The appearance of the extension would match the design and materials of the approved fifth floor to ensure the proposal ties in with approved. The approved fifth floor includes a set of rear bi-fold doors leading out onto a rear terrace. These doors would simply be re-provided into the rear elevation of the proposed extension, thereby retaining the appearance of the rear of the building. The doors would then lead out onto a reduced terrace. The front of the approved fifth floor would remain as approved and no other alterations are proposed.

The amendment is sought following a review of the space and the need to ensure the approved fifth floor provides a sufficiently sized space for future tenants. During the course of the assessment of application ref. 2018/1716/P the useable size of the fifth floor was reduced. Following a request by David Fowler and Antonia Powell we agreed to reduce the size of the fifth floor roof in order to reduce the impact on the conservation area. Reducing the roof slope limiting

how visible the fifth floor would be from the street. This resulted in a reduced head height along the front of the new fifth floor and made approximately 16sqm of the new office floorspace unusable as a valuable area of office floorspace. The reduced ceiling height also creates a more enclosed and claustrophobic environment. We raised these concerns over the impact on the fifth floor environment as a result of lowering the roof with officers and discussed whether this space could be recouped to the rear. We were told at the time that moving the fifth floor back towards Tottenham Mews would not be controversial subject to demonstrating there would be no harm to neighbouring amenity, but in the interest of not delaying the project further it was agreed to simply reduce the front roof slope and get approval without an additional extension. It was agreed we would wait until the CMP was granted and work commences to ask for a variation to the September 2018 permission to allow the area lost at the front of the building to be relocated to the rear of the building.

This amendment to the rear is considered to provide an improved outcome for the site. The appearance of the conservation area would be conserved, a high quality useable office environment would be provided and there would be no increased impact on neighbour amenity.

The amendment is considered to be a minor material amendment because the increase in floorspace would at 18sq. would be minor in relation to the scale of the approved development as a whole. The September 2018 permission approved a building of 1,062sq meters and therefore this amendment results in a 1.5% variance and hence a minor material change. This minor increase in floorspace would not result in any increase in impact over and above any impact from the approved floorspace.

The amendment would also be to the rear and not visible from the front, and due to the location at fifth floor level and it being set significantly back from the rear boundary of the site the amendment would also not be visible from Tottenham Mews. This ensures the character and appearance of the area to both the front and rear of the building would be preserved.

The extension would protrude 3m from the approved rear building line of the fifth floor which would not have a noticeable impact on the neighbouring properties in terms of outlook or any sense of enclosure. A daylight and sunlight assessment from Delva Patman Redler is submitted in support of this Section 73 application which demonstrates that the amendment would not cause any significant loss of light to neighbouring windows. Although not a planning matter, we have also checked the Rights of Light and these are not affected either.

Summary

Overall, we consider the proposed amendments to be minor in nature, not constituting a fundamental change to the parent consent to which it relates, retaining the existing use and access to the site and therefore achievable under Section 73. The site's restrictions have allowed an opportunity to revisit the design of the massing, and we consider that the amendments sought serve to improve the character and appearance of the building and Conservation Area. The amended scheme is considered to be acceptable in all other respects having regard to the Council's Development Plan and is a sustainable form of development that provides high quality office accommodation in an appropriate location.

[REDACTED] We trust the enclosed submission is satisfactory in order to validate the application. If you have any queries, please do not hesitate to contact me.

Yours faithfully

Maurice Ostro