

17th January 2020



By Planning Portal

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Regeneration and Planning
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Dear Ms Quigley

**APPLICATION FOR NON-MATERIAL AMENDMENT (NMA) UNDER
SECTION 96A OF THE TOWN & COUNTRY PLANNING ACT 1990
8 STUKELEY STREET, LONDON WC2 5LQ**

On behalf of our clients, Benprop Drury Limited, please find enclosed an application for a Non-Material Amendment (NMA), under Section 96A of the Town and Country Planning Act, to the extant planning permission at the above site.

This submission comprises the following documents:-

1. Completed Application Forms
2. This covering letter (including description of proposals)
3. Proposed Plans (representing 'as built' plans)
4. Site Location Plan
5. Necessary application fee £234.00

Introduction

The original planning permission (ref:- 2015/7028/P) dated 31/01/2017 has subsequently been replaced by a Section 73 planning permission (ref:-2019/3830/P) dated 27/12/2019 as below:-

Removal of condition 11 (accessible units) of planning permission 2015/7028/P dated 31/01/2017 for 'Erection of replacement mansard roof extension at no. 8 and installation of new mansard roof extension at no. 10; excavation of a single storey basement extension including lightwell to create additional Class B1 office floorspace; change of use of the ground floor of no. 8 from office to residential associated within the enlargement and reconfiguration of the two 1 bed residential units to create two 2 bed flats; alterations to the ground floor front and rear elevations; erection of first floor rear extension, and creation of external terrace at basement and first floor levels at no. 10.

This NMA application is therefore submitted in relation to this updated decision notice, consistent with the implementation of the scheme. The amendments involve relate to the [as built] roof form as detailed overleaf.

The NMA seeks to replace the following approved (2015/7028/P) drawings:-

A-1704	Proposed Roof Plan	05.11.15	rev03
A-1715	Proposed North East Elevation	05.11.15	rev04
A-1716	Proposed North West Elevation	05.11.15	rev03
A-1718	Proposed South East Elevation	25.11.16	rev00

with the following proposed (as built) drawings:-

092-GARF-C2-Proposed Roof Plan
092-GE01-C1-Proposed Elevation 01
092-GE02-C1-Proposed Elevation 02
092-GE03-C1-Proposed Elevation 03

Proposed Non-Material Amendment

The approved design required an overly complex construction process with unusual material interfaces both problematic to construct and not durable, as amplified below.

The amendments to the scheme have sought to refine and rationalise the roof construction to provide a cleaner and more robust roof form.

Hip

The existing building that the new roof replaced (in a similar location) had a single hip line with a neat mitred detail between the slates.

The original planning drawings changed this to a very narrow double hip, again showing neat slate junctions. The construction of the double hip would be problematic and due to the cutting of slates would mean that it would be impossible to securely fix the upper slates. The weak fixing of the slates would lead to the distinct possibility of them detaching in high winds.

The flashing of the narrow double hip with slate to slate junctions would also be difficult to construct and water ingress would be a distinct possibility.

An alternative to flashing and constructing a double hip would be the complete covering of the narrow face of the double hip with lead work. The use of lead in this way would completely alter the character of the prominent corner of the building in the conservation area and would be an unusual detail to see in the context of Stukeley Street.

The single hip has therefore been reintroduced to satisfactorily weather the corner of the roof without affecting the character of the building or have a negative impact on Stukeley Street.

Roof Form

The form of the existing roof was seen behind a prominent parapet with the subsequent box gutter behind providing the drainage route to the front of the building.

The approved planning drawings pushed the roof plane out towards the edge of the parapet and removed the ability to form a box gutter; however, the proposal was still to maintain the parapet detail. No external gutters were indicated on the planning drawings. Any rainfall would naturally flow off the roof and over the parapet causing damage and unsightly staining.

The box gutter has been reformed and the parapet detail maintained by moving the roof plane back to its more traditional relationship and thus reflecting the character of the original building.

The Non-Material Amendment

It is recognised that there is no statutory definition of 'non-material' because it is dependent on the context of the overall scheme. However, we consider that the proposed works are non-material for the following reasons including:

- The application site area remains as per the original application;
- The application description remains as per the original application;
- There were no objections to the original proposal which would be compromised by the proposed non-material amendment;
- The unit mix, numbers, and building GIA remains as per the extant consent;
- There is no change to the NIA;
- The amendments do not affect the position of any windows or doors in any elevations facing neighbours and as such, there will be no increase in overlooking;
- The proposals would not result in a greater visual intrusion, loss of light or feeling of enclosure to neighbours;
- Whilst there are proposed changes to the external appearance of the building, the proposal would not result in changes to the external details that would materially alter the appearance of the building – the overall appearance and context of the building would remain as approved.

Overall, it is therefore considered that the subject amendments, when considered against the context of the approved scheme are clearly of a 'non-material' nature.

Policy Assessment

The amendments to the approved design are progressed are in full accordance with Local Plan Policy D1 'Design' and will ensure the delivery of a high-quality design solution.

In particular, the following criteria from policy D1 are satisfied: -

- a. respects local context and character;*
- b. preserves or enhances the historic environment and heritage assets in accordance with Policy D2 Heritage;*
- c. is sustainable in design and construction*
- d. is of sustainable and durable construction;*
- e. comprises details and materials that are of high quality and complement the local character;*
- m. preserves strategic and local views;*

Conclusion

For all of above reasons, we trust that Officers will fully support this NMA application. Please do not hesitate to contact us however if you have any queries or require any further information.

Yours Sincerely
Magenta Planning Limited



Nigel Bennett
Director
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