

London Borough of Camden  
Development Management  
Camden Town Hall Extension  
Argyle Street  
London WC1H 8EQ



Sent via Planning Portal

9<sup>th</sup> October 2020

Dear Sir or Madam

**10 Gate Street, London, WC2A 3HP**

**Application for Material Amendment under S73 (Variation of Condition)**

We have been instructed by our client, Hilolim Mayfair Ltd, to submit an application under Section 73 to make modest amendments to the design of the Ground Floor element of the previously approved scheme, as detailed below.

### **Planning History**

Planning permission was previously granted in on 19 July 2018 under LPA reference 2017/4062/P for the erection of a seven storey rear extension in association with change of use of office (B1a) at second floor to fifth floor levels and restaurant (A3) at basement, ground and first floor levels to residential use and flexible A1/A3 use at lower ground and ground floor level.

### **Reason for Proposed Minor Amendments**

A change in legislation following the Grenfell tragedy and a more forensic look at the construction of the ground floor and in particular the entrance and the provision of cycle storage within the basement area and how this would sit within current building

control guidance and fire regulations has necessitated the need for modest amendments to the ground floor of the building.

The Building Controller and the Fire Officer have advised that the consented entrance to the residential units would not be compliant with Part M of the Building Regulations. In addition, the storage of bikes within the residential lobby would create an unsatisfactory fire risk due to the bikes causing a potential obstruction to the exit of the building in case of an emergency.

The changes required to the lobby to create an acceptable, and building regulation compliant, entrance/exit has necessitated the modest relocation of the residential access onto street level. This in turn has required the relocation of the bin store (to land within the client's control) and the cycle storage. It is now proposed to locate the bin store to the area originally used as a take-away kiosk accessed off Little Turnstile Street and to provide cycle storage for each unit within the unit in order to ensure that cycle storage is still provided.

The changes required to the cycle storage and the need to provide a wider DDA compliant residential access at Ground Floor Level, have resulted in the need to modestly amend the location of the residential access (to facilitate the wider opening) and as a direct result alter the location of bin storage. With regard to the latter, the bin storage will remain enclosed and of high quality in terms of appearance and materials as previously approved. These changes are shown on the plans forming part of this application.

In addition, advice from the applicant's Structural Engineer (which is submitted in support of the application) has found that the previously proposed cladding along the west elevation is not structurally sound. Accordingly, this elevation has been amended to reflect this advice and to propose an alternative design, which retains the colour palette and quality of the design as previously approved.

Please note that the above changes do not result in any change to the number of units provided or the number of cycle spaces so should not affect any financial obligations, or any other material planning considerations.

The drawings that show the above changes are as follows:

- 0648-SA-15-100 - Proposed Ground Floor
- 0648-SA-18-002 – West Elevation

We therefore respectfully request that the above drawings supersede the previously approved drawings as follows:

- (PL) 100 – P1 Proposed Ground Floor Plan
- (PL) 301 – P2 West Elevation

These changes are only modest in nature and as they do not demonstrably affect the overall visual appearance of the flats, the number of units provided or the height of the flats.

The required changes to the location of the cycle parking provision also makes the existing condition 6 of planning permission reference 2017/4062/P unachievable and therefore unenforceable. Accordingly, this application also seeks the variation of Condition 6 of the aforementioned permission which secured the provision of the cycle parking previously shown on the approved plans. The existing condition is worded as follows:

*“The secure and covered cycle storage area for 6 cycles hereby approved shall be provided in its entirety prior to the first occupation of any of the new residential units, and permanently retained thereafter”*

It is proposed to alter this condition as follows:

*“Prior to the occupation of the development each unit shall include facilities for the storage of Brampton Bikes and that storage retained thereafter”*

We have previously submitted an application for some of the changes above under a S96a application. After six months of awaiting a decision on this application, we were advised by our case officer (Mr P that the LPA could not consider the changes to the bin store as being a minor material amendment, so were advised via email to submit an application for these changes under the mechanism of a S73 application. Whilst we understand that these are unprecedented times, the delay in the Council's determination of this application has resulted in significant delays to the construction

programme at considerable cost and inconvenience to the applicant. Accordingly, we would be extremely grateful for an early determination of this application.

Yours Sincerely

A handwritten signature in black ink, appearing to read 'K Crowder-James'.

**Karen Crowder-James**

Director

[karen@contourplanning.com](mailto:karen@contourplanning.com)