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Dear Sir/Madam

294 - 295 High Holborn - Planning Consent reference 2017/1827/P S96a Application

Background

Planning permission under reference 2017/1827/P was granted on the 15th August 2018 for the 'Erection of a 9 storey building comprising retail use (Classes A1 - A3) at basement and ground floor levels, office use (B1) at first and second floor levels and 10 residential units (6 x 1 bed and 4 x 2 bed) (use class C3) above including plant and associated works'.

Since the grant of permission further design development has led to some limited changes to the scheme as a result of current and anticipated building regulation changes and improvements to the layout and amenity of the residential units.

Non-material amendment

Section 96a of the Town and Country Planning Act 1990 (the Act as amended) enables local authorities to approve non-material amendments to planning permissions. There is no statutory definition of a non-material amendment but in this case it is believed that the changes are sufficiently immaterial so as to fall within this definition.

Summary of changes

There are three proposed changes to the scheme that has planning permission being: -

1. Basement

In the definition of the scheme that has been granted planning permission the retail use is referred to as being at basement and ground floor level. Since permission was granted new guidance has been issued by the Government with the publication of its White Paper 'Planning for the Future' in March 2020. Following this the Housing Secretary confirmed it was the intention that sprinkler systems would become mandatory in all new buildings with residential accommodation that were over either 11m tall or 3 storeys high. As such and in anticipation of this change in the regulations a sprinkler system has been integrated into the development at 294 - 295 High Holborn. It is felt this also reflects current best practice and future proofs the building in terms of

occupier/investor/insurer expectations. This has then necessitated the provision of a water storage tank in the basement. The space that is taken up was previously seen as being capable of use in conjunction with the retail use at ground floor level. As this is no longer possible the retail unit will be self contained on the ground floor. As a result, the retail (Classes A1 - A3) will be at ground floor level only. This will have a Gross internal area of 1,831 ft². This will not prohibit its successful letting and operation.

As such approval is sought to the change of the definition of the development to: -

'Erection of a 9 storey building comprising basement with retail use (Classes A1 – A3) at ground floor level, office use (B1) at first and second floor levels and 10 residential units (6 x 1 bed and 4 x 2 bed) (use class C3) above including plant and associated works.'

In addition the Proposed Drawing from independent Architects number 151-10-PL-1020-Rev A should be superseded by the MSMR Architects drawing number P1099.

It is believed that this change can be approved as a minor material amendment.

2. Residential units on Floors 3, 4, 5 and 6

The Planning Permission refers in Condition 2 to the development being carried out in accordance with the following approved Independent Architects Proposed Drawings and lists drawing numbers 151-10-PL1002-Rev B and 151-10-PL1003 Rev B. These show the residential layouts for floors 3, 4 and 5 and floors 6 and 7 respectively.

Having reviewed the internal layouts some improvements are proposed. In order to maximise the daylight enjoyed by the southern elevation and to alleviate the previous concerns regarding the daylight/sunlight levels in some of the bedrooms and also the overlooking aspect of the adjacent Lincoln House, on floors 3 and 4 a main bedroom has positioned to enjoy the unrestricted light on the southern elevation with access to the terrace. This also removes any potential overlooking issues.

MSMR Architects drawing number P1103 shows the revised 3rd and 4th floor layouts with one of the bedrooms moved to the south western corner of the unit. Drawing P1106 shows the revised internal layout for the 5th and 6th floors. As a result the apartments on floors 3 and 4 each become 2 beds whilst on floors 5 and 6 these become 1 beds with study area. This maintains the mix at 6 x 1 bed and 4 x 2 bed.

As such, the Independent Architects drawing numbers 151-10-PL-1002-Rev B and 151-PL-1003-RevB should be superseded by the MSMR Architects drawing numbers P1103 and P1106.

It is believed that this change can be approved as a minor material amendment.

3. Residential units on floors 7 and 8

The outline of the southern elevation as approved followed the line of the original consent for offices there being a set back reflecting the previous cut-out for an external fire escape. Having reviewed this arrangement, the internal space of each of the two bed apartments on floors 7 and 8 are improved by incorporating this area into the apartment rather than remaining as a return to the balcony. There are no overlooking or rights of light issues in doing so as this elevation is screened by the Portland Stone wall cladding on this elevation. This also brings a uniformity to the southern elevation with the glazing extending across the full width of the building rather than the set back metal paneling as approved.

As such, the Independent Architects drawing number 151-10-PL-1004 should be superseded by the MSMR Architects drawing P1108. This will regularise the change to the arrangement of the 8th floor. The amendment to the 7th floor will be dealt with by the drawing changes referred to in 2 above.

To approve the change in the southern elevation as a result of this, the Independent Architects drawing number 151-10-PL-2102 should be superseded by MSMR Architects drawing number P1202.

It is believed that this change can be approved as a minor material amendment.

4. Design and Access Statement Addendum

MSMR Architects has produced a Design and Access Addendum which sets out each of the changes referred to above and the context for them. This should now be included in the list of Supporting Documents.

Summary

In summary approval is sought to the following non-material amendments to this Planning Permission: -

1. The Proposal description should be amended to remove the reference to there being a retail use (Classes A1 – A3) at basement level.
2. Independent Architects drawing number 151-10-PL- 1020-Rev A should be superseded by MSMR Architects drawing number P1099.
3. Independent Architects drawing numbers 151-10-PL-1002-Rev B and 151-10-PL-1003-Rev B should be superseded by MSMR Architects drawing numbers P1103 and P1106.
- 4.Independent Architects drawing number 151-10-PL1004 should be superseded by the MSMR Architects drawing number P1108.
5. Independent Architects drawing number 151-10-PL-2102 should be superseded by the MSMR Architects drawing number P1202.
6. The MSMR Architects Design and Access Statement (Addendum) – June 2020 should be added to the list of Supporting Documents.

These changes are set out in the table below for ease of reference.

Original IA Drawing	Amendment	Substitute Drawing	Reason
151-10-PL-1020-Rev A	Retail area deleted and replaced with sprinkler tank.	P1099	Future proofing for change in regulations and adoption of latest best practise.

Original IA Drawing	Amendment	Substitute Drawing	Reason
151-10-PL-1002-Rev B	3rd and 4th floor south facing apartments become 2 bed with one bedroom moved from east to south elevation. 5th floor apartment with smaller footprint reduced to 1 bed plus study.	P1103	Improved use of floor space and daylight, reduced overlooking.
151-10-PL-1003-Rev B	6th floor apartment with smaller footprint reduced to 1 bed plus study. 7th floor balcony return included in apartment.	P1106	Improved use of floor space across levels 3, 4 5 and 6. On 7 th floor improved and more efficient use of floor space
151-10-PL-1004	8th floor balcony return included in apartment	P1108	Improved and more efficient use of floor space.
151-10-PL-2102	Southern elevation glazing extended across full width of apartments at 7th and 8th floor levels. No change to easter elevation.	P1202	Amendment to accommodate apartment layout change and to improve appearance of southern elevation.

Please do not hesitate to contact the writer if any further clarity or information is required otherwise, we look forward to hearing from you within the prescribed timescale.

Yours faithfully

Nick Young BSc MRICS

Director Braeside Developments Ltd