

PD12929/PB/JL

F.A.O. Elaine QuigleyLondon Borough of Camden
5 Pancras Square,
Kings Cross,
London
N1C 4AG

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Submitted via the Planning Portal: PP-10099528

Dear Elaine

**TEMPLAR HOUSE, 81-87 HIGH HOLBORN, LONDON WC1V 6NU
TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)
APPLICATION FOR NON-MATERIAL AMENDMENTS TO PLANNING PERMISSION 2020/1310/P**

On behalf of our client, CER Investment SARL (“the Applicant”), we submit this application under Section 96a of the Town and Country Planning Act 1990 (As Amended) to seek non-material amendments to Planning Permission 2020/1310/P approved by the London Borough of Camden (“LBC” / “the Council”) on 30 April 2021.

This application has been submitted via the Planning Portal under ref. PP-10099528.

Site Description

Templar House (81-87 High Holborn and 24 to 27 Eagle Street) comprises a part-nine (plus plant area) part-seven storey building (plus basement) faced with Portland stone on the High Holborn elevation and a mixture of brick and stone on the Eagle Street elevation. The side elevations are not visible from the public realm. The existing building on the Site was constructed in 1959 to designs by Richard & McLaughlin Architects and was an infill building following bomb damage during WWII.

The building is laid out as three blocks, one fronting onto High Holborn to the south, one onto Eagle Street to the north and one forming a connecting block in between. The latter is set in from the boundaries with the adjoining sites creating courtyard spaces to the west and east.

The building comprises offices on the first to 8th floors on the building fronting High Holborn and offices on the first to 7th floors of the building fronting Eagle Street, with plant equipment located at roof level. There is retail floorspace at ground floor level fronting onto High Holborn, which is provided across five retail units. Most of the occupiers have relocated to other premises and are now vacant. Vehicle access to the Site is from Eagle Street via a ramp into the basement which is mainly used as car parking

The Site is in the Bloomsbury Conservation Area. There are no statutorily listed buildings adjacent to the site however there are listed buildings in the wider area, including the Rosewood Hotel at 247-252 High Holborn (Grade II) approximately 20m south of the Site.

Background and Application Format

CER Investments SARL purchased the Site on 28 September 2019, with the intention for Uncommon to both own, occupy and manage the office and retail floorspace. To facilitate this objective, three standalone planning applications were submitted and duly approved (refs. 2020/1310/P, 2020/1350/P, and 2020/1351/P).

This subsequent application relates solely to Planning Permission 2020/1310/P approved on 30 April 2021, and the description of development as listed on the decision notice states:

“Alterations to the ground floor of the High Holborn façade including installation of new glazed shopfronts, retractable awnings, external seating areas and new ‘Templar House’ inset lettering on existing fascia in association with the use of the basement and ground floor as A1 and A3 uses (Sui Generis use class), alterations to the ground floor of the Eagle Street façade to include new fixed glazing, new entrance door, and louvre doors.”

Proposed Development

Driven by a desire to bring the building back in to functional and operational use at the earliest opportunity, our Client has been reviewing the works permitted, and following this review and further design refinement it has become apparent that there are some non-material changes needed to the Planning Permission 2020/1310/P to maximise deliverability and respond to the direction of travel in office markets following the pandemic.

The proposed amendments were discussed with the Council at a pre-application meeting undertaken on 16 July 2021, and this application comprises the changes presented during the meeting. The changes are set out further in the supporting plans and drawings which have been submitted as part of this application, together with the accompanying Design Document prepared by astudio architects.

Section 96a Route

S96a provides the appropriate mechanism to make non-material amendments to planning permissions, and it has been agreed with the Council during a pre-application meeting undertaken on 16 July 2021, that this can be facilitated under Section 96a of the Town and Country Planning Act 1990 (As Amended).

S96a (1) states:

“(1) a local planning authority may make a change to any planning permission relating to land in their area if they are satisfied that the change is not material.”

With regard to what constitutes a material change, Planning Practice Guidance confirms that there is no statutory definition, as it depends on the specifics of the scheme (Reference ID: 17a-002-20140306).

When considering the case, s96a (2) outlines that:

“(2) 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”.

Section 96a provides an appropriate mechanism to make non-material amendments to planning conditions. As set out in S96a(3), the power to make changes to a planning permission extends to ‘remove or alter’ existing planning conditions:

“(3) The power conferred by subsection (1) includes power-
(a) to impose new conditions;
(b) to remove or alter existing conditions.”

Primary legislation is therefore clear that if the determining authority is content that the effect of the proposed change is nonmaterial, a planning permission can be amended, existing planning conditions altered and new conditions imposed under s96a of the Act. As set out above, the changes sought are agreed to be non-material within the context of the scheme, thus s96a provides the appropriate mechanism in order to accommodate them through the amending of the wording of the existing planning conditions.

In this context, condition 3 of Planning Permission 2020/1310/P defines the approved plans which the development must be carried out in accordance with. We seek to amend the approved drawings listed on the Decision Notice, under Condition 3 and the reference to relevant plans in Condition 6 via Section 96a of the Town & Country Planning Act 1990.

Closing and Administrative Matters

The proposed amendments are sought to ensure the deliverability of the development, and the intent for the development remains the same as previously approved. The approach continues to adhere to relevant planning policy and the principles established through the approval of the extant planning permission.

To assist with the determination of this application, a series of documents has been submitted, and details of these documents are set out in the Schedule of Application Documents prepared by Montagu Evans.

This application has been submitted via the Planning Portal, and the application fee of £234.00 has been calculated in accordance with The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) (As Amended). Payment has been made to the Planning Portal directly.

Closing

We trust that the information submitted is sufficient and allows you to validate the application. Should you require any further clarification, information or assistance please do not hesitate to contact James Leuenberger (james.leuenberger@montagu-evans.co.uk / 020 3962 6458) or Paul Burley (020 7866 8602 / paul.burley@montagu-evans.co.uk) at this office in the first instance.

Yours sincerely,



Montagu Evans LLP
Enc.