

Date: 05/05/22
Your Ref: PP-11139454
Our Ref: 14738



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Dear Sir/Madam,

DEVELOPMENT AT 74A CHARLOTTE STREET, LONDON, W1T 4QJ
S73 OF TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

1. DWD are instructed by LF Canlife UK Property ACS c/o Canada Life European Real Estate ("**Applicant**") to submit an application for planning permission under s73 of the Act to London Borough of Camden ("**Council**") to seek minor material amendments to the "**Approved Development**" at 74A Charlotte Street, London, W1T 4QJ ("**Site**") for "*Conversion of rear ground floor undercroft car park to offices B1(a) (with cycle store) including rear access and creation of additional entrance to front elevation involving alterations to front and rear ground floor elevations*", which was originally refused by the Council on 6th August 2020 (under LPA reference 2020/1895/P), before being granted on appeal by the Planning Inspectorate on 14th May 2021 (PINS ref: APP/X5210/W/20/3262920).
2. The Approved Development was for the conversion of the rear undercroft car park at 74a Charlotte Street into office space (Use Class Eg(i) formerly B1). The Approved Development featured infill brickwork and fenestration to replace the existing brick boundary wall. Now, the developer is seeking to rationalise the façade of the ground floor infill, including a relocation of the cycle parking spaces. A full description of the alteration is tabulated over page. For clarity, an application for a change of use of the ground floor from car parking to offices which did not feature a projection of the ground floor infill was approved by the Council on 6th May 2020.
3. S73 of the Act allows for an application to be made to vary or remove conditions associated with a planning permission. The Act explains that "*On such an application the local planning authority shall consider only the question of the conditions subject to which planning permission should be granted, and – if they decide that planning permission should be granted subject to conditions differing from those subject to which the previous permission was granted, they shall grant planning permission accordingly*".
4. Paragraph 013 of The Planning Practice Guidance ("**PPG**") 'Flexible Options for Planning Permissions' states "*one of the uses of a s73 application is to seek a minor material amendment, where the relevant condition can be varied*". Paragraph 017 of the PPG goes on to explain "*There is no statutory definition of a 'minor material amendment' but it is likely to include any amendment*".

Partners

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where its scale and/or nature results in a development which is not substantially different from the one which has been approved”.

5. The minor material amendments sought to the Approved Development would not result in a scheme substantially different from the one which has been approved. The Inspector allowed the appeal subject to three conditions of which, Condition 2 set out that:

“The development hereby permitted shall be carried out in accordance with the following approved plans: 74A Charlotte Street Site Location Plan DWD01; 1381 P003C; 1381 P051C; 1381 P101F; 1381 P151E; 1381 P155D”

6. The drawings submitted with this application seek to replace some of those drawings as per the below table; all of the approved drawings are listed for clarity.

Proposed Amendments

7. The amendments sought under this application are limited to:
 - i. The front façade of the ground floor infill extension has been rationalised, with the brickwork and fenestration widen across the outer envelope of the infill extension, to replace the gated entrance to the substation. Access to the substation directly from street level is no longer required as the substation will remain as existing in the lower ground floor, and the cycles storage has also been relocated and now resides within a cycle storage room inside the building (see submitted drawings **1419 401A & 1419 403B**).
8. The approved drawings superseded in this application and their new reference numbers where applicable are as follows:

Table 1: Drawing List

Approved Title	Proposed Title	Approved Ref	Proposed Ref
Location Plan	<i>No changes proposed – DWD 01</i>		
Existing Ground Floor General Arrangement Plan	<i>No changes proposed - P003C</i>		
Mews Elevation and Building Sections as Existing	<i>No changes proposed - P051C</i>		
Elevation to Charlotte St as Proposed	<i>No changes proposed - P151E</i>		
Ground Floor General Arrangement Plan as Proposed		P101F	401A
Mews Elevation and Building Sections as Proposed	Rear Elevation Details as Proposed	P155D	403B

9. The application has been submitted today via the Planning Portal (PP-11139454). We look forward to receiving notification that the application has been registered and validated. Please do not hesitate to contact Robert Miller (07402 267 176) should you require any further information.

Yours sincerely,

A handwritten signature in black ink, appearing to be "R. Miller", written over a light blue horizontal line.

Robert Miller MPLAN MRTPI
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