

Application ref: 2023/0780/P
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Date: 9 June 2023

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
Judd Street
London
WC1H 9JE

Phone: 020 7974 4444

planning@camden.gov.uk

www.camden.gov.uk/planning

CBRE Ltd
Henrietta House
Henrietta Place
London
W1G 0NB

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Variation or Removal of Condition(s) Granted

Address:

Met Building
22 Percy Street
London
Camden
W1T 2BU

Proposal:

Variation of conditions 10 (terrace hours) and 11 (terrace noise) of permission 2021/3392/P dated 22/04/2022 (Replacement of existing entrances and recessed second entrance; new terraces at first, second and fourth floors, with landscaping and green roofs; new enclosed glazed spiral staircase to rear; new structure to include plant area and ancillary facilities at fourth floor Podium roof west; alterations to plant equipment and enclosures at fourth floor Podium roof east; glazed roof extension on the tower roof with retractable roof and relocation of plant; cycle parking at basement) namely to increase the hours of use for the approved terraces.

Drawing Nos: PS5006-FME-ZZ-XX-DR-A-00210 Rev P00; PS5006-FME-ZZ-B1-DR-A-10201 Rev P00; PS5006-FME-ZZ-00-DR-A-10201 Rev P00; PS5006-FME-ZZ-01-DR-A-10201 Rev P00; PS5006-FME-ZZ-02-DR-A-10201 Rev P00; PS5006-FME-ZZ-03-DR-A-10201 Rev P00; PS5006-FME-ZZ-R1-DR-A-10201 Rev P00; PS5006-FME-ZZ-04-DR-A-10201 Rev P00; PS5006-FME-ZZ-R2-DR-A-10201 Rev P00; PS5006-FME-ZZ-R2-DR-A-10202; PS5006-FME-ZZ-XX-EL-A-10301 Rev P01; PS5006-FME-ZZ-XX-EL-A-10302 Rev P00; PS5006-FME-ZZ-XX-EL-A-10303 Rev P00; PS5006-FME-ZZ-XX-EL-A-10304 Rev P00; PS5006-FME-ZZ-XX-EL-A-10305 Rev P00; PS5006-FME-ZZ-B1-DR-A-20210 Rev P00; PS5006-FME-ZZ-00-DR-A-20210 Rev P00; PS5006-

FME-ZZ-01-DR-A-20210 Rev P00; PS5006-FME-ZZ-02-DR-A-20210 Rev P00; PS5006-FME-ZZ-03-DR-A-20210 Rev P00; PS5006-FME-ZZ-RF-DR-A-20210 Rev P00; PS5006-FME-ZZ-R1-DR-A-20210 Rev P00; PS5006-FME-ZZ-T1-DR-A-20210 Rev P01; PS5006-FME-ZZ-RF-DR-A-3161; PS5006-FME-ZZ-T2-DR-A-20210 Rev P01; PS5006-FME-ZZ-XX-EL-A-20311 Rev P01; PS5006-FME-ZZ-XX-EL-A-20312 Rev P01; PS5006-FME-ZZ-XX-EL-A-20313 Rev P00; PS5006-FME-ZZ-XX-EL-A-20314 Rev P00; PS5006-FME-ZZ-XX-EL-A-20315 Rev P01; PS5006-FME-ZZ-RF-SE-A-20411 Rev P00; PS5006-FME-ZZ-RF-SE-A-20412; PS5006-FME-ZZ-RF-SE-A-20413; PS5006-FME-ZZ-DR-A-24201 Rev P00; PS5006-FME-ZZ-ZZ-SE-A-24401 Rev P00; PS5006-FME-ZZ-ZZ-DE-A-24601; PS5006-FME-ZZ-XX-DR-A-31310 Rev P01; PS5006-FME-ZZ-00-DR-A-31210 Rev P01; PS5006-FME-ZZ-XX-DR-A-31311 Rev P01; PS5006-FME-ZZ-XX-DR-A-31410 Rev P01; PS5006-FME-ZZ-00-DR-A-31211; PS5006-FME-ZZ-XX-DR-A-31312; PS5006-FME-ZZ-XX-DR-A-31411; PS5006-FME-ZZ-XX-DR-A-31313; MC03/4642/M-RD09; MC03/4642/M-R06; MC05/5294/RD-06; Energy Statement by GLP; Plant and Noise Assessment by NSL Noise Solutions LTD dated 14/05/2021; Heritage Statement by Prentice Moore Heritage; Transport statement July 2021 by Steer; 1462-400-10 Rev. T2; Design and Access Statement by Forme UK April 2022, Outline Terrace Operational Management Plan (OMP)

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of the original permission 2021/3392/P dated 22/04/2022.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

PS5006-FME-ZZ-XX-DR-A-00210 Rev P00; PS5006-FME-ZZ-B1-DR-A-10201 Rev P00; PS5006-FME-ZZ-00-DR-A-10201 Rev P00; PS5006-FME-ZZ-01-DR-A-10201 Rev P00; PS5006-FME-ZZ-02-DR-A-10201 Rev P00; PS5006-FME-ZZ-03-DR-A-10201 Rev P00; PS5006-FME-ZZ-R1-DR-A-10201 Rev P00; PS5006-FME-ZZ-04-DR-A-10201 Rev P00; PS5006-FME-ZZ-R2-DR-A-10201 Rev P00; PS5006-FME-ZZ-R2-DR-A-10202; PS5006-FME-ZZ-XX-EL-A-10301 Rev P01; PS5006-FME-ZZ-XX-EL-A-10302 Rev P00; PS5006-FME-ZZ-XX-EL-A-10303 Rev P00; PS5006-FME-ZZ-XX-EL-A-10304 Rev P00; PS5006-FME-ZZ-XX-EL-A-10305 Rev P00; PS5006-FME-ZZ-B1-DR-A-20210 Rev P00; PS5006-FME-ZZ-00-DR-A-20210 Rev P00; PS5006-FME-ZZ-01-DR-A-20210 Rev P00; PS5006-FME-ZZ-02-DR-A-20210 Rev P00; PS5006-FME-ZZ-03-DR-A-20210 Rev P00; PS5006-FME-ZZ-RF-DR-A-20210 Rev P00; PS5006-FME-ZZ-R1-DR-A-20210 Rev P00; PS5006-FME-ZZ-T1-DR-A-20210 Rev P01; PS5006-FME-ZZ-RF-DR-A-3161; PS5006-FME-ZZ-T2-DR-A-20210 Rev P01; PS5006-FME-ZZ-XX-EL-A-20311 Rev P01; PS5006-FME-ZZ-XX-EL-A-20312 Rev P01; PS5006-FME-ZZ-XX-EL-A-20313 Rev P00; PS5006-FME-ZZ-XX-EL-A-20314 Rev P00; PS5006-FME-ZZ-XX-EL-A-20315 Rev P01; PS5006-FME-ZZ-RF-SE-A-20411 Rev P00; PS5006-FME-ZZ-RF-SE-A-20412; PS5006-

FME-ZZ-RF-SE-A-20413; PS5006-FME-ZZ-DR-A-24201 Rev P00; PS5006-FME-ZZ-ZZ-SE-A-24401 Rev P00; PS5006-FME-ZZ-ZZ-DE-A-24601; PS5006-FME-ZZ-XX-DR-A-31310 Rev P01; PS5006-FME-ZZ-00-DR-A-31210 Rev P01; PS5006-FME-ZZ-XX-DR-A-31311 Rev P01; PS5006-FME-ZZ-XX-DR-A-31410 Rev P01; PS5006-FME-ZZ-00-DR-A-31211; PS5006-FME-ZZ-XX-DR-A-31312; PS5006-FME-ZZ-XX-DR-A-31411; PS5006-FME-ZZ-XX-DR-A-31313; MC03/4642/M-RD09; MC03/4642/M-R06; MC05/5294/RD-06; Energy Statement by GLP; Plant and Noise Assessment by NSL Noise Solutions LTD dated 14/05/2021; Heritage Statement by Prentice Moore Heritage; Transport statement July 2021 by Steer; 1462-400-10 Rev. T2; Design and Access Statement by Forme UK April 2022, Outline Terrace Operational Management Plan (OMP)

Reason: For the avoidance of doubt and in the interest of proper planning.

- 3 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy D1 of the London Borough of Camden Local Plan 2017.

- 4 Before the relevant part of the work is begun, detailed drawings, or photos of samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority:
- a) Details including sections at 1:10, 1:20 of service enclosure to plant on Podium East.
 - b) Details including sections at 1:10, 1:20 of terrace enclosure to include metal posts with thin cable rails and privacy/acoustic screen on Podium West.
 - c) Details including sections at 1:10, 1:20 of glazed roof structure to tower roof.

The relevant part of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course of the works.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy D1 of the London Borough of Camden Local Plan 2017.

- 5 Before the relevant part of the work is begun, full details of hard and soft landscaping and means of enclosure of all un-built, open areas have been submitted to and approved by the local planning authority in writing. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Reason: To ensure that the development achieves a high quality of landscaping which contributes to the visual amenity and character of the area in accordance with the requirements of policies A2, A3, D1 of the London

Borough of Camden Local Plan 2017.

- 6 All hard and soft landscaping works shall be carried out in accordance with the approved landscape details [by not later than the end of the planting season following completion of the development or any phase of the development] [, prior to the occupation for the permitted use of the development or any phase of the development], whichever is the sooner. Any trees or areas of planting (including trees existing at the outset of the development other than those indicated to be removed) which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced as soon as is reasonably possible and, in any case, by not later than the end of the following planting season, with others of similar size and species, unless the local planning authority gives written consent to any variation.

Reason: To ensure that the landscaping is carried out within a reasonable period and to maintain a high quality of visual amenity in the scheme in accordance with the requirements of policies A2, A3, A5 (if incl basement or lightwell) D1 [and D2 if in CA] of the London Borough of Camden Local Plan 2017.

- 7 The existing paving materials within the proposed recessed entrance area should match the existing paving materials of the public realm.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy D1 of the London Borough of Camden Local Plan 2017.

- 8 Before the relevant part of the work is begun, detailed drawings in respect of the following, shall be submitted to and approved in writing by the local planning authority:

a) Details of secure and covered cycle storage area for the 195 spaces proposed at basement level and 20 paces proposed within the rear service yard

b) Details including, 1:20, and manufacturer specifications of the service yard gates.

c) Details 1:50 of the service yard area with delineated routes for cyclist.

The approved facility shall thereafter be provided in its entirety prior to the first occupation of any the premises, and permanently retained thereafter.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy T1 of the London Borough of Camden Local Plan 2017.

- 9 No music shall be played on the premises in such a way as to be audible within any adjoining premises or on the adjoining highway.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies G1, CC1, D1, A1, and A4 and TC1, TC2, TC4 of the London Borough of Camden Local Plan 2017.

- 10 The proposed open amenity terrace areas (excluding the 13th floor terrace) hereby permitted shall not be used except between 10:00 to 19:00 Mondays to Fridays and not at all on Saturdays, Sundays and Bank Holidays, apart from extended operating hours to 21:00 (no more than 15 per annum) and notices shall be displayed within the building to notify of this.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies G1, CC1, D1, A1, A4, TC1, TC2, TC4 of the London Borough of Camden Local Plan 2017.

- 11 No sound emanating from the use of the open amenity terraces shall be audible within any adjoining premises between 19:00 hrs and 10:00 hrs.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies G1, CC1, D1, A1, A4, TC1, TC2, TC4 of the London Borough of Camden Local Plan 2017.

- 12 Prior to the use of the development, details shall be submitted to and approved in writing by the Council, of the external noise level emitted from plant/ machinery/ equipment and mitigation measures as appropriate. The measures shall ensure that the external noise level emitted from plant, machinery/ equipment will be lower than the lowest existing background noise level by at least 10dBA, by 15dBA where the source is tonal, as assessed according to BS4142:2014 at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise from mechanical installations/ equipment in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017

- 13 Prior to use, machinery, plant or equipment at the development shall be mounted with proprietary anti-vibration isolators and fan motors shall be vibration isolated from the casing and adequately silenced and maintained as such.

Reason: To ensure that the amenity of occupiers of the development site and surrounding premises is not adversely affected by vibration in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017

Informative(s):

- 1 The current application seeks to vary conditions 10 (terrace hours) and 11 (terrace noise) of planning permission dated 22/04/22, reference 2021/3392/P, to allow for the slightly extended use of the approved terraces at first, second and fourth floor level. Condition 2 (approved plans would also be amended to

include the revised Roof Terrace OMP submitted as part of the current application. No physical changes are proposed to the approved development.

Condition 10 would be amended as follows:

Current wording

The proposed open amenity terrace areas hereby permitted shall not be used except between 10am to 18:00pm Mondays to Fridays and not at all on Saturdays, Sundays and Bank Holidays, and notices shall be displayed within the building to notify of this

Proposed wording.

The proposed open amenity terrace area (excluding the 13th floor roof terrace) shall not be used except between 10:00 and 19:00 Mondays to Fridays and not at all on Saturdays, Sundays and Bank Holidays, apart from extended operating hours to 21:00pm (no more than 15 days per annum). Notices shall be displayed within the building to notify of this.

Condition 11 would be amended as follows:

Current wording

No sound emanating from the use of the open amenity terraces shall be audible within any adjoining premises between 18:00 hrs and 10:00 hrs.

Proposed wording

No sound emanating from the use of the open amenity terraces shall be audible within any adjoining premises between 19:00 and 10:00 with the exception of the 15 days per annum with extended operating hours referenced in Condition 10 when the no sound shall be audible between 21.00 and 10.00.

The proposals to increase the hours the terraces can be accessed Monday to Friday by an hour (10:00 -18:00 to 10:00-19:00) is considered minor and would continue to ensure the terraces would be open largely during daytime hours and would not cause harm to neighbouring amenity in terms of increased noise and disturbance. Furthermore, the amendment to allow the terraces to be accessed until 9pm up to 15 times a year is considered reasonable. The extended hours would only allow the terraces to be accessed for a further two hours than the normal opening times and only for 2% of the working days a year (based on the average year having 260 working days) would not lead to increased noise and disturbance to neighbouring residents, particularly given the central London location of the site, which fronts Tottenham Court Road.

The proposed amendments also seek to exclude the 13th floor terrace from any access restrictions given how high it is and its distance from neighbouring properties as a result, which officers consider to be reasonable and acceptable. The terms of the original condition in this respect were unnecessarily restrictive. The proposed amendments do not raise any other amenity concerns in terms of loss of light, outlook or privacy.

No objections have been received following statutory consultation on the application. The site's planning history has been taken into account when determining the application.

As such, the proposed development is in general accordance with policies A1 and A4 of the Camden Local Plan 2017. The proposed development also accords with the London Plan 2021 and the National Planning Policy Framework 2021.

- 2 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444). Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.
- 3 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website (search for 'Camden Minimum Requirements' at www.camden.gov.uk) or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

- 4 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).
- 5 Your proposals may be subject to control under the Party Wall etc Act 1996 which covers party wall matters, boundary walls and excavations near neighbouring buildings. You are advised to consult a suitably qualified and experienced Building Engineer.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2021.

You can find advice about your rights of appeal at:

[https://www.gov.uk/appeal-planning-decision.](https://www.gov.uk/appeal-planning-decision)

If you submit an appeal against this decision you are now eligible to use the new [submission form](#) (Before you start - Appeal a planning decision - GOV.UK).

Yours faithfully

A handwritten signature in black ink, appearing to read 'DP', is centered on the page.

Daniel Pope
Chief Planning Officer