

Application ref: 2022/3335/P
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Development Management
Regeneration and Planning
London Borough of Camden
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WC1H 9JE

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Iceni Projects Limited
Da Vinci House
44 Saffron Hill
London
EC1N 8FH

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted Subject to a Section 106 Legal Agreement

Address:

Flitcroft House
114-116 Charing Cross Road
London
WC2H 0JR

Proposal:

Erection of a two storey roof extension for additional office accommodation (Class E) with roof terraces and roof plant above, plus alterations to the ground floor façade and internal reconfiguration of all floors.

Drawing Nos: 0101-PL1, 0102-PL1, 0103-PL1, 0104-PL1, 0105-PL1, 0106-PL1, 0107-PL1, 0110-PL1, 0111-PL1, 0112-PL1, 0114-PL1, 0115-PL1, 0116-PL1, 0117-PL1

Proposed Basement Plan (0301-PL2), Proposed Ground Floor Plan (0301-PL2), Proposed First Floor Plan (0303-PL2), Proposed Second Floor Plan (0304-PL2), Proposed Third Floor Plan (0305-PL2), Proposed Fourth Floor Plan (0306-PL2), Proposed Fifth Floor Plan (0307-PL2), Proposed Sixth Floor Plan (0308-PL2), Proposed Roof Plan (0309-PL2), Proposed Elevation A (0310-PL2), Proposed Elevation B (0311-PL2), Proposed Sections (0312-PL2), Proposed Site Plan (0314-PL2), Proposed Elevation C (0315-PL2), Proposed Elevation D (0316-PL2), Terrace Area Plan (0317-rev01)

Roof Garden Concept (Phil Allen Design - 220420), Noise Impact Assessment (Venta Acoustics - June 2022), Transport Assessment (Transport Planning Practice - July 2022), Energy & Sustainability Statement (Savills - Earth - August 2022), Fire Statement (Socotec - 26/05/2022), Draft Construction Management Plan (Red

Construction Group Ltd - August 2022), Planning Statement (Iceni - August 2022), Heritage & Townscape Assessment - Iceni - August 2022), Air Quality Note (Air Quality Consultants - July 2022), Sunlight & Daylight Report (eb7 - June 2022), Design & Access Statement (dmdba - August 2022), Planning Addendum (dmdba - February 2023)

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 this permission.

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 drawings & documents:

0101-PL1, 0102-PL1, 0103-PL1, 0104-PL1, 0105-PL1, 0106-PL1, 0107-PL1, 0110-PL1, 0111-PL1, 0112-PL1, 0114-PL1, 0115-PL1, 0116-PL1, 0117-PL1

Proposed Basement Plan (0301-PL2), Proposed Ground Floor Plan (0301-PL2), Proposed First Floor Plan (0303-PL2), Proposed Second Floor Plan (0304-PL2), Proposed Third Floor Plan (0305-PL2), Proposed Fourth Floor Plan (0306-PL2), Proposed Fifth Floor Plan (0307-PL2), Proposed Sixth Floor Plan (0308-PL2), Proposed Roof Plan (0309-PL2), Proposed Elevation A (0310-PL2), Proposed Elevation B (0311-PL2), Proposed Sections (0312-PL2), Proposed Site Plan (0314-PL2), Proposed Elevation C (0315-PL2), Proposed Elevation D (0316-PL2), Terrace Area Plan (0317-rev01)

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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 policies D1 and D2 of the London Borough of Camden Local Plan 2017.

- 4 Before the relevant part of the work is begun, detailed drawings, or 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 of the windows of the fifth/sixth storey extension (including jambs, head and cill), ventilation grilles, external doors and gates;
 - b) Ground floor shopfront (Charing Cross Road & Flitcroft Street elevations) including fascia, cornice, pilasters and glazing panels at a scale of 1:10;
 - c) Manufacturer's specification details and sample of pale red sandstone to fifth/sixth storey extension. The details of the sandstone shall be submitted for approval after the paint on the 1st to 4th floors is removed and the brickwork is approved.
 - d) Sample patch of removed paintwork and Method Statement for removal of paint.

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 policies D1 and D2 of the London Borough of Camden Local Plan 2017.

- 5 Noise levels at a point 1 metre external to sensitive facades shall be at least 10dB(A) less than the existing background measurement (LA90), expressed in dB(A) when all plant/equipment (or any part of it) is in operation unless the plant/equipment hereby permitted will have a noise that has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or if there are distinct impulses (bangs, clicks, clatters, thumps), then the noise levels from that piece of plant/equipment at any sensitive façade shall be at least 15dB(A) below the LA90, expressed in dB(A).

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

- 6 Prior to use, the machinery, mechanical plant and equipment of the development hereby permitted shall be mounted with proprietary anti-vibration isolators. The fan motors shall be vibration-isolated from the casing and adequately silenced and maintained as such permanently thereafter.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

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

Reason: To safeguard the amenities of the occupiers of neighbouring premises and the area generally in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

- 8 The use of the roof as a terrace shall be limited to the area shown edged red on the Terrace Area Plan (0317-rev01) and the use of the terrace area shall not be used outside the hours of 8:00 am to 9:00 pm on Mondays to Fridays.

Reason: To protect the amenity of the occupiers of neighbouring properties in accordance with policy A1 of the Camden Local Plan 2017.

- 9 The cycle parking spaces, as shown on the Proposed Basement GA Plan 0301 PL2 hereby approved, shall be provided prior to the first occupation of the approved development 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.

Informative(s):

- 1 Reasons for granting permission:

The proposals comprise the comprehensive refurbishment of the existing building, the erection of a two-storey roof extension and the reconfiguration and redesign of the current ground floor façade. The internal alterations include changes to the floor areas and layouts at ground and basement floors for the restaurant and offices, formation of a new entrance lobby and single central enlarged core with new stairwell and lift.

A new entrance to the ground floor restaurant would be formed and a new facade to the ground floor elevation onto Charing Cross Road. This would have traditional features (columns, pillars and windows) in keeping with the original shopfront. Existing windows in the Flitcroft Street elevation on the upper floors would be replaced with like-for-like double glazed units.

The secondary core at the rear of the building would be converted into office space on the upper floors and into a new entrance/service lobby on the ground floor with access to the basement, where new cycle and waste/recycling stores would be provided.

The proposed fifth floor would be set marginally behind the existing front elevation and the sixth floor set back by 900mm, with the corner chamfered to match the shape on the Charing Cross Road/Flitcroft Street corner. It would have punched arch openings in inverted scalloped bays. The sixth floor 'set-backs' would be accessible to office workers.

A 61 sqm roof terrace is proposed on the roof extension (at the front of the building and alongside Flitcroft Street). A 60 sqm plant enclosure would be formed next to 120 Charing Cross Road/12 Flitcroft Street. PV panels would be sited on the roof of the roof-top plant enclosure.

The scheme also includes decorative lighting on the building along Flitcroft Street (at ground floor fascia level).

Principle of development

The site lies in the Central London Area and the proposed additional office floorspace and internal re-configurations of the existing commercial areas would be acceptable in principle under policy E1 (Economic Development).

Mixed use policy

Policy H2 of the Local Plan is the Council's mixed-use policy. Under this policy, 50% of all new floorspace within the Central London area of the borough is expected to be delivered as residential floorspace. The trigger for this policy occurs when 200 sqm GIA of net additional floorspace is provided. Under the policy, 50% of this net additional floorspace should be provided as housing. In the first instance, this housing should be provided on site. If this cannot be achieved then the new housing should be provided in the area. If this cannot be achieved then a financial 'payment-in-lieu' should be made to enable the provision of the housing off-site.

The proposed development would result in the provision of 479 sq m of new commercial floorspace and therefore 239.5 sq m of housing should be provided.

In practical terms, delivering residential units on site would be prejudicial to the optimisation of the building as a commercial development. The building has restricted floor plates and the requirement for a separate residential entrance and core, as well as amenities such as a separate bin and bike stores, would have a major impact on the efficiency and functionality of this building and require significant material alterations to a building noted as a positive contributor to the Denmark Street Conservation Area.

The owners do not own any other properties in the locality that could be a donor site. Therefore a financial contribution to help the Council fund other affordable housing projects within the local area is appropriate. The payment-in-lieu for provision off-site is calculated as being £359,250 and this will have to be secured by way of a legal agreement.

2 Reasons for granting permission (continued)- Conservation & Design

The proposed extension is set in very slightly at fifth floor level and set in slightly more at the sixth floor. This reduces the visual impact of the massing and creates variation within the roof form which is a characteristic of this part of Tottenham Court Road. The bulk and height is acceptable in the context of the neighbouring property. The sculptured form of the extension at both levels also creates depth and interest which enhances the varied and detailed streetscape.

The fenestration to some degree mimics the fenestration of the host building,

with rectangular windows at fifth floor level and arched windows to the sixth floor. The sculpting and panels around the windows create a sense a window hierarchy whilst also allowing light spaces within.

The materiality, which is sandstone, has been chosen based on the paint being removed from the host building and the original brickwork being revealed. Once the paint has been removed, or at least a sample patch has been prepared, the colour of the sandstone will be chosen. The sandstone will be darker than the revealed brickwork to ensure the extension is a visually recessive element to the building. A condition will be attached for the submission and approval of the sandstone in order to ensure that it complements the existing building in the interest of preserving the appearance of the Conservation Area.

It has been demonstrated that the balustrade around the roof terrace would not be visible from street level and, given the setback of the proposed roof top plant, it is not considered that undue harm would be caused to the appearance of Charing Cross Road or the Denmark Street Conservation Area.

Wall lights are proposed on the pillars of the ground floor façade alongside Flitcroft Street. These would not detract from the appearance of the building and Conservation Area and would enhance the appearance and security of the public realm.

The shopfront will be mostly restored back to its historic form. Detailed drawings of the new shopfront to be secured by way of a condition would ensure the surviving historic elements are used to inform the design.

The removal of the paintwork is welcome. However a sample of the underlying brickwork and method statement are recommended to be secured under a planning condition to ensure that the historic appearance of the brickwork is preserved.

Overall, the roof extension is considered to be well designed and to be an attractive and elegant addition to the building which does not appear overly bulky. The reinstatement of the shopfront and the removal of the paint will also enhance the appearance of the building. The proposal will preserve the character and appearance of the host building, streetscene and conservation area and will preserve the setting of the nearby listed buildings.

Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area, under s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

3 Reasons for granting permission (continued)- Amenity:

No windows would be proposed in the side or rear of the additional two storeys that would give rise to overlooking of any windows/rooflights at the immediately adjoining sites (118 - 120 Charing Cross Road & 12 Flitcroft Street). The windows on the Flitcroft Street side and the windows and terraces on the

Charing Cross Road side would not result in any direct overlooking of any neighbouring habitable rooms. The privacy of any terraces of the upper floor flats at 104-110 Charing Cross Road would be overlooked no more than they are already by the existing upper floor office windows.

The two storey extension and roof-top plant enclosure would not result in a significant loss of outlook from any neighbouring rooms or roof terraces. There are no windows which would be obscured and the windows of the adjoining buildings would retain a similar aspect to the rear without being unduly 'over-enclosed'.

A Sunlight & Daylight Assessment has been undertaken to assess the impact upon the natural light received at the neighbouring residential properties with windows facing the site, viz: 9-11 Denmark Street (north east) & 109 Charing Cross Road (south west).

9 - 11 Denmark Street: The results of the VSC and NSL assessments for all properties demonstrate full compliance with the BRE guidance with values above 0.93 times the former value (target 0.8). For sunlight, the results have shown that all windows would either have retained values above 25% APSH and 5% WPSH or remain well above 0.8 times the former value and BRE guidance has been fully satisfied.

109 Charing Cross Road: The results of the VSC and NSL assessments for this property demonstrates full compliance with the BRE guidance with values above 0.96 times the former value (target 0.8) and retained VSC values above 35.5% (27% target). For sunlight, in accordance with BRE recommendations, it has not been necessary to test this property because the windows facing the site are not within 90° of due south.

The applicant has indicated an intention to use the roof terrace between 08:00 and 21:00 Mondays to Fridays. It is considered that an Outdoor Terrace Management Plan should be secured, as part of the legal agreement, to ensure that the use of the roof terrace during these times is controlled so as not to cause undue noise or disturbance for neighbouring occupiers. A condition that no amplified music or sound should be broadcast is also considered to be reasonable.

A plant enclosure would extend along half of the roof of the proposed 5th/6th floor extension and the Plant Noise Assessment which has been submitted indicates that this would comprise 14 condensers and 2 air handling units. The Plant Noise Assessment finds that, subject to the provision of appropriate mitigation, the cumulative noise emission levels from the proposed plant will comply with the Council's standards regarding plant noise limits. As such, the proposed scheme is not expected to have a significant adverse noise impact and the relevant plant noise requirements can be met (subject to conditions).

To mitigate against noise and disturbance during building works it is necessary for noise abatement measures to be secured within a Construction Management Plan. This will need to be secured under a S.106 agreement.

The Air Quality Report that has been submitted confirms that future users of

the development are expected to experience acceptable air quality, with nitrogen dioxide concentrations below the 1-hour mean objective. Also, the proposed development complies with the requirement of Policy SI 1 of the London Plan that all new developments in London should be at least air quality neutral. No mitigation measures are required.

4 Reasons for granting permission (continued)-
Energy/Sustainability:

The Energy Statement which has been submitted indicates that the development would provide carbon dioxide emissions saving of 49% compared to the Part L 2013 Building Regulations which exceeds the minimum requirement as set by the Camden's Local Plan policy. The passive design and energy efficiency measures demonstrate a 29% carbon emissions reduction against Part L Building Regulations. Renewable energy technologies are responsible for an additional 21% carbon reduction against Part L Building Regulations from passive design and energy efficiency.

Transport:

The proposals include the provision of 20 cycle long stay parking spaces in the basement in the form of two tier stands together with a shower room and 1 non-standard cycle space. The cycle store would be accessed from the ground floor via the rear stairs using a wheel channel from Flitcroft Street. The provision of the cycle parking spaces shall be secured by condition. Provision is made in the basement for the restaurant use in the form of a Sheffield stand (2 spaces), but no cycle parking is provided for visitors (short stay use) for the offices or restaurant. It is therefore considered appropriate to secure a contribution towards the provision of 7 on-street cycle stands (14 spaces) in the vicinity of the site at a cost of (£255 x 7) £1,785

In accordance with Policy T2 of the Camden Local Plan, the development should be secured as car-free preventing access to on-street business parking permits by means of a Section 106 Agreement. This will prevent the future occupants from adding to existing on-street parking pressures, traffic congestion and air pollution, whilst encouraging the use of more sustainable modes of transport such as walking, cycling and public transport. No off-street parking is currently provided and none is proposed.

The proposals will lead to a small increase in the number of people working in the offices due to the increase in floor area, but this is not considered significant enough to justify a contribution towards Pedestrian, Cycling and Environmental Improvements in the vicinity of the site.

The site will continue to be serviced as at present on street from Charing Cross Road and it is expected that there will not be a significant increase in the numbers of deliveries.

Although a draft Construction Management Plan (CMP) has been submitted in support of the application, a full CMP together with the associated Implementation Support Contribution of £9,927.46 and Impact Bond of £15,000 will need to be secured by means of the Section 106 Agreement. This will help

ensure that the proposed development is carried out without unduly impacting neighbouring amenity or the safe and efficient operation of the local highway network.

Any damage that is caused to the adjacent footway on Charing Cross Road and Flitcroft Street during construction will be covered by the scaffolding bond that is secured as part of the scaffold licensing process. The Design and Access Statement states that a future application to repave Flitcroft Street may be made but is independent of the current proposals. This is something that Council would be likely to be supportive of.

5 Reasons for granting permission (continued)-
Conclusion:

Subject to a contribution of £359,250 towards the provision of housing in the area, in accordance with policy H2, the proposal complies with the Council's land use policies for economic development in the Central London Area.

Subject to conditions regarding details of finished appearance (shopfront, windows, brickwork, sandstone), the proposal is considered to preserve the character and appearance of the Conservation Area.

Subject to conditions and an Outdoor Terrace Management Plan (to be secured under a legal agreement) to control the use of the roof terrace and plant noise levels, the proposal would not harm the amenity of any neighbouring occupiers.

Subject to a S.106 agreement to secure a car-free development, a contribution of £1,785 towards the provision of short stay cycle parking spaces in the area, and a Construction Management Plan (and associated fee and bond) and subject to a condition to secure the provision of on-site cycle parking spaces, the proposal would comply with the Council's policies for sustainable transport and transport infrastructure.

Two letters of objection have been received regarding loss of outlook and light from occupiers of flats in Phoenix House, 104 - 110 Charing Cross Road. These objections and the planning history of the site and neighbouring sites have been taken into account when coming to this decision.

As such, the proposed development is in general accordance with policies H2, A1, C5, C6, E1, A1, A3, A4, D1, D2, D3, CC1, CC2, CC4, CC5, TC2, TC4, T1, T2, T3 and DM1 of the Camden Local Plan 2017. The proposed development also accords with the London Plan 2021 and the National Planning Policy Framework 2021.

6 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).

- 7 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.
- 8 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.

- 9 Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which this permission is granted. Information/drawings relating to the discharge of matters covered by the Heads of Terms of the legal agreement should be marked for the attention of the Planning Obligations Officer, Sites Team, Camden Town Hall, Argyle Street, WC1H 8EQ.

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>.

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



Daniel Pope

Chief Planning Officer