

Application ref: 2023/4637/P
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Date: 26 April 2024

Development Management
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Moore Planning
11 Bowden Rise
Seaford
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BN25 2HZ

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

**13 Tottenham Mews
London
W1T 4AQ**

Proposal:

Erection of a new access stair enclosure at roof level to provide access to a new roof terrace with associated railings and perforated screens to serve occupiers of the existing second floor commercial floorspace.

Drawing Nos:

183B-210 rev A; 183B-211 rev A; 183B-212 rev A; 183B-213 rev A; 183B-214 rev A;
183B-310 rev A; 183B-311 rev A; 183B-410 rev A; 183B-411 rev A; 183B-412; 183B-
413 rev A; 183B-500; 183B-501; 183B-502.

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 plans:

183B-210 rev A; 183B-211 rev A; 183B-212 rev A; 183B-213 rev A; 183B-214 rev A; 183B-310 rev A; 183B-311 rev A; 183B-410 rev A; 183B-411 rev A; 183B-412; 183B-413 rev A; 183B-500; 183B-501; 183B-502.

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 The use of the roof as a terrace shall not commence until the railings and perforated screens, as shown on the approved drawings, have been constructed. The railings and perforated screens shall be permanently retained thereafter.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of Policies A1 and D1 of the London Borough of Camden Local Plan 2017.

- 5 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 D1, A1, and A4 of the London Borough of Camden Local Plan 2017.

- 6 The use of the roof terrace hereby permitted shall not be used outside the following times: 08:00 hours to 19:00 hours on Monday to Friday and shall not be used on weekends and bank holidays.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of Policies D1 and A1 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission:

Permission is sought for the erection of a new access stair enclosure at roof level to provide access to a new roof terrace with associated railings and privacy screens. The terrace would serve occupiers of the existing second floor commercial floorspace.

Planning permission was granted on 16/04/2021 for a mansard roof extension (ref. 2020/0767/P). This permission was never built out and lapsed on 16/04/2024. The proposed stair enclosure would be no higher than the approved roof extension. It would be L-shaped and would measure approximately 4m in length at the longest point and between 1.8m and 3.2m in width at different points of the enclosure. It would not add any additional harmful bulk at roof level and would not be considered detrimental to the character or appearance of the building or the surrounding conservation area. The proposed finish has been revised from brick which was considered too heavy in appearance and has been amended to zinc standing seam, which is a high quality material and considered acceptable.

It is proposed to enclose the terrace with metal railings that would be recessed 1m back from the parapet line on the south elevation. This would reduce the visual impact as seen from Tottenham Mews in the south and in the limited views from the west. The railings would be black and would complement the historic building.

The original proposal included the installation of 2m high opaque screens on the north and east elevations. This was considered to be out-of-keeping, especially in views of the screens from the new Middlesex Hospital Annexe development to the north and east. The materials have since been revised to include the use of perforated panels. The widths of the perforated panels has been informed by the width of the windows in the lower floors of the building. Although the screens would not be seen in the context of these windows they do reference the original elements of the building and would be considered acceptable. The panels would be self-weathering galvanised or painted signal grey which is considered acceptable in terms of colour and finish.

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.

The location of the proposed railings and heights of the perforated screens would ensure that there would be no direct views into the windows of the neighbouring residential flats and therefore there would be no overlooking into neighbouring properties. There would be no significant loss of daylight or sunlight and no increased sense of enclosure as a result of the proposal. The roof terrace would be used by commercial occupiers of the building. A condition would be attached to ensure the railings and screens would be installed prior to first use of the terrace. As the proposed roof terrace would be surrounded by residential properties, it would be necessary to control the hours of its use, so its use would be restricted by condition so that it would not be used outside the hours of 08:00 hours to 19:00 hours Monday to Friday (no Saturdays, Sundays or Bank Holidays). A condition would restrict the playing of any music.

The Bloomsbury CAAC raised no objection to the proposal and no other objections have been received following public consultation on the scheme. The planning history of the site and surrounding area has been considered when determining this application.

- 2 Overall the proposals would allow access to outdoor amenity space in a dense central London location which incorporates measures to protect nearby residential uses without causing harm to the character and appearance of the host building or the conservation area. As such, the proposal is in general accordance with Policies A1, D1, and D2 of the London Borough of Camden Local Plan 2017 and Principle 9 (residential amenity) of the Fitzrovia Area Action Plan. The development would also accord with the London Plan 2021 and the National Planning Policy Framework 2023.
- 3 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.
- 4 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.
- 5 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).

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 2023.

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

A handwritten signature in black ink, appearing to read 'DPope', written in a cursive style.

Daniel Pope
Chief Planning Officer