

Application ref: 2023/0224/P
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Development Management
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45 Welbeck Street
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Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

46-47 Bloomsbury Square
London
WC1A 2RA

Proposal: External alterations including installation of new stair from lower ground to ground floor level within the front lightwell of no. 47 to access new bike storage area, installation of condenser units and associated screening at lower ground floor level at the rear of no. 47, installation of 5 condensers at roof level, replacement roof access hatch, smoke automatic opening vent and new safety balustrades at roof level, new extracts for WC's on the side elevation of rear closet wing of no. 47 all in association with the change of use from educational use (Class F1(a)) to flexible education (Class F1(a)) or commercial and service use (Classes E(c), E(e) and E(g))

Drawing Nos: 21.865 PL.7000; 21.865 PL.7001; 21.865 PL.7010 rev A; 21.865 PL.7011; 21.865 PL.7012; 21.865 PL.7013; 21.865 PL.7014; 21.865 PL.7015; 21.865 PL.7016 rev A; 21.865 PL.7020; 21.865 PL.7021; 21.865 PL.7022; 21.865 PL.7023; 21.865 PL.7024; 21.865 PL.7025; 21.865 PL.7026 rev A; 21.865 PL.7050; 21.865 PL.7051; 21.865 PL.7052; 21.865 PL.7060 rev A; 21.865 PL.7061 rev A; 21.865 PL.7062 rev A;

Plant Noise Assessment prepared by Thornton Reynolds dated 02/06/2023; Technical Submittal prepared by Conditioned Environment dated 21/03/2022; Technical Submittal Form (26808-INT-00-00-SP-H-0201_Rev A) prepared by Integra dated 17/03/2022; BREEAM Feasibility prepared by Verte dated 20/07/2022; BREEAM Pre-Assessment Rev B prepared by Verte dated July 2022; Air Quality Assessment

prepared by SWECO dated 16/05/2022.

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:

21.865 PL.7000; 21.865 PL.7001; 21.865 PL.7010 rev A; 21.865 PL.7011; 21.865 PL.7012; 21.865 PL.7013; 21.865 PL.7014; 21.865 PL.7015; 21.865 PL.7016 rev A; 21.865 PL.7020; 21.865 PL.7021; 21.865 PL.7022; 21.865 PL.7023; 21.865 PL.7024; 21.865 PL.7025; 21.865 PL.7026 rev A; 21.865 PL.7050; 21.865 PL.7051; 21.865 PL.7052; 21.865 PL.7060 rev A; 21.865 PL.7061 rev A; 21.865 PL.7062 rev A;

Plant Noise Assessment prepared by Thornton Reynolds dated 02/06/2023; Technical Submittal prepared by Conditioned Environment dated 21/03/2022; Technical Submittal Form (26808-INT-00-00-SP-H-0201_Rev A) prepared by Integra dated 17/03/2022; BREEAM Feasibility prepared by Verte dated 20/07/2022; BREEAM Pre-Assessment Rev B prepared by Verte dated July 2022; Air Quality Assessment prepared by SWECO dated 16/05/2022.

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

- 4 The external noise level emitted from plant/equipment at the development with specified noise mitigation hereby approved shall be lower than the typical 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 and thereafter be permanently retained.

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.

- 5 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 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 The secure and covered cycle storage area for 8 cycles in the front basement vault of no. 46 Bloomsbury Square shall be provided prior to occupation in accordance with the approved drawings 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.

- 7 Notwithstanding the provisions of Classes E and F of Part A of Schedule 2 of The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020, the buildings shall only be used for financial & professional services, medical & health services, and office & research purposes within Classes E(c)(i) (ii) & (iii), E(e), and Eg(i) & (ii); and for educational purposes (Class F.1(a)); and for no other use within these use classes.

Reason: To ensure that the future occupation of the building does not adversely affect the adjoining premises/immediate area by reason of noise, traffic congestion and excessive on-street parking pressure in accordance with policies A1, A4 and T1 of the London Borough of Camden Local Plan 2017.

- 8 The condenser units hereby approved at roof level shall be coloured grey and shall be maintained and retained as such.

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.

Informative(s):

- 1 Reasons for granting permission.

LAND USE

The lawful use of the building is education use. The site is located in the Central London Area the Council's policies and guidance on its centres (policy TC2) and town centre uses (policy TC4) are appropriate.

Both policies state the need to protect and uphold the character, vitality and viability of the Council's centres and town centres. Policy TC4 is supported by the Council's Town Centre and Retail CPG which aims to promote a successful Central London Area including a range of economic and social uses to meet residents' community needs. The proposal would create an employment-generating use at the site and it would support the economy and social needs of the community.

The proposed change of use from an educational facility (Class F.1(a)) to flexible education or commercial use (such as offices in Class E(g)) is considered acceptable. The building is currently vacant, but was being used as a private language school. In terms of the loss of the educational use, a private language school is not considered to be a priority education establishment, nor does it serve the local community, and the Council does not object to the loss of F1 use in this instance. Despite this, the application is for a flexible education or commercial office use, therefore the flexibility to implement either use would allow the potential for an educational user to occupy the buildings in the future. The proposal would be considered acceptable in relation to the aspirations of policy C2. If occupied as an office use, the office space is considered to be of a suitable size and layout and would provide additional office employment to the area, in compliance with the requirements of policies E1 and E2 of the Camden Local Plan 2017. An informative would be attached to the permission to advise that the alternative use permission hereby granted gives flexibility of use for 10 years from the date of this permission. After 10 years the lawful use would revert to whichever of the uses is taking place at the time.

The provisions of the Class E use class includes a number of uses such as offices, light industry, shops, restaurants, indoor sports facilities, medical or health services and day nurseries. There are certain uses within this use class that have different impacts in relation to activities associated with each use including noise and disturbance from the number of visitors coming and going, traffic generation and parking issues. The application form submitted states that the premises would be used as offices which is Class E(g)(i). Uses within the Class E use class such as financial services, medical & health services and research & development (which fall within E(c) (i, ii & iii), E(e) and E(g)(ii)) are similar in nature to an office use and would not be considered to significantly increase noise and disturbance by visitors coming and going or to generate additional harmful levels of traffic movement. Other uses within the E use class have potential to harm local amenity through increased noise and disturbance, parking and transport impacts. In order to ensure that the premises cannot be used by other uses within the E use class without assessment through the submission of a planning application, a condition is proposed to be attached restricting the use of the premises to certain commercial uses only within Class E(c) (i), (ii) and (iii), E(e) and E(g)(i) and (ii) (so that any other type of Class E use outside these uses would require planning permission).

DESIGN

The 4th floor mansard roof of the buildings are later additions to the buildings and were constructed in the 1970's. It is proposed to install 5 air source heat pumps (ASHP's) on the roofs of the Grade II listed buildings. They would replace approximately 9 existing air conditioning units that are currently located in the lower ground floor courtyard, front lightwell and at roof level.

- 2 The ASHP's would be set back approximately 0.84m from the rear elevation of the building and between approximately 9m to 11m from the front elevation. The set back from the front and rear elevations would help to ensure that any views from any public vantage points would be minimised. A condition would also be attached to require the condensers to be grey in colour.

The new protection railings at roof level would be regrettable additions to the property; however, they have been set back from the front elevation by approximately 3.6m to be as visually recessive as possible without compromising safety for those accessing the roof. A condition would be attached to the associated listed building consent (2023/0882/L) requiring further details of the railings to be submitted for officer approval including materials and finish. The railings and condensers would be sufficiently set back from the Bloomsbury Square and Barter Street elevations thereby reducing their visibility from any public vantage points. The plant would not be considered to add additional harmful visual bulk to the building. It may be possible to view the condensers from private views from the upper floor windows of surrounding properties. It must be noted that no. 21 Barter Street which lies to the rear of the site is a 2 storey building with mansard roof extension (3 floors in total) and the application building is 4 storey's with a roof extension (5 floors in total) so any views from windows in the rear elevation and 1st floor roof terrace of this building would be oblique. Given the separation distance between the rear of the application building from the rear of no. 21 Barter Street (approximately 18m) as well as the orientation of buildings the location of the plant would be considered satisfactory to ensure that its visibility from these private vantage points would be minimised.

New plant would also be installed within one of the front vaults and 2 new freestanding condenser units with associated acoustic screen would be installed within the rear lower ground floor courtyard area at no. 47. The plant at the lower ground floor level of the building would be screened from public views and therefore it would not have a harmful impact on the character or appearance of the building or the conservation area.

This part of the Conservation Area is currently not thriving as it should. There are many empty units and buildings that are not being optimally used or cared for. The proposed works to the site form part of the wider regeneration of the building stock within the Holborn Links Estate which is likely to revitalise the area and could attract more investment in the building stock generally, which in turn would improve the character and appearance of all the buildings within the Estate and enhance the character and appearance of this part of the Conservation Area.

Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, and of preserving the listed building and its features of special architectural or historic interest, under s.66 and s72 of the Planning (Listed Buildings and Conservation Areas Act) 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

AMENITY

Local Plan Policy A1 seeks to protect the amenity of Camden's residents by ensuring the impact for development is fully considered and by only granting permission for development that would not harm the amenity of the neighbouring residents. This includes factors such as privacy, outlook, and implications to natural light, artificial light spill, odour and fumes as well as impacts caused by the construction phase of development. Policy A4 seeks to ensure that residents are not adversely impacted by virtue of noise or

vibrations.

Daylight, sunlight and outlook:

The proposal would not have an impact on privacy, daylight, sunlight or outlook from neighbouring residential properties.

3 Noise and other disturbance:

The closest residential properties are the flats within no. 21 Barter Street to the south. There are single aspect bedroom windows on the rear elevation and a 1st floor roof terrace bounding the rear elevation of no. 20-21 Southampton Place. The applicant also submitted a revised plant noise assessment that includes a cumulative preliminary plant noise assessment. The cumulative calculations represent the worse-case scenario when all the new condensers at the application building, nos. 20-21 Southampton Place and 46-47 Bloomsbury Square would operate at one time (these buildings are all within the ownership of the applicant). This has been reviewed by the Council's Environmental Health officer who has confirmed that the plant noise criteria has been adequately predicted taking into consideration distance losses, surface acoustic reflections and, where applicable, screening provided by the building(s). Following this review the assessment has been found to be capable of achieving Camden's environmental noise criteria at the nearest and potentially most affected noise sensitive receptors. The Council's Environmental Health Officer is satisfied that the acoustic information meets the local plan guidelines and is therefore acceptable in environmental health terms providing the standard noise conditions are attached to any decision. The recommended noise conditions would be attached.

The proposed commercial and health uses would be similar in nature to an educational use in terms of numbers of visitors and potential disturbance and as such would not be considered to harm the amenity of neighbouring occupiers by way of increased disturbance.

SUSTAINABILITY

Policy CC2 requires development to be resilient to climate change including reduction of the impact of urban and dwelling overheating.

A BREEAM assessment has been submitted in support of the proposal. The predicted target score of 36% would be achieved which would be a PASS rating. The applicant has confirmed that they are seeking light-touch works to bring the vacant property back into use as soon as possible. Due to the physical constraints associated with a historic building it is acknowledged that it may be difficult to achieve a higher rating. The assessment confirms that only elements which are at the end of their functioning life would be proposed to be replaced. In terms of general improvements, windows would be refurbished and LED lighting is proposed. Water use would be reduced by the provision of water efficient toilets and restrictors on showers. All the improvements help further the objectives of policy CC2 which requires all developments to adopt appropriate climate change mitigation measures.

A cooling hierarchy technical note has been submitted in support of the application. This demonstrates that all reasonable steps have been taken to try to reduce overheating via passive measures. Technical details of the heating

requirements of the building have been submitted which illustrate that the proposed plant is the absolute minimum required to cool and heat the building. The new ASHP's would replace existing air conditioning units which are no longer fit for purpose. The new plant would be more energy efficient than the existing plant and would be considered to meet the aspirations of Policy CC2.

TRANSPORT

Due to the limited nature and scale of the works, it is not considered necessary to require a Construction Management Plan to be secured as part of the proposal.

- 4 It is proposed to provide 4 cycle stands (8 spaces) within the front pavement vault of No. 46. This would be secured by condition. The cycle store would be accessed via the internal stairwell as there is no stairwell within the front light well. Whilst this is not ideal, it is considered acceptable given the listed status of the buildings. Additional cycle parking at the site is unable to be provided due to the limited floorspace available. It is understood that a cycle hub is being provided at Sicilian Avenue, a short walk away, which also forms part of the Holborn Links Estate. The location of the cycle store is therefore considered acceptable.

No objections have been received prior to making this decision. The planning history of the site and surrounding terrace has been taken into account when coming to this decision.

As such, the proposed development is in general accordance with policies A1, A4, C2, D1, D2, E1, E2, CC1, TC4, T1 and T2 of the Camden Local Plan 2017. The proposed development also accords with the London Plan 2021 and the National Planning Policy Framework 2023.

- 5 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.
- 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 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.

- 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 You are advised that if implemented, the alternative use permission hereby granted gives flexibility of use for 10 years from the date of this permission. After 10 years the lawful use would revert to whichever of the uses is taking place at the time.

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



Daniel Pope
Chief Planning Officer