

Application ref: 2020/5897/P
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Date: 14 August 2024

Development Management
Regeneration and Planning
London Borough of Camden
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WC1H 9JE

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David Lees Architects
8 Listria Park
Hackney
London
N16 5SN

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted Subject to a Section 106 Legal Agreement

Address:

21 Baldwin's Gardens
London
EC1N 7UY

Proposal:

Enlargement of existing basement, erection of a single storey mansard roof extension, four storey rear extension, and change of use of existing commercial floor space to create 4 flats and a basement level jewellery workshop. (Reconsultation: BIA)

Drawing Nos: A-0-100-P2, A-0-101-P2, A-0-102-P2, A-0-103-P1, A-0-104-P1, A-0-105-P1, A-0-106-P1, A-0-107-P1, A-1-150-P2, A-1-151-P2, A-1-100-P5, A-1-101-P5, A-1-102-P5, A-1-103-P5, A-1-104-P4, A-1-105-P4, A-1-107-P3 (Received 9/02/2021), A-1-106-P4, A-2-200-P5, A-2-201-P6, A-3-300-P4, A-3-301-P3, A-2-202-P3 (Received 18/12/2020), A-6-001. Hydrogeological and hydrological aspects of Basement Impact Assessment (BIA) dated 12/07/2023 by RSA Geotechnics; Land Stability Report for Basement Impact Assessment Version 3 dated May 2024 by RSA Geotechnics.

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: A-0-100-P2, A-0-101-P2, A-0-102-P2, A-0-103-P1, A-0-104-P1, A-0-105-P1, A-0-106-P1, A-0-107-P1, A-1-150-P2, A-1-151-P2, A-1-100-P5, A-1-101-P5, A-1-102-P5, A-1-103-P5, A-1-104-P4, A-1-105-P4, A-1-107-P3 (Received 9/02/2021), A-1-106-P4, A-2-200-P5, A-2-201-P6, A-3-300-P4, A-3-301-P3, A-2-202-P3 (Received 18/12/2020), A-6-001. Hydrogeological and hydrological aspects of Basement Impact Assessment (BIA) dated 12/07/2023 by RSA Geotechnics; Land Stability Report for Basement Impact Assessment Version 3 dated May 2024 by RSA Geotechnics.

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 Prior to commencement of development, full details in respect of the living roof in the area indicated on the approved roof plan shall be submitted to and approved by the local planning authority. The details shall include:
- i. a detailed scheme of maintenance
 - ii. sections at a scale of 1:20 with manufacturers details demonstrating the construction and materials used
 - iii. full details of planting species and density

The living roofs shall be fully provided in accordance with the approved details prior to first occupation and thereafter retained and maintained in accordance with the approved scheme.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies A3, D1 and D2 of the London Borough of Camden Local Plan 2017.

- 5 Full details of a lighting and ventilation strategy for the proposed basement level Jewellery workshop shall be submitted to and agreed in writing by the Local Planning Authority prior to occupation of the development. The details shall demonstrate good quality lighting appropriate for jewellery manufacture whilst preserving the amenity of surrounding residential occupants.

These measures shall be installed prior to occupation and permanently retained and maintained thereafter.

Reason: To provide an acceptable standard of workspace for future occupiers of the jewellery workspace and to safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies G1, E1, A1, A4 and D1 of the London Borough of Camden Local Plan

2017.

- 6 The site shall be inspected from time to time during the construction/demolition work by a suitably qualified professional for potential ground contamination. In the event that any potential contamination is found, the works shall cease and the site fully assessed to enable an appropriate remediation plan to be developed. Works shall not recommence until a written scheme of remediation measures has been submitted to and approved by the local planning authority in writing.

The remediation measures shall be implemented strictly in accordance with the approved scheme and a written report detailing the remediation shall be submitted to and approved by the local planning authority in writing prior to occupation.

Reason: To protect future occupiers of the development from the possible presence of ground contamination arising in connection with the previous industrial/storage use of the site in accordance with policies G1, D1, A1, and DM1 of the London Borough of Camden Local Plan 2017.

- 7 The development shall not be carried out other than in strict accordance with the methodologies, recommendations and requirements of the approved BIA reports and confirmation at the detailed design stage that the damage impact assessment would be limited to Burland Category 1.

Reason: To ensure proper consideration of the structural stability of neighbouring buildings and to safeguard the appearance and character of the immediate area in accordance with the requirements of policies D1, D2 and A5 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission.

The proposed works would be similar in scale and massing to a previously approved scheme on the same site application reference: 2014/6880/P granted on 31/03/2015. Further to this application 2018/2839/P dated 28/02/2020 was granted planning permission subject to section 106 agreement. Officers consider the proposed scheme acceptable in principle. The erection of a single storey mansard roof extension, four storey rear extension, alteration to an existing basement and ground floor commercial space, and the formation of residential units on the upper floor, has been agreed in principle in both previous applications.

The subject site whilst accessed from Baldwin's Gardens, fronts onto Leather Lane (no.43) and is entirely visible from the Bourne Estate to the rear. The property is within the Hatton Garden Conservation Area, and is listed as a

positive contributor (under the address of no.43 Leather Lane) within the conservation area statement. The property is not a listed building, with the closest listed building being the Laney Building, some 16m to the north of the site along the terrace.

Proposed is the formation of a mansard style roof extension and a rear largely infill extension (though with a projection) at first to fourth floor (roof) levels. In determining this application, it is acknowledged that similar additions to the building were previously approved ref: 2014/6880/P dated 31/03/2015 and 2018/2839/P dated 28/02/2020. Given that the proposed roof addition would be similar in scale and form to what was previously approved, officers raise no objection.

Notwithstanding this, the current scheme proposes a new fenestration design to the rear elevation with large aluminium-framed doors and windows with Juliet balconies. Although not traditional in detailing or proportions, it would be subject to limited views and would still provide a high quality design.

Policy E2 of the Camden Local Plan seeks to protect the historic jewellery sector in Hatton Garden (where this site is located), where jewellery-making workshop space is the priority land use. The current application includes the provision of 58sq.m of workshop floor space at ground and basement level, with a useable floorspace NIA of 46sqm at basement level. Officers note that the previous application (2018/2424/P) secured 49sqm at first floor level. The current proposals provide the workshop unit at basement level to mitigate adverse noise on upper floors residential spaces. Officers consider the proposed basement workshop unit would be acceptable. In order to ensure reasonable working space for future occupier's a condition is secured requesting details of specialist lighting and ventilation within the space.

To ensure the unit is affordable, the agent has agreed to 1) advertise demonstrably affordable rents for the workshop space, 2) market the premises through the right channels / networks to ensure widespread awareness of the opportunity, alongside the submission of a marketing plan to be signed off by the Economic Development team, and 3) ensure that any marketing materials clearly confirm that the landlord will themselves fund the fit out of the jewellery workspace according to the jewellery workshop specification required by the business leasing the space. A jewellery workspace payment in lieu of £22,908 has also been negotiated to be paid to the Council in the event that a suitable tenant for the jewellery workspace has not been found within the 24 month marketing period.

- 2 Jewellery workshop floorspace is the priority use within Hatton Garden, and subject to the above being secured by S106 agreement, given the history and context of the site, the proposal is considered to be acceptable in land use terms.

This current application seeks to change the use of B1 floor space at first, second third floor to residential floor space. Policy H7 seeks to provide a range of residential unit sizes to meet demand across the borough and regards 2 and 3 bed units as high priority. The Council take a flexible approach when assessing development against Policy H7 taking into account the character of

the development, the site and the area. The proposed development would provide one high priority 2bed flat at first floor level and three 1bed units at 2nd to 4th floor levels.

The proposed residential units would be dual aspect with the front overlooking Leather Lane and the rear overlooking an existing internal rear courtyard. All proposed units would also have a minimum of 2.3m floor to ceiling height. The proposed 1bed units would meet the minimum space standards of 50sqm for 1bed 2person flats, whilst the proposed 2bed unit would measure 61.8sqm which meets the requirement of 61sqm for a 2bed 3person flat. Therefore, officers consider the development would provide acceptable residential accommodation for future occupiers.

With regards to overlooking of neighbouring properties, officers note that the proposed rear elevation windows would be fitted into existing rear elevation openings albeit with increased width and height. It is also noted that the proposed glazing ratio would be smaller than what was previously approved in planning permission 2018/2839/P dated 28/02/2020. Therefore, officers do not consider the proposed works would give rise to adverse overlooking impact.

Given that the proposed extension's scale would be similar that what was previously approved; it is considered that the development would not result in undue harm in terms of outlook, privacy or noise.

The application property is located within an area of PTAL rating 6b. The property is readily accessible by public transport as it is within short walking distance of Farringdon, and Chancery Lane tube stations. The surrounding streets are within a Controlled Parking Zone. In line with Policy T2 of the adopted Local Plan, we expect all new developments to be secured as "car free" by means of a Section 106 Agreement. The development is a comprehensive reconfiguration of the building and there are no existing residential tenants to return once the works are completed. As such, it is considered that all four flats at this address should be subject to the car free S106 clause.

The installation of 6.5 cycle parking facilities would typically be required for this number of flats, however, officers recognise the constraints of the site with limited space for internal or external cycle provision without compromising the existing ground floor commercial unit. Internal areas are stepped access with restricted space for manoeuvring which is not conducive to bringing cycles into the flats. The internal layout is unable to comfortably accommodate cycle parking and allow residential use. As such, a financial contribution of £4,320 towards the provision of a cycle storage hanger in the vicinity of the site is sought.

Due to the nature of the works and the location of the site, a Construction Management Plan (CMP), Implementation Support Contribution and bond shall be secured via S106 agreement.

- 3 The proposed development involves the deepening of the existing basement of the building and its extension beneath the new five-storey extension to the rear. In line with Camden's local plan policy A5 (basements) and Planning

Guidance CPG: Basements, a Basement Impact Assessment was submitted. This has been audited on behalf of the Council by qualified independent assessors confirming that there will be no significant impacts to slope stability and hydrology of the area and that any damage to neighbouring properties will be of scale that is superficial only (Burland category 1 or less). The BIA recommends structural movement monitoring as part of any party wall agreement. This and the other requirements of the BIA are secured as a condition to this permission. Risks from ground contamination from the basement works are considered low but a condition is attached requiring the monitoring of this and a remediation strategy to be prepared if it becomes necessary.

Policy H4 of the Council's Local Plan aims to maximise the supply of affordable housing and expects a contribution towards affordable housing from all developments that provide one or more additional homes and a total addition to residential floorspace of 100sqm GIA or more. Based on the proposed uplift of 255sqm (GIA) residential floorspace, the sliding scale in this instance would require a provision equal to 6% of the total C3 floorspace which results in an overall requirement of £76,500.00. This financial contribution will be secured via a section 106 agreement.

No comments were received in relation to this scheme following public consultation. The planning history of the site and surrounding area has been considered in determining this application.

Considerable weight has been attached and special attention has been paid to the desirability of preserving or enhancing the character and 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.

As such, the proposal is in general accordance with policies G1, A1, A4, A5, D1, D2, E1, E2, T1, T2 and T4 of the London Borough of Camden Local Plan 2017. The proposed development also accords with the London Plan 2021 and the National Planning Policy Framework 2023.

- 4 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.
- 5 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.

- 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 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.
- 9 The correct street number or number and name must be displayed permanently on the premises in accordance with regulations made under Section 12 of the London Building (Amendments) Act 1939.
- 10 You are reminded that this decision only grants permission for permanent residential accommodation (Class C3). Any alternative use of the residential units for temporary accommodation, i.e. for periods of less than 90 days for tourist or short term lets etc, would constitute a material change of use and would require a further grant of planning permission.

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

A handwritten signature in black ink, appearing to read 'DPope', is positioned in the upper left corner of the page.

Daniel Pope
Chief Planning Officer