

Application ref: 2024/2789/P
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Date: 3 October 2024

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

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Turley
Brownlow Yard
12 Roger Street
London
WC1N 2JU

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

The Heals Building
196 Tottenham Court Road
London
W1T 7LQ

Proposal:

Installation of timber slatted handrail with maintenance access gate, raised composite decking, fitted benches and planters, together with soft landscaping to create a roof terrace at sixth floor

Drawing Nos: Site Location Plan 5442_T_PL_00_000 PL1, 5442_T_PL_00_106 PL1, 5442_T_PL_00_200 PL1, 5442_T_PL_00_300 PL1, 5442_T_PL_00_406 PL1, 5442_T_PL_00_420 PL1, 5442_T_PL_00_430 PL1, 5442_T_PL_01_106 PL1, 5442_T_PL_01_200 PL1, 5442_T_PL_01_300 PL1, 5442_T_PL_01_406 PL1, 5442_T_PL_01_420 PL1, 5442_T_PL_01_430 PL1, 5442_T_PL_12_406 PL1, 5442_T_PL_12_420 PL1, 5442_T_PL_12_430 PL1, 5442_T_PL_00_600, 5442_T_PL_00_601 Heritage Statement

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:

Site Location Plan 5442_T_PL_00_000 PL1, 5442_T_PL_00_106 PL1, 5442_T_PL_00_200 PL1, 5442_T_PL_00_300 PL1, 5442_T_PL_00_406 PL1, 5442_T_PL_00_420 PL1, 5442_T_PL_00_430 PL1, 5442_T_PL_01_106 PL1, 5442_T_PL_01_200 PL1, 5442_T_PL_01_300 PL1, 5442_T_PL_01_406 PL1, 5442_T_PL_01_420 PL1, 5442_T_PL_01_430 PL1, 5442_T_PL_12_406 PL1, 5442_T_PL_12_420 PL1, 5442_T_PL_12_430 PL1, 5442_T_PL_00_600, 5442_T_PL_00_601 Heritage Statement

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 terrace use hereby permitted shall not be carried out outside the following times 08.00 to 21.00 Mondays to Fridays. No music shall be played on the terrace in such a way as to be audible within any nearby residential premises.

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.

- 5 No structures should be erected on the roof that are not shown on the approved drawings, without planning permission.

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:

The proposal involves the installation of a new terrace located at the sixth floor of the Heal's Building, which is Grade II* listed and located within the Bloomsbury Conservation Area. An associated listed building application has been submitted under ref. 2024/2812/L.

The terrace would consist of raised timber decking with fitted seating, planters, and a timber handrail. The terrace would be a modest size and set back from the Tottenham Court Road elevation. An area of existing plant would provide some screening. The terrace would be subordinate in size to the host building, and given its set back location, would have limited visibility in long views from within the conservation area. As such it would not significantly detract from the overall appearance of the listed building and the character of the Bloomsbury

Conservation Area. A condition is attached to prevent any additional clutter on the terrace that may pop up and be visible in long views.

The terrace would be located a suitable distance from neighbouring occupiers and its modest size would mean that only small numbers could gather. Therefore, it is unlikely to impact on neighbouring occupiers in terms of overlooking or noise. Nonetheless, a condition is attached to ensure that it is used only between Monday to Friday between 08:00 and 21:00 and no music shall be audible from neighbouring properties.

Based on the information available this permission will not require the approval of a Biodiversity Gain Plan before development is begun because it is below the de minimis threshold, meaning it does not impact an onsite priority habitat and impacts less than 25sqm of onsite habitat with biodiversity value greater than zero and less than 5 metres in length of linear habitat.

Special regard has been attached to the desirability of preserving or enhancing the listed building, its setting and its features of special architectural or historic interest, and the character and appearance of the conservation area under s.66 and s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

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

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

- 2 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).
- 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 Biodiversity Net Gain (BNG)

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition ("the biodiversity gain condition") that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The local planning authority (LPA) that would approve any Biodiversity Gain Plan (BGP) (if required) is London Borough of Camden.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply.

Based on the information available this permission will not require the approval of a BGP before development is begun because it is below the de minimis threshold because it does not impact an onsite priority habitat AND impacts less than 25 square metres of onsite habitat with biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat.

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