

Application ref: 2024/1056/P  
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**Development Management**  
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Montagu Evans LLP  
70 St Mary Axe  
London  
EC3A 8BE  
United Kingdom

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Granted Subject to a Section 106 Legal Agreement**

Address:

**9 Northington Street  
London  
WC1N 2ES**

Proposal:

Change of use from office (Class E) to residential (Class C3) to form 4x, 2-bedroom units, including associated external alterations including secondary glazing, and the replacement of a window with French doors to the rear and 4x ASHP at roof level.

Drawing Nos: Planning Statement March 2024; Internal Daylight Assessment, March 2024, Issue 3; Construction Management Plan 22/02/2024; Transport Statement, 22 February 2024; Noise Impact Assessment Report, Rev C; Structural Statement in Support of Planning ,09th February 2024, Revision 02; Loss of Employment Report Appendix 1; Report for Planning Purposes on Marketing Undertaken, January 2024; Sustainability Statement, Revision 04, S2; Loss of Employment Statement, February 2024; Design and Access Statement, February 2024; Heritage Appraisal, March 2024; Covering Letter, 13 March 2024; Door and Window Schedule, 01/04/2024; Photographic Room Survey, March 2024; A\_0200; A\_0599; A\_0600; A\_0601; A\_0602; A\_0604; A\_0700; A\_0701; A\_0702; A\_0800; A\_0801; A\_1399; A\_1400; A\_1401; A\_1402; A\_1404; A\_1500; A\_1501; A\_1502; A\_1600; A\_1601; A\_1999; A\_2000; A\_2001; A\_2002; A\_2004; A\_2100; A\_2101; A\_2102; A\_2200; A\_2201.

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 Planning Statement March 2024; Internal Daylight Assessment, March 2024, Issue 3; Construction Management Plan 22/02/2024; Transport Statement, 22 February 2024; Noise Impact Assessment Report, Rev C; Structural Statement in Support of Planning ,09th February 2024, Revision 02; Loss of Employment Report Appendix 1; Report for Planning Purposes on Marketing Undertaken, January 2024; Sustainability Statement, Revision 04, S2; Loss of Employment Statement, February 2024; Design and Access Statement, February 2024; Heritage Appraisal, March 2024; Covering Letter, 13 March 2024; Door and Window Schedule, 01/04/2024; Photographic Room Survey, March 2024; A\_0200; A\_0599; A\_0600; A\_0601; A\_0602; A\_0604; A\_0700; A\_0701; A\_0702; A\_0800; A\_0801; A\_1399; A\_1400; A\_1401; A\_1402; A\_1404; A\_1500; A\_1501; A\_1502; A\_1600; A\_1601; A\_1999; A\_2000; A\_2001; A\_2002; A\_2004; A\_2100; A\_2101; A\_2102; A\_2200; A\_2201.

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 external noise level emitted from plant, machinery or 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 machinery operating at maximum capacity and thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise from mechanical installations/ equipment 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 ensure that the amenity of occupiers of the development site and

surrounding premises is not adversely affected by vibration in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017

- 6 The development hereby approved shall achieve a maximum internal water use of 105 litres/person/day, and 5 litres/person/day for external water use. The dwellings shall not be occupied until the Building Regulation optional requirement has been complied with.

Reason: To ensure the development contributes to minimising the need for further water infrastructure in an area of water stress in accordance with policies CC1, CC2 and CC3 of the London Borough of Camden Local Plan.

- 7 Prior to first use of the air source heat pumps hereby approved, the active cooling function shall be disabled on the factory setting and the air source heat pumps shall be used for the purposes of heating only.

Reason: To ensure the proposal is energy efficient and sustainable in accordance with policy CC1 and CC2 of the London Borough of Camden Local Plan 2017.

- 8 Before the development commences, details of secure and covered cycle storage area for 8 cycles shall be submitted to and approved by the local planning authority. The approved facility shall thereafter be provided in its entirety prior to the first occupation of any of the new units, 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.

- 9 Carbon reduction targets

The energy saving and sustainability measures detailed in Energy & Sustainability Statement Ref. J5653-B-RP-0001-REV 4 shall achieve the reported 9% reduction at the Be Green Stage of the energy Hierarchy and a total carbon reduction of 19%. The measures shall be fully provided in accordance with the approved details 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 CC1, CC2, D1, and A3 of the Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission.

The application site is located on the southern side of Northington Street and comprises a three-story plus basement building. The site's existing lawful use is Class E, and it was most recently used as offices. The site is within the Bloomsbury Conservation Area. The site is connected to 9 John Street via a rear internal link, and 9 John Street is a Grade II listed building.

The applicant is seeking permission for a change of use from office (Class E) to residential (Class C3) to form 4x, 2-bedroom units, including associated external alterations including secondary glazing, and the replacement of a window with French doors to the rear and 4x ASHP at roof level.

The proposal would not substantially alter the subject building's external appearance, so its contribution to the character and appearance of the conservation area would be preserved.

Secondary window glazing is proposed, which is considered acceptable as it would retain all of the existing windows. The removal of the grilles from the basement windows is also acceptable as these are a recent addition (not historic).

A timber acoustic enclosure is proposed on the roof for the ASHP. This is acceptable as it would not be publicly visible, and is sufficiently limited in size and scale.

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.

A loss of employment statement and marketing report has been provided, which demonstrates that the subject property is no longer fit for purpose as an office and demonstrates that the proposal generally complies with Policy E2 of the Local Plan. Some key points from the report are as follows:

- The building has been vacant since May 2020, and has been marketed from 1st December;2020, with one successful letting during this time;
  - No interest has been received for some time;
  - The building has been marketed at a reduced rental rate which Council's Inclusive Economies Officer has confirmed as being reasonable for the area;
  - The property has been marketed on various platforms, and let boards were erected on site;
  - Demand for offices in this area has fallen, and supply has increased;
- Numerous reasons, such as the building's layout, are given as to why the building is not suitable for continued business use.

Given the information provided, the loss of office space in this instance is considered acceptable in this instance and location.

The provision of four new residential units at the site is welcomed, as housing is the priority land use of the Local Plan. The dwelling size priorities table identifies a high demand for 2-bedroom units, which the proposed development seeks to provide.

Policy H7 seeks a mix of dwelling sizes. While the proposal only provides 2-bedroom dwellings, this is appropriate given the limited scale of development, the constraints of the existing site layout, and the high priority of 2-bedroom units.

The proposed development would exceed the Nationally Described Space standards for floor areas, be dual-aspect, and receive significant daylight throughout the year. A daylight assessment has been provided, which has assessed the proposed habitable rooms for internal daylight levels using BRE Guidance. This assessment confirms that the proposal meets the guidance levels for daylight and is, therefore, acceptable. Outdoor amenity space is also provided.

- 2 The proposal is acceptable in this regard because it would provide a high-quality living accommodation for future residents. Overall, the proposal is considered generally consistent with policies H6 and H7 of the Local Plan.

The application seeks 4x ASHP at the roof level. The application was accompanied by a noise impact assessment, which has been reviewed by the Council's Environmental Health (Pollution) Officer, who is satisfied that the submitted acoustic report demonstrates that the ASHP would meet local plan guidelines and is therefore acceptable in environmental health terms. The Council's Pollution Officer has recommended standard noise conditions which have been included, to ensure that the equipment operates within the Council's minimum noise standards.

Given the limited external changes proposed, it is not considered that the proposal would result in any unacceptable amenity effects with respect to privacy, overshadowing, and sunlight. A replacement door and terrace are proposed to the rear; however, it is not considered that these would result in any unacceptable amenity-related effects.

With respect to policy T1, the proposed ground floor plan shows an 8 space cycle store in the rear courtyard of the building. Whilst the type of stand being proposed is unclear, it is recommended that either Sheffield or two tier stands be used and that a shelter be provided to protect the cycle from the elements. For visitors, 2 spaces are provided in the form of foldable cycle lockers in the rear courtyard. A condition surrounding these details to be provided has been attached.

The proposed units would be car-free in accordance with policy T2, which is secured via a section 106 legal agreement.

Given the change of use from offices to residential, it is considered that there is unlikely to be an increase in pedestrian and cyclist activity at the site and so a contribution towards pedestrian, cycling and environmental improvements is unnecessary.

The site will continue to be serviced as at present, from the parking bays outside on Northington Street. As such, a servicing management plan is considered unnecessary.

While a draft construction management plan has been submitted in support of this application, little external building works are proposed. As such, it is considered unnecessary to secure a CMP.

A highways contribution is not considered necessary in this instance as any damage that occurs to the adjacent footway during the refit works will be covered by the scaffolding bond that is secured under the scaffold licencing process.

Overall, the proposal is considered to be in accordance with policies T1 and T2 of the Local Plan.

A sustainability statement has been provided, which has been reviewed by the Council's Sustainability Officer. The proposal would deliver sustainability benefits, in accordance with policies CC1 and CC2, through the incorporation of ASHP, lighting, and a condition around water usage, which has been attached.

The applicant has confirmed that the ASHP are not to be used for cooling, and a condition has been attached surrounding this.

A payment-in-lieu for an affordable housing contribution will be secured via section 106 agreement in accordance with Policy H4. Based on the GIA of 365 sqm, this would have a capacity for 4 dwellings, and the affordable housing target raising would be 8%. The payment-in-lieu arising would thus be  $365 \text{ sqm} \times \text{£}5,000 \text{ per sqm} \times 8\% = \text{£}146,000$ .

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

As such, the proposed development is in accordance with policies D1, D2, A1, A4, H1, H4, H6, H7, CC1, CC2, 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.

- 3 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).
- 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](http://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.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with the National Planning Policy Framework. The council publishes its adopted policies online, along with detailed Camden Planning Guidance. It also provides advice on the website for submitting applications and offers a pre-application advice service.

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