

Application ref: 2024/2979/P  
Contact: John Nicholls  
Tel: 020 7974 2843  
Email: [John.Nicholls@camden.gov.uk](mailto:John.Nicholls@camden.gov.uk)  
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**Development Management**  
Regeneration and Planning  
London Borough of Camden  
Town Hall  
Judd Street  
London  
WC1H 9JE

Phone: 020 7974 4444

[planning@camden.gov.uk](mailto:planning@camden.gov.uk)

[www.camden.gov.uk/planning](http://www.camden.gov.uk/planning)

DP9  
100  
Pall Mall  
London  
SW1Y 5NQ

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Granted**

Address:

**1 Stephen Street  
London  
W1T 1AL**

Proposal: Installation of plant on first floor roof along with acoustic screen, creation of green roof at third floor and other works incidental to the application proposals

Drawing Nos: (SS0-ORM-ZZ-ZZ-DR-A-)10000 Rev P01; 12410 Rev P03; 12700 Rev P03; 12310 Rev P03; 12203 Rev P03; 12200 Rev P03; 12103 Rev P03; 121100 Rev P03; 12001 Rev P03; 12000 Rev P03; 12750 Rev P03; Arup Cooling Hierarchy Statement dated 14/11/2024 and Hann Tucker Noise Assessment Report dated 02/10/2024 (31659/PNA2 Rev 1)

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: (SS0-ORM-ZZ-ZZ-DR-A-)10000 Rev P01; 12410 Rev P03; 12700 Rev P03; 12310 Rev P03; 12203 Rev P03; 12200 Rev P03; 12103 Rev P03; 121100 Rev P03; 12001 Rev P03; 12000 Rev P03; 12750 Rev P03; Arup Cooling Hierarchy Statement dated 14/11/2024 and Hann Tucker Noise Assessment Report dated 02/10/2024 (31659/PNA2 Rev 1)

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 levels emitted from plant/ machinery/ equipment shall ensure that the rating level of the noise emitted from the proposed installation located at the site shall not exceed the existing background level at any noise sensitive premises when measured and corrected in accordance with BS4142:2014 +A1:2019 "Methods for rating and assessing industrial and commercial sound."

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 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 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 G1, CC1, CC2, CC3, CC4 D1, D2 and A3 of the London Borough of Camden Local Plan 2017.

Informative(s):

1 Reasons for granting permission

The property is a large commercial building comprising of 10 storeys fronting on the west side of Tottenham Court Road. The site is within the Bloomsbury Conservation Area (sub area 4) but isn't considered to be a positive contributor.

The proposal consists of additional roof plant at first floor level (southern elevation) within an acoustic enclosure around it but located on a previously approved area of green sedum roof. The green roof lost at first floor level will be re-provided at 3rd floor level.

The proposed units are to serve a new tenant in the building who requires increased and independent cooling and heating due the nature of their work and hours they need to use their studios. The five units that are proposed are variable refrigerant flow (VRF) units, of which two are for the cooling of server rooms and the other three are for the studios. These VRFs are more efficient than water and will have both cooling and heating capacity, which ultimately will help when the building finally decommissions its existing gas boilers. The addition of these new units will mean a reduction in load to Air Source Heat Pumps approved in 2024. The proposed units and cooling hierarchy have been assessed by the Council's Sustainability Team who consider the cooling load, adoption of VRF (rather than ASHP), and efficiency of proposed AC units and the substitute green roof are considered sufficient justification for the proposed units. The units are therefore compliant with policy CC2 of the Camden Local Plan 2017.

The location of the units is at a lower roof height and set behind a section of the building which means that the units are not visible from the street and set far enough onto the roof and behind the acoustic housing that they can't be seen from the service road at the rear. The acoustic housing is proposed to be made from galvanised steel louvers with acoustic absorbing material inside it and coloured dark grey to match the existing adjacent acoustic enclosure for the existing plant. Therefore, they are considered acceptable and in line with policy D1 and D2 of the Camden Local Plan 2017.

Due to the location of the new plant, and the nearest sensitive residential window being 24m away, it is considered that there are no amenity concerns as a result of the proposals.

The Council's Environmental Health officer is satisfied that the submitted acoustic report meets the Camden Local Plan Guidelines and does not object to the proposal. However, to ensure any noise which is emitted is kept to within these acceptable levels, two noise conditions have been proposed to be added.

The green roof is considered acceptable in scale and location measuring

20sqm. however limited information has been provided within the submission meaning that further details will be secured via pre-commencement condition.

The Bloomsbury CAAC were notified about the application and have not comments. There have been no objections to the proposals. The planning history of the site has been taken into account when coming to this decision.

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 (ERR) 2013.

As such, the proposed development is in general accordance with policies A1, A4, D1, D2 and CC2 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](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.

- 5 The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 ("1990 Act") is that planning permission granted in England is 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. These are summarised below, but you should check the legislation yourself and ensure you meet the statutory requirements.

Based on the information provided, this 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).

++ Summary of transitional arrangements and exemptions for biodiversity gain condition

The following are provided for information and may not apply to this permission:

1. The planning application was made before 12 February 2024.
2. The planning permission is retrospective.
3. The planning permission was granted under section 73 of the Town and Country Planning Act 1990 and the original (parent) planning permission was made or granted before 12 February 2024.
4. The permission is exempt because of one or more of the reasons below:
  - It is not “major development” and the application was made or granted before 2 April 2024, or planning permission is granted under section 73 and the original (parent) permission was made or granted before 2 April 2024.
  - 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).
  - The application is a Householder Application.
  - It is for development of a “Biodiversity Gain Site”.
  - It is Self and Custom Build Development (for no more than 9 dwellings on a site no larger than 0.5 hectares and consists exclusively of dwellings which are Self-Build or Custom Housebuilding).
  - It forms part of, or is ancillary to, the high-speed railway transport network

(High Speed 2).

6 + Irreplaceable habitat:

If the onsite habitat includes Irreplaceable Habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements. In addition to information about minimising adverse impacts on the habitat, the BGP must include information on compensation for any impact on the biodiversity of the irreplaceable habitat. The LPA can only approve a BGP if satisfied that the impact on the irreplaceable habitat is minimised and appropriate arrangements have been made for compensating for any impact which do not include the use of biodiversity credits.

++ The effect of section 73(2D) of the Town and Country Planning Act 1990  
If planning permission is granted under section 73, and a BGP was approved in relation to the previous planning permission (“the earlier BGP”), the earlier BGP may be regarded as approved for the purpose of discharging the biodiversity gain condition on this permission. It will be regarded as approved if the conditions attached (and so the permission granted) do not affect both the post-development value of the onsite habitat and any arrangements made to compensate irreplaceable habitat as specified in the earlier BGP.

++ Phased development

In the case of phased development, the BGP will be required to be submitted to and approved by the LPA before development can begin (the overall plan), and before each phase of development can begin (phase plans). The modifications in respect of the biodiversity gain condition in phased development are set out in Part 2 of the Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024.

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