



Application ref: 2024/4848/P
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Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
Judd Street
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planning@camden.gov.uk

www.camden.gov.uk/planning

Drew Planning & Development Ltd
86 Calbourne Road
London
SW12 8LR

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

Kingsbourne House
229-231 High Holborn
London
WC1V 7DA

Proposal: Change of use at the rooftop floor and part of seventh floor from offices (Class E) to dual use between offices (Class E) and a bar (Sui Generis); Creation of new roof terrace including associated fixings, balustrades and screens, and access at seventh floor (part retrospective).

Drawing Nos: Plans: 2468-MP-DR-X012-P02; 2468-MP-DR-X015-P02; 2468-MP-DR-X011-P02; 2468-MP-DR-X022-P01; 2468-MP-DR-X017-P02; 2468-MP-DR-X014-P02; 2468-MP-DR-X021-P01; 2468-MP-DR-X013-P02; 2468-MP-DR-X016-P02; 2468-MP-DR-X020-P01; 2468-MP-DR-X019-P03; 2468-MP-DR-X023-P01; 2468-MP-DR-X024-P01; 2468-MP-DR-P008-P01; 2468-MP-DR-P001-P02; 2468-MP-DR-X018-P03; 2468-MP-DR-P007-P03; 2468-MP-DR-P006-P03; 2468-MP-DR-P005-P03; 2468-MP-DR-P004-P03; 2468-MP-DR-P003-P03

Supporting information: Cover letter prepared by Drew Planning, 1/11/2024; Noise Impact Assessment prepared by F1 Acoustics, rev 2, 25/10/2024, Safety, Security, and Management 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 2468-MP-DR-X012-P02; 2468-MP-DR-X015-P02; 2468-MP-DR-X011-P02; 2468-MP-DR-X022-P01; 2468-MP-DR-X017-P02; 2468-MP-DR-X014-P02; 2468-MP-DR-X021-P01; 2468-MP-DR-X013-P02; 2468-MP-DR-X016-P02; 2468-MP-DR-X020-P01; 2468-MP-DR-X019-P03; 2468-MP-DR-X023-P01; 2468-MP-DR-X024-P01; 2468-MP-DR-P008-P01; 2468-MP-DR-P001-P02; 2468-MP-DR-X018-P03; 2468-MP-DR-P007-P03; 2468-MP-DR-P006-P03; 2468-MP-DR-P005-P03; 2468-MP-DR-P004-P03; 2468-MP-DR-P003-P03

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 approved roof terrace shall be operated in accordance with the approved Operational Management Plan (OMP), titled Safety, Security, and Management Statement

Reason: To safeguard the amenity of the adjoining premises and the area generally in accordance with policies A1 and A4 of the London Borough of Camden Local Plan 2017.

- 5 Entertainment noise (LAeq) should be controlled to 10dB below the background noise level (LA90) without the entertainment noise present, in each octave band at the nearest noise sensitive location.

Reason: To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise from entertainment noise in accordance with the requirements of policies A1 and A4 of the London

- 6 The use hereby permitted shall not be carried out outside the following times 11:00 to 23:30 Mondays to Fridays and 09:00 to 23:30 Saturday to Sunday.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies G1, CC1, D1, A1, A4 and TC4 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 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).
- 2 Reasons for granting permission.

The proposal involves the creation of a new roof terrace, including associated fixings, balustrades and screens, and access at seventh floor. The roof terrace would have capacity for of 200 people. The rooftop of the building has historically been used as an outside seating area for the users of the offices below. The roof has had benched seating and tables and has had a fully decked timber floor as part of the existing office use.

The principle of a change of use is considered appropriate as the majority of the space subject of the application is open space ancillary to the existing internal office accommodation. The only enclosed spaces are the kitchen and the existing toilets on the seventh floor. The proposal is for a dual use to continue as an informal outside space, ancillary to the office use below as well as to be used as a bar accessible to the public at defined times.

To ensure the security of customers and the surrounding community, the applicant proposes a monitored CCTV system to be in place, access control to the terrace via a booking system with customers met and checked-in at the ground floor (for those arriving from other offices blocks) by secure entrance procedures, the installation of low-level lighting, and security personally to be present during opening hours at the entrance and at the terrace.

In terms of the day-to-day operations of the reconfigured and refurbished roof terrace, the roof terrace would be operated mainly in daytime and would be a facility for the offices of Kingsbourne House and businesses surrounding it, specifically as a breakout space for office users and professionals by enabling them to have meetings outside their main offices in a branded designated area. The roof terrace would also be available for corporate events during the year. This and other operational matters are secured via an operational management

plan via condition.

Overall the principle of the change of use is acceptable and accords with policies TC4 and A1 of the 2017 Local Plan

In terms of design, alterations include installation of new replacement decking and seating areas, screens, new balustrade, new kitchen and new mobile parasols.

The proposal has been amended to reduce the height of the proposed balustrade to the edge of the terrace, from 1.3m to 1.1m and clad the balustrade in lead instead of timber composite panels. Planters are also proposed to be hung to the outer edge of the balustrade.

The alterations to the rooftop area are generally minor and aside from the new balustrade, are set back from the edge of the roof and the existing metal balustrade to be retained. The proposed balustrade would have a very limited visibility from the north (opposite) side of High Holborn and the existing railing to remain would remain the predominant feature of the roof level. More oblique views may provide visibility of the balustrade, however generally only the upper part of the balustrade would be visible and given the balustrade would be constructed in a recessive material sympathetic to the existing building, it would not appear as overly noticeable or incongruent to the existing rooftop and building as a whole.

The balustrade's lead material would be recessive and more readily blend in with the conservation area, compared to the timber composite material previously proposed.

The planters will also be lead clad and with faux trailing plants. The faux trailing plants will ensure the planting is not compromised by the weather or seasons and it would not be possible to perceive the difference between real and faux planting from the street level some seven storeys below.

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).

- 3 In terms of transportation effects, as the proposed use is located at roof level and is mainly open air, with only a small bar area, kitchen and the dual use toilets, it is considered that the formal requirement for cycle parking can be waived in this instance. On-street cycle stands are available for visitors on the opposite side of High Holborn, near the Procter Street junction, and at the rear of the site on Gate Street.

Deliveries and servicing to the proposed bar use will be as per the existing offices, that is on-street from High Holborn. A Servicing Management Plan is not considered necessary for this small-scale development.

The proposed alterations are of a minor nature that they do not justify the imposition of a Construction Management Plan planning obligation.

Given the nature and scale of the works, the proposal would not cause any adverse impacts on the amenity of adjoining residential occupiers in terms of loss of light, outlook or privacy. Any nearby residential properties, in particular those at 115 High Holborn and 10 Gate Street, are separated a generous distance from the roof terrace to mitigate any overlooking effects.

Specially in relation to noise effects from the operational use of the terrace, Council's Environmental Health Officer notes the applicant's acoustic information indicates that the proposed change of use should be capable of achieving the Camden's environmental noise criteria at the nearest and potentially most affected noise sensitive receptors with the specified noise management and level of background music. Therefore, the submitted acoustic submission is considered to meet Camden's Local Plan guidelines and is therefore acceptable in environmental health terms. Conditions are attached to ensure entertainment noise (LAeq) from the roof terrace be controlled to 10dB below the background noise level (LA90) without the entertainment noise present.

The new kitchen area does not require any extracts or mechanical ventilation and utilises existing openings and doors within the existing plant room, therefore there would be no odour nuisance effects to adjoining occupiers.

The Metropolitan Police's Design Out Crime Officer objected to the proposal and cited deficiencies in the submitted application material to address/mitigate crime and fear of crime. The applicant subsequently provided an Operational Management Plan which clarified the scope of the proposed venue's operations, security measures proposed, and access arrangements, to address each of the comments raised in the objection. No other comments have been received following statutory consultation on the application. 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, A4, TC4, 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 2024.

- 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 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.

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).

- 7 + 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 the post-development value of the onsite habitat, or 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

A handwritten signature in black ink, appearing to read 'DPope', written over a light grey rectangular background.

Daniel Pope
Chief Planning Officer