

28 January 2025

The Savills logo consists of the word "savills" in a lowercase, sans-serif font, colored red. It is positioned on a solid yellow rectangular background.

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Dear Sir / Madam,

101 Bayham Street, London, NW1 0AG
Section 73 Application – Planning ref: 2023/4024/P

On behalf of the applicant, Railpen, please find enclosed an application for a Section 73 minor amendment in respect of the approved development at the above site. The proposed amendments relate to:

- the introduction of double glazing to the existing window frames on the east and west facades, and;
- the inclusion of an acoustic enclosure at roof level.

Accordingly, amendments are sought to conditions 2 and 9. Further detail is set out below.

In addition to this cover letter, the application is supported by the following documents:

- Design Statement
- Proposed Plans First Floor – Roof
- Proposed Elevations
- Proposed Sections
- Developed Design Acoustic Report
- Acoustic Treatment Proposal Drawings
- Energy Statement Amendment
- Be Green Scenario
- Be Lean Scenario
- BRUKL Output EPC – Existing (Baseline)
- Part L GLA Carbon Emissions

The application fee of £363 (inc. VAT) will be paid via the Planning Portal and will be subject to confirmation by the London Borough of Camden (LBC).

Background

Planning permission (ref: 2023/4024/P) was granted on 9th February 2024 for the following description of development:

Alterations to and refurbishment of existing building; rear infill extension at fourth floor; replacement plant equipment at roof level, and associated works.

Planning assessment

Section 73 of the Town and Country Planning Act 1990 (as amended) ('S73') allows applications to be made for permission to develop without complying with a condition(s) previously imposed on a planning permission.

This application seeks material amendments to the approved scheme's glazing strategy as part of the design development process following the grant of planning permission to explore opportunities to enhance both the building's thermal performance and the quality of its internal spaces.

Introduction of double glazing

The application proposes the introduction of double glazing to the existing window frames on the east and west elevations of the building in replacement of the internal secondary glazing which forms part of the approved scheme. The removal of secondary glazing significantly improves the quality and amenity of the office spaces by maximising usable floor area and enabling more straightforward operation of opening windows for natural ventilation, all while preserving the original window proportions. The amendment by virtue of the retention of the existing window frames would conserve the significance of the building and its setting within the Camden Town Conservation Area in line with the requirements of London Plan HC1 and Local Plan Policy D2.

The submitted updated Energy and Sustainability Statement, prepared by Verte Ltd, has been amended to include the updated design specifications for the proposed double-glazed windows, while ensuring continued compliance with GLA guidance. In terms of Be Lean requirements, passive energy efficiency measures remain robust and effective, with a 24% improvement. This is well above the minimum requirement of 15% for non-residential developments. In terms of Be Green, the renewable energy contributions continue to meet the carbon reduction targets outlined in the GLA guidelines, with the scheme achieving the required 35% reduction for non-residential developments. The Be Clean scenario remains unchanged.

It is proposed that Condition 2 be updated to reference plans showing the double-glazing system. It is also proposed that Condition 9 be updated to make reference to the need for compliance with the updated Energy and Sustainability Statement. Suggested wording is set in Table 1 below.

Acoustic enclosure

In addition, the proposed acoustic enclosure builds upon the original design strategy which focused on consolidating the rooftop plant and minimising visual clutter, in line with the requirements of London Plan SI 1 and Local Plan Policy D1.. The overarching design intent from the outset anticipated the need for an enclosure on the roof, as evident in the approved planning application's approach to grouping mechanical equipment in a single consolidated location. The enclosure would contribute to the consolidation of the appearance of clutter on the roof and the presentation of a more unified roof form to the surrounding townscape, in accordance with London Plan HC1 and Local Plan Policy D2.

This accompanying Design Statement by Studio Ghazal provides the technical details and specifications for the proposed enclosure, delivering both the required acoustic performance and the previously established visual organisation of rooftop elements.

It is proposed that Condition 2 be updated to make reference to updated drawings showing the acoustic enclosure. The revised plans are listed in Table 1 below.

With respect to measures to limit noise emissions from the approved plant, Condition 3 of the original planning permission (ref: 2023/4024/P) states the following:

The external noise level emitted from plant, machinery or equipment at the development hereby approved shall be lower than the typical existing background noise level by at least 10dBA, or by 15dBA where the source is tonal, as assessed according to BS4142:2014 at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity.

The Noise Impact Assessment (NIA), prepared by Max Fordham, and submitted as part of the original planning permission (ref: 2023/4024/P) assessed the impact of the proposed plant on the noise environment in the surrounding area. The noise model used to predict the resultant noise rating levels were taken with the plant enclosure as proposed. This application for a minor amendment proposes to add the acoustic plant enclosure

to the previously approved drawings, as listed below. Therefore, the conclusions drawn from the NIA approved under the original planning permission (ref: 2023/4024/P) still apply and the external noise level emitted from the plant will still be met, in accordance with Condition 3.

Therefore, no changes to Condition 3 are proposed.

Proposed Amendments to Conditions

The table below specifies what conditions this application seeks to change and the proposed amendment to the condition.

Table 1 – Proposed amendments to Conditions 2 and 9		
Condition number	Approved condition wording	Proposed amended condition wording
2	<p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <p>9_2208-P-100, rev P1; 9_2208-P-101, rev P1; 9_2208-P-102, rev P1; 9_2208-P-103, rev P1; 9_2208-P-104, rev P1; 9_2208-P-105, rev P1; 9_2208-P-106, rev P1; 9_2208-P-200, rev P1; 9_2208-P-201, rev P1; 9_2208-P-202, rev JS; 9_2208-P-203, rev P1; 9_2208-P-300, rev P1; 9_2208-P-301, rev P1; 9_2208-P-302, rev P1; 9_2208-P-1001, rev P_1; 9_2208-P-1100, rev P2; 9_2208-P1101, rev P1; 9_2208-P-1102, rev JS; 9_2208-P-1103, rev P1; 9_2208-P1104, rev P1; 9_2208-P-1105, rev P1; 9_2208-P-1106, rev P1; 9_2208-P1200, rev P1; 9_2208-P-1201, rev P1; 9_2208-P-1202, rev P1; 9_2208-P1203, rev P1; 9_2208-P-1300, rev P1; 9_2208-P-1301, rev P1; 9_2208-P1302, rev P1;</p> <p>Reason: For the avoidance of doubt and in the interest of proper planning.</p>	<p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <p>9_2208-P-100, rev P1; 9_2208-P-101, rev P1; 9_2208-P-102, rev P1; 9_2208-P-103, rev P1; 9_2208-P-104, rev P1; 9_2208-P-105, rev P1; 9_2208-P-106, rev P1; 9_2208-P-200, rev P1; 9_2208-P-201, rev P1; 9_2208-P-202, rev JS; 9_2208-P-203, rev P1; 9_2208-P-300, rev P1; 9_2208-P-301, rev P1; 9_2208-P-302, rev P1; 9_2208-P-1001, rev P_1; 9_2208-P-1100, rev P2; 9_2208-P1101, rev P1; 9_2208-P-1102, rev JS rev P2; 9_2208-P-1103, rev P1 rev P2; 9_2208-P1104, rev P1 rev P2; 9_2208-P-1105, rev P1 rev P2; 9_2208-P-1106, rev P1 rev P2; 9_2208-P1200, rev P1 rev P2; 9_2208-P-1201, rev P1 rev P2; 9_2208-P-1202, rev P1 rev P2; 9_2208-P1203, rev P1 rev P2; 9_2208-P-1300, rev P1 rev P2; 9_2208-P-1301, rev P1 rev P2; 9_2208-P1302, rev P1 rev P2;</p> <p>Reason: For the avoidance of doubt and in the interest of proper planning.</p>
9	<p>Development shall be constructed and implemented in accordance with all the measures contained in the Sustainability Statement, titled Energy and Sustainability Statement for Planning, prepared by Max Fordham, issue 02, dated September 2023, and such measures shall be permanently retained and maintained thereafter. The measures shall include the installation of a meter to monitor the energy output from the approved renewable energy systems.</p> <p>Reason: In order to secure the appropriate energy and resource efficiency measures and on-site</p>	<p>Development shall be constructed and implemented in accordance with all the measures contained in the Sustainability Statement, titled Energy and Sustainability Statement for Planning, prepared by Max Fordham, issue 02, dated September 2023, and updated Energy and Sustainability Statement prepared by Verte Ltd dated 12th December 2024, and such measures shall be permanently retained and maintained thereafter. The measures shall include the installation of a meter to monitor the energy output from the approved renewable energy systems.</p>

	renewable energy generation in accordance with Policies G1, C1, CC1, CC2 and CC4 of the London Borough of Camden Local Plan 2017.	Reason: In order to secure the appropriate energy and resource efficiency measures and on-site renewable energy generation in accordance with Policies G1, C1, CC1, CC2 and CC4 of the London Borough of Camden Local Plan 2017.
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Conclusion

We trust this application is in order and look forward to hearing from you. If you have any queries or require any further information please do not hesitate to contact my colleague lyabo Johnson (lyabo.johnson@savills.com) or myself on the contact details at the top of this letter.

Yours sincerely



Celia Smith-King