

Application ref: 2024/5768/P
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Development Management
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Savills
33 Margaret Street
London
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United Kingdom

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Variation or Removal of Condition(s) Granted

Address:

101 Bayham Street
London
NW1 0AG

Proposal:

Variation of conditions 2 (approved drawings) and 9 (Sustainability Statement) of planning permission 2023/4024/P granted 9/02/2024 for Alterations to and refurbishment of existing building; rear infill extension at fourth floor; replacement plant equipment at roof level, and associated works, namely to replace the existing single glazing with double glazing to front elevation in lieu of the approved internal secondary glazing, erection of acoustic plant enclosure to the roof level.

Drawing Nos: Approved drawings:

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-P-1101, rev P1; 9_2208-P-1102, rev JS; 9_2208-P-1103, rev P1; 9_2208-P-1104, rev P1; 9_2208-P-1105, rev P1; 9_2208-P-1106, rev P1; 9_2208-P-1200, rev P1; 9_2208-P-1201, rev P1; 9_2208-P-1202, rev P1; 9_2208-P-1203, rev P1; 9_2208-P-1300, rev P1; 9_2208-P-1301, rev P1; 9_2208-P-1302, rev P1;

Approved drawings to be replaced:

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 P2;

Replacement drawings:

9_2208-P-1102, rev P2; 9_2208-P-1103, rev P2; 9_2208-P1104, rev P2; 9_2208-P-1105, rev P2; 9_2208-P-1106, rev P2; 9_2208-P1200, rev P2; 9_2208-P-1201, rev P2; 9_2208-P-1202, rev P2; 9_2208-P1203, rev P2; 9_2208-P-1300, rev P2; 9_2208-P-1301, rev P2; 9_2208-P1302, rev P2;

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 the original planning permission ref 2023/4024/P dated 9/02/2024.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 For the purposes of this decision, condition no.2 of planning permission 2023/4024/P shall be replaced with the following condition:

REPLACEMENT CONDITION 2

The development hereby permitted shall be carried out in accordance with the following approved plans:

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-P-1101, rev P1; 9_2208-P-1102, rev P2; 9_2208-P-1103, rev P2; 9_2208-P1104, rev P2; 9_2208-P-1105, rev P2; 9_2208-P-1106, rev P2; 9_2208-P1200, rev P2; 9_2208-P-1201, rev P2; 9_2208-P-1202, rev P2; 9_2208-P1203, rev P2; 9_2208-P-1300, rev P2; 9_2208-P-1301, rev P2; 9_2208-P1302, rev P2;

Reason: For the avoidance of doubt and in the interest of proper planning.

- 3 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.

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.

- 4 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.

- 5 Before the relevant part of the work is begun, detailed drawings, or samples of materials as appropriate, for all facing materials (including RAL colours), shall be submitted to and approved in writing by the local planning authority:

The relevant part of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course of the works.

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.

- 6 The approved 30x basement level cycle spaces shall thereafter be provided in their entirety prior to the first occupation of any of the refurbished office floor space, 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.

- 7 Before the relevant part of the work is begun, drawings and data sheets showing the location, extent and predicted energy generation of photovoltaic cells and associated equipment to be installed on the building shall have been submitted to and approved by the Local Planning Authority in writing. The measures shall include the installation of a solar array of at least 13KWp peak power output and a meter to monitor the energy output from the approved renewable energy systems. A site-specific lifetime maintenance schedule for each system, including safe roof access arrangements, shall be provided. The cells shall be installed in full accordance with the details approved by the Local Planning Authority and permanently retained and maintained thereafter.

Reason: To ensure the development provides adequate on-site renewable energy facilities in accordance with the requirements of policy CC1 (Climate change mitigation) of the London Borough of Camden Local Plan 2017.

- 8 Prior to commencement of above ground works, details, drawings and data sheets showing the location, Seasonal Performance Factor of at least 2.5 (or

COP of 4 or more or SCOP of 3.4 or more)and Be Green stage carbon saving of the air source heat pumps and associated equipment to be installed on the building, shall have been submitted to and approved by the Local Planning Authority in writing. The measures shall include the installation of a meter to monitor the energy output from the approved renewable energy systems. A site-specific lifetime maintenance schedule for each system, including safe access arrangements, shall be provided. The equipment shall be installed in full accordance with the details approved by the Local Planning Authority and permanently retained and maintained thereafter.

Reason: To ensure the development provides adequate on-site renewable energy facilities in accordance with the requirements of policy CC1 of the London Borough of Camden Local Plan 2017.

- 9 For the purposes of this decision, condition no.9 of planning permission 2023/4024/P shall be replaced with the following condition:

REPLACEMENT CONDITION 9

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.

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.

Informative(s):

- 1 Reasons for granting permission:

The applicant has sought to amend conditions 2 and 9 of planning permission 2023/4024/P dated 9/02/2024, which requires the consented development to be carried out in accordance with the approved plans, and for the development to be constructed and implemented in accordance with all the measures contained in the Sustainability Statement, respectively.

The proposed changes include the introduction of double glazing to the existing window frames on the east and west facades in lieu of the approved internal secondary glazing, and the inclusion of an acoustic enclosure at roof level.

The move away from 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, while ensuring the original window proportions are retained the windows existing horizontal glazing bars are replaced like for like. The windows being double

glazed instead of single glazed has no material effect on the character and appearance of the building and conservation area.

In addition, the proposed acoustic enclosure builds upon the original design strategy which focused on consolidating the rooftop plant and minimising visual clutter. 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.

Overall, the proposed amendments would conserve the significance of the building and its setting within the Camden Town Conservation Area

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 2013.

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.

Given the nature and scale of the proposed changes to the scope of 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. In terms of noise, Council's Environmental Health Officer is satisfied that the proposed, approved plant with the addition of an acoustic enclosure should continue to meet Camden Local Plan 2017 guidelines.

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, A4, E2, D1, D2, CC1, CC2, CC3 and T1 of the London Borough of Camden Local Plan 2017. The proposed development also accords with policies of the London Plan 2021 and the National Planning Policy Framework 2024.

- 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 This approval under Section 73 of the 1990 Act effectively varying the relevant condition of the previous planning permission is subject otherwise to the same terms, drawings, conditions (and obligations where applicable) as attached to the previous planning permission. This includes condition 1 providing for a 3 year time period for implementation which for the avoidance of doubt commences with the date of the original decision (and not this variation).
- 6 Based on the information available this permission will not require the approval of a Biodiversity Gain Plan before development is begun because the application for the original permission to which this s73 permission relates was made before 2 April 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.](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 'DP', is centered on the page.

Daniel Pope
Chief Planning Officer