

Ms Bara Safarova
Brooks/Murray Architects
8-10 New North Place
London
EC2A 4JA

Application Ref: **2011/5382/P**
Please ask for: **Aysegul Olcar-Chamberlin**
Telephone: 020 7974 **6374**

23 November 2012

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)
Town and Country Planning (Development Management Procedure) Order 2010
Town and Country Planning (Applications) Regulations 1988

Full Planning Permission Granted Subject to a Section 106 Legal Agreement

Address:
7 Fitzroy Square & 11 Grafton Mews
London
W1T 5HL

Proposal:

Change of use of No. 7 Fitzroy Square from offices (Class B1) to residential (Class C3) and erection of building to rear comprising basement; lower ground, ground, first to third floor and mansard roof storey (following demolition of No. 11 Grafton Mews (Class B1) to provide 1 x studio, 3 x 1-bedroom and 2 x 2-bedroom flats and 1 x 3-bedroom (in rear building) and 1 x 4-bedroom house with staff accommodation (in front building and lower ground floor of rear building), installation of glass lift shaft on rear elevation of 7 Fitzroy Square and replacement of windows at basement and ground floor level on front elevation of 7 Fitzroy Square.

Drawing Nos: 919-P000 (Site Location Map); PH01; E001; E002; E003; E004; E005; E006; E008; E009; E010; E011; P001; P002; P003; P004; P005; P006; P007; P008; P009; P010; P011; and JP001.

Supporting Information: Basement Impact Assessment Rev A by Lyons/O'Neill dated 2nd March 2012; Basement Impact Assessment (Information on the Proposed Structural Works) by Lyons/O'Neill dated 9th May 2012; Additional Information for Groundwater



Assessment and Modelling by ARUP dated 1st March 2012; Lifetime Homes Assessment by Brooks Murray Architects dated October 2011; External Noise Assessment Cover Note by Brooks Murray Architects dated October 2011; Details of Living/ Green Wall by BioTecture Ltd; Code for Sustainable Homes Pre-assessment Rev A by the KUT Partnership dated 14th October 2011; Fitzroy Square Energy Strategy by Bobby Gilbert & Associates Ltd dated September 2009; 7 Fitzroy Square Energy Strategy Addendum by Southern renewables dated May 2012; Eco Homes Pre-Assessment cover note by Brooks Murray Architects dated October 2011; Energy, water and gas efficiency for the Listed Building by Brooks Murray Architects dated June 2012; Waste and Recycling Report by Brooks Murray Architects dated October 2011; Daylight and Sunlight report by David Maycox & Co. dated 30th June 2011; Daylight and Sunlight report by David Maycox & Co. (for rear lower ground floor and upper ground floor windows of 8 Fitzroy Square) dated 30th May 2012; Marketing Material Cover Note by Brooks Murray Architects dated October 2011; and Additional Marketing Details by KR Planning dated 12th June 2012.

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 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 CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans: 919-P000 (Site Location Map); PH01; E001; E002; E003; E004; E005; E006; E008; E009; E010; E011; P001; P002; P003; P004; P005; P006; P007; P008; P009; P010; P011; and JP001.

Reason:

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

- 4 No development shall take place until full scale sample panels of the materials to be used in the construction of the external surfaces of the development hereby permitted have been erected on-site for approval in writing by the Council. The sample panels of all facing materials should include facing brickwork, render,

glazing, window framing, balconies and roof slate demonstrating the proposed colour, texture, face-bond and pointing (as relevant). The development shall be carried out in full and strict accordance with the materials thus approved.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policies DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 5 Detailed drawings, and/ or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the Council before the relevant part of the work is begun:

a) Plan, elevation and section drawings of all new doors at a scale of 1:10

b) Plan, elevation and section drawings of all new windows including jambs, head and cill, of all new window openings at a scale of 1:10 with typical glazing bar details at 1:1.

The relevant part of the works shall then be carried in accordance with the details thus approved.

Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 6 Details in respect of the green wall on the rear elevation of the new mews building (including construction, planting and maintenance) shall be submitted to and approved in writing by the Council before the development commences. The new building shall not be occupied until the approved details have been implemented, and the green wall shall be permanently retained and maintained in accordance with the approved details thereafter.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies CS13 and CS15 of the London Borough of Camden Local Development Framework Core Strategy and policies DP22, DP23 and DP32 of the London Borough of Camden Local Development Framework Development Policies.

- 7 The proposed noise mitigation measures to keep the indoor noise levels below the British Standard 8233 identified in External Noise Assessment Cover Note dated October 2011 shall be implemented during the construction phase of the proposed development and shall be permanently maintained and retained as such thereafter.

Reason: To safeguard the amenities of the occupiers of the development in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policy DP 26 and

DP28 of the London Borough of Camden Local Development Framework
Development Policies.

- 8 Before the development commences, details of the proposed cycle storage area for at least 10 cycles shall be submitted to and approved in writing by the Council. The approved facility shall thereafter be provided in its entirety prior to the first occupation of any of the new units, and thereafter permanently maintained and retained thereafter.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy CS11 of the London Borough of Camden Local Development Framework Core Strategy and policies DP17 and DP18 of the London Borough of Camden Local Development Framework Development Policies.

- 9 Prior to first occupation of the new residential accommodation hereby approved, the refuse and recycling storage facilities shown on the drawings hereby approved shall be provided. All refuse and recycling storage facilities shall be permanently maintained and retained as such thereafter.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies CS5 and CS18 of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 of the London Borough of Camden Local Development Framework Development Policies.

- 10 No part of the flat roof at rear fourth floor level of the new mews building hereby approved shall be used as a roof terrace, and any access onto the roof shall be for maintenance and emergency purposes only.

Reason: In order to prevent unreasonable overlooking of the neighbouring premises in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 of the London Borough of Camden Local Development Framework Development Policies.

- 11 The development hereby approved shall not commence until such time as a suitably qualified chartered engineer with membership of the appropriate professional body has been appointed to inspect, approve and monitor the critical elements of both permanent and temporary basement construction works throughout their duration to ensure compliance with the design which has been checked and approved by a building control body. Details of the appointment and the appointee's responsibilities shall be submitted to and approved in writing by the Council prior to the commencement of development. Any subsequent change or reappointment shall be confirmed forthwith for the duration of the construction works.

Reason: To safeguard the appearance and structural stability of neighbouring buildings and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local

Development Framework Development Policies and policies DP24, DP25 and DP27 (Basements and Lightwells) of the London Borough of Camden Local Development Framework Development Policies.

- 12 The development hereby permitted shall not be commenced until detailed design and method statements for all of the foundations, basement and ground floor structures, or for any other structures below ground level, including piling (temporary and permanent), have been submitted to and approved in writing by the local planning authority (in consultation with London Underground) which:

- provide details on all structures;
- accommodate the location of the existing London Underground structures and tunnels;
- accommodate ground movement arising from the construction thereof; and
- mitigate the effects of noise and vibration arising from the adjoining operations within the structures and tunnels.

The development shall thereafter be carried out in all respects in accordance with the approved design and method statements, and all structures and works comprised within the development hereby permitted which are required by the approved design statements in order to procure the matters mentioned in paragraphs of this condition shall be completed, in their entirety, before any part of the building hereby permitted is occupied.

Reason: To ensure that the development does not impact on existing London Underground transport infrastructure, in accordance with London Plan policy 3C.4 and 'Land for Transport Functions' Supplementary Planning Guidance and policy CS1 of the London Borough of Camden Local Development Framework Core Strategy and DP27 of the London Borough of Camden Local Development Framework Development Policies.

- 13 The lifetime homes features and facilities, as indicated on the drawings and documents hereby approved shall be provided in their entirety prior to the first occupation of any of the new residential units and shall be permanently maintained and retained thereafter.

Reason: To ensure that the internal layout of the building is acceptable with regards to accessibility by future occupiers and their changing needs over time, in accordance with the requirements of policy CS6 of the London Borough of Camden Local Development Framework Core Strategy and policy DP6 of the London Borough of Camden Local Development Framework Development Policies.

Informative(s):

- 1 Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which this permission is granted. Information/drawings relating to the discharge of matters covered by the Heads of

Terms of the legal agreement should be marked for the attention of the Planning Obligations Officer, Sites Team, Camden Town Hall, Argyle Street, WC1H 8EQ

- 2 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which 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, Argyle Street WC1H 8EQ, (tel: 020-7974 2363).
- 3 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 are advised to consult the Council's Compliance and Enforcement team [Regulatory Services], Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en> or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.
- 4 The Mayor of London introduced a Community Infrastructure Levy (CIL) to help pay for Crossrail on 1st April 2012. Any permission granted after this time which adds more than 100sqm of new floorspace or a new dwelling will need to pay this CIL. It will be collected by Camden on behalf of the Mayor of London. Camden will be sending out liability notices setting out how much CIL will need to be paid if an affected planning application is implemented and who will be liable.

The proposed charge in Camden will be £50 per sqm on all uses except affordable housing, education, healthcare, and development by charities for their charitable purposes. You will be expected to advise us when planning permissions are implemented. Please use the forms at the link below to advise who will be paying the CIL and when the development is to commence. You can also access forms to allow you to provide us with more information which can be taken into account in your CIL calculation and to apply for relief from CIL.

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

We will then issue a CIL demand notice setting out what monies needs to paid when and how to pay. Failure to notify Camden of the commencement of development will result in a surcharge of £2500 or 20% being added to the CIL payment. Other surcharges may also apply for failure to assume liability and late payment. Payments will also be subject to indexation in line with the construction costs index.

Please send CIL related documents or correspondence to CIL@Camden.gov.uk

- 5 Your proposals may be subject to control under the Party Wall etc Act 1996 which covers party wall matters, boundary walls and excavations near neighbouring buildings. You are advised to consult a suitably qualified and experienced Building

Engineer.

- 6 You are advised to contact London Underground Infrastructure Protection in advance of preparation of final design and associated method statements, in particular with regard to: demolition; excavation; construction methods. Should you have any further enquiries, please contact me Nathan Darroch (Information Manager), LUL Infrastructure Protection, E-mail:nathan.darroch@tube.tfl.gov.uk , Tel: 020 7918 0016.
- 7 You are advised that in respect of cycle parking the Council prefers Sheffield style stands. Camden Planning Guidance (page 52 of CPG 7 - Transport) specifies the details of acceptable cycle parking layout.
- 8 You are reminded that this decision only grants permission for permanent residential accommodation (Class C3). Any alternative use of the residential units for temporary accommodation, i.e. for periods of less than 90 days for tourist or short term lets etc, would constitute a material change of use and would require a further grant of planning permission.
- 9 Reasons for granting permission.

The proposed development is in general accordance with the London Borough of Camden Local Development Framework Core Strategy, with particular regard to policies CS1 (Distribution of growth), CS3 (Other highly accessible areas), CS5 (Managing the impact of growth and development), CS6 (Providing quality homes), CS8 (Promoting a successful and inclusive Camden economy), CS9 (Achieving a successful Central London), CS10 (Supporting community facilities and services), CS11 (Promoting sustainable and efficient travel), CS13 (Tackling climate change through promoting higher environmental standards), CS14 (Promoting high quality places and conserving our heritage), CS15 (Protecting and improving our parks and open spaces & encouraging biodiversity), CS18 (Dealing with our waste and encouraging recycling) and CS19 (Delivering and monitoring the Core Strategy) and the London Borough of Camden Local Development Framework Development Policies, with particular regard to policies DP2 (Making full use of Camden's capacity for housing), DP3 (Contributions to the supply of affordable housing), DP5 (Homes of different sizes), DP6 (Lifetime homes and wheelchair housing), DP13 (Employment premises and sites), DP15 (Community and leisure uses), DP16 (The transport implications of development), DP17 (Walking, cycling and public transport), DP18 (Parking standards and limiting the availability of car parking), DP20 (Movement of goods and materials), DP21 (Development connecting to the highway network), DP22 (Promoting sustainable design and construction), DP23 (Water), DP24 (Securing high quality design), DP25 (Conserving Camden's heritage), DP26 (Managing the impact of development on occupiers and neighbours), DP27 (Basements and lightwells), DP28 (Noise and Vibration) and DP32 (Air quality and Camden's Clear Zone). For a more detailed understanding of the reasons for the granting of this planning permission, please refer to the officers report.

- 10 In order to ensure the resilience of the Olympic Route Network (ORN), Camden and Transport for London have agreed a number of Sensitive Roads on which an

embargo will be imposed. Any works or activities that directly impact on these designated roads will be subject to an embargo period between the 1st July and the 9th September 2012. As the ORN becomes fully operational in July 2012, any essential works should be planned to take place between 1st March and the 30th June 2012. These will, however, be subject to agreement by the Camden Network Management Team and Transport for London. No planned activity, or planned works with regards to the New Road and Street Works Act 1991, will be permitted to take place on those designated roads during the embargo period. After this embargo period, works will be subject to the normal co-ordination and timing considerations by LB Camden.

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