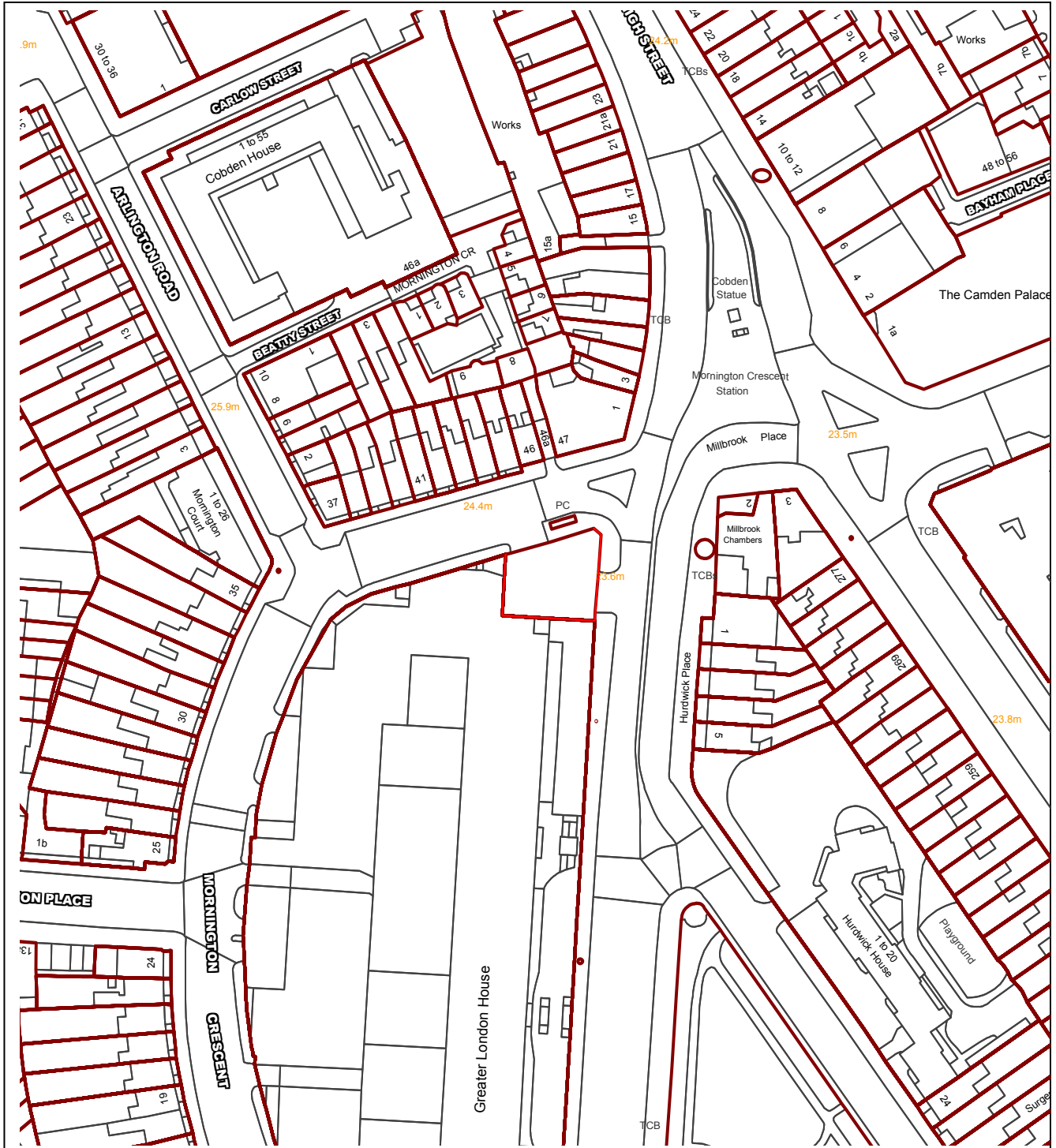


2013/4635/P – Land at Cobden Junction, Greater London House Site Location Plan



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Delegated Report (Members Briefing)		Analysis sheet	Expiry Date:	16/09/2013
		N/A	Consultation Expiry Date:	29/08/2013
Officer			Application Number(s)	
Jenna Litherland			2013/4635/P	
Application Address			Drawing Numbers	
Land at Cobden Junction Greater London House, Hampstead Road, London NW1 7QX			Refer to draft decision notice.	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Minor material amendment to condition 2 (development to be carried out in accordance with approved plans) of planning permission dated 06/08/2012 (ref 2011/5122/P), for the erection of 2-storey building with landscaped forecourt to provide a restaurant (Class A3), namely for reduction of first floor level and erection of first floor roof terrace with balustrading.				
Recommendation(s):		Grant conditional permission subject to a deed of variation.		
Application Type:		Variation or Removal of Condition(s)		

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	14	No. of responses	01	No. of objections	01
			No. Electronic	00		
Summary of consultation responses:	<p>A site notice was displayed from 31/07/2013 until 21/08/2013 and a press notice was placed in the Ham and High 08/08/2013 (expired 29/08/2013).</p> <p>One letter of objection has been received.</p> <p>The objection relates to loss of light to No. 44 Mornington Crescent. The objection states that the proposal would impact on the right of light of the property.</p> <p>Officer's response: <i>Right to light is not a planning consideration. The courts have held rights to light to be private rights issues to be resolved between the private individuals, not by planning authorities. In Brewer v Secretary of State for the Environment [1988] J.P.L. 480 the court took the view that planning was concerned with land use from the point of view of the public interest, and as a generality was not concerned with private rights. The court held that the existence of private rights of light was an irrelevant consideration in determining a planning application.</i></p> <p><i>It was considered in the original proposal that the building would not result in a noticeable reduction in daylight to No. 44 Mornington Crescent or any other residential property in the vicinity of the application site.</i></p>					
CAAC/Local groups comments:	<p>Camden Town CAAC: No objection</p> <p>Mornington District Association: Objection</p> <ul style="list-style-type: none"> • There is no need for an eating establishment in this location*; • The restaurant is too large*; • The use will create disturbance to the residents on Mornington Crescent*; • The design is not in symmetry or in keeping with Greater London House*; • The application has not been advertised in the local paper nor has a site notice been displayed; • Support a reduction in height of the building, however the reduction proposed does not go far enough. The proposal will still result in loss of light to the occupiers of properties on Mornington Crescent and the proposed terrace will result in loss of privacy. <p>Case Officers response:</p> <ul style="list-style-type: none"> • *- These comments raise concern in relation to the original approval (ref: 2011/5122/P). These issues were fully considered in the assessment of the original approval. • The application was advertised in a local paper and a site notice was displayed (see details above) • <i>Right to light is not a planning consideration. It is considered that the original proposal would not result in any noticeable loss of daylight to any neighbouring residential property. The current scheme has been reduced in height to overcome a private right of light issues, the reduced scale of the building would ensure that there is no loss of daylight to neighbouring properties.</i> 					

Site Description

The application site is located on the junction of Hampstead Road and Mornington Crescent, adjoining Greater London House to the south. The site is currently vacant having previously been used as a petrol filling station until 1996. The site forms part of Greater London House which was constructed as the Carreras Tobacco Factory on the former Mornington Crescent Gardens in 1926. It was refitted for offices and renamed Greater London House in 1961 and substantially restored reinstating its Egyptian ornamentation in the late 1990's. Greater London House which is highlighted as making a positive contribution to the character and appearance of the Camden Town Conservation Area of which it forms a part. Mornington Crescent Tube Station building opposite, to the east across Hampstead Road, is grade II listed. This site is located just outside Camden Town Centre, the boundary of which runs along both Hampstead Road and Mornington Crescent.

Relevant History

2011/5122/P - Planning permission granted subject to conditions and a S106 agreement in August 2012 for erection of 2-storey building with landscaped forecourt to provide a restaurant (Class A3).

2006/5309/P – Planning application submitted in December 2006 for the erection of a part single storey and part two storey building plus basement for use as a restaurant and coffee shop (Class A3). This application was withdrawn.

2003/1526/P – Planning application submitted in August 2008 for the erection of a four storey extension to office building (Class B1) on the former petrol filling station land, to provide a restaurant (Class A3) at basement and ground floor levels with offices (Class B1) above. This application was withdrawn.

PEX0000506 – Planning application was submitted in June 2000 for the erection of a building on basement, ground and 5 storey linked to Greater London House for retail (Class A1) use on the basement and ground floors with office use within class B1 on the upper floors. This application was withdrawn.

8700597 – Planning permission refused in July 1987 for the erection of an additional 5000sqm of office floorspace.

8700596 – Planning permission refused in July 1987 for the erection of an additional 9000sqm of office floorspace.

Relevant policies

National Planning Policy Framework 2012

London Plan 2011

LDF Core Strategy and Development Policies

CS1 – Distribution of Growth

CS5 – Managing the impact of growth and development

CS7 – Promoting Camden's centres and shops

CS8 – Promoting a successful and inclusive Camden economy

CS11 – Promoting sustainable and efficient travel

CS13 – Tackling climate change through promoting higher environmental standards

CS14 – Promoting high quality places and conserving our heritage

CS16 – Improving Camden's Health and well-being

CS17 – Making Camden a safer place

CS18 – Dealing with our waste and encouraging recycling

DP12 – Supporting strong centres and managing the impact of food, drink, entertainment and other town centre uses

DP16 – The transport implications of development

DP17 – Walking, cycling and public transport

DP18 – Parking standards and limiting the availability of car parking

DP19 – Managing the impact of parking
DP20 – Movement of goods and materials
DP21 – Development connecting to the highway network
DP22 – Promoting sustainable design and construction
DP24 – Securing high quality design
DP25 – Conserving Camden’s heritage
DP26 – Managing the impact of development on occupiers and neighbours
DP28 – Noise and Vibration
DP29 – Improving access

Supplementary Planning Policies

Camden Planning Guidance 2011 (CPG1-Design, CPG3-Sustainability, CPG5-Town Centres Retail and Employment, CPG6-Amenity, CPG7-Transport, CPG8-Planning Obligations)

Camden Town Conservation Area Appraisal and Management Plan, 2007

Assessment

Planning permission was granted in 2012 for erection of 2-storey building with landscaped forecourt to provide a restaurant (Class A3). The current scheme seeks to amend this permission. The main amendment is the introduction of a first floor terrace to the northern side of the building. The proposal also includes the addition of obscure glazed panels on the eastern elevation at first floor level. The proposed terrace would have an area of 44 sqm which could accommodate up to 20 covers.

Revisions – During the course of the application the proposed balustrade design has been altered from a fully glazed balustrade to the Portland stone balustrade with lower level obscurely glazed panels. A low level panel of obscure glazing has also been extended across the eastern elevation at first floor level.

The main considerations of the proposed amendments are design and impact on amenity.

Design

The approved building has a contemporary design which is both simple and rational. The design echoes the solid to void ratio and fenestration pattern of Greater London House with glazed vertical windows between double height columns clad in stone to match the pristine white colour of Greater London House. The proposed terrace has been designed to further compliment the building. The use of stone banding for the balustrade will continue the design principles of the original building and will ensure that the building appears as a complete composite. The proposed terrace would respect the surrounding context and the building as a whole would improve the visual amenity of the area and enhance the character and appearance of the Conservation Area.

The proposal would result in the reduction of the size of the green roof, however it is considered that the remaining area of green roof would still perform an important ecological function.

Amenity

Privacy and Noise – The proposed roof terrace would be surrounded by a balustrade 1.7 metres in height. As such, the roof terrace would not allow for overlooking to any neighbouring property. Furthermore, the terrace would be located 18 metres from the closest residential windows on Mornington Crescent. 18 metres is considered to an appropriate distance between facing windows to prevent overlooking.

The high balustrade is considered to retain much of the noise generated by the use of the roof terrace, however noise may at times be audible from the neighbouring residential properties. As such, a condition will be imposed on any permission advising that the terrace shall not be used after 11pm in the evening in order to protect the amenity of nearby residents. This restriction is consistent with the previous permission which prevented use of the ground floor courtyard after 11pm in the evening.

Daylight – The proposed terrace would reduce the height of the building at the point closest to the residential properties on Mornington Crescent by 2.2 metres. The building is located over 18 metres from the nearest residential windows. It was previously considered that the approved building would not impact on amenity in

terms of loss of daylight or sunlight to the properties on Mornington Crescent or any other neighbouring properties. As the building has reduced in height, it remains that the proposed building would not impact on amenity in terms of loss of daylight or sunlight.

Conclusion

The proposed roof terrace would successfully integrate with the design of the approved building and would have no detrimental impact on residential amenity.

Recommendation: Grant conditional permission subject to a deed of variation.

DISCLAIMER

Decision route to be decided by nominated members on Monday 9 September 2013. For further information please go to www.camden.gov.uk and search for 'members briefing'

Vivendi Architects Ltd
Bounds Green Industrial Estate
London
N11 2UDApplication Ref: **2013/4635/P**
Please ask for: **Jenna Litherland**
Telephone: 020 7974 **3070**

04 September 2013

Dear Sir/Madam

DRAFT
DECISIONTown and Country Planning Act 1990 (as amended)
Town and Country Planning (Development Management Procedure) Order 2010
Town and Country Planning (Applications) Regulations 1988**Variation or Removal of Condition(s) Granted**

Address:

**Land at Cobden Junction
Greater London House****Hampstead Road****London
NW1 7QX****DECISION**

Proposal:

Minor material amendment to condition 2 (development to be carried out in accordance with approved plans) of planning permission dated 06/08/2012 (ref 2011/5122/P), for the erection of 2-storey building with landscaped forecourt to provide a restaurant (Class A3), namely for reduction of first floor level and erection of first floor roof terrace with balustrading.

Drawing Nos: 1288-P02-01-P3; 1288-P02-02-P3; 1288-P03-00-P2; 1288-P03-01-P2;
1288-P04-03-P2.

The Council has considered your application and decided to grant permission subject to the following condition(s):

Conditions and Reasons:

1 REPLACEMENT CONDITION 2

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

1288-E01-00-P1; 1288-E01-01-P1; 1288-E02-00-P1; 1288-E03-00-P1; 1288-P02-00-P1; 1288-P02-01-P3; 1288-P02-02-P3; 1288-P03-00-P2; 1288-P03-01-P2; 1288-P03-02-P1; 1288-P04-01-P1; 1288-P04-02-P1; 1288-P04-03-P2; Design and Access Statement by Vivendi Architects; BREEAM 2011 New Construction Pre-Assessment Estimator dated 04/10/2011; Energy Statement by Mendick Waring Ltd dated 05/10/2011; Arboricultural Report by Andrew Day Arboricultural Consultancy dated 04/11/2011; Site Investigations Report ref C12464 by Ground Engineering Limited; Service Management Plan by Vivendi Architects; Travel Plan Statement by Vivendi Architects.

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

2 The first floor terrace shall not be used after 11.00pm Mondays to Saturdays and after 10.30pm on Sundays or Bank Holidays.

Reason: To safeguard the amenities of the neighbouring premises and the area generally in accordance with the requirements of policies CS5 and CS7 of the London Borough of Camden Local Development Framework Core Strategy and policy DP26, DP12 of the London Borough of Camden Local Development Framework Development Policies.

Informative(s):

- 1 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).

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

Your attention is drawn to the notes attached to this notice which tell you about your Rights of Appeal and other information.

Yours faithfully

Culture and Environment Directorate
(Duly authorised by the Council to sign this document)

DRAFT

DECISION

2013/4635/P - Greater London House Site photographs



V1 - SITE AS VIEWED FROM COBDEN JUNCTION



V2 - GREATER LONDON HOUSE



V3 - VIEW FROM MORNINGTON CRESCENT TOWARDS COBDEN JUNCTION



V4 - VIEW FROM SITE LOOKING TOWARDS COBDEN JUNCTION

2013/4635/P - Greater London House Site photographs



V5 - EXISTING ACCESS TO SITE ALONG MORNINGTON CRESCENT



V6 - VIEW FROM SITE LOOKING SOUTH



V9 - EXISTING ACCESS TO SITE FROM MORNINGTON CRESCENT



V10 - VIEW OF SITE FROM LYTTTELTON ARMS PUBLIC HOUSE