

Address:	British Film Institute 21 Stephen Street London W1T 1LN	
Application Number:	2012/6649/P	Officer: Nicola Tulley
Ward:	Bloomsbury	
Date Received:	12/12/2012	
Proposal: Use of part of ground floor as a restaurant and cafe (Class A3) and installation of a kitchen extract and plant at rear first floor level.		
Drawing Numbers: P002/-; P100/-; P106/-; P120/-; P121/A; P122/A; P210/-; P211/B; P402/A; P410/- ; P411/B; P504/-; Noise Impact Assessment Report 9588.NIA.02 Rev. B dated 06/02/2013.		
RECOMMENDATION SUMMARY: Grant conditional permission		
Applicant:	Agent:	
Mr Peter Watson British Film Institute 21 Stephen Street London W1T 1LN	Ben Adams Architects 99 Southwark Street London SE1 0JF	

ANALYSIS INFORMATION

Land Use Details:			
	Use Class	Use Description	Floorspace
Existing	<i>D1 Non-Residential Institution</i>		<i>219m²</i>
	<i>B1 Office</i>		<i>551m²</i>
Proposed	<i>A3 Restaurants and Cafes</i>		<i>230m²</i>
	<i>B1 Office</i>		<i>540m² (-11m²)</i>

Parking Details:		
	Parking Spaces (General)	Parking Spaces (Disabled)
Existing	4	0
Proposed	4	0

OFFICERS' REPORT

Reason for Referral to Committee: **This application involves the creation of a new Class A3 use. [clause 3 (iv)]**

1. SITE

- 1.1 The application site is a six storey 1950's office building on the north side of Stephen Street, between Tottenham Court Road and Gresse Street. The building is concrete framed and clad in brick with a projecting element at first and upper floor levels which is formed of glazing and spandrel panels. The rear of the building can be accessed from a side road leading from Gresse Street into Stephen Mews. At the rear, the building has been extended by a single storey rear extension and corrugated roof canopy. There are 4 existing car parking spaces to the rear with cycle stands and refuse storage. The current uses at ground floor level are offices (Class B1) and library (Class D1) with all floorspace on upper floors utilised as offices (Class B1).
- 1.2 The surrounding area is characterised by a mix of building types mainly in office use, from more modern 1960's construction to 19th Century Mews buildings. Stephen Mews to the rear of the subject building are 3 and 4 storeys and are occupied by a mix of small businesses. The Bricklayers Arms pub is in close proximity to the rear side entrance to the site on Gresse Street.
- 1.3 The application site is within Charlotte Street Conservation Area but it is not listed as making a positive contribution to the character and appearance of the conservation area. The building is currently occupied by the British Film Institute (BFI) and received planning permission in 1987 (8601653) to change the basement from storage to viewing theatres, ground floor offices and showroom to library alongside rear extensions. The library has recently relocated to Southbank and BFI offices have been using the space temporarily.

2. THE PROPOSAL

Original

- 2.1 The BFI library has moved to its new premises on the Southbank and the applicant has proposed to utilise the vacated space to improve the presence of the building on Stephen Street, refurbish existing office accommodation to modern standards and change the use of the library area into a restaurant/café (A3). Two planning applications and one application for Advertisement Consent were submitted around the same time covering these works (see planning history). The proposal subject to this application proposes the change of use from library and offices on ground floor level to café/restaurant and offices, it also includes the installation of a kitchen extract and plant on the rear first floor level.
- 2.2 The proposed café/restaurant would occupy 230m² of floorspace, leaving 540m² for the BFI reception and office spaces, at ground floor level. The café/restaurant is proposed to be open between 09:00 and 20:00 Monday to Friday. The ground floor

will remain publically accessible with the BFI's aim to reinforce the presence of the organisation in the streetscape. The applicant requires the café to also cater for the building itself and a glazed sliding door opening would be provided between the office space and cafe.

Revisions

- 2.3 Additional information was sought by Camden's Environmental Health Officers regarding noise and mitigation measures. The proposed extract duct on the rear elevation has been relocated approximately 3.5m from its initial location to ensure that view from existing windows would not be obstructed.

3. RELEVANT HISTORY

- 3.1 Full planning application, reference 2012/6246/P, Granted on 04/02/2013: Alteration to facade at ground floor level to front and rear including new windows/doors, canopy and louvres to front and new windows/doors, platform lift, entrance stairs to rear, installation of new bike shed, creation of terrace with planters and canopy at rear raised ground level all in connection with existing offices (Class B1a).
- 3.2 Advertisement, reference 2012/6645/A, Granted on 01/02/2013: Installation of internally applied vinyl to ground floor level front window.
- 3.3 Advertisement, reference 2004/5039/A, Granted on 10/12/2004: Display of non-illuminated exterior sign 1150mm x 1150mm over the ground floor entrance.
- 3.4 Full planning application, reference 2001/2059/P, Granted on 01/07/2004: Minor alterations to provide sliding doors to existing office building.
- 3.5 Full planning application, reference PSX0204120, Granted on 07/05/2002: Erection of 2.4 metre high fencing and gates to secure the use of two bicycle storage sheds.
- 3.6 Full planning application, reference PSX0104560, Granted subject to S106 15/04/2004: Demolition of existing building and erection of new building comprising, basement, ground and 6 upper floors to provide 5458 sq.m of office floorspace and 5 residential units (978 sq.m)
- 3.7 Full planning application, reference 9401792, Granted on 06/01/1995: The erection of a ground floor rear extension for office use.
- 3.8 Advertisement, reference 8880013, Granted on 16/03/1988: The display of seven internally illuminated projecting box signs measuring 550mm x 550mm positioned beneath canopy.
- 3.9 Full planning application, reference 8601653, Granted on 29/01/1987: Alterations for the British Film Institute involving:- (1)Change of use of the basement from storage to viewing theatres and storage.(2)Change of use of the ground floor from showroom/offices to a library for the British Film Institute.(3)Erection of a ground floor rear extension for goods despatch/collection and post room for the British Film

Institute.(4)Erection of extensions at roof level for nitrate film store and viewing cubicles.(5)The installation of air conditioning plant on the roof and associated ductwork to be screened by cream coloured aluminium panels at the rear.

4. CONSULTATIONS

4.1 Charlotte Street CAAC No objection.

Adjoining Occupiers

	Original
<i>Number of letters sent</i>	10
<i>Total number of responses received</i>	1
<i>Number of electronic responses</i>	0
<i>Number in support</i>	0
<i>Number of objections</i>	1

4.2 A site notice was displayed from 28/12/2001 to 18/01/2013. A publicity notice was placed in the Ham & High on 10/01/2013.

4.3 One letter of objection was received from 30 Gresse Street, the following was noted:

- Object to the kitchen extract and plant at the rear first floor level as this is adjacent to windows in our next door premises used for ventilation.

5. POLICIES

National and Regional Policy

5.1 National Planning Policy Framework 2012
London Plan 2011

LDF Core Strategy and Development Policies 2010

5.2 CS1 – Distribution of growth
CS3 – Other highly accessible areas
CS5 – Managing the impact of growth and development
CS7 – Promoting Camden’s centres and shops
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
CS14 – Promoting high quality places and conserving our heritage
CS18 – Dealing with our waste and encouraging recycling
CS19 – Delivering and monitoring the Core Strategy

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

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
- DP24 – Securing high quality design
- DP25 – Conserving Camden’s heritage
- DP26 – Managing the impact of development on occupiers and neighbours
- DP28 – Noise and Vibration

Supplementary Planning Policies

- 5.3 Camden Planning Guidance 2011
 - CPG1 Design
 - CPG5 Town Centre, Retail and Employment
 - CPG6 Amenity
 - CPG7 Planning Obligations
- 5.4 Planning Guidance for Central London: Food, Drink and Entertainment, Specialist and Retail uses 2007
- 5.5 Charlotte Street Conservation Area Appraisal and Management Strategy 2008

6. ASSESSMENT

- 6.1 The principal considerations material to the determination of this application are summarised as follows:
 - Land use (loss of library, acceptability of the proposed restaurant)
 - Design and appearance
 - Noise from plant
 - Transport
 - CIL

6.2 Land Use Principles

Loss of the library (D1)

- 6.21 The Council will seek to ensure that a wide range of services and facilities to meet community needs are provided in the borough and such services include libraries, in accordance with policies CS10 and DP15. The Council will usually resist the loss of community facilities unless: a replacement facility that meets the needs of the local community is provided; or the community facility is no longer required in its current use.
- 6.22 The library at ground floor level occupied 219m² of floorspace. The library housed BFI reference books and was accessible to visiting members of the public. This has since been moved to its new home on the Southbank and the area is temporarily being used for BFI offices.
- 6.23 The BFI is a charitable organisation established by Royal Charter to encourage the development of the arts. It is clear that the BFI reference library is weighted more towards a regional and national community facility, as opposed to being a facility that is essential for the needs of the local community. The intention of policies

CS10 and DP15 are to protect facilities that meet the needs of a local population. As such the relocation of the 'non local' facility out of the borough and to the Southbank is accepted.

Principle of proposed café/restaurant

- 6.24 The site is in the Central London Area but not designated as protected frontage or neighbourhood centre as defined by the 'Revised Planning Guidance for Central London – Food, Drink, Entertainment, Specialist and Retail Uses' 2007. As per this guidance, when assessing applications for new food and drink uses officers are required to consider the following: whether it will be located in a broadly acceptable location for that type of activity; not adversely affect the street frontage or area in which it is located; and not create unacceptable harm in its specific location.
- 6.25 The site does not appear totally connected with the street, in that Stephen Street acts primarily as a through road from Tottenham Court Road to the more active Gresse Street. There are no similar existing A3 uses in the immediate locality with the shop units on Tottenham Court Road in close proximity to the junction with Stephen Street being in retail use (primarily electrical). It is noted that planning permission was recently granted at Central Cross (2012/2232/P), in close proximity of the site, and included the flexible use of units to A1/A3. There are residences (C3) at 25 Gresse Street and 3 and 8 Percy Mews, sited behind Stephen Mews.
- 6.26 The application site is in a location which is identified by policies as being suitable for this type of use and as such is accepted in principle. In considering the conditions set out in paragraph 6.23 above, an A3 use that provides a catering facility for the 6 storey building and an informal area for the public to appreciate BFI would help enliven the frontage on Stephen Street. Policies CS5, DP12 and DP26 seek to ensure that residents are not unduly harmed by development and specifically the potential impacts of A3 uses. The A3 use would not form an overconcentration of A3 uses and would not harm residential amenity given that it is not sited within a predominant residential area.
- 6.27 Policies CS7 and DP12 seek to ensure that the vibrancy and vitality of the borough's centres are protected and enhanced without having a harmful impact upon residents and the local area. The proposal will provide a use for existing staff and visitors which is not widely provided for in the immediate local area and as such should positively contribute to the vitality and vibrancy of Stephen Street. While the site is not in a residential area, the opening hours proposed are between 9am and 8pm Monday to Friday, the proposed use should not therefore contribute to increasing the late night activity associated with the Bricklayers Arms on Gresse Street.
- 6.28 In summary, the loss of the BFI reference library is not considered to remove a local community facility and is considered acceptable in relation to policies CS10 and DP15. The principal use of the six storey building is office (B1) and an associated café/restaurant use (A3) would cater for the building and provide a more active frontage on Stephen Street which is currently lacking. The proposed change of use is therefore considered acceptable in accordance with policies CS7 and DP12.

6.3 Design and appearance

6.31 The Council's design policies are aimed at achieving the highest standard of design in all developments, including where alterations and extensions to existing buildings are proposed. The Charlotte Street CAAMS notes that the prevailing architectural style is the Georgian townhouse of four and three storeys with former mews properties typically two storeys, although these have been replaced by three storey 19th century workshop buildings. In terms of later commercial development the CAAMS notes that these are often a larger scale and whilst some have fitted into the character of the area, others are overly bulky and are of limited architectural quality.

Proposed plant and extract

6.32 The proposed A3 use will require the following plant: café air handling unit; kitchen supply air handling unit; DX unit; VRF Condenser; café and kitchen extract fans. All plant is proposed on the first floor roof to the north west of the site in close proximity to 30 & 31 Gresse Street. There are existing a/c units overhanging this part of the application site but they do not serve BFI. The plant proposed on the first floor roof would be screened from view through the installation of a louvred plant enclosure at a height of approximately 1.4m. The louvered enclosure would not add considerable mass or bulk to this elevation and is therefore acceptable in relation to policies CS14; DP24 and DP25 of Camden's LDF.

6.33 There is existing ductwork that runs up the rear wall of the building from first floor level and emitting above the highest part of the roof. The proposed ductwork would be attached to the existing duct on the rear wall and emit above roof level. As existing the rear of the building has a back-of-house feel and is therefore considered an appropriate location for plant. Providing that the proposed ductwork is colour coated to match existing ductwork, the proposed plant would not be considered harmful to the character and appearance of the rear elevation or locality in accordance with policies CS14; DP24; and DP25 of Camden's LDF.

6.4 Noise from plant

6.41 Development Policies DP26 and DP28 seek to ensure that the amenities of occupiers and neighbouring occupiers are not unduly affected by noise and vibration from plant. A Noise Impact Assessment produced by KP acoustics dated 06/02/2012 was submitted with the application. The following sets out the results and recommendations of the noise survey.

6.42 A 24 hour background noise survey was undertaken on 26th November 2012. The minimum recorded background noise level in the daytime (07:00 – 23:00) was 49db and was recorded at 48db in the night-time (23:00 – 07:00). Development Policy DP28 considers that noise generating from plant/equipment in proximity to noise sensitive facades should be at least 5db below the lowest background noise level or 10db below if the plant/equipment makes a distinguishable noise.

6.43 There are offices located within Stephen Mews, to the rear of the application site and offices located to the side of the application site on Gresse Street. Neighbouring occupiers have raised objection in relation to the potential impacts of

plant at the site. The supporting text of DP28 considers that offices are noise sensitive uses and as such the noise level from proposed plant at the nearest noise sensitive receiver should not be greater than 44db at 1m from the facade.

- 6.44 The acoustic consultants have recommended that given the proximity of plant to the noise sensitive receivers a set of silencers and an acoustic enclosure are necessary to mitigate noise to acceptable levels in accordance with policy DP28. The attenuation measures proposed are: exhaust silencers of 20% free area and 1800m in length; inlet silencers of 20% free area and 1500m in length; and 1x acoustic enclosure to be fitted over the café supply unit.
- 6.45 The revised acoustic report and recommended attenuation measures have been reviewed by Camden's Environmental Health officers who agree that the proposals would satisfy the requirements of DP28, with the inclusion of mitigating measures. A noise condition will be attached to ensure that the noise level of plan/equipment would not be greater than 5db or 10db below the lowest recorded background noise level.

6.5 **Transport**

Car parking

- 6.51 The site has a PTAL rating of 6b which means it has excellent access to public transport. The proposal does not include any provision for additional car parking at the site which already has an allocation of 4 spaces and delivery space. The delivery space is sited to the rear of the site in Stephen Mews and as such does not harm the free flow of traffic on Stephen Street.

Cycle parking

- 6.52 There is an existing bike storage enclosure sited to the rear of the site. This application does not propose to increase the proportion of cycle storage. The proposal falls below the 250m² threshold for additional cycle storage provision.
- 6.53 Transport officers have considered the proposal acceptable in transport terms in accordance with policies CS11; DP16; DP17 and DP18 of Camden's LDF.

6.6 **CIL**

- 6.61 The site is currently occupied and no new floorspace is being added as such the proposal will not be liable for the Mayor of London's Community Infrastructure Levy (CIL).

7. **CONCLUSION**

- 7.1 In consideration of the above, it is recommended that planning permission is granted subject to conditions.

8. **LEGAL COMMENTS**

- 8.1 Members are referred to the note from the Legal Division at the start of the Agenda.