

Delegated Report		Analysis sheet		Expiry Date:		16/08/2012	
		N/A / attached		Consultation Expiry Date:		n/a	
Officer				Application Number(s)			
Amanda Peck				2012/3235/P			
Application Address				Drawing Numbers			
Clifton House 83 -117 Euston Road London NW1 2RA				Refer to draft decision notice			
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature				
Proposal(s)							
Variation of condition 4 (green/brown roof details) and variation of condition 2 (development in accordance with approved plans) of planning permission (ref. 2010/1840/P granted on 28/06/10 for change of use of first, second, third, fourth, fifth and sixth floors of existing office building in order to create a hotel) to provide a hedge on the 7th floor level of the building.							
Recommendation(s):		Grant					
Application Type:		Variation or Removal of Condition(s)					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							
Consultations							
Adjoining Occupiers:		No. notified	00	No. of responses	00	No. of objections	00
				No. electronic	00		
Summary of consultation responses:		Site notice expired 27/07/2012					
CAAC/Local groups* comments:		n/a					
*Please Specify							

Site Description

Clifton House is a large seven-storey 20th century office (Class B1) building fronting onto Euston Road, on the junction with Mabledon Place (to the south-west) and close to the junction with Judd Street (to the north-east). Three additional storeys are currently being constructed at the site (see relevant history section below). Planning permission has also been granted for the change of use of the first to sixth floors and ground floor entrance area on Euston Road to a hotel use, although this permission is yet to be implemented. There are various shop, restaurant and public house uses at ground floor level. The upper floor offices were previously occupied by the London Borough of Camden

Relevant History

- 2012/1524/P - Details of green/brown roof required by condition 4 of planning permission granted 28/06/2010 (ref:2010/1840) for change of use of first, second, third, fourth, fifth and sixth floors of existing office building (Class B1a) in order to create a hotel (Class C1). Withdrawn 2 May 2012.
- 2011/4869/P - Amendment to planning permission granted 16/01/01 (ref. PSX0005003) as

amended by planning permission dated 15/01/07 (2006/5316/P) and planning permission dated 23/12/09 (2009/4662/P) for extension to existing offices (Class B1) at 4th - 6th floor levels at the rear and erection of 3 x additional floors for office use, enlarged lift cores at the rear elevation and erection of a glazed canopy over ground floor facade facing Euston Road, erection of two external fire escape staircases to rear and six storey side extension, namely to extend the height of the two external fire escape staircases (Retrospective). Granted 13 December 2011.

- 2010/1840 - Change of use of first, second, third, fourth, fifth and sixth floors of existing office building (Class B1a) in order to create a hotel (Class C1). granted 28/06/2010
- 2009/4662/P: Erection of two external fire escape staircases to rear of existing office block (Class B1) and erection of a six storey side extension. Granted 23 December 2009.
- 2006/5316/P - Amendments to planning permission dated 16.01.01 (ref. PSX0005003) (for extension to existing offices (Class B1) at 4th - 6th floor levels at the rear and erection of 3x additional floors for office use, including the reception of enlarged lift cores at the rear elevation and erection of a glazed canopy over ground floor facade facing Euston Road. Granted 15 Jan 2007.
- PSX0005003 - The extension to the existing offices (Class B1) at the fourth, fifth and sixth floor levels at the rear and the erection of three additional floors for office use (Class B1) and alterations to the ground floor entrance lobbies including the erection of glazed canopy over the east and west entrances. Granted 16 August 2001.

Relevant policies

LDF Core Strategy and Development Policies

CS15- Protecting and improving our parks and open spaces and encouraging biodiversity

DP22- Promoting sustainable design and construction

CPG 3 (Biodiversity and biodiverse roofs)

Assessment

Background

The various permissions for the erection of a three storey rooftop extension on the building do not require the provision of any green/brown roofs on site. The hotel conversion permission includes condition 4, which requires details of the proposed green/brown roof to be provided prior to implementation of the works.

Condition 4 was not applied to the permission in error but on the basis of the information submitted with the planning application. The Sustainability Addendum that was submitted with the application states, in the section entitled 'N5 – Biodiversity', that "Section 7 of the sustainability statement issued with the application addresses biodiversity and refers to what few opportunities there are available with a change of use application, but none the less proposes a living roof at 6th floor terrace level.....".

The assessment of the planning application was therefore made on this basis and the committee report at paragraph 6.31 states "The main roof cannot be used for green or brown roofs because of the construction works taking place with the new office floors and because it is being used for renewable energy plan. A green roof is therefore proposed at sixth floor terrace level in line with policy N5. A condition has been included requiring further details to be submitted to ensure that this provides the maximum biodiversity value".

The application that was made to discharge this condition (2012/1524/P) appears to have ignored the fact that the Sustainability Addendum and Sustainability Report exists as no reference is made to either document in the application and the details that were submitted were for planters around the seventh, eighth and ninth floor terraces. This application was withdrawn because the applicant confirmed that a green/brown roof was not proposed on site and the planters were to be proposed instead. An application to vary the condition has accordingly been submitted.

Proposal

The sustainability addendum incorrectly refers to the provision of a green/brown roof at sixth floor level. It appears to have been referring to part of the roof of the main building (which becomes the 7th floor terrace following construction of the three storey extension) and incorrectly states that a

green/brown roof is proposed here. Condition 4 therefore also incorrectly refers to a green/brown roof being provided on the 6th floor terrace and states that:

“Full details in respect of the green/brown roof in the area indicated on sixth floor terrace level shall be submitted to and approved by the local planning authority before the relevant part o the development commences. The buildings shall not be occupied until the approved details have been implemented and these works shall be permanently retained and maintained thereafter.”

The applicant proposes that this condition is amended to read as follows:

“Prior to the occupation of the relevant part of the development, a living bio diverse hedge shall be installed at the south rear of 7th, 8th and 9th floor level in accordance with Dinwiddele MacLaren’s drawing reference 381.18.03. The north terrace t the front will contain planter boxes with an evergreen height for its entire length on 7th floor.

Assessment

Condition 4 was intended to ensure that the scheme included reasonable biodiversity measures. It is acknowledged that the seventh floor terrace is relatively narrow, is on top of an existing building and the provision of a green/brown roof was not required for any of the permissions for rooftop extensions (all previous approved plans show the terraced areas with hard surfacing).

The proposal is for lavender plants to the south facing terraces at all three levels and box hedging to the north, east and west facing terraces at seventh floor. The proposal also provides planting to three terrace levels at seventh, eighth and ninth floor levels. Given that these are outside the parameters of this planning application (being approved under a separate planning consent) these proposals are welcomed but cannot be referred to in the amended condition. It is considered that the planting on the seventh floor terrace will ensure that the development includes reasonable biodiversity measures.

Recommendation

Grant variation of conditions and approve details pursuant to condition 4.

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