

Delegated Report		Analysis sheet	Expiry Date:	16/04/09
			Cons. Expire:	01/04/09
Officer		Application Number(s)		
Angela Ryan		2009/0998/P		
Application Address		Drawing Numbers		
Site comprising 360-376 Euston Road 1-56 Osnaburgh Street & 23-43 Longford St (including Jellicoe House Marlborough House Regency House Follett House Strode House Goodyear House & rear of 28-30 Osnaburgh St) London NW1 3BL		DP1; RP/PA/05-100-G.2; RP/PA/05-100-G3; RP/PA/05-270-A.1; RP/PA/05-163-F.1; RP/PA/05-126-F.1; RP/PA/05-127-F.1; RP/PA/05-126-F.1; RP/PA/05-101-H.1; RP/PA/05-167-F.1		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Amendment to planning permission for changes during the course of construction to 2004/1700/P dated 08/06/2006 changes comprising introduction of an office mezzanine at first floor level - Building A; Introduction of a retail unit at ground floor level - Building B; Alterations to the community theatre at ground floor level - Building B and Regularisation of Building B east facade; Alterations to the electricity sub-station enclosure.				
Recommendation(s):		That planning permission is granted		
Code:		Full Planning Permission		

Conditions or Reasons for Refusal:	1. The development hereby permitted must be begun not later than the end of three years from the date of this permission.
Reasons for Conditions:	Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended)
Informatives:	<p>(1) 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).</p> <p>(2) Your attention is drawn to the need for compliance with the requirements of the Environmental Health Department and Consumer Protection Service (Pollution Team), Camden Town Hall, Argyle Street, WC1H 8EQ, (tel: 020 7974 6767) particularly in respect of sound insulation requirements for the commercial, community theatre and electricity sub-station</p> <p>(3) You are reminded that conditions (7), (12), (23), and (28) attached to planning permission dated 8th June 2006 (Ref: 2004/1700/P) remain outstanding.</p> <p>(4) The applicant is advised that this permission is for an amendment to an earlier grant of planning permission and can only be construed in conjunction with planning permission referenced 2004/1700/P dated 8th June 2006, which is the substantive permission. All conditions attached to the substantive permission and the provisions of the associated S106 Planning Obligation still apply and are not superseded by this permission to amend the residential mix in any way</p>

Consultations

Adjoining Occupiers:	No. notified	0	No. of responses	0	No. of objections	0
Summary of consultation responses:	<p><u>C& UD- Design:</u> The proposed changes, involving a reduction of the openness of the lobby spaces and the squeezing of more letable floor space into the scheme does lessen the quality of the internal and external spaces, but not to a level which is considered unacceptable.</p> <p><u>C& UD- Trees:</u> No comments received.</p> <p><u>FPP-Policy:</u> No comments received.</p> <p><u>Crime Prevention Officer (Met Police:</u> No comments received.</p> <p><u>Building control:</u> New mezzanine proposed in building A is served by a lift and stairs making it fully accessible. Entrances to building B- Theatre, including the mezzanine floor will need to be fully accessible. The ramps proposed to serve the lifts and WC's will need to be suitably designed and will be controlled by Building Regs. The proposed stepped approach to the entrances of the residential units is unacceptable. The units will not meet lifetime home standards. It</p>					

	<p>appears that there is a ramp proposed to the accessible unit, however drawings are too small to see the proposals, and full details need to be submitted.</p> <p>Larger drawings were subsequently submitted, it was ascertained that the two units still do not meet wheelchair/lifetime home standards.</p> <p><u>Environmental Health:</u></p> <p>Initially raised concerns regarding noise and amenity, but subsequently raised no objections to the proposal, as these issues were dealt with in the original submission.</p>
<p>CAAC/Local groups* comments:</p> <p>*Please Specify</p>	

Site Description

The site is construction site and is currently being built to a 2006 planning permission comprising 3 buildings a part 8, part 9 and part 20 storey residential building, and part 9 and 10 storey buildings for mixed-use (office, retail, professional services, food and drink/community and non-residential institution). The site is bounded by contemporary office buildings, which are part of the Triton Square office development to the east. The Grade II listed White House Hotel and grade II* listed Holy Trinity Church are situated on the opposite side of Osnaburgh Street to the west. Beyond these buildings are Regency and Georgian terraces fronting onto Albany St, which are within the Regents Park Conservation Area. Regents Park is sited further to the west beyond Albany Street.

The site is bounded to the north by the Regents Park Housing Estate, a combination of maisonettes, deck access and point blocks. The estate is identified as an area of significant urban deprivation and a Neighbourhood Renewal Area. The site is bounded to the south by the Euston Road, and Georgian terraced streets and squares of Bloomsbury Conservation Area.

Relevant History

On 8th June 2006 planning permission was granted subject to a S106 agreement for Demolition of existing buildings and erection of a part 8, part 9, part 20 storey residential building comprising 60 private residential units and 91 affordable units. And 9 and 10 storey buildings (plus roof-top plant) comprising 49,500 sqm of office (Class B1) floorspace with 982 sqm of retail/professional services/food & drink/community non-residential institution (Class A1/A2/A3/D1) uses at ground floor level all plus basement and sub-basement levels, ground floor theatre / community facility (Class D1), associated access points including in/out roadway, parking, servicing, open areas and landscaping. (Ref: 2004/1700/P).

Relevant policies

Set out below are the UDP policies that the proposals have primarily been assessed against, together with officers' view as to whether or not each policy listed has been complied with. However it should be noted that recommendations are based on assessment of the proposals against the development plan taken as a whole together with other material considerations.

SD3- Mixed-use development

SD6- Amenity for occupiers and neighbours

B1- General Design Principles

B7A- character and appearance of conservation areas

E1- Location of business uses

E3(b)-Light industrial uses in the Central London and Kentish Town Areas

R1- Location of new retail and entertainment

R2- General impact of new development

Assessment

The application relates to changes during construction, resulting in amendments to buildings (A), (B) & (C) approved under application dated 8th June 2006 (ref 2004/1700/P) for the erection of 3 buildings, comprising a part 8, part 9 and part 20 storey residential building, and part 9 and 10 storey buildings for mixed-use (office, retail, professional services, food and drink/community and non-residential institution).

The changes are as follows:

Proposed mezzanine at first floor level to office in building A:

The mezzanine will accommodate 300m² of B1 office space, and is proposed to maximise use of the redundant double height space over the ground floor retail unit. The additional office space is considered to be acceptable in principle given that the site is located within the Central London Area, and also adjacent to the Central Activities Zone identified in the London Plan which advocates commercial development with maximum density. Building A is located within a predominantly commercial environment with a number of existing businesses operating at the site. Council policy would normally expect a contribution to the supply of housing where there is an increase of more than 200sq m of total gross floorspace. When considering this aspect due regard has to be paid as to whether the site is appropriate for housing. Building A is located on a very busy road (Euston Road), and in a commercial hub that is not considered ideal in terms of achieving residential amenity, by virtue of the creation of noise pollution. Notwithstanding the above, the development has been substantially built as an office block and the introduction of housing in the location would not be conducive for the environment or the building by virtue of its design. As part of the overall scheme housing including 50% affordable housing is being provided in building C, which is located in a more quieter area the achieves satisfactory residential amenity including open space. As such it is considered that the provision of housing is not appropriate in this instance.

Proposed retail unit, alterations to the community theatre at ground floor level, and regularising the East Façade of building B:

The Developer aspires to create a retail unit at ground floor level, which is considered to be acceptable in land use terms. The unit measures 402m² and will face the retail unit already approved as part of the original submission in building A. It is hoped that a retail unit in this location will bring vitality to the key entrance into the site, and compliment the proposed pavilion structure which is envisaged as a piece of art rather than a functional building. The proposed retail units will displace a proposed meeting area that will be relocated on a proposed mezzanine that was previously approved. The Council would normally grant permission for retail use where it is readily accessible by a choice of means of transport. The development will provide 49, 5000 sq m of office, and 18, 278 sq m of residential floorspace with just 982 sq m of flexible space for A1, A2, A3 or D1 purposes, which is considered small in its context of an office precinct with a large daytime population. It is considered that the provision of an additional unit would serve the existing and potential occupiers at the site, and would also provide some vitality in this predominantly office environment.

The theatre has been altered as a result of the Developer having to reconfigure the ground floor escape corridor to suit the existing ground levels. A small mezzanine level and access staircase has been introduced to provide additional storage space, increasing the overall size of the centre from 284m² to 354m² (a 70m² increase in floor area).

With regards to the East Façade of Building B, a discrepancy regarding a row of windows was highlighted. A row of windows shown on the corresponding approved plan was not included on the approved elevation. The applicant wishes to regularise this aspect.

Alteration to the electricity substation enclosure:

The EDF is located to the east of the site. A green wall was originally proposed and approved.

The purpose of the green wall was to screen the rear of the substation which could be viewed from the residential courtyard, and also to improve the views from the upper levels of building B, C and the theatre garden. The applicant now proposes to install an instant Hornbeam hedge to screen the views. This change is considered acceptable when balanced against the loss of biodiversity in this location and the overall increase in biodiversity across the site by virtue of the landscaping scheme proposed.

Reconfiguration of the two residential units at ground floor level of building C:

Subsequent to discussions with the Council's refuse department, one of the residential refuse stores originally proposed has become surplus to requirements. The units have been described as being two 1 bed social rented residential units (1x wheelchair accessible); however, the plan appears to show a 2 bed wheelchair accessible unit. The units are located in close proximity to the store has been reconfigured to make use of the additional area gained. Even though the units are of a better standard than was originally proposed they are considered to be unacceptable in this instance when measured against current policies as they do not conform to wheelchair accessible or lifetime home standards.

Main Entrance:

There is no 200mm clear space next to the push side of the main entrance door (this is across the ramp) or a 1500 x 1500mm clear space in front of the main entrance door.

For the wheelchair accessible dwelling:

The front door does not have 300mm clear space to the leading edge and 200mm clear space to the push side

The entrance hallway should have a clear space of 1500 x 1800mm

There is insufficient circulation space provided around the bed. A 1200 x 1200 space is required adjacent to the bed for transfer and there should be a 1000mm clear space around all other sides of the bed.

The WC layout will need to be reviewed to ensure sufficient frontal transfer space is provided to the pan

No charging space for a wheelchair has been identified.

Socially rented unit:

The other dwelling shown does not meet Lifetime Homes in respect of the door, corridor, WC requirements etc

The residential element has subsequently been withdrawn from the scheme to be dealt with at a later date.

A new clause is contained in the deed (signed on 20th March 2009), namely clause 2.2 (to be inserted after clause 2.58 in the existing agreement) which allows the Council to deal with minor amendments without the need to enter into a deed of variation on the proviso that it is stipulated in writing that the terms in the existing agreement applies. This will be done by virtue of an informative attached to the decision notice. This approach is considered appropriate in this instance as the proposal would not adversely affect or prejudice any of the obligations contained in the original agreement.

The application is therefore considered to be acceptable and is hereby recommended for approval.

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