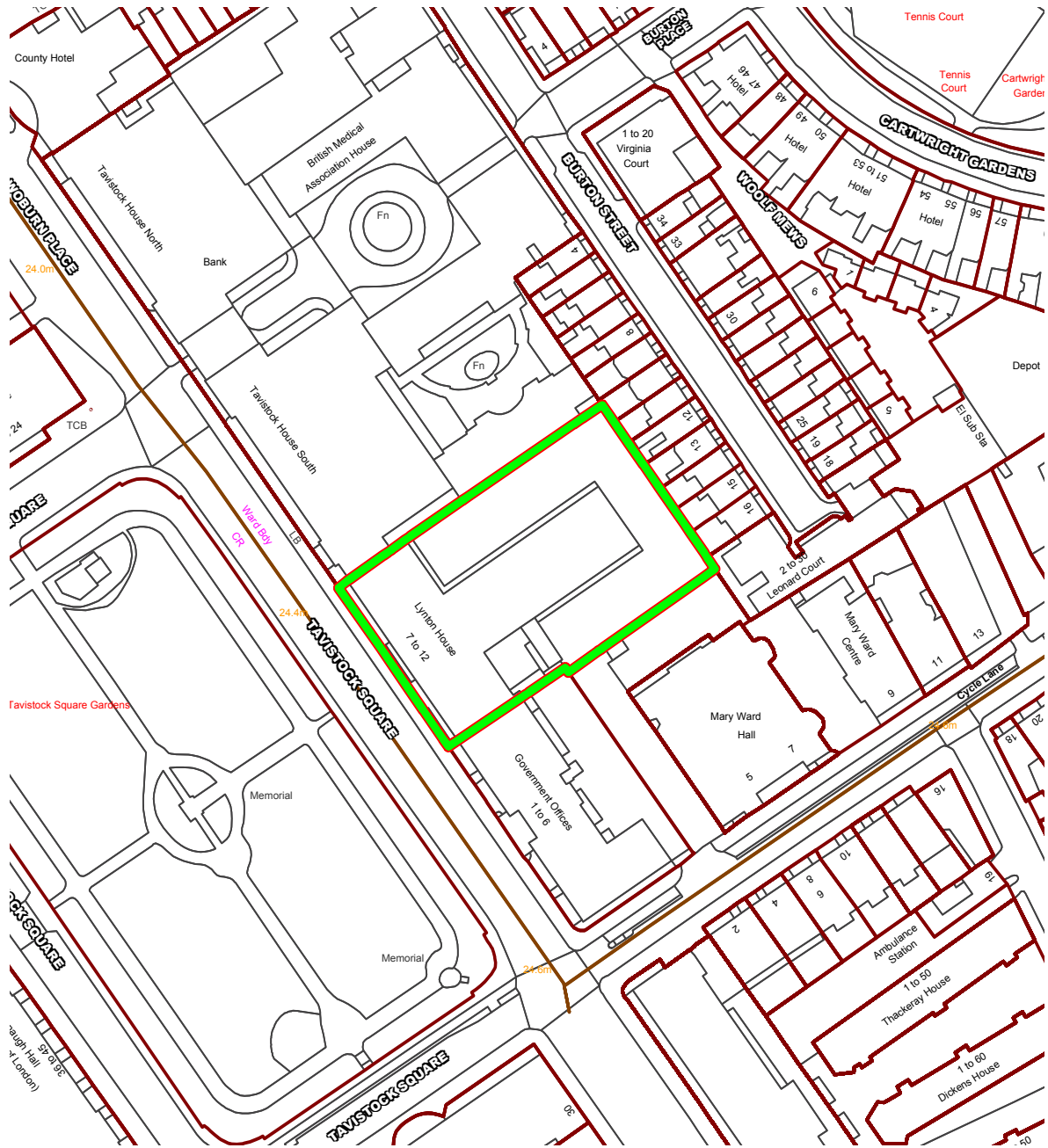



# Lynton House, 7-12 Tavistock Square



	<p><b>Application No: 2014/4405/P</b></p> <p><b>Lynton House</b>  <b>7 - 12 Tavistock Square</b>  <b>London WC1H 9LT</b></p>	<p><b>Scale:</b>  <b>1:1250</b></p> <p><b>Date:</b>  <b>8-Oct-14</b></p>	<p><b>N</b></p> 
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## Site Photos – Lynton House



Front elevation



Rear Elevation

<b>Delegated Report</b>		<b>Analysis sheet</b>	<b>Expiry Date:</b>	<b>03/09/2014</b>
<b>(Members Briefing)</b>		N/A / attached	<b>Consultation Expiry Date:</b>	12/08/2014
<b>Officer</b>		<b>Application Number(s)</b>		
Mandeep Chagger		2014/4405/P		
<b>Application Address</b>		<b>Drawing Numbers</b>		
Lynton House 7 - 12 Tavistock Square London WC1H 9LT		6013(PL1), 52792/3/3/2, 6013 (PL3), Design & Access Statement, Proposed WC Extract Fan for Coffee Shop, 6013 (PL2), L857(M)-1AC:01, 6013 (PL6), 6013(PL5), 6013(PL10). 6013(PL1), 6433/PNA Rev.1 (dated 10.09.2014), 6013 (PL3), Design & Access Statement, Proposed WC Extract Fan for Coffee Shop, 6013 (PL2), L857(M)-1AC:01, 6013 (PL6), 6013(PL5), 6013(PL10), Plant Noise Assessment rev.1 (ref. 6433/PNA) dated 10 September 2014).		
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>	
<b>Proposal(s)</b>				
Change of use of part of the ground floor from office space (Class B1) to restaurant/cafe (Class A3) and the installation of new entrance doors and a ramp to the front elevation and the installation of a service door, grill platform, 4 external condenser units and extract fans to the rear elevation.				
<b>Recommendation(s):</b>		<b>Granted</b>		
<b>Application Type:</b>		<b>Full Planning Permission</b>		

<b>Conditions or Reasons for Refusal:</b>	<b>Refer to Draft Decision Notice</b>					
<b>Informatives:</b>						
<b>Consultations</b>						
<b>Adjoining Occupiers:</b>	No. notified	<b>83</b>	No. of responses	<b>03</b>	No. of objections	<b>00</b>
<b>Summary of consultation responses:</b>	<p>A site notice was erected on 25/07/2014, expiring on 15/08/2014. A press notice was also published on 31/07/2014, expiring on 21/08/2014.</p> <p>A total of 3 separate written objections have been received from nearby occupiers at the following addresses: Flat C, 9 Burton Street, Flat D, 11 Burton Street and First Floor Lynton House, 7-12 Tavistock Square.</p> <p>A summary of the issues raised are as follows:</p> <ul style="list-style-type: none"> <li>• Impact of noise and smells from 4 external condenser units and extractor fans from the rear elevation.</li> <li>• Noise from deliveries, refuse lorries, maintenance, cleaning at all hours.</li> <li>• Noise nuisance needs to be measured from the rear of the properties in Burton Street and not at ground level by dividing walls that separate Lynton House car park and the backs of Burton Street properties.</li> <li>• The noise from this area is amplified by the surrounding buildings especially 'out of hours'.</li> <li>• There is already a Starbucks on part of ground floor and to have another restaurant/café will alter the nature of the building and the image to visitors.</li> <li>• To have additional retail/restaurant units in the square will alter the nature and setting of the whole square.</li> </ul>					
<b>CAAC/Local groups* comments:</b> *Please Specify	<p><b>Bloomsbury CAAC</b> – Comments received on 12<sup>th</sup> September with the following objections:</p> <ul style="list-style-type: none"> <li>• Noting the large Starbuck's sign adjacent, it would surely be inappropriate to have another large restaurant/café sign next door. Such excessive signage is not really appropriate in a Conservation Area and the commercialisation clashes negatively with the historic Tavistock Garden across the road.</li> <li>• Extractor fans to the rear of the property would presumably impact on the residents amenity of those living in Burton Street.</li> </ul> <p><b>Officer comment:</b></p> <ul style="list-style-type: none"> <li>• There is considered not to be a material change in circumstance which would prevent the previous application being granted. Moreover, it is also considered that the site context has also not changed significantly in the intervening period, with no permissions in the locality which have implications for the proposed development.</li> <li>• With regards to extract fans, this has been discussed in paragraph 2.2.</li> </ul>					

## Site Description

The site contains a 10 storey plus basement Class B1 office building of post-war origin with a centrally located entrance door arrangement and front basement lightwell. It has T-shaped footprint and has a rear courtyard containing a substantial amount of ventilation plant.

The building faces Tavistock Square itself next to the listed BMA building. The square is surrounded by similar commercial buildings in office, educational or institutional use, including a hotel with bar on the southern side. The rear of the site adjoins other commercial buildings and smaller residential properties in Burton Street. The site lies within Bloomsbury Conservation Area.

## Relevant History

**12/10/2007**- p.p. granted (2007/3620/P) for the 'Installation of disabled access ramps and associated elevational alterations to front and rear entrances and creation of new plant room at rear basement level.'

**21/10/2008** – p.p. granted (20078/4251/P) for the 'Erection of a single storey refuse enclosure within existing carpark.'

**19/05/2008** – p.p. granted (2007/4150/P) for the 'Change of use of ground floor from office space (Class B1) to restaurant/cafe (Class A3) and external changes to the frontage to include the installation of new entrance doors to replace windows, plus installation of external condenser unit and extract fans and a new basement refuse store in rear courtyard'.

**03/12/2008** – Advertisement Consent granted (2008/4808/A) for the 'Display of an externally illuminated fascia sign consisting of individual lettering and an externally illuminated projecting sign to shop front.'

**10/09/2010** – p.p. granted (2010/3690/P) for the 'Installation of 14 new condenser units and associated timber acoustic screens to the roof of office building (Class B1).'

**08/04/2011** – p.p granted (2010/6310/P) for the 'Change of use of part of the ground floor from office space (Class B1) to restaurant/cafe (Class A3) and the installation of new entrance doors and a ramp to the front elevation and the installation of a service door, grill platform, 4 external condenser units and extract fans to the rear elevation.'

## Relevant policies

### 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)
- CS14 (Promoting high quality places and conserving our heritage)
- 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)
- DP13 (Employment premises and sites)
- DP16 (Transport implications of development)
- 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

- CPG5: Town Centres, Retail and Employment (Revised 2013)
- CPG6: Amenity (2011)
- Central London Guidance: Food, Drink and Entertainment Uses (CPG5, chapter 4, 2013)

## Assessment

### 1. THE PROPOSAL

- 1.1 This application is seeking planning permission for a proposal that was granted planning permission in 2011 but has never been implemented. This previous permission expired on 08/04/2014. The proposal is broadly the same as the expired application however the amount of plant is reduced compared to the original scheme which was granted planning permission by the Council at the Development Control Committee meeting on 7/04/2011. A site visit undertaken on 13/08/2014 confirmed that the 2010/6310/P permission has not been implemented, with the existing office (B1 use) in active use at the site.
- 1.2 The proposal is for the change of use of part of the ground floor from office space (Class B1) to restaurant/cafe (Class A3), the installation of new entrance doors and a ramp to the front elevation, the installation of a service door, grill platform, 2 external condenser units and new extract fans to the lightwell.
- 1.3 The application was taken to committee on 2<sup>nd</sup> October 2014. The agent had asked for the time clocks condition to be removed from the decision notice. The time clock condition states:

Automatic time clocks shall be fitted to the equipment/machinery hereby approved, prior to commencement of the use of the units, to ensure that the plant/equipment does not operate between 2000 hrs and 0700 hrs on Mondays to Fridays, 1900 hrs and 0730 hrs on Saturdays and 1800 and 0800 hrs on Sundays or Bank Holidays. The timer equipment shall thereafter be permanently retained and maintained and retained in accordance with the manufacturer's recommendations.

Reason: To safeguard the amenities of the adjoining 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 policies DP26, DP28 and DP12 of the London Borough of Camden Local Development Framework Development Policies.

### 2. ASSESMENT

- 2.1 At committee, Member's raised concern about the removal of the time clock condition and requested further information demonstrating that the scheme would still achieve adequate amenity for nearby residents without the time clock condition. The agent had asked for the time clocks condition to be removed. The previous permission proposed 4 condenser units on the rear elevation that would be operational during opening hours only. The current scheme, proposes 2 condenser units in the light well at the rear that are required for machinery such as commercial fridges etc that need to be operating 24 hours. The revised acoustic report demonstrates only 2 condenser units would be needed rather than the 4 condenser units originally proposed.
- 2.2 The report demonstrates that the plant will operate 5dB below background levels at all times. The report therefore supports the 24hr operation of plant and so the "time clock condition" is not required. As such, the standard noise condition, ensuring that noise levels remain 5dB below background noise levels, would adequately deal with this matter. Environmental Health Officers support the removal of the time clock condition and have confirmed that the standard noise condition is sufficient to ensure there would be no significant loss to the amenity of nearby occupiers.

### 3. RECOMMENDATION

- 3.1 Overall, the development is considered to be acceptable in general design and amenity terms. It is

recommended that the application be granted conditional planning permission.

**DISCLAIMER Decision route to be decided by nominated members on Monday 13<sup>th</sup> October 2014. For further information please click [here](#)**



Mr Nick Jenkins  
Smith Jenkins Ltd  
30A High Street  
Stony Stratford  
Milton Keynes  
Buckinghamshire  
MK11 1AF

Application Ref: **2014/4405/P**  
Please ask for: **Mandeep Chagger**  
Telephone: 020 7974 **6057**

8 October 2014

**DRAFT**

Dear Sir/Madam

**DECISION**

Town and Country Planning Act 1990 (as amended)

**Full Planning Permission Granted**

Address:  
**Lynton House**  
**7 - 12 Tavistock Square**  
**London**  
**WC1H 9LT**

**DECISION**

Proposal:

Change of use of part of the ground floor from office space (Class B1) to restaurant/cafe (Class A3) and the installation of new entrance doors and a ramp to the front elevation and the installation of a service door, grill platform, 4 external condenser units and extract fans to the rear elevation.

Drawing Nos: 6013(PL1), 6433/PNA Rev.1 (dated 10.09.2014), 6013 (PL3), Design & Access Statement, Proposed WC Extract Fan for Coffee Shop, 6013 (PL2), L857(M)-1AC:01, 6013 (PL6), 6013(PL5), 6013(PL10), Plant Noise Assessment rev.1 (ref. 6433/PNA) dated 10 September 2014).

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

6013(PL1), 6433/PNA Rev.1 (dated 10.09.2014), 6013 (PL3), Design & Access Statement, Proposed WC Extract Fan for Coffee Shop, 6013 (PL2), L857(M)-1AC:01, 6013 (PL6), 6013(PL5), 6013(PL10).

Reason:

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

- 4 The use hereby permitted shall not be carried out outside the following times 0700-2000hrs Mondays to Saturdays and 0800-1800 on Sundays or Bank Holidays.

Reason: To safeguard the amenities of the premises and the area generally in accordance with the requirements of policies CS5 (Managing the impact of growth and development) and CS7 (Promoting Camden's centres and shops) of the London Borough of Camden Local Development Framework Core Strategy and policy DP12 (Supporting strong centres and managing the impact of food, drink, entertainment and other town centre uses) and DP26 (Managing the impact of development on occupiers and neighbours) of the London Borough of Camden Local Development Framework Development Policies.

- 5 No music shall be played on the premises in such a way as to be audible within any adjoining premises or on the adjoining highway.

Reason: To safeguard the amenities of the adjoining 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 and DP12 of the London Borough of Camden Local Development Framework Development Policies.

- 6 Before the use commences or the plant hereby approved is operated, the air-conditioning plant shall be provided with acoustic isolation and sound attenuation in accordance with the Plant Noise Assessment rev.1 (ref. 6433/PNA) dated 10 September 2014). The air conditioning unit shall operate in accordance with the

approved acoustic isolation thereafter and be retained and maintained in effective working order.

Reason: To safeguard the amenities of the premises and the area generally in accordance with the requirements of policy CS5 (Managing the impact of growth and development) of the London Borough of Camden Local Development Framework Core Strategy and policies DP26 (Managing the impact of development on occupiers and neighbours) and DP28 (Noise and vibration) of the London Borough of Camden Local Development Framework Development Policies.

- 7 Noise levels at a point 1 metre external to sensitive facades shall be at least 5dB(A) less than the existing background measurement (LA90), expressed in dB(A) when all plant/equipment (or any part of it) is in operation unless the plant/equipment hereby permitted will have a noise that has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or if there are distinct impulses (bangs, clicks, clatters, thumps), then the noise levels from that piece of plant/equipment at any sensitive façade shall be at least 10dB(A) below the LA90, expressed in dB(A).

Reason: To safeguard the amenities of the premises and the area generally in accordance with the requirements of policy CS5 (Managing the impact of growth and development) of the London Borough of Camden Local Development Framework Core Strategy and policies DP26 (Managing the impact of development on occupiers and neighbours) and DP28 (Noise and vibration) of the London Borough of Camden Local Development Framework Development Policies.

- 8 The Class A3 use hereby approved shall not include any primary cooking, which for the purposes of this condition shall be taken to mean the application of heat for the purposes of cooking, or any deep frying.

Reason: The application does not include a high level duct to extract kitchen fumes and odours and without such a duct primary cooking of meat or fish or deep frying is likely to cause nuisance in the form of fumes and odours, resulting in unacceptable impact on the amenities of the area generally in accordance with the requirements of policies CS5 (Managing the impact of growth and development) and CS7 of the London Borough of Camden Local Development Framework Core Strategy and policies DP26 (Managing the impact of development on occupiers and neighbours) and DP28 (Noise and vibration) of the London Borough of Camden Local Development Framework Development Policies.

- 9 Detailed drawings, in respect of the following, shall be submitted to and approved in writing by the local planning authority before the relevant part of the work is begun:

a) Details including entrance steps and associated handrails.

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

Reason: To ensure that the external layout of the building provides flexibility for the accessibility of customers, 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 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 6941).
- 2 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.
- 3 You are advised that condition 4 means that no customers shall be on the premises and no activities associated with the use, including preparation and clearing up, shall be carried out otherwise than within the permitted time.
- 4 The Council supports schemes for the recycling of bottles and cans and encourages all hotels, restaurants, wine bars and public houses to do so as well. Further information can be obtained by telephoning the Council's Street environment Service (Recycling) on 0207 974 6914 or by email [recycling@camden.gov.uk](mailto:recycling@camden.gov.uk) or on the website [www.camden.gov.uk/recycling](http://www.camden.gov.uk/recycling).
- 5 You are reminded of the need to provide adequate space for internal and external storage for waste and recyclables. For further information contact Council's Street Environment Service (Waste) on 020 7974 6914 or see the website [www.camden.gov.uk/waste](http://www.camden.gov.uk/waste)

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.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

Director of Culture & Environment

**DRAFT**

**DECISION**