

Mr David Shuttleworth  
MJ Consulting Engineers Ltd  
204 Bolton Road  
Walkden Worsley  
Manchester  
M28 3BN

Application Ref: **2012/2366/P**  
Please ask for: **Gideon Whittingham**  
Telephone: 020 7974 5180

14 June 2013

Dear Sir/Madam

### **DECISION**

Town and Country Planning Act 1990 (as amended)  
Town and Country Planning (Development Management Procedure) Order 2010  
Town and Country Planning (Applications) Regulations 1988

### **Full Planning Permission Granted Subject to a Section 106 Legal Agreement**

Address:

**Shaftesbury Theatre**  
**210 Shaftesbury Avenue**  
**London**  
**WC2H 8DP**

Proposal:

Construction of a new steel frame fly tower at roof level with associated internal alterations for ancillary accommodation (Class D2).

Drawing Nos: 1624-001, 1624-002, 1624-003, 1624-004, 1624-005, 1624-006, 1624-008, 1624-009, 1624-010, 1624-013, 1624-014, 1624-021, 1624-022, 1624-023A, 1624-080, 1624-081, 1624-082, 1624-083, 1624-084, 1624-085, 1624-086, 1624-1087A, 1624-1088A, 1624-1089A, 1624-1090A, 1624-1063, 1624-1066A, 1624-1071C, 1624-1072C, 1624-1073C, 1624-1074, 1624-1075, 1624-1076, Design and Access Statement - February 2013.

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 works and finishes and works of making good to the retained fabric, shall match the existing adjacent work with regard to the methods used and to material, colour, texture and profile, unless shown otherwise on the drawings or other documentation hereby approved or required by any condition(s) attached to this consent.

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 (Securing high quality design) and DP25 (Conserving Camden's heritage) 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 1624-001, 1624-002, 1624-003, 1624-004, 1624-005, 1624-006, 1624-008, 1624-009, 1624-010, 1624-013, 1624-014, 1624-021, 1624-022, 1624-023A, 1624-080, 1624-081, 1624-082, 1624-083, 1624-084, 1624-085, 1624-086, 1624-1087A, 1624-1088A, 1624-1089A, 1624-1090A, 1624-1063, 1624-1066A, 1624-1071C, 1624-1072C, 1624-1073C, 1624-1074, 1624-1075, 1624-1076, Design and Access Statement - February 2013.

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

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- 4 Detailed drawings, or samples of materials as appropriate, 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) Typical detailed section drawings of façade of the flytower at a scale of 1:10
- b) Samples and manufacturer's details of all new facing materials

The relevant part of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course of the works.

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 (Securing high quality design) and DP25 (Conserving Camden's heritage) of the London Borough of Camden Local Development Framework Development Policies.

- 5 Prior to the commencement of construction of the fly tower hereby approved, details of all external lighting to include location, hours of operations, light level

specification, fittings and fixtures shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the construction of the fly tower shall not be carried out otherwise than in accordance with the details thus approved.

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 (Securing high quality design) and DP25 (Conserving Camden's heritage) of the London Borough of Camden Local Development Framework Development Policies.

- 6 The windows to the fly tower hereby permitted located along the northern elevation facing King Edwards Mansions shall be fixed shut and so maintained.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 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).

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- 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 This consent is without prejudice to, and shall not be construed as derogating from, any of the rights, powers, and duties of the Council pursuant to any of its statutory functions or in any other capacity and, in particular, shall not restrict the Council from exercising any of its powers or duties under the Highways Act 1980 (as amended). In particular your attention is drawn to the need to obtain permission for any part of the structure which overhangs the public highway (including footway). Permission should be sought from the Council's Engineering Service Network Management Team, Town Hall, Argyle Street WC1H 8EQ, (tel: 020 7974 2410) or email [highwayengineering@camden.gov.uk](mailto:highwayengineering@camden.gov.uk).

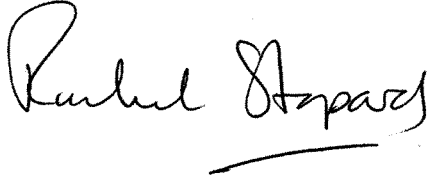
- 4 Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which this permission is granted. Information/drawings relating to the discharge of matters covered by the Heads of Terms of the legal agreement should be marked for the attention of the Planning Obligations Officer, Sites Team, Camden Town Hall, Argyle Street, WC1H 8EQ.
- 5 This permission is granted without prejudice to the necessity of obtaining consent under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007. Application forms may be obtained from the Council's website, [www.camden.gov.uk/planning](http://www.camden.gov.uk/planning) or the Camden Contact Centre on Tel: 020 7974 4444 or email [env.devcon@camden.gov.uk](mailto:env.devcon@camden.gov.uk).
- 6 You are advised that this proposal will be liable for the Mayor of London's Community Infrastructure Levy (CIL) as the additional floorspace exceeds 100sqm GIA or one unit of residential accommodation. Based on the Mayor's CIL charging schedule and the information given on the plans, the charge is likely to be £16,000 (320sqm x £50). This amount is an estimate based on the information submitted in your planning application. The liable amount may be revised on the receipt of the Additional Information Requirement Form or other changing circumstances.
- 7 Reasons for granting permission.

The proposed development is in general accordance with the London Borough of Camden Local Development Framework Core Strategy, with particular regard to policies CS1 (Distribution of growth), CS5 (Managing the impact of growth and development), CS10 (Supporting community facilities and services), CS14 (Promoting high quality places and conserving our heritage), CS15 (Protecting and improving our parks and open spaces and encouraging biodiversity), CS19 (Developing and monitoring the Core Strategy) and the London Borough of Camden Local Development Framework Development Policies, with particular regard to policies DP15 (Community and leisure uses), DP16 (The transport implications of development), DP20 (Movement of goods and materials), DP21 (Development connecting to the highway network), DP24 (Securing high quality design), DP25 (Conserving Camden's heritage) and DP26 (Managing the impact of development on occupiers and neighbours). Furthermore the proposal accords with the specific policy requirements in respect of the following principle considerations:- The proposed fly tower extension would represent a distinctive, contemporary addition located at main roof level, constructed with quality materials which would ensure that the character and appearance of the wider conservation area is both preserved and enhanced. It has been adequately demonstrated that the relative harm to the special architectural and historic interest of the listed building is necessary to achieve substantial public benefits, in particular securing its optimum viable use in the long term, that outweigh that harm. The proposed development would not exert a materially harmful impact on the amenities of local residents or occupiers, and would represent an efficient use of the site and a sustainable form of development. For a more detailed understanding of the reasons for the granting of this planning permission, please refer to the officer report.

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



Rachel Stopard  
Director of Culture & Environment

It's easy to make, pay for, track and comment on planning applications online. Just go to [www.camden.gov.uk/planning](http://www.camden.gov.uk/planning).

It is important to us to find out what our customers think about the service we provide. To help us in this respect, we would be very grateful if you could take a few moments to complete our online survey at the following website address: [www.camden.gov.uk/dmfeedback](http://www.camden.gov.uk/dmfeedback). We will use the information you give us to help improve our services.

