

Ms Lisa Webb
Gerald Eve LLP
72 Welbeck Street
London
W1G 0AY

Application Ref: **2013/3880/P**
Please ask for: **Conor McDonagh**
Telephone: 020 7974 **2566**

20 December 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:
**251-258 Tottenham Court Road
and 1 Bedford Avenue
London
W1T 7RB**

Proposal:

Erection of an eight storey building plus basement level for a mixed use development comprising retail use (Class A1) at part basement and ground floor levels and office use (Class B1) at part ground and first to seventh floor levels with associated plant in basement and roof, following complete demolition of existing retail/office buildings at 1 Bedford Avenue and 251-258 Tottenham Court Road. [THIS APPLICATION IS ASSOCIATED WITH A CONCURRENT APPLICATION AT 24-25 BLOOMSBURY SQUARE REF: 2013/3881/P].

Drawing Nos: 1217_(P)_001; 1217_(P)_099 rev A; 1217_(P)_100 rev A; 1217_(P)_101 rev A; 1217_(P)_102; 1217_(P)_103; 1217_(P)_104; 1217_(P)_105; 1217_(P)_106; 1217_(P)_107; 1217_(P)_108; 1217_(P)_201 rev A; 1217_(P)_302; 1217_(P)_303 rev A; 1217_(P)_304 rev A; 1217_(P)_401; 1217_(P)_402; 1217_(P)_403.

Planning Statement by Gerald Eve LLP; Design and Access Statement by Bennetts Associates; Townscape, Heritage and Visual Impact Assessment by Millerhare and Francis Golding dated July 2013; Energy and Sustainability Report by Waterman; Air Quality



Assessment by Waterman; Noise and Vibration Assessment by Waterman; Transport Statement and Travel Plan by Clewlow Consulting; Daylight / Sunlight Report by GIA; Delivery and Servicing Plan by Clewlow Consulting; Construction Management Plan by Buro Four dated 6 September 2013 rev A; Buried Heritage Desk Based Assessment by Waterman dated August 2013; Basement Impact Assessment by Waterman; Community Involvement Report by Indigo Public Affairs (all dated June 2013 unless stated otherwise).

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 Detailed drawings, and/or samples of materials as appropriate, in respect of all facing materials shall be submitted to and approved in writing by the local planning authority before the relevant part of the work is begun.

The relevant part of the works shall be carried out in accordance with the details thus approved and all approved sample panels shall be retained on site prior to the completion of the development.

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 of the London Borough of Camden Local Development Framework Development Policies.

- 3 There shall be no additions to the roof of the building other than that 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 of the London Borough of Camden Local Development Framework Development Policies.

- 4 The development hereby permitted shall be carried out in accordance with the following approved plans: 1217_(P)_001; 1217_(P)_099 rev A; 1217_(P)_100 rev A; 1217_(P)_101 rev A; 1217_(P)_102; 1217_(P)_103; 1217_(P)_104; 1217_(P)_105; 1217_(P)_106; 1217_(P)_107; 1217_(P)_108; 1217_(P)_201 rev A; 1217_(P)_302; 1217_(P)_303 rev A; 1217_(P)_304 rev A; 1217_(P)_401; 1217_(P)_402; 1217_(P)_403.

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

- 5 Full details of the green roof in the area indicated on the approved roof plan shall

be submitted to and approved in writing by the local planning authority before the relevant part of 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.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies CS13, CS15 and CS16 of the London Borough of Camden Local Development Framework Core Strategy and policies DP22, DP23 and DP32 of the London Borough of Camden Local Development Framework Development Policies.

- 6 Before the development commences, further details of (type of stands and layout) of the secure and covered cycle storage area for 60 cycles shall be submitted to and approved by the local planning authority in writing. The approved facility shall thereafter be provided in its entirety prior to the first occupation of the development and thereafter permanently retained thereafter.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy CS11 of the London Borough of Camden Local Development Framework Core Strategy and policies DP17 and DP18 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 (or any part of it) is in operation unless the plant hereby permitted will have a noise that has a distinguishable, discrete continuous note (whine, hiss, screech, hum) 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 of the London Borough of Camden Local Development Framework Core Strategy and policies DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies.

- 8 Once the aggregated plant has been installed and fully commissioned a noise survey pursuant to BS4142 shall be carried out to verify compliance with condition 7. A noise report shall be produced containing all raw data and showing how calculations have been made including all corrections and assumptions made. A copy of such report shall be submitted to the Local Planning Authority for its approval in writing.

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

- 9 The waste storage areas, including provision recycled materials storage, shall be provided prior to the first occupation of any of the new units and permanently retained thereafter.

Reason: To ensure that sufficient provision for the storage and collection of waste has been made in accordance with the requirements of policy CS18 of the London Borough of Camden Local Development Framework Core Strategy and policies DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies.

- 10 The development hereby permitted shall not be commenced until detailed design and method statements for all of the foundations, basement and ground floor structures, or for any other structures below ground level, including piling (temporary and permanent), have been submitted to and approved in writing by the local planning authority in consultation with London Underground which shall:

- o provide details on all structures
- o accommodate the location of the existing London Underground structures and tunnels
- o accommodate ground movement arising from the construction thereof
- o and mitigate the effects of noise and vibration arising from the adjoining operations within the structures and tunnels.

The development shall thereafter be carried out in all respects in accordance with the approved design and method statements, and shall be completed in their entirety before any part of the building hereby permitted is occupied.

Reason: To ensure that the development does not impact on existing London Underground transport infrastructure, in accordance policy CS5 of the London Borough of Camden Local Development Framework Core Strategy.

- 11 Before development commences:
- (a) a written programme of ground investigation for the presence of soil and groundwater contamination and landfill gas shall be submitted to and approved by the local planning authority in writing; and
 - (b) following the approval detailed in paragraph (a), an investigation shall be carried out in accordance with the approved programme and the results and a written scheme of remediation measures [if necessary] shall be submitted to and approved by the local planning authority in writing.
- The remediation measures shall be implemented strictly in accordance with the approved scheme and a written report detailing the remediation shall be submitted to and approved by the local planning authority in writing prior to occupation.

Reason: To protect future occupiers of the development from the possible presence of ground contamination arising in connection with the previous industrial use of the site in accordance with 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.

- 12 In the event that additional significant contamination is found at any time when carrying out the approved development it must be reported in writing immediately to the local planning authority. An investigation and risk assessment must be undertaken in accordance with the requirements of the Environment Agency's Model Procedures for the Management of Contamination (CLR11), and where mitigation is necessary a scheme of remediation must be designed and implemented to the satisfaction of the local planning authority before any part of the development hereby permitted is occupied.

Reason: To protect future occupiers of the development from the possible presence of ground contamination arising in connection with the previous industrial use of the site in accordance with 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.

- 13 No impact piling shall take place until a piling method statement (detailing the type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: To safeguard existing below ground public utility infrastructure and controlled waters in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy.

- 14 The development hereby approved shall not commence until such time as a suitably qualified chartered engineer with membership of the appropriate professional body has been appointed to inspect, approve and monitor the critical elements of both permanent and temporary basement construction works throughout their duration to ensure compliance with the design which has been checked and approved by a building control body. Details of the appointment and the appointee's responsibilities shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. Any subsequent change or reappointment shall be confirmed forthwith for the duration of the construction works.

Reason: To safeguard the appearance and structural stability of neighbouring buildings and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Development Policies and policy DP27 (Basements and Lightwells) of the London Borough of Camden Local Development Framework Development Policies.

- 15 The proposed new ground floor retail windows on Morwell Street shall at all times include a shop front display of retail goods to the street.

Reason: To secure an active retail frontage to assist with passive surveillance and pedestrian activity along Morwell Street in accordance with policy CS17 of the

London Borough of Camden Local Development Framework Core Strategy.

- 16 Prior to occupation of the development, full details of a CCTV strategy to include details of cameras to be affixed to the external faces of the buildings, including their range of coverage, shall have been submitted to and approved in writing by the local planning authority. The approved measures implemented prior to occupation of the relevant parts of the development and be thereafter retained and maintained.

Reason: In order to protect the amenities of residents living in the area immediately surrounding the development in accordance with policy DP26 of the London Borough of Camden Local Development Framework Development Policies.

- 17 A) No development shall take place until the applicant (or their heirs and successors in title) has secured the implementation of a programme of archaeological investigation in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the local planning authority in writing.
B) No development or demolition shall take place other than in accordance with the Written Scheme of Investigation approved under Part (A).
C) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under Part (A), and the provision made for analysis, publication and dissemination of the results and archive deposition has been secured.

Reason: To preserve/record any archaeological remains that may exist in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 18 Prior to commencement on the relevant part of the development hereby approved details of all external lighting to include location, design, specification, fittings and fixtures (including means of reducing light spillage) shall be submitted to and approved in writing by the local planning authority. Thereafter, the relevant part of the works 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 and to conserve biodiversity by minimise light pollution in accordance with the requirements of policies CS14 and CS15 of the London Borough of Camden LDF Core Strategy, DP24 and DP25 of the London Borough of Camden LDF Development Policies.

- 19 Before the redundant vaults located underneath the public highway adjacent to the site are in-filled, details of the specific vault locations, proposed in-fill material specifications, and method statements to describe how the proposed works would be undertaken shall be submitted to and approved in writing by the Council.

Reason: To safeguard existing below ground public utility infrastructure in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy.

- 20 Notwithstanding the approved drawings further details of the shop front recesses shall be submitted and approved in writing before the relevant part of the development commences.

Reason: To provide an environment that could allow people to sit within the public realm in compliance with policy CS7 of the London Borough of Camden Local Development Framework Core Strategy.

Informative(s):

- 1 The applicant is advised to contact London Underground Infrastructure Protection in advance of preparation of final design and associated method statements, in particular with regard to: demolition; excavation; construction methods; security; boundary treatment; safety barriers; landscaping and lighting.
- 2 Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
- 3 In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.
- 4 The written scheme of investigation will need to be prepared and implemented by a suitably qualified archaeological practice in accordance with English Heritage Greater London Archaeology guidelines. It must be approved by the planning authority before any on-site development related activity occurs.

An archaeological watching brief involves observation of groundworks and investigation of features of archaeological interest which are revealed. A suitable working method with contingency arrangements for significant discoveries will need to be agreed. The outcome will be a report and archive.

- 5 The Mayor of London introduced a Community Infrastructure Levy (CIL) to help pay for Crossrail on 1st April 2012. Any permission granted after this time which adds more than 100sqm of new floorspace or a new dwelling will need to pay this CIL. It will be collected by Camden on behalf of the Mayor of London. Camden will be sending out liability notices setting out how much CIL will need to be paid if an affected planning application is implemented and who will be liable.

The proposed charge in Camden will be £50 per sqm on all uses except affordable housing, education, healthcare, and development by charities for their charitable purposes. You will be expected to advise us when planning permissions are implemented. Please use the forms at the link below to advise who will be paying the CIL and when the development is to commence. You can also access forms to allow you to provide us with more information which can be taken into account in your CIL calculation and to apply for relief from CIL.

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

We will then issue a CIL demand notice setting out what monies needs to paid when and how to pay. Failure to notify Camden of the commencement of development will result in a surcharge of £2500 or 20% being added to the CIL payment. Other surcharges may also apply for failure to assume liability and late payment. Payments will also be subject to indexation in line with the construction costs index.

Please send CIL related documents or correspondence to CIL@Camden.gov.uk

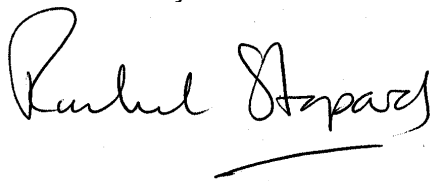
- 6 Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which this permission is granted. Information/drawings relating to the discharge of matters covered by the Heads of Terms of the legal agreement should be marked for the attention of the Planning Obligations Officer, Sites Team, Camden Town Hall, Argyle Street, WC1H 8EQ.
- 7 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 or the Camden Contact Centre on Tel: 020 7974 4444 or email env.devcon@camden.gov.uk).
- 8 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.
- 9 The correct street number or number and name must be displayed permanently on the premises in accordance with regulations made under Section 12 of the London Building (Amendments) Act 1939.
- 10 The applicant is advised to continue their negotiations with UK Power Networks on the possibility of re-locating the sub-station to the basement.

- 11 In regards to condition 20 the requirements expressed by the Committee require that the final design should include provision allowing people to be able to reasonably sit on the cills.

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

A handwritten signature in black ink, appearing to read 'Rachel Stopard', with a horizontal line underneath.

Rachel Stopard
Director of Culture & Environment

It's easy to make, pay for, track and comment on planning applications on line. Just go to 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 planning applicants' survey](#). We will use the information you give us to monitor and improve our services.