

Mr. Thomas Moss
Pembroke Design Ltd
Summit House
Horsecroft Road
The Pinnacles
Harlow
Essex
CM19 5BN

Application Ref: **2015/0119/P**
Please ask for: **Olivier Nelson**
Telephone: 020 7974 **5142**

25 June 2015

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:
8 Warren Street
London
W1T 5LD

Proposal:

Proposed new roof garden to the first floor comprising re-siting of existing A/C condensers and addition of new planter boxes to front elevation.

Drawing Nos: POWFW-60, Existing Ground Floor Plan, Proposed Ground Floor Plan, Existing 1st & 2nd Floor Plan, Proposed 1st & 2nd Floor Plan, Plant Noise Assessment Report No. P15-075-R01, Design and Access Statement

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 The roof terrace hereby permitted is for a temporary period only and shall cease on or before the anniversary of one year from the date of the decision, at which time the roof area should revert back to its former use.

Reason: The Council would wish to review the permission at the end of the period in the light of experience of the operation of the use, in order to ensure compliance



with the requirements of policies DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies.

- 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 POWFW-60, Existing Ground Floor Plan, Proposed Ground Floor Plan, Existing 1st & 2nd Floor Plan, Proposed 1st & 2nd Floor Plan, Plant Noise Assessment Report No. P15-075-R01, Design and Access Statement.

Reason:

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

- 4 The external noise level emitted from plant, machinery or equipment at the development hereby approved shall be lower than the lowest existing background noise level by at least 5dBA, by 10dBA where the source is tonal, as assessed according to BS4142:2014 at the nearest and/or most affected noise sensitive premises.

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 policies DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies.

- 5 The use of the roof terrace hereby permitted shall not be carried out outside the following times 12:00 - 22:00 Mondays to Saturdays and 12:00 - 20:00 on Sundays and Bank Holidays.

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 DP12, DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies.

Informative(s):

- 1 Reasons for granting permission.

The application proposes to use the existing flat roof area at first floor level as external seating. The existing roof area is already accessible and is currently used as a smoking area. Therefore the only difference would be the addition of screening and some planters. The position of the rear terrace area is considered to be appropriate within this location and would not be overbearing by virtue of its size. In terms of the detailed design, the proposed screening to east and west perimeter would be similar to the existing. The relocation of the air conditioning units is considered to be acceptable as these would be fixed on the rear of the building and closest to the kitchen area.

The neighbouring property to the east is a hotel and the windows which face onto the terrace area are to corridors. The proposal would not have any significant impact on residential amenity in terms of the loss of outlook, adding to the sense of enclosure or privacy. The neighbours to the west are residential however there is an existing privacy screen and the proposal would be making good what is currently there. In terms of disturbance, the roof terrace area would close before the pub closes and in this area it is not expect that the use of the terrace would dramatically impact on neighbouring properties due to its Central London location. In order to review the impact on these neighbouring properties amenity a temporary planning permission is recommended.

Such a proposal in this location is not considered harmful to the character or appearance of the host building or street scene. There would be minimal views of the rear of the site from some angles of Whitfield Place. These views exist currently and the proposal would not be any more viewable than it is currently. Given that the roof terrace is to be located to the rear of the site and not readily visible from the wider public realm, the proposal is considered to preserve the character and appearance of this part of the Fitzroy Square conservation area.

10 neighbours were consulted. A site notice and press notice was displayed. No objections have been received. The sites planning history was taken into account when coming to this decision.

Considerable importance and weight has been attached to the harm and special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under s.72 of the Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013

As such, the proposed development is in general accordance with policies CS5, CS9, CS10, CS13, CS14 and CS19 of the London Borough of Camden Local Development Framework Core Strategy, and policies DP12, DP24, DP25, DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies. The proposed development also accords with policies 3.16, 5.6, 5.9, 7.4, 7.6 and 7.8 of London Plan March 2015, consolidated with alterations since 2011; and paragraphs 14, 17, 56 -66 and 126-141 of the National Planning Policy Framework.

- 2 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).

- 3 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.

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



Ed Watson
Director of Culture & Environment