

Ms Amy B. Lee
CBRE
Henrietta House
Henrietta Place
London
W1G 0NB

Application Ref: **2015/2613/P**
Please ask for: **Jonathan McClue**
Telephone: 020 7974 **4908**

7 October 2015

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Variation or Removal of Condition(s) Granted Subject to a Section 106 Legal Agreement

Address:
79-86 Chancery Lane
London
WC2A 1BQ

Proposal:

Variation of Condition 3 (approved plans) of planning permission 2013/2159/P dated 10/09/13 (as amended by 2014/5909/P and 2014/7308/P) (for redevelopment of building to provide reconfigured office space, commercial units and residential accommodation (including 5 new flats); replacement of mansard roof at fifth floor level; infill extension from first to fourth floor level and the creation of a new pedestrian route from Bishop's Court) to include a new flue on the roof of the building.

Drawing Nos: Revised Plans: (1966) PL 51 Rev A; PL 53 Rev A; PL 58; GA 08 Rev C5; GE 01 Rev C3; GE 02 Rev C4; GE 03 Rev C3; GE 04 Rev C4; GS 02 Rev C3 and Boiler Flue Noise Assessment (Report 5629/BFN) Rev 0.

Superseded Plans: (1966 PL) 28; 30; 36; 37; 38; 39 and 1966 GA 02.

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

Condition(s) and Reason(s):



- 1 For the purposes of this decision, condition no.3 of planning permission 2013/2159/P shall be replaced with the following condition:

REPLACEMENT CONDITION 3

The development hereby permitted shall be carried out in accordance with the following approved plans- Site Location Plan (1966PL01); Existing Plans: 1966PL02 - 20; Demolition Plans: 1966PL61 - 76; Proposed Plans: 1966PL21, 1966PL22, 1966PL23, 1966PL24, 1966PL25, 1966PL26, 1966PL27, 1966PL29, 1966GE02 Rev C3, 1966PL31, 1966PL32, 1966PL33, 1966PL34, 1966PL35, 1966GE04 Rev C3, 1966GS02 Rev C3, 1966PL40, 1966PL41, 1966PL42, 1966PL43, 1966PL44; Extract of Drawing 1966PL22 (Rev A); Existing and Proposed Views: 1966PL51 Rev A and 1966PL53 Rev A; 1966PL58, 1966GA 08 Rev C5, 1966GE 01 Rev C3, 1966GE 02 Rev C4, 1966GE 03 Rev C3, 1966GE 04 Rev C4, Supporting Documents: Design and Access Statement by ORMS Architects (12 April 2013); Heritage Statement by Heritage Collective (April 2013); Statement of Community Involvement by Local Dialogue (April 2013); Sunlight and Daylight Report by GVA (April 2013); Travel Plan by URS (April 2013); Transport Statement by URS (April 2013); Acoustic Assessment 5236/AAR by URS (April 2013); Air Quality Report (28 May 2013); Sustainability Statement by URS; Energy Statement by URS (April 2013); Lifetime Homes Assessment by ORMS Architects (12 April 2013); Flood Risk Assessment by Watermans (April 2013); Ecology Assessment by Watermans (April 2013) and Boiler Flue Noise Assessment (Report 5629/BFN) Rev 0.

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

Informative(s):

- 1 Reasons for granting permission.

The proposed changes to the approved drawings include a new flue at roof level. It would be of stainless steel construction and located on the main roof at 6th floor level adjacent to a lift overrun. A full Acoustic Report has been submitted to justify the development. The amended plans include changes already approved under non-material and material amendments ref: 2014/7308/P and 2014/5909/P. The most significant of the changes approved include changes to entrance doors;

louvre panels to replace brick walls and the reduction to the height of a retained brick wall on the south western corner of level 4. These were all considered acceptable.

The existing building has two flues at roof level which would be replaced by the proposed flue at the same location. Overall, it is considered to be a more efficient and suitable means of exhausting air from the basement plant area, both aesthetically and technically.

Due to the location of the stainless steel flue on the roof at 41.8m above ground level and it being setback from the edge of the mansard roof it would be attached to, which sits behind the parapet walls of the levels below, it would not be visually prominent from within the surrounding area. Therefore, it is considered that the proposed flue would not materially harm the appearance of the host building and that it would preserve the character and appearance of the Bloomsbury Conservation Area.

The submitted 'Boiler Flue Noise Assessment' confirms that the proposed flue would conform to the Council's requirements regarding noise levels. The Council's Environmental Health Service is satisfied with the submitted details subject to a compliance condition regarding external noise levels.

Due to the nature and scale of the proposal and the considerations above, a significant level of harm would not result to the prospective occupiers of the host building or any surrounding occupiers by way of noise and general disturbance over the approved scheme.

The site's planning history and relevant appeals have been taken into account when coming to this decision. No representations were received as a result of consultation.

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 proposal is in general accordance with policies CS5 and CS14 of the London Borough of Camden Local Development Framework Core Strategy, and policies DP24, DP25, DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies. The proposed development also accords with policies 7.4, 7.6 and 7.8 of the London Plan March 2015, consolidated with alterations since 2011, and paragraphs 14, 17, 56-68 and 126-141 of the National Planning Policy Framework.

- 2 This approval under Section 73 of the 1990 Act effectively varying the relevant condition of the previous planning permission is subject otherwise to the same terms, drawings and conditions as attached to the previous planning permission. This includes condition 1 providing for a 3 year time period for implementation which for the avoidance of doubt commences with the date of the original decision (and not this variation).

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

A handwritten signature in black ink, appearing to read 'Ed Watson', with a stylized flourish at the end.

Ed Watson
Director of Culture & Environment