

Mr Aaron Thompson
Marek Wojciechowski Architects
66-68 Maragret Street
London
W1W 8SR

Application Ref: **2015/6866/P**
Please ask for: **Kate Phillips**
Telephone: 020 7974 **2521**

31 March 2016

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted Subject to a Section 106 Legal Agreement

Address:
7 Warwick Court
London
WC1R 5DJ

Proposal:
Change of use from office (Class B1a) to create 4 no. self-contained flats (1 no. 1-bed, 2 no. 2-bed, 1 no. 3-bed) (Class C3); demolition and replacement of rear extension including new rear terrace at thrid floor level; and associated works.

Drawing Nos: P_00 Rev. A; P_01 Rev. A; P_02 Rev. A; P_03 Rev. A; P_04 Rev. A; P_05 Rev. A; P_06 Rev. A; P_07 Rev. A; P_08 Rev. A; P_09 Rev. A; P_11 Rev. A; P_14 Rev. A; P_15 Rev. A; P_16 Rev. A; P_17 Rev. A; P_12 Rev. A; D_07 Rev. A; D_08 Rev. A; D_11 Rev. A; D_15 Rev. A

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 The development hereby permitted shall be carried out in accordance with the following approved plans: P_00 Rev. A; P_01 Rev. A; P_02 Rev. A; P_03 Rev. A; P_04 Rev. A; P_05 Rev. A; P_06 Rev. A; P_07 Rev. A; P_08 Rev. A; P_09 Rev. A; P_11 Rev. A; P_14 Rev. A; P_15 Rev. A; P_16 Rev. A; P_17 Rev. A; P_12 Rev. A; D_07 Rev. A; D_08 Rev. A; D_11 Rev. A; D_15 Rev. A.

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

- 3 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) Manufacturer's specification details of all facing materials (to be submitted to the Local Planning Authority) and samples of those materials (to be provided on site);
 - b) Elevation and section drawings at 1:10 of all doors;
 - c) Elevation and section drawings at 1:10 of all new windows;
 - d) Elevation and section drawings at 1:10 of all new fireplaces;
 - e) Drawings at 1:1 of all new mouldings

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 special architectural or historic interest of the building 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 policies DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 4 All new external and internal works and finishes and works of making good shall match the existing work adjacent in respect of materials used, detailed execution and finished appearance, except where indicated otherwise on the approved drawings hereby approved or as required by any condition(s) attached to this consent to the written satisfaction of the Local Planning Authority.

Reason: To safeguard the special architectural or historic interest of the building 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 policies DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 5 All existing historic features (for example, the wood panelling and ceiling mould etc.) shall be retained in situ except where indicated otherwise on the approved drawings hereby approved, or if approved as part of the discharge of another condition

Reason: To safeguard the special architectural or historic interest of the building in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policies DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 6 Details of the treatment of the brickwork on the rear elevation of the building, including a method statement, drawings and an on-site sample section, 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.

Reason: To safeguard the special architectural or historic interest of the building in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policies DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 7 Prior to use of the development, details shall be submitted to and approved in writing by the Council, of the external noise level emitted from plant/ machinery/ equipment and mitigation measures as stated in report ref: 7338E Rev 2, dated 25th August 2015. The measures shall ensure that the external noise level emitted from plant, machinery/ equipment will be lower than the lowest existing background noise level by at least 10dBA as assessed according to BS4142:2014 at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the development site is not adversely affected by noise in accordance with policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policy DP28 of the London Borough of Camden Local Development Framework Development Policies.

- 8 Prior to commencement of the development, details shall be submitted to and approved in writing by the Council, of an enhanced sound insulation value $D_{nT,w}$ and $L_{nT,w}$ of at least 5dB above the Building Regulations value, for the floor/ceiling/wall structures separating different types of rooms/ uses in adjoining dwellings, namely [eg. living room and kitchen above bedroom of separate dwelling]. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the development site is not adversely affected by noise in accordance with policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policy DP28 of the London Borough of Camden Local Development Framework Development

Policies.

- 9 The development hereby approved shall achieve a maximum internal water use of 105 litres/person/day, allowing 5 litres/person/day for external water use. Prior to occupation, evidence demonstrating that this has been achieved shall be submitted to and approved by the Local Planning Authority.

Reason: To ensure the development contributes to minimising the need for further water infrastructure in an area of water stress in accordance with policies CS13 of the London Borough of Camden Local Development Framework Core Strategy and policies DP22 and DP23 of the London Borough of Camden Local Development Framework Development Policies.

- 10 The residential units hereby approved shall be designed and constructed in accordance with Building Regulations Part M4 (2).

Reason: To ensure that the internal layout of the building provides flexibility for the accessibility of future occupiers and their changing needs over time, 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.

- 11 Prior to the first occupation of the residential units hereby approved, details of privacy screens to prevent unacceptable overlooking between Flats 01 and 02, shall be submitted to and agreed in writing with the Local Planning Authority and the development shall then accord with the approved details. The screens shall be retained in perpetuity.

Reason: In order to prevent unreasonable overlooking of neighbouring premises 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.

- 12 All non-Road mobile Machinery (any mobile machine, item of transportable industrial equipment, or vehicle - with or without bodywork) of net power between 37kW and 560kW used on the site for the entirety of the [demolition and/construction] phase of the development hereby approved shall be required to meet Stage IIIB of EU Directive 97/68/EC. The site shall be registered on the NRMM register for the [demolition and/construction] phase of the development.

Reason: To safeguard the amenities of the adjoining occupiers, the area generally and contribution of developments to the air quality of the borough in accordance with the requirements of policies CS5 (Managing the impact of growth and development) and CS16 (Improving Camden's health and wellbeing) of the London Borough of Camden Local Development Framework Core Strategy and policies DP32 (Air quality and Camden's Clear Zone) and DP22 (Promoting sustainable design and construction) of the London Borough of Camden Local Development Framework Development Policies.

Informative(s):

1 Reasons for granting permission

Policies CS8 and DP13 of the LDF seek to protect employment space in the borough by retaining land and buildings that are suitable for continued business use. However, when it can be demonstrated that a site is not suitable for any business use other than B1(a) offices, the Council may allow a change to permanent residential use. The building was originally built as a residential dwelling and the Loss of Employment Report and Financial Viability Report note that the building provides a poor standard of office accommodation and is in need of full refurbishment to bring it up to modern market standards and to meet health and safety requirements; however, the listed status represents a constraint to redevelopment.

The applicant notes that it is not worthwhile marketing the property in its current state and the cost of refurbishment to provide office space would be more than the rental return. Providing space for SME's would not be viable either as their leases tend to be shorter (so the estimated rental value would not cover even basic refurbishment works), and within WC1 there are a variety of flexible offices which provide better facilities than Warwick Court could offer. The applicant has satisfactorily demonstrated that the building is no longer suitable for business use and the building does not make a valuable contribution to employment land within the borough and therefore, insofar as housing is a key priority of the LDF, the conversion to residential units is welcomed.

The proposal contributes to the priorities set out in the Dwelling Size Priorities Table (Policy DP5), insofar as it involves the creation of 50% 2-bed units (very high priority) and it provides a mix of large (3+ bedrooms) and small dwellings. The new residential units would all exceed the Government's current technical housing space standards. Furthermore, they would all provide adequate storage and utility spaces. All flats except Flat 1 would be dual-aspect and Flats 1, 2 and 4 would benefit from outdoor amenity space, which is welcomed.

The glazing on the new rear extension would be externally fitted with frosted glass louvres to mitigate overlooking between the separate units. A planning condition can require the submission and approval of details of screening in the lower ground floor rear courtyard to ensure privacy between Flats 1 and 2. Similar uses are not always stacked above each other in the building (i.e. kitchens and bedrooms) to mitigate against noise transfer between units; and the layouts do not accord with CPG2 guidance insofar as all the rooms do not lead off a central hallway. However, the proposed layout seeks to preserve the original plan form of the listed building, which is welcomed.

The accompanying Internal Daylight Report notes that only 11 of the 15 habitable rooms would achieve the recommended Average Daylight Factor. Of the 4 rooms that would not achieve the standard, 3 are bedrooms and 1 is a living room. The units which containing rooms below the threshold, are overall still considered to provide adequate levels of natural daylight. As the constraints of the listed building

do not allow for measures to increase daylight provision, on balance, the proposal is considered to be acceptable in this regard.

It is not considered that the proposal would cause undue harm to the visual and residential amenities of nearby and neighbouring properties by way of overlooking, overshadowing, loss of outlook or sunlight/daylight. The proposed building would be less bulky when viewed from the rear, and whilst the third floor roof terrace would be relatively large, the buildings to the rear are in office use, therefore any resulting overlooking of these windows is considered acceptable.

- 2 The application building is Grade II listed and within the Bloomsbury Conservation Area. There is no objection, in heritage terms, to the change of use back to residential. The proposal would benefit the integrity and special interest of the listed building at the rear, by removing unsympathetic accretions in favour of a glazed extension which steps back from the rear elevation. Internally, poor quality partitions associated with the former office use would be removed and minimal new partitions introduced. The plan form of the original building would be largely restored. The only unsympathetic impact will derive from the insertion of partitions and pocket doors in the front rooms above the ground floor to create bathrooms; however, any harm so caused by obscuring the legibility of original volumes and plan form will be reversible. Overall, the special interest of the building will be enhanced by the proposals.

The application site has a Public Transport Accessibility Level (PTAL) of 6b and is within a Controlled Parking Zone. Policy DP18 expects development to be car free in the Central London Area. This permission is therefore subject to a legal agreement to ensure the dwellings will be car free. The legal agreement will also secure the submission of a Construction Management Plan. There is no specific provision for cycle parking provision because the constraints of the building do not easily allow for this. The Design & Access Statement notes that each flat will be supplied with 2x Brompton bicycles that can be stored securely within the flats. Whilst the Council cannot control this, the lack of specific provision is judged to be acceptable due to the listed status of the building.

No objections have been raised in relation to the works. The application site's planning history and relevant appeal decisions were 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 and s.72 of The Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

Special regard has been attached to the desirability of preserving the listed building and its features of special architectural or historic interest, under s.16 of the Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

The proposed development is in general accordance with Policies CS1, CS5, CS6,

CS8, CS9, CS11 and CS14 of the London Borough of Camden Local Development Framework Core Strategy, and Policies DP2, DP6, DP13, DP17 DP18, DP24, DP25 and DP26 of the London Borough of Camden Local Development Framework Development Policies. The proposed development also accords with Policies 3.3, 3.4, 3.5, 4.2, 5.1, 5.2, 6.9, 6.10, 6.13, 7.4 and 7.8 of the London Plan 2015; and the provisions of paragraphs 14, 17, 29-41, 47-55, 56-66 and 126-141 of the National Planning Policy Framework 2012.

- 3 You are advised that any works of alterations or upgrading not included on the approved drawings which are required to satisfy Building Regulations or Fire Certification may require a further application for listed building consent.
- 4 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.
- 5 Your proposals may be subject to control under the Party Wall etc Act 1996 which covers party wall matters, boundary walls and excavations near neighbouring buildings. You are advised to consult a suitably qualified and experienced Building Engineer.
- 6 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

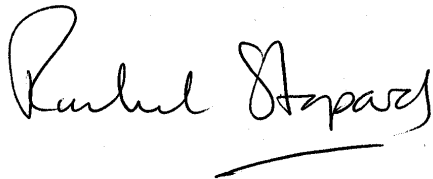
- 7 Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which this permission is granted. Information/drawings relating to the discharge of matters covered by the Heads of Terms of the legal agreement should be marked for the attention of the Planning Obligations Officer, Sites Team, Camden Town Hall, Argyle Street, WC1H 8EQ.

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 'Rachel Stopard', with a horizontal line underneath.

Rachel Stopard
Director of Culture & Environment