

Address:	14 Roger Street London WC1N 2JU		4
Application Number:	2013/2798/P	Officer: Gideon Whittingham	
Ward:	Holborn & Covent Garden		
Date Received:	29/04/2013		
Proposal: Change of use from office (Class B1a) to residential (Class C3) from lower ground to third floor levels and the erection of a fourth floor level to provide 1 x 3 bedroom, 4 x 2 bedrooms and 1 x 1 bedroom units (6 in total), alterations to existing openings and creation of a lightwell and 2 storey infill extension at lower ground floor.			
Drawing Numbers: P_00 Site 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 B; P_08 REV A; P_09 REV B; P_10 REV A; P_11 REV B; P_12 REV B; P_13 REV B; P_14 REV A; P_15 REV B; P_16 REV B; P_17 REV B; P_18 REV A; P_19 REV A; Design and access statement - April 2013; Structural Methodology/Basement Impact Assessment - L12.735-RP-01; BREEAM Pre-Assessment - 26.06.2013 - E531-Summary -1306-26ckn; Archaeological Report – 11406 - April 2013; Sustainability Statement - April 2013; Planning Marketing Report December 2012; Internal daylight ADF analysis; letter dated 28/06/2013 prepared by Tori Evans.			
RECOMMENDATION SUMMARY: Granted Subject to a Section 106 Legal Agreement			
Applicant:		Agent:	
Mr Shaun Counihan Ajam 4 Ltd C/o Niall Boland Healy LLP Atrium Court 15-17 Jockey's Fields London WC1R 4QR		MW-A 28 Margaret Street London W1W 8RZ	

ANALYSIS INFORMATION

Land Use Details:			
	Use Class	Use Description	Floorspace
Existing	B1a Business - Office		422.5m ²
Proposed	C3 Dwelling House		531m ²

Residential Use Details:

	Residential Type	No. of Bedrooms per Unit								
		1	2	3	4	5	6	7	8	9+
Existing	<i>Flat/Maisonette</i>									
Proposed	<i>Flat/Maisonette</i>	1	4	1						

OFFICERS' REPORT

Reason for Referral to Committee: This application is reported to Committee because it involves the creation of five or more residential flats by change of use or extension of an existing building [clause 3(iii)]

1. SITE

- 1.1 The application site relates to a 4 storey building (plus basement) on the corner of Roger Street and North Mews, located within the Central London Area and an Archaeological Priority Area. The site provides approximately 435sqm of office accommodation within class B1a use which is currently vacant.
- 1.2 The property is located within the Bloomsbury Conservation Area and is identified as making a neutral contribution to the character and appearance of the Conservation Area.
- 1.3 The adjacent buildings to the east along Gray's Inn Road, namely Nos.75-81 (odds) are listed, however the properties do not share a mutual boundary with the application site.

2. THE PROPOSAL

Original

- 2.1 Change of use from office (Class B1a) to residential (Class C3) from lower ground to third floor levels and the erection of a fourth floor level including roof terrace to provide 1 x 3 bedroom, 4 x 2 bedrooms and 1 x 1 bedroom units flats, alterations to existing openings and creation of a lightwell at lower ground floor.

Revision

- 2.2 The proposal has, since the initial submission, been revised including:
 - Additional Marketing Evidence
 - Re-evaluation/reassessment of sunlight/daylight levels to lower level accommodation
 - Removal of terrace at 5th floor level
 - Additional privacy screening to east elevation
 - Enlarged window openings associated with lower ground floor level flats to north and west elevation
- 2.3 The proposal therefore now seeks:
 - The change of use of the lower ground, ground, first, second and third floor levels from office (class B1a) accommodation of 422.5sqm for the provision of 1 x 1 bedroom unit, 4 x 2 bedroom units and 1 x 3 bedroom units for residential (class C3) accommodation of 531sqm.
 - The erection of an additional storey (Dimensions 3.1m in height, 6.9m long and 13.8m wide) at fourth floor level for the provision of residential accommodation. Recessed from the buildings elevations, the extension would be constructed of aluminium with a single membrane roof covering and rooflight above.

- Excavation of eastern side passage located to the rear of No.81 Gray's Inn Road for the provision of a lightwell at lower ground floor level:-dimensions 3.7m deep(below ground floor level) x 7.9m long x 1.6m wide; associated with the lower ground floor flat.
- The erection of a 2 storey infill extension (Dimensions 6.9m heightx3.4m longx 1.6m wide) to match proposed façade materials within the eastern side passage located to the rear of No.81 Gray's Inn Road located at lower ground floor level
- Enlargement of existing openings (windows and doors) to north, east and west elevations
- Replacement of metal framed fenestration with aluminium framing and associated glazed/metal balustrading.
- Insertion of 4 new windows and door to North Mews elevation
- The existing brickwork is to be retained, repaired, re-pointed and washed
- A cycle and refuse area shall be accessed on the west elevation (North Mews)

3. **RELEVANT HISTORY**

- 3.1 2009/4805/P – Planning Permission sought for the change of use of basement to third floors from office (Class B1) to non-clinical substance misuse service (Class D1), to include interview/counselling rooms, group rooms and admin offices. This application was withdrawn.
- 3.2 2012/6834/P - Change of use from office (Class B1) to residential (Class C3) comprising 2 x 2 bedroom maisonette and 2 x 1 bedroom flat and associated alterations including the creation of an additional floor. This application is currently under consideration.

4. **CONSULTATIONS**

Statutory Consultees

- 4.1 **English Heritage** (GLAAS) recommended that a condition be attached to the decision to require a record to be made of any archaeological discoveries during development (discussed at paragraph 6.24 of the main report).

Conservation Area Advisory Committee

- 4.2 The **Bloomsbury CAAC** made the following comment:

- The submitted drawings fail to highlight the proposal in amongst its surrounding context
- No comment on Roger Street elevation; we have some concern regarding the relationship on the North Mews elevation.

Adjoining Occupiers

- 4.3 A site notice was displayed from 17/05/2013 and a public notice was published in the Ham & High from 23/05/2013.

<i>Number of letters sent</i>	23
<i>Total number of responses received</i>	2
<i>Number in support</i>	1
<i>Number of objections</i>	1

4.4 A summary of the notification of the application and objection received from No.79 Gray's Inn Road is as follows:

- Inaccuracy of Sunlight Daylight assessment, namely occupancy of rooms at basement floor level are habitable.

4.5 A letter was received from a business occupier of No. of 2 - 3 North Mews stating their support assuming that the works will not cause too much disturbance.

5. **POLICIES**

5.1 **LDF Core Strategy and Development Policies**

National and Regional Policy

National Planning Policy Framework 2012

London Plan 2011

5.2 **LDF Core Strategy and Development Policies**

CS1 (Distribution of growth)

CS5 (Managing the impact of growth and development)

CS6 (Providing quality homes)

CS9 (Achieving a successful Central London)

CS10 (Supporting community facilities and services)

CS11 (Promoting sustainable and efficient travel)

CS13 (Tackling climate change and promoting higher environmental standards)

CS14 (Promoting high quality places and conserving our heritage)

CS16 (Improving Camden's health and well-being)

DP2 (Making full use of Camden's capacity for housing)

DP5 (Homes of different sizes)

DP6 (Lifetime homes and wheelchair homes)

DP15 (Community and leisure uses)

DP16 (The transport implications of development)

DP17 (Walking, cycling and public transport)

DP18 (Parking standards and the availability of car parking)

DP19 (Managing the impact of parking)

DP20 (Movement of goods and materials)

DP21 (Development connecting to the highway network)

DP22 (Promoting sustainable design and construction)

DP23 (Water)

DP24 (Securing high quality design)

DP25 (Conserving Camden's heritage)

DP26 (Managing the impact of development on occupiers and neighbours)

DP32 (Air quality and Camden's Clear Zone)

Camden Planning Guidance 2011:

CPG1 Design
CPG2 Housing
CPG3 Sustainability
CPG6 Amenity
CPG7 Transport
CPG8 Planning Obligations.

Bloomsbury Conservation Area Statement/Bloomsbury Conservation Area Appraisal & Management Strategy (2011)

6. ASSESSMENT

6.1 The principal consideration material to the determination of this application and summarised as follows:

- Land use – Loss of business accommodation
- Provision and quality of residential accommodation
- Design related issues/townscape
- Excavation
- Adjacent residential amenity
- Sustainability - resources and energy
- Transport, access and parking

Land use – Loss of office accommodation

6.2 The site provides approximately 422.5sqm of purpose built (1960's) office accommodation, consequently the proposal would result in the loss of employment floorspace, which is considered on the basis of policies CS8 and DP13. Policy CS8 seeks to secure a strong economy in the borough by (amongst other things) safeguarding existing office premises in the borough which meet the needs of modern industry and employers. However, more specifically paragraph 8.8 of the policy indicates that the Council are promoting sufficient office space to meet projected demand, and so there is a general presumption that older office spaces can be released where housing or community uses are proposed. DP13 indicates circumstances under which the Council may change to non-business use, namely where premises are not suitable for their existing use and there is evidence that the possibility of re-using or redeveloping the site for alternative business use is not appropriate.

6.3 The applicant has submitted information detailing the nature of the present accommodation, the prohibitive refurbishment costs associated with upgrading the accommodation, a market assessment and details of the various marketing strategies pursued at the premises, together with occupancy levels in recent years. The information confirms that the building has remained vacant since May 2007. It was marketed from 2009 following refurbishment works in 2008 and whilst there has been some interest shown from various prospective occupiers (some for non-business users) none of these have progressed to occupation. In terms of the existing building the applicant suggests the poor quality of the existing space, namely the internal layout and the building's difficulty in adhering to disabled access requirements all point to the existing office accommodation failing to meet the needs of modern industry and employers.

- 6.4 In overall terms it is considered that the applicant has provided sufficient evidence to meet the policy requirements of CS8 and DP13. The offices, upon inspection and based on the level of information provided by the applicant, are considered to constitute 'older' accommodation and owing to the nature of the building it would not be appropriate for alternative Class B uses such as Class B1c light industrial, Class B2 industrial or Class B8 storage and distribution. An adequate level of marketing has also taken place, without suitable interest coming forward. Hence it is accepted that the building has come to the end of its useful life as offices and the significant investment would not be viable in the short, medium or long term. It is also considered important that the building remains in active use and, given this context the loss of office accommodation is considered appropriate.
- 6.5 Given that the loss of Class B1 is considered to have been justified, the principle of Class C3 accommodation at basement floor level is appropriate in line with DP13, CS6 and DP2. Housing is the priority land use of the LDF and this proposal would add to the housing stock in the borough.

Provision and quality of accommodation

- 6.6 The submitted information suggests the proposal would provide 1 x 1 bedroom, 4 x 2 bedroom units and 1 x 3 bedroom unit for residential (class C3) accommodation of 531sqm.
- 6.7 The lower ground and ground floor levels would comprise 2 x 2 bedroom duplex units of 78sqm and 73sqm. The 1st and 2nd floor levels would each comprise a 2 bedroom unit of 89sqm. The 3rd floor would comprise a 1 x 1 bedroom unit of 90sqm and an area inclusive of 1 x 3 bedroom unit duplex at 3rd and 4th floor levels of 81sqm.
- 6.8 The Council, in accordance with CPG2 (Housing), will expect a 1 bed unit (capable of accommodating 2 persons) to meet or exceed 48smq, a 2 bed unit (capable of accommodating 4 people) to meet or exceed 75 sqm and a 3 bed unit (capable of accommodating 5 persons) to meet or exceed 84sqm. The floorspace of the proposed 1 and 2-bed units would meet the minimum floorspace requirements according to the CPG standards, whilst the 3 bed unit would be acceptable, albeit falling marginally short of the minimum standards 3sqm.
- 6.9 The Council acknowledges that there is a need and/or demand for dwellings of every size, however Camden will focus and prioritise provision around the very high and high priority sizes. Set out in Policy DP5, the Dwelling Size Priorities Table identifies market homes with 1 bedroom of low priority, 3 and 4 bedroom units of medium priority and 2 bedroom units very high priority. The Council would also expect at least 40% of market housing to provide two bedroom units. The proposal would therefore comply with LDF policies in this instance.
- 6.10 The applicant has submitted a Lifetime Homes statement identifying design features which would maximise accessibility and the site/building's constraints. The proposal largely complies with the Lifetime Homes criteria; however the constraints of the site, in particular the inability to provide a parking space in close proximity to the site, restrict compliance with, inter alia, criteria Nos.1 and 2. In the context of

those constraints, it is considered that the proposal adequately meets all applicable standards and is therefore in accordance with policy DP6.

- 6.11 Residential developments should maximise sunlight and daylight, both within the new development and to neighbouring properties whilst minimising overshadowing or blocking of light to adjoining properties. Maximising sunlight and daylight also helps to make a building energy efficient by reducing the need for electric light and meeting some of the heating requirements through solar gain. The Council expects that all developments receive adequate daylight and sunlight to support the activities taking place in that building. All habitable rooms should have access to natural daylight. Windows in rooms should be designed to take advantage of natural sunlight, safety and security, visual interest and ventilation. Developments should meet site layout requirements set out in the Building Research Establishment (BRE) Site Layout for Daylight and Sunlight – A Guide to Good Practice (1991).
- 6.12 In this instance, all units would enjoy dual aspect accommodation. The applicant has submitted an assessment using 'Average Daylight Factor', which typically quantifies the level of daylight in a room (kitchen, living room and bedroom), to establish whether each habitable room will have a predominantly daylight appearance. It is considered that the levels of daylight to the proposed units would comply with CPG standards and provide an adequate level of residential amenity.
- 6.13 All habitable rooms should have minimum headroom of 2.3m. The exceptions are habitable rooms in existing basements, which may have 2.1m headroom. In this instance all units comply in excess of 2.5m.
- 6.14 Within this context, it is considered each of the proposed units would provide satisfactory habitable accommodation, one of which would be of high priority to Camden's housing stock.

Design related issues/townscape

- 6.15 The existing building appears to date from the late 1930s and was originally a factory. Although it has been altered through such works as the replacement of the windows and entrance door, it retains the character of a building from this period. It is located in Bloomsbury Conservation Area and the adopted appraisal for this area lists the building as making a neutral impact.
- 6.16 *Additional storey*
The building currently features an existing plant room on the western side covering 1/3 of the main roof (fourth floor level), projecting 2.4m above main roof level (2.1m above parapet height). The proposal would result in an additional storey of 3.1m in height, 6.9m long and 13.8m wide, covering approximately 95% of the fourth floor level. As a result, the terminating height of the building would rise from 14.3m up to 15m. In terms of surrounding views, due in large part to the lower building heights, both the existing rooftop plant and proposed roof extension are/would be subject to longer eastern views from Gray's Inn Road. However, given the increase in both terrain and building heights to the north and west, the impact upon the majority of surrounding views of an additional storey would be limited. Where roof level extensions to buildings located on corners can overtly assert prominence, the

proposal in this instance has been suitably recessed from the buildings elevations to appear subordinate, limiting its visibility.

- 6.17 In terms of detailed design, the proposed roof extension aligns with guidance forming part of CPG1 (Design), in respect of size, scale and materials proposed. The overtly modern roof extension would match that proposed below, particularly the form and materials and would appropriately relate, without harm to the setting of the adjacent listed buildings.

6.18 *Façade treatment*

The proposal would result in a significant number of elevational alterations which would change the appearance of the building, including greater expanses of glazing, whilst maintaining the alignment and pattern of fenestration. The proposal would also include upper level recessed balconies and repaired, cleaned and re-pointed brickwork to the buildings elevations. Given that the building is a neutral contributor to the conservation area, the alterations proposed, although significantly altering the appearance of the building are considered appropriate in terms of their design and quality of materials.

- 6.19 The proposed alterations along the North Mews façade are considered appropriate in terms of size, materials and alignment to the overall design concept of the main building and would appropriately relate, without harm to the buildings along this elevation.

6.20 *Basement and infill extension*

In this respect, an area 3.7m in depth, 7.9m long, 1.6m wide along the eastern side passage to the rear of No.81 Gray's Inn Road would be excavated for the provision of a lightwell at lower ground floor level, to be associated with a lower ground floor level flat. The proposal would also include a 2 storey infill extension matching the materials of those proposed for the main building. Given that each of these elements would be set at lower ground and ground floor level behind the surrounding boundary walls, they would be subject to limited public and private views. In townscape terms this would have an extremely limited impact on the building and wider conservation area and is therefore acceptable.

- 6.21 Within this context, the proposed roof extension and associated elevational alterations would preserve and enhance the character and appearance of the street scene and wider conservation area and would comply with policies CS14, DP24 and DP25 of the LDF and Camden Planning Guidance.

Excavation

- 6.22 An area 3.7m in depth, 7.9m long, 1.6m wide along the eastern side passage to the rear of No.81 Gray's Inn Road would be excavated for the provision of a lightwell at lower ground floor level, to be associated with a lower ground floor level flat.
- 6.23 The applicants have submitted a Basement Impact Assessment by Barrett Mahony Consulting Engineers compiled by relevantly qualified engineers (Roger Tegart: BScEng MStructE CEng). It has been concluded within the report submitted that in terms of groundwater, there is unlikely to be any significant impact on local hydrogeology, given the area and depth of structure extending into the ground. In

respect of land stability matters it is concluded that the ground movements to nearby buildings as a result of the proposed works will be limited. Turning to surface flow and flooding, the limited excavation is unlikely to have any detrimental impact on the hydrogeology of the site. Within this context, it is considered that the level and nature of the information submitted is sufficient in terms to demonstrate that the proposals comply with policy DP27 (and others such as DP23) and would not cause significant harm to the built and natural environment and local amenity or result in flooding or ground instability.

- 6.24 The above planning application has been noted by the Greater London Archaeological Advisory Service (GLAAS) as affecting a heritage asset of archaeological interest or lying in an area where such assets may be anticipated. It is recommended by English Heritage that a condition be attached to the decision to require a record to be made of any discoveries during development, in order to advance understanding of their significance.

Adjacent residential amenity

- 6.25 The site is immediately to the west of Nos. 79 & 81 Gray's Inn Road which is residential in use on the basement and upper floors levels with habitable rooms facing the development site. The site abuts Nos. 2-3 North Mews to the south which is also in residential use, but has no windows facing the site. To the north and east of the application site are Nos. 85 Gray's Inn Road, and Nos.4 and 12 Roger Street which are all in commercial use. In this instance, the main areas for assessment of harm would be the residential units at Nos. 79 & 81 Gray's Inn Road.
- 6.26 Whilst the proposal would result an increased terminating height, from 14.3m to 15m, given its limited increase in height, the existing height of the application building, western position, proximity and recessed eastern location, it is considered the residential occupiers of Nos. 79 & 81 Gray's Inn Road would not suffer from a significant loss of daylight or sunlight.
- 6.27 With particular regard to privacy, the application building currently features windows along the eastern elevation at all levels facing 79 & 81 Gray's Inn Road at a distance of 6-10m. It is considered the application of louvers/screen to elements of each of the windows along this elevation, would adequately restrict mutual overlooking between the upper floors of the application site and those on Gray's Inn Road.
- 6.28 In this respect, the proposal would not exert a materially harmful impact on the amenities of adjoining occupiers, in terms of privacy and overlooking.
- 6.29 To protect the privacy and amenity of occupiers of the neighbouring property, the use of the main roof of the building as a terrace shall be prohibited by way of a condition.
- 6.30 No plant units (air condensers units/air conditioning units) have been specified on plan as part of this proposal; however the existing lift shall be replaced. A recommended condition shall therefore be attached to this decision regulating noise and vibration levels.

Sustainability - resources and energy

- 6.31 LDF policies CS13 and DP22 promote higher environmental standards in design and construction and provide details of the sustainability standards the Council expects development to meet. In line with policy DP22 new build housing is currently expected to meet Code for Sustainable Homes Level 4, achieving a minimum 50% credits in the energy category. The applicants have submitted a sustainability report that indicates the building will meet Code Level 4 of the Code for Sustainable Homes with an overall score of 73.67%.
- 6.32 In the energy category the building is predicted to achieve 20 out of 31 credits or 67%, exceeding Camden's minimum requirement of 50%. In the water category the proposal is expected to achieve 5 out of 6 credits (60%) through water efficient fixtures and fittings, and the potential for rainwater harvesting, exceeding Camden's minimum requirement of 50%, which in line with the aforementioned categories meet level 4 of Code for Sustainable Homes and therefore LDF policies CS13 and DP22. A Section 106 Agreement shall secure a commitment to meet Level 4 of the Code for Sustainable Homes as indicated in the pre-assessment and post-construction review.

Transport, access and parking

- 6.32 In consideration of Policy DP18, the Council will expect development to be car free in areas such as the central London and other areas with Controlled Parking Zones (CPZs) which are highly accessible by public transport. 'Highly accessible areas' are considered to be areas with a Public Transport Accessibility Level (PTAL) of 4 and above.
- 6.34 The application site is located within the Central London Area with easy access to shops and services. The site has a PTAL of 6a, which indicates that it has an excellent level of accessibility by public transport. Within this context, in accordance with Policies DP18 and DP19, the 6 new residential units should therefore be made car-free, secured by a Section 106 planning obligation. The applicant has accepted the principle of the car-free housing and payment of the Council's legal fees.
- 6.35 In accordance with Camden's Parking Standards, a development of this type would typically be required to provide a minimum of one cycle storage/parking space per new residential unit. In this instance, 6 cycle parking spaces would be provided in a covered and secure bicycle store within the building at ground floor level, thereby complying with policy DP17 (Walking, cycling and public transport).
- 6.36 The proposal would involve limited conversion and construction works at main roof and lower ground floor level. Adjacent to the proposal site, a space on North Mews could potentially provide stopping/parking for construction vehicles, which would not cause congestion as North Mews is a lightly trafficked street. It is therefore considered a Construction Management Plan is not needed in this instance.
- 6.37 A contribution of £2,000 per residential unit is required towards pedestrian, cycling and environmental improvements in the local area. Therefore a contribution of £12,000 is required towards environmental infrastructure.

Community Infrastructure Levy

- 6.38 The proposal will be liable for the Mayor of London's CIL Based on the Mayor's CIL charging schedule and the information given on the plans the charge is likely to be £4,700 (95sqm x £50). This will be collected by Camden after the scheme is implemented and could be subject to surcharges for failure to assume liability, submit a commencement notice and late payment, or and indexation in line with the construction costs index.

Other Matters

- 6.39 Camden's planning policy requires the provision of 9 sq m of open space per person for residential developments providing 5 or more additional dwellings and this will initially be expected to be provided on site. Where it is not possible to provide this open space provision on site the preferred option would be to provide suitable open space off-site. If either of the above is not practical a financial contribution to open space will be acceptable. The financial contribution is based on a proportion of the capital cost of providing new open space, which amounts to £55 per square metre.
- 6.40 In this case the proposed development would provide 1 x 1 bed unit, 4 x 2 bed unit and 1 x 3 bedroom unit. This equates to a requirement of 104.9sqm (1 x 11.7sqm + 4 x 17sqm + 1 x 25.2sqm) open space provision. In accordance with Camden Planning Guidance, a financial contribution of £8,350 is required towards the provision of or improvements to public open space in the area, which includes maintenance costs over a five-year period.
- 6.41 The proposed development, which includes the provision of 6 new residential units, is likely to place an increased burden on educational facilities in the area. It is therefore recommended that a contribution be made towards the provision of educational infrastructure in accordance with Camden's Planning Policy and Section 21 of Camden Planning Guidance. The contribution has been calculated in accordance with formula contained in the CPG 8. The formula requires the provision of £2,213 per 2-bedroom unit and £6,322 per 3-bedroom unit. Therefore a contribution of £15,174 is required towards educational infrastructure.
- 6.42 An informative shall be attached notifying the applicant that aspects including safety, fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings is subject to control under the Building Regulations and/or the London Buildings Acts.

7. CONCLUSION

- 7.1 There is no objection in principle to provision of new residential floorspace and it is considered that the applicants have demonstrated that the commercial floorspace is not suitable for continued or alternative business use. The additional storey located at fourth floor level and associated elevational extensions/alterations are considered acceptable in terms of design, without harm to the setting of the special architectural and historic interest of the surrounding listed buildings. The submitted BIA demonstrates that the scheme can be built without undue harm to the built and natural environment, particularly land stability and hydrology. The new dwellings

would provide good quality accommodation for the benefit of future occupiers and would not harm the amenity of neighbouring properties. Subject to the recommended planning conditions the proposal is considered to be compliant with policy.

7.2 Planning Permission is recommended subject to a S106 Legal Agreement covering the following Heads of Terms:-

- 6 residential units to be car free
- Financial contribution of £15,174 towards education infrastructure;
- Financial contribution of £8,350 towards open space provision;
- Financial contribution of £12,000 towards pedestrian, cycling and environmental improvements in the local area;
- Commitment to meet Level 4 of the Code for Sustainable Homes as indicated in the pre-assessment and post-construction review

8. **LEGAL COMMENTS**

8.1 Members are referred to the note from the Legal Division at the start of the Agenda.

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 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 P_00 Site 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 B; P_08 REV A; P_09 REV B; P_10 REV A; P_11 REV B; P_12 REV B; P_13 REV B; P_14 REV A; P_15 REV B; P_16 REV B; P_17 REV B; P_18 REV A; P_19 REV A; Design and access statement - April 2013; Structural Methodology/Basement Impact Assessment - L12.735-RP-01; BREEAM Pre-Assessment - 26.06.2013 - E531-Summary -1306-26ckn; Archaeological Report – 11406 - April 2013; Sustainability Statement - April 2013; Planning Marketing Report December 2012; Internal daylight ADF analysis; letter dated 28/06/2013 prepared by Tori Evans.

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

- 4 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.

- 5 The lifetime homes features and facilities, as indicated on the drawings and documents hereby approved shall be provided in their entirety prior to the first occupation of any of the new residential units.

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.

- 6 All louvered screening located along the east facing elevation windows shall be installed prior to the occupation of any of the residential units hereby permitted, and shall be permanently retained and maintained thereafter.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policies CS1 (Distribution of growth) and CS5 (Managing the impact of growth and development) of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 (Managing the impact of development on occupiers and neighbours) of the London Borough of Camden Local Development Framework Development Policies.

- 7 No development shall take place until the applicant (or their heirs and successors in title) has secured the implementation of a programme of archaeological mitigation in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the local planning authority. The development shall then only take place in accordance with the Written Scheme as has been approved.

Reason: Important archaeological remains may exist on this site. Accordingly the Council wishes to secure the provision of archaeological investigation and the

subsequent recording of the remains prior to development 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.

- 9 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 Condition 7, and the provision made for analysis, publication and dissemination of the results and archive deposition has been secured.

Reason: Important archaeological remains may exist on this site. Accordingly the Council wishes to secure the provision of archaeological investigation and the subsequent recording of the remains prior to development 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.

- 10 The main roof of the building hereby permitted as shown on drawing number P_07 REV B shall not be used at any time as a terrace.

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.

- 11 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 (or any part of it) 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 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).

- 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 The development of this site is likely to damage heritage assets of archaeological interest. The applicant should therefore submit detailed proposals in the form of an archaeological project design. The project design should be in accordance with English Heritage Greater London Archaeological Advisory Service guidelines.
- 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 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 £4,700 (95sqm 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.



Application No: 2013/2798/P

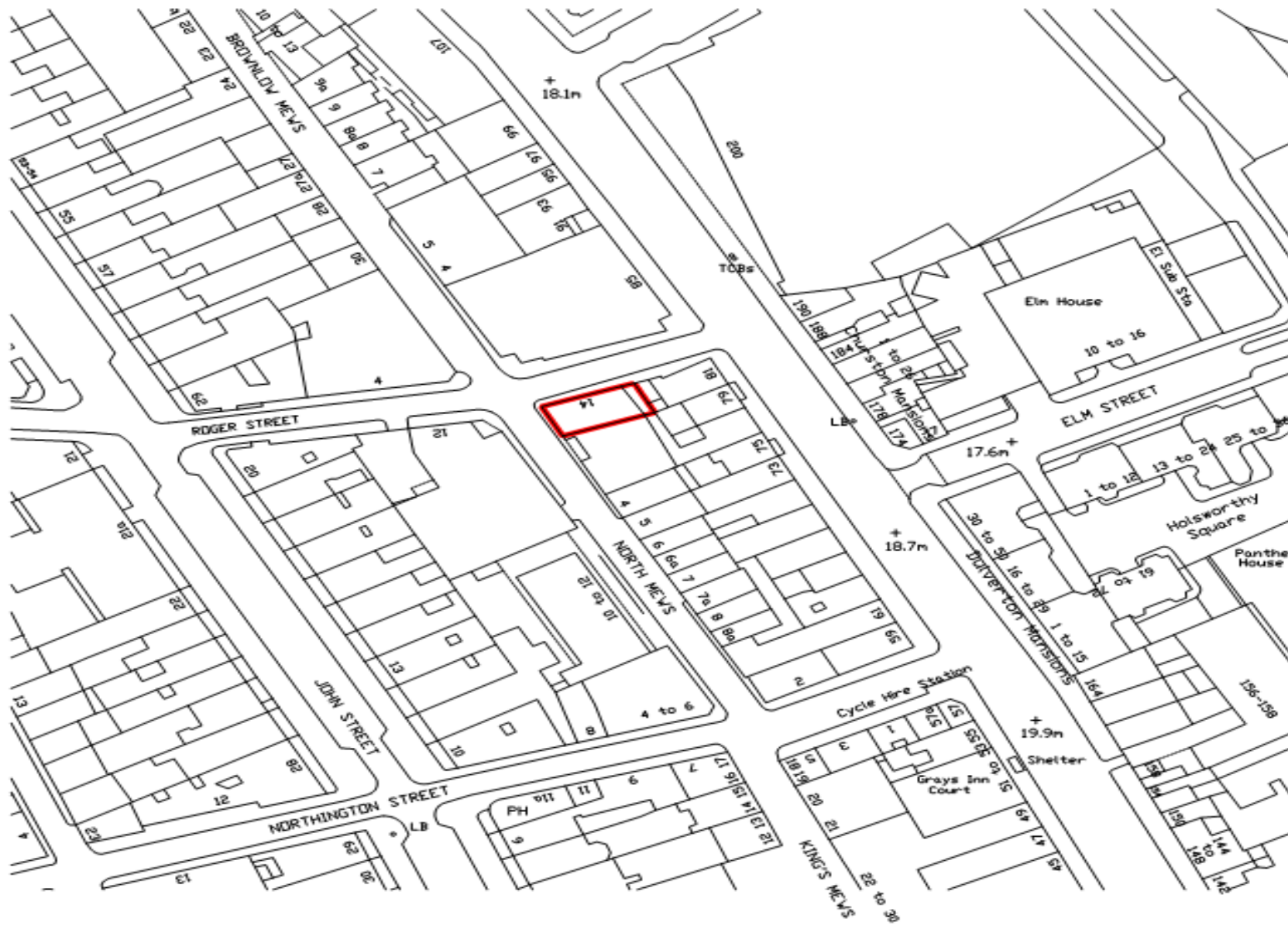
**14 Roger Street
London WC1N 2JU**

**Scale:
1:1250
Date:
5-Aug-13**

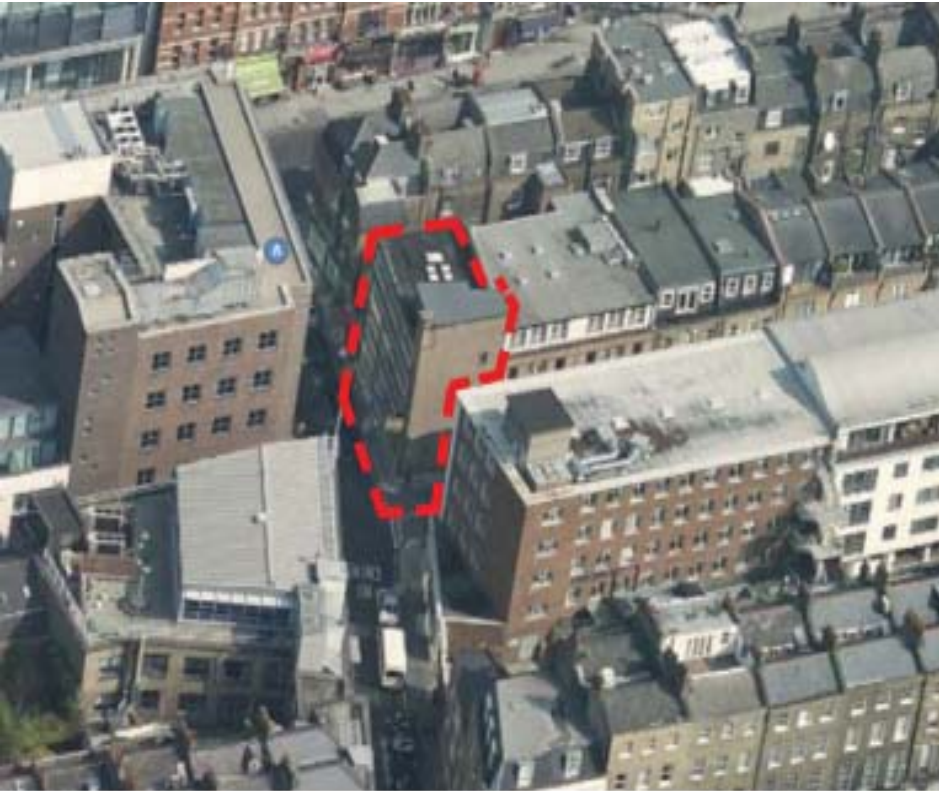


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14 Roger Street Site Location



14 Roger Street Aerial Views



Eastern view



Western view

14 Roger Street Surrounding Context



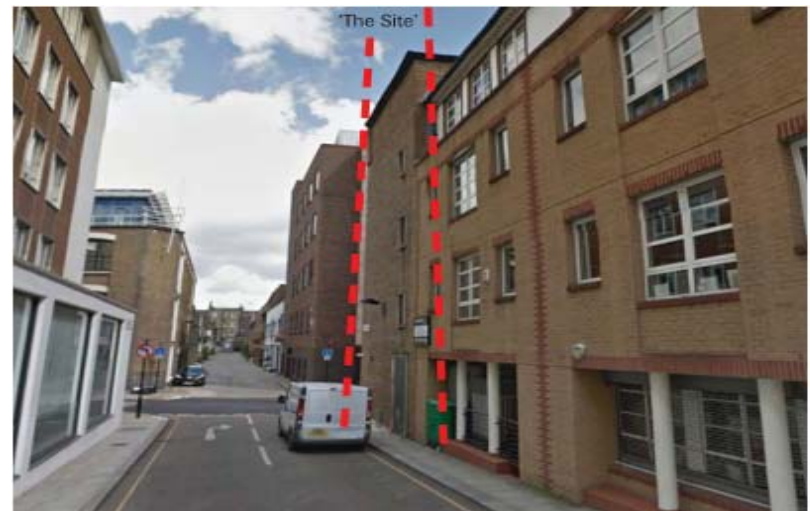
14 Roger Street
As Viewed from
North Mews



14 Roger Street
As Viewed from
Roger Street



14 Roger Street
As Viewed from
Gray's Inn Road



14 Roger Street
As Viewed from
North Mews

14 Roger Street Surrounding Context

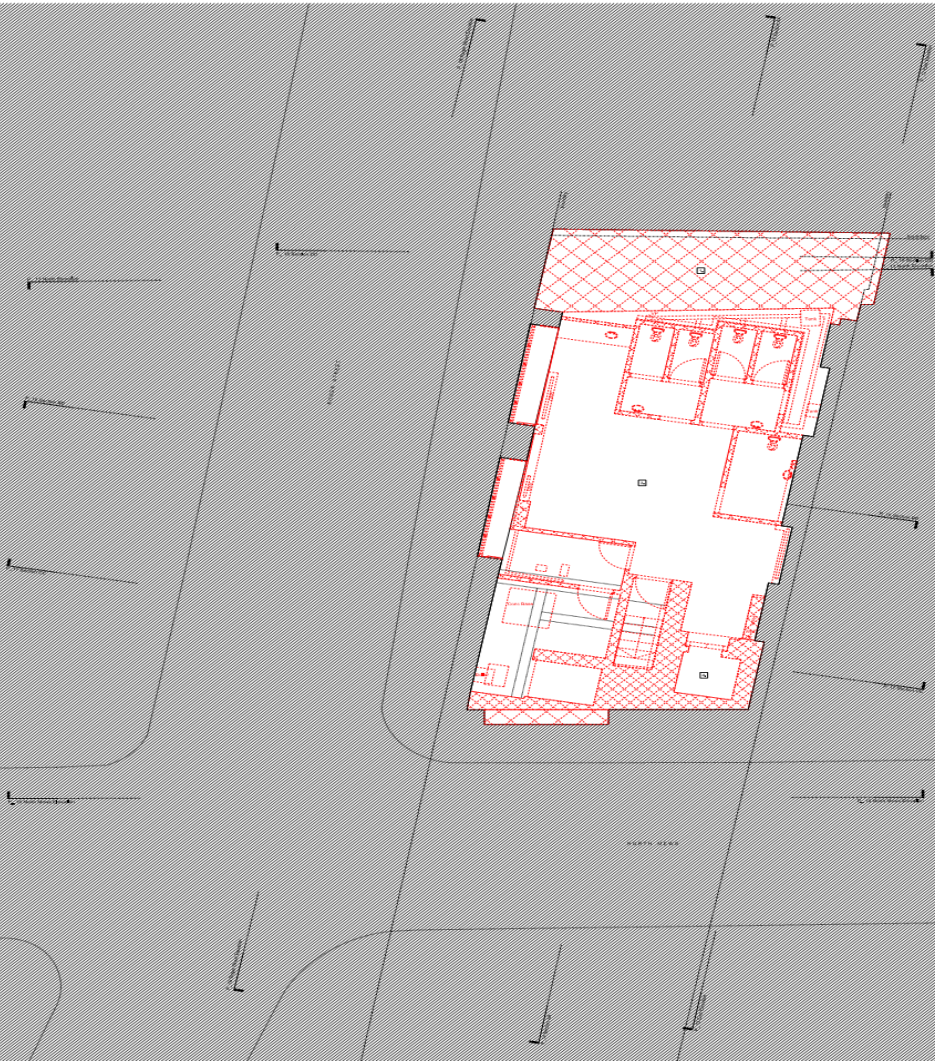


14 Roger Street
Existing rear yard

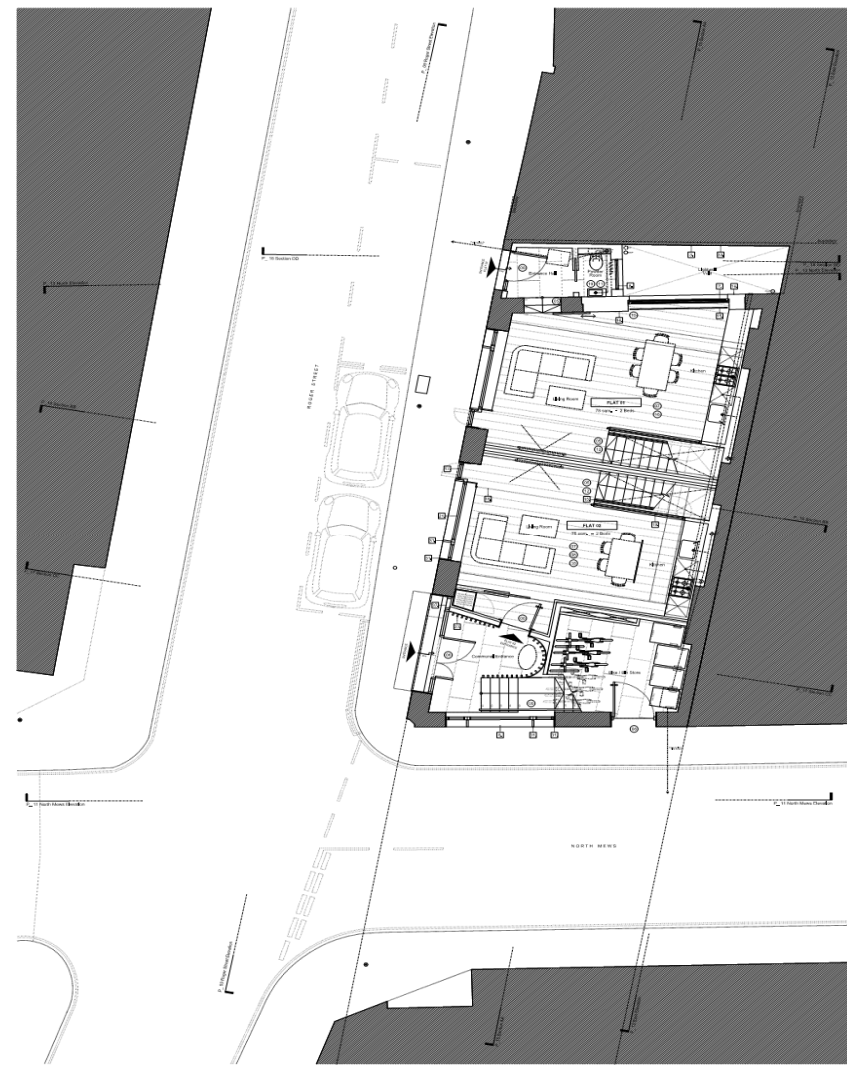
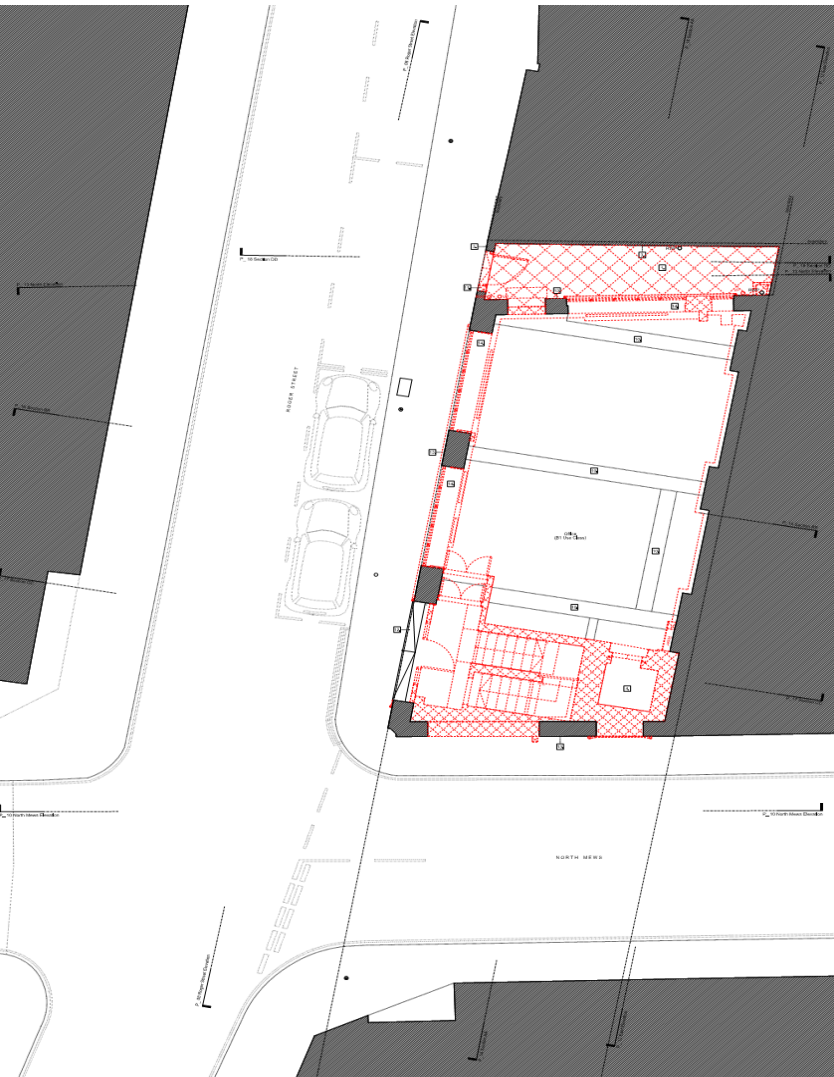


14 Roger Street
As Viewed from
Roger Street

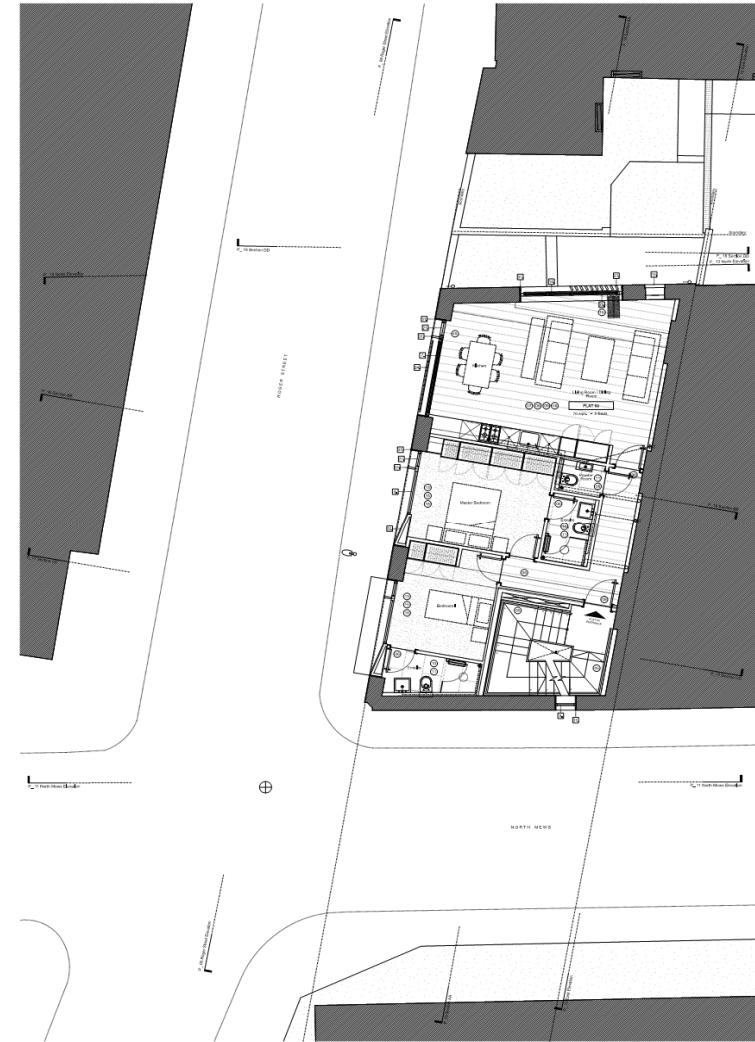
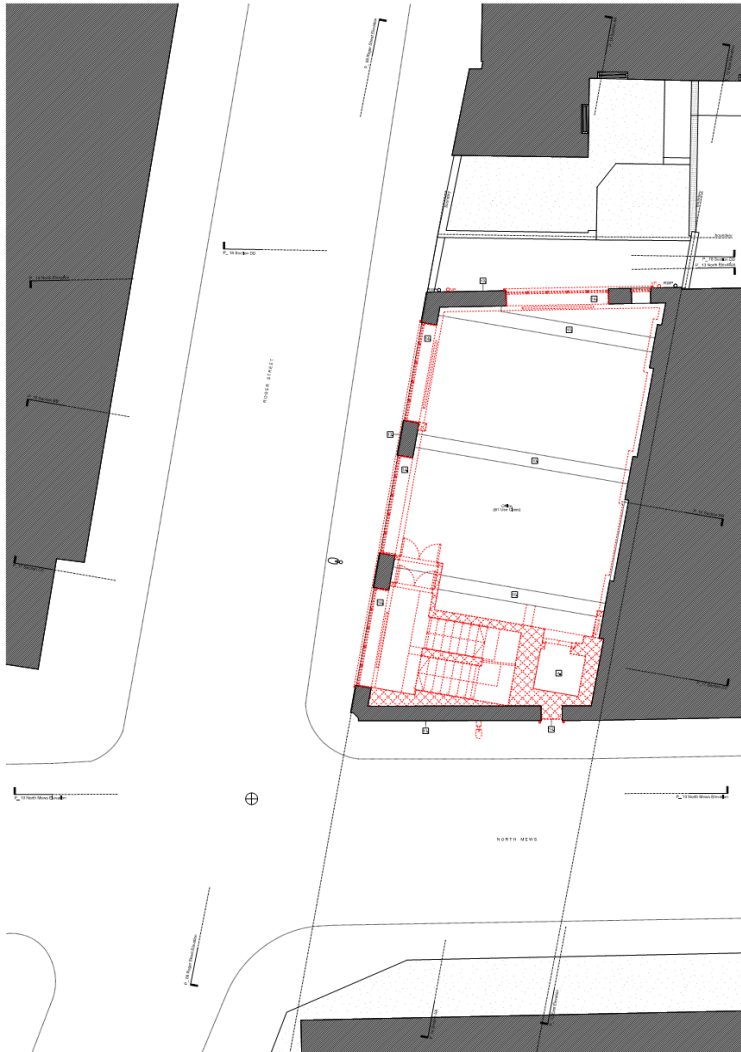
14 Roger Street Existing/Proposed Lower Ground Floor Plan



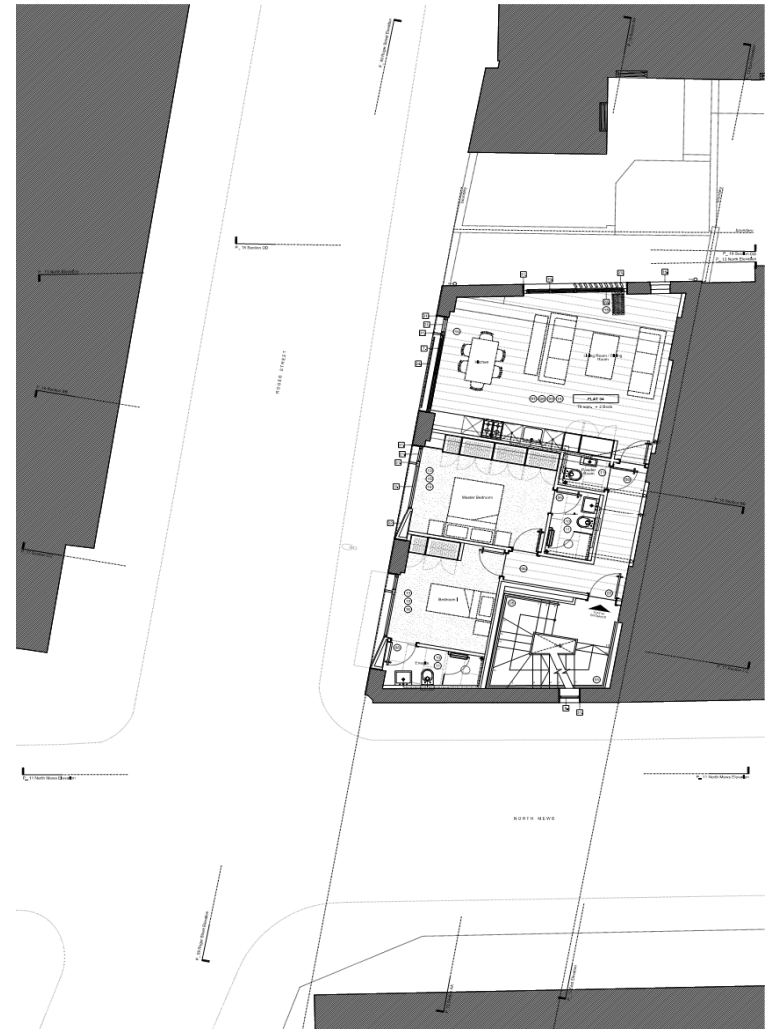
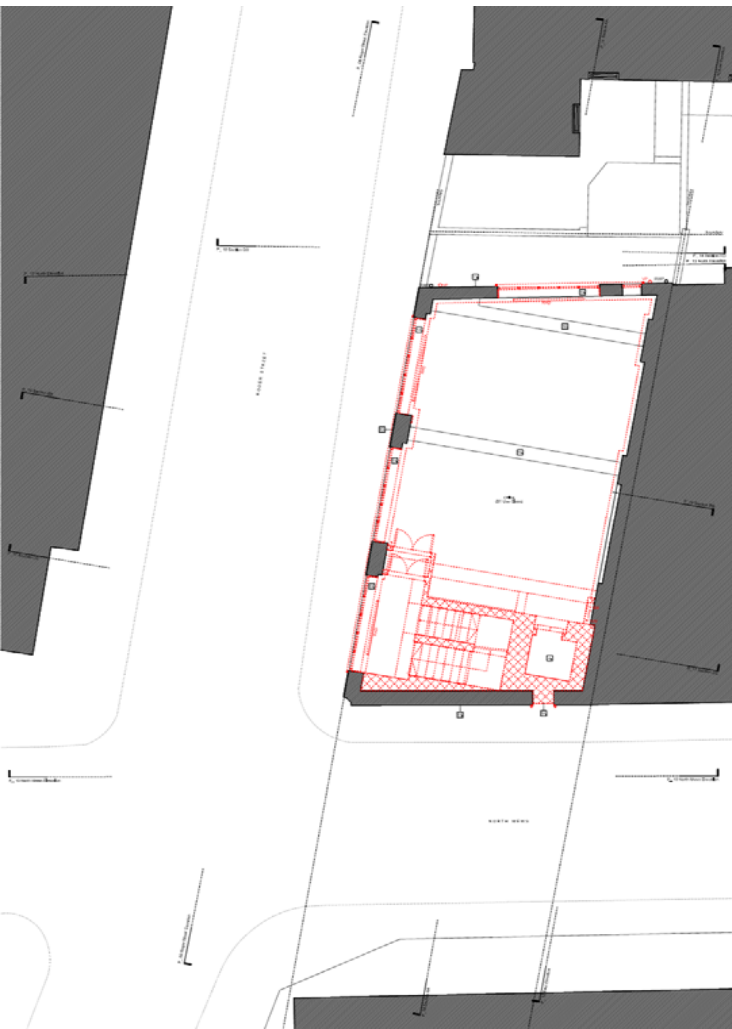
14 Roger Street Existing/Proposed Ground Floor Plan



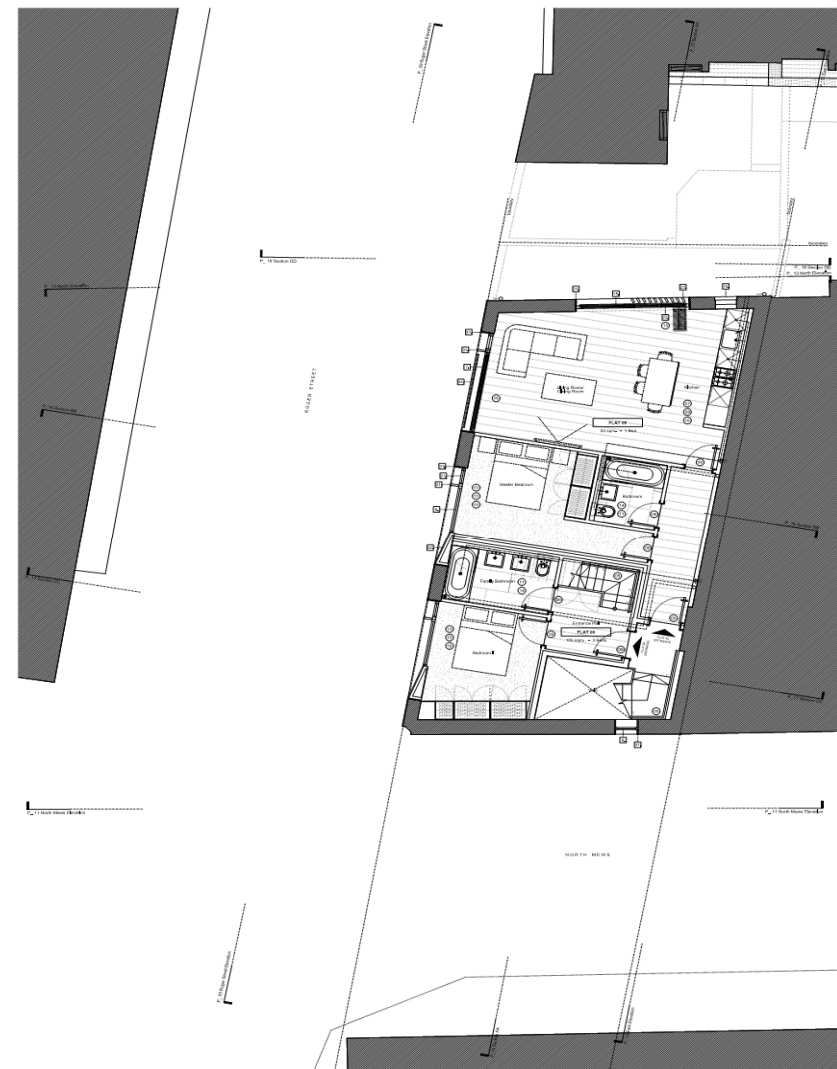
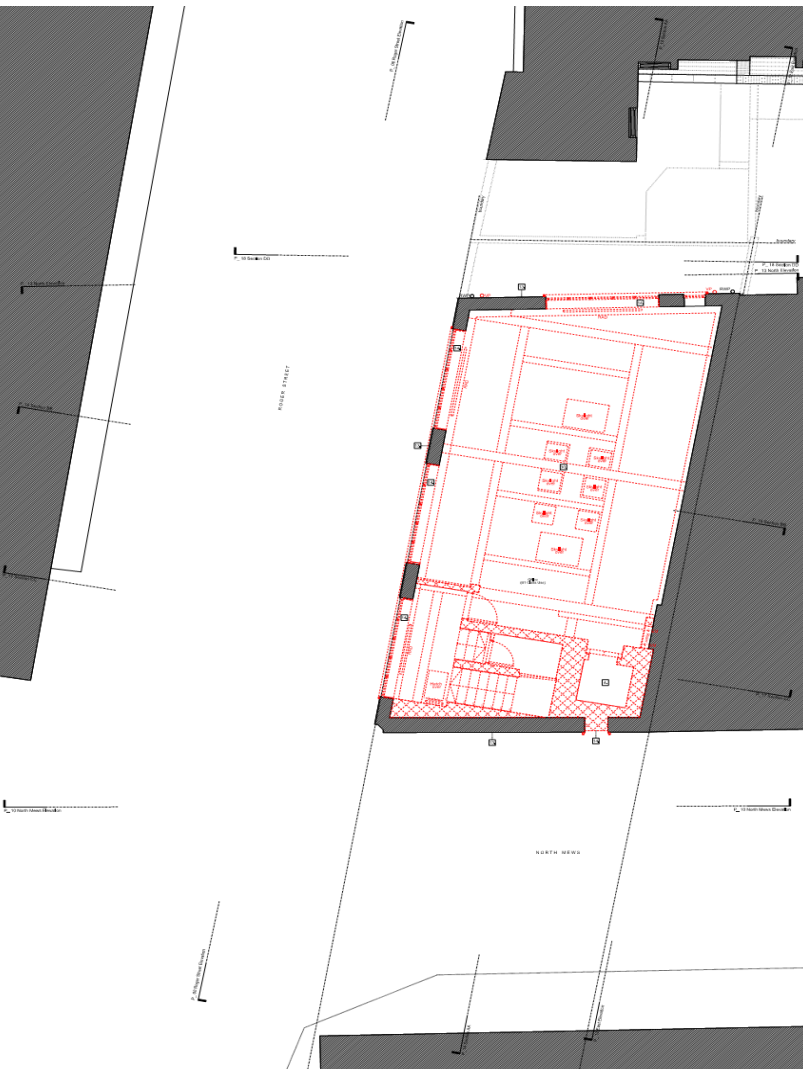
14 Roger Street Existing/Proposed First Floor Plan



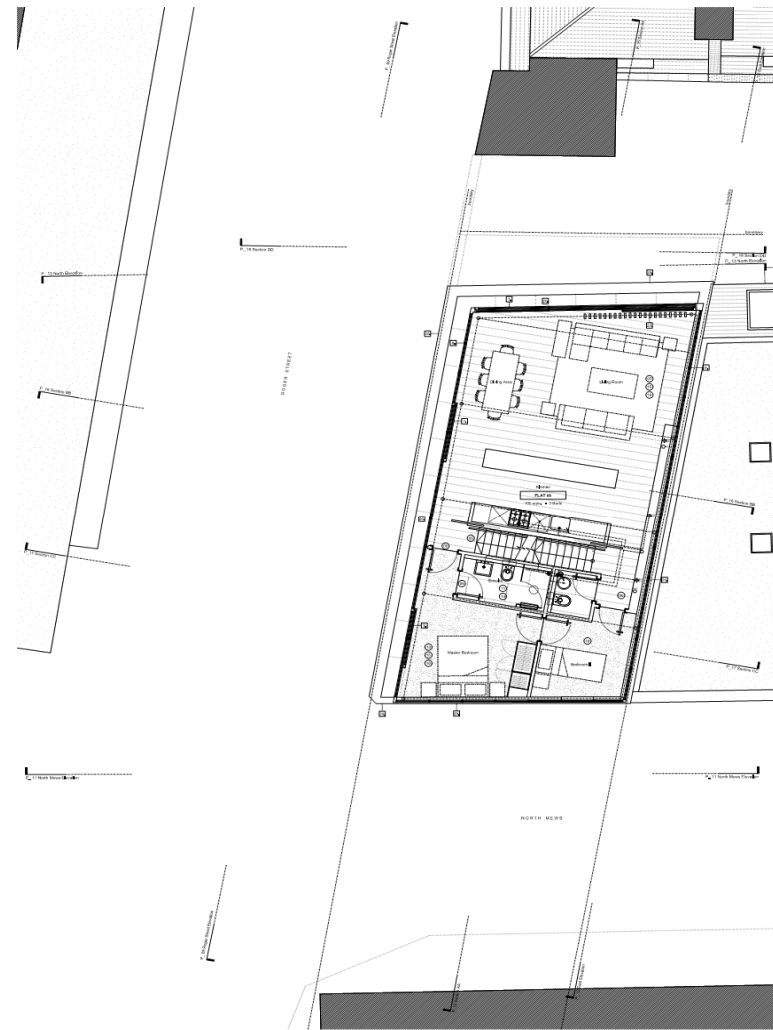
14 Roger Street Existing/Proposed Second Floor Plan



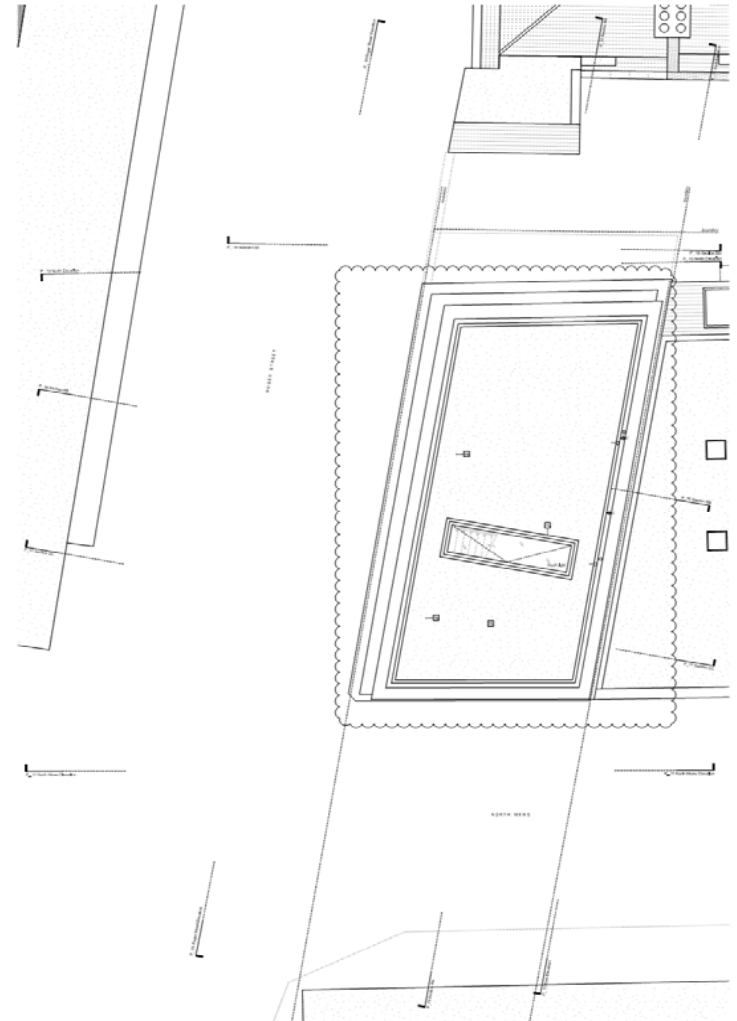
14 Roger Street Existing/Proposed Third Floor Plan



14 Roger Street Existing/Proposed Fourth Floor Plan



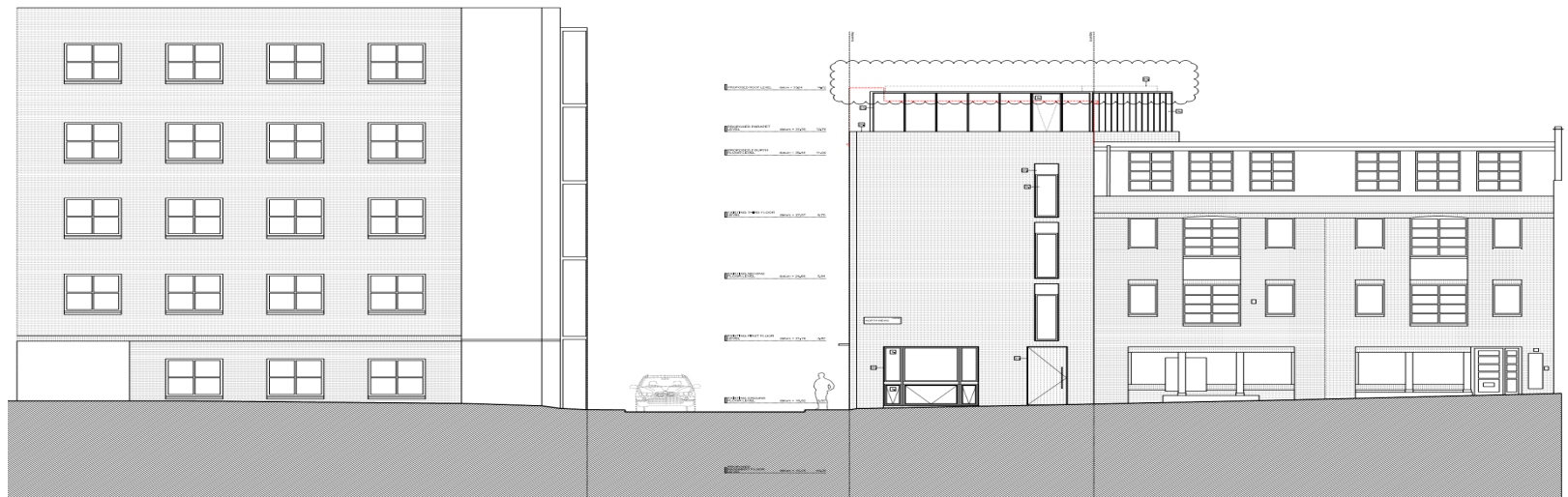
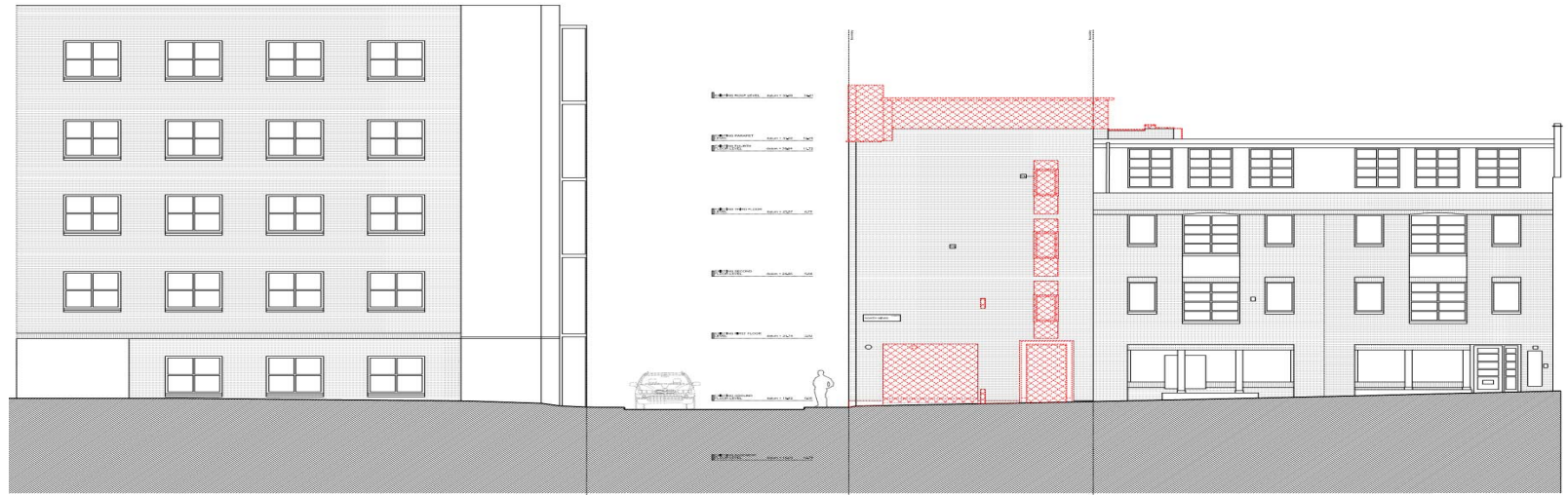
14 Roger Street Existing/Proposed Roof Plan



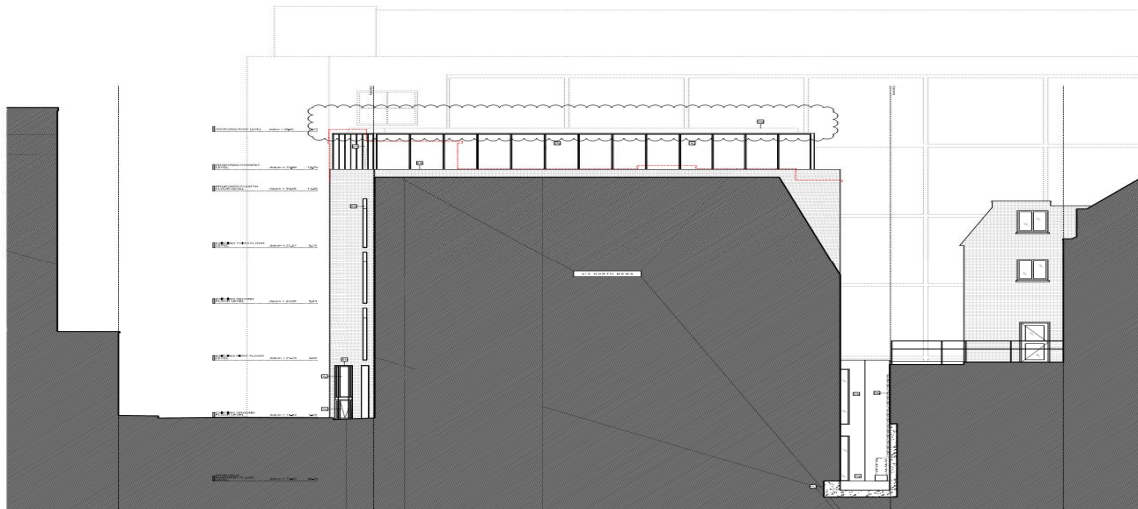
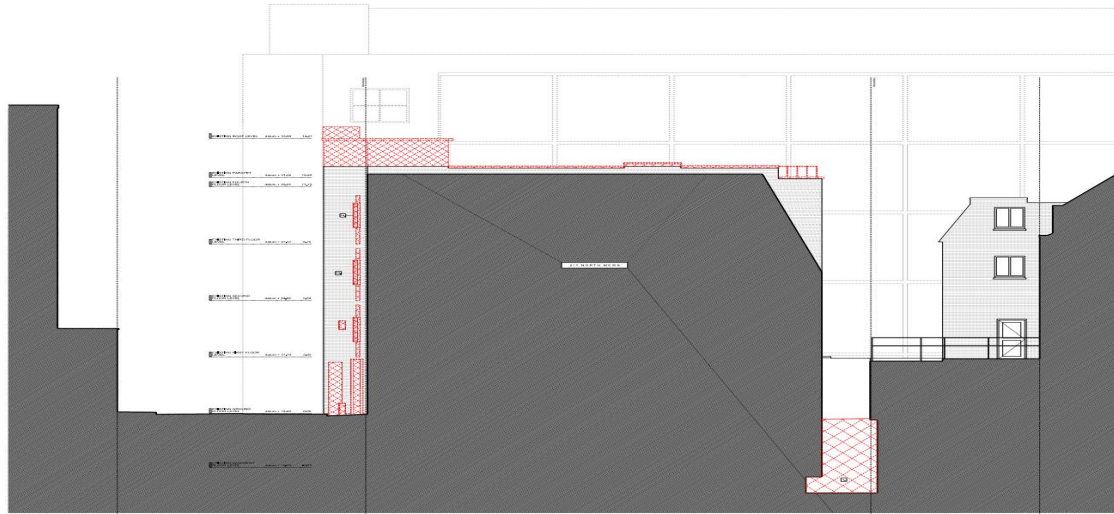
14 Roger Street Existing/Proposed Roger Street Elevation



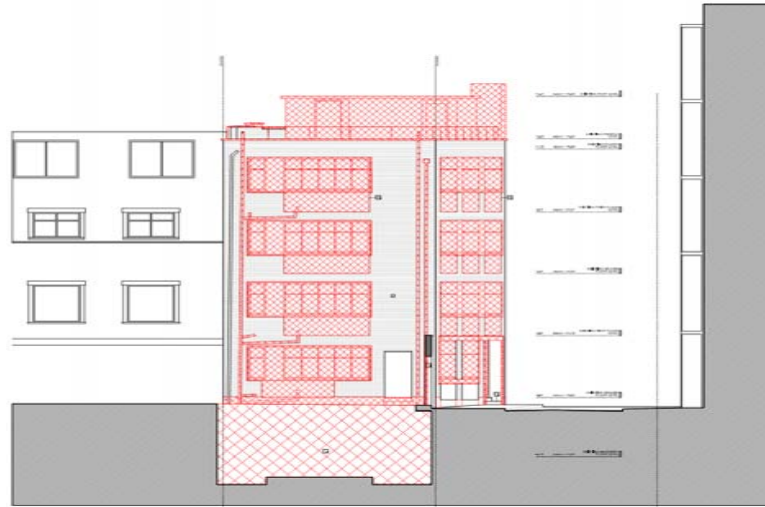
14 Roger Street Existing/Proposed North Mews Elevation



14 Roger Street Existing/Proposed South Elevation



14 Roger Street Existing/Proposed East Elevation

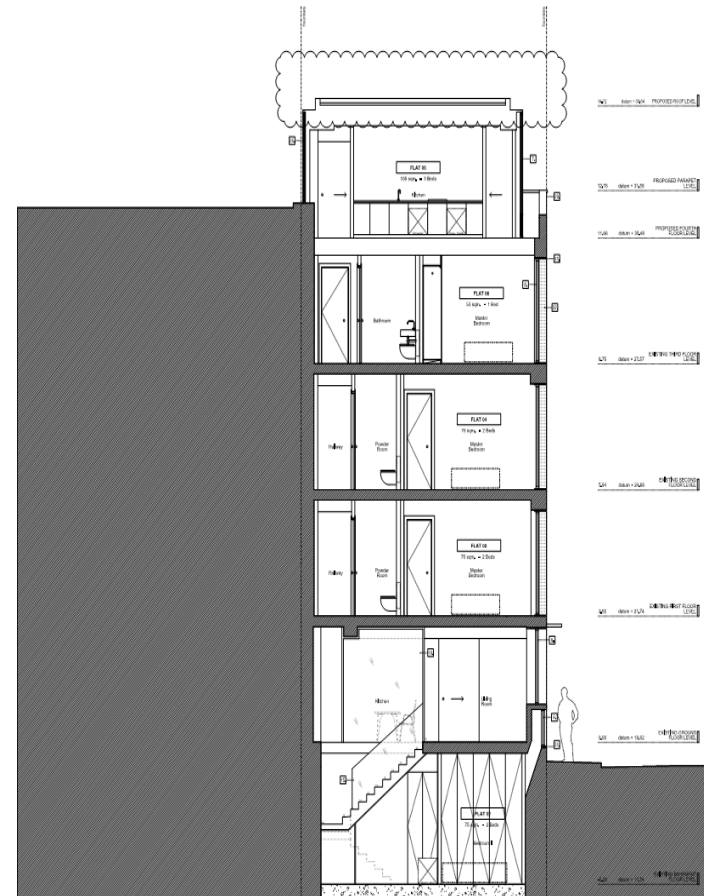
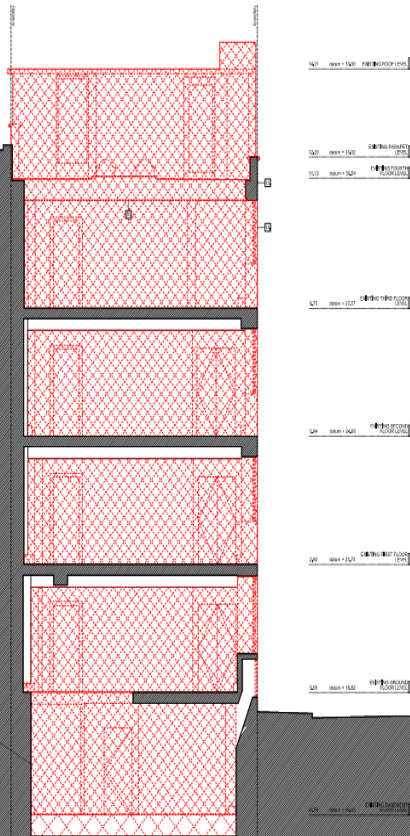


14 Roger Street Existing/Proposed Section AA

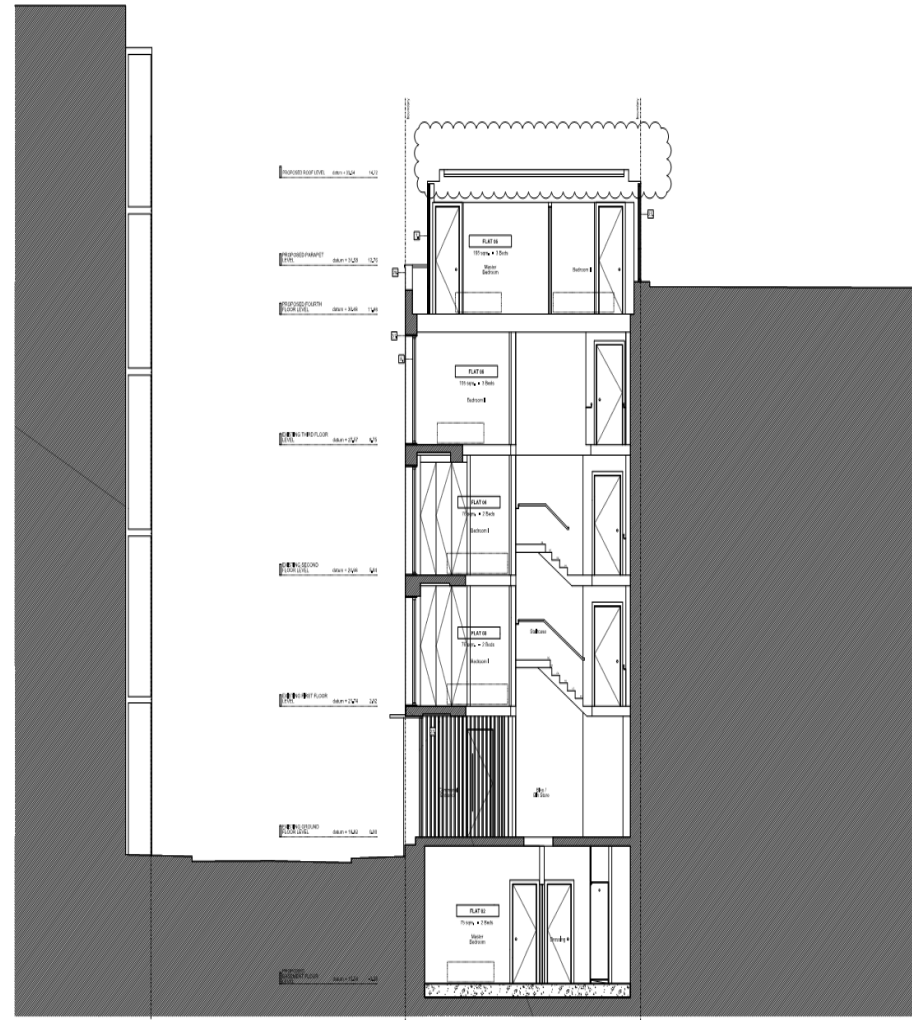
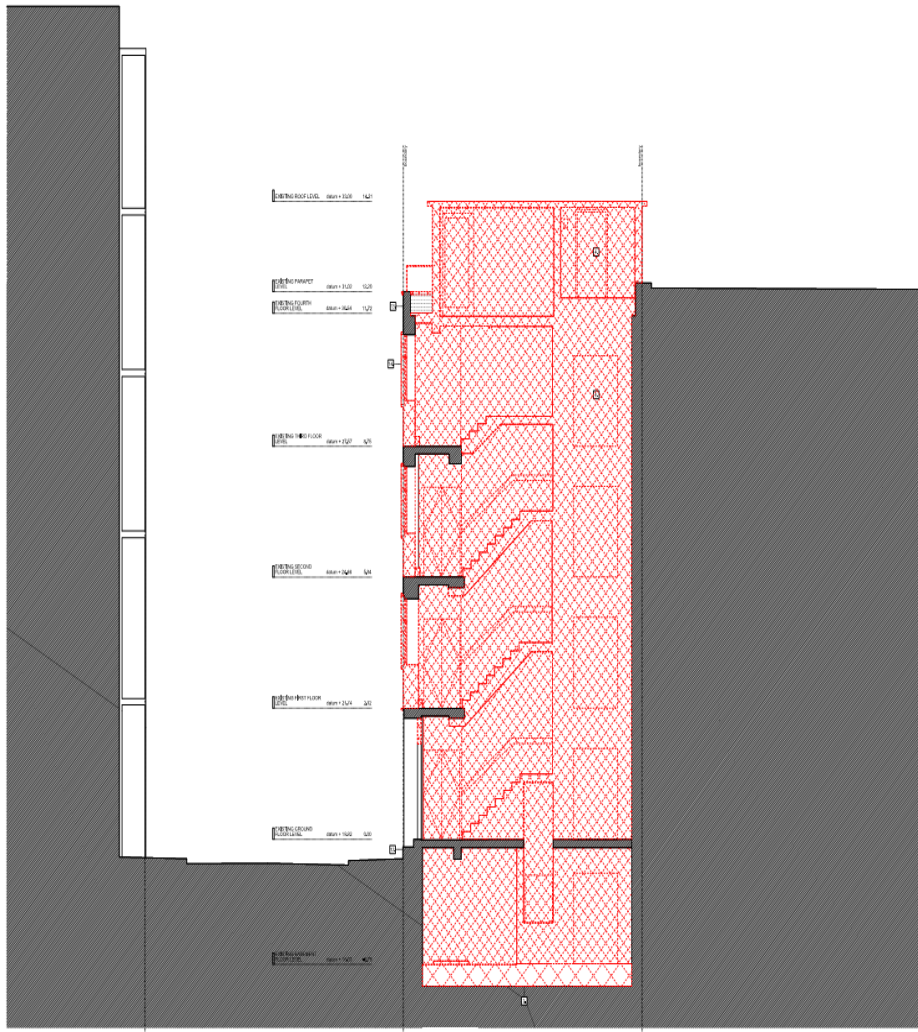


14 Roger Street

Existing/Proposed Section BB

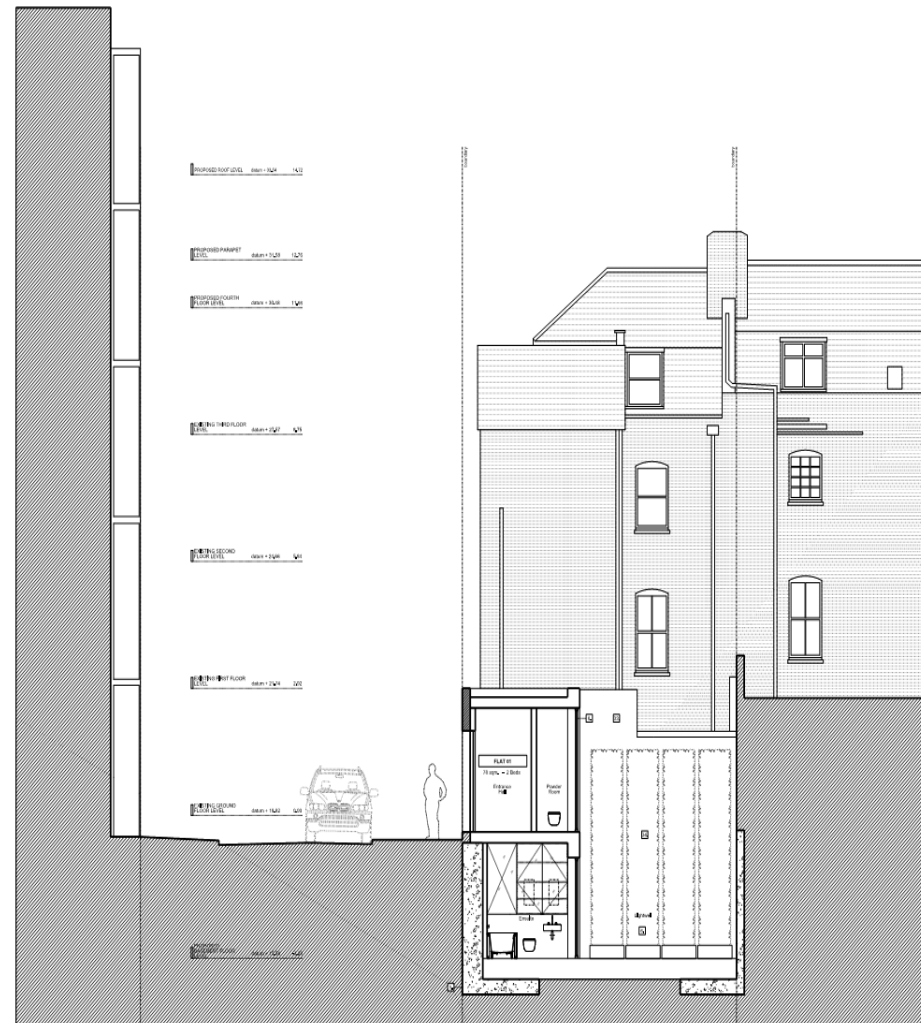
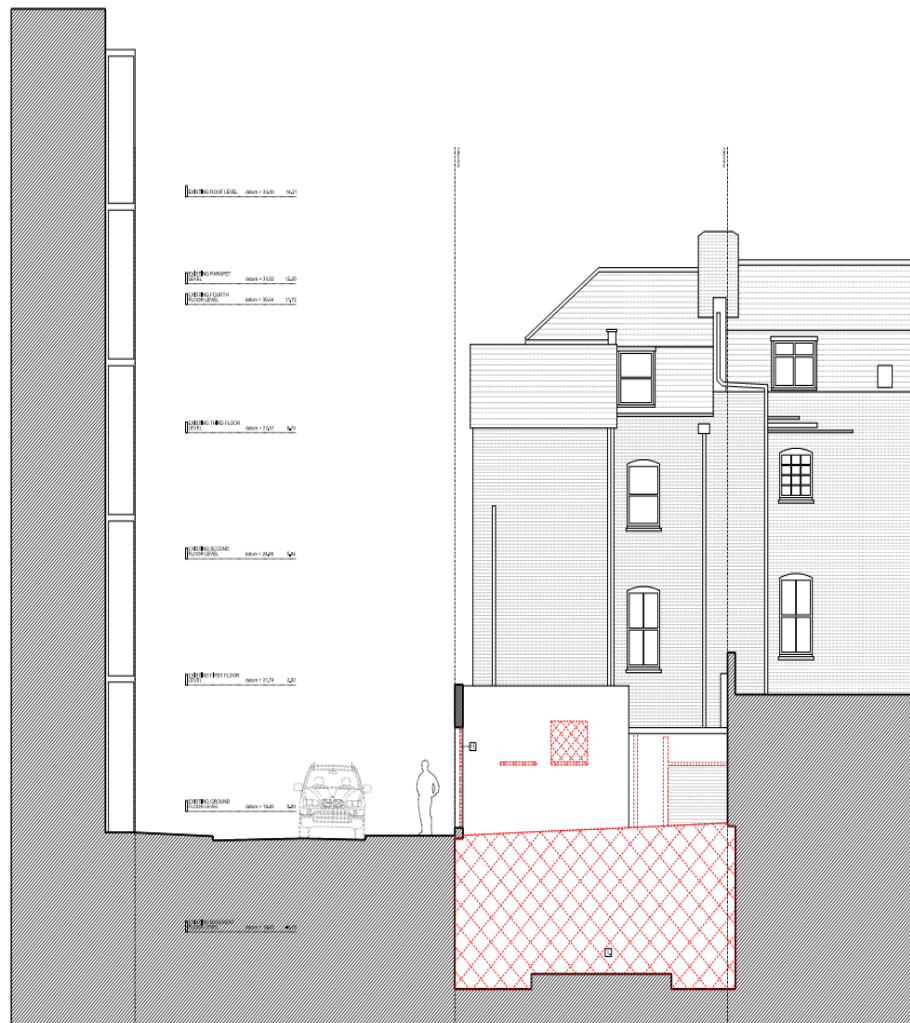


14 Roger Street
Existing/Proposed Section CC



14 Roger Street

Existing/Proposed Section DD



14 Roger Street Existing/Proposed Generated Views



14 Roger Street
As existing
Viewed from North Mews



14 Roger Street
As proposed
Viewed from North Mews

14 Roger Street Existing/Proposed Generated Views



14 Roger Street
As existing
Viewed from Roger Street



14 Roger Street
As proposed
Viewed from Roger Street

14 Roger Street Existing/Proposed Generated Views



14 Roger Street
As existing
Viewed from Roger Street



14 Roger Street
As proposed
Viewed from Roger Street