16 Tavistock Place – 2015/6809/P



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<u>Photos</u>



Streetview



Front steps



Frontage (Tavistock Place elevation)



Herbrand Street elevation

Delegated Report		A	Analysis sheet		Expiry Date:	15/02/2016				
(Members Brief	ing)	N	/A / attached		Consultation Expiry Date:	19/05/2016				
Officer				Application Num	ber(s)					
Kate Phillips				2015/6809/P						
Application Add	dress			Drawing Numbers						
16 Tavistock Pla London WC1H 9RU	ce			Refer to Draft Decision Notice						
PO 3/4	Area Team	Signature	C&UD	Authorised Office	er Signature					
Proposal(s)										
Change of use of basement from ancillary storage area (Class C3) to provide additional accommodation for existing ground floor level dental surgery (Class D1)										
Recommendation(s): Grant Conditional Planning Permission										
Application Typ	e:	Full Planning F	ull Planning Permission							

Conditions or Reasons for Refusal:	Refer to Draft Dec	ision N	otice							
Informatives:										
Consultations										
Adjoining Occupiers:	No. notified	13	No. of responses	12	No. of objections	12				
Summary of consultation responses:	No. notified No. of responses No. Electronic No. Electronic No. of objections 12									

Whilst the Council would normally resist the loss of Class C3 residential floor space, in this case the application relates to an ancillary storage area. On the basis that the proposal would not result in the loss of a self-contained residential unit, the principle of development is considered to be acceptable. Whilst the occupiers of the building may want to use the space for storage, this is a matter for discussion between the freeholder(s) and leaseholders.

This application relates to the enlargement of an existing dental surgery rather than the creation of a new one. On balance, increasing the size of the dental surgery by 74.3 square metres and associated intensification is unlikely to have a significant detrimental impact on nearby and neighbouring properties or the general character of the area.

Whilst the ground and basement floors would not be linked internally, it is not considered that the proposal would cause undue harm to nearby and neighbouring residents. See section 5 of the officer's report below. The applicant notes that the dentist has a duty of care to its patients and would not endanger them. The recovery and consultation room is included in the design so that patients are not discharged prematurely.

Any new advertising would be subject to separate advertisement consent. This application relates to the enlargement of an existing dental surgery so extra signage may not be required.

There will be no excavation works as part of the proposal. Construction noise and traffic and parking issues during the construction period are not valid reasons to refuse this application and, taking into consideration the scale of the proposed works, it would not be reasonable to attach a condition to require a construction management plan in this case. However, an Informative can be added to the decision to ensure that the applicant is aware of their responsibilities under the Control of Pollution Act 1974.

A planning condition can require that external noise levels from plant, machinery and equipment are 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 outside the campus area, with all machinery operating together at maximum capacity. This should satisfactorily mitigate the impact on adjacent residential properties.

A planning condition can ensure that the use of the basement remains linked to the use of the ground floor in future.

Each case must be assessed on its own merits. Any further changes of use (other than those that do not require planning permission) would be assessed against the Council's planning policies and determined accordingly.

Building Control Regulations will cover the fire escapes / staircase etc. This is not a planning consideration.

It is not considered that the use as a dental surgery would give rise to anti-social behaviour.

Given that this application relates to the enlargement of an existing dental surgery, it is not considered to be reasonable or necessary to place restrictions on the opening times.

The fact there are other dentists in the wider area is not relevant to the determination of this application. Neither is the fact the proposal would not benefit the NHS.

It is not considered that the proposal would have a harmful impact on traffic and parking. See section 6 of the officer's report below. The application site has a high PTAL rating and the enlargement of the existing dental surgery is unlikely to give rise to large visitor numbers.

The dental surgery has a separate entrance to the residential flats in the building and this proposal will provide an additional entrance at the basement level. The dental surgery is clearly signposted and it is not considered that the proposal would give rise to increased security concerns for residents of the building.

The fact the rear corridor is currently used to erect scaffolding equipment is not relevant to the determination of this application, and neither is the potential impact on leaseholder costs. This is a matter for discussion between the freeholder(s) and leaseholders.

The applicant is not required to consult with neighbouring properties prior to making a formal planning application. Full consultation has been carried out by the Council as part of the planning process.

The Council's current Scheme of Delegation does not require this application to go to Development Control Committee. Part 3.x. requires "applications submitted by or on behalf of a Council department for Council's Own Development save for minor development" to be taken to Development Control Committee. This development is minor development because it relates to less than 1000 square metres of floorspace.

Bloomsbury CAAC

No comments received

Site Description

The application site comprises the ground floor and basement of No. 16 Tavistock Place. No. 16 is a 5-storey (plus basement), red brick, late 19th century mansion block on the south-western corner of Tavistock Place and Herbrand Street.

There are residential units on the 1st to 5th floor levels of the building. A dental surgery occupies part of the ground floor of the building, and the basement is used for storage for the building.

The application site is within the Bloomsbury Conservation Area. No. 16 is identified in the Bloomsbury conservation area appraisal and management strategy as making a positive contribution to the character and appearance of the conservation area. The adjacent terrace of buildings, Nos. 2-14 Tavistock Place, are Grade II listed.

Relevant History

None

Relevant policies

National Planning Policy Framework (2012)

London Plan 2016

LDF Core Strategy and Development Policies 2010

- CS1 Distribution of growth
- CS2 Growth areas
- CS5 Managing the impact of growth and development
- CS7 Promoting Camden's centres and shops
- CS8 Promoting a successful and inclusive Camden economy
- CS9 Achieving a successful Central London
- CS10 Supporting community facilities and services
- CS11 Promoting sustainable and efficient travel
- CS14 Promoting high quality places and conserving our heritage
- CS18 Dealing with our waste and encouraging recycling
- DP1 Location and management of Camden's growth
- DP12 Supporting strong centres and managing the impact of food, drink, entertainment and other town centre uses
- DP13 Employment sites and premises
- DP15 Community and leisure uses
- DP16 The transport implications of development
- DP17 Walking, cycling and public transport
- DP18 Parking standards and limiting the availability of car parking
- DP19 Managing the impact of parking

DP20 Movement of goods and materials

DP22 Promoting sustainable design and construction

DP24 Securing high quality design

DP25 Conserving Camden's heritage

DP26 Managing the impact of development on occupiers and neighbours

DP27 Basements and lightwells

DP28 Noise and vibration

Camden Planning Guidance

CPG1 Design (2015)

CPG5 Town centres, retail and employment (2013)

CPG6 Amenity (2011)

CPG7 Transport (2015)

Bloomsbury conservation area appraisal and management strategy (April 2011)

Assessment

1. Proposal

- 1.1 This application seeks planning permission for a change of use of the basement from ancillary residential storage (Class C3) to provide additional accommodation for the existing ground floor dental surgery (Class D1).
- 1.2 The new facilities in the basement would include a waiting area, a consultation and recovery room, 2 surgery rooms, 2 utility rooms and a WC. The floor space amounts to 74.3 square metres.
- 1.3 The proposed works involve the insertion of a new basement level entrance door (roughly below the existing entrance on the corner of the building); the refurbishment of the existing external staircase and handrail; the refurbishment of the spaces under the pavement lights, including opening up an existing archway to provide a fire escape from the lightwell and replacing the pavement lights with heel-safe gratings; the enlargement of the existing outbuilding to provide a WC; and the installation of a glass roof above the rear outdoor corridor.

2. The principle of development

- 2.1 Policy DP2 generally seeks to resist development that would involve a net loss of residential floorspace. However, this application would not involve the loss of a self-contained residential unit (the space is currently used for storage purposes, ancillary to the other uses in the building) and the application relates to the provision of a community use. Therefore, on balance, the principle of the loss of the ancillary storage space is considered to be acceptable.
- 2.2 Policy DP15 relates to community and leisure uses. It notes that new community and leisure uses must be close or accessible to the community they serve; they should be accessible by a range of transport modes, in particular walking, cycling and public transport; and they should be located in the Central London Area (or other easily accessible locations) if they are expected to attract larger numbers of visitors. In this case, the application relates to the expansion of the existing dental surgery, rather than the creation of a new facility; however, it is worth noting that the proposal would comply with the requirements of Policy DP15 insofar as the application site is located within the Central London Area; it has a high PTAL rating (6b) and the provision of 74.3 extra square metres of floor space is unlikely to attract large visitor numbers.
- 2.3 The principle of development is therefore considered to be acceptable, subject to the detailed considerations below.

3. Impact on the character and appearance of the host building and the wider area (including the Bloomsbury Conservation Area)

- 3.1 The application site is located within the Bloomsbury Conservation Area, wherein the Council has a statutory duty, under section 72 (Conservation Areas) of The Planning (Listed Buildings and Conservation Areas) Act 1990, to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.
- 3.2 The proposal involves limited changes to the outside of the application building and much of the works relate to the basement level, which thereby limits the impact on the character and appearance of the host building and the wider area.
- 3.3 The refurbishment of the existing staircase and handrail is welcomed. The basement level windows will be replaced, or repaired on a like-for-like basis, which is also welcomed.
- 3.4 The new external entrance to the basement level would be sited below the existing ground floor entrance, on the corner of the building. The new entrance would be largely screened from public view due to its location below street level, but nevertheless, its

siting underneath the existing entrance is considered to be appropriate in terms of the impact on the character and appearance of the host building.

- 3.5 The restoration and use of the corridor under the pavement lights (to provide a fire escape) is considered to be acceptable and so is the replacement of the pavement lights with heel-safe gratings.
- 3.6 At the rear, the new glass roof (which would facilitate access between the separate rooms and the new WC) would be screened from public view. Nevertheless, this element of the proposal is also judged to be acceptable, particularly because it would be at a low level on the host building and the structure would appear as a lightweight addition to the original building.
- 3.7 Overall, it is considered that the proposed works would be in keeping with the character and appearance of the host building and it is considered that the proposal would preserve and enhance the character and appearance of the Bloomsbury Conservation Area. The proposal is therefore considered to be acceptable in this respect.

4. Impact on the setting of the adjacent listed building

- 4.1 Nos. 2-14 Tavistock Place are Grade II listed and the Council has a statutory duty, under Section 66 of The Planning (Listed Buildings and Conservation Areas Act) 1990, to have special regard to the desirability of preserving a listed building(s) or its setting or any features of special architectural or historic interest which it possesses.
- 4.2 By virtue of its siting, scale and design, it is not considered that the proposed glass roof above the rear corridor would cause harm to the adjacent listed building, its setting or any features of special architectural or historic interest which it possesses. Neither is it considered that the enlargement of the existing outbuilding to create a WC would cause any harm. This is due to the relatively small scale of the extension and the clear separation from the listed building.
- 4.3 The proposal is considered to be acceptable in this regard.

5. Impact on the visual and residential amenities of nearby and neighbouring properties

- 5.1 This application relates to the expansion of the existing dental surgery rather than the creation of a separate, independent business premises. The applicant does not envisage increasing the staff numbers following the works (currently there are 6 full time and 2 part time staff). Nevertheless, even if staff numbers increase, taking into consideration the size of the resultant premises, any noise / disruption associated with the proposed use of the basement is unlikely to be significantly worse than the impact from the existing ground floor dental surgery.
- 5.2 The ground and basement floors of the dental surgery would not be linked internally, due to the constraints of the host building, which means patients and staff would have to use the external steps to access the lower floor. On the basis that Tavistock Place is a busy Central London thoroughfare, it is not considered that comings and goings associated with the dental surgery (including staff and patients going between the floors) would cause a harmful impact to any nearby and neighbouring residential properties, particularly because patients would not walk past residential windows when accessing the staircase to the basement.
- 5.3 It is not considered that the basement would necessarily provide suitable accommodation for an independent business (i.e. one that is not linked to the ground floor use) (See section 7 below). As such, a planning condition can ensure that the use of the basement remains linked to the use of the ground floor in the future.
- 5.4 With regards to noise, the applicant has submitted an Environmental Noise Survey and Plant Noise Assessment Report. The assessment indicates that the proposed plant should be capable of achieving requirements of the Local Authority at the nearest noise sensitive residential window. To this end, a planning condition can require that external noise levels from plant, machinery and equipment are 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 outside the campus area, with all machinery operating together at maximum capacity. This should satisfactorily mitigate the impact on adjacent residential properties.
- 5.5 A further planning condition can require the submission and approval of anti-vibration measures to ensure that any machinery, plant equipment, extract/ ventilation system and ducting are mounted with proprietary anti-vibration isolators and fan motors are vibration isolated from the casing and adequately silenced; and another condition can require the submission and approval of details of sound insulation for the basement. These conditions should also mitigate the impact on adjacent residential properties.
- 5.6 Overall, subject to the recommended conditions, the application is considered to be acceptable in this respect.

6. Transport considerations

6.1 As already noted, Policy DP15 notes that new community and leisure uses must be close or accessible to the community they serve; they should be accessible by a range of transport modes, in particular walking, cycling and public

transport; and they should be located in the Central London Area (or other easily accessible locations) if they are expected to attract larger numbers of visitors. This application relates to the enlargement of an existing facility rather than the creation of a new one, but nevertheless, the application site has a PTAL rating of 6b (excellent), which means it is highly accessible by public transport; and it is unlikely that the proposal would give rise to significantly increased visitor numbers.

- 6.2 The proposal does not include cycle parking provision; however, the constraints of the application site do not readily allow for this and therefore the proposal is considered to be acceptable in this regard.
- 6.3 Policy DP12 advises that the Council will consider the impact of parking, stopping and servicing and Policy DP20 expects development that would generate significant movement of goods or materials during construction and/or operation to seek opportunities to minimise disruption for local communities. In this case, the scale of the proposal does not warrant the submission of a transport assessment and/or delivery and servicing management plan. Nevertheless, it is not considered that expanding the existing business by approximately 75 square metres would cause significant harm to parking availability or traffic congestion in the local area.

7. Access considerations

7.1 Policy DP29 requires that all buildings and places meet the highest standards of access and inclusion, and buildings that the public may use must be designed to be as accessible as possible. The basement would not be wheelchair accessible; however, this can be justified on the basis that the proposal relates to the enlargement of the existing dental surgery rather than the creation of a new business premises and those visitors that cannot access the basement level due to limited mobility, should still be able to access the ground floor. As already noted, a planning condition can ensure that the use of the basement remains linked to the use of the ground floor in the future.

Recommendation: Grant Conditional Planning Permission.

The decision to refer an application to Development Control Committee lies with the Executive Director of Supporting Communities. Nominated members will advise whether they consider this application should be reported to the Development Control Committee on Monday 13th June 2016. For further information, please go to www.camden.gov.uk and search for 'Members Briefing'.



Regeneration and Planning Development Management London Borough of Camden Town Hall Judd Street London

Tel 020 7974 4444

WC1H 9JE

planning@camden.gov.uk www.camden.gov.uk/planning

Mr Steven Brewer Heritage Surveys Ltd Heritage Surveys Ltd Unit 11H 22 Carlton Road Croydon Surrey CR2 0BS

Application Ref: 2015/6809/P Please ask for: Kate Phillips Telephone: 020 7974 2521 7 June 2016

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

16 Tavistock Place London WC1H 9RU

DECISION

Proposal:

Change of use of basement from ancillary storage area (Class C3) to provide additional accommodation for existing ground floor level dental surgery (Class D1); installation of associated plant

Drawing Nos: Site Location Plan at 1:1250; Block Plan at 1:500; 5735-E(0)002 Rev. A; 5735-E(0)001 Rev. B; 5735-E(0)004 Rev. A; 5735-E(0)005 Rev. A; 5735-E(0)003 Rev. A; 5735-S(0)001 Rev. F; 5735-S(0)005 Rev. B; 5735-S(0)002 Rev. D; 5735-S(0)003 Rev. B; 5735-S(0)004 Rev. B; Design & Access Statement - Issue 1 (dated 02/12/2015); Environmental Noise Survey and Plant Noise Assessment Report (dated 22/04/2016).

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

Director of Supporting Communities



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).
- The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan at 1:1250; Block Plan at 1:500; 5735-E(0)002 Rev. A; 5735-E(0)001 Rev. B; 5735-E(0)004 Rev. A; 5735-E(0)005 Rev. A; 5735-E(0)003 Rev. A; 5735-S(0)001 Rev. F; 5735-S(0)005 Rev. B; 5735-S(0)002 Rev. D; 5735-S(0)003 Rev. B; 5735-S(0)004 Rev. B; Design & Access Statement Issue 1 (dated 02/12/2015); Environmental Noise Survey and Plant Noise Assessment Report (dated 22/04/2016).

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

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 policies DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

The basement shall not be used independently; it shall be used by the same business operator for the same business, unless otherwise agreed in writing with the Local Planning Authority.

Reason: The basement does not meet the required standard of access and inclusion to be used independently, in accordance with policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP29 of the London Borough of Camden Local Development Framework Development Policies. To ensure that the future occupation of the building does not adversely affect the adjoining premises/immediate area by reason of increased comings and goings and general activity, in accordance with 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.

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 outside the campus area, with all machinery operating together at maximum capacity.

Reason: To safeguard the amenities of nearby residential 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.

Prior to commencement of the development, details of anti-vibration measures shall be submitted to and approved in writing by the Council. The measures shall ensure that any machinery, plant equipment, extract/ ventilation system and ducting are mounted with proprietary anti-vibration isolators and fan motors are vibration isolated from the casing and adequately silenced. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: To safeguard the amenities of nearby residential 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.

Prior to commencement of the development, details shall be submitted to and approved in writing by the Council, of the sound insulation of the basement walls separating the commercial part(s) of the premises from noise sensitive premises. Details shall demonstrate that the sound insulation value L'nT,w is enhanced by at least 10dB or 20dB above the Building Regulations value and, where necessary, additional mitigation measures are implemented to contain commercial noise within the commercial premises and to maintain the criteria of BS8233:2014 within the dwellings/ noise sensitive premises. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: To safeguard the amenities of nearby residential 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):

- 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).
- 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 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.

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

Director of Supporting Communities

