

Mr. Rupert Litherland  
Rolfe Judd Planning [P5870]  
Old Church Court  
Claylands Road  
Oval  
London  
SW8 1NZ

Application Ref: **2015/7106/P**  
Please ask for: **Gideon Whittingham**  
Telephone: 020 7974 **5180**

25 October 2016

Dear Sir/Madam

## DECISION

Town and Country Planning Act 1990 (as amended)

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

Address:

**St. Martins House**  
**65-75 Monmouth Street**  
**London**  
**WC2H 9DG**

Proposal:

Variation of condition 3 (approved plans) of planning permission 2014/4870/P dated 12/05/2015 (for the change of use of building to provide office (Class B1), residential (Class C3) and retail uses (Class A1) and associated elevational and internal alterations) and associated non material amendment 2015/2738/P dated 07/07/2015 (relating to the reconfiguration of roof form and associated plant, alteration of shopfront, access and fenestration), namely to change the use of the first floor retail (Class A1) element only to provide a 1 bedroom flat (Class C3) and associated alterations.

Drawing Nos: Superseded: 00\_111 Rev P01; 00\_112 Rev P01; 00\_210 Rev P01; 00\_211 Rev P02.

Proposed: 00\_111 Rev P03; 00\_112 Rev P02; 00\_210 Rev P02; 00\_211 Rev P03; Preliminary Assessment, BREEAM Domestic Refurbishment, prepared by Eight Associates, dated 29/04/2016; Letter dated 17th December 2015, prepared by Rupert Litherland of Rolfe Judd.



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

Condition(s) and Reason(s):

1 REPLACEMENT CONDITION 3:

The development hereby permitted shall be carried out in accordance with the following approved plans:

Site Location Plan P4812/RJP/P01, 20321-01, 20321-02, 20321-03, 20321-04, 20321-05, 20321-06, 20321-07, 20321-08, 20321-09, 20321-10 Rev A, 20321-11, 20321-12 Rev B, Environmental Health Survey & Plant Noise Assessment Report 2010/PNA1/Rev2, Planning Statement (Ref: P5457), dated July 2014, Lifetime Homes Assessment (Rev C) - F&T 20321 - July 2014, Preliminary Assessment, BREEAM Domestic Refurbishment, prepared by Eight Associates, dated 29/04/2016; 00\_110 Rev P02; 00\_111 Rev P03; 00\_112 Rev P02; 00\_113 Rev P01; 00\_114 Rev P01; 00\_115 Rev P01; 00\_116 Rev P01; 00\_210 Rev P02; 00\_211 Rev P03; 00\_310 Rev P01; 00\_311 Rev P01; and 00\_312 Rev P01, Letter dated 14th May 2015, prepared by Jan Donovan of Rolfe Judd, Letter dated 30th March 2015, prepared by Franks and Lewin, Letter dated 17th December 2015, prepared by Rupert Litherland of Rolfe Judd.

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

2 REPLACEMENT CONDITION 7:

The basement floor level cycle storage area shall provide for 6 cycles prior to the first occupation of any of the new units, and permanently retained thereafter.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy CS11 of the London Borough of Camden Local Development Framework Core Strategy and policy DP17 of the London Borough of Camden Local Development Framework Development Policies.

3 The units hereby approved shall be designed and constructed in accordance with Building Regulations Part M 4 (2) in relation to accessible dwellings and shall be maintained thereafter.

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.

4 The unit hereby approved at first floor level only shall achieve a maximum internal water use of 105litres/person/day, allowing 5 litres/person/day for external water use.

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 (Tackling climate change through promoting higher environmental standards), DP22 (Promoting sustainable design and construction) and DP23 (Water).

Informative(s):

1 Reasons for granting planning permission

The proposal would maintain the retail use at basement and particularly ground floor level, which is of principle value to the Central London Frontage and the character of Covent Garden. Although the proposal would reduce 61m<sup>2</sup> of retail floorspace, this would be at first floor level which is of limited value in respect of the Central London Frontage and the character of Covent Garden. The existing retail unit would be reduced to 142m<sup>2</sup>, a more relatable size to those in and around Monmouth Street and suitable to maintain its function, vitality and viability.

The proposal would provide an additional 1 bedroom unit of 61m<sup>2</sup> at first floor level, which would exceed the minimum floorspace requirement according to London Plan standards. The unit would enjoy a dual aspect outlook, in addition to plenty of openings providing good levels of natural light.

The purpose of the ref: 2014/4870/P and 2015/2738/P was to convert ineffective and inefficient use of commercial floorspace to provide residential accommodation. The floor plate of St. Martins House presents an ineffective and inefficient use of commercial floorspace, in particular the apex or 'pinch point'. The floor plates and layout of the residential element is therefore broadly set, with 1 bedroom units located within the apex areas and, where possible, a larger 2 bed unit within the rear roof space.

In mind of these constraints, the provision of an additional 2 bed unit would not be suitable based on the floor plate arrangement of the building. An alternative being to provide overly large duplex units of 125m<sup>2</sup>, the same size as a 5 bedroom 7 person unit which would not be appropriate in this instance.

It is accepted that the proposal has sought to comply with those achievable requirements of policy DP6, as far as practicable in the context of the site. The quality of accommodation and mix of housing units is acceptable in mind of the building's constraints, as are the sustainability measures.

The introduction of residential accommodation at this level would be appropriate given the surrounding context, and of no greater detriment to the privacy of those adjacent residential occupiers than the existing arrangement.

The proposed external works to the residential entrance, ventilation bricks and associated alterations are of limited intervention and would preserve the special interest of the listed building and character and appearance of the Seven Dials Conservation area.

The number of cycles will be reduced from the extant permission to 6 , which although will be 1 less than the requirements of the London Plan, will allow for the optimum balance between providing refuse storage (previously located in each unit) and accessibility with a bicycle within the building. This balance is therefore acceptable. The new residential unit shall be car-free, secured by a Section 106 planning obligation.

This permission will require a (deed of variation) S106 Legal Agreement covering a car-free development, a financial contribution for various Highway and Public Realm Improvement works adjacent to the site, Servicing Management Plan (SMP) and achieving a 'very good' BREEAM rating.

The planning and appeal history of the site has been taken into account when coming to this decision. No objections were received prior to making this decision.

Special regard has been attached to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses. Considerable importance and weight has been attached to the harm and special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under s.66 and s.72 of the Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

- 2 As such, the proposed development is in general accordance with policies CS1, CS2, CS5, CS6, CS7 CS14 of the London Borough of Camden Local Development Framework Core Strategy, and policies DP2, DP5, DP6, DP12, DP16, DP17, DP18, DP19, DP20, DP24, DP25, DP26 DP28 of the London Borough of Camden Local Development Framework Development Policies. The proposed development also accords with policies 3.3, 3.4, 3.5, 6.9, 6.13, 7.4, 7.6, 7.8 of the London Plan 2016; and paragraphs 14, 17, 50, 56-66, 126-141 of the National Planning Policy Framework.
- 3 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).
- 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 Noise and Licensing Enforcement Team, 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.

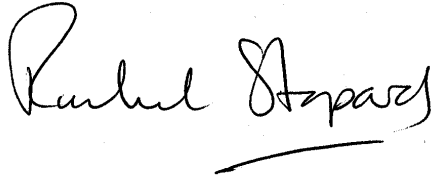
- 5 Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which this permission is granted. Information/drawings relating to the discharge of matters covered by the Heads of Terms of the legal agreement should be marked for 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  
Executive Director Supporting Communities