

Mr. Gareth Fox
Montagu Evans LLP
5 Bolton Street
London
W1J 8BA

Application Ref: **2016/0477/P**
Please ask for: **Michael Cassidy**
Telephone: 020 7974 5666

16 May 2017

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted Subject to a Section 106 Legal Agreement

Address:

**35 - 41 New Oxford Street
10-12 Museum Street
16A-18 West Central Street
London
WC1A 1AP**

Proposal:

Refurbishment and extension of the site to provide a mixed use scheme which includes 19 self-contained units (6 x 1 bed and 11 x 2 bed and 2 x 3 bed), flexible A1/ A2/ A3 uses and/or B1 and/or D1 at basement and ground floor levels and associated works.

Drawing Nos: A10862 - F - 0001 P1, A10862 - F - 0002 P1, A10862 - F - 0099 P1, A10862 - F - 0100 P1, A10862 - F - 0110 P1, A10862 - F - 0101 P1, A10862 - F - 0102 P1, A10862 - F - 0103 P1, A10862 - F - 0104 P1, A10862 - F - 0201 P1, A10862 - F - 0202 P1, A10862 - F - 0203 P1, A10862 - F - 0204 P1, A10862 - Z - 0099 P2, A10862 - Z - 0100 P2, A10862 - Z - 0110 P1, A10862 - Z - 0101 P2, A10862 - Z - 0102 P2, A10862 - Z - 0103 P2, A10862 - Z - 0104 P2, A10862 - Z - 0202 P2, A10862 - Z - 0203 P3, A10862 - Z - 0204 P2, A10862 - D - 0099 P4, A10862 - D - 0100 P4, A10862 - D - 0110 P4, A10862 - D - 0101 P1, A10862 - D - 0102 P1, A10862 - D - 0103 P2, A10862 - D - 0104 P2, A10862 - D - 0105 P3, A10862 - D - 0200 P1, A10862 - D - 0201 P2, A10862 - D - 0202 P2, A10862 - D - 0203 P2, A10862 - D - 0300 P4, A10862 - D - 0301 P4, A10862 - D - 0501 P1, A10862 - D - 0502 P1, A10862 - D - 0503 P2, A10862 - D - 0504 P1, A10862 - D - 0505 P1, A10862 - D - 0600 P1, A10862 - D - 0601 P1



Supporting documents: Basement impact assessment (dated Nov 2015), Montagu Evans Heritage and Townscape Assessment (dated December 2015), Planning Statement (dated December 2015), Mason Navarro Pledge Flood Risk Assessment (dated December 2015), McLaren CMP (dated July 2016), Hurley Palmer Flatt Energy Statement (dated December 2015), Historic Environment Assessment (dated November 2015, Delva Patman Redler Daylight and Sunlight Assessment (dated January 2016), Peter Brett Associate Air Quality Assessment (dated December 2015), Phlorum Ecology Appraisal (dated December 2015), Applied Acoustic Design Noise and Vibration Report (dated November 2015).

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.

Drawing Nos: A10862 - F - 0001 P1, A10862 - F - 0002 P1, A10862 - F - 0099 P1, A10862 - F - 0100 P1, A10862 - F - 0110 P1, A10862 - F - 0101 P1, A10862 - F - 0102 P1, A10862 - F - 0103 P1, A10862 - F - 0104 P1, A10862 - F - 0201 P1, A10862 - F - 0202 P1, A10862 - F - 0203 P1, A10862 - F - 0204 P1, A10862 - Z - 0099 P2, A10862 - Z - 0100 P2, A10862 - Z - 0110 P1, A10862 - Z - 0101 P2, A10862 - Z - 0102 P2, A10862 - Z - 0103 P2, A10862 - Z - 0104 P2, A10862 - Z - 0202 P2, A10862 - Z - 0203 P3, A10862 - Z - 0204 P2.

A10862 - D - 0099 P4, A10862 - D - 0100 P4, A10862 - D - 0110 P4, A10862 - D - 0101 P1, A10862 - D - 0102 P1, A10862 - D - 0103 P2, A10862 - D - 0104 P2, A10862 - D - 0105 P3, A10862 - D - 0200 P1, A10862 - D - 0201 P2, A10862 - D - 0202 P2, A10862 - D - 0203 P2, A10862 - D - 0300 P4, A10862 - D - 0301 P4, A10862 - D - 0501 P1, A10862 - D - 0502 P1, A10862 - D - 0503 P2, A10862 - D - 0504 P1, A10862 - D - 0505 P1, A10862 - D - 0600 P1, A10862 - D - 0601 P1

Supporting documents: Basement impact assessment (dated Nov 2015), Montagu Evans Heritage and Townscape Assessment (dated December 2015), Planning Statement (dated December 2015), Mason Navarro Pledge Flood Risk Assessment (dated December 2015), McLaren CMP (dated July 2016), Hurley Palmer Flatt Energy Statement (dated December 2015), Historic Environment Assessment (dated November 2015, Delva Patman Redler Daylight and Sunlight Assessment (dated January 2016), Peter Brett Associate Air Quality Assessment (dated December 2015), Phlorum Ecology Appraisal (dated December 2015), Applied Acoustic Design Noise and Vibration Report (dated November 2015).

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) Details including sections at 1:10 of all windows (including jambs, head and cill), ventilation grills, external doors and gates;
- b) Plan, elevation and section drawings, including fascia, cornice, pilasters and glazing panels of the new shopfronts at a scale of 1:10;
- c) 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).

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 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.

- 4 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.

- 5 No lights, meter boxes, flues, vents or pipes, and no telecommunications equipment, alarm boxes, television aerials, satellite dishes or rooftop 'mansafe' rails shall be fixed or installed on the external face of the buildings, without the prior approval in writing of the local planning authority.

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.

- 6 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.

- 7 Full details in respect of the green roof in the area indicated on the approved roof plan shall be submitted to and approved by the local planning authority before the relevant part of the development commences. The buildings shall not be occupied until the approved details have been implemented and these works shall be permanently retained and maintained thereafter.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies CS13, CS15 and CS16 of the London Borough of Camden Local Development Framework Core Strategy and policies DP22, DP23 and DP32 of the London Borough of Camden Local Development Framework Development Policies.

- 8 Before the development is occupied, the 28 cycle storage spaces for the residential element and 20 cycle spaces for the commercial element shall be provided in the space indicated on the approved plans 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.

- 9 Prior to the first use of the premises for any A3 or A4 use hereby permitted, full details of a scheme for ventilation, including manufacturers specifications, noise levels and attenuation, shall be submitted to and approved by the Local Planning Authority in writing. The use shall not proceed other than in complete accordance with such scheme as has been approved. All such measures shall be retained and maintained in accordance with the manufacturers' recommendations.

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.

- 10 The new dwelling hereby approved shall be designed and constructed in accordance with Building Regulations Part M 4 (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 Full details in respect of the green and brown roofs and green wall in the area indicated on the approved plans shall be submitted to and approved by the local planning authority before the relevant part of the development commences. The details shall include species, planting density, substrate, section scale @ 1:20, maintenance strategy and biodiversity enhancements. The buildings shall not be occupied until the approved details have been implemented and these works shall be permanently retained and maintained thereafter.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies CS13, CS15 and CS16 of the London Borough of Camden Local Development Framework Core Strategy and policies DP22, DP23 and DP32 of the London Borough of Camden Local Development Framework Development Policies.

- 12 The development shall be carried out in strict accordance with the basement impact assessment prepared by prepared by GEA dated November 2015 including all associated documents hereby approved.

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.

- 13 No more than 40% of the proposed commercial floorspace may be used as a restaurant or drinking establishment (use class A3/A4).

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 policy DP26, DP28 and DP12 of the London Borough of Camden Local Development Framework Development Policies.

- 14 The use of the ground and basement level retail/food and drink floorspace (Use Classes A1/A2/A3/A4) hereby permitted shall not be carried out outside the following times 08:00 to 23:30 Mondays to Thursdays, 08:00 to 00:00 on Fridays and Saturdays and 09:00 to 22:30 on Sundays and public Holidays.

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 policy DP26, DP28 and DP12 of the London Borough of Camden Local Development Framework Development Policies.

- 15 At least 28 days before development commences:

(a) a written programme of ground investigation for the presence of soil and

groundwater contamination and landfill gas shall be submitted to and approved by the local planning authority; and

(b) following the approval detailed in paragraph (a), an investigation shall be carried out in accordance with the approved programme and the results and a written scheme of remediation measures [if necessary] shall be submitted to and approved by the local planning authority.

The remediation measures shall be implemented strictly in accordance with the approved scheme and a written report detailing the remediation shall be submitted to and approved by the local planning authority prior to occupation.

Reason: To protect future occupiers of the development from the possible presence of ground contamination arising in connection with the previous industrial/storage use of the site in accordance with 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.

- 16 The development hereby approved shall not be commenced, other than for site preparation, relocation of services, utilities and public infrastructure and demolition, until details of a blue roof for capturing and storing water at roof level during storm events has been submitted to and approved by the local planning authority. The development shall not be implemented other than in complete accordance with the scheme that has been approved.

Reason: To reduce the rate of surface water run-off from the buildings and limit the impact on the storm-water drainage system in accordance with policies CS13 and CS16 of the London Borough of Camden Local Development Framework Core Strategy and policies DP22, DP23 and DP32 of the London Borough of Camden Local Development Framework Development Policies.

- 17 Details of enhanced sound proofing and anti-vibration measures between the flexible use floorspace (A1/A2/A3/A4 and or B1 and or D1) and residential units should be submitted and agreed in writing by the local planning authority before the fit out of the commercial and residential units.

Reason: To safeguard the amenities of the future occupiers in accordance with the requirements of policies CS5 and CS7 of the London Borough of Camden Local Development Framework Core Strategy and policy DP26, DP28 and DP12 of the London Borough of Camden Local Development Framework Development Policies.

- 18 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 IIIA 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.

- 19 The residential accommodation hereby approved shall not be occupied until full details of the mechanical ventilation and NOx filtration systems to serve the accommodation have been submitted to and approved by the local planning authority. The measures shall not operate other than in accordance with such details as have been approved.

Reason: In order to ensure an acceptable level of air quality for residents in accordance with policy CS16 of the London Borough of Camden Local Development Framework Core Strategy and DP26 of the London Borough of Camden Local Development Framework Development Policies.

- 20 Notwithstanding the range of flexible uses as indicated on the approved plans, no use for purposes within the A4 Use Class (drinking establishments) is permitted other than at basement level.

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 policy DP26, DP28 and DP12 of the London Borough of Camden Local Development Framework Development Policies.

- 21 Before the residential dwellings hereby approved are constructed, external noise and vibration proofing measures shall be provided for the building in accordance with a scheme to be first approved by the local planning authority in writing. The use shall thereafter not be carried out other than in accordance with the approved scheme.

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 policy DP26 and DP12 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 Environmental Health Service, Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 2090 or by email env.health@camden.gov.uk or on the website www.camden.gov.uk/pollution) 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.
- 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, planningobligations@camden.gov.uk.
- 5 You are advised that condition 12 means that no customers shall be on the premises and no noise generating activities associated with the use, including preparation and clearing up, shall be carried out otherwise than within the permitted time.
- 6 You are advised that if implemented, the flexible use permission hereby granted gives flexibility of use for 10 years from the date of this permission. After 10 years the lawful use would revert to whichever of the uses is taking place at the time.

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



David Joyce
Director of Regeneration and Planning

