

Mr. Tim Blackwell
MWA
66-68 Margaret Street
London
W1W 8RZ

Application Ref: **2016/3848/P**
Please ask for: **Kate Henry**
Telephone: 020 7974 **2521**

12 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:
7 Warwick Court
London
WC1R 5DJ

Proposal:

Change of use from office (Class B1a) to create 5 no. self-contained flats (2x 1-bed, 2x 2-bed and 1x 3-bed) (Class C3); demolition and replacement of rear extension including new rear terrace at third floor level; and associated works

Drawing Nos: P_00 Rev. A; P_01 Rev. E; P_02 Rev. D; P_03 Rev. D; P_04 Rev. F; P_05 Rev. D; P_06 Rev. D; D_07 Rev. D; P_07 Rev. D; D_08 Rev. D; P_08 Rev. D; P_09 Rev. D; D_11 Rev. D; P_11 Rev. E; P_12 Rev. D; P_14 Rev. D; D_15 Rev. D; P_15 Rev. D; P_16 Rev. A; P_17 Rev. A; P_18 Rev. A; P_19, P_20, P_21

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

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and



Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: P_00 Rev. A; P_01 Rev E; P_02 Rev. D; P_03 Rev. D; P_04 Rev. F; P_05 Rev. D; P_06 Rev. D; D_07 Rev. D; P_07 Rev. D; D_08 Rev. D; P_08 Rev. D; P_09 Rev. D; D_11 Rev. D; P_11 Rev. E; P_12 Rev. D; P_14 Rev. D; D_15 Rev. D; P_15 Rev. D; P_16 Rev. A; P_17 Rev. A; P_18 Rev. A; P_19, P_20, P_21.

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

- 3 Detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority before the relevant part of the work is begun:
 - a) Manufacturer's specification details of all facing materials (to be submitted to the Local Planning Authority) and samples of those materials (to be provided on site);
 - b) Elevation and section drawings at 1:10 of all new windows;

The relevant part of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course of the works.

Reason: To safeguard the special architectural or historic interest of the building and the character of the immediate area in accordance with the requirements of Policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and Policies DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies and Policies D1 and D2 of the Camden Local Plan Submission Draft 2016.

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

Reason: To safeguard the special architectural or historic interest of the building and the character of the immediate area in accordance with the requirements of Policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and Policies DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies and Policy D2 of the Camden Local Plan Submission Draft 2016.

- 5 Prior to use of the development, details shall be submitted to and approved in writing by the Council, of the external noise level emitted from plant/ machinery/ equipment and mitigation measures as stated in report ref: 7338E Rev 2, dated 25th August 2015. The measures shall ensure that the external noise level emitted from plant, machinery/ equipment will be lower than the lowest existing background noise level by at least 10dBA as assessed according to BS4142:2014 at the

nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the development site is not adversely affected by noise in accordance with Policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and Policy DP28 of the London Borough of Camden Local Development Framework Development Policies and Policy A4 of the Camden Local Plan Submission Draft 2016.

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

Reason: To ensure that the amenity of occupiers of the development site is not adversely affected by noise in accordance with Policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and Policy DP28 of the London Borough of Camden Local Development Framework Development Policies and Policy A4 of the Camden Local Plan Submission Draft 2016.

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

Reason: To ensure the development contributes to minimising the need for further water infrastructure in an area of water stress in accordance with Policy CS13 of the London Borough of Camden Local Development Framework Core Strategy and Policies DP22 and DP23 of the London Borough of Camden Local Development Framework Development Policies and Policy CC3 of the Camden Local Plan Submission Draft 2016.

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

Reason: To safeguard the amenities of the adjoining occupiers, the area generally and contribution of developments to the air quality of the borough in accordance with the requirements of Policies CS5 and CS16 of the London Borough of Camden Local Development Framework Core Strategy and Policies DP32 and DP22 of the London Borough of Camden Local Development Framework Development Policies and Policy CC4 of the Camden Local Plan Submission Draft 2016.

- 9 Prior to the first occupation of the lower ground floor residential units hereby approved, the approved lower ground floor privacy screen shall be installed. The screen shall then be retained in perpetuity.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 of the London Borough of Camden Local Development Framework Development Policies and Policy A1 of the Camden Local Plan Submission Draft 2016.

Informative(s):

- 1 Reasons for granting permission

Policies CS8 and DP13 seek to protect employment space in the borough by retaining land and buildings that are suitable for continued business use. However, when it can be demonstrated that a site is not suitable for any business use other than B1(a) offices, the Council may allow a change to permanent residential use. Planning permission has already been granted for a change of use of the building from offices to create 4x residential units, and associated works (planning application reference 2015/6866/P). This application differs insofar as it seeks to create 5x residential units instead of 4x (2x 1-bed, 2x 2-bed and 1x 3-bed, instead of 1x 1-bed, 2x 2-bed and 1x 3-bed).

The provision of an additional residential unit in the building is welcomed and the revised proposal would provide 40% 2-bed units, in line with the requirements of the Dwelling Size Priorities Table (Policy DP5). Furthermore, the proposal would still provide a mix of large (3+ bedrooms) and small dwellings.

Flats 1, 2, 3, and 5 would all exceed the Government's current technical housing space standards. Flat 4, which is a 1-bed-2-person unit, would measure 48sqm instead of the required 50sqm. On balance, this is considered to be acceptable given the constraints of the listed building. All the new units would provide adequate storage and utility spaces. All the flats would be dual-aspect and Flats 1, 2 and 5 would benefit from outdoor amenity space, which is welcomed. The design of the proposed rear extension is the same as previously approved. The glazing would be externally fitted with louvres to mitigate overlooking between separate units. A privacy screen would also be provided at basement level in the rear courtyard.

It was previously judged that there would be no harmful impact in terms of overlooking, overshadowing, loss of outlook or sunlight/daylight. The proposed internal changes do not affect this judgement.

The application building is Grade II listed and within the Bloomsbury Conservation Area. The revisions to the approved scheme are all considered to be acceptable in heritage terms. The use of the first floor front room, which retains the finest historic decorative fabric in the house, as a principal reception room, is beneficial to the

appreciation of its special interest, and the use of the semi-separate space to the south as a kitchen should involve no heavier servicing than the approved bathroom use but does avoid the need for the lightweight timber partition that had been proposed. Otherwise, the proposed internal changes would still largely retain the original plan form of the building, which is welcomed. Externally, it is still considered that the proposed works would preserve and enhance the character and appearance of the conservation area.

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

An Energy & Sustainability Report has been submitted, which notes that energy reduction and sustainability measures have been incorporated into the scheme, which is welcomed.

- 2 No objections have been raised in relation to the works. The application site's planning history and relevant appeal decisions were taken into account when coming to this decision.

Considerable importance and weight has been attached to the harm and special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under and s.72 of The Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

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

The proposed development is in general accordance with Policies CS1, CS5, CS6, CS8, CS9, CS11 and CS14 of the London Borough of Camden Local Development Framework Core Strategy, and Policies DP2, DP6, DP13, DP17 DP18, DP24, DP25 and DP26 of the London Borough of Camden Local Development Framework Development Policies. The proposed development also accords with the London Plan 2016; and the provisions of the National Planning Policy Framework 2012 and Policies H1, H6, H7, E2, A1, A4, D1, D2, CC3, CC4, T1, T2 and T4 of the Camden Local Plan Submission Draft 2016.

- 3 You are advised that any works of alterations or upgrading not included on the approved drawings which are required to satisfy Building Regulations or Fire Certification may require a further application for listed building consent.

- 4 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's 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 proposals may be subject to control under the Party Wall etc Act 1996 which covers party wall matters, boundary walls and excavations near neighbouring buildings. You are advised to consult a suitably qualified and experienced Building Engineer.
- 6 You are advised that this proposal will be liable for the Mayor of London's Community Infrastructure Levy (CIL) and the Camden CIL as the additional floorspace exceeds 100sqm GIA or one unit of residential accommodation.

The liable amount may be revised on the receipt of the CIL Additional Information Requirement Form or other changes in circumstances. Both CIL's will be collected by Camden after the scheme has started and could be subject to surcharges for failure to assume liability or submit a commencement notice PRIOR to commencement and/or for late payment. We will issue a formal liability notice once the liable party has been established. CIL payments will also be subject to indexation in line with the construction costs index.

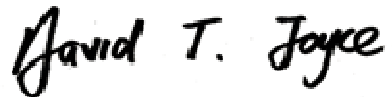
- 7 You are advised that Section 44 of the Deregulation Act 2015 [which amended the Greater London Council (General Powers) Act 1973]] only permits short term letting of residential premises in London for up to 90 days per calendar year. The person who provides the accommodation must be liable for council tax in respect of the premises, ensuring that the relaxation applies to residential, and not commercial, premises.
- 8 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.
- 9 If a revision to the postal address becomes necessary as a result of this development, application under Part 2 of the London Building Acts (Amendment) Act 1939 should be made to the Camden Contact Centre on Tel: 020 7974 4444 or Environment Department (Street Naming & Numbering) 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 that reads "David T. Joyce". The signature is written in a cursive style with a large initial 'D'.

David Joyce
Director of Regeneration and Planning