

Mr John Dyke  
Savills  
33 Margaret Street  
London  
W1G 0JD

Application Ref: **2016/4194/P**  
Please ask for: **Elaine Quigley**  
Telephone: 020 7974 5101

23 June 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:  
**24 - 26 Hanway Street**  
**London**  
**W1T 1UH**

**Proposal:**

Erection of a single storey extension at roof level, enclosure of the second floor external terrace at the rear with new glazed extension, erection of glazed extension at third floor level at the rear, installation of roof terrace on the rear elevation at fourth floor level, alterations to the front and rear elevations including replacement of all windows, enlargement of ground floor window openings, and replacement of garage doors at the rear ground floor level with windows, all in connection with change of use of third floor from office use (Class B1) to residential to create 2 new residential units (1 x 2 bed and 1 x 1 bed unit).

Drawing Nos: 1485-01 version 8; 02 version 8; 03 version 8; 04 version 8; 05 version 8; 06 version 8; 07 version 8; 08 version 8; 09 version 8; 10 version 8; 11 version 8.1; 12 version 8; 13 version 8; 14 version 8; 15 version 8; 16 version 8.1; 17 version 8; 18 version 8; 19 version 8; Daylight and sunlight report produced by BVP dated July 2016

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 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 and policies D1 and D2 of the Camden Local Plan Submission Draft 2016.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans 1485-01 version 8; 02 version 8; 03 version 8; 04 version 8; 05 version 8; 06 version 8; 07 version 8; 08 version 8; 09 version 8; 10 version 8; 11 version 8.1; 12 version 8; 13 version 8; 14 version 8; 15 version 8; 16 version 8.1; 17 version 8; 18 version 8; 19 version 8; Daylight and sunlight report produced by BVP dated July 2016

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

- 4 The second floor office windows on the northern rear elevation of the property shall be obscure glazed and fixed shut to an internal height of 1.7m and shall be permanently retained and maintained thereafter.

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.

- 5 The development hereby approved shall achieve a maximum internal water use of 110litres/person/day. The dwelling/s shall not be occupied until the Building Regulation optional requirement has been complied with.

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 DP22 and DP23 of the London Borough of Camden Local Development Framework Development Policies and CC3 of the Camden Local Plan Submission Draft 2016.

- 6 Notwithstanding the details shown in the approved drawing no. 1485-16 version

8.1 an elevation and section drawing (1:50) of the bin store enclosure shall be submitted to and approved by the local planning authority before the relevant part of the development commences. This shall be permanently retained and maintained thereafter.

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 and policies D1 and D2 of the Camden Local Plan Submission Draft 2016.

- 7 Notwithstanding the details shown on approved drawing no. 1485-11 version 8.1, before the development commences, details of two separate secure and covered cycle storage areas (one for 3 cycle stands for the residential flats and 1 separate cycle stand for the office users) shall be submitted to and approved by the local planning authority. The approved facility shall thereafter be provided in its entirety 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 and T1 of the Camden Local Plan Submission Draft 2016.

#### Informative(s):

- 1 Reasons for granting permission.

The application site comprises a four storey plus basement 1950's office building situated on the northern site of Hanway Street, close to its junction with Oxford Street. The property is located within Hanway Street Conservation Area and has been identified in the Conservation Area Appraisal as making a positive contribution to the Conservation Area. There is an existing lift overrun enclosure on the roof of the building that is visible from the street level. The surrounding roofscape of the terrace is highly modulated, and the forms are all traditional.

Given the above characteristics a single storey extension at roof level to this 1950's building is considered acceptable in principle. The size and design of the extension has been revised during the course of the application setting it further back from Hanway Street front facade, reducing its width so that there is a gap in the built form at roof level on its eastern side, and lowering its height in order to reduce its prominence from medium to long views along Hanway Street and Hanway Place. The proposed extension would have an internal head height of between 2.2m to 2.7m; its front elevation would be setback from the third floor parapet and would be constructed of stone cladding with zinc roof to match adjacent buildings. The windows would be aluminium full height windows introducing verticality to the new extension to contrast with those on the lower floors of the host building. The

height, width, proportions, composition and location of the windows would be considered acceptable with the existing façade. Overall the proposed extension is considered acceptable and would comply with CPG1 (Design).

The proposal would also include infilling existing balconies at second and third floor level on the rear elevation facing Hanway Place with full height glazed extensions. They would be lightweight in construction and would not project beyond the rear building line and in principle would be considered acceptable from a design perspective. The window proportions have been designed to follow the verticality of the existing fenestration pattern on the lower floors. This would be considered acceptable.

The proposal would include a new bin store with the footprint of the existing building at the rear fronting onto Hanway Place screened by a sliding shutter. The principle of the bin store and location are acceptable but a condition would be attached requiring further details of its appearance to be submitted.

Policy CS8 and DP13 seeks to ensure that the borough retains a strong economy. It seeks to do this by, amongst other things, safeguarding existing employment sites that meet the needs of modern industry and employers and provide facilities for small and medium sized enterprises. The proposed development would rationalise the existing internal floor space to retain and increase useable office floor space at lower ground, ground, first and second floors. The proposal would result in an increase of 29 sq. m (GEA) and would be welcomed in this location.

The principle of providing new residential accommodation at the site would be supported by policies CS6 and DP2. Two new residential units would be created; a two bed unit at third floor level and one bed unit within the newly created fourth floor level. The proposed mix of sizes would conform to policy DP5. The flats would be generously sized at 94.3sq.m (2 bed) and 60 sq. m (1 bed) of internal floor space which would comply with the minimum space standards of the London Plan (70sq.m and 50 sq. m respectively) and CPG2 (Housing) which would require 75sq.m for a 4 person unit and 48 sq. m for a 2 person unit. The proposed units would have an acceptable layout, ceiling height, room sizes and provision of sunlight, daylight, ventilation and outlook.

- 2 A 'Daylight and Sunlight Report' has been submitted by BVP. The report demonstrates that the levels of daylight and sunlight at the surrounding buildings would not be adversely affected by the proposed development with the exception of daylight distribution to the living room of No. 3 Hanway Place. This falls slightly below the required level of daylight distribution within this room. However the combination of daylight and daylight distribution results confirm overall that good daylight would be maintained in accordance with BRE guidelines. It is noted that the report was based on the original submission, which included a higher and larger roof extension. Therefore, the effect of the revised development (which includes a reduction in the size and height of the single storey roof extension) will be less significant. On this basis, officers consider that there would not be a material loss of daylight or sunlight for the surrounding buildings.

In terms of overlooking, the bedroom and living room area windows of the new

units at third and fourth floor levels all face the front and rear of the building towards Hanway Street and Hanway Place. The rear facing windows at second floor level continue to serve the commercial floors of the building. Due to the infilling of the existing balcony the office windows would be located 1.7m closer to the windows of the residential flats at no. 3 Hanway Street at approximately 4m separation distance. It is therefore considered necessary to attach a condition to obscure glaze these windows to ensure there is no further harmful overlooking to the occupiers of these flats at first and second floor level. The windows in the third and fourth floors serve the newly created residential flats. They would not have direct views into the windows of the neighbouring flats at no. 3 and therefore the relationship between the existing and new occupiers is considered acceptable. Concern has been raised by the owner of flat 6, 2 Hanway Place about increased overlooking to windows of flats in no.2 to no. 5 Hanway Place. It would not be possible to obtain direct views from the windows in the rear elevation of the building at first and second floor level to no. 2, 4 or 5. The surrounding buildings are already mutually overlooked and it is not considered that the proposal would result in any further material increase to existing levels of overlooking.

Given the national changes the proposal would not have to adhere to Code for Sustainable Homes, however, the development would be required to achieve a maximum internal water use of 105 litres per day (5 litres for external water use) which would be secured via planning condition.

The application site falls within a controlled parking zone (CPZ) and has a public transport accessibility level (PTAL) of 6b (excellent). Policy DP18 states that developments are expected to be car free in the Central London Area, within the town centres and other areas within CPZ that are easily accessible by public transport. As the new units would benefit from excellent public transport and lies within the Central London Area, the units would have to be car free and exempt from applying for a parking permit. This would be secured via a Section 106 Legal Agreement.

The pedestrian footway directly adjacent to the rear of the site could be damaged as a direct result of the proposed works and would be required to be reinstated and the redundant crossover removed. The Council would therefore need to secure a financial contribution for these highway works as a Section 106 planning obligation. This would ensure that the proposal complies with DP21.

- 3 Due to the loss of an existing garage that could previously have been used by a disabled user the applicant would be required to provide at least 1 accessible cycle parking space (Sheffield Stand). The proposed 2 residential units would require 3 cycle spaces in total to conform to the requirements of the London Plan. The proposal would include 7 cycle stands. However the design of the cycle area would not comply with the guidance in CPG7. With some reconfiguration there is sufficient space to provide 4 Sheffield cycle stands. Therefore a condition would be attached requiring details of the cycle stands to be submitted.

The site is very confined in nature and the proposed construction is likely to lead to considerable disruption in the surrounding narrow streets and so the works will require very careful management and implementation. Due to the nature and scale

of the development a construction management plan (CMP) would be required. This would be secured by s106 agreement. It would also be necessary to secure a one off financial contribution of £1,140 to support the implementation of Construction Management Plan as part of Section 106 agreements

Transport for London (Crossrail 2) were consulted on the application and raised no comments to the application.

The site's planning and appeal history has been taken into account when coming to this decision. Two objections were received from a resident at 2 Hanway Place (one to the original scheme and one to the revised scheme) based on the principle of the development and precedent this will set, loss of light, overlooking, disturbance and noise. These objections are addressed above and subject to appropriate conditions the impacts are not considered to be material.

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

As such, the proposed development is in general accordance with policies CS5, CS6, CS11, CS13, CS14 and CS19 of the London Borough of Camden Local Development Framework Core Strategy, and policies DP2, DP5, DP6, DP17, DP18, DP19, DP22, DP23, DP24 and DP26 of the London Borough of Camden Local Development Framework Development Policies. The proposed development also accords with policies G1, H1 Maximising housing supply, H6, H7, A1, A3, A4, D1, D2, CC1, CC2, CC3, T1, T2, T4 of the Camden Local Plan Submission Draft 2016 and policies in the London Plan March 2016, and relevant paragraphs of the National Planning Policy Framework

- 4 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).
- 5 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.
- 6 The Mayor of London introduced a Community Infrastructure Levy (CIL) to help pay for Crossrail on 1st April 2012. Any permission granted after this time which



adds more than 100sqm of new floorspace or a new dwelling will need to pay this CIL. It will be collected by Camden on behalf of the Mayor of London. Camden will be sending out liability notices setting out how much CIL will need to be paid if an affected planning application is implemented and who will be liable.

The proposed charge in Camden will be £50 per sqm on all uses except affordable housing, education, healthcare, and development by charities for their charitable purposes. You will be expected to advise us when planning permissions are implemented. Please use the forms at the link below to advise who will be paying the CIL and when the development is to commence. You can also access forms to allow you to provide us with more information which can be taken into account in your CIL calculation and to apply for relief from CIL.

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

We will then issue a CIL demand notice setting out what monies needs to paid when and how to pay. Failure to notify Camden of the commencement of development will result in a surcharge of £2500 or 20% being added to the CIL payment. Other surcharges may also apply for failure to assume liability and late payment. Payments will also be subject to indexation in line with the construction costs index.

Please send CIL related documents or correspondence to [CIL@Camden.gov.uk](mailto:CIL@Camden.gov.uk)

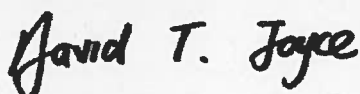
- 7 Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which this permission is granted. Information/drawings relating to the discharge of matters covered by the Heads of Terms of the legal agreement should be marked for the attention of the Planning Obligations Officer, Sites Team, Camden Town Hall, Argyle Street, WC1H 8EQ.
- 8 The correct street number or number and name must be displayed permanently on the premises in accordance with regulations made under Section 12 of the London Building (Amendments) Act 1939.

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

Executive Director Supporting Communities