

Miss Jennifer Woods
Lichfields
14 Regent's Wharf
All Saints Street
London
N1 9RL

Application Ref: **2017/3250/P**
Please ask for: **Kate Henry**
Telephone: 020 7974 **2521**

1 September 2017

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:
16 - 16A Hatton Square Business Centre
Baldwins Gardens
London
EC1 7RJ

Proposal:

Removal of condition 3b (details of green wall) and variation of condition 7 (approved plans) of planning permission 2010/0646/P, dated 04/06/2013 (as amended by planning permission 2013/1086/P, dated 04/06/2013; as amended by planning permission 2015/3334/P, dated 14/09/2015; as amended by planning permission 2015/3899/P, dated 28/10/2015) for erection of infill extension to north and west elevations, two storey roof extension and alterations to provide a new entrance, atrium, and re-cladding envelope with green wall, to re provide a shop (A1), provide additional office space (B1a); workshops (B1c) and ancillary café)

Drawing Nos:

Revised plans:

203_A_P_300_01 Rev 04; 203_A_P_300_05 Rev 04; 203_A_P_100_02 Rev 04; 203_A_P_100_03 Rev 04; 203_A_P_100_04 Rev 04; 203_A_P_100_05 Rev 04; 203_A_P_200_00 Rev 04; 203_A_P_200_02 Rev 04; 203_A_P_200_04 Rev 04; 203_A_P_200_05 Rev 04



Superseded plans:

203_A_P_300_01 Rev 03; 203_A_P_300_05 Rev 03; 203_A_P_100_02 Rev 03; 203_A_P_100_03 Rev 03; 203_A_P_100_04 Rev 03; 203_A_P_100_05 Rev 03; 203_A_P_200_00 Rev 03; 203_A_P_200_02 Rev 03; 203_A_P_200_04 Rev 03; 203_A_P_200_05 Rev 03

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

Condition(s) and Reason(s):

- 1 The details in respect of cycle storage shall not be carried out other than in accordance with the details approved in connection with planning application 2013/5871/P, dated 09/07/2014.

The approved facility shall be provided in its entirety prior to the first occupation of any of the new units, and thereafter permanently maintained and retained.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of Policy T1 of the Camden Local Plan 2017.

- 2 The details in respect of the green roof shall not be carried out other than in accordance with the details approved in connection with planning application 2016/0567/P, dated 07/04/2016

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 A3, CC1, CC2 and CC3 of the Camden Local Plan 2017.

- 3 The details in respect of the sample panel of facing brickwork shall not be carried out other than in accordance with the details approved in connection with planning application 2015/2879/P, dated 15/07/2015.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of Policies D1 and D2 of the Camden Local Plan 2017.

- 4 The details in respect of ground investigation shall not be carried out other than in accordance with the details approved in connection with planning application 2013/5871/P, dated 09/07/2014.

All approved remediation measures shall be implemented/retained strictly in accordance with the approved details.

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 A1 of the Camden Local Plan 2017.

- 5 The development hereby permitted shall be carried out in accordance with the following approved plans: 203_A_P_300_11 Rev 00; 203_A_P_300_00 Rev 02; 203_A_P_300_01 Rev 04; 203_A_P_300_02 Rev 02; 203_A_P_300_03 Rev 02; 203_A_P_300_04 Rev 02; 203_A_P_300_05 Rev 04; 203_A_P_100_00 Rev 02; 203_A_P_100_01 Rev 02; 203_A_P_100_02 Rev 04; 203_A_P_100_03 Rev 04; 203_A_P_100_04 Rev 04; 203_A_P_100_05 Rev 04; 203_A_P_100_06 Rev 02; 203_A_P_100_07 Rev 02; 203_A_P_100_08 Rev 02; 203_A_P_200_00 Rev 04; 203_A_P_200_01 Rev 02; 203_A_P_200_02 Rev 04; 203_A_P_200_03 Rev 02; 203_A_P_200_04 Rev 04; 203_A_P_200_05 Rev 04; 203_A_P_200_06 Rev 02.

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

Informative(s):

1 Reasons for granting permission

This application seeks to remove condition 3(b) of planning permission 2010/0646/P, dated 04/06/2013 (as amended) so as to remove the requirement to provide the approved green walls. The application simultaneously seeks to vary condition 7 (approved plans) to do the same.

The applicant notes that providing access to regularly maintain the green wall would be difficult in such a restricted area. They also note that, as the proposed system consisted of a single species, it would make a negligible contribution towards increasing species diversity and enhancing the ecological value of the site, whereas the green roof (details of which have been approved pursuant to planning reference 2016/0567/P, dated 07/04/2016) achieves the maximum number of BREEAM credits available for ecology. Furthermore, the green wall was located behind an adjacent building so that it would not be visible from the public realm. It therefore had very limited benefit by way of visual amenity.

The Council's Tree and Landscape team consider that the removal of the proposed green walls would not significantly lower the biodiversity of the site, particularly given the level of enhanced biodiversity provided by the green roof. On this basis, the removal of condition 3(b) and the variation of condition 7 is considered to be acceptable.

The proposal would not cause undue harm to the residential amenities of nearby and neighbouring properties.

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.

The proposed development is in general accordance with Policies A3, CC1, CC2 and CC3 of the Camden Local Plan 2017. The proposed development also accords with the London Plan 2016; and the provisions of the National Planning Policy Framework 2012.

- 2 This approval under Section 73 of the 1990 Act effectively varying the relevant condition of the previous planning permission is subject otherwise to the same terms, drawings, conditions (and obligations where applicable) as attached to the previous planning permission. This includes condition 1 providing for a 3 year time period for implementation which for the avoidance of doubt commences with the date of the original decision (and not this variation).
- 3 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.
- 4 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that 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, Judd St, Kings Cross, London NW1 2QS (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 Noise and Licensing Enforcement Team, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (Tel. No. 020 7974 4444 or search for 'environmental health' on the Camden website 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.

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 T. Joyce

David Joyce
Director of Regeneration and Planning