

Montagu Evans
5 Bolton Street
London
W1J 8BA

Application Ref: **2017/4940/P**
Please ask for: **Sofie Fieldsend**
Telephone: 020 7974

31 October 2017

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Approval of Details Refused

Address:
Herbal House
10 Back Hill
London
EC1R 5EN

Proposal: Details pursuant to conditions 2(c) (Photovoltaic Panels), 7 (Photovoltaic Cells,) 14 (Plant Equipment), 17 (mechanical ventilation), 18 (Combined Heat and Power engine) of planning permission 2014/3683/P dated 31/03/2015 (varied by 2015/6052/P dated 21/12/2015) for: Change of use from higher education college (D1) to a mixed use comprising offices (B1) from lower-ground to fourth floors, three flexible retail/café/office (A1/A3/B1) units at lower ground, ground and upper ground floors and a flexible commercial gallery/office (A1/B1) with ancillary café at lower-ground floor and part ground floor; lightwell infill extension at second third and fourth floor levels; two-storey roof extension to create additional office (B1) space and six self-contained duplex apartments; and associated external alterations.'

Drawing Nos: MV-051 rev. AB1, MV-061 rev. AB1, EPV-RF1 rev. C, SK-002 Rev.C, SCH-2013, SCH-2016 rev.A, 863-PL-GS-BB Rev. P4, PTS-SL-01-TS34 Solar PV (dated 14/01/17), PTS-SL-01-TS77 (dated 27/01/17) and PTS-SL-01-TS0 rev.D (dated 23/08/107.

The Council has considered your application and decided to **refuse** permission for the following reasons:



Reason(s) for Refusal

- 1 Insufficient detail, including appropriate sections and associated plans and details of the mounting frame, has been provided relating to condition 2c and therefore it cannot be determined that the photovoltaic panels would safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 (Promoting high quality places and conserving our heritage) of the London Borough of Camden Local Development Framework Core Strategy and policies DP24 (Securing high quality design) and DP25 (Conserving Camden's heritage) of the London Borough of Camden Local Development Framework Development Policies.
- 2 In absence of sufficient information for condition 7 concerning the photovoltaic cells, including details of the inverter and generation meter, mansafe unirail system, mounting strategy and an unjustified annual yield, it is considered that the development would not provide adequate on-site renewable energy facilities in accordance with the requirements of policy CS13 (Tackling climate change through promoting higher environmental standards) of the London Borough of Camden Local Development Framework Core Strategy and policy DP22 (Promoting sustainable design and construction) of the London Borough of Camden Local Development Framework Development Policies.
- 3 In absence of sufficient information for condition 14 regarding the plant equipment, including details of ventilation for the commercial (AHU) and domestic (MCHR uses), it is considered that the development would not safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies CS5 (Managing the impact of growth and development) and CS7 (Promoting Camden's centres and shops) of the London Borough of Camden Local Development Framework Core strategy and policies DP12 (Supporting strong centres and managing the impact of food, drink, entertainment and other town centre uses), DP26 (Managing the impact of development on occupiers and neighbours) and DP28 (Noise and vibration) of the London Borough of Camden Local Development Framework Development Policies.
- 4 In absence of sufficient information for condition 17 regarding the location of the mechanical ventilation intake, the development does not meet air quality standards 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), DP22 (Promoting sustainable design and construction) of the London Borough of Camden Local Development Framework Development Policies and policies 3.2, 5.3 and 7.14 of the London Plan.
- 5 In absence of sufficient information for condition 18, the combined heat and power engine would not meet air quality standards 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), DP22 (Promoting sustainable design and construction) of the London Borough of Camden Local Development Framework Development

Policies and policies 3.2, 5.3 and 7.14 of the London Plan.

Informative(s):

- 1 You are advised that the Council has tried to engage with the applicant to remove the served Deemed discharge notice as it did not provide enough time for amendments to be requested and assessed further. No response was received to emails or phone calls. Therefore, given the time constraints the Council has based its decision on the original information submitted and not requested further amendments which would have enabled the conditions to be approved.

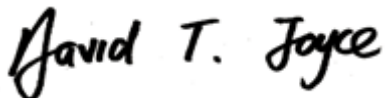
We request that you endeavour to work with us positively and proactively in the future. A refusal in this instance could have very easily been avoided if the applicant did not behave unreasonably.

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, slightly slanted style.

David Joyce
Director of Regeneration and Planning