

Gareth Fox
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5 Bolton Street
London
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Application Ref: **2016/3432/P**
Please ask for: **Kate Henry**
Telephone: 020 7974 **2521**

23 November 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:
Kingsway House
103 Kingsway
London
WC2B 6QX

Proposal:

Demolition of 6th and 7th floors and lift overrun and replacement with double mansard roof and set back 8th floor, with roof terrace above; internal reconfiguration to provide additional office (Class B1a) and retail floor space (Class A1/A3)

Drawing Nos: 1415-0100-AP-101-P02; 1415-0100-AP-001-P1; 1415-0100-AP-002-P1; 1415-0100-AP-003-P1; 1415-0100-AP-004-P1; 1415-0100-AP-005-P1; 1415-0100-AP-006-P1; 1415-0100-AP-007-P1; 1415-0100-AP-008-P1; 1415-0100-AP-009-P1; 1415-0100-AP-010-P1; 1415-0100-AP-011-P2; 1415-0100-AP-012-P2; 1415-0100-AP-013-P2; 1415-0100-AP-014-P1; 1415-0100-AP-015-P2; 1415-0100-AP-016-P1; 1415-0200-AP-001-P3; 1415-0200-AP-002-P3; 1415-0200-AP-003-P2; 1415-0200-AP-004-P2; 1415-0200-AP-005-P2; 1415-0200-AP-006-P2; 1415-0200-AP-007-P2; 1415-0200-AP-008-P2; 1415-0200-AP-009-P2; 1415-0200-AP-010-P2; 1415-0200-AP-011-P3; 1415-0400-AP-001-P2; 1415-0400-AP-002-P2; 1415-0400-AP-003-P2; 1415-0400-AP-004-P2; 1415-0400-AP-005-P2; 1415-0400-AP-006-P2; 1415-0400-AP-007-P2

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: 1415-0100-AP-101-P02; 1415-0100-AP-001-P1; 1415-0100-AP-002-P1; 1415-0100-AP-003-P1; 1415-0100-AP-004-P1; 1415-0100-AP-005-P1; 1415-0100-AP-006-P1; 1415-0100-AP-007-P1; 1415-0100-AP-008-P1; 1415-0100-AP-009-P1; 1415-0100-AP-010-P1; 1415-0100-AP-011-P2; 1415-0100-AP-012-P2; 1415-0100-AP-013-P2; 1415-0100-AP-014-P1; 1415-0100-AP-015-P2; 1415-0100-AP-016-P1; 1415-0200-AP-001-P3; 1415-0200-AP-002-P3; 1415-0200-AP-003-P2; 1415-0200-AP-004-P2; 1415-0200-AP-005-P2; 1415-0200-AP-006-P2; 1415-0200-AP-007-P2; 1415-0200-AP-008-P2; 1415-0200-AP-009-P2; 1415-0200-AP-010-P2; 1415-0200-AP-011-P3; 1415-0400-AP-001-P2; 1415-0400-AP-002-P2; 1415-0400-AP-003-P2; 1415-0400-AP-004-P2; 1415-0400-AP-005-P2; 1415-0400-AP-006-P2; 1415-0400-AP-007-P2

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

- 3 At least 1 of the 2 retail units provided at lower and upper ground floor levels shall be used for Class A1 (shop) use at any one time.

Reason: To ensure that the future occupation of the building does not cause harm to amenities of neighbours and the character of 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.

- 4 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).

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.

- 5 The cycle parking facilities shall be provided in their entirety prior to the first re-occupation of the new building, 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.

- 6 The external noise level emitted from plant, machinery or equipment at the development hereby approved shall be lower than the lowest existing background noise level by at least 5dBA, by 10dBA where the source is tonal, as assessed according to BS4142:2014 at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity.

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 Details of bird and bat nesting boxes or bricks shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. Details shall include the exact location, height, aspect, specification and indication of species to be accommodated, in line with recommendations in the Ecology Survey Report, May 2016. Boxes shall be installed in accordance with the approved plans prior to the first occupation of the development and thereafter maintained. Guidance on biodiversity enhancements including artificial nesting and roosting sites is available in the Camden Biodiversity Action Plan: Advice Note on Landscaping Schemes and Species Features.

Reason: In order to secure appropriate features to conserve and enhance wildlife habitats and biodiversity measures within the development, in accordance with the requirements of the London Plan (Consolidated with Alterations Since 2004) and Camden Planning Guidance 2006 and policy CS15 of the London Borough of Camden Local Development Framework Core Strategy.

- 8 The development hereby permitted shall not be commenced until detailed design, load calculations and method statements (in consultation with London Underground) for all of the foundations, basement and ground floor structures, or for any other structures below and above ground level, including piling (temporary and permanent), have been submitted to and approved in writing by the local planning authority which:

- provide details on all structures
- provide load calculations
- accommodate the location of the existing London Underground structures and tunnels

- accommodate ground movement arising from the construction thereof
- mitigate the effects of noise and vibration arising from the adjoining operations within the structures and tunnels.

The development shall thereafter be carried out in all respects in accordance with the approved design and method statements, and all structures and works comprised within the development hereby permitted which are required by the approved design statements in order to procure the matters mentioned in paragraphs of this condition shall be completed, in their entirety, before any part of the building hereby permitted is occupied.

Reason: To ensure that the development does not impact on existing London Underground transport infrastructure, in accordance with London Plan 2015 Table 6.1 and 'Land for Industry and Transport' Supplementary Planning Guidance 2012.

- 9 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.

Informative(s):

- 1 Reasons for granting permission

The existing building comprises 9 storeys of accommodation from lower ground floor to 7th floor level. The lower ground and ground floor levels include 3x retail units and there is B1a office accommodation on the upper floors. The building has a poor layout, with a large central core which reduces the amount of useable space. The proposal involves the demolition of the existing 6th and 7th floors, the lift overrun and the plant room and their replacement with a double mansard roof, a set-back 8th floor and roof terrace above. The proposal also involves internal refurbishment works to provide an improved internal layout and additional useable floor space. The proposal would result in a net gain of 116sqm of office space, 73sm of retail space and 8sqm of shared space (total 197sqm).

Policies CS8 and DP13 seek to safeguard existing employment sites and premises in the borough and the proposal to provide additional office space is therefore welcomed. The proposal falls below the Policy DP1 threshold for providing residential floor space. At ground level, currently there are 2x A1 units (Starbucks and Eat) and 1x A3 unit (Don Quixote). The proposal seeks to re-provide 2x retail units at ground floor level (fronting onto Kingsway), and a reception area to serve the offices (fronting onto Great Queen Street). The application site forms part of the

Holborn Central London Frontage and is designated as a Secondary Frontage. CPG5 notes that, on Kingsway (south of Gate Street), planning permission for food, drink and entertainment uses will only be granted if it does not exceed the maximum of 40% of premises being in that use within each frontage. To this end, the applicant is willing to accept a planning condition requiring that at least 1 of the 2x units operates as A1, which is considered to be acceptable.

The application site is within the Kingsway Conservation Area and the building is identified as making a positive contribution to the character and appearance of the area. Changes have been made to the detailed design during the course of the application. It is now considered that the proposed works would be in keeping with the character and appearance of the host building and other nearby buildings on Kingsway and the replacement mansard roof represents an improvement to the existing roof. The set-back 8th floor and roof terrace above are unlikely to be visible, except in limited views from Kingsway, which is judged to be acceptable. The changes to the shopfronts are also considered to be acceptable. A planning condition will require the submission and approval of building materials, prior to the commencement of works, to ensure they are of a suitable high standard

It is not considered that the proposal would cause undue harm to the visual and residential amenities of nearby residential properties. A planning condition can control noise levels from plant. It is not considered necessary to restrict the opening times of the A1/A3 units, as Kingsway is a busy London thoroughfare.

The application site has a PTAL of 6b and is within a CPZ. Policy DP18 expects development, including non-residential development, to be car free in the Central London Area and the proposal complies in this respect. The proposal provides 26x cycle parking spaces at lower ground floor level, which exceeds the London Plan 2016 requirements, and is welcomed. Given the constraints of the application site and the nature of the works, a Construction Management Plan will be secured by a legal agreement. The legal agreement will also secure a financial contribution towards highways works.

- 2 The total energy reduction across the development would be 8.6% through 'be lean' measures and a further 0.9% through 'be green' measures. Sustainability measures and the energy reduction will be secured through the legal agreement. A carbon offset contribution and a financial contribution to support the development of decentralized energy networks elsewhere in the borough, will also be secured through the legal agreement. A planning condition will secure details of bird and bat boxes.

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 CS1, CS2, CS5, CS8, CS9, CS10, CS11, CS13, CS14, CS18 and CS19 of the London Borough of Camden Local Development Framework Core Strategy, and Policies DP1, DP2, DP3, DP12, DP13, DP15, DP16, DP17, DP18, DP20, DP24, DP25, DP26, DP28 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.

- 3 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).
- 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 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.
- 5 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.

- 6 The applicant is advised to contact London Underground Infrastructure Protection in advance of preparation of final design and associated method statements, in particular with regard to: demolition; drainage; excavation; construction methods load calculations.
- 7 You are advised that the ecological survey report provided as part of this application will be made available to Greenspace Information for Greater London [GIGL], the capital's environmental records centre, to support the collation of ecological data to assist future decision making, and support the objectives of the Camden Biodiversity Action Plan 2013-18.

- 8 If more than 1 year passes between the most recent breeding bird survey and the commencement of works, an updated survey must be undertaken immediately prior to commencement of works by a suitably qualified ecologist. Evidence that the survey has been undertaken shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works. To ensure compliance with the Conservation of Habitats and Species Regulations 2010 and the Wildlife & Countryside Act 1981 (as amended).

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

