

Delegated Report		Analysis sheet	Expiry Date:	1.26/01/2018 2.30/01/2016
		N/A / attached	Consultation Expiry Date:	1. 19/01/2018 2. None
Officer			Application Number(s)	
Sofie Fieldsend			1. 2017/6680/P 2. 2017/6678/P	
Application Address			Drawing Numbers	
Unit 3, 10 Bloomsbury Way London WC1A 2SL			See draft decision notices	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
This report incorporates the refusal of two applications on one site:				
<ol style="list-style-type: none"> 1. Installation of external louvres on South elevation 2. Details pursuant to Condition 8b (Plant machinery) of planning permission 2014/2783/P dated 03/12/2014 for 'Variation of condition 3 (approved plans) of planning permission 2012/1400/P dated 31/01/2013 (for erection of single storey glazed extension with associated roof terraces and new rooftop plant to provide additional office space (Class B1) at 9th floor level (following removal of existing 9th floor rooftop plant), change of use from offices to three flexible retail or restaurant units (Class A1/A3) at part ground floor level, reconfiguration of front entrance to corner of Bloomsbury Way and New Oxford Street, replacement of ground and first floor façade with double storey glazed frontages to all elevations and associated alterations for refurbishment of existing offices (Class B1)), namely to change use of part ground floor office (Class B1) to retail (Class A1), enlarged roof terrace at 9th floor level, provision of acoustic screen at roof level and associated external and internal alterations (part retrospective).' 				
Recommendation(s):		Refuse planning permission		
Application Type:		Full Planning Permission		

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	00	No. of responses	00	No. of objections	00
Summary of consultation responses:	<p>A site notice was displayed on the 29/12/2017 and the consultation period expired on the 19/01/2018 for planning reference 2017/6680/P.</p> <p>A press notice was advertised on 28/12/2017 and expired on 18/01/2018 for planning reference 2017/6680/P.</p> <p>No responses were received.</p>					

Site Description

The application site relates to Unit 3 (Granted flexible A1/A3 use under planning reference 2014/2783/P) is located within a nine storey office building on a triangular site bounded by New Oxford Street, Bury Place and Bloomsbury Way. The application site is located within the Bloomsbury Conservation Area. It is not a listed building, however it was highlighted as making a positive contribution to the character and appearance of the area in the conservation area appraisal.

Although the address relates to 10 Bloomsbury Way, the window containing the proposed louvre faces onto New Oxford Street. The street and surrounding area are primarily commercial at ground floor level. The site is located outside of a designated central London retail frontage.

Relevant History

St Georges Court, 2-12 Bloomsbury Way and 2-28 New Oxford Street, WC1A 25L

2012/1400/P -Erection of single storey glazed extension with associated roof terraces and new rooftop plant to provide additional office space (Class B1) at 9th floor level (following removal of existing 9th floor rooftop plant), change of use from offices to three flexible retail or restaurant units (Class A1/A3) at part ground floor level, reconfiguration of front entrance to corner of Bloomsbury Way and New Oxford Street, replacement of ground and first floor façade with double storey glazed frontages to all elevations and associated alterations for refurbishment of existing offices (Class B1). - **Granted subject to a S106 agreement on 31/3/13**

2014/2783/P – Variation of condition 3 (approved plans) of planning permission 2012/1400/P dated 31/01/2013 (for erection of single storey glazed extension with associated roof terraces and new rooftop plant to provide additional office space (Class B1) at 9th floor level (following removal of existing 9th floor rooftop plant), change of use from offices to three flexible retail or restaurant units (Class A1/A3) at part ground floor level, reconfiguration of front entrance to corner of Bloomsbury Way and New Oxford Street, replacement of ground and first floor façade with double storey glazed frontages to all elevations and associated alterations for refurbishment of existing offices (Class B1)), namely to change use of part ground floor office (Class B1) to retail (Class A1), enlarged roof terrace at 9th floor level, provision of acoustic screen at roof level and associated external and internal alterations (part retrospective) - **Granted subject to a S106 agreement on 3/12/14**

Relevant policies

National Planning Policy Framework (2012)

London Plan (2016)

Camden's Local Plan (2017)

Policy A1 – Managing the impact of development

Policy A4 - Noise and vibration

Policy C5 - Safety and security

Policy D1 – Design

Policy D2 – Heritage

Policy D3 – Shopfronts

Policy TC4 – Town Centre Uses

Development Framework Core Strategy

Policy CS5 (Managing the impact of growth and development)

Local Development Framework Development Policies

Policy DP26 (Managing the impact of development on occupiers and neighbours)

Policy DP28 (Noise and vibration)

Supplementary Guidance

CPG 1 – Design

CPG 6 – Amenity

Bloomsbury Conservation Area Appraisal and Management Strategy (2011)

Assessment

1.0 Background

1.1 Both applications are interlinked and concern the installation of an external louvre. Its installation is required to provide ventilation for the proposed interior plant room.

1.2 The LPA tried to engage with the applicant to amend the scheme, attempts at negotiation were rejected by the applicant. No relevant evidence or justification was provided to justify the scale and siting, in addition no evidence was provided to show that the applicant had explored alternative locations, scales or if the existing louvres on this elevation could be utilised further.

2.0 Proposal

2.1 Planning permission is sought for the installation of an external louvre on South elevation. It will measure 3.4m wide by 3.9m high and occupy the full width of the existing window (13.26sqm). No details of the proposed materials have been specified on the submitted drawings or application form. However, in the submitted design and access statement that they 'would be of the same design and materials as the existing louvres'.

2.2 Condition 8b of 2014/2783/P states that:

'No fixed ventilation plant and /or machinery associated with the specified following uses

[(a) The retail (Class A1) use at part ground floor level;

(b) The flexible retail or restaurant units (Class A1/A3) at part ground floor level]

shall come into operation until full details of the plant and machinery serving the relevant part of the development hereby permitted, and any mitigation measures to prevent odour nuisances where applicable, has been submitted to and approved in writing by the Council. The plant/machinery shall thereafter be maintained in effective order to the reasonable satisfaction of the Council. In the event of no satisfactory ventilation plant and / or machinery being provided, no primary cooking shall take place on the premises.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policy CS5 (Managing the impact of growth and development) of the London Borough of Camden Local Development Framework Core Strategy and policies 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.'

2.3 The condition application has included the creation of an internal plant room with the external louvre providing ventilation.

3.0 Assessment

3.1 The main considerations in relation to this proposal are:

- Design and Appearance
- Impact on the amenity of adjoining occupiers

4.0 Design and Appearance

4.1 The Local Plan Policies D1 (Design) and D2 (Heritage) are aimed at achieving the highest standard of design in all developments. Policy D1 requires development to be of the highest architectural and urban design quality, which improves the function, appearance and character of the area; and Policy D2 states that the Council will preserve, and where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas and listed buildings.

4.2 The Bloomsbury Conservation Area Appraisal and Management Strategy describes the site as the following:

'To the east of Museum Street, on the triangular site where New Oxford Street and Bloomsbury Way merge, stands St George's Court, Nos 2-28 (even) New Oxford Street and Nos 2-12 (even) Bloomsbury Way. This neo-classical office block, built to the designs of Lewis Soloman in 1947-50 as part of the postwar Lessor scheme, is monumental in scale, comprising nine storeys clad in a brown brick with stone dressings. It was built with various functions at street level including a public house and originally a bank at the western apex (now an army careers office). Its apex facing west forms a distinctive landmark visible from the Oxford Street and Tottenham Court Road junction, and its height creates a strong sense of enclosure alongside neighbouring buildings including the tall and bulky concrete mass of the postwar former Royal Mail sorting office to the south (situated outside the Conservation Area). On its north side, St George's Court flanks Hawksmoor's very fine grade I listed church of St George's Bloomsbury. St George's Court reads as a group with Commonwealth House in High Holborn (see paragraph 5.132), and with BUPA House, at Nos 15-19 (odd) Bloomsbury Way, another Lessor building which has six main storeys plus a triple-height mansard, giving the building a top-heavy appearance.

4.3 The view east along New Oxford Street to St George's Court at the junction of Bloomsbury Street is also identified as being a key view within this part of the conservation area.

4.4 Policy TC4 seeks to ensure that the development of shopping, services, food, drink, entertainment and other town centre uses does not cause harm to the character, function, vitality and viability of a centre, the local area or the amenity of neighbours. The supporting text of this policy states that the Council 'will not grant planning permission for development that it considers would cause harm to the character, amenity, function, vitality and viability of a centre or local area'.

4.5 The South elevation which faces onto New Oxford Street is characterised by full length windows which extend across the ground and first floor. It is considered that this intensive glazing provides interest and an active frontage for the retail unit. It is noted that there are existing louvres on this

elevation. Directly adjacent to the proposal are five existing louvres designed as part of the most recent refurbishment of the building for a ground-floor retail/commercial occupier, and consisting of two small scale louvres located under the existing windows (approximating the function of stall risers in the composition of a traditional shopfront) which each measure 3.5m wide and 0.9m high and three slim louvres which extend across two floors measuring 1.2m wide and 6.9m high. It is considered that these three slim louvres have been designed to contribute to the articulation of this elevation and help break up the façade. In contrast, the proposed louvre which replaces a large area of glazing is considered to disrupt the rhythm of solid, void, and other materiality on the designed façade by replacing large areas of glazing, this rhythm is important to the urban quality and effectiveness of the street frontage.

4.6 New Oxford Street has the character of a mainly twentieth-century urban boulevard with a grandly-scaled single- or double-storey commercial ground level. This character is consistent with that of High Holborn where the two streets meet, which is also within the Conservation Area and forms part of the host building's context. Commonwealth House forms the opposite side of the street from the site and its recent development has reinstated a cleanly detailed and regular ground-level street frontage of large glazed voids set in a stone-clad plinth, which complements the frontage of the host building. Both the host building and Commonwealth House are Positive Contributors to the Conservation Area, and their commercial street frontages are a significant part of their contribution. High Holborn contains more commercial frontages characterised by regular, uninterrupted sequences of very large glazed windows or doors in monolithic masonry facades which create a grand solid-void rhythm in the street frontage, the large windows activating the street with generous views of the commercial activity within.

Surveillance

4.7 Policy D3 seeks to encourage a high standard of design in new and altered shopfronts, canopies, blinds, security measures and other features. The supporting text of this policy states that *'transparent shopfronts will be sought for units containing shops and other town centre uses, due to the contribution that they make to the vitality and attraction of centres'*. It further states that *'shop windows provide views into and from premises and can help bring activity and enhance feelings of security by providing natural surveillance. Displays in shop windows can add to the attractiveness of a premises and the vitality and attraction of the centre'*.

4.8 Policy C5 aims to make sure that Camden maintains the vibrancy that contributes so much to its character and success to help make Camden a safer place. The supporting text of this policy states that *'To further encourage pedestrian use, developments should also maximise the use of 'active frontages' designed to give buildings a safer, more welcoming appearance and enable overlooking of public areas'*.

4.9 The proposal will entirely block views in and out of the existing large scale window on the street frontage. This will remove any opportunity for activation or surveillance of that part of the frontage. In addition it appears from the site location plan that internal arrangements for the new occupier which separate the shop floor from back of house may lead to additional windows being obscured to accommodate this revised layout. The loss of the active frontage provided by the window contributes to the harm of the proposed development.

Conclusion

4.10 The proposal appears to have been prepared without consideration of its impact on the existing building and the importance of the street level frontage. The design approach will cause harm to character of the host property which is positive contributor to the wider conservation area and is not considered to preserve or enhance the Bloomsbury Conservation Area. This proposal is therefore contrary to Policies D1 and D2 of Camden's Local Plan. In addition it would undermine the potential of the shopfront to contribute to activation/animation and passive surveillance, contrary to policies C5 and TC4.

5.0 Amenity

5.1 The condition application details an internal plant with the proposed external louvre providing ventilation. Its scale, siting and design are not considered to have an adverse impact on the amenity enjoyed in any of the neighbouring properties.

5.2 A noise survey has been submitted in support of the applications. The Council's Environmental Health officer has reviewed the information and considers that the development would not result in a material Impact on the amenity of neighbouring properties in terms of noise.

5.3 However, as the design and location of the louvre are unacceptable the proposal would have to change the location of the intake and discharge in order to achieve an acceptable development proposal. In this event, if the noise sources move closer the sensitive receptor the Council will require an updated noise report to reflect this and ensure that it is still policy compliant. Therefore it is considered that there is insufficient information to determine that newly installed plant within the building will ensure that the development will still safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policy CS5 (Managing the impact of growth and development) of the London Borough of Camden Local Development Framework Core Strategy and policies 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.'

5.4 The policies in place when planning ref. 2014/2783/P was granted have now been superseded by the Camden Local Plan (2017). Policy A1 (Managing the impact of development) of the Camden Local Plan states that the Council will seek to protect the quality of life of occupiers and neighbours and ensure that the amenity of neighbours is protected. The factors the Council will consider include noise and vibration levels. Policy A4 (Noise and Vibration) of Camden's Local Plan states that the Council will seek to ensure that noise and vibration is controlled and managed. This policy outlines the noise thresholds for all new and replacement plant or machinery to ensure that their operation does not cause harm to neighbouring resident's amenity. It is considered that the details would also be contrary to the current policies as the Council cannot determine if the location of the intake and discharge will change in absence of the proposed louvre.

6.0 Recommendation

6.1 Refuse applications for planning permission and approval of details.