

Application ref: 2017/0593/P  
Contact: David Fowler  
Tel: 020 7974 2123  
Date: 5 March 2018

**Development Management**  
Regeneration and Planning  
London Borough of Camden  
Town Hall  
Judd Street  
London  
WC1H 9JE  
Phone: 020 7974 4444  
camden.gov.uk  
[planning@camden.gov.uk](mailto:planning@camden.gov.uk)  
[www.camden.gov.uk](http://www.camden.gov.uk)

Montagu Evans  
5 Bolton Street  
London  
W1J8BA

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Variation or Removal of Condition(s) Granted**

Address:  
**Herbal House**  
**10 Back Hill**  
**London**  
**EC1R 5EN**

#### Proposal:

Variation of condition 16 (development in accordance with approved plans) granted under reference 2014/3683/P dated 31/03/15 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', amended by planning references 2015/3337/P dated 21/10/2015, 2015/6052/P dated 21/12/15 and 2016/3280/P dated 26/04/2017. The amendments include proposed use of Crittal style windows and solid panel cladding to the 5th and 6th floor extension.

Drawing Nos: Superseded drawings: 860-PL-GE-01 P6, 860-PL-GE-02 P5, 863-PL-GA-05 P6, 863-PL-GA-06 P4

Drawings for approval: Planning Amendments - Minor Material Amendments Document (25th January 2017) Buckley Gray Yeoman, 860-PL-GE-01 P7, 860-PL-GE-02 P6, 863-PL-GA-05 P7, 863-PL-GA-06 P6.

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

Condition(s) and Reason(s):

- 1 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:

c) Details including sections of photovoltaic panels at roof level;

And, unless otherwise agreed in writing,

a) all windows (including jambs, head and cill), ventilation grills, external doors and gates shall be constructed in accordance with planning reference 2016/6090/P approved on 08/05/2017 prior to the first occupation of any of the new units and permanently retained thereafter

b) all facing materials shall be constructed in accordance with 2016/3961/P approved on 08/05/2017 prior to the first occupation of any of the new units and permanently retained 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 policies DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 2 Noise levels at a point 1 metre external to sensitive facades shall be at least 5dB(A) less than the existing background measurement (LA90), expressed in dB(A) when all plant/equipment (or any part of it) is in operation unless the plant/equipment hereby permitted will have a noise that has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or if there are distinct impulses (bangs, clicks, clatters, thumps), then the noise levels from that piece of plant/equipment at any sensitive façade shall be at least 10dB(A) below the LA90, expressed in dB(A).

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.

- 3 Prior to first occupation of the buildings, detailed plans showing the location and extent of photovoltaic cells to be installed on the building shall have been submitted to and approved by the Local Planning Authority in writing. The measures shall include the installation of a meter to monitor the energy output from the approved renewable energy systems. The cells shall be installed in full accordance with the details approved by the Local Planning Authority and permanently retained and maintained thereafter.

Reason: To ensure the development provides adequate on-site renewable energy facilities in accordance with the requirements of policy CS13 of the London Borough of Camden Local Development Framework Core Strategy and policy DP22 of the London Borough of Camden Local Development Framework Development Policies.

- 4 The lifetime homes features and facilities, as indicated on the drawings and documents hereby approved shall be provided in their entirety prior to the first occupation of any of the new residential units.

Reason: To ensure that the internal layout of the building provides flexibility for the accessibility of future occupiers and their changing needs over time, in accordance with the requirements of policy CS6 of the London Borough of Camden Local Development Framework Core Strategy and policy DP6 of the London Borough of Camden Local Development Framework Development Policies.

- 5 Only the areas specifically shown on the plans hereby approved as external terraces shall be used for such purposes; and no other flat roofed areas shall be used as a roof terrace, and any access out onto these areas shall be for maintenance purposes only.

Reason: In order to prevent any detrimental impacts of overlooking and/or noise and disturbance of the neighbouring premises in accordance with the requirement 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.

- 6 Full details of the lighting specifications of the glazed roof extension, to include manufacturer's specifications and information about potential light spill onto buildings, trees and lines of vegetation, shall be submitted to and approved by the Local Planning Authority in writing. The development shall not be carried out otherwise than in accordance with the details thus approved and shall be fully implemented prior to the first occupation of any residential unit.

Reason: To safeguard the appearance of the premises and the character of the immediate area, to protect the amenity of current and future occupiers from light pollution and possible anti-social behaviour in accordance with policies CS5, CS14 and CS15 of the London Borough of Camden Local Development Framework Core Strategy and policies DP24 and DP26 of the London Borough of Camden Local Development Framework Development Policies.

- 7 Details of secure and covered cycle storage facilities for 120 commercial spaces and 12 residential spaces shall be submitted to and approved in writing 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.

- 8 Prior to first use of any of the commercial uses, hereby permitted, full details of a scheme for plant and equipment, including manufacturers specifications, noise levels and attenuation, shall be submitted to and approved by the Local Planning Authority in writing. The relevant uses shall not proceed other than in complete accordance with such scheme as has been approved. All such measures shall be retained and maintained in accordance with the manufacturers' recommendations.

Reason: To safeguard the amenities of the adjoining premises and 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.

- 9 Unless otherwise agreed in writing, the facilities for the waste storage and removal shall be provided in accordance with 2015/2098/P prior to the first occupation of any of the new units and permanently retained thereafter.

Reason: To ensure that sufficient provision for the storage and collection of waste has been made in accordance with the requirements of policy CS18 of the London Borough of Camden Local Development Framework Core Strategy and policies DP26, DP28 and DP12 of the London Borough of Camden Local Development Framework Development Policies.

- 10 The development hereby permitted shall be carried out in accordance with the following approved plans: 863 S 01 Rev 00; 863-PL-EX-B2 Rev P1; 863-PL-EX-B1 Rev P1; 863-PL-EX-M0 Rev P1; 863-PL-EX-00 Rev P1; 863-PL-EX-01 Rev P1; 863-PL-EX-02 rev P1; 863-PL-EX-03 Rev P1; 863-PL-EX-04 Rev P1; 863-PL-EX-05 Rev P1; 863-PL-ES-AA Rev P1; 863-PL-ES-BB Rev P1; 860-PL-EE-01 Rev P1; 860-PL-EE-02 Rev P1; 863-PL-GA-B2 Rev P2 863-PL-GA-LG P3; 863-PL-GA-00 Rev P8 ; 863-PL-GA-UG P6; 863-PL-GA-01 Rev P2 ; 863-PL-GA-02 Rev P2 ; 863-PL-GA-03 Rev P2; 863-PL-GA-04 Rev P2 ; 863-PL-GA-05 P7; 863-PL-GA-06 P6, ; 863-PL-GA-RF Rev P3 ; 863-PL-GS-AA RevP2 ; 863-PL-GS-BBP4 ; 863-PL-GS-CC Rev P2 ; 860-PL-GE-01 P7; 860-PL-GE-02 P6; Design and Access Statement, dated 27th May 2014; Construction Method Statement, dated 1st March 2014; Daylight and Sunlight Report, dated 19th May 2014; Energy Performance Analysis, dated October 2014, produced by Waterman Building Services Limited; Heritage, Townscape and Visual Impact Assessment, dated May 2014; Acoustics Planning Report, dated May 2014; Sustainability Statement, dated May 2014; Transport Statement, dated May 2014; Air Quality Assessment, dated March 2014, produced by Waterman Energy, Environment & Design Limited; and Lifetime Homes Statement.

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

- 11 Before the development is first occupied, details of the location and specification of the mechanical ventilation intake shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details and shall be permanently retained as such thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development meets 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.

- 12 Before the development is first occupied, details of the Combined Heat and Power engine shall be submitted to and approved in writing by the Local Planning Authority. The details shall demonstrate that the development will comply with the Mayors 'Band B' NOx emissions standards. The development shall be implemented in accordance with the details approved and shall be permanently retained as such thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development meets 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.

- 13 The development hereby permitted must be begun not later than the end of three years from the date of the original planning permission ref 2014/3683/P dated 31/03/15.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

Informative(s):

- 1 Reasons for granting permission.

The proposed Crittal style windows are considered to be in character with the host building and in particular the glazing on the floors below. The proposed panels are similarly considered to be in character with the lower floors of the building. Given the above, the amendments would not harm the character of the host building, streetscene or this part of the Hatton Garden Conservation Area. 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 2013.

There would not be an increase in glazing or a substantial relocation of glazing which would result in any impact in terms of additional overlooking to neighbouring residential properties.

No other changes are proposed to the building which would affect it in terms of its

landuse, transport or amenity impacts.

No objections have been received prior to making this decision. The planning history of the site has been taken into account when coming to this decision.

As such, the proposed details are in general accordance with policies CS5 and CS14 of the London Borough of Camden Local Development Framework Core Strategy, policies DP24, DP25 and DP26 of the London Borough of Camden Local Development Framework Development Policies, and policies A1, D1 and D2 of the Camden Local Plan Submission Draft 2016. The proposed development also accords with the London Plan 2016 and the National Planning Policy Framework 2012.

- 2 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).
- 3 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)

- 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 Noise and Licensing Enforcement Team, 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-](http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en)

[contacts/environment/contact-the-environmental-health-team.en](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.

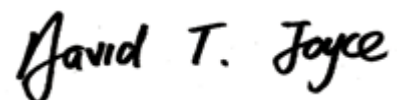
- 5 Your attention is drawn to the need for compliance with the requirements of the Environmental Health regulations, Compliance and Enforcement team, [Regulatory Services] Camden Town Hall, Argyle Street, WC1H 8EQ, (tel: 020 7974 4444) particularly in respect of arrangements for ventilation and the extraction of cooking fumes and smells.
- 6 You are reminded that this decision only grants permission for permanent residential accommodation (Class C3). Any alternative use of the residential units for temporary accommodation, i.e. for periods of less than 90 days for tourist or short term lets etc, would constitute a material change of use and would require a further grant of planning permission.
- 7 With regard to condition no. 9 you are advised to look at Camden Planning Guidance for further information and if necessary consult the Access Officer, Camden Town Hall, Argyle Street WC1H 8EQ, (tel: 020-7974 5124) to ensure that the internal layout of the building is acceptable with regards to accessibility by future occupiers and their changing needs over time.
- 8 Your proposals may be subject to control under the Party Wall etc Act 1996 which covers party wall matters, boundary walls and excavations near neighbouring buildings. You are advised to consult a suitably qualified and experienced Building Engineer.
- 9 You are advised that condition 4 means that no customers shall be on the premises and no noise generating activities associated with the use, including preparation and clearing up, shall be carried out otherwise than within the permitted time.
- 10 You are reminded that filled refuse sacks shall not be deposited on the public footpath, or forecourt area until within half an hour of usual collection times. For further information please contact the Council's Environment Services (Rubbish Collection) on 020 7974 6914/5. or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-street-environment-services.en>.
- 11 This permission is granted without prejudice to the necessity of obtaining consent under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007. Application forms may be obtained from the Council's website, [www.camden.gov.uk/planning](http://www.camden.gov.uk/planning) or the Camden Contact Centre on Tel: 020 7974 4444 or email [env.devcon@camden.gov.uk](mailto:env.devcon@camden.gov.uk).

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