

Application ref: 2016/5202/P
Contact: David Fowler
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Date: 22 May 2018

Development Management
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Gerald Eve LLP
72 Welbeck Street
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Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted Subject to a Section 106 Legal Agreement

Address:

125 Shaftesbury Avenue
London
WC2H 8AD

Proposal:

Remodelling, refurbishment and extension of existing office building (Class B1) at upper floor levels, roof level and within lightwells to provide 9,682sqm additional floorspace, including terraces, a new public route, a relocated office entrance (Charing Cross Road), rooftop plant and flexible retail uses (Classes A1/A3), along with associated highway, landscaping and public realm improvements.

Drawing Nos:

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

Condition(s) and Reason(s):

- 1 Three years from the date of this permission

This development must be begun not later than three years from the date of this permission.

Reason: In order to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 (as amended).

2 Approved drawings

The development hereby permitted shall be carried out in accordance with the following approved plans:

Existing plans

• 231_P10.000, 231_P10.001, 231_P10.100, 231_P10.101, 231_P10.102, 231_P10.103, 231_P10.104, 231_P10.105, 231_P10.106, 231_P10.107, 231_P10.108, 231_P10.109, 231_P10.110, 231_P10.111, 231_P10.112, 231_P10.113, 231_P10.200, 231_P10.201, 231_P10.202, 231_P10.203, 231_P10.204, 231_P10.205, 231_P10.206, 231_P10.207, 231_P10.300, 231_P10.301, 231_P10.302, 231_P10.303, 231_P10.304, 231_P10.305.

Proposed plans

• 231_P20.001, 231_P20.100 1, 231_P20.101 B, 231_P20.102 A, 231_P20.103 A, 231_P20.104 A, 231_P20.105 A, 231_P20.106 A, 231_P20.107 A, 231_P20.108 A, 231_P20.109, 231_P20.110 A, 231_P20.111 A, 231_P20.112 A, 231_P20.113 B, 231_P20.115 A, 231_P20.116 A, 231_P30.000 A, 231_P30.001 A, 231_P30.002 A, 231_P30.003, 231_P30.004 A, 231_P30.005 A, 231_P30.006 A, 231_P30.007, P30.011, P30.012, 231_P30.013, 231_P40.001, 231_P40.002 A, 231_P40.003 A, 231_P40.004 A, 231-01-DetailFacade, WIE SA 05 0004 A01, 231_SK1694.

Documents

• Air Quality Assessment (Waterman) September 2016, Demolition and Construction Works Management & Logistics Plan (Outline) (A. I. A.) August 2016, Daylight and Sunlight Report (GIA) September 2016, Daylight and Sunlight Addendum - Trentishoe Mansions and 1A Phoenix Street (GIA) 28/11/2016, Letter from GIA (17/03/2017), Drainage Strategy (Waterman) September 2016, Economic Benefits Statement (Volterra) September 2016, Energy Strategy (RES) September 2016, Financial Viability Statement (Gerald Eve) September 2016, Flood Risk Assessment (AKT II Ltd) September 2016, Historic Environment Desk-Based Assessment (Waterman) September 2016, Housing Study (DSDHA) September 2016, Planning Noise Assessment (Waterman) September 2016, Planning Statement (Gerald Eve) September 2016, Preliminary Ecological Appraisal (Waterman) September 2016, Preliminary Environmental Risk Assessment (Waterman) September 2016, Site Waste Management Plan (Waterman) September 2016, Statement of Community Involvement (London Communications Agency) September 2016, Sustainability Statement (RES) September 2016, Transport Assessment (Waterman) September 2016, Townscape and Visual Impact Assessment (Peter Stewart Consultancy/Miller Hare Ltd) September 2016, Design and Access Statement (DSDHA) September 2016, Design and Access Statement – Addendum (DSDHA) November 2016, Arboricultural Development Report (tree: fabrik) September 2016, Site Waste Management Plan (Waterman) September 2016, Framework Travel

Plan WIC10216TP-001 (Waterman) January 2017.

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

3 Detailed drawings/samples

Detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the Council before the relevant part of the work is begun:

a) Plan, elevation and section drawings, including jambs, head and cill, of all external windows and doors at a scale of 1:10.

b) Samples and manufacturer's details at a scale of 1:10, of all facing materials including windows and door frames, glazing, and brickwork with a full scale sample panel of brickwork, spandrel panel and glazing elements of no less than 1m by 1m including junction window opening demonstrating the proposed colour, texture, face-bond and pointing.

A sample panel of all facing materials should be erected on-site and approved by the Council before the relevant parts of the work are commenced and the development shall be carried out in accordance with the approval given.

The relevant part of the works shall then be carried in accordance with the approved details

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 policy DP24 of the London Borough of Camden Local Development Framework Development Policies.

4 External fixtures

No lights, meter boxes, flues, vents or pipes, and no telecommunications equipment, alarm boxes, television aerials or satellite dishes shall be fixed or installed on the external face of the buildings, without the prior approval in writing of the Council.

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 policy DP24 of the London Borough of Camden Local Development Framework Development Policies.

5 Refuse and recycling

Prior to first occupation of the offices, the refuse and recycling storage areas shall be completed and made available for occupants and shall be retained thereafter.

Reason: To safeguard the amenities of the future occupiers and adjoining neighbours in accordance with the requirements 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 Details of gates

Prior to installation, details of the proposed gates to the through route, including a sample shall be submitted to and approved in writing by the Local Planning Authority. The gates shall only be erected in accordance with the approved details.

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 policy DP24 of the London Borough of Camden Local Development Framework Development Policies.

7 Roof terraces

No flat roofs within the development shall be used as terraces, unless they are marked as such on the approved plans, without the prior express approval in writing of the Local Planning Authority.

Reason: To safeguard the amenities of the future occupiers and adjoining neighbours in accordance with the requirements 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.

8 Hours of use - Class A3 restaurants

The Class A3 restaurants hereby approved shall not open outside of the hours of 08:00 to 23:00 Monday to Saturday and 09:00 to 21:30 hours on Sunday.

Reason: To ensure that the amenity of occupiers of residential properties in the area is not adversely affected by noise and disturbance.

9 Landscape

No development shall take place until full details of hard and soft landscaping have been submitted to and approved in writing by the local planning authority. Such details shall include planting for biodiversity and access to nature. Guidance on landscape enhancements for biodiversity is available in the Camden Biodiversity Action Plan: Advice Note on Landscaping Schemes and Species Features. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Reason: To ensure that the development achieves a high quality of landscaping which contributes to the visual amenity and character of the area, and helps to provide and experience of nature in an area of deficiency in access to nature; in accordance with the requirements of policy CS14 and CS15 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 of the London Borough of Camden Local Development Framework Development Policies.

10 Living roof

Prior to commencement of development full details of a biodiverse, substrate-based extensive living roof shall be submitted to and approved in writing by the local planning authority. The design and planting scheme should seek to maximise potential to enhance the strategic wildlife corridor associated with the railway and should reflect the local conditions and species of interest, in particular insect pollinators. The details shall include the following: A. detailed maintenance plan, B. details of its construction and the materials used, C. a section at a scale of 1:20 showing substrate depth averaging 130mm with added peaks and troughs to provide variations between 80mm and 150mm and D. full planting details including species showing planting of at least 16 plugs per m². The development shall not be carried out otherwise than in accordance with the details thus approved and shall be fully implemented before the premises are first occupied. Guidance on living roofs is available in the Camden Biodiversity Action Plan: Advice Note on Living Roofs and Walls.

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.

11 SUDS - details

Prior to commencement of the development, full details of the sustainable drainage system shall be submitted to and approved in writing by the local planning authority. Such a system should be designed to accommodate all storms up to and including a 1:100 year storm with a 30% provision for climate change, such that flooding does not occur in any part of a building or in any utility plant susceptible to water, and shall demonstrate a 50% reduction in run off rate (with maximum site run-off rate of 50.4 l/s). Details shall include a lifetime maintenance plan, and shall thereafter retained and maintained in accordance with the approved details.

Reason: To reduce the rate of surface water run-off from the buildings and limit the impact on the storm-water drainage system in accordance with policies CS13 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.

12 SUDS - Evidence of installation

Prior to occupation, evidence that the system has been implemented in accordance with the approved details as part of the development shall be submitted to the Local Authority and approved in writing. The systems shall thereafter be retained and maintained in accordance with the approved maintenance plan.

Reason: To reduce the rate of surface water run-off from the buildings and limit the impact on the storm-water drainage system in accordance with policies CS13 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.

13 Solar PV

Prior to relevant stage of construction, 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.

14 Bird and bat boxes

Details of bird and bat nesting features (boxes or bricks) shall be submitted to and approved in writing by the Local Planning Authority prior to works commencing on site. Features should be integrated into the fabric of the building, unless otherwise agreed by the Local Planning Authority. Details shall include the exact location, height, aspect, specification and indication of species to be accommodated, in line with the recommendations in the Preliminary Ecological Appraisal. 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: To ensure the development provides the appropriate provision towards creation of habitats and valuable areas for biodiversity in accordance with policy 7.19 of the London Plan 2011 and Policy CS15 of the London Borough of Camden Local Development Framework Core Strategy.

15 Water efficiency

The development hereby approved shall achieve a maximum internal water use of 105litres/person/day, allowing 5 litres/person/day for external water use. Prior to occupation of each Plot, evidence demonstrating that this has been achieved shall be submitted and approved by the Local Planning Authority.

Reason: To ensure the development contributes to minimising the need for further water infrastructure in an area of water stress in accordance with policies CS13 (Tackling climate change through promoting higher environmental standards), DP22 (Promoting sustainable design and construction) and DP23 (Water).

16 Non-road mobile machinery

All non-Road mobile Machinery (any mobile machine, item of transportable

industrial equipment, or vehicle - with or without bodywork) of net power between 37kW and 560kW used on the site for the entirety of the [demolition and/construction] phase of the development hereby approved shall be required to meet Stage IIIA of EU Directive 97/68/EC. The site shall be registered on the NRMM register for the [demolition and/construction] phase of the development.

Reason: To safeguard the amenities of the adjoining occupiers, the area generally and contribution of developments to the air quality of the borough 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) and DP22 (Promoting sustainable design and construction) of the London Borough of Camden Local Development Framework Development Policies.

17 Tree protection

Prior to the commencement of any works, details demonstrating how trees to be retained both on and off site shall be protected during construction work shall be submitted to and approved by the Council in writing. Such details shall follow guidelines and standards set out in BS5837:2012 "Trees in Relation to Construction" and should include details of appropriate working processes in the vicinity of trees, a tree protection plan and details of an auditable system of site monitoring. All trees on the site, or parts of trees growing from adjoining sites, unless shown on the permitted drawings as being removed, shall be retained and protected from damage in accordance with the approved protection details."

Reason: In order to ensure the development undertakes reasonable measures to take account of trees and biodiversity 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.

18 Noise levels

The noise level in rooms at the development hereby approved shall meet the noise standard specified in table 2 of BS8233:2014 for internal office space.

Reason: To ensure that the amenity of occupiers of the development site and surrounding premises is not adversely affected by noise and vibration.

19 Plant and equipment

Prior to commencement of the development, details shall be submitted to and approved in writing by the Council, of the external noise level emitted from plant/ machinery/ equipment and mitigation measures as appropriate. The measures shall ensure that the external noise level emitted from plant, machinery/ equipment will be lower than the lowest existing background noise level by at least 10dBA as assessed according to BS4142:2014 at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity. A post installation noise assessment shall be carried out where required to confirm compliance with the noise criteria and additional steps to mitigate noise shall be

taken, as necessary. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.

Reason: To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise from plant/mechanical installations/ equipment.

20 Anti-vibration

Prior to use, machinery, plant or equipment or any extract/ ventilation system and ducting at the development shall be mounted with proprietary anti-vibration isolators and fan motors shall be vibration isolated from the casing and adequately silenced and maintained as such.

Reason: To ensure that the amenity of occupiers of the development site and surrounding premises is not adversely affected by vibration.

21 Cycle parking

Prior to first occupation, the following bicycle parking shall be provided:

- secure and covered parking for 292 long stay cycle parking spaces
- 25 short stay spaces via condition if planning permission is granted.

All such facilities shall thereafter be retained.

Reason: To ensure that the scheme makes adequate provision for cycle users in accordance with policy CS11 of the London Borough of Camden Local Development Framework Core Strategy, policies DP16, DP18, DP19 and DP26 of the London Borough of Camden Local Development Framework Development Policies, the London Plan and CPG7 (Transport).

Informative(s):

1 Indicative highways works

The proposed highway works must be treated as indicative at this stage as planning permission does not guarantee that the proposed highway and public realm improvements would be implemented in their current form. Such proposals are always subject to further investigation, consultation, detailed design, and approval by the Highway Authority (in this case the Council).

2 CMP Implementation Support Contribution

An advice note providing further information on this financial contribution is available on the Council's website at the hyperlink below:

" <http://www.camden.gov.uk/ccm/content/environment/planning-and-built-environment/two/planning-applications/making-an-application/supporting-documentation/planning-obligations-section-106/>

3 CMP Pro-Forma

The Council have a pro-forma that is recommended to be prepared once a Principal Contractor has been appointed. The CMP, in the form of the pro-forma, would need to be approved by the Council prior to any works commencing on site. A Key element of the CMP should address (amongst others) best practice guidelines in TfL's Standard for Construction Logistics and Cyclist Safety (CLOCS) scheme:

o <http://www.clocs.org.uk/standard-for-clocs/>

4 Thames Water - surface water drainage and sewage

With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the options available at this site.

Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application.

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