

Application ref: 2016/3446/P  
Contact: Patrick Marfleet  
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Date: 1 August 2018

**Development Management**  
Regeneration and Planning  
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Heritage Surveys Limited  
Unit 11H  
Capital Business Centre  
22 Carlton Road  
CR2 0BS

Dear Sir/Madam

## **DECISION**

Town and Country Planning Act 1990 (as amended)

### **Full Planning Permission Granted Subject to a Section 106 Legal Agreement**

Address:

**Maisonette 1st 2nd and 3rd Floor  
Fitzrovia Neighbourhood Centre  
39 Tottenham Street  
London  
W1T 4RX**

Proposal:

Change of use of neighbourhood advice centre (Class D1) at ground floor level to a commercial unit (Class A1/A2) and conversion of remaining floors (Class C3) to provide three flats at basement, first, second, third and fourth floor level (1 x 1 bed and 2 x 2 bed) together with a mansard roof addition, demolition and rebuild of infill extension between 39 Tottenham Street and 14 Goodge Place, opening up of lightwells, refurbishment of shop frontage and replacement windows to upper levels.

Drawing Nos: 5563-E(I)004 F, 5563-S(0)005 H, 5563-S(0)001, 5563-S(0)003 G, 5563-S(0)004 I, 5563-S(0)002 E, 5563-E(I) 005 F, 5563-E(I)003 F, 5563-E(0)001 B, 5563-E(0)002 B, 5563-S(0)006 F, 5563-E(0) 002 C, GEA Basement Impact Assessment Report dated October 2016, Jmarchitects Design and Access Statement, Schedule of photographs dated 20/10/2015, Heritage Significance Report dated June 2016, Daylight and Sunlight Study dated 23/06/2015.

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 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy D1 and D2 of the London Borough of Camden Local Plan 2017.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans: 5563-E(I)004 F, 5563-S(0)005 H, 5563-S(0)001, 5563-S(0)003 G, 5563-S(0)004 I, 5563-S(0)002 E, 5563-E(I) 005 F, 5563-E(I)003 F, 5563-E(0)001 B, 5563-E(0)002 B, 5563-S(0)006 F, 5563-E(0) 002 C, GEA Basement Impact Assessment Report dated October 2016, Jmarchitects Design and Access Statement, Schedule of photographs dated 20/10/2015, Heritage Significance Report dated June 2016, Daylight and Sunlight Study dated 23/06/2015.

Reason:

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

- 4 In the event that any owners of the land have the legal locus to enter into a Section 106 Agreement no works shall be commenced on site until such time as they have entered into such an Agreement incorporating obligations in respect of the matters covered by conditions marked with \* in the planning permission granted on 01/08/2018 (Camden reference 2016/3446/P and 2016/3790/L) and those obligations shall apply to all conditions above marked with \*.

Reason: In order to define the permission and to secure development in accordance with policy DM1 of the Camden Local Plan (2017).

- 5 \* Car free

The proposal will be car free. Occupants of the proposal will not be eligible for parking permits.

Reason: In order to protect the pedestrian environment and the amenities of the area generally and to ensure the continued free flow of traffic in the area in accordance with Policies A1 and T1 of the Camden Local Plan.

- 6 \* CMP

Prior to commencement of development, a Construction Management Plan (CMP) including an Air Quality Assessment) shall be submitted to and approved by the

local planning authority.

The CMP shall set out all measures that the Owner will adopt in undertaking the demolition of the construction of the Development and refurbishment works using good site practices in accordance with the Council's Considerate Contractor Manual.

Such plan shall include measures for ensuring highway safety and managing transport, deliveries and waste (including recycling of materials) throughout the construction period and which demonstrates consideration of and liaison with other local concurrent developments. The plan shall also include details of a community working group involving local residents, businesses and local councillors, a contractor complaints/call-line and measures to be carried out to mitigate the impact of the noise arising from construction activities on local residents and businesses, a waste management strategy and means of monitoring and reviewing the plan from time to time.

Reason: In order to protect the pedestrian environment and the amenities of the area generally and to ensure the continued free flow of traffic in the area in accordance with Policies G1, A1, DM1, CC1 and T1 of the Camden Local Plan.

7 \* CMP implementation support contribution

On or prior to implementation, confirmation that the necessary measures to secure the CMP Implementation Support Contribution shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In order to protect the pedestrian environment and the amenities of the area generally and to ensure the continued free flow of traffic in the area in accordance with Policies G1, A1, DM1, CC1 and T1 of the Camden Local Plan.

8 \* Affordable housing

Affordable housing shall be provided in accordance with the conditions and approved documents as set out in this decision. All affordable housing units shall be constructed and fitted out as units which are suitable for occupation as affordable housing and shall only be occupied and shall be retained in perpetuity for no purpose other than for the provision of social rented housing in accordance with the targets set by the Regulator; not disposing of any interest in the Affordable Housing Units (except by way of mortgage) other than to any other Registered Social Landlord registered with the Regulator or any other body organisation or company registered with the Charity Commissioners for England and Wales and approved by the Homes and Communities Agency or the Regulator or the Council. The total cost of rent and service and management charges for the affordable housing shall meet targets for Social Rented Housing set by the Regulator.

Reason: To secure sufficient provision of affordable housing in the development in accordance with the requirements of policies H1, H4 and H6 of the Camden Local Plan.

9 \* Pedestrian and Environmental Improvements contribution

On or prior to Implementation, confirmation that the necessary measures for the provision of pedestrian, cycling, environmental and public realm improvements in the vicinity of the Development shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the pedestrian environment and public realm is maintained and improved in accordance with policies A1 and T1 of the Camden Local Plan.

Informative(s):

1 Conditions marked with \*

The matters covered by conditions marked with an \* are matters which would usually be incorporated into a Section 106 Agreement. On Council own schemes because the Council cannot enter into an agreement with itself the usual practice would for the permission to reference the Section 106 requirements for information.

If the Council retains ownership of the application site although the reference to Section 106 requirements would not be legally binding they would act as a record of the requirements the Council as planning authority expects the Council as landowner to comply with. If the Council disposes of a relevant interest in the Application Site (which for the avoidance of doubt will not include disposals to individual tenants and occupiers) the incoming owner will be required to enter into a Section 106 giving effect to the relevant requirements which are then outstanding or ongoing which will then become a legally binding document. This reflects the terms of condition on the planning permission.

2 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, Judd St, Kings Cross, London NW1 2QS (Tel. No. 020 7974 4444 or search for 'environmental health' on the Camden website 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.

3 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that 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, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).

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