

Application ref: 2018/3308/P
Contact: Laura Hazelton
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Date: 18 September 2018

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
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GL Hearn
280 High Holborn
London
WC1V 7EE

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Variation or Removal of Condition(s) Granted Subject to a Section 106 Legal Agreement

Address:

Phoenix House
104-110 Charing Cross Road
London
WC2H 0JN

Proposal:

Variation of condition 3 (approved drawings) of planning permission ref: 2016/5190/P dated 30/06/2017 (as amended by ref: 2018/0403/P dated 28/02/2018) for the erection of 2 storey roof extension with garden room and terrace at rooftop level to provide 2 x 2 bedroom flats; namely to increase the footprint of the rooftop structure to the rear (east) elevation and revisions to the detailed design of this elevation.

Drawing Nos: Superseded drawings: (P)004 revision C; (P)005 revision C; (P)006 revision C; (P)007 revision C; (P)008 revision C.

Revised drawings: (P)004 revision D; (P)005 revision D; (P)006 revision D; (P)007 revision D; (P)008 revision D.

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 the original permission (ref: 2016/5190/P) granted on 30/06/2017.

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 policies D1 and D2 of the London Borough of Camden Local Plan 2017.

- 3 For the purposes of this decision, condition no.3 of planning permission 2016/5190/P dated 30/06/2017 (as amended by 2018/0403/P dated 28/02/2018) shall be replaced with the following condition:

REPLACEMENT CONDITION 3

The development hereby permitted shall be carried out in accordance with the following approved plans: (P)001; (P)002; (P)003 revision C; (P)004 revision D; (P)005 revision D; (P)006 revision D; (P)007 revision D; (P)008 revision D.

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

- 4 Before the relevant part of the work is begun, 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:

a) Details including sections at 1:10 of all windows (including jambs, head and cill), ventilation grills, external doors and gates;

b) Plan, elevation and section drawings, including fascia, cornice, pilasters and glazing panels of the new shopfronts at a scale of 1:10.

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 policies D1 and D2 of the London Borough of Camden Local Plan 2017.

- 5 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 IIIB 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 G1, A1, CC1 and CC4 of the London Borough of Camden Local Plan 2017.

- 6 No lights, meter boxes, flues, vents or pipes, and no telecommunications equipment, alarm boxes, television aerials, satellite dishes or rooftop 'mansafe' rails shall be fixed or installed on the external face of the buildings.

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

- 7 Samples and manufacturers details of all new facing materials including, but not limited to:

a) a sample panel of the facing brickwork of no less than 1.5m by 1.5m demonstrating the proposed colour, texture, face-bond and pointing.

b) a sample panel of the proposed render demonstrating the proposed colour and texture.

shall be provided on site and approved in writing by the local planning authority before the relevant parts of the works are commenced and the development shall be carried out in accordance with the approval given. The approved panel shall be retained on site until the work has been completed.

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

- 8 Secure cycle parking for 4 x bicycles shall be provided in its entirety as shown on approved drawing numbered (P)003 rev. C prior to the first occupation 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 T1 of the London Borough of Camden Local Plan 2017.

- 9 Detailed drawings and manufacturers details 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:

Plan, elevation and section drawings of cycle access door on Charing Cross Road elevation at a scale of 1:10 including closing method and secure access system.

The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Reason: To ensure the development provides adequate cycle parking facilities and equal access in accordance with the requirements of policy policies T1 and C6 of the London Borough of Camden Local Plan 2017.

- 10 Prior to first occupation of the new dwellings, the photovoltaic cells shown on approved drawing no. (P)004 rev.D, shall be installed 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 CC1 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reason for granting permission

The proposed changes include an increase in the footprint of the previously approved rooftop garden room by moving the eastern wall to match the footprint of the floor below. It would result in an increase from 35sqm to 45sqm (GEA). The amendment is sought for structural reasons to simplify the construction process and alleviate load-bearing issues. The amendments also include revisions to the detailed design of the eastern elevation of this floor, namely, the extension of the white render used on the floors below.

The proposed changes are considered acceptable and would have minimal impact on the visual appreciation of the building. This is the least sensitive façade which is subject to limited private views from neighbouring buildings. Overall, the proposed changes would be in keeping with the previously approved scheme and would preserve the character and appearance of the wider conservation area.

As the extended floor would project no further than the extended floors below, it would not result in any additional amenity impacts for neighbouring occupants in terms of outlook, daylight or privacy.

One comment was received from the Bloomsbury Conservation Area Advisory Committee and duly addressed in the consultation summary attached. No objections have been received from neighbouring occupants.

The planning history of the site has been taken into account when coming to this decision. 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 Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

As such, the proposed development is in general accordance with policies A1, D1 and D2 of the Camden Local Plan 2017. The proposed development also accords with the London Plan 2016 and the National Planning Policy Framework 2018.

- 2 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).

- 3 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.
- 4 This proposal may be liable for the Mayor of London's Community Infrastructure Levy (CIL) and the Camden CIL. Both CILs are collected by Camden Council after a liable scheme has started, and could be subject to surcharges for failure to assume liability or submit a commencement notice PRIOR to commencement. We issue formal CIL liability notices setting out how much you may have to pay once a liable party has been established. CIL payments will be subject to indexation in line with construction costs index. You can visit our planning website at www.camden.gov.uk/cil for more information, including guidance on your liability, charges, how to pay and who to contact for more advice.
- 5 Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which this permission is granted. Information/drawings relating to the discharge of matters covered by the Heads of Terms of the legal agreement should be marked for the attention of the Planning Obligations Officer, Sites Team, Camden Town Hall, Argyle Street, WC1H 8EQ.
- 6 The correct street number or number and name must be displayed permanently on the premises in accordance with regulations made under Section 12 of the London Building (Amendments) Act 1939.
- 7 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.
- 8 The new brickwork, pointing and mortar shall exactly match the existing adjoining original brickwork in terms of detailed design and finished appearance.

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