

Application ref: 2017/5561/P  
Contact: Robert Lester  
Tel: 020 7974 2188  
Date: 10 April 2018

**Development Management**  
Regeneration and Planning  
London Borough of Camden  
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Temple Group Ltd  
Devon House  
58-60 St Katharine's Way  
London  
E1W 1LB

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:  
**Institute of Hepatology**  
**69-75 Chenies Mews**  
**London**  
**WC1E 6HX**

#### **Proposal:**

Variation of condition 3 (approved plans) of planning permission 2016/3701/P dated 3rd April 2017 (change of use from research and office use (Class B1) to mixed use medical and office use (Sui Generis) to provide MRI clinic and associated consultation rooms and offices together with new rooftop plant and associated screening, alterations to ground floor rear extension and cycle storage), namely to allow amendments to the design of the rooftop plant screening, amendments to the size and design of the rear extension, and alterations to the landscaping stairs and railings to the rear of the property.

Drawing Nos: CM\_PXTG\_SEC P2, 22\_01 C1, 22\_02 C1, 22\_03 C1, CM\_P\_00\_RF P6 , CM\_P\_E\_01 P6, CM\_P\_E\_02 P5 CM\_P\_E\_03 P7, CM\_P\_S\_01 P7, CM\_P\_S\_02 P7, CM\_NMA\_P\_00 P2, CM\_NMA\_E\_01 P1, CM\_NMA\_S\_AA P1, CM\_NMA\_S\_BB P1, CM\_NMA\_S\_CC P2, CM\_NMA\_S\_DD P2, CM\_NMA\_S\_EE P1 , CM\_RE\_P\_00 P1, CM\_RE\_E\_01 P1, CM\_RE\_S\_01 P1, CM\_RE\_S\_02 P1, Design & Access Statement, Existing Floorplans (No refs), Daylight & Sunlight Assessment, Environmental Noise Assessment Rev 2, Transport Survey, Transport Statement, Site Location Plan, Site Logistics Plan, Pre-construction Information, Traffic Management Plan, Details of Plant Operation, Statement of Public Benefits, Proposed Aerial View CGI, Proposed Chenies Mews View CGI, Proposed Roof Plant Views & Elevations CGIs, Plant Insulation Details.

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 no later than the end of three years from the date of the original planning permission ref 2016/3701/P dated 3rd April 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 The development hereby permitted shall be carried out in accordance with the following approved plans-  
CM\_PXTG\_SEC P2, 22\_01 C1, 22\_02 C1, 22\_03 C1, CM\_P\_00\_RF P6 ,  
CM\_P\_E\_01 P6, CM\_P\_E\_02 P5 CM\_P\_E\_03 P7, CM\_P\_S\_01 P7, CM\_P\_S\_02  
P7, CM\_NMA\_P\_00 P2, CM\_NMA\_E\_01 P1, CM\_NMA\_S\_AA P1,  
CM\_NMA\_S\_BB P1, CM\_NMA\_S\_CC P2, CM\_NMA\_S\_DD P2,  
CM\_NMA\_S\_EE P1 , CM\_RE\_P\_00 P1, CM\_RE\_E\_01 P1, CM\_RE\_S\_01 P1,  
CM\_RE\_S\_02 P1, Design & Access Statement, Existing Floorplans (No refs),  
Daylight & Sunlight Assessment, Environmental Noise Assessment Rev 2,  
Transport Survey, Transport Statement, Site Location Plan, Site Logistics Plan,  
Pre-construction Information, Traffic Management Plan, Details of Plant Operation,  
Statement of Public Benefits, Proposed Aerial View CGI, Proposed Chenies Mews  
View CGI, Proposed Roof Plant Views & Elevations CGIs, Plant Insulation Details

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

- 4 The site shall be used as a medical clinic with associated research facilities and offices only (Sui Generis- mixed D1/B1 use) and shall not be used for any other purpose without first obtaining planning permission.

Reason: To maintain control over the nature of future uses of the building in the interests of protecting residential amenity and highway safety in accordance with policies A1 and T1 of the London Borough of Camden Local Plan 2017.

- 5 The MRI clinic use hereby permitted (open to patients) shall not be carried out outside the following times Mondays to Fridays 08:00 - 18:00 and not at all on Saturdays, Sundays and Bank or Public Holidays. The associated research and office use (not open to patients) shall not be carried out outside the following times Mondays to Fridays 08:00 - 19:00, Saturdays 10:00 - 13:00 and not at all on Sundays and Bank or Public Holidays.

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

generally in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

- 6 The external noise level emitted from plant, machinery or equipment and suggested noise mitigation at the development hereby approved shall be lower than the lowest existing background noise level by at least 10dBA, or by 15dBA where the source is tonal, as assessed according to BS4142:2014 at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

- 7 Automatic time clocks shall be fitted to the proposed air conditioning (VRF) and air handling units (AHU) hereby approved, prior to the commencement of the use, to ensure that this plant/equipment only operates between the hours of 07:30 - 20:00 Monday to Friday, 09:30 - 15:00 Saturdays and not at all on Sundays, Bank or Public Holidays. The timer equipment shall thereafter be permanently retained and maintained in accordance with the manufacturer's recommendations.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

- 8 The development shall be implemented in accordance with the cycle storage details as approved under reference 2017/5560/P dated 22/12/2017.

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 Deliveries and servicing to and from the site shall not be carried out outside the following times Mondays to Fridays 09:00 - 18:00, Saturdays 09:00 - 14:00 and not at all on Sundays and Bank or Public Holidays.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

- 10 The roof plant and equipment hereby approved shall be removed from the building as soon as reasonably practicable when it is no longer required.

Reason: In order to minimize the impact on the appearance of the building and local environment in accordance with the requirements of policies D1 and D2 of the London Borough of Camden Local Plan 2017.

- 11 The noise mitigation measures set out in the submitted noise survey including operating the VRF units at 85% load, screening the heat pump 1.8m to the residential side and 1.5 m to the commercial side, installation of an Emerson Sound Shell and screening at 1.8m to the residential side and 1.5 m to the commercial side for the chiller units, installation of insulation for the proposed

ductwork and silencers shall all be installed on site prior to the first use of the development and shall thereafter be operated and maintained in association with the proposed use.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

- 12 The plant and equipment hereby approved shall not be serviced outside the hours of Monday - Friday 08:00 - 20:00, Saturdays 10:00 - 14:00 and not at all on Sunday and Bank or Public Holidays.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

- 13 The MRI clinic use (open to patients) hereby approved shall only operate at ground floor level within the building, unless otherwise agreed in writing by the local planning authority.

Reason: To maintain control over the nature of future uses of the building in the interests of protecting residential amenity and highway safety in accordance with policies A1 and T1 of the London Borough of Camden Local Plan 2017.

#### Informative(s):

- 1 Reason for granting permission-

This application is to amend the design of the rooftop plant screening, the design of the rear extension and the hard landscaping stairs and railings to the rear of the property.

The rooftop plant screen would be amended from glazing to powder coated aluminium to match the metal cladding used on the existing building. The layout and height of the rooftop plant screen would remain as approved. The new metal materials would harmonise with the existing building and would not harm the conservation area. There would also be a minor change in the positioning of the quench pipes, which would not compromise the design or appearance of the roof plant enclosure.

The proposed alterations to the rear extension include a minor increase in the size of the extension in depth, width and height and a change from a mono-pitched roof to a flat roof. The amended extension utilises a simplified flat roof design and is cladded in vertical hanging tiles to match those used on the existing rear elevation of the property at second floor level, rather than contrasting brickwork. The amended design would harmonise with the existing building and would not harm the conservation area.

The proposed amendments to the hard landscaping stairs and railings to the rear of the property include the provision of a new steel platform staircase to provide access from the site (and 68 Huntley Street) onto Chenies Mews, the provision of a

replacement timber access door, the erection of a new metal balustrade on the existing low-level brickwork between the site and the properties on Huntley Street, the relocation of two existing drainage pipes adjacent to the rear extension and the provision of a new gate to provide rear access to the adjacent site at 67 Chenies Mews. These would be all suitable minor alterations to the rear of the property, which would enhance the site access and boundary treatment. The amendments to the landscaping stairs and railings to the rear would be sympathetic additions to the site, which would not harm the 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.

The amendments would not result in any impact on the amenity of neighbouring properties. The development would result in no material increase in noise compared to the previously approved scheme.

The amended development remains acceptable on transport grounds. A wheeling ramp would be included on the rear platform stairs to help cyclists access the rear of the site.

The other aspects of the development remain the same as previously assessed and approved.

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 development is in general accordance with policies G1, C5, C6, E1, E2, A1, A4, D1, D2, CC1, CC2, CC3, CC5, T1, T2, T3 and T4 of the London Borough of Camden Local Plan 2017. 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 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 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)

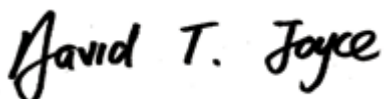
- 5 Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which this permission is granted. Information/drawings relating to the discharge of matters covered by the Heads of Terms of the legal agreement should be marked for the attention of the Planning Obligations Officer, Sites Team, Camden Town Hall, Argyle Street, WC1H 8EQ.

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 Joyce  
Director of Regeneration and Planning