

PB/ED/PD10618

email: [peter.bovill@montagu-evans.co.uk](mailto:peter.bovill@montagu-evans.co.uk)  
[elizabeth.dewsbury@montagu-evans.co.uk](mailto:elizabeth.dewsbury@montagu-evans.co.uk)

CHARTERED SURVEYORS

5 Bolton Street  
London W1J 8BA

Tel: 020 7493 4002  
Fax: 020 7312 7548

[www.montagu-evans.co.uk](http://www.montagu-evans.co.uk)

5 April 2019

London Borough of Camden  
2nd Floor  
5 Pancras Square  
London  
N1C 4AG

**FAO Sofie Fieldsend**

**BY PLANNING PORTAL  
REF. PP-07750018**

Dear Sir/Madam

**TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)  
20 RED LION STREET, LONDON, WC1R 4PQ  
APPLICATION FOR APPROVAL OF DETAILS RESERVED BY CONDITIONS 12 AND 13 OF REF.  
2018/4362/P**

On behalf of our client, BNP Paribas Securities Services Trust Company Limited and BNP Paribas Securities Services Trust Company (Jersey) Limited as trustees of the Mayfair Capital Commercial Property Trust, please find enclosed an application for the approval of details reserved by conditions 12 and 13 of planning permission reference 2018/4362/P, approved by London Borough of Camden (LBC) on 19 November 2018.

**Background**

On 15 May 2017, the London Borough of Camden ("LBC") granted planning permission (ref. 2016/5571/P) (subject to a Section 106 Legal Agreement) for:

*"Erection of roof extension for the creation of a 6th floor following the relocation of roof plant, creation of terraces at ground floor, 1st, 5th and 6th floor levels, extension to rear of building, replacement of all existing single glazed windows and new reception entrance along Red Lion Street and Sandland Street with associated re-cladding. Rendering of existing rear facade. Erection of a canopy to the rear area to create new cycle parking area."*

Following the approval of 2016/5571/P, a number of design changes were identified and a minor material amendment (Section 73) application (ref. 2017/3028/P) was then approved by LBC on 31 August 2017, (subject to a Deed of Variation to the Section 106 Legal Agreement) for:

*"Variation of condition 2 (Drawings) of permission (ref: 2016/5571/P) dated 15/5/17 for Roof extension for the creation of a 6th floor, creation of terraces, extension to rear, alterations to front and rear facades and fenestrations, erection of a canopy for new cycle parking area. Namely to alter front and rear facades and fenestrations including additional rainwater pipes, louvres and additional curtain wall glazing, stairway from 5th to 6th floor and internal room alterations."*

Since these works (ref. 2017/3028/P) have begun, a further minor material amendment (Section 73) application (ref: 2018/4362/P) has been approved by LBC on 19 November 2018, for design amendments solely relating to the façade (subject to a Deed of Variation to the Section 106 Legal Agreement) for:

*"Variation of condition 2 (Approved Drawings) of permission ref: 2016/5571/P dated 15/5/17 (as amended by 2017/3028/P dated 31/08/2017) for (Roof extension to create 6th floor, terraces, rear extension, alterations to front and rear facades, canopy for new cycle parking area); CHANGES include alterations to external façade and fenestration."*

Planning permission refs. 2017/3028/P and subsequently 2018/4362/P have been implemented and

Montagu Evans LLP is a limited liability partnership registered in England and Wales with registered number OC312072. Registered office 5 Bolton Street London W1J 8BA. A list of members' names is available at the above address.

construction began on site in March 2018.

Further to planning permission ref. 2018/4362/P, a number of additional design changes are required following the detailed design coordination of the structural and mechanical, electrical and plumbing (MEP) services, amongst other things. A minor material amendment (Section 73) (ref. 2019/1401/P) has been submitted to LBC. As discussed with Sofie Fieldsend, it has been agreed that if minded to approve the submitted minor material amendment, this approval of details application would be reflected on this decision notice (through amended wording for conditions 12 and 13) or this application would be transferred across to reflect the new application reference.

### **Approval of details reserved by conditions 12 and 13**

Condition 12 states:

*“Prior to use of the development, details shall be submitted to and approved in writing by the local planning authority, 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. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.”*

Condition 13 states:

*“Prior to use of the development, details shall be submitted to and approved in writing by the Council to confirm that noise emitted by standby or emergency generators during power outages or testing does not exceed the lowest daytime LAeq (15min) as measured or calculated according to BS4142:2014.”*

An Acoustic Report prepared by LCP (11 March 2019) is submitted in support of conditions 12 and 13, and was also submitted in support of the minor material amendment (ref. 2019/1401/P).

Regarding condition 12, the Acoustic Report demonstrates that in Section 5.2 the lowest background sound levels for the daytime period, when the office will be in use, is 51dB. Section 9.3 of the Acoustic Report notes that the external noise level is calculated at 41dB, which is 10dB lower than the lowest background noise level. This demonstrates compliance with the requirements of condition 12 i.e. that external noise level emitted from plant, machinery/ equipment is to be lower than the lowest existing background noise level by at least 10dBA.

Regarding condition 13, the Acoustic Report notes in section 9.4, that the calculated result for the emergency generator is at 52 and 54 LAeq which is actually lower than the 51dB background sound level. LCP have highlighted that these two figures utilise different methodology and units of measurement, but adhere to the requirements of Condition 13, which requires noise emitted by standby or emergency generators during power outages to not exceed the lowest daytime LAeq(15 min).

On this basis, the requirements of conditions 12 and 13 are satisfied and can be discharged.

### **Application Procedure**

This application has been submitted via the Planning Portal (ref: PP-07750018). In respect of the fee for the discharge of condition (£116.00), this has been paid to LBC via the Planning Portal.

We trust the enclosed is sufficient, but if you require any further information please contact Peter Bovill (tel: 020 7312 7456 / [peter.bovill@montagu-evans.co.uk](mailto:peter.bovill@montagu-evans.co.uk)) or Elizabeth Dewsbury (tel: 0207 3127 490 / [elizabeth.dewsbury@montagu-evans.co.uk](mailto:elizabeth.dewsbury@montagu-evans.co.uk)) at this office.

Yours faithfully

MONTAGU EVANS LLP

**MONTAGU EVANS LLP**  
**Enc.**