

Application ref: 2018/4740/P
Contact: Tony Young
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Date: 2 August 2019

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Indigo Planning
Indigo Planning
Aldermay House
10-15 Queens Street
London EC4N 1TX

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted Subject to a Section 106 Legal Agreement

Address:

Lynton House
7-12 Tavistock Square
London
WC1H 9LT

Proposal:

Creation of rear roof terrace at 10th floor level for use ancillary to existing Class B1(a) office use, including bar area and canopy over, decking, balustrades, planters, lift enclosure extension and store room; extensions with covered walkway within existing ground floor rear car-parking area to provide commuter amenity facilities and replacement smoking shelter, including secured cycle parking space within reconfigured cycle and car parking area.

Drawing Nos: 1713-BG-ZZ-00-DR-A-00.101 P1; (1713-BG-ZZ-00-DR-A-10.)201 P2, 202 P2, 203 P1, 251 P1, 271 P2, 272 P1, 273 P2; (1713-BG-ZZ-00-DR-A-20.)201 P2, 202 P1, 203 P2, 204 P1, 251 P2, 252 P1, 271 P2, 272 P1, 273 P2; 1713-BG-ZZ-DR-A-20.205 P1; Heritage assessment from Heritage Collective; Letter from Lumina dated 12/03/2018; Design & access statement (parts 1 and 2) from Barr Gazetas dated 03/09/2018; Cover letter from Indigo (ref. let.006.PR.AM.27910001) dated 28/09/2018.

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: 1713-BG-ZZ-00-DR-A-00.101 P1; (1713-BG-ZZ-00-DR-A-10.)201 P2, 202 P2, 203 P1, 251 P1, 271 P2, 272 P1, 273 P2; (1713-BG-ZZ-00-DR-A-20.)201 P2, 202 P1, 203 P2, 204 P1, 251 P2, 252 P1, 271 P2, 272 P1, 273 P2; 1713-BG-ZZ-DR-A-20.205 P1; Heritage assessment from Heritage Collective; Letter from Lumina dated 12/03/2018; Design & access statement (parts 1 and 2) from Barr Gazetas dated 03/09/2018; Cover letter from Indigo (ref. let.006.PR.AM.27910001) dated 28/09/2018.

Reason:

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

- 4 The sedum green roof hereby approved shall be fully provided in accordance with the approved details (drawing ref: 1713-BG-ZZ-DR-A-20.205 P1) prior to first occupation of the ground floor extension and thereafter retained and maintained in accordance with the approved scheme of maintenance.

Reason: To ensure that the sedum green roof is suitably designed and maintained in accordance with the requirements of policies G1, CC1, CC2, CC3, D1, D2, and A3 of the London Borough of Camden Local Plan 2017.

- 5 The roof terrace hereby approved shall not be used between the hours of 21:30 and 08:00, Monday to Friday, and at no time on Saturdays, Sundays or Bank Holidays.

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

Informative(s):

- 1 Reasons for granting planning permission:

The application site comprises Lynton House, a 10-storey plus basement office building with a centrally located entrance door arrangement and café style facilities at ground floor level. The building has a T-shaped footprint and rear car park / courtyard area containing car and cycle parking spaces, a smoking

room, various ventilation plant, and surrounding basement lightwells. The building faces Tavistock Square and sits within a predominantly commercial area comprising office, educational and institutional uses. The nearest residential properties are located on Burton Street, 50m from the rear of the application site. The property is not listed but there are a number of listed buildings adjacent and to the rear of the site. The site is located within the Bloomsbury Conservation Area and recognised as a positive contributor within the area.

The proposal involves the creation of rear roof terrace at 10th floor level measuring approximately 226sqm, and includes a new decked area with bar and canopy over, balustrading around the space, a raised lift overrun extension to allow ease of access, roof platform, and a store room. The new terrace level would be for a use ancillary to the primary Class B1 office use within specified hours. Overall, it is considered that the design, siting, scale, and materials would be in accordance with Council guidance and policies and acceptable in the context of the host property and surrounding area, and would respect the character and appearance of building and the wider Bloomsbury Conservation Area, and would not be harmful within the setting of any nearby listed buildings.

Initial concerns were raised at pre-planning stage (2018/2201/PRE) with regard to the visibility of the terrace in its elevated position given some public views, mainly from the south in Tavistock Place and east from Burton Street and Burton Place, as well as, the position of the building within the setting of a number of listed buildings (in particular, the Grade I listed, Mary Ward House, Grade II listed, BMA House, and listed terrace in Burton Street and Burton Place). Concerns centred mainly on the raised position and extent of the slate mansard treatment, height of the raised platform and decking, proximity to roof edges of the terrace area, use of full height Perspex screening, and absence of lighting details.

The application proposal includes significant amendments to the original scheme, such as, a reduced footprint for the terrace, set-back substantially from the existing roof edges (especially at the rear); a reduction in the height of the platform/decking area and mansard roof edging; the introduction of planters to surround and screen the terrace, set-back from the roof edges to provide softer, natural borders; the replacement of Perspex screening with a black metal balustrade; and lighting details. These amendments incorporating revised design details and use of materials would substantially reduce the prominence of the terrace space, so appreciably reducing the visual impact of the terrace from public views, and as such, are considered to address the concerns raised and ensure that the proposals would not be harmful within the context of the building's setting near to a number of listed buildings and within the Bloomsbury Conservation Area.

- 2 Given the position of the terrace towards the rear of Lynton House, there are no amenity concerns at the front of the building facing Tavistock Square. The terrace is also a significant distance away from the nearest residential occupiers by virtue of the building's height; however, it is recognised that any new terrace would introduce a degree of activity, lighting and noise not currently present in this locality. Therefore, in order to safeguard the amenities of any adjoining and neighbouring premises and the area generally, a condition

will be attached to any approval restricting the hours of use of the roof terrace. Given this condition, in combination with the other measures included to minimise the impact of the terrace, the amended proposal would unlikely introduce any adverse impact in terms of overlooking or noise, nor loss of outlook or sunlight/daylight, and would be acceptable.

The proposal also involves ground floor alterations within the existing rear car park to provide amenity facilities for cyclists, such as showers, lockers, vanity units, cycle maintenance bays, and drying rooms in an accessible form. In particular, the proposal includes the erection of 2 single storey outbuildings - an amenity/facilities enclosure with sedum green roof and a replacement smoking shelter (with covered walkway connecting both structures to the existing building) - and a new secured cycle parking space within a reconfigured rear cycle and car parking area.

There is little design merit in the existing smoking shelter and therefore there is no objection to its' removal. Both proposed structures would be clad in vertical silver timber batons with the canopy and planters clad in black aluminium to provide a visual contrast and to relate the buildings together. The escape stairs at the rear and escape route through the car park would remain accessible and unrestricted by the proposals. As such, the design, siting, scale, and materials for both enclosures are considered to be acceptable, especially given the limited private views and absence of any public views, the central siting within the car-park space set-back from ground floor windows by virtue of the existing lightwells, and the absence of any neighbouring habitable windows given the commercial nature of the surrounding buildings.

A new secure cycle parking area is also proposed to provide 40 cycle spaces in a double-stacked arrangement, replacing the existing unsecured Sheffield stands which are positioned in the north-east corner of the car park, and involving the relocation of 2 disabled car-parking bays to an alternative location several metres away and reconfigured cycle and car parking space arrangements. The proposal would involve the loss of 4 existing car parking spaces; however, this is not considered likely to add pressure to the local CPZ or on street parking as it is recognised that this private car park is already underutilised, as well as, the increasing appetite for cycle parking spaces to Lynton House by the office staff and occupants which the proposal would help to promote.

Initial concerns were raised to the original position of the proposed double-stacked cycle structure in so far as it might impact adversely on the setting of the listed BMA House and proximity to a basement lightwell, and the adjacent rear boundaries of listed buildings in Burton Street by virtue of the location. Following Council advice, the application proposals were amended to relocate the structure away from the basement lightwell and rear boundaries in Burton Street. This position is considered to be acceptable in design terms, as well as, in amenity terms as the proposals would not have any adverse impacts on levels of outlook, overlooking, nor loss of daylight and sunlight to any neighbouring properties.

- 3 A Council Transport Officer has assessed the proposals and confirmed them to be acceptable subject to an agreed Construction Management Plan and

associated support contribution being secured by a Section 106 Legal Agreement. This is primarily because of concerns about cyclist and pedestrian safety at the vehicular access point on Tavistock Place during the construction period, as well as, possible adverse effects on traffic movement and the amenity of local residents who live nearby, some of who expressed concern in consultation responses received.

Overall therefore, it is considered that the design, siting, scale, and materials would respect the character and appearance of the host and neighbouring buildings, and the wider Bloomsbury Conservation Area, and would not be harmful within the context of the building's setting near to a number of listed buildings, in accordance with Council guidance and policies, and is acceptable.

The site's planning and appeal history has been taken into account when coming to this decision, including recent pre-planning advice (2018/2201/PRE). 3 consultation responses were received (2 objections and 1 support for the proposal) and these have also been taken into consideration (as summarised in the 'Consultations Summary' sheet associated with this decision).

Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the Bloomsbury Conservation Area, under s.72 of the Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

As such, the proposal is in general accordance with policies A1, A3, CC1, CC2, CC3, D1, D2, T1 and T2 of the Camden Local Plan 2017, the London Plan 2016, and the National Planning Policy Framework 2018.

- 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 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.
- 6 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).

- 7 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.
- 8 You are advised the developer and appointed / potential contractors should take the Council's guidance on Construction Management Plans (CMP) into consideration prior to finalising work programmes and must submit the plan using the Council's CMP pro-forma; this is available on the Council's website at <https://beta.camden.gov.uk/web/guest/construction-management-plans> or contact the Council's Planning Obligations Team , 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444). No development works can start on site until the CMP obligation has been discharged by the Council and failure to supply the relevant information may mean the council cannot accept the submission as valid, causing delays to scheme implementation. Sufficient time should be afforded in work plans to allow for public liaison, revisions of CMPs and approval by the Council.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2019.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully



Daniel Pope
Chief Planning Officer