

Application ref: 2019/5174/P
Contact: Joshua Ogunleye
Tel: 020 7974 1843
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Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
Judd Street
London
WC1H 9JE

Phone: 020 7974 4444

planning@camden.gov.uk
www.camden.gov.uk/planning

CDS Projects Ltd
B46 Herbal Hill Gardens
9 Herbal Hill
London
EC1R 5XB

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:
179 A Tottenham Court Road
London
W1T 7PA

Proposal: Installation of replacement front door together with the installation of a roof level terrace with associated balustrade pergola, and replacement Air Conditioning plant equipment at roof level.

Drawing Nos: : G/01, G/02 Rev A, G/06 Rev A, G/12 Rev A, G/17, G/20, G/24 Rev B, , G/60, G/61, G/62 Rev A, G/72, 171/M14 Rev T1 (Received 09/10/2019), G/25 Rev C (Received 07/05/2020)

The Council has considered your application and decided to grant permission subject to the following conditions:

Conditions and Reasons:

- 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: G/01, G/02 Rev A, G/06 Rev A, G/12 Rev A, G/17, G/20, G/24 Rev B, , G/60, G/61, G/62 Rev A, G/72, 171/M14 Rev T1 (Received 09/10/2019), G/25 Rev C (Received 07/05/2020),

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

- 4 The use of the roof as a terrace shall not commence until the syntetic hedgerow screening, as shown on the approved drawing G/25 Rev C (Received 07/05/2020), has been constructed. The screen shall be permanently retained thereafter.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policies A1 and D1 of the London Borough of Camden Local Plan 2017.

- 5 Before the use commences the cumulative plant noise levels from all fixed plant associated with the application site, when at a point 1m external to the nearest noise sensitive residential facades shall be at least 10 dB(A) less than the existing background measurement (LA90), expressed in dB(A), when all plant/equipment (or any part of it) is in operation unless the plant/equipment hereby permitted will have a noise that is distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or if there are distinct impulses(bangs, clicks, clatters, thumps), then the noise levels from the plant/equipment at any sensitive façade shall be at least 15 dB(A) below background noise level.

Reason: To safeguard the amenities of neighbouring noise sensitive receptors in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

- 6 Before the use of the plant equipment commences, it shall be provided with acoustic isolation and anti-vibration measures. All such measures shall thereafter be retained and maintained in accordance with the manufacturers' recommendations.

Reason: To prevent the transmission of noise and vibration throughout the building and or into any neighbouring premises, thus safeguarding the amenities of the premises and the area generally in accordance with the requirements of policies A1, A4 of the London Borough of Camden Local Plan 2017

Informatives:

- 1 Reasons for granting permission.

Permission is sought for the installation of replacement front door together with the installation of a roof level terrace with associated balustrade, x3 rooflights and AC plants at roof level. The application property is a 5 storey property on the eastern side of Tottenham Court Road and is accessed via Queen's Yard. The site sits within the Central London and Town Centre Area.

The proposed replacement front door would appear as a contemporary addition to the building, and would be visible within the wider context of Queen's Yard. The proposed arrangement would incorporate metal framing with an anthracite grey finish coating and slimline glazing bars which would appear similar to other glazing arrangements along Tottenham Court Road. Officers consider the proposed works would have an acceptable impact on the host property's character and appearance. Officers raise no objection to the proposed canopy which would project minimally from the elevation. Its design and form are acceptable within its context.

The proposed roof level terrace and pergola would be built over the existing asphalt roof covering with timber decking enclosed by a high level planter wall to provide privacy screening. The proposed external terrace area would cover 90sqm of roof space and would amount to less than 20% of the host property's roof form. The proposed roof terrace would be set back from the nearest window of University College Hospital building by approximately 18 meters, approximately 22m away from the nearest residential property at Gordon Mansion and approximately 15m away from Mullard House.

Given its modest footprint, officers do not consider that the scale of the proposed privacy screening would detract from the the host property's roof form. Given that the host property's roof is only visible from high level windows of neighbouring properties it is not considered that the proposed screening would detract from the character and appearance of the wider consideration area.

The proposed rooflights would be fitted into existing raised flat roof sections on the host property's roof of a similar size. The proposed glazed roof lanterns would appear as a light weight addition within their context and would be set back from the host property's edge as such the height increase would not be visible from the public realm.

The proposed AC apparatus would occupy the same area of roof space as the existing equipment and albeit with an increased height and more contemporary design. The existing apparatus already sit close to the edge of a low parapet wall at roof level, however the existing units are largely screened from street level given their sitting on the northern side of the host of host property's roof. Officers note that the additional AC units would move close to the host property's northern parapet wall. The proposed units would be enclosed by 2m high acoustic screening. Officers consider the proposed acoustics enclosure would contribute to screening the AC units visual bulk from the private views of neighbouring properties. Officers consider they proposed units would have an acceptable impact on the visual amenity of the surrounding roofline. Given that the proposed fixtures would not be visible from the public realm they would not be considered harmful to the setting of the wider Bloomsbury Conservation Area.

- 2 Officers note that the host property's roof already houses an array of plant equipment in association with the existing use at the site. The proposed equipment would sit alongside these fixtures together with additional acoustics screening that would be secured via condition. The proposed plants would be

located in a largely commercial setting surrounded by commercial properties with the exception of Gordon Mansions which is approximately 40m away from the proposed AC units. The proposals were revised to include an acoustic screen to the plant equipment. On the basis of the details in the submitted acoustic report and the additional mitigation, it is considered that the proposed additional plant equipment would not cause harm to local residential amenity. A condition would be added to ensure that the Council's noise standards are met by the development.

Officers consider the host property to be sufficiently set back from the rear windows of neighbouring properties so that the proposed roof terrace would not give rise to adverse overlooking impact. In addition to this the proposed terrace would be enclosed by high level privacy screening. A condition is added to ensure the proposed screening is installed prior to use commencing.

No objections were received following statutory consultation. The site's planning history was taken into account when determining this application

Considerable importance and weight has been attached to the harm and special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under and s.72 of The Planning (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, A4, D1 and D2 of the Camden Local Plan 2017, Pats 4 and 5 of the Fitzrovia Area Action Plan 2014. The proposed development also accords with the London Plan 2016 and the National Planning Policy Framework 2019.

- 3 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team London Borough of Camden 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444) . Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.
- 4 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website at <https://beta.camden.gov.uk/documents/20142/1269042/Camden+Minimum+Requirements+%281%29.pdf/bb2cd0a2-88b1-aa6d-61f9-525ca0f71319> or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

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 must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

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

A handwritten signature in black ink, appearing to read 'DPope', is positioned above the printed name and title.

Daniel Pope
Chief Planning Officer