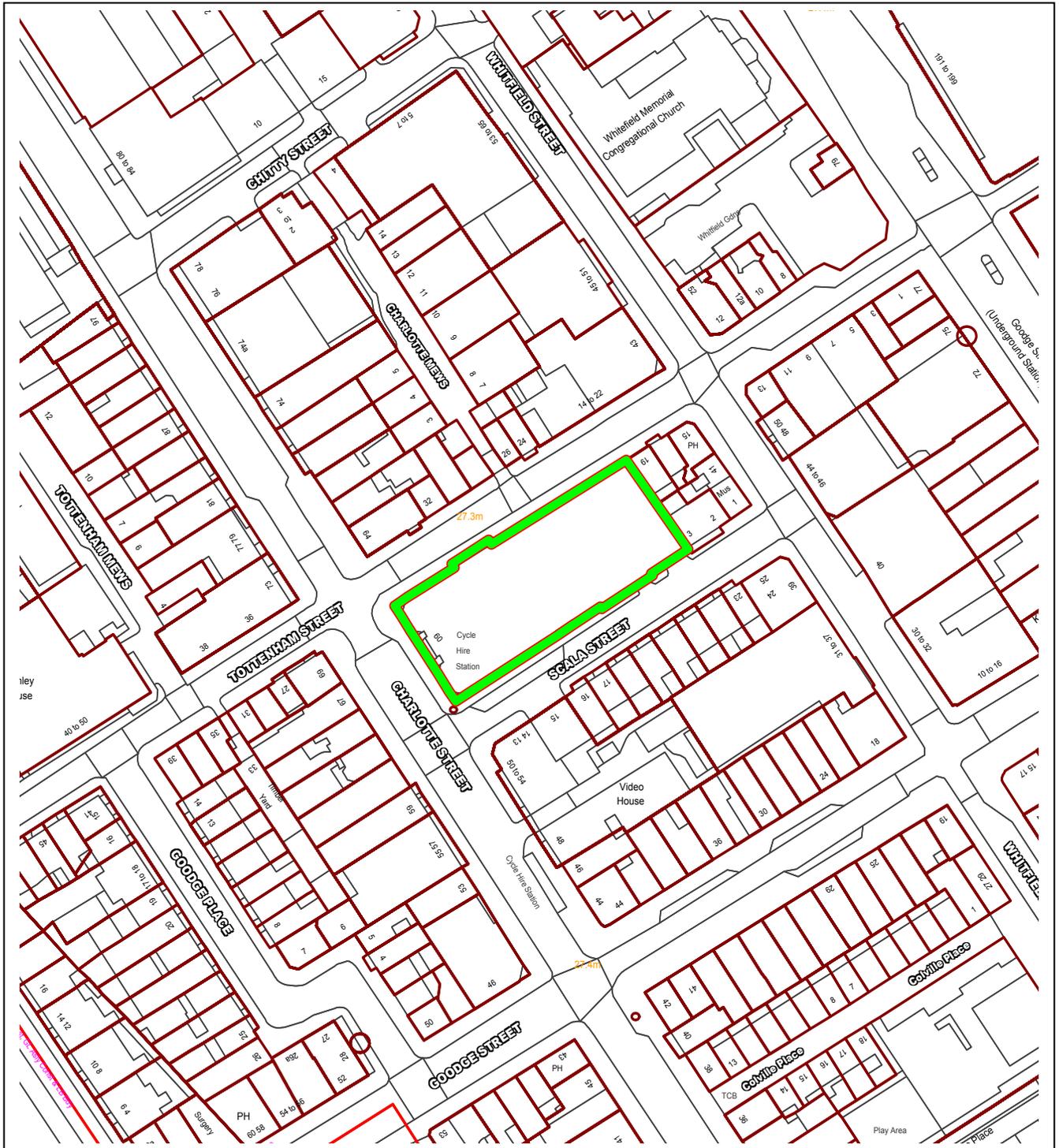


60 Charlotte Street, W1T 2NU
2020/0006/P



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Site photos

1. Existing southern elevation



2. View east along Scala Street



3. Windows of commercial building directly facing the proposed terrace on Scala Street



4. View west of properties on Charlotte Street



5. View south-west down Charlotte Street



Delegated Report (Members Briefing)		Analysis sheet N/A		Expiry Date: 27/02/2020	
				Consultation Expiry Date: 16/02/2020	
Officer			Application Number(s)		
Patrick Marfleet			2020/0006/P		
Application Address			Drawing Numbers		
60 Charlotte Street London W1T 2NU			Please refer to draft decision notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Use of part of third floor flat roof to the south as a terrace area including installation of access door and refurbished balustrade.					
Recommendation(s):		Grant conditional planning permission			
Application Type:		Full Planning Permission			
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice			
Informatives:					
Consultations					
Adjoining Occupiers:		No. of responses	05	No. of objections	05
Summary of consultation responses:		<p>Site notice: displayed from 23/01/2020 - 16/02/2020 Press notice: displayed from 23/01/2020 - 16/02/2020</p> <p>Five objections were received from neighbouring residents, including the occupiers of residential properties along Scala Street. Their objections are summarised as follows:</p> <ol style="list-style-type: none"> 1. The proposal will harm the privacy of properties along Scala Street and will allow office workers using the terrace to look directly into bedroom and bathroom windows. 2. The intended use of the proposed terrace is for the workers of the office and yet the applicant considers that hours of use are not applicable to this application. There is no justification or need for the introduction of this terrace overlooking the quieter residential side street and to claim that the use will be limited to "office hours" is meaningless. <p><i>Officer response</i></p>			

3. *The amenity impact of the proposal is discussed in paragraph 2.3 of the assessment below.*
4. *A condition controlling hours of use for the terrace has been added to the decision notice.*

Cllr Harrison – objection

1. Could you record my objection to the above application, on the basis of overlooking from the roof terrace into people’s homes.

Officer response

1. *The amenity impact of the proposal is discussed in paragraph 2.3 of the assessment below.*

Local Groups

The **Fitzrovia Neighbourhood Association** objected to the application on the following grounds.

1. The proposal for a terrace facing homes in Scala street will negatively impact on residents amenity and privacy. Residents will be overlooked and there is a likely to be noise nuisance from people using the terrace. The existing building has been designed with the structure set back and angled away from other properties. The alterations would undermine this design which mitigates the effect of the bulk of the building. For these reasons the application should be refused.

Officer response

1. *See sections 2.2 (Design) and 2.3 (Amenity) below.*

Site Description

The application site relates to an eight storey commercial building located between Charlotte Street, Scala Street, Tottenham Street and Whitfield Street. The building is predominantly in use as office space (Class B1) with an existing restaurant unit (Class A3) at ground floor level, on the corner with Tottenham Street.

The application building is not listed but is located within the Charlotte Street Conservation Area and the Fitzrovia Area Action Plan.

Relevant History

Application site

2019/4582/P - External alterations to west and south facades including increased footprint and new entrance at ground floor level and replacement of solid panels at first floor level with glazing. **Approved 06/11/2019.**

Relevant policies

National Planning Policy Framework 2019

The London Plan March 2016

Intend to Publish London Plan 2019

Camden Local Plan 2017

A1 Managing the impact of development
D1 Design
D2 Heritage

Camden Planning Guidance 2018/2019

CPG Design
CPG Amenity

Fitzrovia Area Action Plan 2014

Charlotte Street Conservation Area Appraisal and Management Strategy (July 2008)

Assessment

1 PROPOSAL

1.1 Planning permission is sought for the use of the existing flat roof area to the south of the building, at third floor level, as an amenity terrace for occupants of the office building. The proposed terrace would occupy the western half of the existing flat roof and would include the erection of a balustrade down the middle of the roof to prevent people congregating on the eastern side.

1.2 Permission is also sought to convert one of the existing third floor windows into a doorway to provide access to the terrace .

Revisions

1.3 During the course of the application the applicant has submitted amended plans which show a reduction in the size of the proposed terrace from 34sqm to approximately 20sqm.

2 ASSESSMENT

2.1 The material considerations for this application are as follows:

- Design and Conservation;
- Amenity of neighbouring residential occupants
- Transport

2.2 Design and conservation

2.2.1 Local Plan Policies D1 (Design) and D2 (Heritage) are aimed at achieving the highest standard of design in all developments. Policy D1 requires development to be of the highest architectural and urban design quality, which improves the function, appearance and character of the area; and Policy D2 states that the Council will preserve, and where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas and listed buildings.

2.2.2 The only external works proposed relate to the installation of a bi-folding glazed door at third floor level to provide access onto the proposed terrace. The proposed door would be the same height as the existing windows on this elevation, with the cills being lowered to provide step free access. The proposed door is therefore considered to represent a minor alteration that would not have a significant impact on the design and appearance of the building. Furthermore, the proposed doorway would be set well back from the projecting front elevation below and would have very limited visibility from the street, ensuring no harm is caused to the character of the surrounding conservation area. The proposed balustrade would match the size and design of the existing balustrade surrounding the flat roof area, which is to be retained and refurbished.

2.2.4 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 size, scale and

design of the proposed alterations would not cause harm to the character and appearance of the Charlotte Street Conservation Area.

2.3 Amenity of neighbouring residential occupants

2.3.1 Policy A1 seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered. It seeks to ensure that development protects the quality of life of occupiers and neighbours by only granting permission for development that would not harm the amenity of neighbouring residents. This includes privacy, overlooking, outlook and implications on daylight and sunlight. CPG (Amenity) provides specific guidance with regards to privacy, overlooking and outlook.

2.3.2 Officers note the concerns raised from the neighbouring residents with regard to the impact the proposed roof terrace will have on the privacy of the nearby residential properties along Scala Street. However, as stated earlier in the report, the applicant has submitted amended plans which reduce the size of the terrace initially proposed by almost half. These alterations which include the installation of a dividing balustrade down the middle of the building (spanning the narrowest point between the recessed upper floors and projecting lower floors) would ensure people using the terrace are restricted to the western side of the flat roof area and cannot walk over to the eastern side of the flat roof which directly faces the Scala Street properties.

2.3.3 Standing on the western half of the roof would still allow some views of the residential properties on Scala Street. However, it was clear from visiting the site and standing on the roof that the oblique views of the front windows of these properties would be sufficient enough to ensure no harmful loss of privacy or increased overlooking would occur as a result of the development. A condition controlling the hours of use of the terrace to 08:00 to 20:00 on weekdays only has been added to the decision notice to further protect the amenity of neighbouring residents.

2.3.4 The proposed terrace would also face the existing properties located directly opposite on Charlotte Street, which comprise a mixture of commercial and residential premises. However, the terrace would share the same views as the existing windows below and is not considered to exacerbate current levels of overlooking as result. Furthermore, the terrace would also be largely screened from view during the summer months due to the existing mature trees located along Charlotte Street, thus reducing the impact further on the properties opposite.

3 Recommendation

3.1 Grant conditional planning permission

DISCLAIMER

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 8th June 2020, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to www.camden.gov.uk and search for 'Members Briefing'

Application ref: 2020/0006/P
Contact: Patrick Marfleet
Tel: 020 7974 1222
Date: 3 June 2020

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

SM Planning
80-83 Long Lane
London
EC1A 9ET

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

60 Charlotte Street
London
W1T 2NU

DECISION

Proposal:

Use of part of third floor flat roof to the south as a terrace area including installation of access door and refurbished balustrade.

Drawing Nos: 1926-BG-ZZ-00-DR-A-00.101, 1926-BG-ZZ-00-DR-A-00.102, 1926-BG-ZZ-00-DR-A-10.205, 1926-BG-ZZ-03-DR-A-10.206, 1926-BG-ZZ-00-DR-A-20.205 dated 29/05/2020, 1926-BG-ZZ-00-DR-A-10.252, 1926-BG-ZZ-00-DR-A-20.252, 1926-BG-ZZ-00-DR-A-10.271, 1926-BG-ZZ-00-DR-A-20.274, Cover Letter dated 23/12/2019

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: 1926-BG-ZZ-00-DR-A-00.101, 1926-BG-ZZ-00-DR-A-00.102, 1926-BG-ZZ-00-DR-A-10.205, 1926-BG-ZZ-03-DR-A-10.206, 1926-BG-ZZ-00-DR-A-20.205 dated 29/05/2020, 1926-BG-ZZ-00-DR-A-10.252, 1926-BG-ZZ-00-DR-A-20.252, 1926-BG-ZZ-00-DR-A-10.271, 1926-BG-ZZ-00-DR-A-20.274, Cover Letter dated 23/12/2019

Reason:

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

- 4 The proposed roof terrace hereby approved shall only be accessed between the hours of 08:00 and 20:00 Monday to Friday and not at all on weekends and 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.

- 5 The proposed terrace balustrade hereby approved shall match the size, design and fabric of the existing balustrade and be permanently retained as such.

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.

Informative(s):

- 1 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).
- 2 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.

- 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

Director of Regeneration and Planning