

Application ref: 2018/1890/P
Contact: Kristina Smith
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Date: 3 April 2020

Development Management
Regeneration and Planning
London Borough of Camden
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Square Feet Architects
95 Bell Street
London
NW1 6TL

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted Subject to a Section 106 Legal Agreement

Address:

**45 New Compton Street
London
WC2H 8DF**

Proposal:

Infill of existing undercroft carpark to create 5 new Class C3 flats (1x 2-bed; 4x 1-bed) and 104 sqm of Class B1 office space fronting New Compton Street; erection of single storey 2-bed Class C3 dwelling house on side open parking area; erection of single storey roof extension on main block to provide 3 new Class C3 flats (1x 3-bed; 2x 2-bed) including associated lift shaft extension to front elevation; installation of plant at ground floor and main roof levels.

Drawing Nos: 1720-L-001; 1720-L-010; 1720-L-011; 1720-L-016; 1720-L-019; 1720-L-020; 1720-L-021; 1720-L-022; 1720-L-024; 1720-L-030; 1720-L-031; 1720-L-110H; 1720-L-111E; 1720-L-112C; 1720-L-116C; 1720-L-117E; 1720-L-119C; 1720-L-120D; 1720-L-121A; 1720-L-122C; 1720-L-123A 1720-L-124A; 1720-L-130B; 1720-L-131B; 1720-L-132A; 1720-L-150; Planning and Design & Access Statement (Rev A, July 2018); Internal Daylight Assessment (dated April 2018); Landscape Design Package (prepared by London Garden Designer, dated July 2018); Noise Impact Assessment (prepared by Venta Acoustic, dated 11 October 2018); Sustainability Statement (prepared by Planning for Sustainability, dated October 2018); Energy Statement (prepared by Planning for Sustainability, dated October 2018); Arboricultural Impact Assessment (prepared by Skerratt, dated 14.03.2018)

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 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: 1720-L-001; 1720-L-010; 1720-L-011; 1720-L-016; 1720-L-019; 1720-L-020; 1720-L-021; 1720-L-022; 1720-L-024; 1720-L-030; 1720-L-031; 1720-L-110H; 1720-L-111E; 1720-L-112C; 1720-L-116C; 1720-L-117E; 1720-L-119C; 1720-L-120D; 1720-L-121A; 1720-L-122C; 1720-L-123A 1720-L-124A; 1720-L-130B; 1720-L-131B; 1720-L-132A; 1720-L-150; Planning and Design & Access Statement (Rev A, July 2018); Internal Daylight Assessment (dated April 2018); Landscape Design Package (prepared by London Garden Designer, dated July 2018); Noise Impact Assessment (prepared by Venta Acoustic, dated 11 October 2018); Sustainability Statement (prepared by Planning for Sustainability, dated October 2018); Energy Statement (prepared by Planning for Sustainability, dated October 2018); Arboricultural Impact Assessment (prepared by Skerratt, dated 14.03.2018)

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

- 4 Before the relevant part of the work is begun, details of all facing materials, fenestration, doors and balustrades shall be submitted to and approved in writing by the Local Planning Authority. The relevant part of the works shall be carried out in accordance with the details thus approved.

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.

- 5 Before the relevant part of the work is begun, notwithstanding the details shown on approved drawing no. 1720_L_110 (rev H), details of a secure and covered cycle storage facility for a minimum of 14 cycles shall be submitted to and approved by the local planning authority. The approved facility shall thereafter be provided in its entirety prior to the first occupation of any of the new units, and permanently retained thereafter.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy T1 of the Camden Local Plan 2017.

- 6 A 1.8 metre high privacy screen, details of which shall have been submitted to and approved in writing by the local planning authority, shall be erected on the south side of the 5th floor roof terrace facing Pendrell House, prior to commencement of use of the roof terrace and shall be permanently retained.

Reason: In order to prevent unreasonable overlooking of neighbouring premises and to safeguard the appearance of the premises in accordance with the requirements of policies A1, D1 and D2 of the London Borough of Camden Local Plan 2017.

- 7 The development hereby approved shall achieve a maximum internal water use of 110litres/person/day. The dwellings shall not be occupied until the Building Regulation optional requirement has been complied with.

Reason: To ensure the development contributes to minimising the need for further water infrastructure in an area of water stress in accordance with policies CC1, CC2, CC3 of the London Borough of Camden Local Plan 2017.

- 8 Prior to first occupation of the new units, detailed plans showing the location and extent of photovoltaic cells, air source heat pump systems and associated equipment to be installed on the building shall have been submitted to and approved by the Local Planning Authority in writing. The measures shall include the installation of a meter to monitor the energy output from the approved renewable energy systems. The cells shall be installed in full accordance with the details thus approved and permanently retained and maintained thereafter.

Reason: To ensure the development provides adequate on-site renewable energy facilities in accordance with the requirements of policies G1, CC1 and CC2 of the London Borough of Camden Local Plan 2017.

- 9 All units unless otherwise indicated on the plans shall be designed and constructed in accordance with Building Regulations Part M4 (2). Evidence demonstrating compliance should be submitted to and approved by the Local Planning Authority prior to occupation.

Reason: To ensure that the internal layout of the building provides flexibility for the accessibility of future occupiers and their changing needs over time, in accordance with the requirements of policies H6 and A6 of the Camden Local Plan 2017.

- 10 The ground floor unit as indicated on the plan number 1720_L_150 hereby approved shall be designed and constructed in accordance with Building Regulations Part M4 (3) (2a). Evidence demonstrating compliance should be submitted to and approved by the Local Planning Authority prior to occupation.

Reason: To ensure that the wheelchair units would be capable of providing adequate amenity in accordance with policies H6 and C6 of the Camden Local Plan 2017.

- 11 No development shall commence until:

- (a) a written Preliminary Risk Assessment (PRA) and scheme of investigation has been submitted to and approved by the local planning authority in writing; the PRA must take account of the historical and environmental context of the site and can be based on a desk study or the Enhanced Environmental Information Review detailed below; and
- (b) following the approval detailed in paragraph (a), a written scheme of remediation measures has been submitted to and approved by the local planning authority in writing.

The remediation measures shall be implemented strictly in accordance with the approved scheme and a written report detailing the remediation shall be submitted to and approved by the local planning authority in writing prior to occupation.

Reason: To protect future occupiers of the development from the possible presence of ground contamination arising in connection with the previous industrial/storage use of the site in accordance with policies G1, D1, A1 and DM1 of the London Borough of Camden Local Plan 2017.

- 12 Noise levels at a point 1 metre external to sensitive facades shall be at least 10dB(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 has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or if there are distinct impulses (bangs, clicks, clatters, thumps), then the noise levels from that piece of plant/equipment at any sensitive façade shall be at least 15dB(A) below the LA90, expressed in dB(A).

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 No music shall be played within the Class B1 unit hereby approved in such a way as to be audible within any adjoining premises or on the adjoining highway.

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.

- 14 Prior to first occupation of the new units, details of the Air Source Heat Pumps and their associated sound attenuation and anti-vibration measures shall be submitted to and approved by the Local Planning Authority. The plant and measures shall be carried out in accordance with the details thus approved and shall thereafter be retained and maintained in accordance with the manufacturers' recommendations.

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

- 15 Prior to the commencement of development, design details that demonstrate

that the lift motor and associated equipment will achieve the following shall be submitted for approval by the Local Planning Authority:

a.) LOAEL (green) noise levels for 'inside a bedroom' for night time as set out in Table B of Appendix 3 of the Camden Local Plan.

b.) 'vibration inside dwellings' standard for night time operation as set out in Table A of Appendix 3 of the Camden Local Plan.

Reason: To prevent the transmission of noise and vibration throughout the building and / or into any neighbouring premises in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

- 16 Prior to commencement of development , full details in respect of the living roof in the area indicated on the approved roof plan shall be submitted to and approved by the local planning authority. The details shall include-
- i. a detailed scheme of maintenance,
 - ii. sections at a scale of 1:20 with manufacturers details demonstrating the construction and materials used,
 - iii. full details of planting species and density.

The living roofs shall be fully provided in accordance with the approved details prior to first occupation and thereafter retained and maintained in accordance with the approved scheme.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies G1, CC1, CC2, CC3, D1, D2 and A3 of the London Borough of Camden Local Plan 2017.

- 17 All hard and soft landscaping works shall be carried out in accordance with the landscape details hereby approved by not later than the end of the planting season following completion of the development. Any trees or areas of planting which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced as soon as is reasonably possible and, in any case, by not later than the end of the following planting season, with others of similar size and species, unless the local planning authority gives written consent to any variation.

Reason: To ensure that the landscaping is carried out within a reasonable period and to maintain a high quality of visual amenity in the scheme in accordance with the requirements of policies A2, A3, D1 and D2 of the London Borough of Camden Local Plan 2017.

- 18 All Non-Road Mobile Machinery (any mobile machine, item of transportable industrial equipment, or vehicle - with or without bodywork) of net power between 37kW and 560kW used on the site for the entirety of the construction phase of the development hereby approved shall be required to meet Stage IIIB of EU Directive 97/68/EC. The site shall be registered on the NRMM register for the construction phase of the development.

Reason: To safeguard the amenities of the adjoining occupiers, the area generally and contribution of developments to the air quality of the borough in accordance with the requirements of policies A1, CC1 and CC4 of the London Borough of Camden Local Plan 2017.

- 19 The refuse storage facility shown on the plans hereby approved shall be provided prior to the first occupation of any of the new units and permanently retained thereafter.

Reason: To ensure that sufficient provision for the storage and collection of waste has been made in accordance with the requirements of policy CC5, A1 and A4 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 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.
- 4 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.

- 5 You are advised that Section 44 of the Deregulation Act 2015 [which amended the Greater London Council (General Powers) Act 1973] only permits short term letting of residential premises in London for up to 90 days per calendar year. The person who provides the accommodation must be liable for council tax in respect of the premises, ensuring that the relaxation applies to residential, and not commercial, premises.

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 written over a light grey rectangular background.

Daniel Pope
Chief Planning Officer