

Application ref: 2019/6330/P
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Date: 19 August 2020

Development Management
Regeneration and Planning
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Manalo and white
Unit 301, Metropolitan Wharf
70 Wapping Wall
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London
E1W 3SS

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Variation or Removal of Condition(s) Granted Subject to a Section 106 Legal Agreement

Address:
89 Plender Street
London
NW1 0JN

Proposal:

Variation of condition 2 (approved plans) of planning permission 2016/6490/P dated 31/10/2019 for: "Change of use at upper floors to a 39 room hotel (Class C1). Internal alterations to existing place of worship (Class D1); Change of use of lower ground student accommodation (Class C2) to provide replacement worship space (Class D1) and associated community and ancillary hotel space; Shared entrance at upper ground floor level; Associated roof extension and alterations to main façade, side entrances and windows" namely to: Omit a 600mm gap between existing facade and hotel guest rooms. Drawing Nos: Superseded: (859_03/03/) 0219 P8; 0220 P8; 0221 P7; 0222 P7; 0223 P7; 0224 P7; 0225 P6; 0510 P6; 0511 P6; 0512 P6; 0513 P6; 0514 P6; 0600 P6; 0601 P6; 0602 P6; 0603 P6.

Amended: (04) 0200 P5; 0201 P5; 0202 P5; 0203 P5; 0204 P5; 0205 P5; 0206 P5; 0501 P3; 0503 P3; 0506 P3 & 0510 P1

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 the original permission ref: 2016/6490/P dated 31/10/2019.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: (859_03/03/) 0253 P7; 0254 P7; 0255 P8; 0800 P2; 0801 P2; 0802 P2 & 0803 P2. (859_03/01/) 0100 P1; 0219 P1; 0220 P1; 0221 P1; 0500 P1; 0501 P1; 0600 P1; 0601 P1; 0602 P1 & 0603 P1. (04) 0200 P5; 0201 P5; 0202 P5; 0203 P5; 0204 P5; 0205 P5; 0206 P5; 0501 P3; 0503 P3; 0506 P3 & 0510 P1. Deliverability and Viability Statement (November 2016); Planning Statement (November 2016); Operational Management Statement (16th November 2016); Plant Noise Assessment (17th November 2015); Heritage Statement (November 2016); Preliminary Risk Assessment (November 2016); Daylight and Sunlight Study (3rd November 2015); Covering Letting (25th November 2016); Design and Access Statement (November 2016); Construction Management Plan; Energy Strategy Report (dated 06/03/2017); Sustainability Statement (dated 03/03/2017) with 'Appendix A: Camden Methodist Church BREEAM Pre-assessment (v2)'; Preliminary Bat Roost Assessment Protected Species Survey (February 2017); Air Quality Assessment (March 2017).

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

- 3 Detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority before the relevant part of the work is begun:

- a) Details including sections at 1:10 of all windows (including jambs, head and cill), ventilation grills, external doors and gates;

- b) Manufacturer's specification details and samples of all facing materials (to be submitted to the Local Planning Authority) and samples of those materials (to be provided on site).

The relevant part of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course of the works.

Reason: To safeguard the appearance of the premises and the character of the surrounding conservation area in accordance with the requirements of policies D1 and D2 of the Camden Local Plan.

- 4 No lights, meter boxes, flues, vents or pipes, and no telecommunications equipment, alarm boxes, television aerials, satellite dishes or rooftop 'mansafe' rails shall be fixed or installed on the external face of the buildings, without the prior approval in writing of the local planning authority.

Reason: To safeguard the appearance of the premises and the character of the surrounding conservation area in accordance with the requirements of policies D1 and D2 of the Camden Local Plan.

- 5 Before the development commences, details of the location, design and method of waste storage and removal including recycled materials, shall be submitted to and approved by the local planning authority in writing. The facility as 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 of the Camden Local Plan.

- 6 Before the development commences, details of secure and covered cycle storage area for 6 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 that the scheme makes adequate provision for cycle users in accordance with policies T1 and T3 of the Camden Local Plan., the London Plan and CPG Transport.

- 7 Noise levels at a point 1 metre external to sensitive facades shall be at least 5dB(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 10dB(A) below the LA90, expressed in dB(A).

Reason: To ensure that the amenity of occupiers of the development site / surrounding premises is not adversely affected by noise from mechanical installations/ equipment, in accordance with Policies A1 and A4 of the Camden Local Plan 2017.

- 8 No customers shall be picked up or dropped off by coach at any time.

Reason: To safeguard the highway conditions and safety of the wider area and to safeguard the amenities of the neighbouring residential premises and the area generally in accordance with the requirements of policies A1, T1 and T2 of the Camden Local Plan 2017.

- 9 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 [demolition and/construction] phase of the development hereby approved shall be required to meet Stage IIIA of EU Directive 97/68/EC. The site shall be registered on the NRMM register for the [demolition and/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 G1, A1, CC1 and CC4 of the London Borough of Camden Local Plan 2017.

Informative(s):

1 Reasons for granting permission:

The application seeks to vary condition 2 (approved plans) of planning permission ref. 2016/6490/P dated 31/10/2019. The consented scheme retained a 600mm gap between the original shell of the building and an interior wall with glazing to the hotel rooms (above ground floor level). This application proposes to remove the 600mm gap on the grounds of health and safety and maintenance. The hotel rooms would therefore extend right up to the original walls of the building following this amendment to the original scheme.

The proposal would not make any alterations which would be immediately visible from the exterior of the property. It is acknowledged that the proposal could not be completed without the removal and replacement of the original windows to the church (on safety and building control grounds). However the replacement of the windows was approved under the previous consent (ref: 2016/6490/P dated 31/10/2019) subject to the approval of details required by condition 3. As such, the proposal would have a neutral impact on character and appearance of the property and surrounding area, and is considered to be acceptable in design terms.

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 proposed change would make marginal alterations to the overall scale of the building and would not introduce any new fenestration or additional levels of overlooking. As such, the proposal is considered not to impact on the residential amenities of nearby occupiers above that of the original consent.

The agent has shown that the floorspace calculated for the purposes of the affordable housing contribution on the originally consented scheme (ref. 2016/6490/P dated 31/10/2019) included these 600mm 'gaps'. As such there would be no alteration to the sum originally requested. Similarly the proposal would not impact on any other clauses within the original legal agreement, and this approval is subject to a Deed of Variation to transfer the original agreement (linked to 2016/6490/P dated 31/10/2019) to this consent.

The CAAC originally questioned the scheme specifically relating to the replacement of existing windows and increase in floor space. The questions were addressed and the CAAC raised no objections to the scheme subject to details of the replacement windows (which would be required under condition 3). No other third party comments were received following consultation. The planning history of the application site was considered prior to this

determination.

As such, the proposed development is in general accordance with policies A1, A4, CC1, CC4, CC5, D1, D2, G1, T1, T2 and T3 of the London Borough of Camden Local Plan 2017, the London Plan 2016, and the National Planning Policy Framework 2019.

- 2 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.
- 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 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).
- 5 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.

- 6 You are reminded of the need to provide adequate space for internal and external storage for waste and recyclables. For further information contact Council's Environment Services (Waste) on 020 7974 6914/5 or see the website <http://www.camden.gov.uk/ccm/content/environment/waste-and-recycling/twocolumn/new-recycling-rubbish-and-reuse-guide.en>.

- 7 You are advised of the need to ensure that all necessary consents have been obtained from Thames Water regarding the connection of the development to the public sewer. You should incorporate protection to your property from possible surcharge from the sewerage network during storm events, for example by installing a non-return valve to prevent backflow. Thames Water would recommend that petrol/oil interceptors be fitted in all car parking/washing/repair facilities. Please contact Thames Water Developer Services on 0845 850 2777.
- 8 Thames Water have advised that the design of the development should take account of a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves the public water supply pipes.

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
Director of Economy, Regeneration and Investment