

Application ref: 2021/1689/P
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Date: 28 June 2021

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Iceni Projects
Da Vinci House
44 Saffron Hill
London
EC1

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

**St.Giles Circus site including: site of 138-148 (even) Charing Cross Road;
4, 6, 7, 9, 10, 20-28 Denmark Street; 1-6 16-23 Denmark Place; 52-59 St.Giles High
Street; 4 Flitcroft Street and 1 Book Mews
London
WC2**

Proposal:

Installation of rooftop plant to serve approved restaurant use

Drawing Nos: 510295-ELE-XX-RF-DR-MX-50001 Rev P06; 510295-ELE-XX-XX-DR-MX-50101 Rev P03; 510295-ELE-XX-XX-DR-MX-50103 Rev P01; 510295-ELE-XX-XX-DR-MX-50104 Rev P01; 510295-ELE-XX-XX-DR-MX-50102 Rev P05; Noise Egress Assessment dated 26/02/2021.

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 The development hereby permitted shall be carried out in accordance with the following approved plans: 510295-ELE-XX-RF-DR-MX-50001 Rev P06; 510295-ELE-XX-XX-DR-MX-50101 Rev P03; 510295-ELE-XX-XX-DR-MX-50103 Rev P01; 510295-ELE-XX-XX-DR-MX-50104 Rev P01; 510295-ELE-XX-XX-DR-MX-50102 Rev P05; Noise Egress Assessment dated 26/02/2021.

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

- 3 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.

Informative(s):

- 1 Reasons for granting permission.

Permission is sought for plant to be inserted on the roof of a recently constructed building (Urban Gallery) under planning permission 2012/6858/P dated 31/03/2015 (for redevelopment involving the erection of three buildings, a new basement and various extensions, to provide basement event gallery space; urban gallery; flexible retail and restaurant floorspace; restaurant floorspace; drinking establishment; a 14 bedroom hotel; office floorspace; private residential floorspace; affordable housing; and retail floorspace). The plant would serve a new restaurant use. In support of the application a Noise Impact Assessment, plans, elevations and a Views Assessment have been submitted. The main material considerations are considered to be design/heritage and noise/vibration.

The proposals include exhausts, vent pipes and fans on the roof top. Although the introduction of plant is not optimal, it has been designed as sensitively as possible as it not visually prominent within important public views (as demonstrated in the View Assessment). Therefore on balance, it is considered that the proposal would not unacceptably detract from the building and that it would preserve the character and appearance of surrounding conservation areas as well as the setting of nearby listed buildings.

Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area and the setting of adjacent listed buildings, under s.72 and s.66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

The nearest noise sensitive receptors are located within Centre Point Tower (residential). Located to the south of the site on Denmark Street are noise sensitive receptors of mixed commercial and residential purpose. The Council's Environmental Health Officer has assessed the Noise Impact Assessment and considered that the proposal would be acceptable, subject to conditions.

One objection has been received prior to making this decision, from a resident at Centre Point House. The objection is directed against the main development, which has been built out and is near occupation. Bloomsbury/Denmark Street CAAC confirmed that they have no comment to make on application. The planning history of the site has been taken into account when coming to this decision.

As such, the proposed development is in general accordance with policies A1, A4, D1 and D2 of the Camden Local Plan 2017. The proposed development also accords with the London Plan 2021 and the National Planning Policy Framework.

- 2 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).

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