

Application ref: 2021/1374/P
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Development Management
Regeneration and Planning
London Borough of Camden
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Brunel Planning
Brunel Planning
51 Queens Road
Tunbridge Wells
TN4 9LZ
Kent

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:
30 Percy Street
London
W1T 2DB

Proposal:

Variation of condition 3 (approved plans) of planning permission ref 2019/4241/P dated 28/08/2020 (External alterations including replacement rear extension at ground floor and basement level with roof terrace above, change of use of existing flat (Class C3) at second and third floor level to office space (Class B1a) and use of basement level as social enterprise space) namely to incorporate fire safety measures including installation of rooflights and PV panels.

Drawing Nos: 1808-SP-P-00-MF-01-03. 1808-SP-01-DR-A-P-25-XX-01-01-P02, 1808-SPP-01-DR-A-P-26-XX-01-01-P02, 1808-SPP-01-DR-A-P-26-XX-01-02-P02, 1808-SPP-01-DR-A-D-20-0G-01-01-P02, 1808-SPP-01-DR-A-D-20-0R-01-01-P02, 1808-SPP-01-DR-A-D-20-01-01-01-P02, 1808-SPP-01-DR-A-D-20-02-01-01-P02, 1808-SPP-01-DR-A-D-20-03-01-01-P02, 1808-SPP-01-DR-A-D-20-B1-01-01-P01, 1808-SPP-01-DR-A-D-25-XX-01-01-P01, 1808-SPP-01-DR-A-D-26-XX-01-01-P02, 1808-SPP-01-DR-A-D-26-XX-01-02-P01, 1808-SPP-01-DR-A-E-20-0G-01-01-P01, 1808-SPP-01-DR-A-E-20-0R-01-01-P01, 1808-SPP-01-DR-A-E-20-01-01-01-P01, 1808-SPP-01-DR-A-E-20-02-01-01-P01, 1808-SPP-01-DR-A-E-20-03-01-01-P01, 1808-SPP-01-DR-A-E-20-B1-01-01-P01, 1808-SPP-01-DR-A-E-25-XX-01-01-P02, 1808-SPP-01-DR-A-E-26-XX-01-01-P01, 1808-SPP-01-DR-A-E-26-XX-01-02-P01, 1808-SPP-01-DR-A-P-20-0G-01-01-P02, 1808-SPP-01-DR-A-P-20-0R-01-01-P02, 1808-

SPP-01-DR-A-P-20-01-01-01-P02, 1808-SPP-01-DR-A-P-20-02-01-01-P02, 1808-SPP-01-DR-A-P-20-03-01-01-P02, 1808-SPP-01-DR-A-P-20-B1-01-01-P02, 1808-SPP-01-DR-A-P-00-XX-01-01 - PO3

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 permission 2019/4241/P dated 28/08/2020.

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: 808-SP-P-00-MF-01-03. 1808-SP-01-DR-A-P-25-XX-01-01-P02, 1808-SPP-01-DR-A-P-26-XX-01-01-P02, 1808-SPP-01-DR-A-P-26-XX-01-02-P02, 1808-SPP-01-DR-A-D-20-0G-01-01-P02, 1808-SPP-01-DR-A-D-20-0R-01-01-P02, 1808-SPP-01-DR-A-D-20-01-01-01-P02, 1808-SPP-01-DR-A-D-20-02-01-01-P02, 1808-SPP-01-DR-A-D-20-03-01-01-P02, 1808-SPP-01-DR-A-D-20-B1-01-01-P01, 1808-SPP-01-DR-A-D-25-XX-01-01-P01, 1808-SPP-01-DR-A-D-26-XX-01-01-P02, 1808-SPP-01-DR-A-D-26-XX-01-02-P01, 1808-SPP-01-DR-A-E-20-0G-01-01-P01, 1808-SPP-01-DR-A-E-20-0R-01-01-P01, 1808-SPP-01-DR-A-E-20-01-01-01-P01, 1808-SPP-01-DR-A-E-20-02-01-01-P01, 1808-SPP-01-DR-A-E-20-03-01-01-P01, 1808-SPP-01-DR-A-E-20-B1-01-01-P01, 1808-SPP-01-DR-A-E-25-XX-01-01-P02, 1808-SPP-01-DR-A-E-26-XX-01-01-P01, 1808-SPP-01-DR-A-E-26-XX-01-02-P01, 1808-SPP-01-DR-A-P-20-0G-01-01-P02, 1808-SPP-01-DR-A-P-20-0R-01-01-P02, 1808-SPP-01-DR-A-P-20-01-01-01-P02, 1808-SPP-01-DR-A-P-20-02-01-01-P02, 1808-SPP-01-DR-A-P-20-03-01-01-P02, 1808-SPP-01-DR-A-P-20-B1-01-01-P02, 1808-SPP-01-DR-A-P-00-XX-01-01 - PO3, Planning Statement dated 16/08/2019, SPPARC DAS dated 19/08/2019, Daylight and Sunlight Assessment dated 16/04/2019, Plant Noise Impact Assessment dated 17/12/2018, KMHeritage Statement August 2019, Cover Letter 23/03/21.

Reason:

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

- 4 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 G1, CC1, D1, and A1 of the London Borough of Camden Local Plan 2017.

- 5 Before the use commences, the air-conditioning plant shall be provided with acoustic isolation, sound attenuation and anti-vibration measures in accordance with the scheme approved in writing by the local planning authority. All such measures 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 the requirements of policy G1, A1, A4, D1, CC1 of the London Borough of Camden Local Plan 2017.

- 6 The cycle storage space as shown on the approved basement plan shall provide a minimum of 2 cycle parking spaces at the site. The facility shall be provided in its entirety prior to the first occupation of the site, 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.

- 7 The proposed roof terrace hereby approved shall only be accessed between the hours of 09:00 and 18:00 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.

- 8 Prior to commencement of use of the roof terrace, details of the approved privacy screen shall be submitted to and approved in writing by the local planning authority.

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

Informative(s):

- 1 In August 2020 the council granted planning permission and listed building consent for, Internal and external alterations including replacement rear extension at ground floor and basement level with roof terrace above, change of use of existing flat (Class C3) at second and third floor level to office space (Class B1a) and use of basement level as social enterprise space (2019/4241/P and 2019/4517/L). In February 2021 planning permission and

listed building consent was granted for Internal and external alterations to incorporate fire safety measures including installation of 3 rooflights and re-configuration of existing 3 bed flat (2020/3951/P and 2020/4759/L). The current s.73 application seeks to incorporate all of the above applications into a single application for planning permission and listed building consent.

The external works included on the proposed plans currently submitted (namely the replacement rear extension) have all been assessed as part of the applications listed above, and remain unchanged from the previous approvals. The works are therefore considered acceptable in terms of their impact on the special historic interest of the listed building and surrounding conservation area. The current proposals do however include a change to both the existing and proposed plans to rectify an omission from the original approval where a soil pipe from the third floor was omitted from the original existing drawings and therefore it was also excluded from the consented plans. The current application seeks to update the existing elevation plans and also proposes a modification to the existing alignment of this soil waste pipe, which is considered acceptable. PV panels are also proposed in the central void space at main roof level.

The impact of the proposals on neighbouring amenity was assessed when determining applications 2019/4241/P and 2019/4517/L and 2020/3951/P and 2020/4759/L and considered acceptable. The current application would not alter the size of the approved rear extension and does not include any other alterations that would cause harm to neighbouring amenity in terms of loss of light, outlook or privacy.

One objection was received following statutory consultation and is addressed in a separate consultation summary. The planning history of the site and surrounding area were taken into account when coming to this decision.

Special regard has been attached to the desirability of preserving the listed building and its features of special architectural or historic interest, and of preserving or enhancing the conservation area, under s.66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

As such, the proposal is in general accordance with policy D1, D2 and A1 of the Camden Local Plan 2017. The proposed development also accords with the policies of the London Plan 2021, and National Planning Policy Framework 2019.

- 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).
- 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, 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 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.
- 5 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website (search for 'Camden Minimum Requirements' at www.camden.gov.uk) 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 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.

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 in the upper left corner of the page.

Daniel Pope
Chief Planning Officer