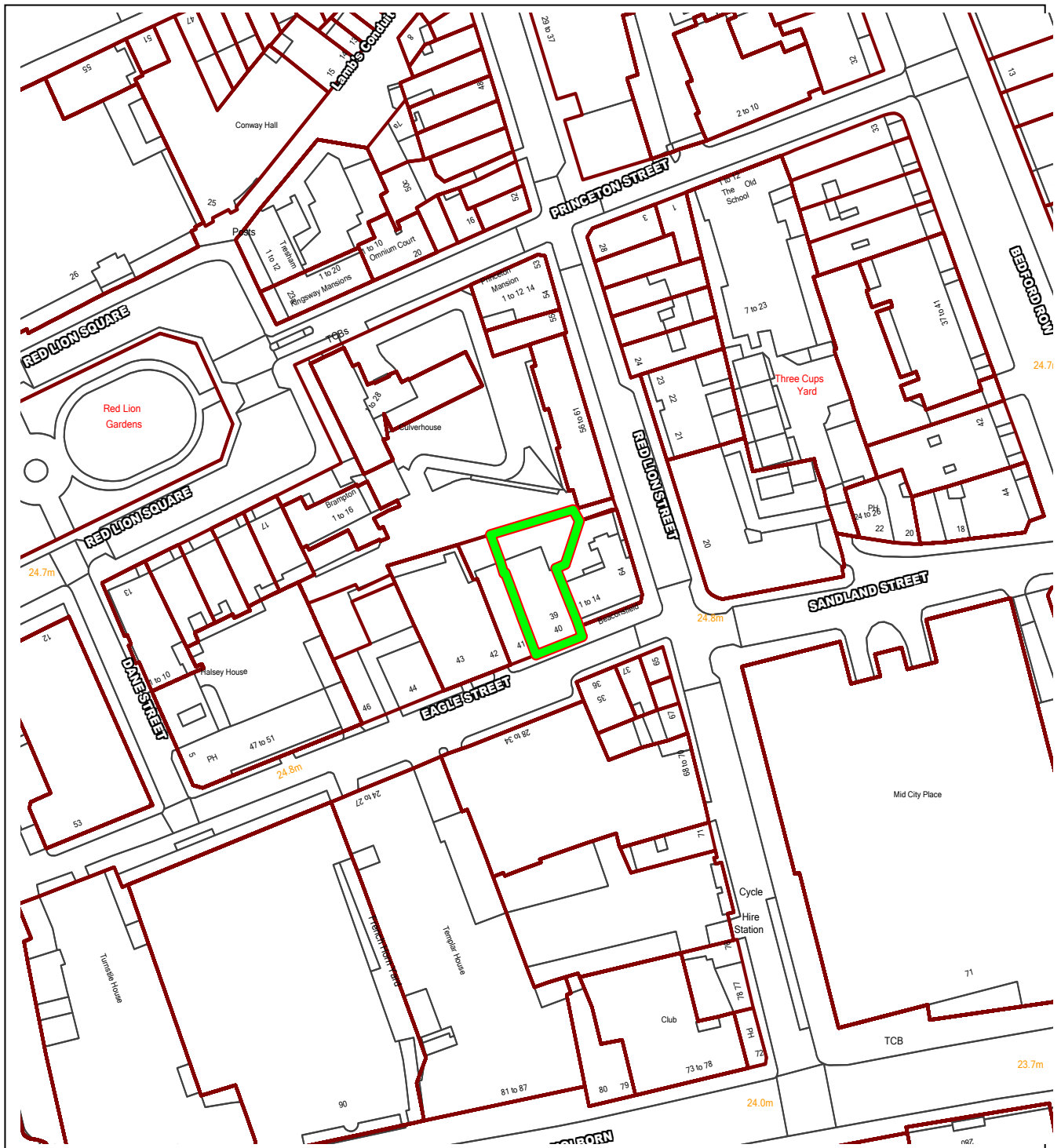


2022/3289/P 39-40 Eagle Street



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Site Photos



1. Existing front elevation from street view



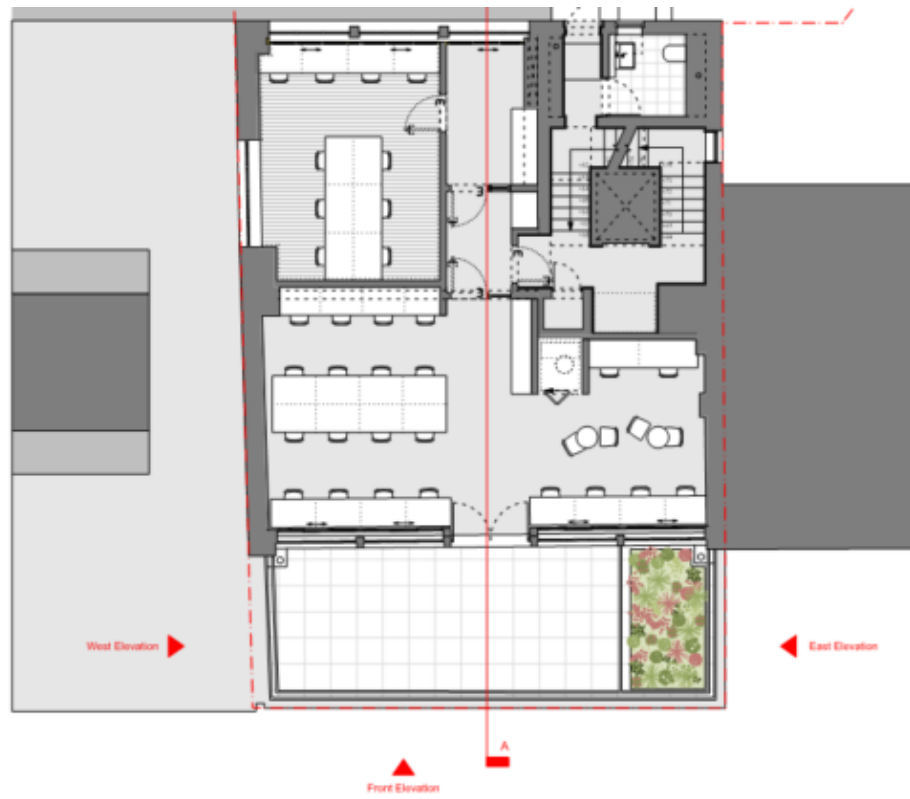
2. Existing front elevation showing fourth floor flat roof



3. Existing front elevation



4. Proposed front elevation



5. Proposed fourth floor plan

Delegated Report (Members Briefing)		Analysis sheet		Expiry Date:	26/09/2022
		N/A / attached		Consultation Expiry Date:	02/10/2022
Officer				Application Number	
Edward Hodgson				2022/3289/P	
Application Address				Drawing Numbers	
39-40 Eagle Street Camden London WC1R 4AP				See draft decision notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal					
Installation of metal balustrade to create a fourth-floor front terrace and replacement of existing window with new double doors					
Recommendation:		Grant conditional planning permission			
Application Type:		Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice			
Informatives:				
Consultations				
Summary of consultation:	A site notice was displayed near to the site on the 02/09/2022 (consultation end date 26/09/2022). The development was also advertised in the local press on the 08/09/2022 (consultation end date 02/10/2022).			
Adjoining Occupiers:	No. of responses	12	No. of objections	12
Summary of consultation responses:	12 letters of objection were received from addresses at 42 Eagle Street and 64 Red Lion Steet. The objections can summarised as follows: <ul style="list-style-type: none">Noise and anti-social behaviour coming from the use of the terrace during evenings and weekends will cause disturbance to the local residentsThe terrace will lead to an increased fire risk to nearby flats from people smoking on the terraceThe terrace would offer opportunities for overlooking into nearby flats <u>Officer's response:</u> <ul style="list-style-type: none">The increased fire risk is not considered to be a material planning considerationPlease refer to section 3 of the report.			
Bloomsbury CAAC:	A response was received from the BCAAC stating they had no comment to make.			

Site Description

The application is a part four storey and part six storey office building constructed of brick and built in the 1960s. The upper two storeys are set back from the front elevation.

The application site is not listed but is located within the Bloomsbury conservation area.

Relevant History

Application Site:

TP43997/12843 - The erection of a building comprising basement, ground, and five upper floors, to be used for showroom and office purposes, on the sites of Nos. 39 and 40 Eagle Street and Nos. 2-5 (Cons.) Red Lion Passage, Holborn. **Granted - 16/10/1959**

84 Theobald's Road:

2022/1765/P - Use of the roof terrace on the northwest side of level 8 as an office amenity space, with associated installation of balustrade. **Granted - 04/10/2022**

Relevant policies

National Planning Policy Framework (2021)

The London Plan (2021)

Camden Local Plan (2017)

- A1 Managing the impact of development
- A4 Noise and vibration
- D1 Design
- D2 Heritage

Camden Planning Guidance:

- CPG Amenity (2021)
- CPG Design (2021)
- CPG Energy efficiency and adaptation (2021)

Conservation Statements:

- Bloomsbury Conservation Area Appraisal and management strategy 2011

Assessment

1. The proposal

- 1.1. Planning permission is sought for the installation of a balustrade and door in order to create a terrace on the existing flat roof at fourth floor level. The terrace would measure approx. 25sqm and a planting area is proposed adjacent to the eastern boundary which would measure approx. 6sqm.

2. Design and Conservation

- 2.1. The Council's design policies are aimed at achieving the highest standard of design in all developments. The following considerations contained within policy D1 are relevant to the application: development should respect local context and character; comprise details and materials that are of high quality and complement the local character; and respond to natural features. Policy D2 'Heritage' states that in order to maintain the character of Camden's conservation areas, the Council will not permit development within conservation area that fails to preserve or enhance the character and appearance of that conservation area.

- 2.2. The Bloomsbury Conservation Area Statement (2011) advises that alterations can have a detrimental

impact to the conservation area with the use of inappropriate materials and encourages high quality design and execution. Railings on frontages are an important facet of the character of the area.

- 2.3. The proposed railing would be constructed of steel and finished in black. This is considered to be a traditional material and would be appropriate within the conservation area. It would measure 0.36m above the existing parapet and would thus be a minor addition to the front façade that would be subordinate to the host property. The proposed door would be located centrally on the front elevation and its design and size would be sympathetic to the hierarchy of windows. It would be constructed with metal frames and finished in white and would match the appearance of the existing windows on the front elevation. The proposed planting area would be largely screening behind the existing parapet and would be subordinate to the host building. Four low-level lights are proposed beneath the windows on the front elevation which would be screened behind the terrace and are considered acceptable.
- 2.4. The proposed landscaping area would have an acceptable substrate depth and would provide a mix of planting species including grasses, herbs and flowers and it would provide the potential for habitat diversity in accordance with Camden Planning Guidance.
- 2.5. It is therefore considered that the proposed external works would not harm the character and appearance of the building nor the Bloomsbury Conservation Area.

3. Amenity

- 3.1. Policy A1 seeks to protect the quality of life of occupiers and neighbours by only granting permission to development that would not harm the amenity of residents. This includes factors such as privacy, outlook, implications to natural light. Policy A4 seeks to ensure that residents are not adversely impacts upon by virtue of noise or vibrations.
- 3.2. The terrace would be set back from the boundary wall with neighbouring no. 64 Red Lion Street by approx. 2.4m. Views from the edge of the terrace would be oblique into the neighbouring windows and the proposed planting area would provide screening and separation between the terrace and nearby residential occupiers. The distance from the terrace to the nearest residential window would be approx. 4m. A condition is attached ensuring that the planting strategy is implemented and maintained.
- 3.3. The proposed lighting strategy is considered acceptable and would not cause harmful light pollution to neighbouring occupiers. A condition is attached ensuring that the strategy is implemented and maintained.
- 3.4. The terrace would measure approx. 25sqm which would be large enough to host medium gatherings. Following officer advice, a terrace management plan was submitted, and a condition is attached restricting the use of the terrace to between 08:00 to 21:00 Mondays to Fridays and not at all on weekends. The terrace shall only be used by office occupiers. It is considered that the submitted management plan and condition would be sufficient to prevent harmful noise pollution at anti-social hours.

4. Recommendation

- 4.1. Grant conditional Planning Permission

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 28th November 2022, 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: 2022/3289/P
Contact: Edward Hodgson
Tel: 020 7974 8186
Email: Edward.Hodgson@camden.gov.uk
Date: 21 November 2022

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

Hayhurst and Co
Hayhurst and Co
26 Fournier Street
London
E1 6QE
United Kingdom

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

**39-40
Eagle Street
Camden
London
WC1R 4AP**

DECISION

Proposal:

Installation of metal balustrade to create a fourth floor front terrace and replacement of existing window with new double doors

Drawing Nos: Site Location Plan 304 A001, 304 A010, 304 A020, 304 A021, 305 A022, 304 A030, 304 A110, 304 A120, 304 A121, 304 A122, 304 A130, Design and Access Statement, Terrace Management Plan, Landscaping Plan 304 A124, Lighting Strategy Plan 304 A123,

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).

The development hereby permitted shall be carried out in accordance with the following approved plans

Site Location Plan 304 A001, 304 A010, 304 A020, 304 A021, 305 A022, 304 A030, 304 A110, 304 A120, 304 A121, 304 A122, 304 A130, Design and Access Statement, Terrace Management Plan, Landscaping Plan 304 A124, Lighting Strategy Plan 304 A123,

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

- 3 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.

- 4 The roof terrace hereby approved shall be used by the occupiers of the building only and shall not be used outside the hours of 08:00 and 21:00 Monday to Friday and at no time during the weekends in accordance with the approved terrace management plan.

Reason: To ensure that the amenity of occupiers of surrounding premises is not adversely affected by noise or disturbance, in accordance with the requirements of Policies A1 and A4 of the London Borough of Camden Local Plan 2017.

- 5 The lighting strategy hereby approved in drawing no. 304 A123 shall be implemented and maintained in accordance with the lighting strategy plan.

Reason: To ensure that the amenity of occupiers of surrounding premises is not adversely affected by noise or disturbance, in accordance with the requirements of Policies A1 and A4 of the London Borough of Camden Local Plan 2017.

- 6 Details of the landscaping plan hereby approved under drawing no. 304 A124 shall be implemented and retained in accordance with the approved plan.

Reason: To ensure that the amenity of occupiers of surrounding premises is not adversely affected by noise or disturbance, in accordance with the requirements of Policies D1, D2, 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 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.

- 3 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.

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 2021.

You can find advice about your rights of appeal at:

<https://www.gov.uk/appeal-planning-decision>.

Yours faithfully

Chief Planning Officer