

London Borough of
Camden
Planning & Environment
5 Pancras Square
London
N1C 4AG

10 November 2022

Ref: FW137/FW

FAO: Elaine Quigley

Dear Sir/Madam

**Application under Section 73 for amendments to planning permission (2016/2094/P) – 150
Holborn, London, EC1N 2NS**

We write on behalf of our client, 150 Holborn Real Estate Limited, to submit an application under Section 73 to vary condition 9 attached to planning permission (Ref: 2016/2094/P).

Background

Condition 9 as approved states:-

The approved office amenity spaces at 7th and 8th floor levels, as shown on drawing numbers A-04-08 rev B and A-04-09 rev B shall be used by the office (B1a) uses 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 weekends.

Condition 11 as approved states-

No noise generating activities should take place within the roof terraces and pavilion outside of 23.00 and 07.00 Monday to Friday.

Condition 12 as approved states:-

No noise generating activities shall take place within the roof terraces and pavilion outside of 23.00 and 07.00 Monday to Friday.

Condition 13 as approved states:-

No amplified music shall be played on the outdoor terrace associated with the rooftop uses on the commercial building.

Background

As a starting point, Condition 9 incorrectly refers to terraces at 7th floor level. There are no terraces at 7th floor level (it is external plant and back of house maintenance areas). The pavilion is at 8th floor level and the roof terrace is at 6th floor level.

We would like to amend the wording of the condition to correctly refer to the 6th and 8th floor terraces.

It is also proposed to enable the 8th floor pavilion to be used after 9pm to enable this space to be used with greater flexibility for events.

It is not proposed to make any amendments to Conditions 12 and 13 which prevent the use of amplified music on the outdoor terraces and any noise generating activities between 11pm and 7am.

In order to document this change it is proposed to amend Condition 9 as follows:-

The approved office amenity spaces at **6th** ~~7th and 8th~~ floor levels, as shown on drawing number A-04-06 Rev B ~~A-04-08 rev B and A-04-09 rev B~~ shall be used by the office (B1a) uses 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 weekends. **The approved office amenity space at 8th floor level as shown on drawing number 150-PWA-Z1-08-DR-A-1108 shall be used by the office (Class E) users of the building only and shall not be used outside the hours of 0700 and 2300 Monday to Friday and at**

no time during weekends (the area outlined in red on the plan shall not be used between 9pm and 7am except for access in the event of an emergency).

Assessment

The issue of the roof terraces was discussed at length in the committee report and we set out an assessment against the relevant paragraphs within the Council's committee report.

2.5 At 7th floor level on the northeast of the new office building an accessible external terrace would be provided for the users of the building. At 8th floor level a roof top garden area with a pavilion would be provided alongside a variety of formal and informal seating arrangements and landscaping.

Response – There will be no change to the current arrangement of external areas. It should be noted that the 7th floor terrace is used for maintenance and plant only.

10.11 It is recognised that there might be occasional ancillary events hosted by the office occupiers on the 7th and 8th floor roof terraces of the new office building. Given the proximity of the 7th floor roof terrace to the residential building to the north (part of the application site) it is recommended that a condition be attached stipulating that no sound from the offices (including the roof terraces) should be audible from any adjacent residential premises between 2300hrs and 0700hrs.

Response – The occupiers of the building are hoping to hold occasional ancillary events on the 8th floor roof terrace.

The 7th floor external area is used for plant and back of house maintenance purposes. It is not a roof terrace.

At 6th floor level the approved terrace wraps around the building on Grays Inn Road, Holborn and Brook Street. Given the narrow arrangement of this terrace, it is not envisaged that this would be used for events in the same way as the 8th floor pavilion. As a result, the applicants are happy to accept a restriction on the use of the 6th floor terrace between 2100 and 0700.

It is not proposed to vary or remove Condition 12 which sets limit on the any sound being audible from any adjacent residential premises between 2300hrs and 0700 hrs.

It is also not proposed to vary or remove condition 13 which prevents the use of amplified music on the terraces.

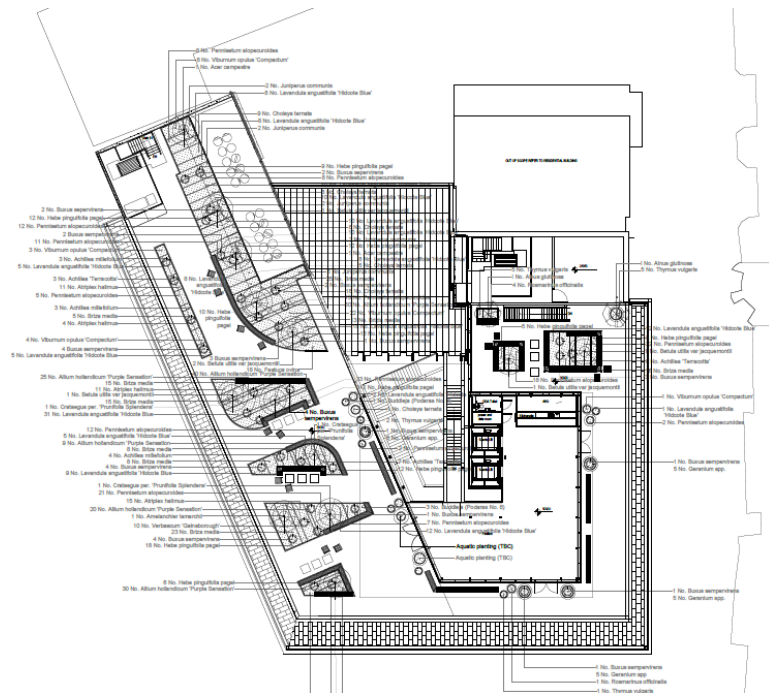
However, the occupiers of the office building would like to have the flexibility to use the 8th floor roof terrace for outside events (likely to be mainly during the summer months) until 2300hrs.

Currently the wording of condition 9 prevents this and as a result, this application seeks to vary the wording of condition 9 to enable greater flexibility in terms of the timing of use of the 8th floor pavilion.

14.20 The proposal includes the use of the 8th floor level of the commercial building as a roof garden measuring 426 sq. m. The area would be landscaped with seating areas and a formal terrace area in the northwest corner. Due to the location of the building and the roof garden area it would not be considered possible to gain views towards the neighbouring properties along Gray's Inn Road. Notwithstanding this, a hard and soft landscaping condition would be required to ensure there are no opportunities for direct overlooking into neighbouring residential development.

Response – A detailed hard and soft landscaping scheme has been approved by Camden and the approved layout ensures that any use of the 8th floor terrace is set away from the boundary with the neighbouring properties and the residential block.

The approved hard and soft landscaping drawing shows the location of plants and beds and an extract of this is attached below.



14.21 New external terrace area would be created on the northwest part of the office building at 7th floor level. It would measure 38 sq. m and would be located adjacent to the roof of the new residential block. Private balconies would be proposed to the west and north of the residential block however they would be located 7m from the proposed terrace. Due to the location of the terrace at 7th floor level, and separation distance between it and the residential balconies below it would not be possible to gain direct views from this terrace onto the residential balconies and is thus considered acceptable.

Response – The external terrace area that is referred to is not a roof terrace, it is for plant and back of house maintenance space. There is access from the office floor at 7th floor but only for maintenance purposes.

14.27 A roof top pavilion and roof garden would be created on the 8th floor of the building. This would allow the users of the office building to have access to a large roof top garden amenity space within the upper floors of the building. Due to its size of the roof terrace (approximately 426 sq. m) there may be potential for a large number of people to use the area and to generate noise that may disturb the neighbouring residential properties along Gray’s Inn Road. A terrace area on the 7th floor would also be created for office users. It is considered necessary to restrict the use of the terraces to the office

users only and limit the hours of use 08:00 and 21:00 Monday to Friday and at no time during the weekends. This is considered reasonable for the location and sufficient to protect amenity. A condition would also be attached to restrict any amplified music from being play on the roof top garden.

Response – Whilst the 8th floor pavilion is a large area, the approved hard and soft landscaping scheme has broken up the larger areas into smaller, more discrete spaces. This prevents large numbers of people from gathering in one space. The larger expanses of areas are located along the Holborn frontage and the Brooke Street frontage but away from the residential block.

In addition, the large planters that have been designed ensure that a greater separation distance between the terrace and the residential block is established and in addition those areas which are in closer proximity to the residential block have been designed to be broken into smaller spaces by the landscaping design.

It is accepted that the use of the terrace should be limited to the office users and their guests but it is considered reasonable that the 8th floor pavilion could be used until 2300hrs Monday to Friday with no use at the weekends. No noise will be heard after 2300 as restricted by Condition 12 and no music will be played as restricted by condition 13.

As a result, it is considered that through the design of the soft landscaping and planters, and the restrictive conditions relating to noise and music, the 8th floor terrace could be used until 2300 hours without adverse impact on surrounding residential amenity.

We have submitted an updated 8th floor plan which shows the roof terrace and has outlined the area closest to the residential block which we have annotated as having restricted access after 9pm. This area would be closed off to users after this time to prevent adverse impact on amenity.

25.1 Overall, 616 sqm of external space is being provided within the residential balconies, and office roof terraces. This is welcomed given that none is currently provided.

Response – The proposal does not impact upon the amount of amenity space that is provided.

Information submitted

This application is submitted via the planning portal (Ref: PP-11636183) and the following documents are submitted in support of this application:-

Application forms
Certificate A
Proposed 8th floor plan

We look forward to discussing this with you and receiving confirmation that the package has been received.

Should you require any further details in respect of this submission please contact Faye Wright of this office on 07812 140 099

Yours faithfully

Forward Planning and Development

Forward Planning and Development Limited