

Application ref: 2022/2077/P
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Date: 7 December 2022

Development Management
Regeneration and Planning
London Borough of Camden
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Iceni Projects
Da Vinci House
44 Saffron Hill
London
EC1N 8FH

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted Subject to a Section 106 Legal Agreement

Address:

**357 Euston Road & 44 Warren Street
London
NW1 3AL**

Proposal:

Change of use from office (Class E) to a residential maisonette (Class C3) with associated external changes to the entrances at ground floor level, replacement office floorspace at basement and ground floor level, and associated works.

Drawing Nos:

Existing drawings: ER/WS - EX - 000, ER/WS - EX - 001, ER/WS - EX - 002, ER/WS - EX - 003, ER/WS - EX - 004, ER/WS - EX - 005, ER/WS - EX - 006, ER/WS - EX - 007, ER/WS - EX - 008, ER/WS - EX - 009, ER/WS - EX - 010.

Proposed drawings: ER/WS - PP 020, ER/WS - PP 021, ER/WS - PP 022, ER/WS - PP 023 (as revised - received by the LPA 19/07/2022), ER/WS - PP 024, ER/WS - PP 025, ER/WS - PP 026, ER/WS - PP 027 (as revised, received by the LPA 01/08/2022), ER/WS - PP 030 (as revised - received by the LPA 27/06/2022), ER/WS - PP 031, ER/WS - PP 032, ER/WS - PP 033.

Demolition drawings: ER/WS - DE - 011, ER/WS - DE - 012, ER/WS - DE - 013, ER/WS - DE - 014, ER/WS - DE - 015, ER/WS - DE - 016, ER/WS - DE - 017, ER/WS - DE - 018, ER/WS - DE - 019

Documents: Design and Access Statement dated April 2022, Energy Statement ref: 22030-MEP-ZZ-ZZ-RP-YMEP-9000, cover letter dated 03/05/2022, Outline Fire Safety Strategy Report - Stage 2 dated March 2022, and Fire Statement dated 09/03/2022.

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:

Proposed drawings: ER/WS - PP 020, ER/WS - PP 021, ER/WS - PP 022, ER/WS - PP 023 (as revised - received by the LPA 19/07/2022), ER/WS - PP 024, ER/WS - PP 025, ER/WS - PP 026, ER/WS - PP 027 (as revised, received by the LPA 01/08/2022), ER/WS - PP 030 (as revised - received by the LPA 27/06/2022), ER/WS - PP 031, ER/WS - PP 032, ER/WS - PP 033.

Demolition drawings: ER/WS - DE - 011, ER/WS - DE - 012, ER/WS - DE - 013, ER/WS - DE - 014, ER/WS - DE - 015, ER/WS - DE - 016, ER/WS - DE - 017, ER/WS - DE - 018, ER/WS - DE - 019

Documents: Design and Access Statement dated April 2022, Energy Statement ref: 22030-MEP-ZZ-ZZ-RP-YMEP-9000, cover letter dated 03/05/2022, Outline Fire Safety Strategy Report - Stage 2 dated March 2022, and Fire Statement dated 09/03/2022.

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 of the London Borough of Camden Local Plan 2017.

- 4 Prior to occupation of any relevant part of the development, the applicant will have constructed and implemented all the measures contained in the Energy statement ref: 22030-MEP-ZZ-ZZ-RP-YMEP-9000 hereby approved, to achieve at least a 46% reduction in carbon dioxide emissions beyond Part L 2013 Building Regulations in line with the energy hierarchy, and a 6% reduction in carbon dioxide emissions through renewable technologies. All such measures shall be permanently retained and maintained thereafter. The measures shall include the installation of a meter to monitor the energy output from the approved renewable energy systems.

Reason: In order to secure the appropriate energy and resource efficiency measures and on-site renewable energy generation in accordance with policies CC1, CC2 and CC4 of the London Borough of Camden Local Plan 2017.

- 5 Prior to commencement of development excluding site preparation work:
- a) A basic Air Quality Assessment, including any appropriate mitigation, shall be submitted to and approved by the local planning authority in writing.
 - b) If required, the full details of any mechanical ventilation system including air inlet locations shall be submitted to and approved by the local planning authority in writing. Air inlet locations should be located away from busy roads and the boiler stack and as close to roof level as possible, to protect internal air quality. The development shall thereafter be constructed and maintained in accordance with the approved details.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies A1, D1 and CC4 of the London Borough of Camden Local Plan 2017.

- 6 All refuse and recycling bins, delivery cages, trolleys and any other items linked to deliveries and collection in association with the development hereby permitted are to be stored within the building and only brought out onto the public highway when deliveries are being made or refuse collected and returned to within the building immediately thereafter.

Reason: In the interests of visual amenity and to prevent obstruction and inconvenience to users of the public highways, in accordance with policies D1, A1, CC5 and T1 of the London Borough of Camden Local Plan 2017.

- 7 Prior to the occupation of the development, the cycle storage areas hereby approved (including 4 spaces for the office accommodation and 3 spaces for the residential units) shall be provided in their entirety prior to the first occupation of the development, and permanently retained thereafter.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of Policy T1 of the London Borough of Camden Local Plan 2017.

- 8 All external doorways, except for fire doors or for access to utilities, should not open outwards towards the public highway/footway/courtyard spaces. The proposed doors must either open inwards or have a sliding door so they do not restrict the flow of pedestrians or risk being opened onto those passing by.

Reason: In order to enhance the free flow of pedestrian movement and promote highway safety and amenity in accordance with policies D1 and T1 of the London Borough of Camden Local Plan 2017.

- 9 The development hereby approved shall achieve a maximum internal water use of 110 litres/person/day. The dwelling shall not be occupied until the Building Regulation optional requirement has been complied with.

Reason: To ensure the development contributes to minimising the need for further water infrastructure in an area of water stress in accordance with

policies CC1, CC2 and CC3 of the London Borough of Camden Local Plan 2017.

- 10 The roof terrace shall only be used for amenity purposes within the area shown shaded grey on the roof plan ER/WS - PP 027 (as revised, received by the LPA 01/08/2022) hereby approved.

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

- 11 Before the use commences, sound insulation shall be provided for the building in accordance with a scheme to be first approved by the local planning authority in writing. The internal noise levels in the dwelling hereby approved shall not exceed indoor ambient noise levels in unoccupied rooms of 35dB(A) LAeq,16hour (07:00-23:00 hours) and 30dB(A) LAeq, 8hour (23:00-07:00 hours) and individual noise events shall not normally exceed 45dB L_{Amax} during the night (23:00-07:00 hours). The use shall thereafter not be carried out other than in accordance with the approved scheme.

Reason: To safeguard the amenities of future occupiers of the development 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.

The existing building is in use as offices from first to third floor levels (approx. 350sqm), with the basement and ground levels in use as ancillary storage space (approx. 250sqm). Planning permission was previously granted (ref: 2015/5928/P) for the demolition of the existing building and the erection of a new building to provide 9 residential flats and 198sqm of office floorspace (a total loss of approximately 400sqm business floorspace). The current proposals would retain the existing building which is welcomed and strongly supported by the Council's sustainability policies, with office floorspace at ground and basement level and one residential dwelling unit at 1st to 3rd floors.

The loss of Class B8 storage space was previously considered acceptable as the site was classed as a 'category 3 site', which are generally small, isolated premises with poor access on narrow streets, no goods lift, little or no space for servicing, incompatible neighbours (mostly residential) and located at lower ground or basement level. Given this situation has not changed, the loss of storage space is still considered acceptable.

The loss of almost half of the existing office space was also accepted for the following reasons: the premises would require significant investment to bring it up to modern standards, there is no lift, and the offices are vacant and had been marketed for over 12 months with no interest. Furthermore, the re-provided office space was considered to be of a higher standard with lift access and disabled toilet. The current proposals would retain a greater proportion of

office use - 262sqm - and would again provide a replacement offer of a higher standard. The loss of office floorspace is therefore acceptable.

The provision of a new residential unit at the site is welcomed, as housing is the priority land use of the Local Plan. The dwelling would be a large five bedroom home which is identified as a lower priority dwelling size by policy H7. However, it is also noted that Bloomsbury is identified as one of four wards with a low proportion of large dwellings and where the Council aims to provide more larger homes. As such, the provision of a large home in this location is acceptable.

The proposed dwelling would significantly exceed the nationally described space standards for floor areas, and would have an acceptable level of access to daylight/sunlight and outlook with a large area of outside amenity space at roof level. As such, it would provide a high quality of living accommodation for future residents and is acceptable in this regard.

The development is required to make a contribution to affordable housing under Policy H4 due to the creation of 367sqm new housing, which is above the policy threshold of 100sqm. An uplift of 367sqm has the potential to provide 4 new homes, equating to a requirement for 8% affordable housing based on the sliding scale of 2% per dwelling. Given the site has capacity for fewer than 10 dwellings, a payment- in-lieu of affordable housing is acceptable and would be secured by S106 agreement. This is calculated at £146,800 (367sqm x 8% x £5,000).

- 2 The proposals involve mostly interior alterations, with the only external alterations being replacement windows to match the existing to the upper levels, replacement of the ground floor facades fronting Euston Road and Warren Street and new balustrades at roof level. The new entrances would be very similar in design and appearance to the existing, and would therefore preserve the appearance of the building and the streetscene. New balustrades would be introduced at roof level but these have been set back behind the parapets so they would not be highly visible from street level.

Neither of the adjoining properties, nos. 355 or 359, have residential uses within them. The closest residential units to the site are directly opposite at no. 29 Warren Street and no. 24 Conway Street. In terms of overlooking, the proposal would not introduce any new windows or extensions, and as such would have limited impact in terms of loss of daylight, sunlight, outlook or privacy. An external terrace is proposed at roof level which will be set back from the Warren Street elevation by 7.6m to ensure that use of the terrace would not result in harmful overlooking or noise disturbance. The extent of the terrace area will be secured by condition.

In terms of transport impacts, the development would be secured as car-free by S106 agreement to prevent future occupiers from obtaining on-street parking permits. Cycle parking stores are provided at ground floor level which would be secure, covered and step free. Four spaces would be provided for the office use and three for the residential dwelling which meet London Plan standards. These are secured by condition. The Council's Transport Planner has confirmed that given the limited nature of the proposed works, a Construction

Management Plan would not be necessary.

As a minor development involving the refurbishment of an existing building, the development is expected to make the greatest possible reductions in carbon emissions through following the steps in the energy hierarchy and to incorporate renewable energy technologies where possible. The development incorporates passive energy efficiency measures including mechanical ventilation with heat recovery, low energy LED lighting, new efficient glazing, low carbon electric heaters, and lighting sensors. Renewables are provided in the form of a small solar PV system at roof level to deliver a 6% reduction in CO2 emissions. Overall, the development would provide a total reduction of 46.93% in carbon emissions which shall be secured by condition.

Given the proposed development would not involve any external extensions and only limited alterations, and there is no plant or equipment proposed, the proposed development would be unlikely to impact upon local air quality. However, given the location on Euston Road, it would be introducing new sensitive receptors (residential use) into an area of poor air and noise quality. As such, a basic air quality assessment and details of necessary mitigation measures, including appropriate sound insulation and mechanical ventilation system, shall be secured by condition.

No comments were received prior to determination. 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 H1, H4, H6, H7, E1, E2, D1, A1, A4, CC1, CC2, CC3, CC4, T1 and T2 of the Camden Local Plan 2017. The proposed development also accords with the London Plan 2021 and the National Planning Policy Framework 2021.

- 3 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).
- 4 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.
- 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 You are reminded that this decision only grants permission for permanent residential accommodation (Class C3). Any alternative use of the residential units for temporary accommodation, i.e. for periods of less than 90 days for tourist or short term lets etc, would constitute a material change of use and would require a further grant of planning permission.
- 7 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. Camden adopted new CIL rates in October 2020 which can be viewed at the above link.
- 8 If a revision to the postal address becomes necessary as a result of this development, application under Part 2 of the London Building Acts (Amendment) Act 1939 should be made to the Camden Contact Centre on Tel: 020 7974 4444 or Environment Department (Street Naming & Numbering) Camden Town Hall, Argyle Street, WC1H 8EQ.
- 9 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 2021.

You can find advice about your rights of appeal at:

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

Yours faithfully

A handwritten signature in black ink, appearing to read 'DPope', is positioned above the printed name.

Daniel Pope
Chief Planning Officer