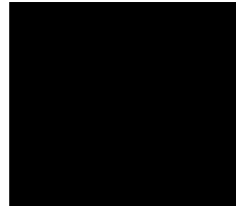


CMS Cameron McKenna Nabarro  
Olswang LLP



Email ([planning@camden.gov.uk](mailto:planning@camden.gov.uk))

Camden Council  
5 Pancras Square  
London  
NIC 4AG

**For the attention of Laura Dorbeck**

**Our ref NILL/CAP/NB4352.00016**

12 July 2023

Dear Camden Council

**Objection to Planning Application - 2020/3043/P**

**Site Address: 52 Tottenham Street London W1T 4RN**

**Date of Committee 13-07-2023**

We represent BC Noho Limited, the freehold owner of 32 Cleveland Street (also known as Take Two House) the freehold of which is registered at the Land Registry with title number LN144393, which immediately adjoins the property (“**Property**”) which is the subject of the Planning Application.

Our client does not object to the principle of re-development but does **OBJECT** to the specific proposal comprised in the Planning Application due to the significant number of unresolved matters.

We highlight the following matters in particular:

*Failure to consult*

We are aware from the Planning Officer’s report that serious concern has been raised by others regarding the planning process and whether there has been adequate consultation on the proposals comprised in the Planning Application.

Our client shares that serious concern.

Despite being the immediate neighbour of the subject site there has been no dialogue with our client regarding the practicalities of carrying out the development close to their property which will be severely affected by the development both during construction and following its completion.

We have written to the applicant raising these issues on several occasions but have not had a response.

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There is a significant concern that the applicant is wilfully ignoring our client and its interests.

The absence of proper and full consultation is surprising given the very obvious constraints on the development of the Property which would require the agreement of our client on a number of neighbourly matters including rights of light, oversailing, scaffolding and other matters of construction access.

For the avoidance of doubt, no agreement has been reached on any of these matters during the application process which has been ongoing since 2020.

*Over-reliance on future Construction Management Plan*

The officer's report envisages that all matters relating to construction management can be left to a later date and that all matters can be resolved following a "community consultation of at least two weeks prior to submission" (per 1.33 of addendum report).

Given the serious concerns about consultation already expressed, and the complexity of the neighbourly issues affect the development of the Property, such an approach is manifestly inadequate.

Our client has no confidence that a suitable construction management plan will be submitted and approved that will protect its property or its interests (or those of its tenant).

*Sustainability and Carbon reduction*

The Officers Report concludes that the demolition of the property to create the same number of homes as presently exist on site is the most sustainable means of achieving carbon reduction standards. This does not appear to be a rational conclusion.

*Other benefits / harms*

We note that scheme does not deliver any wider benefits (such as affordable housing) that might be taken into account to justify the development, and in fact will result in the loss of a significant heritage asset.

*Overall scheme viability*

Although we are aware that viability is not normally a reason to justify the refusal of planning permission there appears to be an extremely low likelihood that the development comprised in the Planning Application will ever come to fruition. Since the scheme was conceived in 2020 construction cost inflation has been rampant, whilst residential values are now falling.

There is reasonable doubt that the "well-considered scheme" will ever proceed beyond the initial demolition phase and that an alternative less well considered scheme will be tabled once demolition of the Listed Building had occurred.

*Conclusion*

The scheme proposals are not justified and cannot truly be said to be a sustainable development in accordance with national and local policy.

Reliance on a future construction management plan is an inadequate response to the numerous neighbourly matters raised by the proposals.

The scheme does not result in any new affordable housing and results in the loss of a heritage asset.



In all the circumstances the Planning Application should be **REFUSED**.

This letter is written without prejudice to any other arguments or remedies that may be raised by or on behalf of our client following a decision to grant planning permission further to the Planning Application.

For the avoidance of doubt this letter is not a pre-action protocol letter in accordance with the pre-action protocol for applications for judicial review.

Yours faithfully



**CMS Cameron McKenna Nabarro Olswang LLP**