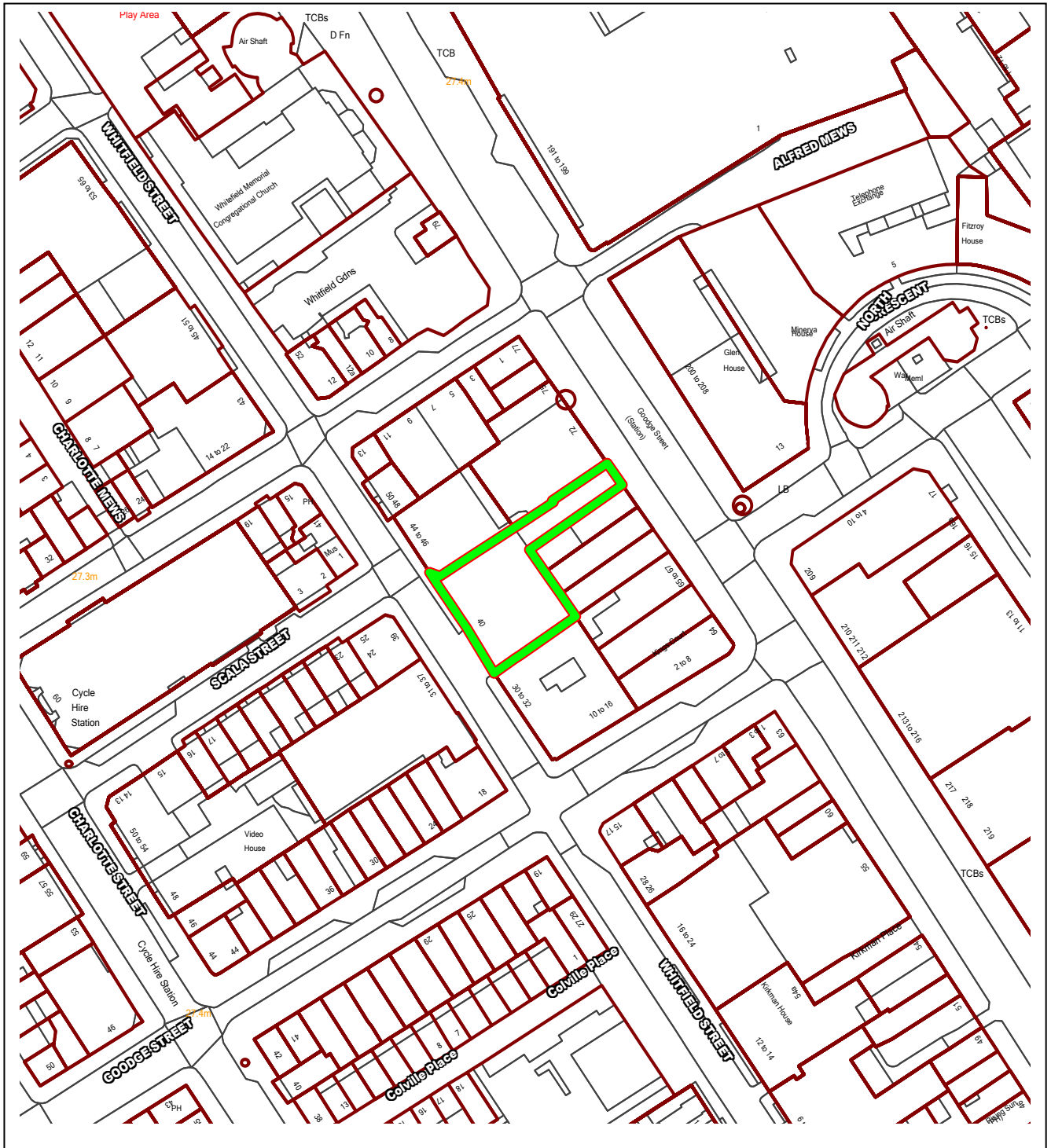


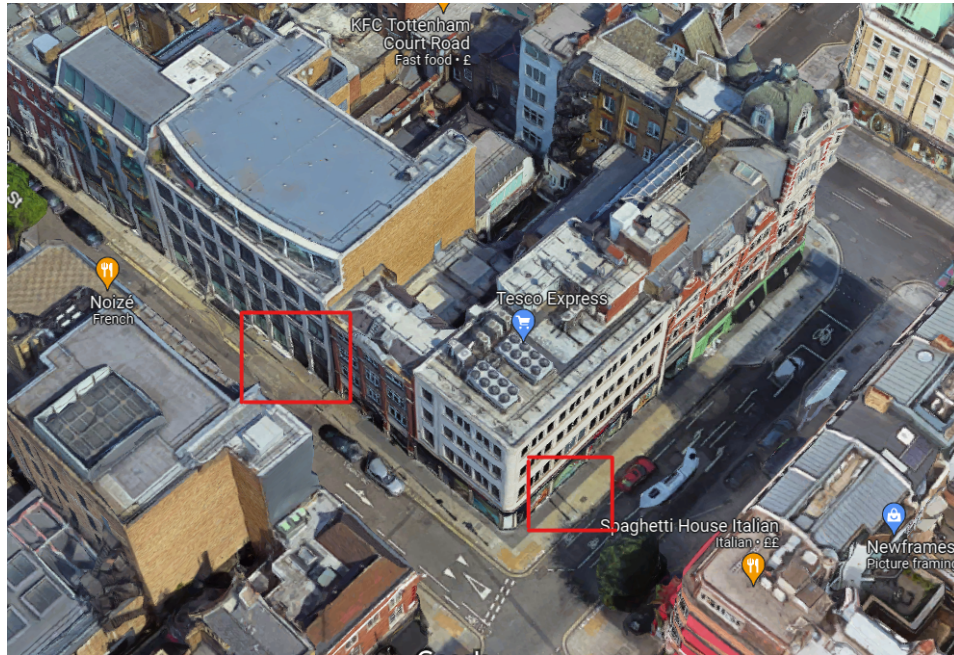
40 Whitfield Street W1T 2RH



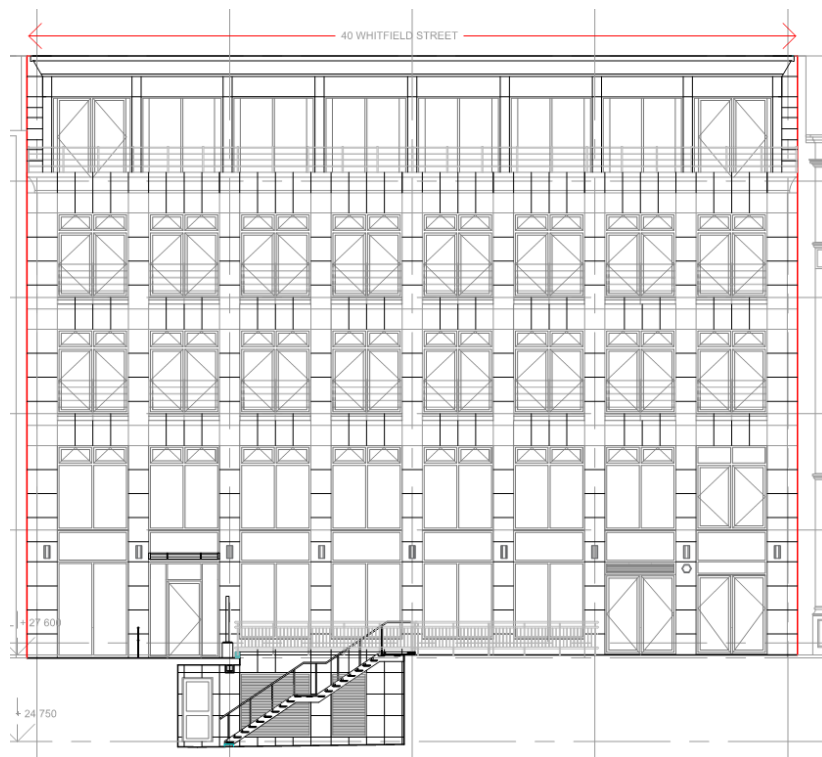
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Photos for 2022/3007/P – 40 Whitfield Street, W1T 2RH

1. Aerial view of 40 Whitfield Street (with proposed entrance highlighted on left and Tesco customer entrance highlighted on right)



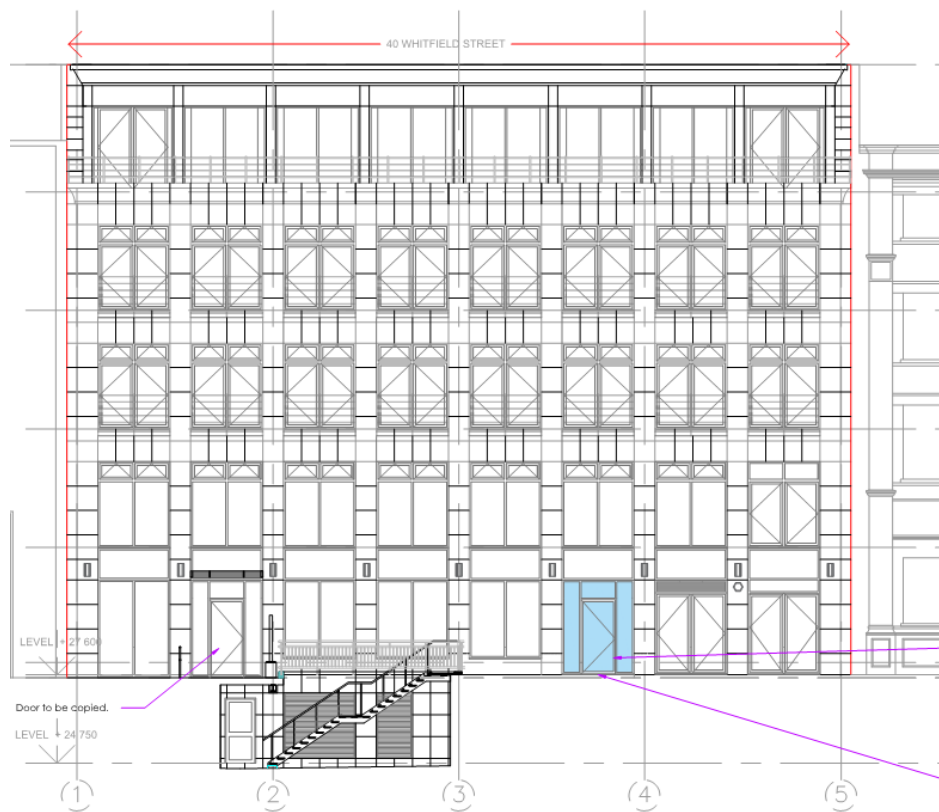
2. Existing elevation (drawing)



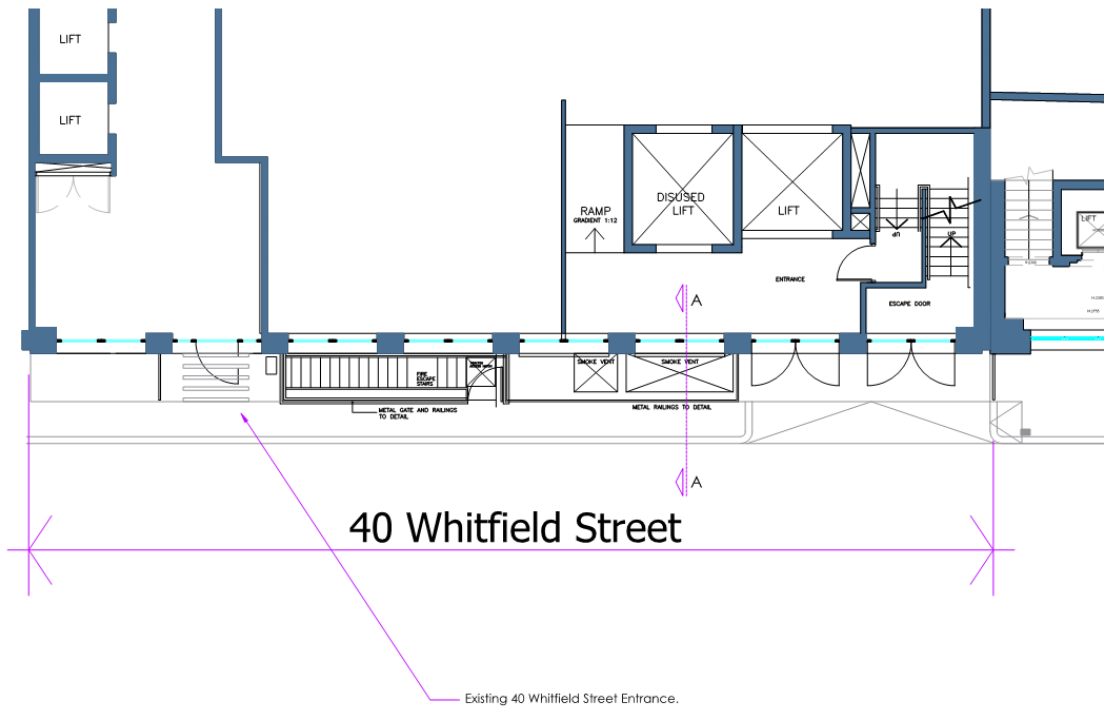
3. Existing elevation (picture)



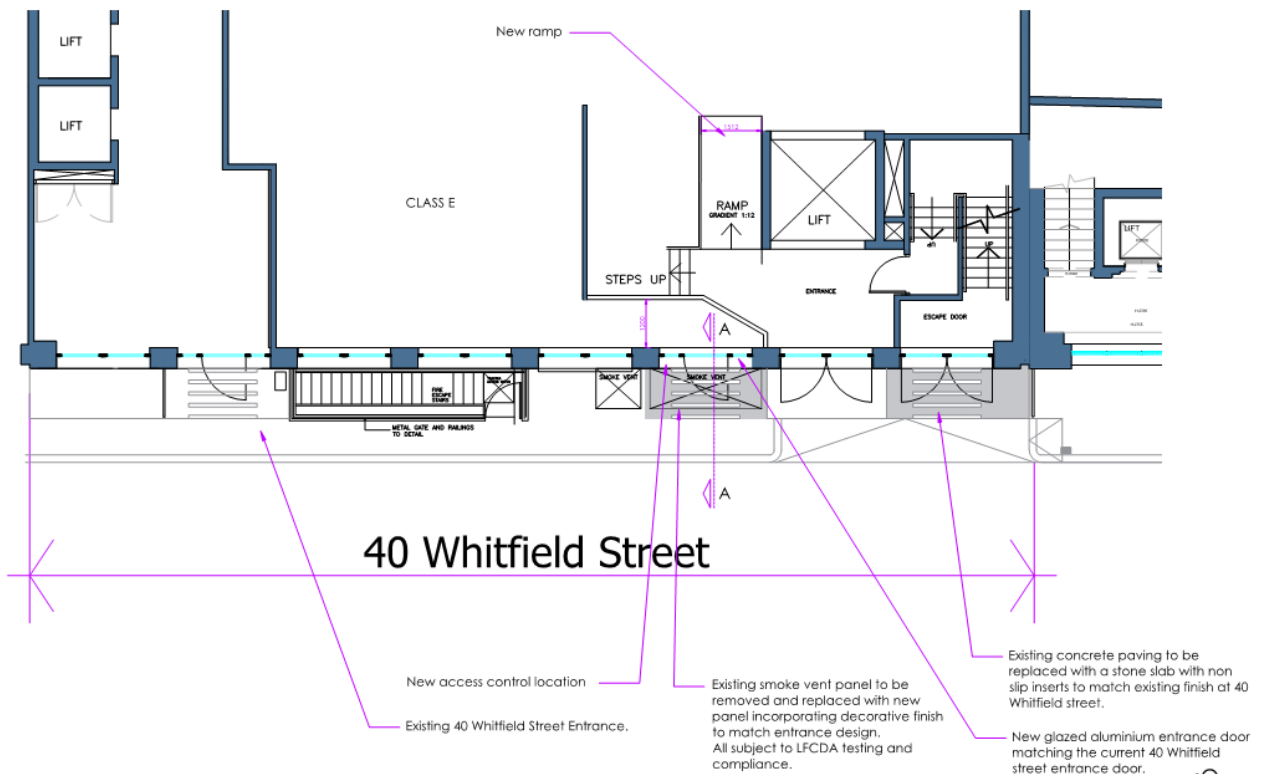
4. Proposed elevation



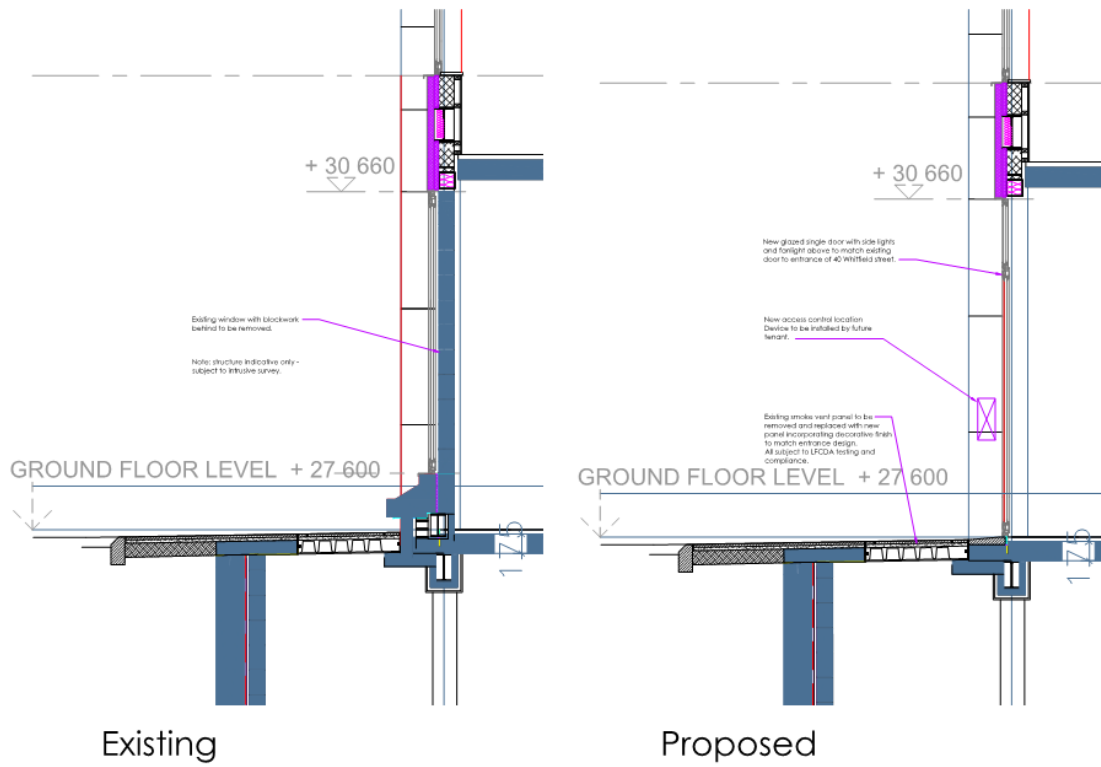
5. Existing floor plan



6. Proposed floor plan



7. Existing and proposed sections



8. Existing office entrance for proposed to match



Delegated Report		Analysis sheet		Expiry Date:		08/09/2022	
(Members Briefing)		N/A / attached		Consultation Expiry Date:		21/11/2022	
Officer				Application Number(s)			
Sam FitzPatrick				2022/3007/P			
Application Address				Drawing Numbers			
40 Whitfield Street Camden London WT1 2RH				Please refer to decision notice			
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature	
Proposal(s)							
Replacement of front ground floor window with new entrance door and alteration of external floor.							
Recommendation(s):		Grant Conditional Planning Permission					
Application Type:		Full Planning Permission					

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	00	No. of responses	00	No. of objections	00
Summary of consultation responses:	<p>Site notice: 31/08/2022 – 24/09/2022 Site notice (re-publish): 28/10/2022 – 21/11/2022 Press notice: 01/09/2022 – 25/09/2022</p> <p>No objections were received from local residents.</p>					
Charlotte Street Association:	<p>The Charlotte Street Association (CSA) objected to the scheme. The proposal was amended to relocate the proposed entrance door, and the CSA were recontacted at this point. In addition to this, they were contacted when the applicant provided additional details relating to the servicing of the Tesco store. At all points, the CSA maintained their objection. Their concerns can be summarised as follows:</p> <ul style="list-style-type: none"> - The development would undermine the viability of the associated Tesco unit; - The proposal would result in a loss of retail space; - There would be negative impacts on the servicing of Tesco store. <p><u>Officer Response:</u></p> <ul style="list-style-type: none"> - <i>The impact on town centres and retail viability are explained in section 6 of the report.</i> - <i>Specific concerns relating to the servicing of the store were alleviated by the amendment made to the proposal, explained in section 5 of the report.</i> 					
Cllr Harrison (Bloomsbury Ward)	<p>One objection was made by a local ward councillor, who was recontacted when the proposal was amended to relocate the proposed entrance door, as well as when the applicant provided additional details relating to the servicing of the Tesco store. At all points, the Cllr maintained their objection. Their concerns can be summarised as follows:</p> <ul style="list-style-type: none"> - The development would negatively impact the servicing of the Tesco store; - The impacts on servicing would affect pedestrian movement. <p><u>Officer Response:</u></p> <p><i>Following the revision of the proposal, the proposed door no longer impacted on the servicing of the Tesco store, details of which are explained in sections 5 and 6 of this report.</i></p>					

Site Description

The application site is located on the north side of Whitfield Street, close to the intersection with Goodge Street to the east. The building itself was constructed in the late 1980s and has six storeys (including a basement level), most of which are used as office space. It is part of 34-42 Whitfield Street, and connects to 10-16 Goodge Street, so has frontage at both Whitfield Street and Goodge Street. The relevant section of the ground floor of the site has three openings, one of which serves as an entrance to upper floor offices, one of which serves as a fire exit, and one of which is a servicing door to the retail unit facing Goodge Street. This unit is currently occupied by Tesco, and its entrance is on Goodge Street, though servicing takes place through 40 Whitfield Street. The changes proposed by this application only apply to the ground floor.

The site is not listed but is located within the Charlotte Street Conservation Area and is not regarded as making either a positive or negative contribution.

Relevant History

Application site:

PS9805221R2 – Demolition of 38-42 Whitfield Street, and redevelopment to provide a) ancillary storage and bakery use (A1) to basement b) retail use (as an extension to the existing supermarket to the south of the application site) and business entrance to ground floor c) business use (Class B1) for 1st to 4th floors. **Granted on Appeal 08/02/2001.**

PSX0005041 – Redevelopment to provide retail (to be an extension of the existing supermarket and office use). **Refused 21/11/2000.**

8800483 – The erection of a building comprising basement ground and four upper floors for use of purposes within Class B1 Use and Class A1 Use of the Schedule of the Town & Country Planning (Use Classes) Order 1987 on the site of 34-42 Whitfield Street. Continued use of the first second and third floors of 10-16 Goodge Street and 30-32 Whitfield Street for office use. **Granted 26/10/1989.**

Relevant policies

National Planning Policy Framework (2021)

The London Plan (2021)

Camden Local Plan (2017)

- **A1** Managing the impact of development
- **D1** Design
- **D2** Heritage
- **TC1** Quantity and location of retail development
- **TC2** Camden's centres and other shopping areas
- **T1** Prioritising walking, cycling, and public transport

Camden Planning Guidance

- CPG Amenity (2021)
- CPG Design (2021)
- CPG Town centres and retail (2021)
- CPG Transport (2021)

Conservation Area Statements

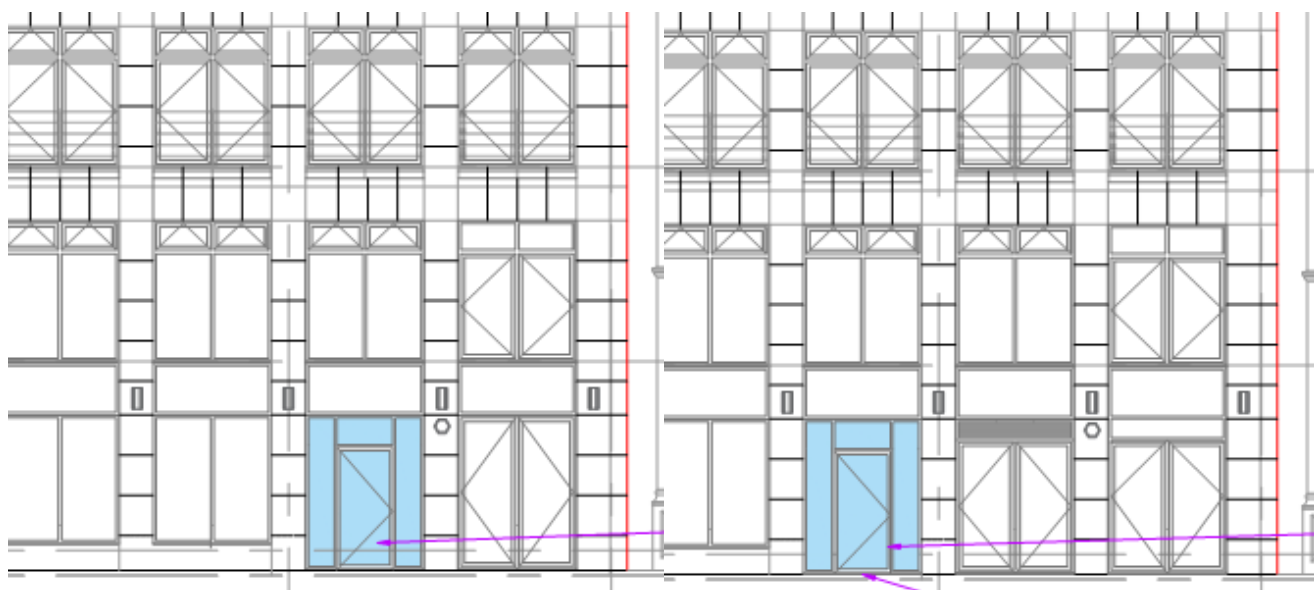
- Charlotte Street Conservation Area Appraisal and Management Plan (2008)

1. The Proposal

- 1.1. Planning permission is sought for the construction of a new office entrance door facing onto Whitfield Street in the place of an existing ground floor window, which is immediately to the left of the existing service doors.
- 1.2. The entrance door itself would closely resemble the existing office entrance at 40 Whitfield Street, which is located approximately 9m to the north of the proposed entrance. There would also be associated works to the external flooring in front of the door, replacing the existing concrete paving with a stone slab with non-slip inserts. The entrance itself would be single door and constructed of glazed aluminium, with side lights and a fanlight to match the existing entrance door.

Revisions

- 1.3. The initial proposal was for the new entrance door to replace the service door located at 40 Whitfield Street, which is used for deliveries and servicing of the retail unit currently occupied by Tesco. Due to concerns surrounding the retail viability of the unit and following from Officer comments, the proposal was amended to move the proposed entrance door so that a window would be replaced and the servicing door would remain intact. Both iterations of the proposal are shown below, with the original siting (left) and the amended siting (right).



2. Assessment

- 2.1. The principal considerations material to the determination of this application are:
 - The design and impact of the proposal on the character and appearance of the Charlotte Street Conservation Area;
 - The impact of the proposal on amenity, especially with regards to noise and disruption;
 - The impact of the proposal on transport, especially with regards to pedestrian access;
 - The impact of the proposal on town centres, especially with regards to the viability of the existing retail unit.

3. Design and Conservation

- 3.1. Local Plan Policy D1 (Design) aims to ensure that all developments are of the highest standard of design and respect the character, setting, form, and scale of neighbouring

buildings, its contribution to the public realm, and its impact on wider views and vistas.

- 3.2. Local Plan Policy D2 (Heritage) states that the Council will require that developments preserve, and where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas. This is supported by the Charlotte Street Conservation Area statement.
- 3.3. The scale and design of the proposed entrance door is considered to be acceptable in the context of the commercial frontage, and the entrance itself would read as subordinate within the elevation and in character with the established pattern. The proposed entrance would be installed within the existing window frame, so would match the adjacent doors and windows in dimensions. The materials used would match that of the existing entrance and would therefore fit with the building and the surrounding area.
- 3.4. It is therefore considered that the siting, scale, and design of the entrance would have minimal visual impact on the site and the surrounding area. The materials used would be in keeping with the nature of development on Whitfield Street and in the Charlotte Street Conservation Area more generally. As such, the proposal is considered to preserve the character and appearance of the host building, neighbouring buildings, and wider Charlotte Street Conservation Area, and is also in accordance with Council policies and guidelines, so is therefore acceptable.
- 3.5. Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area, under s.72 of the Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

4. Amenity

- 4.1. Local Plan Policy A1 (Managing the impact of development) seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered and by only granting permission to development that would not harm the amenity of communities, occupiers, and neighbouring residents. This is supported by CPG Amenity which requires that the potential impact on the amenity of neighbouring properties must be fully considered, including where "deliveries and collections can cause disruption to nearby residential properties".
- 4.2. The application site and its surrounding area is primarily commercial in character, and servicing of the Tesco unit through deliveries already takes place through the service door immediately to the south of the proposed entrance. This servicing would still take place in its current form, which is confirmed through a servicing statement provided by the applicant. As such, it is not considered that this proposal will negatively impact the amenity of neighbouring occupiers any more than the current arrangement, so no additional delivery management plan was required.
- 4.3. Any possible light spillage from the proposed entrance is considered to be minor and there is not expected to be any significant increase in noise given the existing entrance nearby and the use of the entrance will mostly be during ordinary office hours.
- 4.4. It is considered that the proposal would not significantly harm the amenity of neighbouring occupiers in accordance with policy A1 of the London Borough of Camden Local Plan 2017.

5. Transport

- 5.1. Policy T1 of the London Borough of Camden Local Plan 2017 seeks to promote walking in the borough and improve the pedestrian environment, and CPG Transport supports this by ensuring that development does not cause "unacceptable harm to travel or the transport network", which is considered to include the pedestrian environment.

- 5.2. The application site is currently used for the servicing of the Tesco store at 10-16 Goodge Street, which is connected to 40 Whitfield Street. Servicing and deliveries take place through an existing service door facing Whitfield Street (shown below), which the proposal originally proposed to replace with a new office entrance door.



- 5.3. Removing the existing service door was considered to be contrary to policy T1 by Camden's Transport Officers, as the change would result in servicing taking place through the customer entrance on Goodge Street whilst still using the Whitfield Street loading bay. This would therefore create unnecessary hazard on the public highway and be detrimental to pedestrians. Following officer comments, the proposal was amended to replace an existing window rather than the service door. Revised floor plans show that the works to the building would involve the removal of a disused internal lift to keep the existing ramp access through the service door to the Tesco unit intact, albeit by shifting the ramp several metres. In addition to this, a statement was provided by the applicant confirming that servicing would be unaffected by the change, so it is therefore considered that the transport concerns are alleviated given that servicing would continue to take place in its current form and there would not be any harm to the pedestrian environment caused by the proposal.
- 5.4. Camden's Transport Officers were consulted throughout the minor amendments to the application, and they confirmed that they have no concerns with the revised application. Although the office doors open outwards, the proposed design would not impede the highway nor be in the pedestrian desire line, so are considered acceptable.
- 5.5. As such, the impact of the proposal on the pedestrian environment is considered to be acceptable in planning terms and in accordance with policy T1 of the London Borough of Camden Local Plan as well as with the relevant Camden Planning Guidance.

6. Town Centres

- 6.1. Policies TC1 (quantity and location of retail development) and TC2 (Camden's centres and other shopping areas) of the London Borough of Camden Local Plan 2017 seek to protect the vitality and viability of centres and ensure that development supports the distribution of future retail growth. The CPG supports this by ensuring that development will "protect the retail function of Camden's town centres by ensuring there is a high proportion of premises in shopping use".
- 6.2. The proposal involves the replacement of an existing window with a new office door, which inevitably requires internal space for office access. The space behind the existing window forms part of the servicing corridor to the retail unit currently occupied by Tesco. Following officer comments, the applicant has revised the submitted plans to demonstrate that

the disused lift will be removed in order to facilitate the movement and subsequent preservation of the service ramp. This allows for space for both the servicing and the office entrance.

- 6.3. However, the new office entrance would extend into the internal area that is currently in use by Tesco for servicing and delivery purposes. Therefore, whilst the proposals would result in the reconfiguration of this internal space, the existing service access of Whitfield Street would remain unchanged.
- 6.4. Officers note the comments of the CSA regarding the revised plans who reiterated their concerns over the perceived loss of retail floorspace from the existing Tesco Store that would occur as a result of the proposed works. However, the new entrance is not considered to compromise the ability of the floorspace to continue to function for retail purposes, and in any event, the current Tesco store pre-dated the existence of the retail floorspace in question, it having been built as an extension over a service yard to the rear of the store in the early 2000s. As such, there is no reason to consider that the existence of a viable foodstore in this location would be prejudiced by the current proposal for a new door.
- 6.5. As such, the proposed development would not remove the ability of Tesco to function as a retail unit, in accordance with Policy TC1. Additionally, the proposed development would not reduce the number of retail frontages within the Goadge Street Neighbourhood Centre, so would not be contrary to TC2 either.
- 6.6. Given the above, the impact of the proposal on the viability of the retail unit is considered to be acceptable in planning terms, as it would not remove the ability of the unit to function as a retail space. The proposal is therefore considered to be in accordance with policies TC1 and TC2 of the London Borough of Camden Local Plan 2017, as well as the relevant Camden Planning Guidance.

7. Recommendation

- 7.1. Overall, the proposed development is considered acceptable in terms of its design and impact on the character and appearance of the host building, neighbouring buildings, and wider Charlotte Street Conservation Area. There would be no significant adverse impacts on the amenity of neighbouring occupiers or the ability of servicing to take place, and the viability of the unit for retail use is preserved. The development is deemed consistent with the objectives, guidance, and policies identified above. It is therefore recommended that conditional planning permission is granted.

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 13th March 2023, 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: 2022/3007/P
Contact: Sam Fitzpatrick
Tel: 020 7974 1343
Email: sam.fitzpatrick@camden.gov.uk
Date: 7 March 2023

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

Iceni Projects
Da Vinci House
44 Saffron Hill
London
EC1N 8FH
undefined

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

**40 Whitfield Street
London
W1T 2RH**

DECISION

Proposal: Replacement of front ground floor window with new entrance door and alteration of external floor.

Drawing Nos: Site Location Plan; Covering Letter/Design and Access Statement; EX-E_001_1; E_001_B; ex-G_001_3; G_001_6; S_002_2; E_003_1.

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: Site Location Plan; Covering Letter/Design and Access Statement; EX-E_001_1; E_001_B; ex-G_001_3; G_001_6; S_002_2; E_003_1.

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.

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

DRAFT

DECISION