



SEPTEMBER 2012

PLANNING STATEMENT

**WALKER RESIDENTIAL**  
**Proposed Redevelopment**  
of  
69 Charlotte Street  
London, W1T 4RW





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ANNEXES

- Annex 1: Condition Report – Bound separately
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## 1 INTRODUCTION

- 1.1 This Planning Statement has been prepared by Roger Tym & Partners (RTP) on behalf of Walker Residential Limited ('the applicant'). It has been prepared to support a planning application and Conservation Area Consent Application at 69 Charlotte Street for the following:

*'Change of use of the first and second floors of 69 Charlotte Street from B1 use to two C3 residential units, mansard roof extension to the existing residential unit on the third floor to create a duplex three bed flat, construction of a single storey glazed extension to replace the existing structure on Tottenham Street, replacement of the existing shop front and complete refurbishment of the existing façade of the building'*

- 1.2 The Conservation Area Consent Application seeks consent for the demolition of the existing structure fronting Tottenham Street and removal of existing unused chimneys, in association with the above development.

### Site description

- 1.3 The application site at 69 Charlotte Street is an existing four-storey townhouse building located on the south-west corner of the junction of Charlotte Street and Tottenham Street in the Fitzrovia area of London's West End. The building dates from 1850 and is currently used for a café at ground floor, offices at the first and second floor and a residential flat at the third floor.
- 1.4 The building is not listed but is within the Charlotte Street Conservation Area. The Charlotte Street Conservation Area Management Plan does however state that 69 Charlotte Street makes a positive contribution to the Conservation Area. The building itself has suffered from many years of neglect and is in need of extensive maintenance and refurbishment, as is evident from the attached condition survey at Annex 1.
- 1.5 The land uses in the immediate surrounding area are a mix of commercial and residential. Opposite the building on Charlotte Street is the modern eight storey commercial/residential building on the redeveloped Scala Theatre site. Immediately opposite the building on Tottenham Street is the five storey modern James Pringle House (73-75 Charlotte Street). There are un-determined proposals to redevelop James Pringle House for a mix of uses to include 11 residential units and 253 sqm of office floorspace.
- 1.6 Additionally, we note that there are number of other similar proposals in the Charlotte Street area. These including at alterations at 74 Charlotte Street and 6 Charlotte Mews and the proposed change of use from B1 to six C3 residential properties at 64 Charlotte Street.
- 1.7 Overall, the predominant character of Charlotte Street is that of four and five storey Georgian and Victorian townhouses. However, there is considerable variety in the design and height of the buildings and it should be noted that the application site does not fall within a terrace of group of buildings with an un-impaired roof line. Furthermore, a number of the historic buildings within the Charlotte Street Conservation Area have mansard roofs, both original and as extensions.

### Planning history

- 1.8 The building itself was constructed well before the modern planning system and thus much of the planning history relates to more recent changes and alterations. There have been no previous proposals similar to this application. We have reviewed the Council's planning history records as these can be summarised as follows:
- Planning permission was granted for the installation of a new shopfront in April 1978
  - Planning permission was granted for the continued use of the ground floor as a licenced betting office in June 1979, subject to the condition that the permission was personal to Mecca Bookmaker Ltd during their occupation and that when they vacant the premises, it should revert back to its lawful use for retail purposes
  - Planning permission was granted in 1981 for use of the second floor for the preparation of art work for press advertising and photographic dark rooms
  - Planning permission was granted in 1986 for the change of use of the first floor club to office use
  - Planning permission was refused in 1997 for the change of use of the ground floor from retail use to A3 use forming an extension to the existing restaurant at basement level
- 1.9 On the upper floors, it is our view that the lawful use of the first and second floors is B1 offices with the third level as a C3 residential property. These are the current uses of the property and the application is seeking a change of use from the lawful B1 uses on the first and second floors.

### Proposed development

- 1.10 As a way of context, the application proposals will also reinforce and improve the important link between Charlotte Street and Tottenham Street towards the former Middlesex Hospital site, which is currently being redeveloped for a mix of uses (known as Fitzroy Place). Consequently, our client is proposing a high quality and sensitive refurbishment that ensure a sustainable future for the building whilst enhancing and preserving the Charlotte Street Conservation Area at this important junction.
- 1.11 The submitted Design & Access Statement explain the rationale and design evolution of the submitted scheme, alongside key features. The proposals include the following key elements:
- Change of use of existing first and second floor B1 office space to C3 residential units as follows:
    - First floor flat (one bedroom): 53.6 sqm
    - Second floor flat (one bedroom): 53.4 sqm
  - Mansard roof extension of the existing flat on the third floor to provide a larger three bedroom duplex flat:
    - Third/fourth floor flat (three bedroom): 102.7 sqm
  - Replacement of existing structure facing Tottenham Street and replacement with a single storey glazed extension and complete refurbishment of the existing façade of the building

### Pre-application consultation

- 1.12 A pre-application meeting with Council officers was held on 18<sup>th</sup> July 2012 and advice was received by letter dated 24<sup>th</sup> August 2012. The submitted application has been revised and amended to address the comments supplied following this pre-application meeting.
- 1.13 In addition, the application was supplied to the Charlotte Street Association and the Charlotte Street Conservation Area Committee in order to provide a preview of the planning application by means of a consultation pack.

### Planning submission

- 1.14 The planning application is accompanied by the following supporting documentation and drawings:
- Application drawings:
    - Location plan;
    - Existing and proposed internal floor plans;
    - Existing and proposed sections;
    - Existing and proposed elevations;
  - Planning Statement (including a Condition survey and Office market report as annexes)
  - Design & Access Statement (including Acoustic report as an appendix)

### Structure of report

- 1.15 The purpose of the Planning Statement is to assess the proposals against the provisions of the Development Plan and other material considerations which are relevant to determination. The remainder of the report is structured as follow:
- Section 2 describes the planning policy context against which the proposal should be assessed;
  - Section 3 sets out why the loss of office space in the borough is acceptable;
  - Section 4 assesses the proposals against the provisions of the Development Plan and other planning policy and material considerations;
  - Section 5 concludes on why the development proposal is in accordance with the Development Plan and other material considerations.

## 2 PLANNING POLICY

- 2.1 In this section, we summarise the planning policy context as it applies to this application. Section 38 (6) of the Planning and Compensation Act 2004 Act states that “[i]f regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise”. We first consider National Planning Policy Framework, which can be considered a material consideration and then consider the development plan, including any emerging or supplementary policy that can also be relevant to the determination of this application.

### National Planning Policy Framework

- 2.2 The NPPF was published by the Government in March 2012. At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision taking. The NPPF states that for decision-taking this means:
- approving development proposals that accord with the development plan without delay; and
  - where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
    - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
    - specific policies in this Framework indicate development should be restricted.
- 2.3 The NPPF sets out key policies on delivering sustainable development, which include:
- Planning should operate to encourage and not act as an impediment to sustainable growth.
  - Plans and decisions should take account of the opportunities to be taken up to reduce the need to travel and safe and suitable access for all people.
  - Housing applications should be considered in the context of the presumption in favour of sustainable development. Local planning authorities should normally approve applications for change to residential and any associated development from commercial buildings (currently in B use class), provided that there are not strong economic reasons why such development would be inappropriate.
  - Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is however, proper to seek to promote or reinforce local distinctiveness.

### Development Plan

- 2.4 The Development Plan for the Site comprises the London Plan (July 2011) and the London Borough of Camden’s Core Strategy and Development Policies Document (CS & DP) (November 2011). The site has the following planning designations on the adopted Core Strategy Proposals Map:
- Central London Area (CAZ)
  - Conservation Area (Charlotte Street)
- 2.5 In addition, further guidance is provided in the form of the Council’s and Mayor’s Supplementary Planning Guidance (SPG) or Supplementary Planning Documents (SPD) as well as Camden Planning Guidance notes (CPG).

### London Plan

- 2.6 The London Plan was adopted in 2011 and is the overall strategic plan for London. The application site is located within the Central Activities Zone (CAZ), as defined by the London Plan. The London Plan contains a number of key policies relevant to the development proposals including:
- Policy 3.3 seeks to increase housing supply and the Mayor recognises the pressing need for more homes in London in order to promote opportunity and provide a real choice for all Londoners in ways that meet their needs at a price they can afford. The Mayor will seek to ensure the housing need identified in paragraphs 3.17 and 3.18 is met, particularly through provision consistent with at least an annual average of 32,210 net additional homes across London.
  - Policy 3.4 requires housing development to take into account local context and character amongst other design principles and optimise housing output through new development.
  - Policy 3.8 concerns housing choice in London and states that Londoners should have a genuine choice of homes that they can afford and which meet their requirements for different sizes and types of dwellings in the highest quality environments.
  - Policy 3.5 examines the quality and design of housing developments and states that housing developments should be of the highest quality internally, externally and in relation to their context and to the wider environment. The design of all new housing developments should enhance the quality of local places, taking into account physical context; local character; density; tenure and land use mix; and relationships with, and provision of, public, communal and open space.
  - Policy 6.1 seeks to reduce the need to travel and Policy 6.9 sets out the requirements in relation to cycle parking.
  - Policy 6.13: Parking, states that in locations with high public transport accessibility, car-free developments should be promoted (while still providing for disabled people).
  - Policy 7.2 seeks to ensure that all new development in London achieves the highest standards of accessible and inclusive design and supports the principles of inclusive design.
  - Policy 7.4 relates to local character and states that development should have regard to the form, function, and structure of an area, place or street and the scale, mass, orientation of



surrounding buildings. It should improve an area's visual or physical connection with natural features. In areas of poor or ill-defined character, development should build on the positive elements that can contribute to establishing an enhance character for the future function of the area.

### Camden Core Strategy

2.7 The Camden Core Strategy was adopted in November 2010 and sets out the Council's spatial vision, strategic objectives and spatial strategy on how the borough should develop. Key policies within the document relevant to the development proposals are as follows:

- Policy CS1 aims to focus Camden's growth in the most suitable locations while achieving sustainable development, and provision in the region of 12,250 additional homes between 2011/12 and 2024/25.
- Policy CS3 promotes appropriate development in the highly accessible area of Central London, amongst other areas. This area is considered to be a suitable location for the provision of homes, shops, office, and community facilities among others.
- Policy CS5 aims to manage the impact of growth and development in Camden by ensuring that development meets the full range of objectives of the Core Strategy and other LDF documents.
- Policy CS6 is concerned with providing quality homes in Camden. Housing is regarded as a priority land use within the LDF, and the policy contains a number of key targets, including:
  - Maximising the supply of additional housing over the entire plan period to meet or exceed a target of 8,925 homes from 2010-2025; and
  - Seeking a range of self-contained homes of different sizes to meet the Council's identified dwelling size priorities
- Policy CS8 states that the Council will secure a strong economy in Camden and seek to ensure that no one is excluded from its success. One of the ways it will do this is by safeguarding existing employment sites and premises in the Borough that meet the needs of modern industry and other employers.
- Policy CS9 states that the Council support and promote the Central London area of Camden as a successful and vibrant part of the capital to live and work in and aims to support residential communities within central London and secure additional housing and affordable homes.
- Policy CS11 is concerned with promoting sustainable and efficient travel and states that as part of its approach to minimising congestion and addressing the environmental impacts of travel, the Council will minimise provision for private parking in new development and seek car free developments in the Borough's most accessible locations.
- Policy CS13 will require all development to take measures to minimise the effects of, and adapt to, climate change and encourage all development to meet the highest feasible environmental standards that are financially viable during construction and occupation.
- Policy CS14 is concerned with promoting high quality places and conserving our heritage and states that the Council will ensure that Camden's places and buildings are attractive, safe and easy to use by, requiring development of the highest standard, seeking the

highest standards of access in buildings and places and requiring schemes to be designed to be inclusive and accessible.

- Under Policy CS18 the Council will seek to make Camden a low waste Borough and make sure that developments include facilities for the storage and collection of waste and recycling.
- Policy CS19 focuses on the delivery of the vision, objectives and the policies of the Core Strategy through the use of planning obligations and other suitable mechanisms where appropriate to support sustainable development and secure any necessary and related infrastructure, facilities and services to meet needs generated by development.

### Camden Development Policies

2.8 The Camden Development Policies DPD (CDP) and sets out more detailed planning policies that the Council will use when determining planning applications. Key policies relevant to the development proposals include:

- Policy DP2 aims to make full use of Camden's capacity for housing and seeks to maximise the supply of additional homes in the Borough, especially homes for people unable to access market housing.
- Policy DP5 is concerned with homes of different sizes and states the Council will contribute to the creation of mixed and inclusive communities by securing a range of self-contained homes of different sizes. The Council will seek to ensure that all residential development contributes to meeting the priorities set out in the Dwelling Size Priorities Table, including conversion of existing residential and non-residential floorspace.
- Policy DP6 states that all housing developments should meet lifetime homes standards and 10% of homes developed should either meet wheelchair housing standards, or be easily adaptable to meet them.
- Policy DP13 concerns employment premises and sites and states that the Council will retain land and buildings that are suitable for continued business use and will resist a change to non-business unless it can be demonstrated to the Council's satisfaction that a site or building is no longer suitable for its existing business use; and there is evidence that the possibility of retaining, reusing or redeveloping the site or building for similar or alternative business use has been fully explored over an appropriate period of time. The policy also states that when it can be demonstrated that a site is not suitable for any business use other than B1 (a) offices, the Council may allow a change to permanent residential uses or community uses.
- Policy DP16 seeks to ensure that development is properly integrated with the transport network and is supported by adequate walking, cycling and public transport links.
- Policy DP17 promotes walking, cycling and public transport use and states that development should make suitable provision for pedestrians, cyclists and public transport use.
- Policy DP18 is concerned with parking standards and limiting the availability of car parking. It states that the Council will expect development to be car free in the Central London Area. Developments will also be expected to meet the Council's minimum standards for cycle parking.



- Policy DP24 requires all developments, including alterations and extensions to existing buildings, to be of the highest standard of design and will expect developments to consider a variety of factors such as the quality of materials to be used, the appropriate location for building services equipment and the provision of appropriate amenity space.
- Policy DP25 seeks to conserve the heritage of Camden and states that development affecting Conservation Areas should take account of conservation area statements and will only be permitted if it preserves and enhances the character of the Conservation Area.
- Policy DP26 aims to protect the quality of life of occupiers and neighbours by only granting permission for development that does not cause harm to amenity such as visual privacy, overshadowing, noise & vibration and microclimate. The Council will also require developments to provide an acceptable standard of accommodation (dwelling and room sizes, etc), facilities for the storage of waste, bicycle storage and outdoor space for private or communal amenity space wherever practical.

#### **Camden Planning Guidance 1: Design (2011)**

- 2.9 This guidance provides information on all types of detailed design issues within the Borough including design excellence, heritage, landscape design and designing safer environments. The guidance is intended to support Local Development Framework policies as previously referred to in this planning statement. The CPG also gives detailed advice on roof extensions including mansard roofs and states that mansard roofs are often the most appropriate form of extension for a Georgian or Victorian dwelling with a raised parapet wall and low roof structure behind.

#### **Camden Planning Guidance 2: Housing (2011)**

- 2.10 This guidance provides information on all types of housing development within the Borough including residential space standards and Lifetime Homes and wheelchair housing. It states that development should provide high quality housing that provides secure, well-lit accommodation that has well-designed layouts and rooms.

#### **Camden Planning Guidance 3: Sustainability (2011)**

- 2.11 This guidance provides information on ways to achieve carbon reductions and more sustainable developments. When considering existing buildings this guidance states that as a guide, at least 10% of the project cost should be spent on environmental improvements. But it also states that potential measures are bespoke to each property and sensitive improvements can be made to historic buildings to reduce carbon dioxide emissions.

#### **Camden Planning Guidance 5: Town Centres, Retail & Employment (2011)**

- 2.12 The purpose of this guidance is to provide information on retail uses, town centres, small shops, the impact of food, drink and entertainment uses, and employment sites and business premises. It also provides further guidance on the change of use of offices in Camden. It states that the Council expect the supply of offices to meet the projected demand over the plan period and as a result they may allow a change from offices to another use in some circumstances, such as older office premises or buildings that were originally built as residential dwellings. In these cases their priority is for the replacement use to be permanent housing or community use.

#### **Camden Planning Guidance 6: Amenity (2011)**

- 2.13 This guidance is intended to provide information on all types of amenity issues including, daylight/sunlight, overshadowing, construction management plans and open space facilities. It also gives guidance on overlooking, privacy and outlook, and access for all in developments. It states that developments are to be designed to protect the privacy of existing dwellings.
- 2.14 In terms of access for all, the CPG states that the Council expect all development of buildings and places, including changes of use and alterations to or refurbishment of existing buildings where practical and reasonable, to be designed to be accessible and useable by all to promote quality of opportunity.

#### **Camden Planning Guidance 7: Transport (2011)**

- 2.15 This guidance states that Camden faces considerable transport challenges including congestion and poor air quality and this guidance contains information on a variety of transport issues including travel plans, car free development, vehicle access, public spaces and cycling facilities.

#### **Camden Planning Guidance 8: Planning obligations (2011)**

- 2.16 The purpose of this guidance is to provide an indication of what may be required when the Council considers that a development proposal needs a planning obligation to be secured through a legal agreement. These obligations will be used to ensure that the strategic objectives of the LDF Core Strategy and Development Policies are met through requirements attached to individual development proposals.

#### **Fitzrovia Area Action Plan**

- 2.17 The Fitzrovia Area Action Plan is currently a working draft document that has recently gone through informal consultation. The Council plan to formally adopt the AAP by late spring/early summer 2013. Once adopted the AAP will form part of Camden's LDF.
- 2.18 The AAP sets out a number of principles for land use and the design and layout of buildings, places and spaces in Fitzrovia. These principles include guidance on housing, residential amenity, and small and medium enterprises. The AAP also sets out design principles for different character areas in the area, including Charlotte Street. These design principles include:
- Following the principles set out by the Charlotte Street Conservation Area Management Plan;
  - Preserve and enhance buildings, spaces and their inter-relationships in terms of scale and hierarchy;
  - Respect the scale and massing of existing buildings, particularly listed buildings and buildings identified as making a positive contribution to the Charlotte Street Conservation Area.

#### **Charlotte Street Conservation Area Appraisal and Management Plan**

- 2.19 The Charlotte Street Conservation Area Appraisal was prepared in 2008 and includes guidance on new development in the area. It states that Design and Access Statements will be expected to accompany planning applications, specifically addressing characteristics such as

scale and character of the repeated terraced forms, the prevailing scale, mass, roof line and rhythm created by the historic pattern of development.

### Summary of key planning issues

2.20 Having reviewed the planning policy, we consider the key planning issues can be condensed into the following topics:

- Sustainable development
- Loss of employment space
- Residential uses
- Design of external alternations within a Conservation Area
- Amenity
- Transport
- Sustainable design

2.21 In Sections 3 and 4, we consider each of these issues in turn.



### 3 EVIDENCE TO SUPPORT LOSS OF EMPLOYMENT SPACE

- 3.1 The application proposed the loss of approximately 51 sqm of B1 offices space and in light of the wording of policy DP13 and the pre-application advice received from the Council, we have reviewed evidence that support the loss of employment space on the application site. We apply these findings to the policy wording at Section 4.
- 3.2 In 2008, RTP undertook an Employment Land Review for LB Camden. In terms of office space it found that there was 142,000 sqm available, and that only 11,200 sqm of this was new or newly refurbished accommodation. Therefore there was an oversupply of poorer-quality space which is naturally less desirable to occupiers, and a lack of good-quality space.
- 3.3 The Camden Business Premises Study also undertaken by RTP, in 2011, looked again at the demand and supply balance of offices in Camden, and stated that there were no reasons to alter the conclusion of the 2008 ELR, that there was an oversupply of poorer quality office space.
- 3.4 To supplement this evidence, the applicant has commissioned a market report by White Druce & Brown (WDB) in 2012, attached at Annex 2. The purpose of this report was to investigate the availability and suitability of alternative premises surrounding 69 Charlotte Street.
- 3.5 The WDB report also shows that there is a large supply of office space in Camden and the surrounding area, similar to that offered at 69 Charlotte Street. An availability schedule, attached at appendix A to the WDB report, was compiled using location and size as the main criteria. The survey was conducted looking for properties of a similar size to those office suites located on the 1<sup>st</sup> and 2<sup>nd</sup> floors, 69 Charlotte Street (approximately 550 sqft) and based on a size range of between 350-1,500 sqft as this would adequately cover the requirements of the existing tenants. The extent of the search was also limited to within half a mile of 69 Charlotte Street.
- 3.6 The search showed that there are over 50 properties in Camden that would provide suitable and potentially far better accommodation for the existing tenants on similar rental levels. A further search was carried out within a 1 mile radius of 69 Charlotte Street which produced 330 suitable alternatives.
- 3.7 The evidence available shows clearly that there is a surplus of office accommodation in the area and that the loss of the B1 space at 69 Charlotte Street would not have a detrimental effect on the area. There would also be no difficulty for the existing tenants to find alternative office accommodation in the area. Therefore, in our view, the loss of employment space is justified and we consider this issue in more detail at Section 4.

## 4 PLANNING APPRAISAL

- 4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004, requires proposals to be determined in accordance with the Development Plan unless material considerations indicate otherwise. This section assesses the proposals against the Development Plan and other relevant planning policy, including the Council's own supplementary planning guidance, taking into account the key issues identified at Section 2 and the Council's pre-application advice. We also respond to the Council's request for a Section 106 agreement.

### Sustainable development

- 4.2 The site is in a highly sustainable location within walking distance of Goodge Street, Warren Street and Tottenham Court Road underground stations. It will also have convenient access to the new Crossrail station at Tottenham Court Road. The site is centrally located, easily accessible by foot and cycle to nearby amenities and close to an extensive bus network.
- 4.3 The NPPF makes clear that housing applications should be considered in the context of the presumption in favour of sustainable development and the two new residential units proposed are in a highly accessible location, consistent with the principles of sustainable development under the NPPF.
- 4.4 The use of the site for residential development in such an accessible location is considered to be in accordance with policies CS1, CS3 and CS9 of the CS which promotes growth in the Central London Area and in highly accessible areas. The provision of housing will contribute to the range of uses within the CAZ and meet Policy CS6 of the CS, which considers housing to be a priority land use in Camden.

### Loss of employment space

- 4.5 The Development Plan through Policy DP13 of the CDP states that loss of existing employment premises will only be allowed provided it can be demonstrated that the site or building is no longer suitable for its existing business use and that there is evidence that the possibility of retaining, reusing or redeveloping the site or building for similar or alternative use has been fully explored over an appropriate period of time.
- 4.6 Therefore, if it can be demonstrated that offices are no longer suitable for their existing business use then the principle of change of use is acceptable. In these cases residential or community uses are seen as a priority for the alternative use. Since residential uses are a priority the Council, the change of use from secondary office accommodation to residential will help to meet the Council's housing targets.
- 4.7 Our client has carefully considered the future for the existing office space and although the space is occupied by tenants with short term leases, it remains poor quality secondary office accommodation that does not meet the needs of modern businesses. The evidence outlined in Section 3 supports our assertion that a change of use is acceptable in these circumstances. However, we note that planning policy requires that a number of factors are taking into consideration when assessing proposals for the change of use from offices to a non-business use.

- 4.8 We first address paragraph 13.3 that supports Policy DP13 of the CDP and in Table 4.1 below we review the application against the nine criteria that the Council will take into account when assessing proposals that involve the loss of a business use and the potential for that use to continue.

**Table 4.1 Assessment of application against criteria in para 13.3 of Camden Development Policies**

Criteria	Applicant's response
is located in or adjacent to the Industry Area, or other locations suitable for large scale general industry and warehousing	No
is in a location suitable for a mix of uses including light industry and local distribution warehousing	The site is in a mixed use area, with a number of residential properties nearby – including within the building itself. But it is not near light industry or local distribution warehousing
is easily accessible to the Transport for London Road Network and/or London Distributor Roads	No
is, or will be, accessible by means other than the car and has the potential to be serviced by rail or water	Yes
has adequate on-site vehicle space for servicing	No
is well related to nearby land uses	No, the shared access between the two floors of office space and the residential property on the third floor are in conflict
is in a reasonable condition to allow the use to continue	No, as demonstrated in the condition survey, the building requires significant investment for the office space to reasonably continue to be used beyond the existing leases.
is near to other industry and warehousing, noise/vibration generating uses, pollution and hazards	No
provides a range of unit sizes, particularly those suitable for small businesses (under 100sqm)	No, only two small office units are provided and although these can accommodate small business units, they will not do so in the longer term given the repairs required and layout of the space

- 4.9 Based on our consideration of the criteria, we consider that there are strong grounds to support the loss of the existing business use and its replacement with two residential units. We now turn to consider the seven further criteria in paragraph 6.4 of CPG5 which include the considerations the Council will take into account when assessing a change of use from office to non-business use.



**Table 4.2 Assessment of application against criteria in para 6.4 of Camden Planning Guidance 5**

Criteria	Applicant's response
the criteria listed in para 15.3 of policy DP14 of the Camden Development Policies;	See above
the age of the premises – some older premises may be more suitable to conversion	The building itself dates back to circa 1850 originally in residential use and therefore the office accommodation is dated and classed as secondary office space. Consequently the offices are suitable for conversion back to residential.
whether the premises include features required by tenants seeking modern office accommodation	The offices have few of the expected features for modern office accommodation, such as suspended ceilings, raised floors, trunking and wiring for business use, air conditioning or lifts
the quality of the premises and whether it is purpose built accommodation. Poor quality premises that require significant investment to bring up to modern standards may be suitable for conversion	The premises are not purpose built and are of very poor quality internally and externally as the previous owners spent very little money on the building. There is limited scope for internal re-configuration and in order to bring it up to modern standards it would require significant investment.
whether there are existing tenants in the building, and whether these tenants intend to relocate	The offices do have existing tenants with leases due to expire shortly. Due to the level of work required on the building and the repairing liabilities that exist, we expect the tenants would welcome the opportunity to relocate to improved premises at the same rent.
the location of the premises and evidence of demand for office space in this location; and	There is a surplus of secondary, poorer quality office accommodation in this location. Therefore the demand for this type of space is low and it is very unlikely that these offices would be lettable in their current state due to the amount of comparable more modern accommodation in the area and the need to let on a schedule of condition, which in effect would make the premises unlettable.
whether the premises currently provide accommodation for small and medium businesses	In terms of providing accommodation for small and medium businesses, the offices are in a poor state and lack the modern amenities that an occupier would require. Therefore they do not provide suitable accommodation for small or medium businesses.

4.10 The above analysis and the evidence provided directly to the Council by RTP and the further local evidence provided by WDB provide a compelling case supporting the loss of employment space in the specific circumstances at 69 Charlotte Street. The key elements of our case for the loss of employment space are as follows:

- The building is over 150 years old, with the employment space on the first and second floors originally designed for residential use

- There is already a residential property on the third floor and the shared staircase with the employment space means that the uses are naturally in conflict
- The employment space is of a very poor quality, does not meet modern standards and the repair obligations are likely cause the space to be unlettable once the existing leases expire
- It is clear that the space is secondary in nature and our research for the Council has found that there is an oversupply of this type of space in LB Camden
- There is also evidence to demonstrate that a significant supply of the type of office space in the property which could be secured at a similar rent but at a significantly improved quality

4.11 Therefore, we consider that we have demonstrated why the offices at 69 Charlotte Street are suitable for change of use, therefore the development proposals accord with policy DP13 of the CDP.

### Proposed residential uses

4.12 The proposals would provide two additional residential dwellings, alongside the existing flat on the third floor of Charlotte Street. Therefore the proposals would contribute towards achieving the housing targets of LB Camden and London as a whole. This is in accordance with Policy 3.3 of the London Plan and CS1 of the CS. The proposals are also in accordance with policy CS6 which states that residential use is the priority land use in Camden.

4.13 The proposed one bedroom residential flats have also been designed in accordance with the Camden residential space standards as set out in the Camden Planning Guidance, including the provision of flexible space in order to ensure consistency where possible with the Lifetime Homes Standards.

4.14 The alteration and extension of the existing residential flat into a three bedroom duplex flat has been encouraged by the Council in its pre-application advice. The applicant has sought to meet this aspiration and the conversion of the existing dwelling into a three bedroom property delivers a new family dwelling and thus is consistent with Policy CS6 of the CS and Policy DP5 of the CDP that seeks to deliver homes of different sizes.

### Design

4.15 In terms of design of new development, including extensions and alterations, the relevant policies states that new development must be designed to the highest quality and enhance the quality of local places, taking into account physical context, local character, density, tenure and land use mix. Where development is in a Conservation Area, it is expected to take into account Conservation Area statements and should preserve and enhance the character of Conservation Areas.

4.16 The Design and Access Statement (D&A) submitted with the application provides an analysis of the constraints and opportunities presented by the development. It sets out the design objectives and design principles which have informed the proposed development. It explains how the proposal contributes positively to its context, respects the Conservation Area and contributes positively to the streetscape. In summary, the design of the proposal is considered to offer a number of significant benefits by:

- Providing an appropriate architectural response to the site's location in the Charlotte Street Conservation Area with a roof extension of the highest quality that will preserve the character and appearance of the Conservation Area, as well as respecting the character and setting of the building in the street scene.
- Ensuring a legible and inclusive design which will be accessible to all.

- 4.17 The D&A explains how the scheme has evolved from initial sketches tabled to the Council and subsequent revisions and amendments. The pre-application advice provided some general support to the design approach adopted, although it was suggested that the windows on the Charlotte Street frontage are increased in width and reduced in height. This element of the scheme has been revised to address these issues and we can confirm that the head height of the windows is consistent with the Council's guidance on mansard extensions in CPG1.
- 4.18 The pre-application advice also states that the design of the balcony window opening on Tottenham Street is re-addressed and amended. The design has been revised in light of these comments and the design justification that addresses relationship between the window and the fenestration below is set out in the D&A. However, it should be recognised that to provide a three bedroom property on the third floor suitable for families, it is important to provide some amenity space (consistent with paragraph 26.12 of the CDP).
- 4.19 Overall, it is considered that the proposal provides a scheme of the highest architectural quality, in terms of appearance, layout, massing and will contribute positively to the townscape of the surrounding area and thereby accords with policies contained in the NPPF, policies CS14 and DP24 of the Core Strategy and policies 3.4, 3.5, 7.2 and 7.4 of the London Plan.

### Amenity

- 4.20 In terms of amenity, the relevant policies states that planning permission will only be granted for development that does not cause harm to amenity such as visual privacy, overshadowing, noise and vibration, and microclimate.
- 4.21 The proposal has been designed as to limit the overlooking of neighbouring properties and thus managing impact on neighbouring properties. We have noted the application on 73-75 Charlotte Street and the Council's comment on pre-application advice. The application remains un-determined, but it should be remembered that the distance between the blocks is effectively fixed by the width of Tottenham Street and there is already a residential property at 69 Charlotte Street. Therefore, the Council will also need to consider the impact from 73-75 Charlotte Street on the overlooking into 69 Charlotte Street. In any event, we do not consider the application proposals will impact on the amenity of future residents of 73-75 Charlotte Street.
- 4.22 Whilst a daylight/sunlight report is not required, a brief explanation has been provided in the D&A. This finds that due to the increase in height of only 1.4m, the proposals will not negatively impact neighbouring properties by significantly overshadowing.
- 4.23 An Acoustic report has also been undertaken to establish the background noise climate and plant noise emissions criteria established and concludes that this is in line with the requirements of Policy DP28 of the CDP (see D&A).

- 4.24 Facilities for the storage of waste and recycling is provided within the applicant's ownership on the ground floor to the rear of the proposed glass enclosure on Tottenham Street, as explained within the D&A.

### Transport

- 4.25 In terms of transport, the development plan seeks to reduce the need for travel by making sure that development is well supported by adequate walking, cycling and public transport links. In areas that are highly accessible, development will be expected to be car free and cycle parking provision is also required.
- 4.26 The development is located in an area of high public transport accessibility with several high frequency bus and tube services in close proximity. Bus stops are located close to the site on Tottenham Court Road, Gower Street and Oxford Street. Tottenham Court Road and Goodge Street tube stations are located in close proximity to the site. National rail services are also located around a 15 minute walk from the site at St Pancras, Kings Cross and Euston stations.
- 4.27 The proposed development will not provide any car parking on-site and therefore accords with policy CS11 which seeks to minimise provision for private parking in new developments and policy DP18 which will expect development to be car free in the Central London Area.
- 4.28 In respect of the need to secure the development as car free, we note the wording in paragraph 18.8 of the CDP, paragraph 5.7 of CPG7 and the comments in the Council's pre-application advice. Given that the proposed development is creating two new dwellings, it is accepted that these new developments will need to be secured as car free through a section 106 agreement. However, the existing residential unit is not currently restricted as car free and our reading of policy and guidance which refers to the 'dwellings or units created' is that there is no justification that would require this unit to be car free because no new unit is being created, even though it is extended to three bedrooms.
- 4.29 The existing residential unit already benefits from a parking permit in the area and thus no added pressure on parking is created by the development. Furthermore, insisting on car free housing for this existing dwelling is likely to limit the potential for the dwelling to be occupied by a family. Therefore, the applicant is seeking to maintain the ability for the existing extended unit to apply for a parking permit.
- 4.30 In respect of cycle parking, Appendix 2 of the CDP requires one cycle storage or parking space per unit. CPG7 states that '*Parking for residents should be within the building. Parking for a resident may take the form of a space within an individual dwelling provided that the space is close to the door of the dwelling, and access to the dwelling is level, or by a ramp or lift that can accommodate a bike.*'
- 4.31 To meet cycling storage requirements, the applicant has allowed for a storage area close to the entrance within the two new units. Although not required, the extended three bedroom unit on the third and fourth floor includes a space for cycle storage. Additionally, the communal entrance hall is sufficient width to accommodate two bicycles.
- 4.32 The applicant has sought to address the cycle storage requirements. Practically, the approach adopted is the only opportunity to accommodate cycle storage within the site, although it is appreciated that this is not strictly compliant with the guidance since it does not



enable level access since there is no lift, due to the age and configuration of the property. That said we consider it is a reasonable solution in the circumstances.

- 4.33 Overall, due to the site's location in an area of excellent public transport accessibility, it is considered that the proposed development accords with Camden planning policies CS11, DP16, DP17, London Plan Policy 6.1, and the NPPF which seeks to reduce the need to travel, especially by car.

### Sustainable design

- 4.34 The applicant is committed to delivering a sustainable refurbishment and extension of this proposed development, consistent with the requirements of policy DP22 of the CDP. The potential for green or brown roofs is noted, although this is not a possibility for 69 Charlotte Street since it would increase the height of the building (as acknowledged in the Council's pre-application advice) and would also result in an increased load on the property and structurally would not be possible.
- 4.35 It is noted in the pre-application advice that the Council would expect the proposed dwelling to achieve 'very good' in an EcoHomes assessment prior to 2013 and 'excellent' from 2013. This statement appears contrary to part d) of policy DP22 of the CDP, which only requires this for developments of 500 sqm of residential floorspace or above or 5 or more dwellings. Given that the application is less than this threshold such an assessment would not be required.
- 4.36 Despite our comments above on the EcoHomes assessment, the applicant has noted the contents of the energy efficiency guidance in CPG3 to reduce the carbon emissions. Indeed, many of these requirements echo the building regulations and therefore will be included within the proposed development. However, some of the elements are detailed internal specification requirements that have not yet been fully designed or identified. Therefore, we invite the Council to attach an appropriately worded planning condition should permission be granted.

### Section 106 agreement

- 4.37 The Council's pre-application comments on the Section 106 agreement are noted. However, for the reasons explained above, we think the only clause required will involve the need to secure car free housing for the two new dwellings.

## 5 SUMMARY AND CONCLUSIONS

- 5.1 The application proposes a change of use of the first and second floors of 69 Charlotte Street from B1 use to two C3 residential units, mansard roof extension to the existing residential unit on the third floor to create a duplex three bed flat, construction of a single storey glazed extension to replace the existing structure on Tottenham Street, replacement of the existing shop front and complete refurbishment of the existing façade of the building.
- 5.2 For the reasons set out in this report, the proposed scheme constitutes sustainable development principles by maximising the existing space at the site, as well as widening the choice of housing options for the local community. The application site is in a sustainable location within an area with existing residential and commercial development, as well as being highly accessible by public transport. The scheme is therefore the type of development supported by the NPPF, and will assist in the delivery of the Government's objectives to increase the supply of new homes.
- 5.3 The proposed development accords with the strategic objectives and relevant policies of the Development Plan, which includes the London Plan, the Camden Core Strategy and Development Management Policies for the following reasons:
- The development will help meet the identified targets for new housing in the Borough as set out in the Core Strategy and will make full use of space for new housing, providing a range of dwelling sizes
  - The upper floors of the building are already in partial residential use and the loss of this small amount of secondary B1 office space that was originally designed for residential use and is unsuitable for long term employment use is consistent with the Development Plan.
  - The two new residential units are designed to be 1 bedroom/2 person to meet Camden's space standards, including the provision of flexible space in order to ensure consistency where possible with the Lifetime home standards.
  - The mansard roof extension of the existing residential unit to create a 3 bedroom/5 person flat has been proposed to help meet needs for family dwellings in Camden
  - The roof extension has been designed to a high standard in order to enhance and preserve the Conservation Area, respect the character and setting of the building on the street scene and also limit overlooking and thus managing the impact on neighbours.
  - The proposal is also located in an area with a high accessibility to public transport, therefore meets the Council's objective to reduce travel by car and will also fulfil the objective for car free development in areas with high public transport accessibility.
  - Our client is supportive of the need to ensure sustainability and therefore invites the Council to attach an appropriately worded planning condition in respect of the design initiatives implement environmental improvements
- 5.4 The proposal will also reinforce and improve the important link between Charlotte Street and Tottenham Street towards the former Middlesex Hospital site that is being redeveloped for mixed uses (Fitzroy Place).
- 5.5 The proposal also addresses the poor condition of an important building on the junction of Charlotte Street and Tottenham Street. The exterior of the building would benefit from a

sensitive refurbishment that will include the replacement of the existing utilitarian lean-to structure of the Tottenham Street elevation with a new high quality glazed extension and the replacement of the poor shop front that would be wholly consistent with the Development Plan's requirement to both preserve and enhance the Conservation Area.

- 5.6 Over the proposed development provides a high quality and sensitively designed refurbishment that contributes to LB Camden's objectives in the Core Strategy. Therefore, we encourage the Council to grant planning permission for this high quality development to secure the future of this prominent site.