



GERALDEVE

**Retail Units at Central Cross, 18-30 Tottenham Court Road
Planning Statement**

On behalf of Derwent Central Cross Limited

Prepared by: James Wickham, 10 April 2012

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1 Introduction

- 1.1 This planning statement has been prepared by Gerald Eve LLP on behalf of Derwent Central Cross Limited (Part of the Derwent London group and subsequently referred to as Derwent London) to support a planning application for extensions to the retail units at Central Cross, Tottenham Court Road, including the change of use of basement areas, creation of new shopfronts, and other associated works
- 1.2 Derwent London is seeking to provide new, enlarged and high quality retail space on the Tottenham Court Road frontage of the building by comprehensively refurbishing and extending the existing units. These works are proposed as part of a wider programme of investment and refurbishment occurring at ground floor level across the remainder of the Central Cross building, to provide a comprehensively designed and attractive ground floor frontage and public realm around the whole of the building.

2 Site and Surrounding Area

- 2.1 18-30 Tottenham Court Road, also known as Central Cross, is located on the west side of Tottenham Court Road approximately 150m north of the junction with Oxford Street. Central Cross is on an irregularly shaped plot which spans Stephen Street, above which forms a tunnel as it passes through the building at ground floor level. The building is predominantly located to the south of Stephen Street, bounded by Gresse Street and an extensive service yard to the west and the south respectively. To the north of Stephen Street the building also spans a ground floor vehicular entrance to Stephen Mews, the end of which bounds the western extent of the building's northern wing.
- 2.2 Central Cross is a mixed use building. The main building, fronting Tottenham Court Road, comprises retail uses fronting onto Tottenham Court Road and office uses on the upper floors. The office space to the south of Stephen Street (known as 1 Stephen Street) is accessed from the lower block to the rear defined by Stephen Street, Gresse Street and the building's service yard. This block comprises the office entrance and porte-cochere, along with a mix of offices and studio space. There is a separate entrance to the office space in the part of the building to the north of Stephen Street (known as 2 Stephen Street). In addition, there is a the residential apartment building above the Stephen Street/Gresse Street block, which is accessed independently from Gresse Street.
- 2.3 The building has two basement floors which are used as a combination of parking, storage and other ancillary functions in connection with the office (Class B1) use. Service access to the building, including to the retail units, is provided by the service yard and loading bay to the rear

of the building accessed from Gresse Street.

- 2.4 The wider area to the west of the site is characterised by a concentration of creative industries including media, design and fashion. Central Cross itself was proposed, in 1974, to accommodate the headquarters of recording company EMI Ltd. The studio space in the building was originally proposed for EMI. Although EMI never took occupation the building contains a number of media companies which have made use of the studio space.
- 2.5 Planning permission has recently been granted for the recladding of the rear parts of the building, facing Gresse Street and Stephen Street, as well as the Stephen Street tunnel, as described in Section 3 below.
- 2.6 The scope of this application relates to the ground floor retail units fronting Tottenham Court Road, including their existing mezzanine floors and the basement area below them.
- 2.7 The site is well served by public transport with Tottenham Court Road Underground station close by to the south and with a number of bus routes running to the north along Tottenham Court Road.

3 Planning History

- 3.1 Outline planning permission for Central Cross was granted in September 1974 by the Secretary of State, with subsequent reserved matters being approved between 1975 and 1981.
- 3.2 There have been a number of planning applications for minor alterations to the building since that time, including plant and telecommunications, which are not relevant to the current proposals.
- 3.3 Planning permission for alterations to the shopfronts along Tottenham Court Road was refused in April 2009 (application reference 2009/0258/P). The reasons for refusal were the lack of residential provision, lack of small shop units, and sustainability. The way in which the current proposals respond to the reasons for the refusal of the April 2009 application are discussed in Section 7, below.
- 3.4 Planning permission was granted in September 2011 for ground level alterations to the Gresse Street/Stephen Street block, including the replacement of the porte-cochere, and alterations to the entrance to the residential building at 25 Gresse Street (reference 2011/1069/P).
- 3.5 Planning permission was subsequently granted in December 2011 for the alteration and enlargement of the office entrance to 2 Stephen Street (on the north side of Stephen Street) on 15 December 2011 (reference 2011/5552/P).
- 3.6 The recent September and December 2011 planning permissions granted approval for the first and second phases of Derwent London's proposed renewal and upgrade of the ground floor of Central Cross. Derwent London is currently carrying out preliminary internal works

prior to the refurbishment of the Gresse Street/Stephen Street ground floor space, as part of which these permissions will be implemented in order to provide an enlarged entrance, to replace the porte-cochere, and to reclad the ground floor façade.

4 Proposed Development

- 4.1 Derwent London is a design-led investor in property which historically has specialised in refurbishing existing buildings, rather than wholesale redevelopment. Part of a successful refurbishment includes changing perceptions of a building, on the part of both existing and proposed tenants, and, more widely, those living, working and travelling past it, whose experience of the building are affected by its external appearance and its relationship with the street.
- 4.2 Derwent London has already achieved planning permission for a significant upgrade and improvement of the ground floor façade of the rear parts of the building. This will replace the dark and unattractive granite, louvers and porte-cochere that dominate the rear of the building with an attractive new façade, incorporating lightweight new materials. This will provide additional glazing, combined with a perforated metal screen.
- 4.3 A key element of the new design is a canopy/soffit feature that will extend from the roof of the Stephen Street tunnel all around the base of the existing building, on Stephen Street and Gresse Street. This will create a unifying design feature that will establish a clear identity for the building, unifying the disparate design elements currently represented in the building.
- 4.4 The current proposals seeks to complete this package of proposed improvements to the ground floor of Central Cross by extending the new façade design around the corner from Stephen Street to Tottenham Court Road, in the form of new shopfronts accessing enlarged retail units. The new retail units will be of a very high standard, designed to attract appropriate modern and high quality

retail occupiers to improve the retail offer of this part of Tottenham Court Road.

- 4.5 The existing retail units, the leases of which will expire shortly, will be fully refurbished, extended, and repartitioned, to create four units (A, B, C & D) to the south of Stephen Street, and three units (E, F & G) to the north.
- 4.6 To improve the quality, visibility and light penetration of the retail units the shopfront line will be extended forward from its current position to a position adjacent to the line of columns forming the existing colonnade, so forming additional retail space.
- 4.7 The shopfronts created on this new line will incorporate extensive use of glazing as well as aluminium, using the same design language as used in the rear alterations. In particular, the canopy feature will be extended out from the Stephen Street tunnel and along the Tottenham Court Road frontage of the building, so creating consistency around the whole ground plane.
- 4.8 The existing office car parking area in basement level one, below proposed units A-D (to the south of Stephen Street), will be converted to retail use, to be accessed from those four units. This space could be used either for storage/ancillary purposes, or for trading, depending on the requirements of the eventual tenants.
- 4.9 The existing retail units all have mezzanine floors, although these have been constructed on an adhoc basis over time by individual tenants. Consequently, the depth, floor height, maximum loadings, etc, of these floors, are not consistent and it is therefore proposed to remove all the existing mezzanine floors and replace them with a single, consistent, mezzanine across all the new units. This will

result in a small increase in floor area where additional mezzanine will be created where none previously existed, due to the idiosyncrasies of the previous, ad hoc, fit outs.

- 4.10 Planning permission is sought for a flexible planning permission to allow for either Class A1 (retail) or Class A3 (restaurant) uses in Units A, E & F.
- 4.11 Table 4.1, below, summarises the areas of each of the proposed units, and the use proposed. These floorspace areas are indicative only and the final fitout may vary. Shared circulation/servicing space, included in the total floorspace figures, are not included.

	Basement	Ground	Mezzanine	Total	Proposed Use
Unit A	453	177	110	740	A1 / A3
Unit B	253	396	292	941	A1
Unit C	187	450	359	996	A1
Unit D		318	237	555	A1
Unit E		239	123	362	A1 / A3
Unit F		106	72	178	A1 / A3
Unit G		249	172	421	A1
Cinema Entrance *	0	76.4	0	76.4	D2

Table 4.1: Indicative Proposed Unit Sizes, by Floor (sqm, GEA)

* Existing cinema, including basement and ground floor entrance, not included in scope of application. Figures relate only to extension to entrance.

- 4.12 The existing cinema at basement level below proposed units E-G, accessed from 30 Tottenham Court Road, will be retained in situ. It will be provided with a new, enlarged entrance for consistency with the retail units to the south. The cinema itself is not included within the scope of this

application.

4.13 The existing and proposed floorspace by use class is set out in Table 4.2, below.

Use	Existing	Proposed	Change
Class A1 (Retail)	3114.9	3,332.9	+ 218
Class A1 / A3 (Retail/Restaurant)	0	1280	+ 1280
Class D2 (Cinema)	0	76.4	+ 76.4
Other (Office car parking)	961.2	0	- 961.2
TOTAL	4076.2	4689.2	+ 613.1

Table 4.2: Existing and Proposed Floorspace, by Use (sqm, GEA)

4.14 It is proposed that the development will be accompanied by a contribution which would be used to enhance the public realm/streetscape outside of the building, incorporating both the areas within Derwent London's ownership and highway land. It is envisaged that key elements would include:

- Improved lighting to the London Plane trees;
- New street furniture, including benches/seats;
- Comprehensive new paving across both Derwent London owned land and highway land;
- Rationalisation of existing street clutter, such as utilities boxes, signage, etc.
- Creation of raised pedestrian cross-over across Stephen Street, to provide level pedestrian access and improve pedestrian connectivity.

4.15 These proposed works could be undertaken either as part of a wider proposal to redesign Tottenham Court Road to accommodate two-way vehicular traffic, or independently, depending on the likely timescale for the delivery of a wider two-way working scheme.

4.16 For the avoidance of doubt, the existing London Plane trees will remain in situ and will be subject to tree protection measures during any build period to ensure they remain healthy. Existing cycle stands on Tottenham Court Road will be replaced if moved as part of a wider rationalisation.

4.17 In summary, therefore, planning permission is sought for the following elements of work:

- Extension of retail units to front of existing colonnade;
- Creation of new shopfronts, including canopy feature;
- Installation of new mezzanine floors;
- Change of use of part of basement 1 from office car parking to retail (Class A1) and part retail/restaurant (Class A1/A3).
- Change of use of part of ground floor/mezzanine retail (Class A1) space to provide three flexible retail/restaurant (Class A1/A3) units.

5 Statement of Community Involvement

5.1 Derwent London has consulted extensively on the proposed alterations with local residents, amenity groups and other stakeholders, as well as planning, design and highways officers at the London Borough of Camden. The consultation activities undertaken and comments arising are set out below.

Consultation with residents and local amenity groups

5.2 A briefing session was held for residents of Central Cross on 22 February, as part of a regular Tenants and Residents Association meeting. This consisted of a powerpoint presentation to residents by Derwent London and ORMS Architects, followed by a question and answer session with the design team, chaired by a residents' representative. This was attended by approximately 15-20 residents and one ward councillor.

5.3 An informal public exhibition was held on the evenings of 28 and 29 February, between 5pm and 7pm, at the site. Invitations were sent to the following groups:

- Residents of Central Cross (to enable those unable to attend the private meeting to participate)
- Charlotte Street Conservation Area Advisory Committee
- Bloomsbury Conservation Area Advisory Committee
- Charlotte Street Association
- Fitzrovia Neighbourhood Association
- Offices and businesses in Stephen Street and

Gresse Street

- Residential properties on Percy Street

5.4 The invitation card is included at Appendix 1.

5.5 The consultation event consisted of an exhibition demonstrating the defects of the existing building that had been identified by the design team and the alterations that were being proposed. Members of the design team were on hand to present the proposals and to respond to comments and questions.

5.6 Approximately 12 people attended the public exhibition. These comprised residents of Central Cross who had been unable to attend the Tenants and Residents Association meeting, representatives of the Charlotte Street Association, other local residents, and workers from local businesses.

5.7 The following comments, relating to the proposed development, were made:

- Some local residents considered that the existing colonnade is underused and infilling it logical, whilst representatives from amenity societies considered that the existing colonnade contributes to public open space in an area that is lacking in it;
- The capacity of the pavement to accommodate both existing pedestrian flows, and the increased flows that would result from Crossrail following its completion, was queried.
- The lease arrangements for the existing tenants was queried. There seemed to be broad support for a wider range of tenants;

- Including restaurant/café type uses was welcomed by some attendees, although representatives from local amenity queried the need for these uses, based on the number of such uses elsewhere within Fitzrovia;
- The extent to which the proposed development would provide the requisite housing and affordable housing was queried;
- The longevity / durability of the proposed materials was queried by some attendees, who expressed concern that anti-social behaviour could lead to a rapid deterioration in the quality of the materials;
- The design of the proposed new shopfronts received broad support although two attendees suggested granite elements be retained at ground floor level and were unconvinced about success of the proposed canopy in acting as a unifying device around the whole ground floor plane;
- One resident of 24 Gresse Street expressed concern that the proposed improvements to the Stephen Street tunnel, including the level pedestrian cross-over, and the rationalisation of signage, could make Stephen Street more difficult to find for vehicular traffic travelling along Tottenham Court Road.

5.8 The comments received from attendees was wide-ranging, and frequently additionally focused on areas outside of the scope of this application, regarding the detailing of works to be done in Phase 1, particularly to the residential entrance at 25 Gresse Street, and concerns over construction, noise, disturbance and programming. These comments were passed back to the design team responsible for the Phase

One build.

Consultation with LB Camden

- 5.9 Two pre-application meetings have been held, with Ed Watson and Bethany Arbery, and John Sheehy and Charles Rose respectively. Further discussions have also been held between the applicant's highways consultant and John Duffy in transport planning.
- 5.10 Officers have indicated that the proposal is broadly acceptable in land use terms and have been supportive of the aspirations to improve the building's appearance and relationship with the street.
- 5.11 Officers have recommended that the following points be given particular consideration
- Provide an increase in residential accommodation equivalent to the amount of new commercial space proposed.
 - Responding to Camden's adopted policy on the provision of small shops.
 - Addressing the perceived reduction in the amount of public space proposed as part of the application.
 - Ensuring a high quality design, particularly through ensuring that the distinctive columns that currently ground the building continue to be sufficiently expressed on the Tottenham Court Road frontages, and that the proposed canopy does not sever visual connectivity between the ground and upper floors.

6 Planning Policy

- 6.1 The relevant parts of the development plan in this area are the London Plan (July 2011), the adopted Camden Core Strategy (November 2010) and the adopted Camden Development Policies DPD (November 2010).

Allocations and Designations

- 6.2 The site is located within the Central London Area as identified by the Camden LDF proposals map and the London Plan Central Activities Zone. The Tottenham Court Road frontage of the building is forms part of a Central London Frontage.

The London Plan

- 6.3 The London Plan seeks to ensure that London can meet the challenges of economic and population growth, whilst being internationally competitive and successful.
- 6.4 The plan seeks to enhance the unique role of the CAZ, with its mix of uses and “globally iconic core”. Policy 2.10(f) supports supporting and improving the CAZ’s retail offer, and supporting the West End as a globally important shopping destination.
- 6.5 Map 2.3 shows areas in which Policy 2.10(b) indicates development capacity should be brought forward. Tottenham Court Road is identified as a CAZ Frontage on this map. Policy 2.11 supports identifying, enhancing and expanding retail capacity to meet strategic and local need, focusing on these CAZ frontages.
- 6.6 Tottenham Court Road, as well as Oxford Street, Bond Street and Regent Street, are also within the West End Special Retail Policy Area, for which Policy 2.11 requires local authorities to prepare a planning framework.

Paragraph 2.47 states that policy in this area should “continue to support the area’s future as a retail and leisure district of national, city-wide and local importance, focussing particularly on improving the public realm and optimising the benefits from Crossrail stations at Bond Street and Tottenham Court Road.”

- 6.7 Policy 4.8 also supports a “pro-active approach” to bringing forward additional retail capacity for comparison goods, especially in the international, metropolitan and major centres.
- 6.8 There is therefore strong support at the regional level for the provision of additional retail floorspace in this location.

Local Planning Policy

- 6.9 Policy CS1 of the Camden Core Strategy seeks to promote development in growth areas and in other highly accessible locations, which Policy CS3 defines as the Central London Area outside of the growth areas. Policy CS1(h) requires development to provide a mix of land uses, including housing where possible, in the most accessible parts of the borough.
- 6.10 Policy CS3 notes that the Central London Area is considered to be suitable for a range of uses including shops, homes and employment generating activity.
- 6.11 Policy CS7 relates to retail development in the borough. This policy supports the delivery of additional retail floorspace in the Central London Frontages “where opportunities emerge.” The policy identifies the Central London Frontages as sequentially preferable locations for retail development. Paragraph 7.8 reiterates the potential to deliver new floorspace on Tottenham Court Road, noting that “the redevelopment of existing buildings will enable the

provision of new retail, in particular at ground floor level.”

- 6.12 Page 77 sets out more detailed planning objectives for Tottenham Court Road and Charing Cross Road. It recognises the specialist role of both, for electronics and furniture retail (Tottenham Court Road), and second hand/specialist book selling (Charing Cross Road) but considers that significant improvements to the pedestrian environment are necessary.
- 6.13 Policy CS9 promotes the Central London Area as a vibrant and successful part of the capital and seeks to support its future growth whilst meeting the needs of local residents and supporting their quality of life.
- 6.14 There is, therefore, strong planning policy support at the local level for the principle of additional retail development in this location, subject to complying with mixed use policies.
- 6.15 In addition to these key policies the following policies are also of relevance
- CS5 Managing the impact of growth and development
 - CS8 Promoting a successful and inclusive Camden economy
 - CS11 Promoting Sustainable and efficient travel
 - CS13 Tackling climate change through promoting higher environmental standards
 - CS14 Promoting High Quality Places and Conserving Our Heritage
 - CS15 Protecting and Improving our Parks and Open

Spaces & encouraging Biodiversity

- CS19 Delivering and monitoring the Core Strategy
- DP1 Mixed use development
- DP10 Small Shops
- DP12 Supporting strong centres and managing the impact of food, drink, entertainment and other town centre uses
- DP16 The Transport implications of development
- DP17 Walking, Cycling and public transport
- DP19 Managing the impact of parking
- DP21 Development Connecting to the Highway Network
- DP22 Promoting Sustainable Design and Construction
- DP24 Securing High Quality Design
- DP25 Conserving Camden's Heritage
- DP26 Managing the impact of development on occupiers and neighbours
- DP31 Provision of, and improvements to, open space and outdoor sport and recreation facilities.

6.16 The Revised Planning Guidance for Central London (October 2007) remains adopted Supplementary Planning Guidance. This sets out in more detail the approach that will be taken to proposals for food and drink uses on Tottenham Court Road. The SPG states that planning permission will not be granted for changes of use that

would lead to more than 25% of the units in any individual frontage being in food or drink uses, or to a concentration of over two such uses in adjacent units.

- 6.17 Camden Council is in the early stages of preparing an Area Action Plan for Fitzrovia, and is currently consulting on an initial draft of this document. As it has not yet been subject to independent examination relatively little weight can be given to it at this stage.
- 6.18 The draft AAP does state that development on the Tottenham Court Road frontage should seek to provide high quality retail units with “**generous ceiling heights and attractive shop-fronts**” (page 75). The area in front of Central Cross is identified as being capable of more beneficial use, to improve public space availability. In respect of Central Cross the draft AAP notes the opportunity to make better use of the colonnade to improve the area’s retail offer and improve public safety. The potential to improve the use of the pavement is also again highlighted.
- 6.19 The draft AAP also proposes to adopt a sequential approach for new retail development, directing proposals for larger shops to Tottenham Court Road in the first instance. It also seeks to direct proposals for food, drink and entertainment uses to the Tottenham Court Road frontages, whilst seeking to ensure the proportion of units in such uses does not exceed 25% in any single frontage. This is similar to the guidance in the Central London SPG, and will build on the more generalised approach in Policy DP12 which seeks to ensure that the development of shopping, service and restaurant uses of the vitality and viability of shopping centres overall, including through the effects of non-retail provision.

7 Consideration

7.1 This section considers the acceptability of the proposal against relevant planning policy, planning guidance and aspirations as well as the issues and objectives identified through the consultation exercise.

Land Use

Class A1 Retail

7.2 Tottenham Court Road is identified as a CAZ Frontage in the London Plan, and a Central London Frontage in the Camden Core Strategy. The London Plan and the Camden LDF both support the location of additional retail development in such locations. The centre profile for Tottenham Court Road, part of the reasoned justification to Core Strategy Policy CS7, on page 77 of the Core Strategy, states that the Council will **“support the expansion of the Central London Frontage and new retail uses along New Oxford Street, where this would not cause harm to residential amenity.”**

7.3 There is therefore clear, strong, policy support at both a local and regional level for the development of additional retail floorspace in this location.

7.4 There is also emerging policy support within the Fitzrovia AAP, which specifically mentions the potential for infilling the colonnade in this location.

7.5 The centre specific guidance goes on to explain that **“[a]dditional retail growth along the Central London Frontage will be achieved through redevelopment and refurbishment of existing premises.”**

7.6 Local planning policy therefore clearly envisages that a

significant contribution to the expansion of retail space along Tottenham Court Road will be realised by alterations and extensions to existing buildings, rather than exclusively through the wholesale redevelopment of sites fronting the street. The proposed alterations to Central Cross are clearly fully in keeping with both the general aspiration to deliver additional retail space and the guidance as to how this is, practically, likely to be achieved.

- 7.7 The change of use of approximate 900sqm of car parking and ancillary storage space at basement 1 level is proposed. This space is currently used in connection with the office space in the main Central Cross building, although because of the highly accessible location of the building it is presently underused.
- 7.8 Policy CS11 seeks to limit the amount of on-site car parking to the minimum possible, including car free development in the most accessible locations. New development in the Central London Area is expected to be car free by Policy DP18. Paragraph 19.14 of the Development Policies DPD states that proposals to remove existing off-street car parking will generally be supported.
- 7.9 Central Cross is in a highly accessible location and the loss of the car parking, which is currently underused in any case, would not in any way affect the viability of the office accommodation, whilst it would support the Council's aspirations to reduce vehicular traffic in Central London and promote more sustainable forms of transport, whilst making more efficient use of land. Provision of servicing bays, cycle parking and disabled parking would remain unaffected. None of the parking provided is for public use and would not therefore cause displacement to surrounding areas.
- 7.10 No residential car parking is provided in Central Cross at

present and thus on-street parking provision for residents would not be affected in any way.

- 7.11 The loss of this space from office car parking use is therefore considered to be acceptable.

Mixed Use

- 7.12 Notwithstanding the in principle policy support for additional retail development in this location, as noted above, Policy CS1 requires a mix of uses, preferably to include residential, to be provided as part of developments in accessible parts of the borough. Policy DP1 amplifies this requirement, noting that within the Central London Area, where there is an increase in gross floorspace it is expected that up to half of this will be provided as residential accommodation, to support the mixed use character of the borough. Where it can be shown that inclusion of a secondary use is not practical, the Council will accept a contribution to the mix of uses elsewhere in the area, or, exceptionally, a payment in lieu. Policy DP1 states that where there is an increase in floorspace of over 1,000sqm the residential accommodation should usually be located on-site, although where this cannot be practically achieved the Council will accept off-site provision or, exceptionally, a payment in lieu.

- 7.13 The proposed development will lead to an increase in gross floorspace of 613sqm GEA. An element of housing is therefore required to satisfy mixed use policy.

- 7.14 As all the additional floorspace is being created at ground floor level fronting directly onto Tottenham Court Road, and will be used to extend the existing retail units, it is not considered practical or appropriate to provide a proportion of this new space as residential accommodation. Doing so

would entail both the loss of retail accommodation on a CAZ Frontage, which would be contrary to the objectives of the proposal and local and strategic planning policy. Creating ground floor, single aspect, residential units that faced directly onto a busy shopping street would additionally not provide an acceptable standard of residential accommodation.

- 7.15 It is therefore proposed to meet the mixed use policy requirement by providing residential accommodation off-site elsewhere within Fitzrovia.
- 7.16 Derwent London is submitting a planning application for the conversion of existing non-residential space at 73 Charlotte Street to residential use, to create 11 new residential units. This represents a net increase in residential floorspace of around 1,800sqm GEA. This application is being submitted to ensure that the increase in commercial floorspace at Central Cross can be matched with an equivalent increase in residential floorspace at a site in the vicinity of the development, within Fitzrovia.
- 7.17 It is proposed that, should planning permission be granted for the Central Cross proposals, occupancy of the additional retail floorspace would be subject to the practical completion, to a satisfactory standard, of 613sqm of the residential accommodation at 73 Charlotte Street.
- 7.18 It should be noted that the amount of residential floorspace required at the off-site location as a result of the proposed development at Central Cross (613sqm) is not of a sufficient scale to, in its own right, require an affordable housing element. Affordable housing is only required for residential development of over 1,000sqm / with a capacity for 10 or more dwellings.

7.19 This provision of residential floorspace within the vicinity of the proposed development (within 500m) will meet the requirements of mixed use policy. There is no policy requirement to secure the use of any of the residential accommodation provided in response to mixed use policy as affordable housing. This addresses the key reason for refusal from the September 2009 decision, which similarly proposed an extension of the retail floorspace, but which did not propose any residential provision, either in kind or through financial contribution.

Flexible Class A1 and/or A3 Units

7.20 The flexible A1 and/or A3 use proposed for units A, E and F (described above) is considered to be acceptable, in the context of the adopted guidance on non-A1 retail floorspace in the Central London SPG, and the emerging guidance in the Fitzrovia AAP. Both only permit food and drink uses, within the Tottenham Court Road Core Frontages, where the proportion of Class A1 retail uses on that individual frontage would remain above 25%.

7.21 The frontage that includes Central Cross extends from 15-17 Tottenham Court Road, and the borough boundary at the junction with Hanway Street to 38 Tottenham Court Road, at the junction with Percy Street. On completion of the proposed development, this would include sixteen units (six units at 15-17 Tottenham Court Road, 37 and 38 Tottenham Court Road, the cinema entrance at 30 Tottenham Court Road, and the seven new proposed units).

7.22 At present there is only one non-Class A1 unit in this frontage (the cinema entrance). On completion of the proposed development, assuming all three of the units identified for flexible A1/A3 use were in A3 use, there would

therefore be four non-A1 uses in this frontage, equating to 25% of the 16 units. This would be in accordance with the guidance in the Central London SPG. There would also not be more than two adjacent units that could cause a concentration of non-A1 uses.

7.23 As the immediately surrounding area, on Tottenham Court Road, is predominantly commercial in character, it is not considered that the proposed units would have any unacceptable impact on residential amenity. The units identified for A1/A3 use would be separated by the bulk of Stephen Street from any nearby sensitive residential uses, the closest of which would be 24 Gresse Street, at the rear of the Central Cross building. Given the extent of activity on Tottenham Court Road it is not considered the potential additional Class A3 uses would have an unacceptable impact on local amenity.

7.24 In order to protect local amenity and environmental quality space will be made, during the proposed refurbishment of the retail space, for risers to allow extract ducts from the proposed A1/A3 units to be taken to roof level on Central Cross, to ensure that cooking odours are not vented at street level. The additional ventilation equipment will be contained within existing roof-top plant rooms/enclosures and so is not, in itself, subject to planning control. An indicative diagram is contained on page 35 of the Design and Access Statement illustrating this.

7.25 The proposed units will contribute to the range of activities present on Tottenham Court Road and will broaden its attraction, especially outside of conventional trading hours. They will support its function as an attractive retail area and contribute to its vitality and viability.

7.26 The proposed flexible use Class A1/A3 units therefore accord with relevant planning policy guidance, and are considered to be acceptable.

Small Shops

7.27 Camden LDF Policy DP10 seeks to ensure that small shops are provided in new retail developments. The absence of small shops from the previous development proposals, refused permission in September 2009, was also cited as a reason for refusal.

7.28 Camden planning officers have also encouraged the small shop provision during pre-application discussions.

7.29 Paragraph 10.4 of the Development Policies DPD notes that small shops will be required as part of retail developments where this is consistent with the character of the area. The need for such units will be considered for retail schemes of over 1,000sqm, and they will be required in developments of over 5,000sqm. Small shops are defined as usually being less than 100sqm.

7.30 There is a clear tension between this policy and other strategic policies, particularly in the London Plan, and Policy CS7 of the Core Strategy, which seek to promote new retail space along Tottenham Court Road, which has always been characterised by larger retail units catering to the electronics and furniture businesses. The reasoned justification to Policy DP12 notes that “[t]he **centre-specific profiles that support Core Strategy policy CS7 set out locations where the Council will expect the provision of small units where this is relevant to the character and function of particular centres.**”

- 7.31 The profile of Tottenham Court Road/Charing Cross Road on page 77 of the Core Strategy describes the strategic role that these streets play as an extension of the West End, catering for people throughout London, and visitors. It is unambiguous in its support for “the expansion of the Central London Frontage”.
- 7.32 In describing the character of the retail offer no mention is made of small shop provision, either as forming part of the existing attractions of the centre, or as an aspiration in future development proposals. Extensive provision of small shop space would not be compatible with the development concept, which is seeking to provide larger, very high quality modern retail units that will attract a good standard of occupier to significantly improve the attraction of this part of Tottenham Court Road.
- 7.33 Goad data (supplied at Appendix 2) demonstrates that the average unit size of retail units on Tottenham Court Road, between Hanway Street/New Oxford Street, and Goadge Street/Chenies Street, is c250sqm (net lettable, rather than gross external). Thus small units, below 100sqm, are not an integral part of the character of the area, particularly closer to Oxford Street where larger units prevail.
- 7.34 Notwithstanding this, the applicant has amended the proposals to include a smaller unit (Unit F), to the north of Stephen Street. This unit will provide c.178 sqm of retail space across the ground and mezzanine floors. This is the smallest unit that it is feasible to provide, having regard to the existing gridlines. Further subdivisions of the retail space, between the existing grid lines/external columns would create a very narrow unit that would be unattractive to retailers, and would be unacceptable in design terms as it would break up the rhythm of the front façade. Creating a

smaller unit by not extending the unit all the way back to the service corridor (ie by giving up a bay of space at the rear of the store to a neighbouring retail unit) would prevent service access to the units from the servicing corridor/service yard. It would also be contrary to good design practice of utilising space effectively and arbitrary in any event.

- 7.35 The applicant therefore considers that the proposed smaller unit is a positive and pragmatic response the requests of officers, whilst being of a size that is viable and in keeping both with the character of the surrounding retail offer, and with the form of the building.

Colonnade and amenity space

- 7.36 The environment in the colonnade is not of good quality. The existing colonnade is dark and uninviting, and, after dark, potentially threatening. It has the potential to encourage anti-social behaviour such as rough sleeping, drug abuse and defecating. The combination of the plane trees and heavy column line serves to obscure the existing shopfronts behind, whilst the columns create a physical separation between pedestrians and the existing shops.

- 7.37 The existing colonnade does not function as a piece of open space in its present configuration. Its amenity offer is limited to providing some protection from inclement weather. The fact that the colonnade is terminated at either end by the flank walls of the adjacent properties means that there is no natural desire line that runs along the whole length of the colonnade. A pedestrian survey has been carried out as part of the Transport Statement, which has demonstrates that the vast majority of the pedestrian traffic is carried by the pavement outside of the colonnade, with

the colonnade only being used extensively during certain period of the day, when it is used as a shortcut for foot traffic travelling north along Tottenham Court Road and into Stephen Street. There is no evidence of significant pedestrian dwell times, with pedestrians in fact preferring to avoid using the colonnade at most times.

- 7.38 The space also does not have the character of public open space, being enclosed on three sides and at roof level.
- 7.39 In summary, the existing colonnade creates a piece of space that is underused, dark and unattractive, that neither functions as, nor has the character of, public open space. The emerging Fitzrovia AAP also recognises that there is the potential to seek more beneficial use of the colonnade to improve the area's retail offer.
- 7.40 Outside the colonnade, although there is a substantial width of pavement (10-11m) the environment is fragmented and does not fully realise the opportunity created. The existing paving is not of good quality, whilst the proliferation of signage, utility boxes, cycle stands, etc on an adhoc basis further detracts from the potential of this area to create a space.
- 7.41 It is proposed that the development will bring about a significant improvement in the quality of the streetscape outside the building through a contribution to the public realm. It is envisaged that this will deliver:
- A raised table across Stephen Street, so providing level access for pedestrians travelling along Tottenham Court Road. It is proposed this will be the full width of the pavement, and extended back into the tunnel towards the rear of the building, to avoid creating a pinch-point.

- Rationalisation of existing street furniture, signage and other clutter;
- Re-provision of existing cycle parking, and provision of additional spaces;
- Comprehensive repaving using high quality materials, of both the area in the applicant's ownership and the area owned by Camden Council;
- Potentially, new benches and lighting around the plane trees.

7.42 It is intended that these environmental improvement works will, alongside the new shopfronts, very significantly improve the pedestrian experience of this part of Tottenham Court Road, creating an environment that is more attractive and that contributes to addressing the need for good quality public open space.

7.43 Conceptual designs for the proposed public realm works are included in the Design and Access Statement, although the final design would be subject to detailed design with Camden Council and other stakeholders, and would be delivered through a Section 278 agreement. These improvements could be delivered either in isolation or as part of the wider proposals to introduce two way working along Tottenham Court Road, which are currently being promoted by the Council.

7.44 The opportunity for improving this area of the street is recognised in the emerging Fitzrovia AAP and the Fitzrovia Open Space Study, which forms part of the evidence base. The open space study suggests (page 23) that this area (together with the area at Windmill to Percy Streets) forms

“Linear promenade spaces with seating, cycle

stands and planters similar to the 'Promenade of Light' on Old Street, Islington."

- 7.45 This would involve **"clearing out the clutter from these wide footways"** which **"would create useable new public space."** The **"trees could be the focus of circular seats."**
- 7.46 Detailed guidance on amenity space provision is provided in CPG6: Amenity. This usually seeks to provide a total of 38.9sqm of additional amenity space per 1,000sqm of commercial development. In some circumstances this requirement can be met through a financial contribution. The contribution in this case, based on an increase in floorspace of 613sqm, would be £1,655. The cost of the proposed streetscape improvements that the applicant wishes to see realised, in order to deliver tangible improvements to the local area, have not yet been fully costed and will depend on the final design, but regardless of this they will very significantly exceed the value of the contribution that would be sought under CPG6.

Sustainability, energy use and carbon emissions

- 7.47 Policy DP22 requires a sustainability assessment to be carried out for developments of over 500sqm. This states that BREEAM "Very Good" will usually be sought on non-domestic refurbishments of over 500sqm.
- 7.48 Derwent London has a separate corporate commitment to seeking to achieve BREEAM "Very Good" on all its refurbishment projects.
- 7.49 An additional 613sqm of area is proposed and a BREEAM for Retail pre-assessment report has therefore been completed. This demonstrates that the development should

be capable of achieving a BREEAM “Very Good” standard.

- 7.50 This complies with the standard set out in Policy DP22(e).
- 7.51 In addition an Energy Strategy has also been completed for the proposed development. This describes how the building’s energy use will be reduced by incorporating sustainable design and construction measures, including replacing the poorly performing, single glazed, shopfronts with modern double glazed units, and replacing uninsulated walls with modern insulated material.
- 7.52 The services to be provided to the retail units will be sized so as to allow for the lowest energy possible design, such as ensuring that ducts and risers are sized to allow for low velocity, energy efficient ventilation.
- 7.53 Importantly, the existing plant systems, that have been installed separately in each unit over time by individual tenants will be removed and replaced with a comprehensively designed modern plant system that will serve all of the proposed new units. The energy strategy estimates that this is likely to result in a carbon saving of approximately 75,000kg – 182,000kg of CO₂ per year, as a result of the more efficient building and plant design, notwithstanding the increase in retail area.
- 7.54 The Energy Strategy describes the consideration that has been given to various sources of renewable energy. This recommends the use of both solar hot water, if a heat load is available, and air source heat pumps. Air source heat pumps are proposed within the existing plant design. Class A1 (retail) units do not have a significant year round heat demand and are not therefore suitable for solar hot water, but the applicant is willing to accept a condition requiring the installation of solar hot water equipment should any of

the flexible use Class A1/A3 units be occupied by a restaurant operator, which do usually require extensive year round hot water.

- 7.55 The proposed development therefore complies with Policy CS5(c) and Policy DP22.

Design

- 7.56 A key part of the proposed development is a significant improvement in the external appearance of Central Cross, in order to attract and retain high quality tenants that can contribute to the vitality and viability of Tottenham Court Road as a shopping destination.

- 7.57 Policy DP24 sets out a number of criteria that all development, including extensions to existing buildings, should meet. Each criterion is considered in turn below.

a) character, setting, context and the form and scale of neighbouring buildings

- 7.58 The proposed development will not add to the height, bulk or mass of the existing Central Cross building. It will not therefore affect adjacent buildings in terms of overlooking or negative effect on context or setting.

- 7.59 The proposed alterations to the façade have been designed to improve Central Cross's relationship with Tottenham Court Road. By creating a more attractive street frontage, the design will improve the setting of Central Cross and make more efficient use of the existing, underused, colonnade.

- 7.60 The proposed development will also remedy of the problems created by the existing colonnade, in particular

the poor quality environment and obscured and unattractive retail frontage, that it creates, as described at paragraph 7.36 above.

7.61 By advancing the shop fronts to a line approaching the existing building line of 9-17 Tottenham Court Road the relationship of the shops to the surrounding properties will also be improved and the perception of Tottenham Court Road as a linear shopping street enhanced.

b) the character and proportions of the existing building, where alterations and extensions are proposed;

7.62 The proposed alterations will not materially affect any of the building's existing proportions as they are primarily alterations to the façade treatment/elevations

7.63 The proposed design will continue to express the columns which currently form the outer edge of the colonnade. These columns are a continuation of the strong structural grid from the upper floors and, architecturally, serve to 'ground' the upper floors. They also create a strong sense of rhythm at ground floor level.

7.64 It is therefore essential that a successful design continue to express these columns, avoiding a flat expanse of glass at ground floor level. The proposals envisage this will be achieved by cladding the front of the columns in aluminium, consistent with that proposed to be used elsewhere on the ground floor plane. The glazing line will be set forward of these aluminium-clad columns, but will be broken at the edge of each column, creating an indent in the shopfront line, which will create a sense of rhythm and allow the line of the structural grid above to be carried down to the ground. The columns themselves will also remain clearly visible through the shopfronts.

7.65 Central Cross is already a somewhat amorphous building with considerable variation in character and proportion. This includes the shopfronts and colonnade along Tottenham Court Road, the large office “tower” element above, the low rise studio/office wing to the rear on Stephen Street and Gresse Street and the residential block above it. Its proportions therefore change as one experiences the building from different points on the surrounding streets.

7.66 The only unifying feature which serves to create a degree of consistency around the building as a whole is the concrete canopy feature which separates the differing design languages of the ground and upper floors and creates a limited degree of horizontal consistency. The existing planning permissions for the alterations to 1 and 2 Stephen Street, and the entrances to 24/25 Gresse Street, have introduced a new, more attractive canopy feature which will extend from the tunnel ceiling (which will be treated in the same way as the canopy soffit) around Stephen Street and Gresse Street, with a new, attractive frontage beneath it.

7.67 The proposed development will extend this canopy feature onto the front of the building, so creating a distinctive architectural element which unifies the ground floor of the building. The canopy will be of sufficient width to provide some shelter to pedestrians passing along Tottenham Court Road, without creating a visual separation between the new ground floor and the upper floors of the building.

c) the quality of materials to be used;

7.68 High quality architectural metalwork and shopfront glazing will be used to ensure that the new frontage is attractive and visually interesting and can be easily maintained as

such. The same palette of materials will be used as on 1 and 2 Stephen Street, in order to create visual consistency.

7.69 The proposed materials are described in more detail in the Design and Access Statement.

d) the provision of visually interesting frontages at street level;

7.70 The purpose of the proposed development is to substantially improve the relationship of Central Cross to Tottenham Court Road:

- Removing the dark and unattractive colonnade and concealed shopfronts;
- Creating modern, double-height shopsfronts with active frontage facing directly onto Tottenham Court Road, so removing the visual barrier created by the colonnade;
- Extending the unifying canopy feature to the front of Central Cross
- Providing new lighting including within the tunnel to enhance the pedestrian environment.

e) the appropriate location for building services equipment;

7.71 No additional building services equipment will be fitted externally.

f) existing natural features, such as topography and trees;

7.72 The building has limited existing natural features. The London Plane trees on Tottenham Court Road will be retained and protected during construction works. An arboricultural report has been provided to demonstrate

how this will be achieved.

g) the provision of appropriate hard and soft landscaping including boundary treatments;

h) the provision of appropriate amenity space; and

7.73 The proposal's response to landscaping and amenity space provision is set out at paragraphs 7.36 above 7.46 above, in connection with the colonnade.

i) accessibility.

7.74 All entrance ways, etc, will be at grade to provide level access to the street. The refurbished floorspace will be fully accessible to those with limited mobility.

7.75 The proposed development will therefore satisfy all the criteria of Policy DP24.

7.76 The rationale for the proposed design is set out in more detail in the Design and Access Statement by ORMS.

Amenity

7.77 The proposed development will be beneficial to the amenity of adjacent residents and occupiers by improving the quality of the local streetscape.

7.78 The applicant will complete a Construction Management Plan to mitigate potential disturbance during the construction programme.

7.79 The proposed development therefore complies with Policy DP26.

Access, Transport & Servicing

7.80 The proposed development will be sustainable in transport terms. Ultimately limited additional floorspace is proposed,

and the Transport Statement demonstrates that this will not have an adverse effect on the local highway network.

- 7.81 The proposed development seeks to promote sustainable travel patterns by locating development in a location that has a high public transport accessibility rating and ensuring that a sustainably located building continues to be attractive to new potential occupiers. The proposals allow for improvements to the pedestrian environment in the surrounding streets including improvements to pedestrian movement by providing a raised table at the Stephen Street / Tottenham Court Road junction, which will ease pedestrian movement along Tottenham Court Road.
- 7.82 The Transport Statement also describes the servicing arrangements for the proposed new retail units. In summary these will largely remain unaltered, with Units A-D being serviced via the existing service corridor at the rear, and the main servicing yard, and Units E-G being serviced from the service area on Stephen Mews as at present.
- 7.83 As described at paragraph 7.37 above, the remaining pavement area outside 18-30 Tottenham Court Road will still have sufficient capacity to serve both existing pedestrian flows and those expected following the completion of the Tottenham Court Road Crossrail Station.
- 7.84 New secure cycle parking facilities, providing eight spaces, will be provided in the building's basement to serve staff of the enlarged retail units. This will exceed the standards set by Policy DP18 and Appendix 2 of the Development Management Policies DPD for the total floorspace in the Stephen Street/Gresse Street block. These will include shower and changing facilities. These cycle parking spaces will be created by converting office car parking spaces in the basement to cycle parking. This is welcomed by Paragraph 19.14 of the Development

Policies DPD.

- 7.85 It is proposed that a further eight spaces be provided in the public realm surrounding the proposed development, as part of the public realm works, to serve additional visitors to the retail units.
- 7.86 A Travel Plan Framework has also been submitted with the planning application to demonstrate how occupiers will be encouraged to assist employees find more sustainable methods of travelling to the site and to reduce the effect of the building on the local highway network.
- 7.87 The proposed development will therefore comply with the aspirations of Core Strategy Policy CS22 and meets the detailed criteria set out in Policy DP16.

8 Conclusion

- 8.1 An opportunity has arisen to significantly enhance the quality of the existing retail units in Central Cross, Tottenham Court Road by providing high quality modern shopfronts and through the creation of some additional floorspace in place of an unattractive area, under the existing colonnade.
- 8.2 This, combined with the proposed streetscape and public realm enhancement will support the retail function of Tottenham Court Road providing modern, flexible, retail space to be let to high quality retail occupiers.
- 8.3 Residential accommodation will be provided in full accordance with mixed use policy. Smaller shop accommodation will also be provided.
- 8.4 The contribution of Central Cross to the appearance and character of Tottenham Court Road will be significantly enhanced.
- 8.5 It is therefore considered that the proposal fully supports the objectives of both the London Plan and Camden LDF policy.

Appendix 1

Appendix 2