

Delegated Report (Members Briefing)		Analysis sheet		Expiry Date:	06/01/2011
		N/A / attached		Consultation Expiry Date:	07/02/2010
Officer			Application Number(s)		
Jonathan Markwell			2010/5725/P		
Application Address			Drawing Numbers		
Land Bounded by 50-57 High Holborn, (including Brownlow House High Holborn House & Caroline House) 18-25 Hand Court , 45-51 Bedford Row & Brownlow Street, London WC1V 6RL			Please see decision notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Revisions to planning permission 2009/0675/P, dated 07/07/2009 for mixed use redevelopment of the site involving the part demolition, part retention and part erection of new eight storey (plus two level basement and roof plant floor) building to accommodate A1, flexible A3/A4, B1, residential and student units. Revisions relate to variations in building envelope, office and retail space, including an overall reduction of office (Class B1) accommodation by 552sqm and overall increase of retail (Class A1) by 426sqm, as a result of reduction of floor to ceiling heights at ground and first floor levels and relocation of plant room to basement to create an eighth floor of office (Class B1) accommodation and various other internal reconfigurations and to create ground floor retail units on Hand Court (west) elevation; increase in parapet height at seventh and eighth floor levels on Brownlow Street (east) elevation by 1.1m, increase in height of mansard roof associated with High Holborn House on south elevation by 1m; alteration to location of service yard entrance (to the south) and kerb (to the west to widen the highway) on Brownlow Street, retention of Brownlow Street highway to High Holborn (as opposed to 2009/0675/P which pedestrianised part of Brownlow Street) and associated alterations.					
Recommendation(s):		Grant Planning Permission subject to a deed of variation to Section 106 Legal Agreement			
Application Type:		Full Planning Permission			
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice			
Informatives:					

Consultations

Adjoining Occupiers:	No. notified	57	No. of responses	04	No. of objections	02
			No. Electronic	04		
Summary of consultation responses:	<p>A site notice was erected on 25/11/2010, expiring on 16/12/2010. A press notice was published on 17/11/2010, expiring on 08/12/2010. 57 neighbouring occupiers were formally consulted on 01/12/2010, expiring on 22/12/2010. One objection has been received on behalf of the occupiers of First Avenue House (Her Majesty's Court Service) at 42-49 High Holborn. Concerns are raised that the proposals could undermine their ability to operate the Court building at this location, on the basis of:</p> <ul style="list-style-type: none"> a) highways issues – the proposed scheme is likely to generate additional traffic and parking problems (associated access / security issues for Court building) b) amenity issues – possible loss of privacy to neighbouring building and noise/vibration and disturbance during construction (proximity to Court building noted) <p>It is concluded that although no objection is raised to the principle of a mixed use scheme, appropriate conditions should be sought to ensure the Court can continue to operate effectively.</p> <p>Officer response: a) Please see section 5 of the assessment; b) Please see section 4.</p> <p>Prior to the determination of the application a period of re-consultation / further consultation was carried out by way of 193 letters being sent to adjoining occupiers, sent on 17/01/2011 (expiring on 07/02/2011). One objection (in the form of three separate submissions, all received after the original public consultation expired but prior to the determination of the application) was submitted by Wedlake Bell, occupiers of 52 Bedford Row. A summary of the main issues raised are as follows:</p> <ul style="list-style-type: none"> a) concerns over the consultation process / ownership boundaries and lack of consultation in this and previous applications with the occupiers of 52 Bedford Row, with subsequent judicial review proceedings following. b) Insufficient consideration of impact on neighbouring uses at 50-52 Bedford Row, such as the pedestrianisation of Brownlow Street impinging on access, servicing and amenity (such as sunlight / daylight and noise disturbance). More specifically in relation to transport matters concerns are raised in relation to: access for servicing and refuse vehicles to the service yard, meaning that servicing should be reviewed; concern over the pedestrianisation of Brownlow Street; access to cycle parking is inadequate and unsafe; visitor parking not provided; review of motorbike parking required; <p>Officer response: a) formal consultation with all neighbouring occupiers has been carried out as part of this application (see above). The occupiers at 52 Bedford Row applied to the High Court for permission to Judicially Review (JR) the Council's decision to grant planning permission for development at the site, made in July 2009 (2009/0675/P – see relevant history). In May 2011 the Court refused permission to JR that decision. A renewal application for JR was made by the occupiers on 31/05/2011, which is due to be heard on 04/11/2011. b) the proposals have been amended during the course of the application – see section 5 below. It is understood in correspondence between the transport representative of the occupier of 52 Bedford Row (Wedlake Bell), the transport consultant of the applicant and the Council's transport team that Wedlake Bell no longer object to the servicing area / highways works owing to the changes made during the course of the application and measures to be secured within the deed of variation s106 legal agreement.</p>					
CAAC/Local groups* comments: *Please Specify	<p>Bloomsbury CAAC was formally consulted and has commented that they have "no comment" on the application.</p>					

Site Description

The application site occupies a complete block of buildings in the mid city area along High Holborn. The majority of the site is currently used as office space, with ground floor retail units and six residential units.

The site is located on the north side of High Holborn approximately half way between Holborn and Chancery Lane underground stations. The site is bounded by High Holborn to the south, Hand Court to the east, Brownlow Street to the west and Bedford Row to the north. The proposed building is sited at a transition point between the busy High Holborn road to the south, which is dominated by retail and office space and the quieter, smaller scale Bedford Row to the north.

Apart from Caroline House (55-57 High Holborn) and No 18 Hand Court, the entire site is located within the Bloomsbury

Conservation Area and is made up of a number of individual plots of varying sizes and heights. At its tallest point the current plot includes a seven storey 1960's office element facing onto High Holborn, with a row of four-storey 18th Century buildings sited along Bedford Row, which includes three Grade II listed buildings. The boundary of the Conservation Area is tapered to incorporate the majority of buildings of the site, and does not include the adjacent High Holborn frontage buildings to the west (Mid City Place), or to the east (First Avenue House). The site is within an Archaeological Priority Area and the north east quarter is also within the background consultation area of a strategic view. In addition to the heritage designations the site is located within the designated Holborn Growth Area and the ground floor High Holborn frontage of the site is included in the LDF as Central London Frontage, so designated to protect its retail function and use character.

The buildings main street frontages are onto High Holborn and Bedford Row. The nearest Transport for London Road Network road is the A201 Farringdon Road, approximately 700-metres east of the site. High Holborn forms part of the Strategic Road Network. The nearest London Underground stations are Chancery Lane approximately 240-metres east, and Holborn approximately 360-metres west. There is also a City Thameslink station (Farringdon) approximately 830-metres east.

Relevant History

Overview

In short, there were two different but similar schemes for the redevelopment (all including applications for planning permission, listed building consent and conservation area consent) of the site which were refused by the Council in 2008. The Council's substantive reasons for refusal related to the bulk and massing of the new building and the negative effect it would have on the setting of listed buildings and the conservation area. Both schemes were the subject of a public inquiry in November 2008 and each was dismissed by notice dated 23/12/2008. The Inspector did however indicate that further revised applications could overcome the issues raised. The Inspector agreed with the Council in respect of the substantive objection to the bulk, scale and massing of the larger of the two appeal schemes and the negative impact it would have on the setting of listed buildings and the character and appearance of the conservation areas, but only dismissed the second smaller scheme on the basis of the loss of the part of High Holborn House on the High Holborn frontage. A separate listed building application was submitted and approved during the course of the public enquiry into the two previous applications. Planning permission and conservation area consent were then sought on a revised scheme, submitted in response to the Inspector's views. These applications were subsequently granted by the Council on 07/07/2009, with the planning permission being granted following the completion of a S106 Legal Agreement.

In detail

2007/5412/P - Mixed use redevelopment of the site involving the demolition of Caroline House, 18-22 Hand Court and parts of High Holborn House, retention & refurbishment of the facades of High Holborn House & 23 Hand Court and rear of High Holborn House (49-51 Bedford Row), Brownlow House and 45-48 Bedford Row. Provision of A1 (Retail) floorspace at ground floor level together with new B1 (Office) space. Conversion of 46-48 Bedford Row to create 3 single family dwellings, provision of 15 residential units within 24-25 Hand Court, 45 Bedford Row and 49-51 Bedford Row; conversion of Brownlow House to provide 10 residential units (total of 22 additional residential units - 6 existing on site). Redevelopment of 23 Hand Court to provide 22 student units; new servicing access from Brownlow Street, and various public realm works to Brownlow Street, Bedford Row and Hand Court. Refused 04/03/2008. Appeal submitted (APP/X5210/E/08/2074766) and the proposals were dismissed at appeal on 23/12/2008.

2007/5414/L - Demolition of rear additions and internal and external alterations in connection with the conversion and restoration of 46-48 Bedford Row from office (Class B1) to create 3 separate single family dwellings (Class C3). Refused 04/03/2008. Appeal submitted (APP/X5210/E/08/2074762) and the proposals were dismissed at appeal on 23/12/2008.

2007/5415/C - Demolition of 18-22 Hand Court and parts of High Holborn House, and demolition behind retained facades of High Holborn House & 23 Hand Court. Refused 04/03/2008. Appeal submitted (APP/X5210/E/08/2074764) and the proposals were dismissed at appeal on 23/12/2008.

2008/2956/P - Mixed use redevelopment of the site involving the demolition of Caroline House, 18-22 Hand Court and parts of High Holborn House, retention & refurbishment of the facades of High Holborn House & 23 Hand Court and rear of High Holborn House (49-51 Bedford Row), Brownlow House and 45-48 Bedford Row. The erection of a new eight storey (plus two level basement and roof plant floor) building to accommodate A1 (Retail) floorspace and flexible A3/A4 (Restaurant/Drinking Establishment) at ground floor level together with new B1 (Office) space. Conversion of 46-48 Bedford Row to create 3x single family dwellings, change of use and extension of existing B1 (office) space to form 15x residential units within, 45 Bedford Row and 49-51 Bedford Row; conversion and extension of Brownlow House to provide 10x residential units (affordable housing); Redevelopment of 23 Hand Court to provide 22 student units in place of 6x existing residential units; new servicing access from Brownlow Street, and various public realm works to Brownlow Street, Bedford Row and Hand Court. Refused 18/09/2008. Appeal submitted (APP/X5210/E/08/2086035) and the proposals were dismissed at appeal on 23/12/2008.

2008/2961/L - Demolition of rear additions and internal and external alterations in connection with conversion and restoration of 46-48 Bedford Row. Refused 18/09/2008. Appeal submitted (APP/X5210/E/08/2086024) and the proposals were dismissed at appeal on 23/12/2008.

2008/2958/C - Demolition of 19-22 Hand Court and parts of High Holborn House and demolition behind retained facades of High Holborn House and 23 Hand Court. Refused 18/09/2008. Appeal submitted (APP/X5210/E/08/2086029) and the

proposals were dismissed at appeal on 23/12/2008.

46-48 Bedford Row only - **2008/4964/L** - Demolition of rear additions and internal and external alterations in connection with conversion and restoration of 46-48 Bedford Row. Granted 25/11/2008.

2009/0675/P - Mixed use redevelopment of the site involving the demolition of Caroline House, 18-22 Hand Court and parts of High Holborn House, retention of façade and rebuild of part of High Holborn House facing High Holborn and the façade of 23 Hand Court and rear of High Holborn House (49-51 Bedford Row), Brownlow House and 45-48 Bedford Row. The erection of a new eight storey (plus two level basement and roof plant floor) building to accommodate A1 (Retail) floorspace and flexible A3/A4 (Restaurant/Drinking Establishment) at ground floor level together with new B1 (Office) space. Conversion of 46-48 Bedford Row to create 3x single family dwellings, change of use and extension of existing B1 (office) space to form 15x residential units within, 45 Bedford Row and 49-51 Bedford Row; conversion and extension of Brownlow House to provide 10x residential units (affordable housing); Redevelopment of 23 Hand Court to provide 22 student units in place of 6x existing residential units; new servicing access from Brownlow Street, and various public realm works to Brownlow Street, Bedford Row and Hand Court. Granted following completion of S106 Legal Agreement 07/07/2009.

2009/0677/C - Demolition of 19-22 Hand Court and parts of High Holborn House and demolition behind retained facade of 23 Hand Court. Granted 07/07/2009.

Relevant policies

LDF Core Strategy and Development Policies

CS1 (Distribution of growth)
CS2 (Growth areas)
CS5 (Managing the impact of growth and development)
CS6 (Providing quality homes)
CS7 (Promoting Camden's centres and shops)
CS8 (Promoting a successful and inclusive Camden economy)
CS9 (Achieving a successful Central London)
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)
CS16 (Improving Camden's health and well-being)
CS17 (Making Camden a safer place)
CS18 (Dealing with our waste and encouraging recycling)
CS19 (Delivering and monitoring the Core Strategy)
DP1 (Mixed use development)
DP2 (Making full use of Camden's capacity for housing)
DP3 (Contributions to the supply of affordable housing)
DP5 (Homes of different sizes)
DP6 (Lifetime homes and wheelchair homes)
DP9 (Student housing, bedsits and other housing with shared facilities)
DP12 (Supporting strong centres and managing the impact of food, drink, entertainment and other town centre uses)
DP13 (Employment premises and sites)
DP15 (Community and leisure uses)
DP16 (The transport implications of development)
DP17 (Walking, cycling and public transport)
DP18 (Parking standards and the availability of car parking)
DP19 (Managing the impact of parking)
DP20 (Movement of goods and materials)
DP21 (Development connecting to the highway network)
DP22 (Promoting sustainable design and construction)
DP23 (Water)
DP24 (Securing high quality design)
DP25 (Conserving Camden's heritage)
DP26 (Managing the impact of development on occupiers and neighbours)
DP27 (Basements and lightwells)
DP28 (Noise and vibration)
DP29 (Improving access)
DP30 (Shopfronts)
DP31 (Provision of, and improvements to public open space and outdoor sport and recreation facilities)
DP32 (Air quality and Camden's Clear Zone)
Appendix 1 (Threshold for transport assessments and transport statements)
Appendix 2 (Parking standards)

Assessment

1. Introduction

1.1 Planning permission is sought for alterations to the extant permission at the site. Please see the relevant history section for an overview of the context of this application. The alterations are considered to be relatively minor in nature in terms of the overall scheme already approved at the site. For example, no changes are proposed in relation the quantum/location of private/affordable residential or student unit accommodation at the site.

1.2 Instead the changes revolve around the amount and internal configuration of the office and retail component of the scheme, with relocation of roof plant and consequent changes to building envelope and overall height. During the course of the application alterations have also been made to the location of the service yard entrance (to the south of the approved location) and kerb (to the west to widen the approved width of the highway) on Brownlow Street and it is now proposed to maintain the Brownlow Street highway to High Holborn (as opposed to 2009/0675/P which pedestrianised part of Brownlow Street south of where the approved service entrance was located).

1.3 It is also noted that the application was originally submitted as a non-material amendment and minor material amendment application. However prior to the registration and validation of the application a full planning permission application form was submitted and the application is being treated as a full application as an amendment to the original permission at the site.

1.4 As such, the proposed changes are summarised as follows:

- various external reconfigurations:

- Reduction in floor to ceiling heights at ground (6.15m to 4.5m) and first floor level (from 4.75m to 3.75m). The consequence of this is the provision of an additional floor of accommodation. At the same time the rooftop plant room is to be removed (approved 3m in height, proposed to be relocated elsewhere, see details below). The overall consequence is the AOD of the whole building does not change between the approved and proposed scheme, this being 59.7m, although the overall height of the new roof minus the lift overrun is less than the height of the approved plant room. In actual useable floorlevel terms, the height to roof level of the approved scheme is 56.7m, increasing to 57.8m in the proposed scheme (increase in 1.1m). The height of the lift overrun in the proposed scheme is however lower than the previously approved plant room and lesser in bulk, accounting for the same overall height.

- On the west (side) elevation, the Hand Court façade does not change significantly. The primary alterations is the addition of additional entrance doors at ground floor level to provide separate access to each of the retail units proposed at this point. The approved lightweight largely glazed design is replicated in the proposed plans.

- On the east (side) Brownlow Street elevation, the balustrade (and relevant area of floor plate) at proposed seventh and eighth floor level will increase in height by 1.1m.

- On the north elevation, the internal configurations resulting in an additional floor are reflected. This amounts to a small section at eight floor level being marginally higher and closer to the Bedford Row elevation than previously approved. No alterations are proposed to any of the lower floors on this elevation.

- On the south (High Holborn) elevation, the differences in floor to ceiling heights at first and second floor level is reflected in the design. In addition, the height of the re-built mansard associated with High Holborn House is increased in height by 1m to correlate with the floor plates of the building

- On the east (side) Brownlow Street elevation the ground floor service yard entrance is to be relocated (following alterations received during the course of the application) further to the south than approved (by 8m), with subsequent realignment of the frontage at this point.

- On Brownlow Street itself the kerb is to be relocated to the west by typically 0.6m to 1m. The implication of this is that the footpath on the west side of Brownlow Street would be reduced in width (to typically between 0.7m and 1.9m) to accommodate the increase in width of the highway, which itself is necessary in order for service and refuse vehicles to access Brownlow Street and the application site as appropriate.

- Furthermore the now proposed scheme seeks to maintain the Brownlow Street highway between Bedford Row and High Holborn, allowing vehicular movement to continue along the east side of the application site. On the already approved scheme the proposed plans showed that the area to the south of the service yard entrance (barring the area required for turning vehicles) would be pedestrianised. This is no longer proposed as part of this scheme.

- various internal reconfigurations:

- the provision of internal plant at proposed lower ground floor level in place of approved office space;

- provision of office accommodation at newly proposed 8th floor level in place of the approved rooftop plant room;

- provision of four retail (Class A1) units (Units A-D) at ground floor level on the Hand Court (west) elevation in place of the approved one retail unit and office space at this point;
- reconfiguration of the retail component at lower ground and ground floor level on the High Holborn (south) elevation to provide one larger unit (Unit E) instead of the three smaller units previously approved;
- co-joining of the main office building and High Holborn House (fronting High Holborn) to provide open-plan facilities rather than the approved two separate spaces. Flexibility is maintained with scope for walls to separate off spaces in the future if required. A knock-on consequence is the reduction in the number of separate internal staircases and toilet facilities. The rear circulation core and central atrium is also proposed to be remodelled.
- reduction in height of the service yard entrance owing to the internal reconfigurations noted above resulting in changes to the floor to ceiling heights at ground and first floor level.
- reconfiguration of the service yard at ground floor level, including the increase in overall size of the service yard (and subsequent reduction in size of the office space fronting Brownlow Street at ground and first floor level owing to this space being double height – a reduction of 215sqm of office space compared with that proposed at the beginning of this application), relocation of security room, disabled parking bays, service vehicle spaces and waste, bin store and recycled space areas.

1.4 In overall terms, the changes result in an additional 426sqm of retail (Class A1) floorspace and a reduction of 552sqm of office floorspace (around half of which is due to the increase in size of the double height service yard, reducing office accommodation at ground and first floor level at this point). There is no change in the amount of student accommodation or private /affordable residential accommodation at the site. Thus the proposed changes result in a reduction of 126sqm of floorspace to the scheme previously approved, as outlined below:

Use	Existing	Approved Scheme	Proposed Scheme	+/- change between approved & proposed
Office	18362	23477	22925	-552
Other Commercial	1075	844	1270	+426
Student Accommodation	0	710	710	0
Residential (private)	554	2802	2802	0
Residential (Affordable)	0	965	965	
Total	19991	28798	28672	-126

All figures are expressed as Gross External Area (GEA) in metres squared and are as provided by the applicant, cross referenced between the proposed application and the approved applications from 2009.

1.5 The principle of development and details not subject to the revisions sought by this application have already been established and accepted by planning permission 2009/0675/P at the site. This could be implemented up until 07/07/2012. As such, this assessment will focus predominantly on the revisions sought by this application.

2. Land use

2.1 In land use terms, the amendments to the amount of retail and office floorspace proposed are not considered to raise any significant concerns. The additional retail floorspace is considered to be appropriate in this Central London Area and designated growth area, as identified by policy CS2. The provision of additional units at ground floor level will assist in improving the active frontage of the site (in comparison with the approved scheme), with the additional retail units proposed along Hand Court assisting the already approved drinking establishment/restaurant (23 Hand Court) approved on the Hand Court elevation close to the Bedford Row elevation. This unit remains unaltered compared with the approved scheme. The original permission included a restaurant/café on the Hand Court elevation but this is no longer proposed. No land use issues are raised into this alteration. The new proposed units are solely for Class A1 retail use (as confirmed in the table below), so that there is no need for specific condition required in relation to opening hours for the newly proposed units. An informative will however outline that separate applications for advertisement consent are likely to be required once future occupiers are confirmed.

Use	Approved	Proposed	+/- change between approved & proposed
A1	514	1025	+511
A1/A3	85	0	-85
A4/A3	245	245	0

2.2 In relation to the slight reduction in overall office space, this is not considered to be significant and in comparison with the existing provision on site, the revised proposed scheme still results in a substantial increase in office floorspace in this Central London and growth area location. The reduction in office space at lower ground floor level (replaced by plant), more open plan nature and provision of an eighth floor (instead of plant) are considered to assist in making the now proposed space more attractive to future occupiers. As such, no land use issues are raised in relation to the proposed reconfiguration of spaces.

3. Design/bulk

3.1 One of the primary reasons for the original refusal of two schemes at the site in 2008 was owing to design concerns (as outlined in the relevant history section above). The Inspector's decision, whilst dismissing both appeals, provided some scope for a further revised proposal. The applicant's duly took these comments into consideration and the 2009/0675/P application was subsequently approved by the Council. Amendments are now sought to this permission, which means that the design alterations are of key consideration, with the context of the refused schemes and the Inspector's decision in mind.

3.2 In particular, the extent to which the proposed changes will impact on the setting of the Bloomsbury Conservation Area and the listed buildings on Bedford Row is of particular importance. As noted in section 1 of this assessment, there is a marginal increase in height of 1.1m in part of the scheme, although the overall height is no different to that proposed. It is considered that the 1.1m increase in height will not significantly change the impact on Bedford Row, given the significant set back and the overall height of the building. Furthermore, at other points the proposed height and bulk is less than originally approved. Thus in overall terms the proposed changes are not considered to result in a significantly different arrangement to that already approved. In addition the elevational expression is considered to remain largely the same, preserving the character and appearance of the conservation area and the setting of nearby listed buildings.

3.3 In relation to the changes to the Hand Court elevation, these comprise amended floor to ceiling heights at ground/first floor level and the provision of additional entrances to reflect the provision of additional retail units at this point. It is considered that although these modifications do not comply with the approach at application stage to relate the shopfronts to the scale of the adjacent buildings, the proposals are considered to reflect the sloping site and relate acceptably with the existing retained façade at this point.

3.4 On the south elevation the increase of 1m in the mansard roof associated with High Holborn House is not considered to be a significant alteration. The proposed materials will match those of the existing roof and thus no design issues are raised with this element of the proposals.

3.5 A number of conditions added to 2009/0675/P were in relation to design details, which were considered to be required in order to preserve the character and appearance of the application site buildings, neighbouring buildings and the conservation area as a whole. These conditions will be added to this permission.

4. Amenity

4.1 In terms of the impact on neighbouring occupiers, the proposed alterations (following the submission of revisions during the course of the application) to the scheme are of such a nature that there are not considered to result in significantly different amenity implications than the approved scheme. This is in terms of matters such as outlook/sense of enclosure, overlooking/privacy, sunlight/daylight and noise/disturbance. In support of the application the applicant has submitted an updated sunlight/daylight analysis, which concludes that the revised proposals in fact signify an improvement on the already approved scheme for future occupiers of the private/affordable residential and student units. In addition, the relocation of the service yard and increase in width of the Brownlow Street highway means that it is now located in a more remote location away from neighbouring buildings, thereby reducing the possible noise and disturbance at this point.

4.2 More specifically, the proposed building is presently surrounded by predominantly office uses and little residential, which downplays issues such as overlooking or outlook. Notwithstanding this, it is acknowledged that some external terrace areas continue to be proposed. These however are set back significantly from the site boundaries, reducing the impact on neighbouring occupiers. Thus in overall terms, the proposed scheme is not considered to result in a loss of amenity over and above that considered to be acceptable in the extant permission at the site. This is also considered to be the case in line with comments made by the Inspector in the two dismissed appeals at the site.

5. Transport

5.1 With regard to cycle parking, the proposed changes in floor area will require the provision of 1 additional space. As this is a *de minimis* change it is considered that there is no need to stipulate its provision. With regard to servicing requirements, it is considered that the proposed changes in floor space are unlikely to have a significant impact on servicing levels.

5.2 During the course of the application further consideration of the servicing and access arrangements along Brownlow Street has been made. In liaisons between the Council's Transport Planning Team, the transport consultant of the applicant (Waterman Transport and Development Ltd) and the transport consultant of one of the neighbouring occupiers Wedlake Bell at 52 Bedford Row (TPP) a revised arrangement to that approved as part of 2009/0675/P has been developed. As outlined in section 1 above this involves the relocation of the service yard 8m to the south of the approved

position, the realignment of the Brownlow Street kerb to widen the highway to enable service and refuse vehicles easier access, and the maintenance of the highway on Brownlow Street down to High Holborn (as opposed to 2009/0675/P which sought for the area south of the service yard entrance to be pedestrianised). Internally the service yard has also been reconfigured to enable easier access and servicing.

5.3 The now proposed service yard is considered to be appropriate for the servicing requirements of the application site, complying with the necessary transport policies. This is in terms of servicing vehicles themselves, which will be limited to vehicles no more than 8m in length and refuse vehicles, which will be from Brownlow Street itself (and will not enter the servicing yard – as agreed with the Council's Environment Services colleagues). It is acknowledged that servicing the site is a challenging requirement given the on-site and neighbouring area physical constraints. However the now proposed arrangements are considered to be suitable and appropriate to meet the requirements of future occupiers, whilst protecting the amenity of neighbouring occupiers and maintaining highway safety. Moreover, they are also considered to be an improvement on the already approved arrangements. The Servicing Management Plan and Construction Management Plan, to be secured via S106 Legal Agreement will secure the measures shown on the drawings submitted during the course of the application. In addition the S106 will also be updated to denote that the applicant will no longer be able to implement the 2009/0675/P permission, in order to reflect and be consistent with the improvements now secured for the servicing of the site. The applicant has agreed in principle for this to be secured.

5.4 With regard to the Crossrail contribution of £117,677, this was agreed between Transport for London and the applicant for the extant permission. Given the context of the submission it is not considered reasonable to alter the contribution to be sought in this regard.

6. Other matters

6.1 Given that this scheme is seeking amendments to an approved scheme the standard three year condition for implementation will not be added to this permission. As such, the applicant will continue to be required to implement the permission by 07/07/2012. As alluded to above, other conditions attached to permission 2009/0675/P will be added. It is also considered necessary to add a condition denoting that all works should be carried out in materials which resemble the existing building. This particularly relates to the alterations sought in relation to the mansard roof of High Holborn House. In addition, in the intervening period since the extant permission, minor material amendment applications are able to be made. The Council's standard condition to cover this (denoting the approved plans) is recommended to be added to this permission in order to allow the applicant to submit such applications in the future. This comprises the proposed plans as part of this submission and those from 2009/0675/P which have not been superseded by the now proposed plans and continue to apply.

6.2 The extant permission also included a wide ranging S106 Legal Agreement, with the heads of terms summarised as follows:

- The flats in Brownlow House be affordable housing (100% social rented);
- Control over occupation of the student accommodation (including a Student Management Plan);
- Financial contribution of £115,000 to highways works;
- Financial contribution of £20,000 to the Lincoln's Inn Field project;
- Financial contribution of £20,000 to the Legible London Initiative;
- A public open space contribution of £16,416;
- An Education contribution of £49,772;
- A clause requiring the developer to seek to recruit widely from Camden's resident population and encourage their contractors and occupiers to recognise the benefits of sourcing locally and giving local businesses the chance to offer their supplies and services during and after construction through a form of local procurement agreement;
- The residential space to be car free;
- The submission of a sustainable travel plan;
- The submission of a service management plan;
- The submission of a sustainability plan;
- The submission of a construction management plan; and
- Financial contribution of £117,677 to Crossrail.

6.3 Given the relatively minor nature of the alterations in terms of changes in floorspaces involved in this application (in comparison with the original permission as a whole), it is not considered appropriate or reasonable to alter any of the previous heads of terms or contributions secured as part of permission 2009/0675/P, despite it being acknowledged that the policy context has changed since the 2009 permission (LDF and London Plan). However, given work on this scheme is yet to be undertaken, it is considered necessary to ensure the updated drawing numbers are tied into the S106 Legal Agreement, in addition to the transport amendments noted above. As such, a deed of variation to the S106 Legal Agreement is to be secured. The applicant has indicated a willingness to enter into this agreement.

7. Recommendation

7.1 Grant Planning Permission subject to a deed of variation of S106 Legal Agreement. This will specify the proposed drawings, which differ from those approved as part of permission 2009/0675/P at the site. It also includes updated details in relation to servicing and alterations to Brownlow Street to align with the now proposed scheme. It shall also specify that the 2009/0675/P permission can no longer be implemented, given the servicing/access revisions agreed as part of this scheme. The applicant has agreed to the principle of this element. The obligations remain the same as originally secured owing to the context of this application and the three year condition for implementation not being added to this permission, which leads to the scheme needing to be implemented by 07/07/2012.

DISCLAIMER

Decision route to be decided by nominated members on Monday 24th October 2011.

For further information see

<http://www.camden.gov.uk/ccm/navigation/environment/planning-and-built-environment/planning-applications/development-control-members-briefing/>