

<b>Address:</b>	61-63 Tottenham Court Road, 1-7 Goodge Street, London, W1T 2EP	
<b>Application Number:</b>	2006/3762/P	<b>Officer:</b> Stuart Minty
<b>Ward:</b>	Bloomsbury	
<b>Date Received:</b>	10/08/2006	
<p><b>Proposal:</b> Redevelopment of the site including the change of use from office (Class B1(a)), residential (Class C3), retail (Class A1) and restaurant/café (Class A3) uses to a mixed use including 14 self-contained residential units (Class C3) (8x1 bed, 4x2 bed &amp; 2x3 bed units) on the upper floors (second - fourth floors); provision of retail use (Class A1) at ground, first and basement levels; including works of conversion and extensions to 61 and 62 Tottenham Court Road with construction of new 4th floor; demolition of 63 Tottenham Court Road and construction of new 5 storey building; demolition of 1-7 Goodge Street and construction of new 5 storey building together with associated works.</p> <p><b>Drawing Numbers:</b>  Site Location Plan (440_01_07_010 Rev P1); Drawing No. 440_01_07_011 Rev P1; 440_01_07_100 Rev P1; 440_01_07_101 Rev P1; 440_01_07_102 Rev P1; 440_01_07_103 Rev P1; 440_01_07_104 Rev P1; 440_01_07_105 Rev P1; 440_01_07_106 Rev P1; 440_01_07_200 Rev P1; 440_01_07_201 Rev P1; 440_01_07_202 Rev P1; 440_01_07_203 Rev P1; 440_01_07_300 Rev P1; 440_01_07_400 Rev P1; 440_01_07_401 Rev P1; 440_01_07_402 Rev P1; 440_01_05_100; 440_01_05_101; 440_01_05_102; 440_01_05_103; 440_01_05_104; 440_01_05_105; 440_01_05_200; 440_01_05_201 Rev P1; 440_01_05_202 Rev P1; 440_01_05_203 Rev P1; Design Report for Planning (Dated 03/08/2006); Planning Statement In Support Of Proposed Development (Dated August 2006); Access Statement (Dated 29/07/2006); Statement Regarding The Conservation Aspects Of The Proposed Development; Noise Impact Assessment Sustainability Statement &amp; Energy Statement (Dated July 2006); Transport Statement (Dated August 2006); Daylight &amp; Sunlight Report (Dated 03/08/2006); Letter from Agents (dated 06/10/2006); Compliance with Lifetime Home Standards - Letter from Allies and Morrison Architects (Dated 05/10/2006)</p>		
<b>RECOMMENDATION SUMMARY: Grant Planning Permission subject to a S106 Agreement.</b>		
<b>Related Application</b>	10/08/2006	
<b>Date of Application:</b>		
<b>Application Number:</b>	2006/3765/C	
<p><b>Proposal:</b> Demolition of No 63 Tottenham Court Road and No's 1-7 Goodge Street.</p> <p>Site Location Plan (440_01_07_010 Rev P1); 440_01_05_100; 440_01_05_101; 440_01_05_102; 440_01_05_103; 440_01_05_104; 440_01_05_105; 440_01_05_200; 440_01_05_201 Rev P1; 440_01_05_202 Rev P1; 440_01_05_203 Rev P1; Design Report for Planning (Dated 03/08/2006); Statement Regarding The Conservation Aspects Of The Proposed Development.</p>		
<b>RECOMMENDATION SUMMARY: Grant Conservation Area Consent Subject to Conditions</b>		

**Applicant:**

LMS (Goodge Street) Ltd  
c/o Agent

**Agent:**

DP9  
Cassini House  
57-59 St.James Street  
London  
SW1A 1LD

**ANALYSIS INFORMATION**

Land Use Details:			
	Use Class	Use Description	Floorspace (m <sup>2</sup> )
<b>Existing</b>	A1	<i>Retail</i>	791
	A3	<i>Restaurants/Cafes</i>	103
	B1	<i>Office</i>	220
	C3	<i>Residential</i>	312
	<b>Total</b>		<b>1428</b>
<b>Proposed</b>	A1	<i>Retail</i>	1179
	C3	<i>Residential</i>	1286
	<b>Total</b>		<b>2465</b>

Residential Use Details:										
	Residential Type	No. of Habitable Rooms per Unit								
		1	2	3	4	5	6	7	8	9+
Existing	<i>Maisonettes</i>					1			1	
Proposed	<i>Flats</i>		6	6	2					

**OFFICERS' REPORT****Reason for Referral to Committee:**

The proposal is defined as a 'major' application comprising more than ten residential units and involves the creation of more than 1000m<sup>2</sup> of non-residential floorspace. The proposal also involves the substantial demolition to buildings within a conservation area. Any grant of permission would also require the conclusion of a Section 106 Planning Obligation relating to, inter alia, matters outside the normal scheme of delegation. [Clauses 3 (i),(v) and (vi)].

Members are advised that the application is one that should be determined within 13-weeks, the expiry of which is the 9th November 2006.

## **1. SITE**

- 1.1 The application site relates to three properties located on the west side of Tottenham Court Road (No's 61-63), and seven properties on the south side of Goodge Street (No's 1-7). The site area comprises 492m<sup>2</sup> (0.04 hectares) and is currently in a mixed retail, restaurant, office, and residential use.
- 1.2 No 61 Tottenham Court Road is one of almost matching pair (with no 60), comprising a 4-storey, 3 bay wide, late 19<sup>th</sup> century, commercial property (Mr Toppers Original Haircuts) at ground floor level, with residential accommodation on the upper floors (1<sup>st</sup> –3<sup>rd</sup>). No 60 Tottenham Court Road is not part of the application proposals. No 62 Tottenham Court Road is a wide, 3/4 storey, 5 bay wide, late 19<sup>th</sup> century, commercial property built as a public house, and now in retail use (Williams) at ground floor level with vacant office chambers on the upper three floors. No 63 Tottenham Court Road defines the corner with Goodge Street and comprises a three storey, early 20<sup>th</sup> century commercial property with four bays fronting Tottenham Court Road, two bays fronting Goodge Street and a single bay splay corner between the two street frontages. The ground floor is in retail/cold food consumption use (Prêt à Manger) and the two upper floors in ancillary use.
- 1.3 No's 1-3 Goodge Street comprises a 'first generation' late 18<sup>th</sup> century, four storey, 3 bay wide property, with retail/cold food use (Samurai Sushi) at ground floor level, and one un-occupied self contained residential unit of accommodation on first, second and third floors. No's 5-7 Goodge Street comprises a single storey retail/restaurant premises (Subway) built into the shell of a seriously war-damaged 'first generation' property.
- 1.4 The site adjoins No 9 Goodge Street to the west, which is a 4-storey building with a retail occupier at ground floor level and three residential flats on the upper floors. Beyond this lies No's 11-13 Goodge Street which are also 4 storey buildings with retail components at ground floor level, and office accommodation on the upper floors. These buildings are subject to a separate planning application, which are currently under consideration by officers. Adjoining to No's 11-13 lies No 15-17 Goodge Street, a corner building known as Spaghetti House. This is a four-storey building with a set back mansard roof extension.
- 1.5 No's 26-28 Whitfield Street is visible from the rear of the application site and is a 4 storey building with commercial at ground floor, and residential accommodation on the upper floors. Other buildings of relevance in close proximity to the site, include No's 16-24 Whitfield Street and No 55 Tottenham Court Road. A small section of both these buildings adjoin the curtilage of the south of the application site, both are commercial buildings without any residential component.
- 1.6 The application properties in Tottenham Court Road are within the Tottenham Court Road/Charing Cross Road 'Central London Frontage'. The properties in Goodge Street are located within the 'Goodge Street Neighbourhood Centre'. The entirety of the site is located within the Central London area.
- 1.7 The site is located within the Charlotte Street Conservation area, and while no part of the site is listed there are listed buildings at No's 64-67 Tottenham Court Road and 2-8 Goodge Street. This site is best known as the former Catesbys store, and

occupies the corner building on the north side of Goodge Street/west side of Tottenham Court Road. The shopfront of No 1-3 Goodge Street is also noted in the Conservation Statement as a 'Shopfront of Merit'.

## **2 THE PROPOSAL**

### **Original**

- 2.1 The application for full planning permission proposes the fundamental redevelopment of the site, details of which are described in the forthcoming paragraphs. The accompanying application for conservation area consent is sought for the total demolition of No 63 Tottenham Court Road and No's 1-7 Goodge Street.
- 2.2 Along the Tottenham Court Road frontage the development proposes the retention and remodelling of No's 61 and 62 Tottenham Court Road. These proposals result in the retention of the façade with the remodelling of the interior, and the creation of an additional (set back) storey to the fourth floor to facilitate the increases provision of residential floorspace within the overall building. The development contains retail floorspace at basement, ground and first floor with residential units above.
- 2.3 The proposals for 63 Tottenham Court Road involve the complete redevelopment to create a 'bell tower' corner building. The new building would be clad in Portland Stone as is used in adjacent buildings and extends to 5 storeys in height. The buildings new uses feature retail accommodation at basement, ground and first floor with new residential units above.
- 2.4 The development of the Goodge Street frontage includes the demolition of 1-7 Goodge Street, with a replacement building of 5 storeys. The development includes retail floorspace at basement, ground and first floor with residential accommodation within the remainder of the building. The development would replace the 'bomb-gap' building at 5-7 Goodge Street. A new storey has effectively been proposed to all the buildings and set back from the main façade with a mansard roof and dormer windows. Exceptions to this are the proposals for the corner building, which the new building would increase by an additional two storeys.
- 2.5 The development would provide 14 residential units (1,286m<sup>2</sup>) comprising 8 x 1 bed, 4 x 2 bed and 2 x 3 bed units. The development includes 1,179m<sup>2</sup> of retail accommodation (Class A1) with the potential for this space to be utilised as 1 to 3 units.

### **Revisions**

- 2.6 The applicants have submitted a number of minor revisions to the scheme. These are as follows: -
  - (i) The submission of a statement, which shows compliance with lifetime homes standards
  - (ii) A re-evaluation of the site's water consumption for the development incorporating the following additional measures: -

- Low flush dual cisterns that operate on 6/3 litres/flush compared to the conventional 9/12 litres will be provided. This will generate a potential saving of 30-50% on water usage for the toilet usage.
- Flow regulators/office discs fitted on wash hand basin taps with potential to reduce flow between 6-12 litres/min compared with 15 litres/min. Water savings would vary from 30-60% depending on time of operation; and
- Water efficient showerheads (low-flow) 5-9 litres/min compared to conventional 20 litre/min, providing savings of 50-70% compared to conventional shower heads.

(iii) Two levels of manifestation proposed for standing and wheelchair users on the glazed retail doors.

### **3. RELEVANT HISTORY**

#### *61 Tottenham Court Road*

- 3.1 An application for the display of an internally illuminated fascia sign (Ref: AS9904415) was granted advertisement consent in July 1999.

#### *62 Tottenham Court Road*

- 3.2 An application for the display of an internally illuminated fascia box sign (Ref: 8680285) was granted advertisement consent in December 1986.

#### *63 Tottenham Court Road*

Various applications (6) for changes to the shopfront and for the display of advertisements have been submitted and granted between April 1985 and February 1994.

#### *1-3 Goodge Street*

- 3.4 An application for the retention of internally illuminated fascia signage (Ref ASX0304037) was granted consent in March 2003.

- 3.5 An enforcement notice was also issued in October 2000 for the unauthorised erection of a roller shutter box and tracks to the ground floor shopfront, the removal of two ornate timber-glazing bars and their replacement with aluminium glazing bars to the ground floor shopfront. Following a dismissed appeal against the enforcement notice in May 2003 the terms of this notice were complied with.

#### *5-7 Goodge Street*

- 3.6 An application for the retention of an un-illuminated 48-sheet poster hoarding at first floor level (Ref: 8880054) was refused in June 1998.
- 3.7 Planning permission was granted November 1999 for the installation of an awning and alterations to shopfront (Ref: PS9904986), whilst advertisement consent was granted in parallel for the display of an externally illuminated fascia panel and projecting sign (Ref: AS9904987).

- 3.8 More recently, planning permission was granted and advertising consent was part granted/part refused in December 2005 and February 2005, respectively, for alterations to the shopfront and the display of an externally illuminated fascia and internally illuminated projecting sign (Council Ref: 2005/3137/P and 2004/5501/A)

*11-13 Goodge Street*

- 3.9 Finally, and also of relevance to this site in question, is current planning/conservation area consent applications at No's 11-13 Goodge Street (Refs: 2006/3769/P and 2006/3770/C). The planning application is for the following:  
- *Redevelopment of the site involving the demolition of 11-13 Goodge Street and construction of a new 5 storey building comprising 7 self contained residential flats (Class C3) (6 x 1 bed, 1 x 3 bed units) on the upper floors and provision of retail (Class A1) at ground and basement levels.* The application for conservation area seeks consent to demolish the buildings. This application is currently under consideration by officers.

#### 4. CONSULTATIONS

##### **Statutory Consultees**

- 4.1 **English Heritage** have recommended that the application should be determined in accordance with national and local policy guidance, and on the basis of the Council's specialist conservation advice.

Stating that they don't wish to comment in detail, English Heritage offered the following advice: -

*We were included in pre-application discussions between the Council and the applicants, particularly on the conservation aspects of the proposals. We consider that No's 1-3 Goodge Street makes a positive contribution to the character and appearance of the Charlotte Street Conservation Area. Although we believe the demolition of this building to be regrettable, we find the arguments put forward by the applicants, particularly in respect of the building's condition and the beneficial impact that the proposed scheme as a whole would have on the character of the conservation area, persuasive. We welcome the elevational rehabilitation of 62 Tottenham Court Road, and believe that careful consideration should be given to the detailed treatment of its shopfront, and other shopfronts in the scheme. It will also be important to ensure that the additional roof storeys on the buildings in Tottenham Court Road are not dominant in views of this street block, particularly from the east side of Tottenham Court Road.*

- 4.2 The **City of Westminster** have raised 'No Objections' to the proposed development
- 4.3 The **Crime Prevention Design Advisor** has raised no objections. Commented that the layout and design proposals for the development are to a very good standard, and does not anticipate any problems with regards to community safety or burglary.

- 4.4 **London Underground Ltd** have raised concern that the applicant has not undertaken any consultation with themselves, regarding (i) the proximity of the Northern Line tunnels and the constraints that these might have on the redevelopment scheme; (ii) the proposed development is sited directly above the Deep Level Shelter that was constructed in the 1940's; (iii) The proposed development is within the area subject to the Department of Transport's Safeguarding Directive for the proposed underground line from Chelsea to Hackney, which could also impose constraints on the applicants proposals. The letter also states that the applicant should consult separately with Cross Rail, and if the Council consider it appropriate that concerns listed above are made conditions of any planning permission granted.

### **Conservation Area Advisory Committee**

- 4.5 The **Charlotte Street Conservation Area Advisory Committee (CAAC)** have objected to the scheme on the following grounds: -

- Principal objections to the changes proposed to Goodge Street, which involve a quite unacceptable amount of demolition. The elevation of one block (visually 7 separate properties), at present Georgian across the centre with a later building at either end, would change to a 21st elevation with the exception only of the Spaghetti house at the western end and No 9 in the centre, which is exempt from the scheme.
- Of the buildings it is proposed to demolish, it is 1-3 Goodge Street that would be the greatest loss. Although in bad condition, this is a nicely proportioned and relatively complete example of late Georgian London architecture, which preserves intact an elegant Victorian plate glass shopfront.
- The proposal would damage the relatively small scale and local character of Goodge Street. This is a busy and lively neighborhood, in the evening as in the day. The commercial activity which typifies Goodge Street at present - local shops, cafes and restaurants is quite different from the larger and generally much more specialised shops in Tottenham Court Road. Extending one commercial undertaking round the corner from Tottenham Court Road and down as far as 9 Goodge Street would change the existing pattern.
- The proposed facades, somewhat larger than at present, more uniform and with dummy windows at first floor level, would impose an impersonal and somewhat grim character onto this street scene.
- We were mixed in our reaction to the demolition of the corner building (63 Tottenham Court Road). No objection in principle to a taller building on this site, but consider that the existing building has its merits and fits well into the mixture of facades present in this stretch of Tottenham Court Road.
- The argument of planning gain, to compensate for the proposed demolitions, was not well supported. The restoration of the facade of the gothic building, 62 Tottenham Court Road, would be welcome but a reinstated shopfront here was being proposed effectively as a counterweight to the demolition of a surviving original shopfront in Goodge Street.
- The proposed roof extension would have been enough to finance the work were this building being restored on its own. The infilling of the bomb site in Goodge Street meanwhile was hardly a gain as surely a building here would

- have been profit making whenever the owners had chosen to rebuild.
- Finally, objection to the extra storey proposed for 61 Tottenham Court Road, in a different style to the building itself and marooning its twin at No 60.

### **Local Groups**

4.6 The ***Charlotte Street Association*** have objected to the scheme on the following grounds: -

- The replacement of small retail units (7) with large units (2) is detrimental to the shopping opportunity particularly in relation to Goodge Street's function as a neighborhood shopping street
- The introduction of 1st floor retail is totally alien to Goodge Street and unusual in Tottenham Court Road and is seen as a ruse to keep residential floor space below the threshold for affordable housing.
- The developments whether assessed together or separately are of a size to require an element of affordable housing
- No's 1-3 Goodge Street, together with its shopfront, should be retained and refurbished
- The design of the proposed corner building and the Goodge Street elevations are in character, scale and proportion inappropriate to the location and detrimental to the quality of the conservation area.

4.7 The ***Ridgmount Gardens Residents Association*** have objected to the scheme on the following grounds: -

- The replacement of seven existing shops with only two including first floor shopping will destroy the ambience of this street
- Pleased to see the rebuilding of 5-7 Goodge Street after bomb damage over 60 years ago, however, the proposal would require the demolition of 1-3 Goodge Street, which is the oldest building in the street, would be very unwelcome. This is particularly felt since the facades of the replacement buildings are bland and not intended to be in keeping with the variety and diversity of the rest of Goodge Street. In addition, the plans for the building at the corner of Tottenham Court Road would make it out of scale with its surroundings and lacking in character.
- It is hard to believe that the area needs yet more large shops and dour buildings, and that if it does, Goodge Street is the not the best place for them.
- The development cannot possible enhance the local Conservation Area.

### **Member Representations**

4.8 ***Councillors Penny Abraham and Fazlul Chowdhury (Bloomsbury Ward)*** have written jointly raising the following objections to the scheme: -

- The development takes no account of the character and appearance of Goodge Street, which is a local shopping street, comprising small shops of use to local people and passing trade.
- The street is in a Conservation Area, and No's 1-3 Goodge Street is the

oldest building in the street, deserving to be retained and refurbished. The Edwardian "Catesby" building, on the opposite side of Goodge Street to this proposed development, is a magnificent building, and deserves better than the drab development proposals opposite.

- The introduction of 1st floor shopping is, again, quite out of keeping with the streetscape and would avoid the provision of affordable housing.
- The development is not of an appropriate scale and character for the neighbourhood centre.

### Adjoining Occupiers

<i>Number of Letters Sent</i>	<i>56</i>
<i>Number of responses Received</i>	<i>12</i>
<i>Number in Support</i>	<i>0</i>
<i>Number of Objections</i>	<i>12</i>

- 4.9 The owner/occupiers of ***Flat 3, 9 Goodge Street, Flat 2, 30 Goodge Street, 36 Goodge Street, No's 25, 74, 88 and 102 Ridgmount Gardens, Flat 32, 25 Gresse Street, No's 1 and 6 Colville Place, No 74 Chenies Mews and No 27 Gordon Mansions*** have all raised objections to the application. These are summarised below: -

- The proposed development is clearly out of scale and character with Goodge Street and the Conservation Area in general.
- The facades of the replacement buildings add nothing to the street and are bland.
- The design pays little regards to the character of the surrounding buildings. Particularly objectionable are the overbearing mansards, poorly proportioned fenestration, lacking the traditional variety of opening sizes and the totally alien corner buildings.
- The plans are for very plain, characterless buildings.
- The 5 storey mock Georgian blocks proposed would dwarf the surviving No 9 Goodge Street, a four storey Georgian house typical in scale and design with the many period houses in Goodge Street for example.
- The proposed Mock Georgian design is an uncomfortable period dress disguise attempting to conceal a full scale Tottenham Court Road type development behind its 'ugly, ill proportioned facade'.
- The proposed design for 63 Tottenham Court Road is too tall, ugly, unimaginative, and is inappropriate for the area.
- The tower building makes no attempt to maintain the scale, variety and character of Goodge Street.
- The tower is unconvincing and looks feeble in comparison to the Catesby building on the other corner
- South East Goodge Street does need careful restoration and 5-7 Goodge Street does need rebuilding however the existing scale and Georgian character should be retained, together with its retail and residential uses.
- 1-3 Goodge Street is the oldest building in the street and, together with its shopfront, make an important contribution to the locality, and should be kept and refurbished.

- Due to No 9 Goodge Street not being included in this development, continuing the proposed building design across the two sections of Goodge Street will make the development look disjointed.
- The development should provide some affordable housing, so desperately needed in the area.
- The upper floor of retail is not appropriate, and reduces the much needed housing accommodation
- Goodge Street is a neighbourhood shopping centre depending on the great diversity of its small retail shops with their affordable rents and prices for its existence
- The two large units proposed to replace seven small shops, would be damaging to the character of shopping in the area, and particularly to the function of Goodge Street as a local shopping street as would the introduction of 1st floor retail.
- The retail proposals do not meet the needs of local people and the area
- The proposal is to extend Tottenham Court Roads large-scale mega shops into a small-scale local shopping street.
- The proposal reduces the streets vitality, diversity, and character and reduces the options for small businesses against Camden's policy of supporting small businesses. The scheme will reduce rents for businesses and increase prices in the shops.

4.10 A site notice was posted around the boundary of the site on the 22/08/2006 (Expiry 12/09/2006), whilst notice of the application was issued in the Local Press (Ham and High).

## **5. POLICIES**

5.1 Set out below are the UDP policies that the proposals have primarily been assessed against, together with officers' view as to whether or not each policy listed has been complied with. However it should be noted that recommendations are based on assessment of the proposals against the development plan taken as a whole together with other material considerations.

### **5.2 Camden Replacement Unitary Development Plan 2006**

S1-S3 Strategic Sustainable Development; (complies subject to conditions);  
SD1 Quality of life (complies);  
SD2 Planning obligations (complies subject to S106);  
SD3 Mixed use development (complies);  
SD4 Density of development (complies);  
SD5 Location of development with significant travel demand (complies);  
SD6 Amenity for occupiers and neighbours (complies);  
SD7 Light, noise and vibration pollution (complies subject to conditions);  
SD8 Disturbance (complies subject to conditions);  
SD9 Resources and energy (complies subject to conditions);  
SD12 Development and construction waste (complies subject to conditions);  
H1 New housing (complies);  
H7 Lifetime homes and wheelchair housing (complies);

- H8 Mix of units (complies);
- B1 General design principles (complies);
- B2 Design and layout of large developments (complies);
- B3 Alterations and extensions (complies);
- B4 Shopfronts, advertisements and signs (complies subject to conditions);
- B7 Conservation Areas (complies);
- B9 Views (complies);
- N4 Providing public open space (complies subject to S106);
- N5 Biodiversity (complies subject to conditions);
- T1 Sustainable transport (complies subject to S106);
- T3 Pedestrians and cycling (complies subject to conditions and S106);
- T8 Car free housing and car capped housing (complies subject to S106);
- T9 Impact of parking (complies);
- T12 Works affecting highways (complies subject to S106);
- T16 Movement of goods (complies subject to S106);
- R1 Location of new retail and entertainment uses (complies);
- R2 General impact of retail and entertainment uses (complies);
- R7 Protection of shopping frontages and local shops (complies);
- R8 Upper floors and shopfronts (complies);
- E2 Retention of existing business uses (complies);

### 5.3 **Camden Planning Guidance (Consultation Draft) 2006**

The following sections of the Camden Planning Guidance are of particular relevance to the application:

- P1 - Access for all
- P9 - Affordable housing in mixed use development
- P29 – Biodiversity
- P37 – Built form
- P49 – Conservation areas
- P53 – Construction and demolition
- P61 – Cycle parking and storage
- P63 – Daylight and sunlight
- P71 – Design
- P103 – Lifetime homes and wheelchair housing
- P117 – Noise and vibration
- P121 – Overlooking and privacy
- P133 – Planning obligations
- P171 – Public open space
- P209 – Shopfronts
- P225 – Town centres, retail and entertainment uses
- P217 – Sustainable buildings

### 5.4 **Other Supplementary Planning Guidance**

Charlotte Street Conservation Area Statement – Adopted March 1996 (Extended November 1999)

## 6. ASSESSMENT

6.1 The principal considerations material to the determination of this application are summarised as follows:

- Land use – The principle of the development
- Housing/residential standards
- Design related issues, townscape, and the impact on the Conservation Area
- Sustainability - resources and energy
- Impact on amenity
- Transport, access and parking
- Other Matters

### **Land use – The principle of the development**

#### *The loss of office accommodation*

6.2 The policy results in the loss of 220sqm of office (Class B1) floorspace and therefore requires assessment under policy E2 of the UDP. This policy states that permission will not be granted for development that involves the loss of business use on a site where there is potential for that use to continue. When a site is not suitable for continuation of other business use, other than office, the Council may allow an exception to this approach where the change of use is to permanent residential or community uses.

6.3 In terms of retention, the existing office space is only likely to only be suitable for office purposes, rather than other industrial use designations, as it does not have features that would create flexibility for other business uses, e.g. level access or off-street loading. The property does not fall within the 50-120 sqm generally considered suitable for small businesses. The current supply of office space is thought to be plentiful, and there is no reason to suppose that the loss of this office space would put pressure on other land uses. Given the aforementioned policy considerations the potential loss of this employment floorspace is not considered to conflict with UDP policy.

#### *The loss of A3/4/A5 Accommodation and the Increase in A1 Retail Provision*

6.4 The scheme proposes the loss of 103m<sup>2</sup> of A3/4/5, whilst increasing the retail (Class A1) provision from 791m<sup>2</sup> to 1179m<sup>2</sup>. There are no policies within the Replacement UDP or the Central London SPG to retain food and drink uses. It is worth noting that the proportion of food, drink and entertainment uses in this centre is currently over the 25% of the total units (42 premises in total), and is therefore currently exceeding the threshold set out in para 15.9 of the Councils SPG.

6.5 The application site is partly within a Central London frontage and a Neighbourhood Centre and is located in close proximity to several means of public transport. The increase in retail provision within the frontages, and the subsequent loss of food and drink uses are welcomed and would be likely to positively contribute to the vitality and viability of the centre(s). The location of retail uses at first floor level is

considered acceptable in this context, and would contribute favourably to the provision of retail floorspace within these designated shopping areas. Its location at first floor level does not fundamentally change the design of the scheme in terms of the size of the window openings, while it is important to note that a number of surrounding buildings also possess 1<sup>st</sup> floor commercial uses.

#### *Mixed-use*

- 6.6 The current scheme proposes 1037m<sup>2</sup> of additional floorspace. In accordance with UDP policy SD3, and given the site is within the Central London Area up to 50% of this floorspace is required to be residential, i.e. 518.5sqm. The application proposes a total of 1286m<sup>2</sup> of residential floorspace, which is an increase of 974m<sup>2</sup> to the existing provision. This calculates as 52% of the overall floorspace or 94% of the proposed additional floorspace, and as such the proposal is considered to comply with this policy.

### **Housing policies, size, mix and quality residential accommodation**

#### *New Housing/Affordable Housing*

- 6.7 Policy H1 supports the increase in residential accommodation and housing is the priority use of the replacement UDP. The proposal would provide an additional 974sqm of residential floorspace in the form of 12 additional units, providing a total of 14 units.
- 6.8 Policy H2 of the UDP expects all residential developments with a capacity for 15 dwellings or more, or sites of 0.5ha or more to make a contribution to affordable housing. Paragraph 2.22 of the UDP and para 3.3.19 of the adopted SPG on Affordable Housing states that residential developments with a floorspace of 1500sqm are capable of providing 15 units and as such the affordable housing policy applies to residential developments with a built residential floorspace of 1500sqm or more.
- 6.9 The current application proposes 14 residential units or 1286sqm of residential floorspace and as such the provision of affordable housing is not required. When an application for 14 residential units is received there is often suspicion that the applicant is trying to avoid the implementation of policy H2. However, in this instance, the layout of the units appear reasonable in size and form and are not overly generous to suggest further units could be supported by the proposed residential floorspace. As stated above, there are many other premises in the area with retail floorspace at first floor level, and so this cannot be regarded as a means to evade policy.
- 6.10 However, despite the above there is the potential to seek a change of use of the first floor from retail to residential. The permission shall include a clause within the S106 legal agreement that if the Council approves further development (including a change of use to residential) that results in a total of 15 or more units or 1500sqm of residential floorspace across the site as a whole, policy H2 will need to be met and any financial appraisal will need to take account of the value gained from the 14 units as part of this application.

- 6.11 The decision to apply policy H2 is further complicated by the receipt of an application at 11-13 Goodge Street, which contains 7 residential units or 547m<sup>2</sup> of residential floorspace. However, these applications have been submitted separately and the sites are not contiguous and not physically linked. Should they be linked prior to completion, or become integrated at any point in the future a further planning application would be required and this issue could be addressed at this point in time.

*Mix, size and quality of the residential units*

- 6.12 Replacement UDP policy H8 require an appropriate mix of unit sizes, including large and small units in residential developments, taking into account site conditions and the locality. The application proposes 8 X 1 bed, 4 x 2 bed and 2 X 3 bed flats (14 units) and is considered to be inline with UDP policy. All unit sizes meet the minimum space standards for units and bedrooms as set out within the Council's supplementary planning guidance.

*Lifetime homes/wheelchair housing*

- 6.13 The replacement UDP requires all new residential units to meet lifetime homes standards and in the case of major developments that 10% of the units be suitable for occupation for a person using a wheelchair. The applicant has provided documentation to substantiate that the development will meet lifetime homes standards and that two of the units will be wheelchair accessible, and overall would accord with UDP policy.

**Design related issues, townscape, and the impact on the Conservation Area**

*Conservation Area and buildings appraisal*

- 6.14 The current proposals for the redevelopment of the site comprising No.s 61, 62 and 63 Tottenham Court Road and No.s 1-3 and 5-7 Goodge Street have been informed by an appraisal of the particular architectural and historic interest of the buildings and their contribution to the character and appearance of this part of Charlotte Street Conservation Area. The design has also been informed by an assessment of the condition of the existing and their scope for effective and beneficial use in the future, mindful of relevant land use, design and conservation policies. Each of which will be discussed in greater detail within this section of the report.
- 6.15 A significant number of properties in this part of the conservation area date from the late C18th and represent the 'first generation' of urban development, in this part of London. The area being shown as fully developed in Richard Horwood's map of 1799 and Tompson's map of 1801 reproduced in the Charlotte Street Conservation Area Statement. The street elevations of the buildings on the proposed development site fronting Tottenham Court Road and Goodge Street are usefully illustrated in the relevant sections of John Tallis's 'London Street Views' of 1838-1840.
- 6.16 However, the original architectural coherence and late 18<sup>th</sup> century character of this part of Fitzrovia, has been significantly diminished by major demolition and

redevelopment in the late C19th and early C20th, particularly in the area adjacent to or close to the junction of Goodge Street and Tottenham Court Road. These include the buildings in the north and south of Goodge Street, during the Second World War and subsequent reconstruction in part or whole, such as the property at No.s 5-7 Goodge Street and the buildings at the south-east corner of Goodge Street and Whitfield Street. Significant alterations and roof extensions to individual buildings have also been undertaken such as the properties at No.s 11 and 13 Goodge Street and elsewhere along both sides of the street. The buildings constituting the application site reflect this diversity in age and architectural character.

#### *61 Tottenham Court Road*

- 6.17 The proposal advocates the retention, repair, reinstatement and integration of two buildings, namely No's 61 & 62 Tottenham Court Road. It is considered that these two buildings, contribute to the character and appearance of this part of the Charlotte Street Conservation Area. Similarly, their particular construction lends itself to reconfiguration without compromising or threatening the overall structural integrity or stability of the buildings. It is considered that the retention and reinstatement of many original features, particularly at No 62 Tottenham Court Road, will maintain the preservation and enhancement of the character and appearance of this part of the conservation area.
- 6.18 No 61 Tottenham Court Road is one of an almost matching pair, with No 60 not within the applicant's ownership. No 61 comprises a 4-storey, 3-bay wide, late C19th 'second generation' commercial property, perpetuating the characteristic plot width of the original 'first generation', late C18 property. No.61 incorporates a service use at ground floor level, with a modern shopfront of no conservation area value, with occupied residential space on the upper floors, accessed from a narrow entrance and staircase only. The street elevation above the shopfront comprises unpainted red brick with stone strings, cornices and architraves with original timber, double hung, undivided sash windows. However much of the stonework has been damaged or lost. At the back there is a utilitarian, rear elevation constructed in London stock brick with double hung sash windows. Given the visual value of this street frontage within the Conservation Area, it is proposed to repair or reinstate damaged or missing details of the front elevation.
- 6.19 The proposed additional storey, is contemporary in design (incorporating a metal brise soleil canopy), appropriately contrasting with the architectural idiom of the parent building being setback 2.3 metres from the front parapet, so as to ensure it is subordinate, when read from the streetscene. Whilst the roof extension itself is considered acceptable, concern is raised with respect to the prominence of the brise soleil canopy element, particularly when viewed from the street, looking north down Tottenham Court Road. It is considered too dominant and its removal shall be recommended via planning condition.

#### *No 62 Tottenham Court Road*

- 6.20 No 62 Tottenham Court Road is a wide 3-4 storey, 5 bay wide, late C19th century, commercial property, built as a public house known as the 'Rose and Crown'. The building is now in retail use (Williams) at ground floor level with a modern shopfront of no conservation area value. The upper three floors are comprised of vacant

office chambers, accessed from a narrow entrance and staircase only. The street elevation above the shopfront comprises an exuberant, high eclectic, gabled façade of unpainted red brick with stone strings, cornices, architraves, pilasters and other details, influenced by Flemish Renaissance and Venetian Gothic styles, with the three central window bays grouped in one overall canted bay running through first and second floor storeys, with gabled dormers behind balustraded parapets to each side of a triangular gable at the centre and original double hung, undivided sash windows.

- 6.21 The upper part of the original, central gable/pediment detail has been lost, together with the original, ground storey frontage and all the original external decorative ironwork. At the back, there is a utilitarian rear elevation constructed in London stock brick with double hung sash windows.
- 6.22 Given the visual value of this street frontage within the Conservation Area, it is proposed to repair or reinstate damaged or missing details of the front elevation (including the balustrading and street lamp at first floor level), as appropriate. Including the reinstatement of the original and very fine chimneystacks, to either side as the key features visible from the street. The proposed additional storey is contained in a recessive roof-profile with limited fenestration and is unobtrusive when viewed from the street, engendering a visually comfortable juxtaposition with the original roof profile of the Rose and Crown.

#### *63 Tottenham Court Road*

- 6.23 No 63 Tottenham Court Road defines the corner with Goodge Street, comprising a three-storey, early C20th commercial property, with 4 bays fronting Tottenham Court Road, 2 bays fronting Goodge Street, with a single bay splay corner between the two street frontages. The ground floor is characterised by a modern shop front, of no conservation area value. The street elevations above the shopfronts are faced with white faience with a strongly expressed cornice at the top of each elevation and generously proportioned window openings at both first and second floor levels with painted, steel framed casements. A minimal rear elevation, is contained by the returns of the properties on either side.
- 6.24 Whilst this 'second generation' commercial property would appear to perpetuate the plot width size of the original 'first generation' late C18th property on the site, with the exception of the splayed corner, it is considered that the existing building is of limited value in conservation area terms, as it departs markedly from the prevailing, late Georgian architectural character of the Charlotte Street Conservation Area. Unlike many of the corners along Tottenham Court Road, the existing building is lower than its neighbours, thus weakening its presence in the streetscene. On the basis of the external and internal assessment and historical appraisal provided, there is no evidence to suggest that the building possesses sufficient architectural or historic interest to merit inclusion on the statutory list by reference to the criteria set out in PPG15.
- 6.25 There is an opportunity to create a landmark building on this key juncture. It is usual for corner buildings to recognise the significance of this transitional mode and stand higher than their immediate neighbours. This pattern of 'book end' style buildings, which make a corner statement, is characteristic of this immediate

context, with particular reference to the 'Rising Sun' Public House, south of the site, at No 46 Tottenham Court Road, the Spaghetti House, at 15-17 Goodge Street and the tall, distinctive, fin-de-siecle building on the opposite corner, at No 64 Tottenham Court Road.

- 6.26 The proposal recognises the significance of this corner condition, announcing the gateway into the conservation area, with a distinctive stone and glass tower, its simplicity, complementing the more ornate and decorated building, in the immediate context.
- 6.27 Following lengthy pre-application discussions with officers and English Heritage it was considered the use of Portland stone, to pick up the stone detailing of the neighbouring buildings, was an appropriate and considered response. Simple glazed areas to the retail and residential units are setback, with angled reveals to give oblique views down the street and the tower itself is separated from its immediate neighbours, by a recessed section on Tottenham Court Road, including the introduction of a vertical slot on Goodge Street.
- 6.28 The tower element proposed has taken its cue from the Heals building (191-199 Tottenham Court Road), Glen House, at the corner of Tottenham Court Road (No's 200-208) and Alfred Mews, all in close proximity to the site. The proposed tower is a contemporary interpretation of a typical 'bay' of Glen House, for example, translating the characteristic and generously proportioned openings and strength of the vertical stone framing, into an appropriate tower element, to denote this prominent corner location.
- 6.29 The upper level of the lower element has been set back to 2.3 metres, adjoining to No 62 Tottenham Court Road which is set back to the chimney. The detailing of the roof extension at No 62 has been set back, so that this element is less discernable from the streetscene and more respectful of its relationship with the highly decorative/distinctive roof profile of No 62 Tottenham Court Road. Visually, it is considered the setbacks proposed and refinements to the detailing of the roof extensions rationalise these upper levels, providing a greater degree of differentiation with the tower element, allowing it suitable 'breathing space' establishing itself as a corner statement building.

#### *1-3 Goodge Street*

- 6.30 No's 1-3 Goodge Street comprises a 'first generation', late C18th, four storey, 3 bay wide retail/residential property with retail use at ground floor level. The front elevation of 1/3 Goodge Street has attractive heavily blackened brickwork, characterful of many of the early brick elevations in this part of the Conservation Area. This gives the building, historic interest and character, and of particular note is the handsome front door and adjoining shopfront with finely executed decorate support columns and deep inset entrance door. These elements are unique to this part of Goodge Street, dating from the 19<sup>th</sup> century and this is the only remaining shopfront of quality from this date.
- 6.31 Internally, the building retains early historic features, which stylistically, are considered to date from approximately 1840 rather than late 18<sup>th</sup> century. Fairly modest in style with relatively plain fireplaces, a simple staircase with newel posts,

sliding sash windows, with shutters and panels beneath, skirting, dado, cornices, floorboards, and bedroom cupboards to every room, the interior is relatively intact. The back elevation retains its original form with two timber sash windows. This brick elevation lends the back views a historic setting, scale and context.

- 6.32 In streetscape terms No's 1-3 Goodge Street no longer forms a coherent group of other 'first generation' terraced properties. Similarly, the property is in a specific part of the conservation area, which is of considerable architectural diversity, caused by the complete loss of its original, late Georgian neighbour, through War time bombing, by the much altered frontages of 11 and 13 Goodge Street, through rendering and loss of original fabric, namely the fenestration and by the complete demolition and redevelopment, in the early C20th/post-war years of the corner buildings at 63 Tottenham Court Road and 15 Goodge Street.
- 6.33 When considering proposals for the demolition of buildings which make a positive contribution to the character or appearance of a conservation area, a number of tests as set out in paragraphs 3.19 and 4.27 of PPG15, must be considered. The applicant has submitted, as part of a conservation appraisal of the existing buildings, a response which addresses the relevant PPG15 tests, namely addressing the 'condition of the property, the cost of repairing and maintaining it in relation to its importance and to the value derived from its continued use', including the 'adequacy of efforts made to retain the building in use' and the merits of alternative proposals for the site'.
- 6.34 Following this, there is a summary of the conservation consultants report relating to structural issues associated with No's 1-3 Goodge Street. It is noted that the façade of No's 1-3 Goodge Street is visibly bowing outwards between the first and second floor storey, with cross straps introduced at 2<sup>nd</sup> floor level to stabilise the structure. This is likely to be attributable to a separation between the half-brick facing brickwork and the rest of the wall. Higher up on the front elevation, externally expressed ties, between the heads of the second floor windows and the cills of the third floor windows, which run through the entire depth of the building and the reconstruction of the arched head of the left hand window at first floor level, suggests evidence of there being serious structural problems. In view of these defects, the load bearing front wall is considered relatively fragile in terms of being able to accept a large change to the current equilibrium, given its alignments problems and reliance on the built-in/tied floor structure behind. For this reason, any alteration to the front wall, if retained is considered to pose a structural risk.
- 6.34 It is noted that the first, second and possible third floors, which are of timber construction, exhibit a noticeable slope to the right hand side of the property, as viewed from the inside and would need to be lifted and re-levelled or replaced to achieve the proposed use. Whilst it is unclear whether such structural problems are attributable to the extensive wartime damage sustained by the adjacent properties, or to movement within the building, which would have occurred anyway, it is clear that essential or desirable improvement to the fabric, servicing and circulation of the residential unit at first, second and third floor levels; its potential conversion to two or more units; or its upward extension within a traditional proportioned and detailed mansard roof, would be seriously limited or prejudiced, by such structural deficiencies. It is more likely that before any meaningful investment in a

conservation-based scheme of modernisation or upward extension of the upper floors, could be advanced, expensive, major, remedial structural measures would be required, in order to resolve the structural deficiencies of the building.

- 6.35 The floor levels of No's 1-3 Goodge Street, do not align with those of the neighbouring buildings, with the window positions preventing the floor levels being reconstructed to the adjacent levels. With the new levels, the head of the 2<sup>nd</sup> and 3<sup>rd</sup> floor window would be below eye level and the 2<sup>nd</sup> floor would have to step down and thus not provide level access. Floor to ceiling levels would also be very low at 2<sup>nd</sup> and 3<sup>rd</sup> floors, particularly on the 2<sup>nd</sup> floor, where the floor to ceiling height is less than 2 metres. Similarly, the particular size and plan of the ground and upper floors in the building, seriously limits or prejudices the implementation of reasonable and effective measures, within an overall scheme of improvements, to meet the access requirements for the ground floor retail accommodation, under the DDA regulations and for all the floors under 'Part M' of the Building Regulations.
- 6.36 For the reasons documented above, it is therefore proposed to redevelop the existing building and incorporate it into the redevelopment of the overall site, including the sites at No 63 Tottenham Court Road, adjacent to the east, No's 5-7 Goodge Street, adjacent to the west and behind the frontages of No's 61 and 62 Tottenham Court Road, contributing to the recovery of the architectural and townscape integrity of this part of the conservation area and to preserving and enhancing its character and appearance.
- 6.37 The street frontage of the proposed replacement building will perpetuate the historic plot width of the existing building and is respectful of the prevailing architectural scale of this part of the conservation area. Whilst the loss of No's 1-3 Goodge Street is regrettable, it is considered that the design of the proposed replacement building, responds positively and sensitively to the prevailing architectural character of the area, reflecting closely the roof configurations, fenestration patterns, facing and roofing materials, of a majority of the buildings in this part of the conservation area. The replacement scheme reinterprets this character by the use of simple, flat fronted brick façade with punched windows emulating Georgian proportions.

#### *5-7 Goodge Street*

- 6.38 No's 5-7 Goodge Street comprises a single-storey retail/restaurant premises built into the shell of a seriously war-damaged 'first generation' property. Fragments of the original property survive at the rear of the site. Timber shoring at high level, spans above the ground floor level premises between the surviving party walls to No's 1-3, to the east and to No.9 to the west. From the evidence provided by the Tallis street views, the latter appeared to be a four storey, three bay property of similar architectural character, as 1-3 Goodge Street.
- 6.39 As exists, it is considered that this gap site actively detracts from the character and appearance of the Charlotte Street Conservation Area. What is proposed is an infill replacement scheme, of such a scale and design, which will contribute to the preservation and enhancement of this part of the conservation area. The street elevation of the proposed replacement building perpetuates the historic plot width/rhythm of the original building on the site, including the prevailing

architectural scale on this part of the conservation area. Importantly, the design of the proposal responds positively and sensitively to its context, by reflecting closely, the roof configurations, fenestrations patterns, 'solid to void' ratio and facing materials of the majority of buildings in this part of the conservation area.

#### *Roof Extensions/Conservation Area Statement*

- 6.40 It is considered that the proposal complies with section 9.8 of the Conservation Area Statement pertaining to Roof Extensions. The proposed mansard roof (on No's 1-3 and 5-7 Goodge Street) has been carefully considered with the roofline setback (2m) from the parapet so that views from the street level are not significantly affected from a close distance. It is considered that the modest scale and disposition of the dormer windows when viewed in longer-range views, sits discreetly within its context.

#### *Shopfronts/Conservation Area Statement*

- 6.41 Section 9.24 of the Conservation Area Statement, relates to the issue of shopfronts and states that 'proposals for new shopfronts or alterations to shopfronts will be expected to preserve or enhance the visual character and appearance of the shopping streets, through respects for proportions, rhythm, and form of the original frontages'. Given that a majority of the original shopfronts have been lost and replaced by unsympathetic replacements and are of no conservation area value, it is vital that the new scheme, reinstates more appropriate treatments in this respect, and is recommended to be subject to a planning condition.

#### *Materials*

- 6.42 It will be necessary to impose conditions requiring the materials of the scheme to be of the highest possible quality. A sample materials board will also be recommended to be erected on site for Local Planning Authority Inspection.

### **Sustainability - resources and energy**

#### *Water consumption*

- 6.43 The applicant proposes to collect the water off the roof for re-use. This would reduce the amount of run-off water from the site and reduce the amount of water used by the site and would meet the requirements of this aspect of policy SD9. The initial BREEAM pre-assessment for the residential component of the development indicates the application would achieve 3.34 credits out of 10. The Camden draft Planning Guidance states that the application should meet a target of 60% of the credit points. The applicant was therefore advised to reduce the anticipated potable water use by occupiers of the building by introducing further water efficient devices.
- 6.44 As stated within section two of this report, the sites water consumption was re-evaluated incorporating additional measures including low flush cisterns, flow regulators/office discs fitted on the wash hand basin taps, and water efficient showerheads. These additional measures would improve water usage across the development and generally with the water saving devices proposed, the overall water consumption will be reduced by 5-20% below the target of 42m<sup>3</sup>. In terms of the EcoHomes pre-assessment, the scheme had previously achieved a score of

3.34 for water usage. With the additional water saving measures proposed, this figure has increased to 8.34 out of a possible score of 10.

#### *Sustainable Design/ Resources and Energy*

- 6.45 The application's preliminary EcoHomes assessment indicates the proposal would achieve a rating of 'very good', and this shall be secured via under the remit of a sustainability appraisal condition. The Council's draft SPD also requires the development meet a target of 60% in the categories of 'energy' and 'water' and 40% in materials. The application achieves 79% in energy, 42% in materials, and with the revised measures listed above 83% in water. The application therefore accords with EcoHomes and the Councils draft SPD and is considered acceptable.
- 6.46 The applicants have not submitted a BREEAM assessment for the retail component of the development, as it has been stated that the unit would be a 'shell with no fittings proposed'. The applicants have agreed in writing to submit a BREEAM assessment to achieve a minimum rating of 'very good' via planning condition.
- 6.47 The second part of policy SD9 requires major developments to demonstrate the energy demand of their proposals and how they will generate 10% of the site's electricity and heating needs from on-site renewable sources. The applicant is proposing to provide solar hot water heating to the residential component of the application, in connection with the installation of 28 solar panels on the roof of the building. The applicants have calculated that this will equate for 10.45% of the predicted energy requirement, and therefore is in accordance with this part of policy SD9. Further details of all these measures, shall be secured via the recommended sustainability condition.

#### **Impact on amenity**

##### *Daylight/Sunlight*

- 6.48 Only residential properties are considered for daylight levels in the BRE Guidelines and furthermore only living rooms, kitchens and bedrooms fall within the guidelines. The applicants have submitted a comprehensive 'Daylight & Sunlight' report, which evaluates the impact of the development, and on the basis of the above only No.9 Goodge Street and No.60 Tottenham Court Road require assessment. Both properties would be fully compliant with the BRE Guideline for daylight level by the VSC and ADF methods of analysis. The ground floor units of both properties belong to a retail unit and are therefore not required to be analysed.
- 6.49 Only residential properties that face within 90% of due south are taken into account for sunlight analysis. The study illustrates that the study properties, No's 9 and 10-16 Goodge Street are fully compliant with the BRE Guidelines for sunlight analysis based upon the APSH method of analysis.

##### *Overlooking/Loss of privacy*

- 6.50 The proposed development does not propose any significant overlooking issues due to the orientation and form of the rear elevations. The elevation closest to number 60 Tottenham Court Road is cut away at a 45-degree angle, and thus future owner/occupiers of the building would have no direct view of either this

property or the upper floors of No 9 Goodge Street. The buildings to the south and south-west (No's 16-24 Whitfield Street and No 55 Tottenham Court Road) are both commercial buildings with no residential component. Only 1 window at both second and third floor level of the proposed development would face directly towards No's 26-28 Whitfield Street, which is in residential accommodation on the upper floors, however given that there would be a gap of 19.4 metres between these two faces the development would accord with the Councils overlooking and privacy standards as set out within the Council's SPG.

#### *Impact of plant/machinery*

- 6.51 It is noted at roof level there is an area for the accommodation of machinery and plant with an associated plant screen. However, the machinery and plant is not part of the current proposal. It is therefore recommended to remind the applicant of the need for the submission of an acoustic report and detailed plans and elevations for any future such installation, in accordance with policies SD6-SD8.

### **Transport, access and parking**

#### *Travel Plans*

- 6.52 The proposed redevelopment will result in an increase in the number of pedestrian movements to and from the site. As such, the scheme provides an opportunity for increased use and promotion of public transport as well as walking and cycling. A travel plan that informs staff, residents and customers about public transport options along with walking and cycling routes is recommended to be secured via S106 agreement, and will ensure people are fully aware of all transport options available to them. Such a plan will need to be submitted and approved prior to the activity commencing and secured by s106 agreement.

#### *Cycle Parking*

- 6.53 The Council's standards require the provision of secure cycle parking, with Appendix 6 of the revised UDP requiring the retail component of the scheme to provide 1 cycle storage space per 250m<sup>2</sup> GFA (or part thereof) for staff and the same number for visitors i.e. 2 per 250m<sup>2</sup>. The total retail space is 1179m<sup>2</sup>, meaning a total of 10 cycle parks are required for this use. In addition, there should be 1 cycle park provided per residential unit, meaning 14 cycle parks should be provided for this use. Overall, this means a total of 24 cycle parks are therefore required for the development.
- 6.54 The applicant has identified a cycle storage area on the proposed basement plan for 14 cycles. This has been assessed as adequately meeting the cycle storage requirements. The applicants have committed to provide a total of 28 bicycle parking spaces, including with the remaining 14 stands to be located on Goodge St itself. There is however an issue in terms of congestion and street clutter on footways both on Goodge St and Tottenham Court Road immediately adjacent to the site, and a discussion regarding a suitable on-street location are ongoing with the Councils Highways Engineers. Details will be reported to members in the supplementary papers.

### *Footway Reinstatement and Improvements*

- 6.55 Given the scale of the redevelopment, there will be a noticeable increase in pedestrian movements to and from the site. Highways works in the immediate vicinity have recently been completed, including footway build-outs and raising and repaving the lay-by on Goodge Street. However, further improvements are justified to improve pedestrian safety, amenity and connectivity within the surrounding area, and to ensure the scheme benefits from the best possible pedestrian environment.

The following improvements are therefore to be secured via S106 agreement: -

- (i) Raising the junction at the intersection of Whitfield St and Goodge St, which will both calm traffic and facilitate safer pedestrian crossing of this intersection;
- (ii) Installing a raised speed table approximately 40m to the west along Goodge St to align with the recently installed pedestrian build outs. This will calm traffic further on approach to the intersection with Whitfield Street and Goodge St, along with providing a further pedestrian crossing point.
- (iii) Re-paving the footway on Tottenham Court Road immediately in front of the site to boulevard standard.

### *Public Transport*

- 6.56 The site has excellent connections to bus, underground and national rail networks. There bus routes immediately outside the site on Tottenham Court Road and several others are accessible within a short walking distance on Oxford St, New Oxford St and Charing Cross Road. The site is within a 1-minute walk of the Goodge St Underground Station (Northern Line) and also within close walking distance of Tottenham Court Road Underground Station (Central Line). The closest station for National Rail services is Euston, which is within a 20-minute walk or 3-minute underground journey.

### *Car Free Housing*

- 6.57 This site is located within the (CA-E) (Bloomsbury) Controlled Parking Zone which allows parking by permit only Monday – Friday 08:30 – 18.30. Given the limited nature of parking within the area, In order to be acceptable in transport terms all new residential units are recommended to be designated car-free, in that future occupiers will not be eligible for on-street parking permits. This shall be secured via S106 agreement

### *Construction Management Plan*

- 6.58 Construction works and construction vehicle movements may disrupt the day-to-day functioning of Tottenham Court Road, Goodge Street and surrounding streets for an extended period, and will need to be carefully managed to ensure disruptions are kept to a minimum. The works may also potentially disrupt other projects, such as works on Highways works on Tottenham Court Road. To ensure any disruptions are kept to a minimum, a servicing plan and a construction management plan (CMP) are recommended to be submitted and approved prior to works commencing, and will need to be secured by a s106 agreement.

### *Servicing*

- 6.59 The scheme proposes on-street servicing making use of three lay-bys within the surrounding area, and they are considered to provide sufficient capacity for site servicing. Their location, length, hours of operation and proximity to the site are summarised below:

Location	Length	Distance from Site	Loading Permitted
Tottenham Court Road	12m	20 – 30m	7am – 3pm Monday to Sunday
Goodge St	12m	10m from site	6.30pm – 8.30am Monday to Saturday
Whitfield St	12m	12m	7am – 3pm Monday to Sunday

- 6.60 In order to avoid undue disruption to traffic and bus movements, and in recognition of Tottenham Court Road being part of the 'Strategic Road Network', on-street servicing will need to be restricted to the above loading bays at the times permitted. This servicing restriction is recommended to be secured through the s106 agreement and incorporated into the travel plan for the site.

## Other Matters

### *Biodiversity*

- 6.61 Policy N5 expects schemes to have considered conserving and enhancing biodiversity, including by creating wildlife habitats. A large proportion of the roof space would be comprised of solar panels, whilst the applicant has also indicated the location of plant/machinery within an acoustic enclosure at this level. Discussions have been undertaken with the Council's Trees and Landscape officer and it is considered there may be potential to accommodate a green or brown roof either on the remaining parts of the roof, potentially on the flat roofed area at 61 Tottenham Court Road and along Goodge Street. A condition is recommended to ensure further details of such measures are submitted via condition to accord with policy N5.

### *Open Space Financial Contributions*

- 6.62 The scheme does provide 27m<sup>2</sup> of private balconies, which provides a degree of amenity space for the new residential units on site. Notwithstanding this provision, the applicants have agreed to make a financial contribution of £10,310.63 in accordance with policy N4 of the Replacement UDP to improve open space within the locality.

## 7. CONCLUSION

- 7.1 On the basis of the assessment of the structural condition of 1-3 Goodge Street, the merits of the replacement scheme as a whole are considered to successfully interpret and respect the intent of relevant policy guidelines in the UDP and the Conservation Area statement, engendering a design rationale, which positively repairs this part of the streetscene, which has suffered continual degradation over an extended period of time. Overall it is considered that the replacement scheme is

a positive and creative response to the redevelopment potential of this site and as such, should be recommended for approval.

- 7.2 The scheme introduces a mixed-use development inline with UDP policy, providing uplift in residential floorspace, which would make a positive contribution to the Boroughs Housing Stock. The increase in retail floorspace would enhance the vitality and viability of the Goodge Street Neighbourhood Centre and the Tottenham Court Road Central London frontage. The uses of the building would not significantly conflict with the residential amenities of neighbouring occupiers, the general character of the area or the conservation area. Other conditional/obligation controls are sufficient to address various management, sustainability, biodiversity, design/materials and highway objectives.

## **8. LEGAL COMMENTS**

- 8.1 Members are referred to the note from the Legal Division at the start of the Agenda.

## **9. RECOMMENDATION**

- 9.1 That planning permission be granted subject to conditions and to the satisfactory conclusion of a Section 106 Planning Obligation covering the following heads of terms:

- An financial contribution of £35,912.00 towards education provision;
- A financial contribution of £10,310.63 towards open space provision within the locality, in-lieu of direct provision;
- A requirement to provide affordable housing according to the entirety of the development should further residential use be proposed;
- All proposed residential units to be designated as car free;
- The submission of a construction management plan;
- A business and residential travel plan, including servicing restriction;
- A financial contribution for the upgrade of paving on Tottenham Court Road in front of the site to boulevard standard, raising the junction at the intersection of Goodge Street and Whitfield Street, and a raised table further to the west along Goodge Street.

## **10. RECOMMENDATION 2**

- 10.1 In the event that the applicant fails to conclude the Section 106 within the 13-week period, that it be delegated for permission to be refused on grounds relating to the failure to enter into an undertaking for the payment of the financial contributions towards (i) education, (ii) open space, (iii) highway/environmental improvements, and in the absence of a legal agreement for car-free housing.

**Disclaimer**

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