

# 2014/3138/P – 44-46 Whitfield Street



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View from Scala Street



View to south east of application site



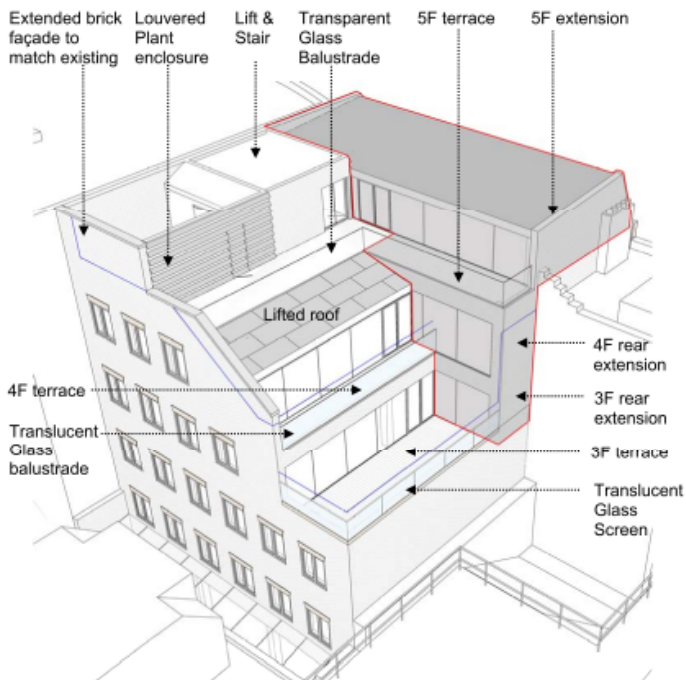
View to north west of application site.



Rear elevation of application site and part of existing roof at third and fourth floor with Percy Building and 13 Tottenham Street to the north.



Existing plant to roof, read line denoted that extension of third and fourth floor extension. Walkway will be removed as part of works.



CGI of proposed works to rear of building



CGI of proposed front facade

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>		<b>03/07/2014</b>	
<b>(Members Briefing)</b>		N/A		<b>Consultation Expiry Date:</b>		13/06/2014	
<b>Officer</b>				<b>Application Number(s)</b>			
Seonaid Carr				2014/3138/P			
<b>Application Address</b>				<b>Drawing Numbers</b>			
44 Whitfield Street London W1T 2RJ				See draft decision notice			
<b>PO 3/4</b>		<b>Area Team Signature</b>		<b>C&amp;UD</b>		<b>Authorised Officer Signature</b>	
<b>Proposal(s)</b>							
Erection of a 2-storey rear extension at 3rd & 4th floor and a single storey roof extension with roof terraces at 3rd, 4th & 5th floor level with balustrade, relocation of existing chiller unit and air conditioning units to enlarged plant room with louvre screen to roof level, replacement of front facade and addition of glazed roof over existing rear lightwell.							
<b>Recommendation(s):</b>		Grant conditional permission subject to Section 106 legal agreement					
<b>Application Type:</b>		<b>Full Planning Permission</b>					

<b>Conditions or Reasons for Refusal:</b>	<b>Refer to Draft Decision Notice</b>					
<b>Informatives:</b>						
<b>Consultations</b>						
<b>Adjoining Occupiers:</b>	No. notified	<b>54</b>	No. of responses	<b>08</b>	No. of objections	<b>08</b>
<b>Summary of consultation responses:</b>	<p>A site notice was displayed on 23 May 2014 expiring 13 June 2014 and a press notice was published on 22 May 2014 expiring 12 June 2014.</p> <p>Eight neighbours wrote in support of the Maxcliff House and 13 Tottenham Street Residents Associated objection which is noted below.</p>					
<b>CAAC/Local Groups comments:</b>	<p><b>Charlotte Street CAAC</b> objected to the proposal on the following grounds:</p> <ul style="list-style-type: none"> <li>• The proposed façade is overly glazed compared to the predominantly masonry façade of the existing building. It could not be considered an enhancement of the conservation area.</li> </ul> <p><i>Officer comment: The design merits of the proposal are discussed within section 3 below.</i></p> <p><b>Maxcliff House and 13 Tottenham Street Residents Association</b> objected on the following grounds:</p> <ul style="list-style-type: none"> <li>• Residential properties in Maxcliff House and 13 Tottenham Street are directly overlooked from the terraces to the rear of the application property. Although the association broadly supports the application, it objects to it on the grounds of overlooking and impact on privacy.</li> <li>• The application proposes installation of translucent glass screens at third and fourth floor level we propose if permission is granted, that screens should be a minimum height of 2.2 and are installed before the application property is occupied and shall remain in place for the life of the application property.</li> <li>• The 5<sup>th</sup> floor terrace is noted as transparent glazed screen, this will have an unacceptable impact on privacy of habitable rooms at the neighbouring properties.</li> <li>• It is wrong of the applicant to state that neighbouring properties should have a limited expectation of privacy from the existing building and the proposed development will not alter this. When previous redevelopment took place in the 90s, the Association objected on grounds of loss of privacy, the objection was upheld, window heights adapted and acoustic screens sited to add protection of privacy, as such privacy is not currently an issue as the objecting property is not overlooked by the application property.</li> </ul> <p><i>Officer comment: The impact on neighbour amenity is discussed within section 4 below.</i></p>					

## Site Description

The application site relates to a five storey mid terrace 1990s building located to the eastern side of Whitfield Street, opposite the junction with Scala Street. The building is currently in use as B1(a) office accommodation but is only partly occupied.

The application property is formed of three bay windows at first floor and above terminating at roof level with a front gable end. The building is constructed in sandstone blocks to the ground and first floor with red brick to the upper levels with metal framed fenestration.

The surrounding area is a mixture of residential and commercial uses with buildings of different architectural styles. Residential properties are found to the north of the application site within the Percy Building which neighbours the site at No.48-50 Whitfield Street, 13 Tottenham Street and 5-7 Tottenham Street (Maxcliff House). There are also residential properties to the east at 72 Tottenham Court Road.

The application site is located within the Charlotte Street Conservation Area, the property is not listed nor is it noted as being a positive contributor to the Conservation Area.

## Relevant History

**8900211** – Planning permission granted in November 1989 for the redevelopment of the existing basement and four storey building to provide a new five storey office block.

## Relevant policies

### National Planning Policy Framework (2012)

### The London Plan (2011)

### LDF Core Strategy and Development Policies (2010)

CS1 (Distribution of growth)

CS3 (Other highly accessible areas)

CS5 (Managing the impact of growth and development)

CS11 (Promoting sustainable and efficient travel)

CS13 (Tackling climate change through promoting higher environmental standards)

CS14 (Promoting high quality places and conserving our heritage)

DP13 (Employment sites and premises)

DP16 (The transport implications of development)

DP17 (Walking, cycling and public transport)

DP22 (Promoting sustainable design and construction)

DP24 (Securing high quality design)

DP25 (Conserving Camden's heritage)

DP26 (Managing the impact of development on occupiers and neighbours)

DP 29 (Improving access)

### Camden Planning Guidance(CPG):

CPG1 (Design)

CPG3 (Sustainability)

CPG7 (Transport)

### Charlotte Street Conservation Area Appraisal (2008)



## Assessment

### 1. Proposal

1.1 Planning permission is sought for a 2-storey rear extension at 3<sup>rd</sup> & 4<sup>th</sup> floor and a single storey roof extension with roof terraces at 3<sup>rd</sup>, 4<sup>th</sup> & 5<sup>th</sup> floor level with balustrade, relocation of existing chiller unit and air conditioning units to an enlarged plant room with louvre screen to roof level, replacement of front facade and addition of glazed roof over existing rear lightwell.

1.2 The proposed rear extension at 3<sup>rd</sup> and 4<sup>th</sup> floors would extend part of the rear extension measuring 2.3m deep and 3.5m wide at third floor and 4.7m wide at fourth floor and 6.8m in height. The works to the rear of the building would remove the existing windows and install a series of sliding glass doors to the third and fourth floors.

1.3 The proposed roof extension at fifth floor would span the full width of the property at 15m and 7.3m deep. The front elevation of the extension would be pitched at an angle of 62.6degrees with the rear elevation being flat with sliding glazed doors. The roof extension would be clad in dark metal tiles.

1.4 The proposed new façade to the frontage of the building would take a contemporary approach in design with a white matt brick façade with a double height bays to the ground and first floors with entrances to the middle and right bays, there would be projecting bay windows at first to third floors with brass and oxid coloured frames, the bay windows would be separated by art print spandrel panels which measure 0.25m in height. The roof level would incorporate a pitched front elevation.

### 2. Land Use

2.1 The proposed development would not change the use of the building which is currently in use as B1(a) accommodation. The development would upgrade the existing office accommodation and provide additional floorspace, therefore contributing the viability and vitality of the Central London Area. As there is no material change of use to the building no objection is raised.

### 3. Design

3.1 The overarching aim of Policies CS5, CS14, DP24 and DP25 are to secure high quality design that safeguards the heritage of the Borough. CPG4 also provides detailed design advice on acceptable forms of development.

3.2 The proposed rear extension at 3<sup>rd</sup> and 4<sup>th</sup> floors is relatively subordinate to the main building and would not detract from its character, it is noted that it is not set a storey below the eaves as required within CPG1 for extensions over a single storey in height, however given the design of the building it is not considered that the extension would detract from the integrity of the building nor dominate the rear elevation. As such no objection is raised to this aspect of the proposal.

3.3 With regard to the roof addition, as existing, the building appears to have a fifth floor level by virtue of the design of the roof, the proposed works would formalise the fifth floor as a roof extension and utilise the internal space more effectively. The proposed roof extension would increase the height of the building by 1.6m but given the sloped pitches of the roof extension, this 1.6m would only be at the central ridge height which would be set back 1.8m from the front façade of the building. As such it is considered that the proposed roof addition would appear as a sensitive addition to the building which would not appear as a full additional storey when compared to the existing situation. When considered within the context of the adjoining buildings, the proposed roof addition would integrate well with the neighbouring building and is considered to respect the scale and proportions of the adjoining properties.

3.4 With regard to the proposed façade works, the existing building is not noted as being a positive contributor and is not considered to be of any significant architectural merit that would warrant its

retention. As such officers consider the principle of a replacement façade would be acceptable in this instance. The proposed façade offers a more contemporary feel to the building whilst picking up on some of the proportions and themes of neighbouring buildings. For example the floor levels of neighbouring building have been carried through to the proposed façade and the theme of having a strong vertical appearance in the building which the current property has, has also been replicated. It is noted that the design would be in stark contrast to the historical buildings that are in close proximity to the site however it is considered the proposal is a high quality design which would contribute to the character and appearance of the conservation area.

3.5 To the rear elevation of the building at third, fourth and fifth levels it is proposed to create terraces and install sliding glazed doors to the rear elevations to allow access to the terrace areas. This element of the proposal would involve de-cluttering the existing rear terrace areas of plant equipment and re-housing it within a plant room at fifth floor. The works of removing the plant and existing clutter is a welcomed alteration to the rear of the building which currently appears very industrial in nature. The proposed works would also bring a contemporary feel to the rear elevation with the installation of glazed doors and glass screens to the terrace areas. When viewed within the context of the rear elevations of neighbouring buildings, which are formed of flat roofs with access mainly for maintenance and elevations of building with traditional sash window formations, the development would offer a contemporary approach to the surrounding area. Therefore, it is considered this would not cause harm to the character and appearance of the conservation area and would be an improvement on the existing rear elevation of the building which currently offers little to preserve or enhance the character and appearance of the conservation area.

3.6 To ensure the high quality design that has been proposed in the application is carried forward to implementation, details of all facing materials are recommended to be secured via condition as would details of fenestration. This would ensure the development preserves and enhances the character and appearance of the conservation area.

#### **4. Impact on neighbour amenity**

4.1 Residential properties are found to the north of the application site within the Percy Building which neighbours the site at No.48-50 Whitfield Street, 13 Tottenham Street and 5-7 Tottenham Street (Maxcliff House). There are also residential properties to the east at 72 Tottenham Court Road.

4.2 With regard to daylight and sunlight, the applicant has provided a daylight and sunlight report which demonstrates that the adjoining occupiers within No.48 & 50 Whitfield Street (Percy Building), 13 Tottenham Street, 5-7 Tottenham Street, also known as Maxcliff House and 72 Tottenham Court Road would not be affected by the proposal in terms of daylight and sunlight. Having run the VSC (Vertical Sky Component) test and the ADF (Average Daylight Factor) all neighbour residents would not experience a noticeable loss of daylight and sunlight and would be in accordance with the BRE guidelines.

4.3 With regard to the Percy Building which directly adjoins the application site, the proposed terrace at third floor level, which is the nearest terrace to this neighbour property, would be sited 3.5m from the rear wall of the Percy Building. This is an improvement on the existing situation where there is an external spiral stair located 2m from the rear elevation of the Percy Building and given the proposed extension at third floor level the privacy of the adjoining residents would be improved. In addition, the relationship between the terrace and the rear elevation of the Percy Building is such that when standing on the terrace at third floor level it would not be possible to look directly into the rear windows of the Percy Building.

4.4 In terms of privacy, a number of adjoining residents to the north of the application site have raised concern in respect of increased opportunity to overlook their properties from the proposed terraces. As the building exists, there are terraces at third and fourth floor levels which largely provide space for

plant equipment. There is also an external walkway which joins the application property with the rear flat roof of Maxcliff House. The development would remove all the plant from the third and fourth floors and relocate to a plant area to the fifth floor, there would then be the provision of terraces at third, fourth and fifth floors for use by occupiers of the office accommodation. The proposed terraces at third and fourth floors would be bound by 2m high translucent glass. 2m is considered an appropriate height as not to allow people to overlook neighbouring residents. As a rule of thumb 1.7m would normally be the minimum height for a privacy screen as such 2m is considered acceptable and it is not necessary to request this is amended to 2.2m. Details of the balustrade would be secured via condition to ensure the glass would protect the privacy of adjoining neighbours.

4.5 With regard to the terrace at fifth floor level, this would be bound by a 1.1m high transparent glass balustrade, neighbours have requested this be translucent and of 2.2m in height. In relation to neighbouring properties along Tottenham Street the proposed terrace would be sited 11.8m from the corner of the terrace to the rear of Maxcliff House and 21m from the main rear elevation of Maxcliff House, as such it is considered it would be set a sufficient distance as not to impact on the amenity enjoyed by these neighbouring residents. With regard to 13 Tottenham Street, the proposed terrace would be 12m from the rear elevation of this neighbouring property, given the siting of the terrace in relation to this neighbour it is considered the development would not result in harm to the privacy enjoyed by this neighbour.

4.6 To ensure the terrace areas are not used late into the evening should the offices hold events, a condition is recommended to be used to ensure that they would not be used past 8pm nor at weekends.

4.7 With regard to noise from plant equipment, as the site exists, all the plant is located to the rear of the building at third to fifth levels, the proposals for the building would remove all the plant from the third and fourth levels and house it within a plant enclosure at fifth floor. Thereby reducing the current noise levels as the plant would be within an enclosure. A condition is recommended to be used to ensure the noise levels at a point 1 metre external to sensitive facades shall be at least 5dB(A) less than the existing background measurement in line with policy guidelines.

## **5. Transport implications**

5.1 The applicant has provided a draft Construction Management Plan which officers consider sets out a suitable plan for construction to ensure there would be minimal impact on the surrounding highway network. As such a full Construction Management Plan will be secured via a Section 106 legal agreement.

**6. Recommendation:** Grant conditional permission subject to a Section 106 legal agreement.

### ***DISCLAIMER***

**Decision route to be decided by nominated members on Monday 30<sup>th</sup> June 2014. For further information please go to [www.camden.gov.uk](http://www.camden.gov.uk) and search for 'members briefing'.**

Dalton Warner Davis LLP  
21 Garlick Hill  
London  
EC4V 2AUApplication Ref: **2014/3138/P**

26 June 2014

Dear Sir/Madam

**DRAFT**  
**FOR INFORMATION ONLY - THIS IS NOT A FORMAL DECISION**  
Town and Country Planning Act 1990 (as amended)**DECISION SUBJECT TO A SECTION 106 LEGAL AGREEMENT**

Address:

**44-46 Whitfield Street  
London  
W1T 2RJ**

Proposal:

**DECISION**  
Erection of a 2-storey rear extension at 3rd & 4th floor and a single storey roof extension with roof terraces at 3rd, 4th & 5th floor level with balustrade, relocation of existing chiller unit and air conditioning units to enlarged plant room with louvre screen to roof level, replacement of front facade and addition of glazed roof over existing rear lightwell.

Drawing Nos: 1226-001, 1226-0100, 1226-0101, 1226-0102, 1226-0103, 1226-0104, 1226-0105, 1226-0106, 1226-0200, 1226-0201, 1226-0300, 1226-0301, 1226-0302, 1226-1100, 1226-1101, 1226-1102, 1226-1103, 1226-1104, 1226-1105, 1226-1106, 1226-1200, 1226-1205, 1226-1300, 1226-1301, 1226-1302, BRE Report by GVA Grimley dated April 2014 and Traffic and Logistics Management Plan by 21Construction.

The Council has considered your application and decided to grant permission subject to the conditions and informatives (if applicable) listed below **AND** subject to the successful conclusion of a Section 106 Legal Agreement.The matter has been referred to the Council's Legal Department and you will be contacted shortly. If you wish to discuss the matter please contact **Aidan Brookes** in the Legal Department on **020 7 974 1947**.

Once the Legal Agreement has been concluded, the formal decision letter will be sent to you.

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: 1226-001, 1226-0100, 1226-0101, 1226-0102, 1226-0103, 1226-0104, 1226-0105, 1226-0106, 1226-0200, 1226-0201, 1226-0300, 1226-0301, 1226-0302, 1226-1100, 1226-1101, 1226-1102, 1226-1103, 1226-1104, 1226-1105, 1226-1106, 1226-1200, 1226-1205, 1226-1300, 1226-1301, 1226-1302, BRE Report by GVA Grimley dated April 2014 and Traffic and Logistics Management Plan by 21Construction.

Reason:

For the avoidance of doubt and in the interest of proper planning.

- 3 Noise levels at a point 1 metre external to sensitive facades shall be at least 5dB(A) less than the existing background measurement (LA90), expressed in dB(A) when all plant/equipment (or any part of it) is in operation unless the plant/equipment hereby permitted will have a noise that has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or if there are distinct impulses (bangs, clicks, clatters, thumps), then the noise levels from that piece of plant/equipment at any sensitive façade shall be at least 10dB(A) below the LA90, expressed in dB(A).

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policies DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies.

- 4 The terraces hereby approved at third, fourth and fifth floors shall not be used after 20:00 and shall not be used at all on weekends and bank holidays.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies CS5 of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 of the London Borough of Camden Local Development Framework Development Policies.

- 5 Detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority before the relevant part of the work is begun:

a) Details including sections at 1:10 of all windows (including jambs, head and cill), ventilation grills, external doors and gates;

b) Manufacturer's specification details of all facing materials (to be submitted to the Local Planning Authority) and samples of those materials (to be provided on site).

The relevant part of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course of the works.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 6 Prior to commencement of use of the roof terraces at third, fourth and fifth floors, details of the glass balustrade shall be submitted to and approved in writing by the local planning authority, the balustrading shall be erected prior to commencement of use of the roof terraces and shall be permanently retained.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 of the London Borough of Camden Local Development Framework Development Policies.

- 7 The louvered screen to the plant area at fifth floor level shall be permanently retained unless otherwise agreed in writing by the local planning authority.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Argyle Street WC1H 8EQ, (tel: 020-7974 6941).
- 2 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Compliance and Enforcement team [Regulatory Services], Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council->

[contacts/environment/contact-the-environmental-health-team.en](mailto:contacts/environment/contact-the-environmental-health-team.en) or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

Yours faithfully

Culture and Environment Directorate

**DRAFT**

**DECISION**