

**Date: 24th November 2014**  
**Our Ref: 2014/6599/PRE**  
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Grant Leggett  
Boyer Planning  
83 Blackfriars Rd  
London  
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Dear Grant,

**Re. Planning Pre-application advice meeting ref. 2014/6599/PRE.**

**77-79 Charlotte Street  
London  
WC1N 1LZ**

**Redevelopment of 77-79 Charlotte Street and 5 Tottenham Mews comprising office and residential office and residential accommodation, following demolition of existing buildings.**

I refer to our pre-application meeting held on **05/11/2014** about the above proposal.

Set out in this letter is a detailed note of the principal issues discussed at the meeting and advice on planning obligations and what you need to do in order to submit a valid planning application for your proposal. The letter also provides details of local groups that you may wish to notify or consult on your proposals in advance of submitting your application.

### **Site Description**

The rectangular shaped site is bound by Charlotte Street to the east (front), Tottenham Street to the south and Tottenham Mews to the west (rear). The site is located within the Charlotte Street Conservation Area and within the Central London area. The buildings on the site are not statutory listed or classed as positive contributors in the conservation area, nor does the site affect the setting of such buildings. The site also falls within the Central Activities Zone (CAZ).

Two properties currently occupy the site. 77-79 Charlotte Street comprises lower ground, ground plus 4 storeys in height, whilst a single storey garage occupies the site to the rear, 5 Tottenham Mews. 77-79 Charlotte Street is currently partly occupied and was last fully occupied by the BBC in 2013. The garage to the rear is occupied by a motorcycle repair business and is in constant use.

The surrounding area is characterised by a mixture of commercial and residential uses. This includes the recently developed corner site at 73-75 Charlotte Street. The west side of Tottenham Mews is occupied by the Day Hospital for Mental Health owned by the NHS, and Arthur Stanley House owned by UCLH. Both buildings have

been vacant for a significant period. The east side of Tottenham Mews is predominantly residential. The terraces enclosing Charlotte Street are mainly occupied by retail and cafe uses at street level with a mixture of residential flats and small offices on the upper floors.

## **Planning History**

No relevant history at the site however the application at neighbouring property 73-75 Charlotte St is relevant:

2012/2045/P - Erection of a part 3/4/5 & 6 storey building plus basement level for a mixed use development comprising of 11 residential units (Class C3) and 253sqm of office (Class B1) floorspace at part basement and ground floor level, following demolition of existing buildings at 73-75 Charlotte Street & 34-38 Tottenham Street and 4 Tottenham Mews *granted on 13/12/2012*.

## **Considerations**

During our meeting we discussed the following matters which are considered to be material considerations:

- Land use issues (loss of office space & garage; creation of residential units and unit mix);
- Amenity;
- Design;
- Basement Impact Assessment;
- Transport and highway impacts;
- Sustainability;
- CIL

## **Land use**

### Existing situation

The existing building at 77-79 Charlotte St comprises 869sqm office accommodation from lower ground to fourth floor levels. The mews building to the rear is currently used as a garage with a motorcycle/scooter business operating from it. The office accommodation is partly occupied at the moment and was last fully occupied by the BBC in 2013.

### Loss of office accommodation

Policy CS8 (Promoting a Successful and Inclusive Camden Economy) seeks to ensure that the borough retains a strong economy. It seeks to do this by, amongst other things, safeguarding existing employment sites that meet the needs of modern industry and employers and provide facilities for small and medium sized enterprises.

Policy DP13 provides more detailed information as to how these aims will be implemented. It states that the Council will retain land and buildings that are suitable for continued business use and resist a change to non-business use unless it can be demonstrated that the site or building is no longer suitable for its existing business use and that there is evidence that the possibility of retaining, reusing or redeveloping the site or building for similar or alternative business use has been fully explored over an appropriate period of time.

The applicants are not arguing that the office accommodation is unfit but are proposing to redevelop the site to incorporate more flexible purpose built office accommodation as part of a mixed use development. Notwithstanding this there is a significant shortfall in the amount of office space being re-provided – almost 370sqm

which is concerning especially in an area located within the Central Activities Zone (CAZ).

Careful thought needs to be given to the loss of office accommodation in a site which is within the Central Activities Zone (CAZ). Emphasis on the importance of the CAZ was most recently highlighted by the Department for Communities and Local Government when the area was granted an exemption from the changes to the Town and Country Planning (General Permitted Development) Order 1995. The changes to this Order came into effect in May 2013 and allow for the change of use from (B1) office to (C3) residential without the need for a planning application to be submitted. In granting this exemption, it is clear that the Government considered it vital in economic terms to preserve employment floorspace in areas which are important to contributing to the vitality and viability of London both nationally and internationally.

It is acknowledged that the new space will be more flexible with better floor to ceiling heights, however the existing space was originally built as office accommodation and is still fit for purpose. Furthermore it is partly occupied and could be particularly attractive to Small and Medium sized Enterprises (SME's) who tend to favour this central London location. A net loss of 370sqm of office accommodation does not comply with Policy and would not be supported by officers. It is also important to note that members of the Development Control committee are very concerned about the loss of office space in the Borough and to that end I would encourage you to incorporate an additional floor of office accommodation in to your scheme. You have mentioned the scheme at 73-75 Charlotte St in your documentation and it is worth noting that the office space was fully re-provided in this scheme.

Finally, assurance that the purpose built space at basement level could be used by another occupier if the intended applicant were to vacate the site, would be required in the event of any submission.

#### Loss of garage:

The existing garage is in constant use by a motorcycle repair company and this facility would be re-provided in the new scheme. It would be good to know what will happen to this business during construction and if any arrangements have been made to find an alternative site for the duration.

#### Creation of residential units

Loss of office use aside, the principle of providing residential accommodation at the site would be supported by policies CS6 and DP2.

#### Mix

Policy DP5 seeks to provide a range of unit sizes to meet demand across the borough. In order to define what kind of mix should be provided within residential schemes, Policy DP5 includes a Dwelling Size Priority Table. The Council would expect any housing scheme to meet the priorities outlined in the table, or provide robust justification (such as RP requirements) for not providing a mix in line with the table and the requirements outlined in paragraph 5.5 of the supporting text to the policy. The mix proposed as part of this pre-app scheme (4x3 bed flats) is considered to be appropriate as large family sized units are in scarce supply in this area. However one of the flats would be ancillary to the office use and would not be for private sale so effectively the scheme proposes 3x3bed flats.

#### Affordable Housing

Policy DP3 expects all developments with a capacity to provide 10 units or more to make a contribution to affordable housing. DP3 introduces a sliding scale for developments between 10 units and 50 units. The 50% target will operate on a sliding scale for housing developments, subject to the financial viability of the

development, with a norm of 10% for 1,000 sq m (gross) of additional housing and 50% for 5,000 sq m (gross) of additional housing, considered to be sites with capacity of 10 dwellings and 50 dwellings respectively. However, at 607sqm the development is not large enough to require a contribution to affordable housing.

### Lifetime Homes and Wheelchair Housing

All units should meet lifetime homes standards. This should be demonstrated in the submission by way of a Lifetimes Homes Assessment; it is likely that all of the standards could be met in a conversion scheme such as this and it is noted that a lift has been incorporated into the design but in any event best endeavours should be set out in the assessment.

### Standard of accommodation

All flats would be considered against the standards outlined within the Mayor's London Housing SPG 2012. All units should have good outlook, daylight and sunlight levels, be secure and comply with space standards including space for storage. It appears that the London space standards for 3 bed units (95sqm) have been met and exceeded.

All of the flats would be accessed at ground floor level from Tottenham Mews via a lift or stair core. From the plans submitted it appears that all units, would be dual aspect. However there does not appear to be any refuse or recycling facilities shown.

### **Neighbouring amenity**

It appears that all of the flats would enjoy decent levels of privacy and would not be overlooked but in the event of any application detailed section drawings relating to the new scheme at 73-75 Charlotte St should be submitted in order that a full assessment of the situation at that site can be made.

### **Design**

No objection is raised to the demolition of the building subject to a demolition plan and a suitable replacement which preserves and enhances the conservation area.

It is acknowledged that the corner site at 73-75 Charlotte St is higher than its surroundings but an argument can always be made for a corner site which terminates a terrace however this is not a corner site and needs to sit appropriately within a row of terrace dwellings. Concern was raised at the meeting regarding the top floor structure fronting Charlotte Street and it is recommended that this be reduced in size and no larger than the existing structure at this level. The structure is large and would be visible in long views thereby detracting from the conservation area. It is also considered that the new mews building is too high and needs to be reduced in size by at least one storey – this is consistent with advice given earlier this year. The detailed design of the mews building appears to be very modern and a more traditional mews building is considered to be more appropriate for this site.

### **Basement**

As was mentioned at the meeting, basement developments are extremely contentious in the Borough and a Basement Impact Assessment (BIA) is required for any basement development, along with a Basement Impact Plan which would be secured via S106 agreement.

The basement which is proposed as part of this scheme would need to be justified by way of a Basement Impact Assessment in line with CPG4 (basements). This BIA

would be independently reviewed at the expense of the applicant. It is worth noting at this point that certificate B of the application form would need to be completed if the basement works require a party wall agreement. This is because the works are not being carried out on the applicant's sole land, hence The Town & Country Planning (Development Management) Procedure Order 2010 requires Certificate B to be used.

## **Transport and Highways impacts**

The site has a PTAL value of 6a meaning that access to public transport is considered to be excellent – access to Goodge St and Warren St tube stations are within walking distance.

### Car Parking

Policies CS11 and DP18 seek to minimise the level of car parking provision in new developments and expect all development to be car free in the Central London area. No parking is proposed. The development would be secured as car free via a S106 legal agreement.

### Cycling

From a residential perspective the Council would use TfL's Parking standards that stipulate that a minimum of one space is required for dwellings up to 2 bedrooms. For units with 3 or more bedrooms the standards require the provision of 2 spaces per unit. Therefore 8 spaces would be required for the flats. Additionally, one cycle space is required per 150sqm of office space should be provided – which amounts to 3 more spaces. 11 spaces would be required for this development but none are shown. This needs to be addressed.

*As outlined in CPG7, 'cycle parking needs to be accessible (in that everyone that uses a bike can easily store and remove a bike from the cycle parking) and secure. The route from cycle parking to street level should be step free. Cycle parking inside buildings should be at the entrance level of the building or accessible by a ramp or lift from street level that can accommodate a bike'.*

### Construction Management

DP20 and DP21 seek to protect the safety and operation of the highway network. For some development this may require control over how the development is implemented (including demolition and construction) through a Construction Management Plan (CMP) secured via S106 agreement.

The proposal to demolish and rebuild would be likely to result in a number of construction vehicle movements to and from the site, which would have a significant impact on the local transport network and particularly on Tottenham Mews to the rear – parts of which are also undergoing construction. This is of concern as the site is located in a highly constrained area in regard to transport and in order to manage the construction, a draft Construction Management Plan would be required alongside the submission of the application.

### Other matters

Financial contributions towards public realm improvements and highways works are also generally required and would be secured via a S106 agreement.

## **Sustainability**

Policy DP22 (Promoting sustainable design and construction) states that the Council will require development to incorporate sustainable design and construction measures. All developments are expected to reduce their carbon dioxide emissions by following the steps in the energy hierarchy (be lean, be clean and be green) to

reduce energy consumption. As of 1 October 2013 new developments are expected to achieve a 40% reduction in carbon (see London Plan policy 5.2).

Energy efficient design requires an integrated approach to solar gain, access to daylight, insulation, thermal materials, ventilation, heating and control systems. These should be considered in relation to each other when designing a scheme.

An energy statement should be submitted with an application of this nature which demonstrates how carbon dioxide emissions will be reduced in line with the energy hierarchy. CPG3 - Sustainability provides guidance on what should be included in an energy statement and a contribution would be required if the 40% reduction cannot be achieved. Further details can be found in CPG3- Sustainability.

The new build residential units would be required to meet as a minimum 'Code Level 4' in a Code for Sustainable Homes Assessment. Please see CPG3 – Sustainability for further details.

### **Community Infrastructure Levy**

The development would be subject to the Mayor of London's Crossrail CIL at £50 per sqm of new floorspace (net uplift).

Please be aware that Camden CIL is likely to be adopted by the time any application on this site is considered at committee – March 2015.

### **S106 Contributions**

#### Local community benefits (CS19)

Any residential development will lead to increased pressure on the existing local community facilities within the area, such as the open space, schools, health and leisure uses. As such it is crucial that the development at the very least contributes towards supporting, improving and enhancing existing facilities.

#### **Likely s106 terms (subject to change when Camden CIL adopted in March next year)**

- Car free
- Public Open Space contributions
- Education contributions
- Construction Plans
- CfSH 'level 4' minimum and post construction review
- Energy Statement
- Highways contribution

### **Planning balance and conclusion**

I accept there are clear benefits to this pre-app scheme particularly as the applicant clearly has genuine philanthropic aims in mind. However I am concerned about the net loss of office space in this area, particularly as it is an area which the government have exempted from the Class J permitted development rights. In light of this I would suggest that the ancillary flat at first floor level be used for office accommodation. The design issues I have raised are in line with those raised in a previous pre-app earlier this year and it is advised that the mews building be lowered by one storey and the top structure of the building fronting Charlotte St be reduced in size to prevent it being visible in long views from the public realm.

Details of what you are required to submit to with your application can be found on the Council's website:

<http://www.camden.gov.uk/ccm/navigation/environment/planning-and-built-environment/planning-applications/making-an-application/supporting-documentation--requirements-/>

The site is within the Charlotte Street Conservation Area and the local CAAC can be contacted through Max Neufield or Hugh Cullum at [BCAAC@hughcullum.com](mailto:BCAAC@hughcullum.com) and the Charlotte Street Association can be contacted at [csafitzrovia@yahoo.co.uk](mailto:csafitzrovia@yahoo.co.uk)

This document represents the Council's initial view of your proposals based on the information available to us at this stage. It should not be interpreted as formal confirmation that your application will be acceptable nor can it be held to prejudice formal determination of any planning application we receive from you on this proposal.

Please note that if you (the applicant or their representative) have drafted any notes of the pre-application meeting(s) held with the council you cannot assume that these are agreed unless you have received written confirmation of this from the case officer.

If you have any queries about the above letter or the attached document please do not hesitate to contact **Eimear Heavey** on **020 7974 2949**.

Thank you for using Camden's pre-application advice service and apologies for the delay in getting these comments to you.

Yours sincerely,

Eimear Heavey  
Senior Planning Officer