

Jim Pool
DP9
100 Pall Mall
LONDON SW1Y 5NQ

Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008

Camden Council Planning application No: 2010/6873/P
Applicant: West London and Suburban Property Investments Ltd

GRANT OF FULL PLANNING PERMISSION SUBJECT TO PRIOR WRITTEN CONCLUSION OF A SECTION 106 AGREEMENT

The Mayor of London, as the Local Planning Authority, hereby grants planning permission for the following development, in accordance with the terms of the above mentioned application (which expression shall include the drawings and other documents submitted therewith):

Full application for the creation of additional floorspace through the infilling of the existing courtyard, the extension of the existing basement, seven storey extension to the Chitty Street elevation and the construction of two additional storeys (creating a nine storey building in total with existing buildings to be partially demolished) in association with the existing office use (Use Class B1); the creation of new public open space; change of use from office (B1) to create flexible units at ground and lower ground levels (Class B1, A1 or A3 use); and the change of use and extensions to 67 – 69 Whitfield Street to create 19 residential units (Use Class C3) all to the site bounded by Chitty Street, Charlotte Street, Howland Street and Whitfield Street; erection of two additional floors and partial change of use from office (Class B1) to residential (Class C3) to create 36 residential units; demolition of existing building and erection of a 3 storey residential (Class C3) building at 14 Charlotte Mews.

At: 80 Charlotte Street, 14 Charlotte Mews and 65 Whitfield Street, London W1T 4QP

Defined terms and expressions:

To include:

Use Class – uses referred to in this permission to relate to the Use Classes Order 1987 (as amended)

'Commencement of Development' unless otherwise stated, will exclude demolition site preparation works site remediation works, archaeological investigations, formation of accesses and utility works, but shall otherwise include works to implement this permission.

'Off-site' provision means the provision of affordable housing at Suffolk House.

Subject to the following conditions and reasons for conditions: -

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. Unless otherwise agreed in writing with the relevant planning authority the development hereby permitted shall be carried out in accordance with the following approved plans: P0000; P0001; P0002; P0003; P1000; P1099; P1100; P1101; P1102; P1103; P1104; P1105; P1200; P1201; P1202; P1203; P1204 P1205; P1206; P1207; P1208; P1300; P1301; P1302; P1303; P1304; P1305; P1306; P1307; P1308; P1309; P2099-Rev02; P2100-Rev02; P2101-Rev01; P2102-Rev01; P2103-Rev01; P2104-Rev01; P2105-Rev01; P2106-Rev01; P2107-Rev01; P2108-Rev01; P2109-Rev01; P2200-Rev01; P2201-Rev01; P2202-Rev01; P2203-Rev01; P2204-Rev01; P2205-Rev01; P2206-Rev01; P2207-Rev01; P2300-Rev01; P2301-Rev01; P2302-Rev01; P2303-Rev01; P2304-Rev01; P2305-Rev01; P2400; P2401; P2402; P2403; P2404-Rev01; P2405-Rev01; P2406-Rev01; P2407; P2408; P2409.

Flood Risk Statement (December 2010); Energy Statement (December 2010); Arboricultural Report 10292/A1 (December 2010); Ecological Appraisal (December 2010); Sustainability Statement (December 2010); Air Quality Assessment (December 2010); Contamination Risk Assessment (December 2010); Construction Method Statement (December 2010); Noise, Vibration and External Building Fabric Assessment (6 December 2010); Daylight and Sunlight Report (20 October 2010); Historic Environment Assessment, Buried Heritage Assets (December 2010); PPS4 Retail Assessment (December 2010); Facade Retention and Basement Proposal (December 2010) Design and Access Statement (December 2010); Planning Statement (December 2010); Statement of Community Involvement (December 2010); Townscape, Heritage and Visual Assessment (December 2010); and Transport Assessment (December 2010); and Design and Access Statement Addendum (March 2011), Statement of Community Involvement Addendum (March 2011); Townscape, Heritage and Visual Assessment Addendum (March 2011), PPS5 Addendum and Daylight & Sunlight Addendum (March 2011).

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

3. Notwithstanding the drawings hereby approved, details shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced on the relevant part of the development of the corner detailing to the sixth floor of 67-69 Whitfield Street. These will be in accordance with the details shown [illustratively] on approved drawing P2409 at a scale of no greater than 1:20, and thereafter the development shall not be carried out otherwise than in accordance with the approved details.

Reason: For the avoidance of doubt and in the interest of proper planning and to safeguard the appearance of the premises and the character of the immediate area in

accordance with the requirements of policy CS14 of Camden Council's Core Strategy, policy DP24 and DP25 of Camden Council's Development Policies, and London Plan policies, 7.1, 7.4 and 7.8.

4. 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 Camden Council's Core Strategy, policies DP26 and DP28 of Camden Council's Development Policies, and London Plan policies 7.1, 7.4 and 7.15.

5. Prior to installation details of the proposed cycle storage areas for 226 cycles, including showering and changing facilities, shall be submitted to and approved by the Council. The approved facility shall thereafter be provided in its entirety prior to the first occupation of any of the new units, and thereafter permanently maintained and retained thereafter.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy CS11 of Camden Council's Core Strategy, policy DP17 of Camden Council's Development Policies, and London Plan policy 6.9.

6. No development shall take place until: a) The applicant has submitted a programme of ground investigation for the presence of soil and groundwater contamination and landfill gas for approval by the Council; and b) The investigation has been carried out in accordance with the approved details and the results and remediation measures (if necessary) have been submitted to and approved by the Council. All approved remediation measures shall be implemented strictly in accordance with the approved details. c) All approved remediation measures shall be implemented strictly in accordance with the approved details and a verification report shall be submitted and approved by the Council.

Reason: To protect future occupiers of the development from the possible presence of ground contamination arising in connection with the previous industrial/storage use of the site in accordance with policy CS5 of Camden Council's Core Strategy, policy DP26 of Camden Council's Development Policies, and London Plan policy 5.21.

7. Before the relevant use commences, details of the extract ventilating system and air-conditioning plant shall be provided with acoustic isolation and sound attenuation in accordance with the scheme approved by the Council. The acoustic isolation shall thereafter be maintained in effective order to the reasonable satisfaction of the Local Planning Authority.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policy CS5 of Camden Council's Core Strategy, policies DP26 and DP28 of Camden Council's Development Policies, and London Plan policies 7.1 and 7.4.

8. The A3 use hereby permitted shall not be carried out outside the following times; 0700hrs to 0000hrs.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies CS5 and CS7 of Camden Council's Core Strategy, policy DP26 and DP12 of Camden Council's Development Policies, and London Plan policies 7.1 and 7.4.

9. Before the development is occupied the service bay within the site (excluding the two disabled parking bays) shall be clearly marked out in thermoplastic paint stating "No Parking". Thereafter, at no time shall any goods, vehicles, plant equipment or other obstruction be left in this area and the markings shall be permanently maintained and retained unless prior written consent is given by the Council.

Reason: In order to satisfactorily provide for the turning of vehicles within the site and in the interests of highways and pedestrian safety in accordance with Appendix 6 of Supplementary Planning Guidance, policy CS11 of Camden Council's Core Strategy, policy DP16 of Camden Council's Development Policies, and London Plan policies 6.10 and 6.13.

10. Full details in respect of the green and brown roofs in the areas indicated on the approved roof plan shall be submitted to and approved by the Council before the relevant part of the development commences. The approved details shall be implemented within one year of the completion of the relevant part of the development and shall be permanently retained and maintained thereafter.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies CS13, CS15 and CS16 of Camden Council's Core Strategy, policies DP22, DP23 and DP32 of Camden Council's Development Policies, and London Plan policies 5.10 and 5.11.

11. The details of the following shall be submitted to, and approved in writing by, the Local Planning Authority before any work is commenced on the relevant part of the development.

- a) Shopfronts and office entrances; including sections, elevations and materials
- b) Facing materials of all buildings and details of elevations
- c) Sections and elevation of all roof canopies and brise soleils.
- d) Position, size and means of enclosing all new lightwells.
- e) Design and appearance of all roof areas, including external office atria.

The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Reason: To safeguard the appearance of the site and the character of the immediate area in accordance with the requirements of policy CS14 of Camden Council's Core Strategy, policy DP24 and DP25 Camden Council's Development Policies, and London Plan policies 7.1, 7.4 and 7.8.

12. A sample panel of the facing brickwork demonstrating the proposed colour, texture, face-bond and pointing shall be provided on site and approved by the Council before the relevant parts of the works are commenced and the development shall be carried out in

accordance with the approval given. The sample panel shall be retained on site until the work has been completed.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of Camden Council's Core Strategy, policies DP24 and DP25 of Camden Council's Development Policies, and London Plan policies 7.1, 7.4 and 7.8.

13. Prior to first occupation of the development a plan showing details of bird box locations and types and indication of species to be accommodated shall be submitted to and approved in writing by the local planning authority. The boxes shall be installed in accordance with the approved plans prior to the occupation of the development and thereafter retained and maintained, unless prior written permission is given by the local planning authority for any variation.

Reason: In order to secure appropriate features to conserve and enhance wildlife habitats and biodiversity measures within the development, in accordance with policy CS15 of Camden Council's Core Strategy, and London Plan policies 5.10, 7.19 and 7.21.

14. The lifetime homes features and facilities, as indicated on the drawings and documents hereby approved shall be provided in their entirety prior to the first occupation of any of the new residential units and shall be permanently maintained and retained thereafter.

Reason: To ensure that the internal layout of the building is acceptable with regards to accessibility by future occupiers and their changing needs over time, in accordance with the requirements of policy CS6 of Camden Council's Core Strategy, policy DP6 of Camden Council's Development Policies, and London Plan policies 3.8 and 7.2.

15. Before the relevant work commences details of the design and layout of the roof terraces, including details of any privacy screening, serving the residential units shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall be completed in accordance with the approved details prior to the first occupation of any of the residential units and thereafter maintained as such unless the Local Planning Authority gives written consent to any variation.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policy CS5 of Camden Council's Core Strategy and policy DP26 of Camden Council's Development Policies, and London Plan policies 7.1 and 7.4.

16. Before the commencement of any A3 use, a scheme for the ventilation of and the extraction of fumes from the premises to an adequate outlet level, including details of sound attenuation for any necessary plant shall be submitted to, and approved in writing by, the Council. The development shall not be carried out otherwise than in accordance with any approval given and shall thereafter be maintained in effective order to the reasonable satisfaction of the Local Planning Authority.

Reason: To safeguard the amenities of the premises and the area generally in accordance with the requirements of policies CS5 and CS7 of Camden Council's Core Strategy, policies DP26, DP28 and DP12 of Camden Council's Development Policies, and London Plan policies 7.1, 7.4 and 7.15.

17. The roof terraces serving the B1 office floorspace hereby permitted shall not be accessed outside the following times; 0700hrs to 2100hrs.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policy CS5 of Camden Council's Core Strategy, policy DP26 of Camden Council's Development Policies, and London Plan policy 7.1, 7.4 and 7.15.

18. All work shall be carried out in accordance with the recommendations of the Arboricultural Report 10292/A1 dated December 2010.

Reason: To ensure that the development will not have an adverse effect on existing trees and in order to maintain the character and amenities of the area in accordance with the requirements of policy CS15 of Camden Council's Core Strategy and London Plan policy 7.21.

19. No development shall take place until full details of the park hereby approved, including hard and soft landscaping and means of enclosure have been submitted to and approved by the Local Planning Authority. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved and shall be thereafter maintained and retained as such unless the Local Planning Authority gives written consent to any variation.

Reason: To enable the implementation of the park to ensure a reasonable standard of visual amenity in the scheme in accordance with the requirements of policies CS14 and CS15 of Camden Council's Core Strategy, policies DP24 and DP26 of Camden Council's Development Policies, and London Plan policies 5.10, 7.1, 7.5, 7.6, 7.18 and 7.19.

20. The car parking spaces provided within the development shall be retained and used for no purpose other than for the parking of the vehicles of disabled Blue Badge holders only.

Reason: To ensure that the needs of disabled visitors to the site are provided for in accordance with policy DP29 (Improving access) of Camden Council's Development Policies, and London Plan policies 3.8, 7.2 and 6.13.

In granting permission the local planning authority had regard to the following:

1. The Mayor, acting as the local planning authority, has considered the particular circumstance of these applications against national, regional and local planning policy, relevant supplementary planning guidance and any material planning considerations. He has also had regard to the Camden Council Development Control Committee report of 19 May 2011 and the subsequent draft reasons for refusal. He has found this application acceptable in planning policy terms for the following reasons:

- The application proposes an acceptable quantum and mix of uses on a constrained site within the Central Activities Zone. This application helps facilitate London's attractiveness as an international business location. The scheme accords with London Plan policies 2.10, 2.11, 4.2, and 4.3. At the local level, the scheme accords with policies CS3, CS8 and CS6 of the Council's Core Strategy, and policy DP1 of the Council's Development Policies.
- The application proposes a significant quantum of much needed new affordable housing that will help to achieve Camden Council's annual affordable housing targets, and the Mayor's Londonwide annual housing targets. The scheme accords with London Plan policies 3.12 and

3.11. At the local level, the scheme accords with policy CS6 of the Council's Core Strategy, and policy DP3 of the Council's Development Policies.

- This application will increase trip generation both to this site and within the Central London Activities Zone as a whole. To mitigate any transport capacity impacts an appropriate financial contribution has been secured to assist in the delivery of Crossrail. This contribution has been secured in line with London Plan policies 6.5 and 8.2, and the London Plan Supplementary Planning Guidance *'Use of planning obligations in the funding of Crossrail'*. At the local level, the scheme accords with policy CS5 of the Council's Core Strategy, and policy DP16 of the Council's Development Policies.
- The buildings achieve a high quality design that complements the existing buildings in the area. The buildings preserve the existing character, and do not adversely impact on the setting, of the Charlotte Street Conservation Area. The scheme accords with London Plan policies 7.1, 7.2, 7.3, 7.4, 7.5, 7.6 and 7.8. At the local level, the scheme accords with policy CS14 of the Council's Core Strategy, and policies DP24 and DP25 of the Council's Development Policies.
- The proposed buildings will not impact on the viewing corridor of the London Panorama from Parliament Hill to the Palace of Westminster (assessment points 2A.2 and 2B.1), designated a strategic view, and defined within the London View Management Framework. The scheme accords with London Plan policy 7.12, and policy DP24 of the Council's Development Policies.
- The application includes a publicly accessible area of open space that would benefit existing and proposed residents, workers and visitors, in an area identified as deficient in public open space. The scheme accords with London Plan policies 5.10, 7.1, 7.5, 7.6, 7.18 and 7.19. At the local level, the scheme accords with policy CS15 of the Council's Core Strategy, and policy DP31 of the Council's Development Policies.
- The application does not cause unacceptable harm to the adjacent properties in terms of visual privacy and overlooking; overshadowing and outlook; sunlight, daylight and artificial light levels; noise and vibration levels; odour, fumes and dust; and microclimate. The scheme accords with London Plan policies 7.1, 7.4, 7.6, and 7.15, and policy DP26 of the Council's Development Policies.
- The quality of the proposed residential units is acceptable and is in line with London Plan policy 3.5, and the London Plan draft interim Housing Supplementary Planning Guidance, and policy DP26 of the Council's Development Policies.
- The application includes adequate provision for on-site play and recreation that will meet the needs of the expected child population. The scheme accords with London Plan policy 3.6, London Plan Supplementary Planning Guidance *'Providing for children and young people's play and informal recreation'*, and policy DP26 of the Council's Development Policies.
- The application proposes fully accessible buildings, with 100% Lifetime Homes, 10% wheelchair accessible homes, and Blue Badge car parking for the commercial and office element. The inclusive design and access arrangements for this application accord with London Plan policies 3.8 and 7.2. At the local level, the scheme accords with policy DP6 of the Council's Development Policies.

- The energy and sustainability strategies for this application have been prepared in line with the Mayor's energy hierarchy, and London Plan policies 5.2, 5.3, 5.6, 5.7, 5.9, 5.10, 5.11, 5.13, 5.14, 5.15 and 5.17. At the local level, the scheme accords with policy CS13 of the Council's Core Strategy, and policy DP22 of the Council's Development Policies.
- Appropriate financial contributions have been secured, through a section 106 agreement, towards the provision of education and community facilities, in line with London Plan policy 3.16, policy CS10 of the Council's Core Strategy, policy DP15 of the Council's Development Policies, and Camden's Planning Guidance, which all seek to secure contributions towards social infrastructure required to facilitate the proposed development and acceptably mitigate any impacts.
- A local employment and procurement strategy has been secured, through a section 106 agreement, to support the recruitment of local residents to jobs created during the construction of the development, including five construction industry apprenticeships, and the use of local businesses in the supply of goods and services during construction. This will benefit existing residents within the borough. The scheme accords with London Plan policy 4.12, and policy CS8 of the Council's Core Strategy.
- To adequately address the impact of the development on transport capacity, a business and residential travel plan, a servicing and delivery management plan, and a construction management plan have been secured, through a section 106 agreement. This scheme accords with London Plan policy 6.3, and policy DP20 of the Council's Development Policies.
- To prevent excessive parking provision, and to promote cycling, walking and public transport use, the residential element of the proposal is car free, and the commercial and office element has two car parking spaces, both of which are restricted for sole use by Blue Badge holders. This scheme accords with London Plan policy 6.13. At the local level, the scheme accords policy CS11 of the Council's Core Strategy, and DP18 of the Council's Development Policies.
- To promote cycling, the application includes 226 cycle parking spaces, which are secured through a section 106 agreement. This accords with London Plan policy 6.9, and policy DP18 of the Council's Development Policies.
- To deliver improvements to the pedestrian environment and pedestrian wayfinding, and to mitigate any impacts of the development on the quality of the existing pedestrian environment, a financial contribution has been secured towards pedestrian and streetscape improvements, to include the provision of Legible London map posts, and a financial contribution towards local highway improvements. Both of these contributions are secured through a section 106 agreement. This scheme accords with London Plan policy 6.10, and Policy DP17 of the Council's Development Policies.
- There are no, or insufficient, grounds to withhold planning consent on the basis of the policies considered and other material planning considerations.

Informatives

- It should be noted that there is a separate legal agreement which relates to the development for which this permission is granted.
- The proposal may be subject to control under the Building Regulations and/or the London Building Acts which cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. The applicant is advised to consult the Council's building control service in this regard.
- If a revision to the postal address becomes necessary as a result of this development, application under Part 2 of the London Building Acts (Amendment) 1939 will be required to the Council's records and information team.
- Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. The applicant 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.
- The correct street number or number and name must be displayed permanently on the premises in accordance with regulations made under Section 12 of the London Building (Amendments) Act 1939.

Signed



Fiona Fletcher-Smith
Executive Director of Development & Environment

Notes:

This is a planning permission only. It does not convey any approval or consent that may be required under Building Regulations or any other enactment.

Further to the guidance set out in paragraph 5.38 of the GOL Circular 1/2008 the Mayor has agreed with Camden Council that Camden Council will be responsible for the decision on all subsequent approval of details pursuant to conditions set out in this decision notice.