

<b>Address:</b>	Cambridge House 373-375 Euston Road London NW1 3AR		<b>1</b>
<b>Application Number:</b>	2014/0603/P	<b>Officer:</b> Eimear Heavey	
<b>Ward:</b>	Bloomsbury		
<b>Date Received:</b>	24/01/2014		
<b>Proposal:</b> Change of use from offices (Class B1a) & car showroom (Sui Generis) uses to provide flexible B1 space at basement and ground floor levels, and 16 residential units on upper floors, including extension to create 4 <sup>th</sup> , 5th & 6th floors and recladding of the building.			
<b>Drawing Numbers:</b> Os plan; Existing drawings: A2413-101; 102; 103; 104; 105; 111; 112; 113; Proposed drawings: A2413-221; 222; 223; 224; 225; 300; 400; 401; 402; Sustainability Statement by Hoare Lea dated 20th Jan 2014; Energy Strategy by Hoare Lea dated 20th Jan 2014; Affordable Housing Statement by DS2 dated 20th Jan 2014; Daylight/sunlight Report by Brooke Vincent dated 20th Jan 2014; Acoustic Assessment by Hoare Lea dated 20th Jan 2014; Air Quality Assessment by Environ dated 20th Jan 2014; Transport Statement by Motion dated 20th Jan 2014; Tree Survey by Arbtech Consulting dated 20th Jan 2014 and Arboricultural Development Report by Arbtech Consulting dated 20th Jan 2014.			
<b>RECOMMENDATION SUMMARY:</b> Grant conditional Planning Permission subject to S106 legal agreement			
<b>Applicant:</b>		<b>Agent:</b>	
S2 Estates c/o Agent		Quod Ingeni Building 17 Broadwick Street LONDON W1F 0AX	

### ANALYSIS INFORMATION

Land Use Details:			
	Use Class	Use Description	Floorspace
Existing (GEA)	<i>B1a (Offices)</i>		<i>908m<sup>2</sup></i>
	<i>Sui Generis (car showroom)</i>		<i>659m<sup>2</sup></i>
Proposed (GEA)	<i>B1 Business</i>		<i>393m<sup>2</sup></i>
	<i>C3 Dwelling House</i>		<i>2,033m<sup>2</sup></i>

Residential Use Details:										
	Residential Type	No. of Habitable Rooms per Unit								
		1	2	3	4	5	6	7	8	9+
Existing	N/A									
Proposed	Flat/maisonette	6	7	3						

	(16 in total)								
--	---------------	--	--	--	--	--	--	--	--

Parking Details:		
	Parking Spaces (General)	Parking Spaces (Disabled)
Existing	5 (in basement)	0
Proposed	0	0

## OFFICERS' REPORT

**Reason for Referral to Committee:** The application is reported to Development control Committee as it is a Major application involving the creation of more than 10 residential units [Clause 3(i)].

### 1. SITE

- 1.1 The application site comprises an existing 4 storey plus basement building situated on the corner of Euston Road and Cleveland Street with the rear of the building facing Warren Street. The footprint of the building covers the entire site. There are two accesses at ground floor level serving the offices and the car showroom whilst a vehicle access to the rear serves the basement car parking.
- 1.2 The building is vacant but the upper floors were last used as offices (B1a) with the ground and basement floors previously used as a car showroom (sui-generis). The site is located within the Central Activities Zone (CAZ) and is within the Central London Area.
- 1.3 The building is not listed nor is it located within a Conservation Area, it is however located close to the boundary of the Fitzroy Square Conservation Area. The site is close to a number of tube stations and bus routes and as such benefits from a Public Transport Accessibility Level (PTAL) of 6b (excellent).
- 1.4 The site is also covered by the recently adopted Fitzrovia Area Action Plan.

### 2. THE PROPOSAL

- 2.1 Planning permission is sought for the change of use of the existing building from part office use (B1a use class) and part car showroom (sui-generis) to create 16 residential units on the upper floors along with the retention of 393sqm of commercial B1 office space at ground and basement floors.
- 2.2 The scheme will involve the removal of all of the external walls thereby leaving the existing floor plates in place and facilitating the entire re-cladding of the building envelope. An extension is proposed at 4<sup>th</sup>, 5<sup>th</sup> and 6<sup>th</sup> floor levels over part of the building with the building then stepping down along the Cleveland Street elevation towards the Warren Street end where the existing parapet height will be retained. A more traditional mansard roof extension is proposed along this elevation which will be concealed behind the parapet.

- 2.3 The extension has been specifically designed so as not to exceed the height of no. 365 Euston Road which is the tallest building in this block. The 4<sup>th</sup> floor extension will cover the entire footprint of the building with the 5th floor extension reducing to approximately half of the footprint of the building and a brown roof covering the remainder. At 6<sup>th</sup> floor (roof level) level, the extension will be set back behind a parapet, similar in style to that of 365 Euston Road.
- 2.4 Winter gardens are proposed from first to fifth floor levels at the Euston Road/Cleveland Street corner of the building. Access to the new residential accommodation will be from the Warren Street elevation whilst the commercial units will have entrances off both Euston Road and Cleveland Street. A replacement commercial frontage at ground floor level is also proposed along with new fenestration.

### **Revisions**

- 2.5 The application originally proposed flexible A1/A2/A3/B1 use at basement and ground floor levels. However following officer advice the A1/A2/A3 elements were removed from the scheme and the basement and ground floor levels will now be designated B1 office use.

## **3. RELEVANT HISTORY**

- 3.1 PS9604170R1 – Planning permission was *granted* in February 1997 for the erection of a roof extension at fourth floor level incorporating a mezzanine upper level and rear plant for office use.
- 3.2 PS9604313 – Planning permission was *granted* in February 1997 for alterations to the entrance to the upper floors on Euston Road comprising new entrance doors, new elevational treatment and erection of a glazed canopy.
- 3.3 PSX0105014 – Planning permission was *granted* in November 2001 for erection of roof extension at fourth floor level incorporating a mezzanine upper level and rear plant for office use.
- 3.4 PSX0105244 – Planning permission was *refused* in April 2002 for the erection of roof extension (4th floor level), incorporating a mezzanine upper floor level for office use and installation of plant at roof level.

Reason for refusal was: *The proposed roof extension would detrimentally increase the bulk, mass and form of the building and would result in the extension being an unduly dominant feature within the street scene. Furthermore the construction of the extension would result in a sheer elevation to Cleveland Street and Warren Street, which would be detrimental to the visual amenities of the views from the adjoining conservation area.*

*Note: This decision was subsequently allowed on appeal in December 2002.*

## **4. CONSULTATIONS**

4.1 **Transport for London (TfL)** – response received 13th March 2014. No objection subject to the following informatives:

1. Any object/ fixture of the proposal which over-sails the TLRN public highway footway of A501 Euston Road would be subject s177 licence application to TfL.
2. The submission and implementation of a delivery & servicing plan for both the commercial and residential part of the building should be secured, and be submitted for local authority's approval prior to occupation of the site. All servicing to the proposed development must be undertaken away from Euston Road at all times.
3. A construction management plan (CMP) and Construction Logistics Plan (CLP) must be submitted for local authority and TfL's approval prior to construction commences on site. The implementation and submission of these plans should be secured by condition. The CLP should be produced in accordance with the latest TfL guidance for CLP. TfL requests all construction vehicles must load/ unload/ park/ pick up/ drop off away from Euston Road at all times. Construction vehicles movements should be carefully co-ordinated and planned to take place outside 7-10am and 4-7pm on weekdays to minimise highway and traffic impact.
4. A full tree protection plan should be submitted and approved by TfL prior to construction commences on site, this should be secured by condition. TfL may prosecute or seek a significant amount of compensation if any tree/ plants on Euston Road have been found damaged or tampered with without written prior authorisation from TfL.
5. No construction materials/ skip shall be kept on the footway/ carriageway of A501 Euston Road at all times.
6. The applicant is required to enter into a s278 Agreement under Highways Act 1980 for making good/ renew the footway along the site's frontage on A501 Euston Road; this should be secured by condition/ s106 Agreement.
7. The proposed development is within the Crossrail SPG Central Charging Area, therefore the local authority should secure the correct level of contribution under s106 agreement.
8. The footway and carriageway on A501 Euston Road must not be blocked during the installation and maintenance of the proposal. Temporary obstruction during the installation must be kept to a minimum and should not encroach on the clear space needed to provide safe passage for pedestrian, or obstruct the flow of traffic on the TLRN.

4.2 **Westminster City Council** (adjoining Borough) – no response to date.

## **Adjoining Occupiers**

<i>Number of letters sent</i>	6
<i>Total number of responses received</i>	2
<i>Number of electronic responses</i>	0
<i>Number in support</i>	0
<i>Number of objections</i>	2

4.3 A *site notice* was displayed from 26/02/2014 until 19/03/2014 and a notice was placed in the CNJ on 27/02/2014. 2 Letters of objection were received from the freeholders and from the tenants of 37/38 Warren Street, adjacent to the application site. The main concerns are outlined below:

- The building has not come to the end of its life as offices; whilst we agree that the space is not Grade A there is strong demand for this type of space in the area;
- The height of the extension will impact on daylight and sunlight levels, particularly on the 4<sup>th</sup> floor which is used as a boardroom and directors office;
- Rights to light will be infringed;
- Physical damage to party walls; and
- Disruption to 115 staff due to potential construction works, productivity will decline;

## **5. POLICIES**

### **5.1 National Planning Policy Framework (2012)**

### **5.2 The London Plan (2011)(as amended 2013)**

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

#### LDF Core Strategy

CS1 Distribution of growth

CS3 Other highly accessible areas

CS5 Managing the impact of growth and development

CS6 Providing quality homes

CS8 Promoting a successful and inclusive Camden economy

CS9 Achieving a successful Central London

CS10 Supporting community facilities and services

CS11 Promoting sustainable and efficient travel

CS13 Tackling climate change through promoting higher environmental standards

CS14 Promoting high quality places and conserving our heritage

CS15 Protecting and Improving our Parks and Open Spaces & encouraging

Biodiversity

CS18 Dealing with out waste and encouraging recycling

CS19 Delivering and monitoring the Core Strategy

#### LDF Development Policies

DP1 Mixed use development

DP2 Making full use of Camden's capacity for housing

DP3 Contributions to the supply of affordable housing

DP5 Homes of different sizes  
 DP6 Lifetimes Homes and Wheelchair Housing  
 DP13 Employment sites and premises  
 DP15 Community and leisure uses  
 DP16 The transport implications of development  
 DP17 Walking, Cycling and public transport  
 DP18 Parking standards and limiting the availability of car parking  
 DP20 Movement of goods and materials  
 DP21 Development connecting to the highway network  
 DP22 Promoting Sustainable Design and Construction  
 DP23 Water  
 DP24 Securing High Quality Design  
 DP25 Conserving Camden's Heritage  
 DP26 Managing the impact of development on occupiers and neighbours  
 DP28 Noise and vibration  
 DP29 Improving access  
 DP30 Shopfronts  
 DP31 Provision of, and improvements to, open space and outdoor sport and recreation facilities  
 DP32 Air quality and Camden's Clear Zone

- 5.4 **Supplementary Planning Guidance**  
Camden Planning Guidance (2011 (as amended 2013))  
 CPG1 Design  
 CPG2 Housing  
 CPG3 Sustainability  
 CPG5 Town centres, retail and employment  
 CPG6 Amenity  
 CPG7 Transport  
 CPG8 Planning obligations

**Fitzrovia Area Action Plan** (Adopted March 2014).

## 6. **ASSESSMENT**

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

- Land Use;
- Mix and quality of proposed housing;
- Affordable housing;
- Design;
- Amenity;
- Transport;
- Sustainability;
- Waste;
- Planning obligations;
- Trees and biodiversity;
- Other matters.

## Land Use

- 6.2 As set out in Policy DP13, the Council will retain buildings that are suitable for continued business use and will resist a change to non-business use, unless it can be demonstrated that a site or building is no longer suitable for its existing business use and there is evidence that the possibility of retaining, reusing or redeveloping the building for similar or alternative business uses has been fully explored over an appropriate time period. However, when it is demonstrated that a site is not suitable for any use other than B1(a) offices, the Council *may* allow a change to permanent residential. Additionally, the recently adopted Fitzrovia Area Action Plan seeks to ensure that existing business premises suitable for small and medium enterprises (SMEs) are retained. The Council will principally seek to maintain a supply of premises that can provide lettings of less than 100sq m.
- 6.3 The building was previously used as office accommodation on the upper floors (first to third floors) whilst the ground and basement floors were used as a car showroom (sui-generis). There is no protection for sui-generis uses within the policies of Camden's LDF but a loss of office accommodation, particularly within the Central Activities Zone (CAZ), requires strict adherence to Policy DP13.
- 6.4 The applicants have submitted a 'Commercial Floorspace Assessment' which seeks to justify the loss of the employment floorspace. This assessment addresses Policy DP13 along with each of the criteria set out at para 13.3. The assessment also responds to para 7.4 of CPG5 (Town Centres Retail and employment). With respect to the criteria set out in paragraph 13.3, it is noted that the site is not located within the designated Industry Area and due to its location on the Euston Road it is not considered to be suitable for large scale general industry and warehousing; nor is the site located close to other industry and warehousing businesses. Additionally, given the constrained relationship between the site and its neighbouring properties, along with the servicing limitations it is not considered to be suitable for light industry and local distribution. It is noted that the rear of the site backs on to Warren Street, quite a narrow street (less than 8m wide) thereby restricting the size of vehicle that would be required to serve a distribution or warehouse type business.
- 6.5 In terms of accessibility, the site benefits from excellent transport links, being close to a number of tube stations and bus routes and has a PTAL level of 6b (excellent). The site is also located along a Red Route and lies in close proximity to the Strategic Road Network. There is existing car parking located in the basement which is accessed via a car lift but this is associated with the car showroom use and not the office use on the upper floors. Although it is acknowledged that the proximity to transport links is suited to business use it is also extremely beneficial for residential uses.
- 6.6 The potential for on-site vehicle space for servicing is limited. The site backs on to a one way route adjacent to a TFL red route which prohibits regular unobstructed commercial servicing to the site. The premises are not considered to be in an entirely un-usable state for office use but they are certainly dated and in need of significant investment to bring them up to a more modern standard. With this in mind the applicants have provided a report undertaken by GLHearn surveyors

which outlines that the cost of a Category A office refurbishment would be in the region of £800K. It is noted that this cost relates to the upper floors only, the basement and ground floors were not included in this analysis. In light of this evidence it is considered the building is not in a reasonable condition to allow the use to continue without significant financial investment to bring it up to a standard suitable to let out to third parties.

- 6.7 Furthermore, given that each floor plate is approximately 250sqm, the premises would require further investment to ensure the floors could be divided up to meet Small and Medium sized business (SME's) requirements of less than 100sqm. The final point in terms of para 13.3 relates to the nature of nearby land uses; there is a mix of uses close to the application site, comprising commercial, offices, retail and residential; therefore it is considered that the loss of office space to residential would not be out of place here.
- 6.8 With regards to the demand for office accommodation within the surrounding area, the applicant has provided a plan and schedule of available office accommodation within Fitzrovia as an appendix to the 'Commercial Floorspace Assessment'. This ranges from small office accommodation to larger floor plates demonstrating that there is a wide range of office accommodation within the surrounding area to meet the needs of both small and larger businesses.
- 6.9 In light of the above, it is evident that the applicants have adequately addressed all of the criteria set out in para 13.3 of Policy DP13 and due to the constraints of the site and the financial investment required in the premises, there is little potential for the business use to continue at this site or for it to be redeveloped for a similar use.
- 6.10 Notwithstanding this, Para 7.4 of CPG5 is also relevant when assessing the loss of employment floorspace and it lists a number of considerations which need to be taken into consideration when proposing a non-business use. In answering this criteria, it is acknowledged that the premises is old and in need of significant investment to bring it up to modern standard; the applicants have submitted information detailing the available office space in the area and it is accepted that the premises does not convert to a range of unit sizes which would appeal to SME's. CPG5 goes on to state that if it is difficult to make an assessment using this criteria then marketing information may be required.
- 6.11 In response to CPG5 and at the request of officers, the applicants have submitted a marketing report which shows that the building has been marketed consistently for a period of 18 months and that it was marketed at a realistic price of £25per sqft. The marketing information which was initially submitted with the application did not detail any viewings from August 2012 onwards but this was an omission and this information has since been supplied and is considered to be acceptable. The viewing schedule is comprehensive and lists dates of viewings, the company viewing the accommodation and comments. It is evident that the accommodation has been marketed in various forms including on a floor by floor basis along with the potential for a single tenant to occupy the entire building. Various different reasons are given for companies not taking the accommodation but nevertheless it is clear that the marketing exercise was robust and was undertaken over a



prolonged period of time and reasonable rates sought, in line with para 13.5 of DP13.

- 6.12 It is considered that the justification provided by the applicant, is sufficiently thorough for the Council to be satisfied that the building is no longer suitable for its continued business use and that Policy DP13 has been complied with. The standard of the existing office accommodation and the constraints of the site along with the investment that would be required to bring it up to modern standard make it unsuitable for continued business use. On balance, the detailed analysis provided in respect of all other points of the policy is sufficient to justify the proposed change of use. Additionally, it is noted that the development would retain 393sqm GEA (319sqm NIA) of upgraded commercial B1 floorspace at basement and ground floor levels and this is welcomed.
- 6.13 The applicant has demonstrated that the existing building is not able to operate in any use other than B1(a) and to do this would require significant investment to bring it up to a suitable modern standard in order to attract tenants. In respect of the proposed use of the first to fourth floors as residential, Policy CS6 seeks to maximise the supply of additional homes within the borough. The conversion of part of the building to residential use would be compliant with CS6 subject to compliance with other policies relating to mix and the standard of accommodation provided.
- 6.14 The application originally proposed flexible A1/A2/A3/B1 use at ground and basement levels, the proposal would result in one unit with a total floor area of 319sqm. However following officer advice the A1/A2/A3 elements were removed from the scheme and the basement and ground floor levels will now be designated B1 office use; this is welcomed.

#### **Mix and quality of proposed housing**

- 6.15 The application proposes a total of 16 units incorporating a mix of 6 x 1 beds; 7 x 2 beds and 3 x 3 beds. Policy DP5 seeks the provision of at least 40% of market units to contain 2 bed homes, which are in very high demand. The proposed development would provide 43% 2 bed units, thereby complying with Policy DP5. There is also the provision of 3 x three bed units for which there is a medium demand for market housing. As such the development as a whole would fulfil the requirements of DP5 and no objection is raised to the proposed mix of units.
- 6.16 Residential development standards are outlined in Camden Planning Guidance (CPG2) which requires certain floorspace sizes to be incorporated into new residential development. The London Plan minimum space standards are higher than those set out in the Camden CPG. The following table sets out the proposed flat sizes against both sets of space standards:

<b>Proposed flat sizes</b>	<b>Camden CPG</b>	<b>London Plan standards</b>
<b>1 beds - minimum 50sqm</b>	32sqm	50sqm/1b 2person
<b>2 beds – minimum 70sqm</b>	48sqm	70sqm/2b 4person
<b>3 beds – minimum 90sqm</b>	61sqm	86sqm/3b 5person

- 6.17 As can be seen from the above table the proposed units exceed of the requirements set out in Camden Planning Guidance and those set out in the London Plan. The proposed units will have good levels of outlook and will all receive adequate natural light and ventilation; with 12 of the 16 flats benefitting from either a balcony or winter garden.
- 6.18 Policy DP6 requires all new homes to comply with 'Lifetime Homes' criteria and states that 10% of homes developed should either meet wheelchair housing standards or be easily adaptable to meet them. The applicant has submitted a Lifetime Homes Assessment which indicates that all of the relevant criteria will be met. This assessment has been reviewed by the Councils access officer who agrees that relevant lifetime homes will be met. The applicants have also stated that 4 dwellings have been identified as easily adaptable for wheelchair users – these are the 2-bed duplex units close to the stair core and lift. However, to enable these to be accessible and in order that standards are achieved, several walls and doors would need to be relocated. Para 6.8 of Policy DP6 indicates that the units 'should be laid out to provide all the necessary circulation space within and between rooms, including bathrooms and toilets, as subsequent changes to these arrangements can be costly and difficult.' The applicant has been advised that the wheelchair adaptable aspects should be achieved from the outset and as the scheme requires 1 wheelchair unit to be secured, a condition will be added requesting details of a revised layout showing this unit.

### **Affordable Housing**

- 6.19 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 operates on a sliding scale for housing developments, subject to the financial viability of the development, with a norm of 10% for 1,000 sqm (gross) of additional housing and 50% for 5,000 sqm (gross) of additional housing, considered to be sites with capacity of 10 dwellings and 50 dwellings respectively.
- 6.20 This proposal provides 2,033sqm GEA residential floorspace and as such a 20% contribution towards affordable housing would be required. In line with the requirements of the policy, the provision of affordable housing is expected on site, but where this cannot be practically achieved the Council may accept off site affordable housing or exceptionally a payment in –lieu. It is noted that Policy DP3, and CPG2 accept that off-site solutions will be necessary where it is not practical to include affordable housing within a market development, particularly where the development is relatively small (up to 3,500sqm).
- 6.21 Following pre-application advice, the applicants have submitted an 'Affordable Housing Statement' which has been reviewed by the Councils housing team. This document outlines that it would not be practical to provide affordable housing on site due to the fact that proposed building has one core which is likely to be unattractive to Registered Providers (RP) looking to take on three units within the development; mainly because they would have no control over the maintenance and servicing charges which would apply. The statement outlines that to design two cores, one for each tenure of housing in a scheme of this size would be detrimental

to the viability of the overall scheme. Furthermore, the option of creating units to the rear of the building with its own access off the street has also been explored, however, this would not provide good quality residential floorspace with the maximum unit size being 35sqm (considerably less than the 50sqm minimum set out in the London Plan) and it would face directly onto Warren Street with no defensible space. The creation of a unit in this location would also result in a reduction in the size of the commercial space.

- 6.22 The applicants have also looked into shared ownership onsite as this type of tenure would not require a separate access core; however it is stated that the issue of shared service charging would still come into play. Once the preliminary charges are factored into the household affordability calculations it results in potential residents being required to spend a disproportionate amount of their household income on meeting service charges thereby rendering even the smallest homes being unviable for purchasers at the top end of the GLA affordability spectrum. The units would therefore not be affordable and this option has not been progressed.
- 6.23 The submitted assessment also sets out a response from 'a local RP' who stated that there were too few units being provided in this scheme for it to be an attractive prospect and given the inability to control service charging and maintenance costs independently from the market units made the prospect even less attractive. It is therefore considered that the applicant has fully justified the absence of affordable housing on site.
- 6.24 Following on from the on-site options, the assessment outlines that the applicant does not have any other sites in their ownership within the vicinity of the application site which could accommodate affordable housing units and therefore the off-site option would not result in affordable housing being delivered in the short or medium term. In light of this it is considered that an affordable housing payment in lieu would be acceptable in this instance.
- 6.25 CPG2 and Para 6.9 of CPG8 sets out the details for calculating the affordable housing contribution based on Gross External Area (GEA). This amounts to a 20% requirement based on 2,033sqm of floorspace (sliding scale). It is noted that the applicants have calculated the contribution using NIA which is not in line with CPG. The calculation for the proposed payment in lieu is set out as follows:

$$\begin{aligned} 2033\text{sqm} \times 20\% &= 406\text{sqm affordable housing contribution} \\ 406\text{sqm} \times \text{£}2,650 \text{ per sqm} &= \text{£}1,075,900 \end{aligned}$$

- 6.27 This amount of £1,075,900 is significantly more than the £371,000 set out in the applicants Affordable Housing Assessment but this is due to the NIA floorspace being used as opposed to the GEA floorspace. The revised amount will be secured via the S106 legal agreement.

### **Design**

- 6.28 Policies CS14 and DP24 seek to ensure all development is of the highest quality design and considers the character, setting, context and form of neighbouring buildings.

- 6.29 The application is seeking to remodel the frontage of the building. The existing fabric is dated and of no intrinsic architectural or historic merit and no objection is raised to its removal. The re-cladding will take a contemporary approach with a red brick façade to the Euston Road end of the building along with the introduction of winter gardens at 1<sup>st</sup> to 5<sup>th</sup> floor levels. London Stock brick will be used on the façade to the southern end of the building where the access to the residential accommodation will be incorporated. The new upper floors on the northern end of the building will be clad in zinc whilst the mansard roof on the southern end of the building will be clad in anodised aluminium panels. At ground floor level it is proposed to have full height glazing along both the Euston Road and Cleveland Street elevation which incorporate access to the commercial unit. The fenestration treatment within the building retains a similar proportion throughout thereby allowing the building to read as one even though it will have different façade treatments. In overall terms, the use of good quality materials and a more contemporary approach is considered an enhancement over and above the existing unexceptional and bland office frontage. A condition will be placed on the permission requesting a sample panel of the materials to be used.
- 6.30 It is noted that a fourth storey extension to the application site was granted on appeal in December 2002 but was never implemented. The proposed extension on the upper floors (4<sup>th</sup>, 5<sup>th</sup> and 6<sup>th</sup> floors) has been designed specifically to relate to No. 365 Euston Road at the end of the block. The proposed extension will be no higher than this property and will incorporate a set-back roof level similar in style to that on 365 Euston Road. The building will then step down along the Cleveland Street elevation towards the Euston Road end where it will retain the existing parapet height and also retain views of the BT Tower. A change in façade treatment along with the introduction of balconies on the Cleveland Street elevation will ensure that this change in building height is not overly dominant on the streetscene. Although it is accepted that the building will be altered significantly as a result of the proposal, it is not considered to be harmful to the overall character of the building and the additional bulk has been sensitively designed.
- 6.31 In light of the above, the proposal is considered acceptable and in accordance with the relevant policies and design guidance.

### **Amenity**

- 6.32 In terms of the amenity for future occupiers, the residential units would be located at first floor level and above, with all rooms being served by suitable sized windows to ensure each receives a good level of daylight and sunlight. Living rooms will benefit from Southern and Western aspects thereby adhering to the London Plan baseline standards that no single aspect flat faces within 45 degrees north. The applicant has submitted a daylight and sunlight assessment to demonstrate that each room will meet the standard set out within the BRE guidance and to ensure that no neighbouring properties will be detrimentally impacted upon as a result of the development.
- 6.33 Objections have been received from the freeholders and tenants of 37/38 Warren Street regarding loss of daylight and sunlight, particularly to the 4<sup>th</sup> floor of their

building. However it is noted that there will be no detrimental impact on this property as a result of the proposed development and in any case offices are not afforded the same level of protection in terms of daylight/sunlight as habitable accommodation. Furthermore, the objection raises issues of rights of light. A right to light can come into existence if it has been enjoyed uninterrupted for 20 years or more. Planning permission does not override a legal right to light, however where a right to light is claimed this is a matter of property rather than planning law.

- 6.34 With regards to the impact on outlook for neighbouring properties as a result of the development, it is considered that this will not be an issue, particularly as the roof extensions will be set back behind a parapet and the physical distances between the buildings will not change from the existing situation.
- 6.35 Turning to issues of overlooking and loss of privacy; it is noted that the main extension to the property would be at roof level to the front of the building, extending the existing fourth floor by 2 storeys. Given the siting of this extension the only neighbouring residents with the potential to be affected would be those to the upper levels of No.379 Euston Road, however, this is a commercial premises currently occupied by the BBC and as such is not afforded the same rights as if it were habitable accommodation. Furthermore, it is approx. 8metres from the application site, across a street and as such it is considered that there will be no loss of privacy.
- 6.36 Balconies and winter gardens are also proposed on the corner of the building facing towards no 379 Euston Road, however this is not considered to be problematic as there will be no additional overlooking over and above what is already possible from the existing windows on this elevation. Furthermore, Cleveland Street acts as a physical buffer between these properties and is therefore considered to be sufficient in protecting privacy and preventing overlooking in so far as is possible in central London. Balconies are also proposed to the rear of the building, facing Warren Street, again there wont be any overlooking over and above what is already possible from the rear of the building. The distance from the balconies to the building across the street is approx. 9metres and it is noted that this is also a commercial unit.
- 6.37 With regard to amenity space, 12 of the 16 flats will benefit from either a balcony or winter garden and mainly achieve the London Plan standards of 5sqm per 2 person unit plus 1sqm per additional person. 4 of the units will have no amenity space however this is not considered to be of much concern given that the standard of accommodation would be high and the site is less than 400m from Regents Park thereby the option of amenity space is very close by.
- 6.38 Air quality  
In terms of air quality, the site is located on Euston Road which experiences high levels of air pollution. To mitigate against poor air quality within the proposed residential units, all units would be provided with a heat recovery mechanical ventilation system. This will provide ventilation without the need to open windows and in the summer months the pre-heater will be turned off via a by-pass in the heat exchanger. The air inlet for the system will be sited away as far back from the Euston Road elevation as feasible.

- 6.39 The proposed winter gardens to the Euston Road elevation would also provide improvements to the air quality and noise levels within the amenity area that could not be achieved with a conventional balcony. Furthermore it is noted that the external wall on all facades will be capable of a sound reduction of 50dB, and when taken with specific glazing configurations for the bedroom windows, will ensure that noise levels from the Euston Rd will be mitigated.

#### Noise from plant

- 6.40 Environmental Health officers have confirmed that the proposed plant to be located at fifth floor level meets the target criteria set out in Camden's LDF. The nearest receptors have been identified as the proposed development itself and the existing residential units on Cleveland Street and Warren Street to the rear. During the daytime, the combined building services plant noise emission contribution limit would be 49dB(a), during the evening it would be 46dB(a) whilst at night-time the levels will be no more than 38dB(a). In light of the above, it is considered that the proposed accommodation would be of a good standard for future occupiers and would accord with Policy DP26, DP28 and CPG2.

#### **Transport**

- 6.41 The site is located within an area with a PTAL of 6a with excellent access to public transport.

#### Car parking

The development is not proposing the provision of any off street car parking spaces and will in fact result in the removal of 5 existing car parking spaces from the basement level. In order to ensure there would be no strain on the existing on-street parking a Section 106 agreement will be used to secure the new residential units as car free in accordance with DP18.

#### Cycle parking

- 6.43 Camden's Parking Standards for cycles have now been superseded by the London Plan 2011 standards. For residential units, this requires one storage or parking space per 1-2 bed unit, and two per 3-bed unit. This would equate to 19 spaces for the 16 flats proposed. The development includes an internal room located at basement level, with four Sheffield cycle stands. It is considered the proposed provision is adequate for the number of units. These should be secured by condition.

#### Impact on pedestrian footway

- 6.44 The development proposes winter gardens which project over the footway at first floor level; this will require a Section 177 'over-sailing licence' from TFL. Furthermore, the applicant is required to enter into a Section 106 Agreement in respect of repaving the footway adjacent to the site.

#### Construction Management Plan

- 6.45 The site is located along the Euston Road, a red route which is very busy and is tightly constrained. The proposal will involve significant works due to the removal of the existing building façade along with an extension and re-cladding. A

Construction Management Plan (CMP) along with a demolition plan is required in order to address the issues around how the demolition and construction work will be carried out and how this work will be serviced (e.g. delivery of materials, set down and collection of skips), with the objective of minimising traffic disruption and avoiding dangerous situations for pedestrians and other road users. The CMP should also address concerns raised by neighbouring property 37/38 Warren Street in respect of their business needs during the construction process. TFL have also requested the submission of a Construction Logistics Plan (CLP) prior to commencement of development.

### **Sustainability**

- 6.46 Schemes which require a BREEAM assessment are required to meet a minimum 'Very Good' rating as outlined in LDF Policy DP22. Camden's CPG3 also goes beyond the minimum 'Very Good' score, working towards a score of 'Excellent' With respect to this development, the applicants' have submitted both a BREEAM Domestic Refurbishment (BDR) pre-assessment and a Code for Sustainable Homes (CfSH) pre-assessment. The preliminary BDR for the conversion of the existing parts of the building to residential achieves a score of 71.6% equivalent to 'Excellent', which meets Camden CPG3 requirements and is also in line with Policy DP22. Meanwhile the pre-assessment CfSH report for the new build residential is expected to meet code level 4 with a score of 69.2%, this is also in line with Policy DP22.
- 6.47 Policy CS13 expects all developments to meet the highest feasible environmental standards during construction and occupation and for designs to minimise the carbon emissions by following the energy hierarchy of energy reduction, efficiency and providing renewables. The policy seeks for all developments to provide for the generation of renewable energy on site unless circumstances make this unfeasible. The submitted energy report for this application states that the scheme will result in 42% improvement in carbon emissions (energy efficiency – be lean) and at least 31% of reduction in emissions due to renewable technologies (renewables - be green) and Combined Heat and Power (CHP – be clean). This amounts to a 60% reduction in carbon emissions over and above the existing situation. The energy reductions which are proposed are welcomed and will be secured as a head of term on the S106 agreement.

### **Waste**

- 6.48 The proposed development includes the provision of an internal refuse store at ground floor level; this would measure 15sqm and provides space for six regular sized wheelie bins, with separate accesses for both the residential and commercial aspects of the scheme. The room would be provided with level access to allow the bins to be taken onto the street on the day of collection.

### **Planning Obligations**

- 6.49 Based on the planning obligations formulae set out in CPG6 and CPG8, a public open space contribution of £20,981 is required along with an education contribution of £334,457 and a community facilities contribution of £28,420. Furthermore, and

as set out in para 6.25 above, an affordable housing payment in lieu of £1,075,900 will also be sought.

### **Trees and Biodiversity**

- 6.50 An arboricultural report and tree survey by Arbtech consulting has been submitted which concludes that the tree to the front of the site on Euston Road will not be adversely affected as a result of the proposed development. Furthermore and in line with Policy CS15 a brown roof will be provided at fifth floor level, which is welcomed.

### **Other matters**

- 6.51 The proposal will be liable for the Mayor of London's CIL as the proposal involves additional residential units. Based on the Mayor's CIL charging schedule and the information given on the plans, the charge is likely to be £101,650 (2,033sqm x £50). This will be collected by Camden after the scheme is implemented and could be subject to surcharges for failure to assume liability, for failure to submit a commencement notice and/or for late payment, and subject to indexation in line with the construction costs index. An informative will be attached advising the applicant of this charge.

## **7. CONCLUSION**

- 7.1 The proposed development would provide much needed housing in the borough along with upgraded flexible office accommodation. The applicants have fully justified the loss of the existing office use in terms of DP13 and CPG5. In terms of design, the proposed re-cladding of the building will add a more contemporary look to an unexceptional building. The roof extension will be of similar design to that of 365 Euston Road and will be no higher than this building. The scheme is sympathetic to its surroundings and will afford good levels of amenity to future occupiers whilst also protecting the amenity of existing neighbouring properties. The overall benefits which will be delivered as a result of this scheme are considered to outweigh the loss of outdated office accommodation from the site and as such approval is recommended.

- 7.2 Planning Permission is recommended subject to a S106 Legal Agreement covering the following Heads of Terms:-

- Car free;
- Construction management plan;
- Energy strategy;
- Sustainability –post construction review for both residential and office use;
- Affordable housing payment in lieu of £1,075,900;
- Open space contribution of £20,981;
- Education contribution of £34,457;
- Community facilities contribution of £28,420;
- Associated highways works.



- 7.3 In the event that the S106 Legal Agreement referred to above has not been completed within 13 weeks of the date of the registration of the application, the Development Control Service Manager be given authority to refuse planning permission for the following reasons:- Lack of S106 agreement to secure the following: car free; CMP; associated highway works; energy strategy; sustainability post construction review; affordable housing payment in lieu of £1,075,900; open space contribution of £20,981; education contribution of £34,457 and community facilities contribution of £28,420.

## 8. **LEGAL COMMENTS**

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

### 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 No lights, meter boxes, flues, vents or pipes, and no telecommunications equipment, alarm boxes, television aerials or satellite dishes shall be fixed or installed on the external face of the buildings, without the prior approval in writing of 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 of the London Borough of Camden Local Development Framework Development Policies.

- 3 A sample panel of the facing brickwork on both the Euston St and Cleveland St elevations demonstrating the proposed colour, texture, face-bond and pointing shall be provided on site and approved in writing by the local planning authority before the relevant parts of the works are commenced and the development shall be carried out in accordance with the approval given. The approved 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 the London Borough of Camden Local Development Framework Core Strategy and policy DP24 of the London Borough of Camden Local Development Framework Development Policies.

- 4 All work shall be carried out in accordance with the relevant recommendations of British Standard 3998: 2010. (Recommendation for Tree Work)

Reason: To ensure the preservation of the amenity value and health of the tree adjacent to the site.

- 5 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.

- 6 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.

Reason: To ensure that the internal layout of the building provides flexibility for the accessibility of future occupiers and their changing needs over time, in accordance with the requirements of policy CS6 of the London Borough of Camden Local Development Framework Core Strategy and policy DP6 of the London Borough of Camden Local Development Framework Development Policies.

- 7 The development hereby permitted shall be carried out in accordance with the following approved plans: Os plan; Existing drawings: A2413-101; 102; 103; 104; 105; 111; 112; 113; Proposed drawings: A2413-221; 222; 223; 224; 225; 300; 400; 401; 402; Sustainability Statement by Hoare Lea dated 20th Jan 2014; Energy Strategy by Hoare Lea dated 20th Jan 2014; Affordable Housing Statement by DS2 dated 20th Jan 2014; Daylight/sunlight Report by Brooke Vincent dated 20th Jan 2014; Acoustic Assessment by Hoare Lea dated 20th Jan 2014; Air Quality Assessment by Environ dated 20th Jan 2014; Transport Statement by Motion dated 20th Jan 2014; Tree Survey by Arbtech Consulting dated 20th Jan 2014 and Arboricultural Development Report by Arbtech Consulting dated 20th Jan 2014.

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

- 8 The proposed cycle parking shown at ground floor level shall be provided in its entirety prior to the first occupation of any of the new units, and permanently retained thereafter.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy CS11 of the London Borough of Camden Local Development Framework Core Strategy and policy DP17 of the London

## Borough of Camden Local Development Framework Development Policies.

- 9 Revised floorplans showing the location of the wheelchair unit, including details of the circulation space within the specified unit should be submitted to and approved in writing by the Planning authority prior to the first occupation of any of the new residential units.

Reason: To ensure that the development meets the needs of wheelchair users, in accordance with the requirements of policy CS6 of the London Borough of Camden Local Development Framework Core Strategy and policy DP6 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 Environmental Health Service, Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 2090 or by email [env.health@camden.gov.uk](mailto:env.health@camden.gov.uk) or on the website [www.camden.gov.uk/pollution](http://www.camden.gov.uk/pollution)) 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.
- 3 The Mayor of London introduced a Community Infrastructure Levy (CIL) to help pay for Crossrail on 1st April 2012. Any permission granted after this time which adds more than 100sqm of new floorspace or a new dwelling will need to pay this CIL. It will be collected by Camden on behalf of the Mayor of London. Camden will be sending out liability notices setting out how much CIL will need to be paid if an affected planning application is implemented and who will be liable.

The proposed charge in Camden will be £50 per sqm on all uses except affordable housing, education, healthcare, and development by charities for their charitable purposes. You will be expected to advise us when planning permissions are implemented. Please use the forms at the link below to advise who will be paying the CIL and when the development is to commence. You can also access forms to allow you to provide us with more information which can be taken into account in your CIL calculation and to apply for relief from CIL.

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

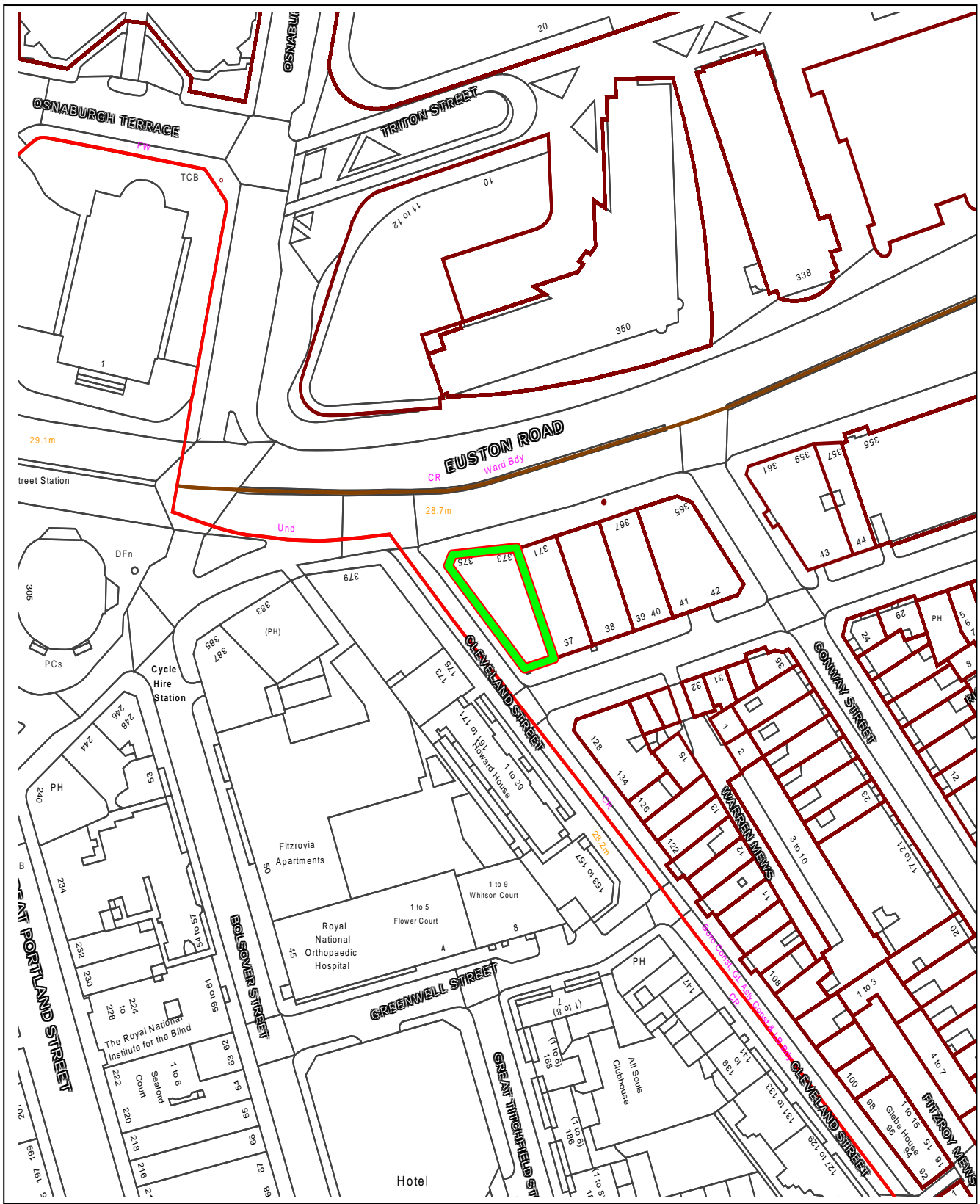
We will then issue a CIL demand notice setting out what monies needs to paid when and how to pay. Failure to notify Camden of the commencement of development will result in a surcharge of £2500 or 20% being added to the CIL payment. Other surcharges may also apply for failure to assume liability and late payment. Payments will also be subject to indexation in line with the construction costs index.

Please send CIL related documents or correspondence to [CIL@Camden.gov.uk](mailto:CIL@Camden.gov.uk)

- 4 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) Act 1939 should be made to the Camden Contact Centre on Tel: 020 7974 4444 or Environment Department (Street Naming & Numbering) Camden Town Hall, Argyle Street, WC1H 8EQ.
- 5 Your proposals may be subject to control under the Party Wall etc Act 1996 which covers party wall matters, boundary walls and excavations near neighbouring buildings. You are advised to consult a suitably qualified and experienced Building Engineer.
- 6 Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which this permission is granted. Information/drawings relating to the discharge of matters covered by the Heads of Terms of the legal agreement should be marked for the attention of the Planning Obligations Officer, Sites Team, Camden Town Hall, Argyle Street, WC1H 8EQ.
- 7 Any object/ fixture of the proposal which over-sails the TLRN public highway footway of A501 Euston Road would be subject s177 licence application to TfL.
- 8 The submission and implementation of a delivery & servicing plan for both the commercial and residential part of the building should be secured, and be submitted for local authority's approval prior to occupation of the site. All servicing to the proposed development must be undertaken away from Euston Road at all times.
- 9 A construction management plan (CMP) and Construction Logistics Plan (CLP) must be submitted for local authority and TfL's approval prior to construction commences on site. The implementation and submission of these plans should be secured by condition. The CLP should be produced in accordance with the latest TfL guidance for CLP. TfL requests all construction vehicles must load/ unload/ park/ pick up/ drop off away from Euston Road at all times. Construction vehicles movements should be carefully co-ordinated and planned to take place outside 7-10am and 4-7pm on weekdays to minimise highway and traffic impact.
- 10 A full tree protection plan should be submitted and approved by TfL prior to construction commences on site, this should be secured by condition. TfL may prosecute or seek an significant amount of compensation if any tree/ plants on Euston Road have been find damaged or tempered with without written prior

authorisation from TfL.

- 11 No construction materials/ skip shall be kept on the footway/ carriageway of A501 Euston Road at all times.
- 12 The applicant is required to enter into a s278 Agreement under Highways Act 1980 for making good/ renew the footway along the site's frontage on A501 Euston Road; this should be secured by condition/ s106 Agreement.
- 13 The proposed development is within the Crossrail SPG Central Charging Area, therefore the local authority should to secure the correct level of contribution under s106 agreement.
- 14 The footway and carriageway on A501 Euston Road must not be blocked during the installation and maintenance of the proposal. Temporary obstruction during the installation must be kept to a minimum and should not encroach on the clear space needed to provide safe passage for pedestrian, or obstruct the flow of traffic on the TLRN.



**Application No: 2014/0603/P**

**Cambridge House**  
**373-375 Euston Road**  
**London NW1 3AR**

This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office, © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

**Scale:**  
**1:1250**  
**Date:**  
**17-Sep-14**



# Cambridge House 373-375 Euston Rd.

## Ref: 2014/0603/P





# Cambridge House 373-375 Euston Rd.

## Ref: 2014/0603/P



View of existing front façade of application site (former Volvo car showroom with offices above)



# Cambridge House 373-375 Euston Rd.

## Ref: 2014/0603/P



View of Cleveland Street (west) and Warren Street (south) elevations

# Cambridge House 373-375 Euston Rd.

## Ref: 2014/0603/P



View from roof of application site showing distance to commercial premises 379 Euston Rd



# Cambridge House 373-375 Euston Rd.

## Ref: 2014/0603/P



View from roof of application site showing residential properties on Cleveland St

# Cambridge House 373-375 Euston Rd.

## Ref: 2014/0603/P



View of Warren Street showing rear of application site in background



# Cambridge House 373-375 Euston Rd.

## Ref: 2014/0603/P



- Existing front elevation showing 365 Euston Road as tallest building on the block with the application site at opposite end

# Cambridge House 373-375 Euston Rd.

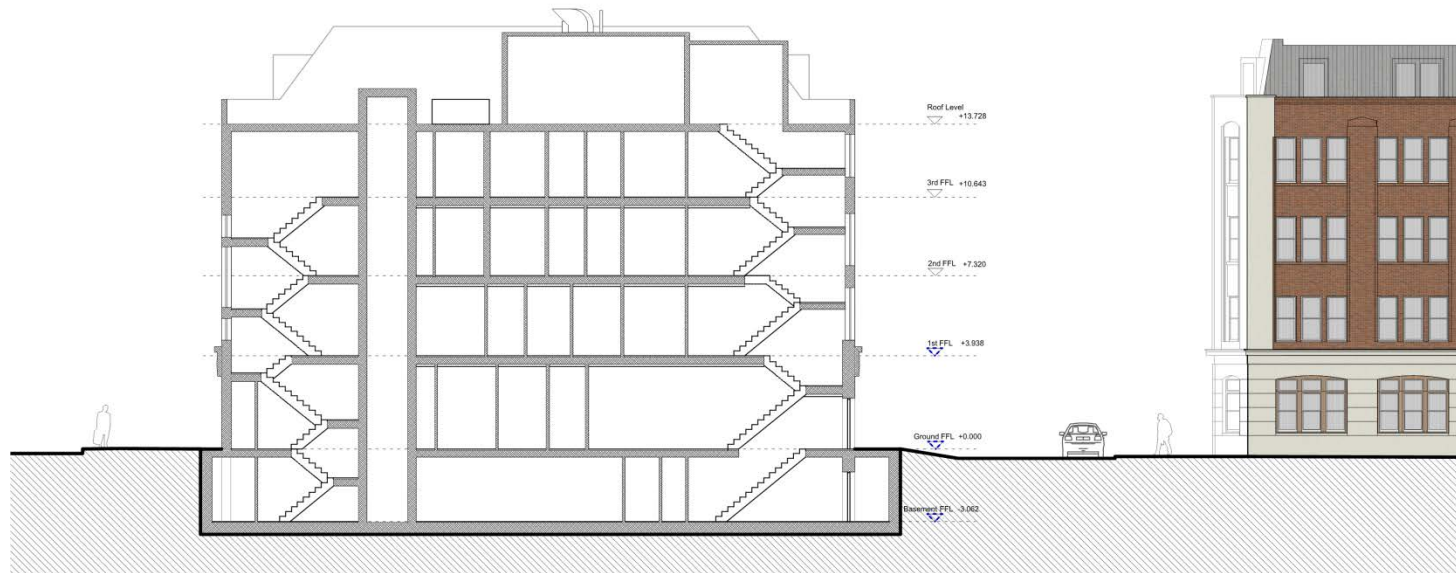
## Ref: 2014/0603/P



Existing Cleveland Street Elevation

# Cambridge House 373-375 Euston Rd.

## Ref: 2014/0603/P



Existing section AA

# Cambridge House 373-375 Euston Rd.

## Ref: 2014/0603/P



Proposed Euston Road elevation showing relationship with 365 Euston Road and also showing proposed winter gardens projecting at corner of Cleveland St.



# Cambridge House 373-375 Euston Rd.

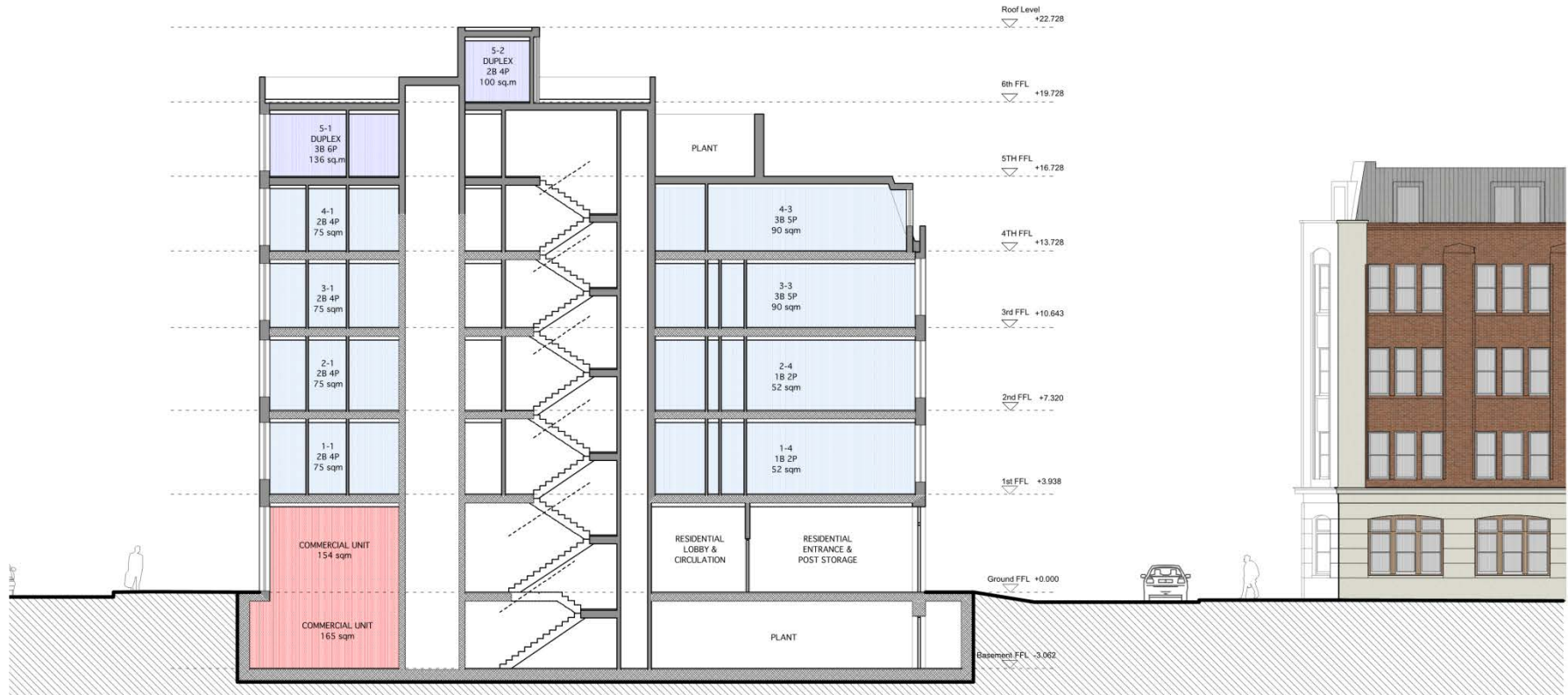
## Ref: 2014/0603/P



Proposed Cleveland Street elevation showing extensions and replacement façade

# Cambridge House 373-375 Euston Rd.

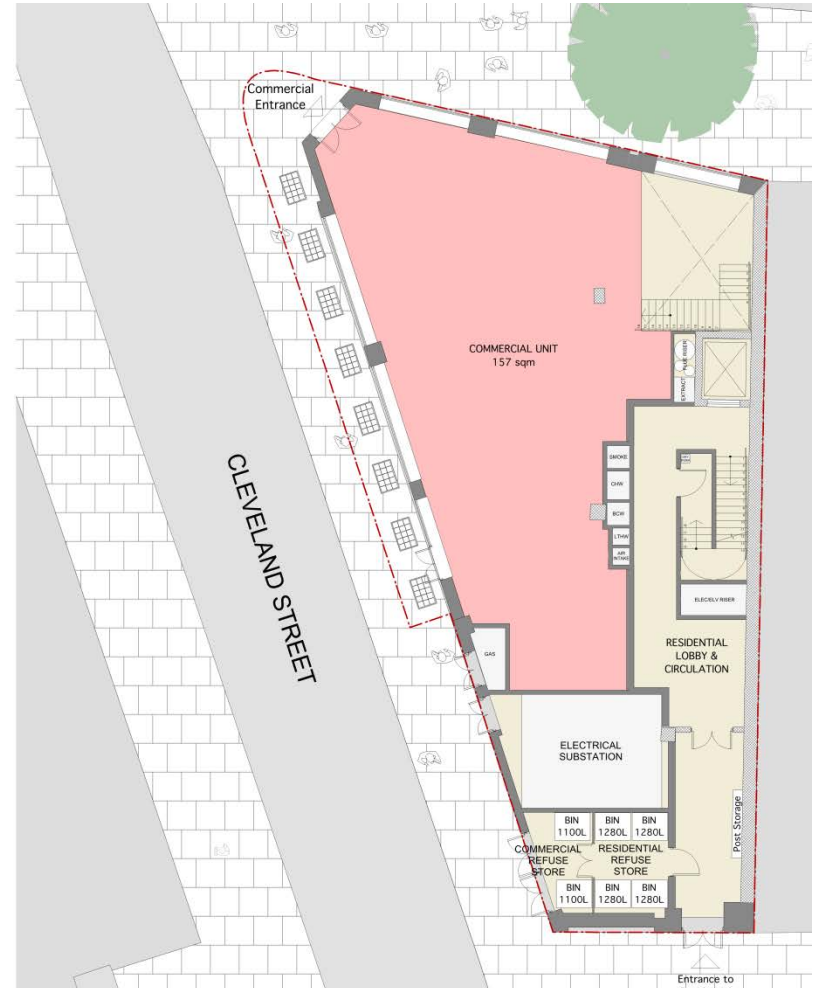
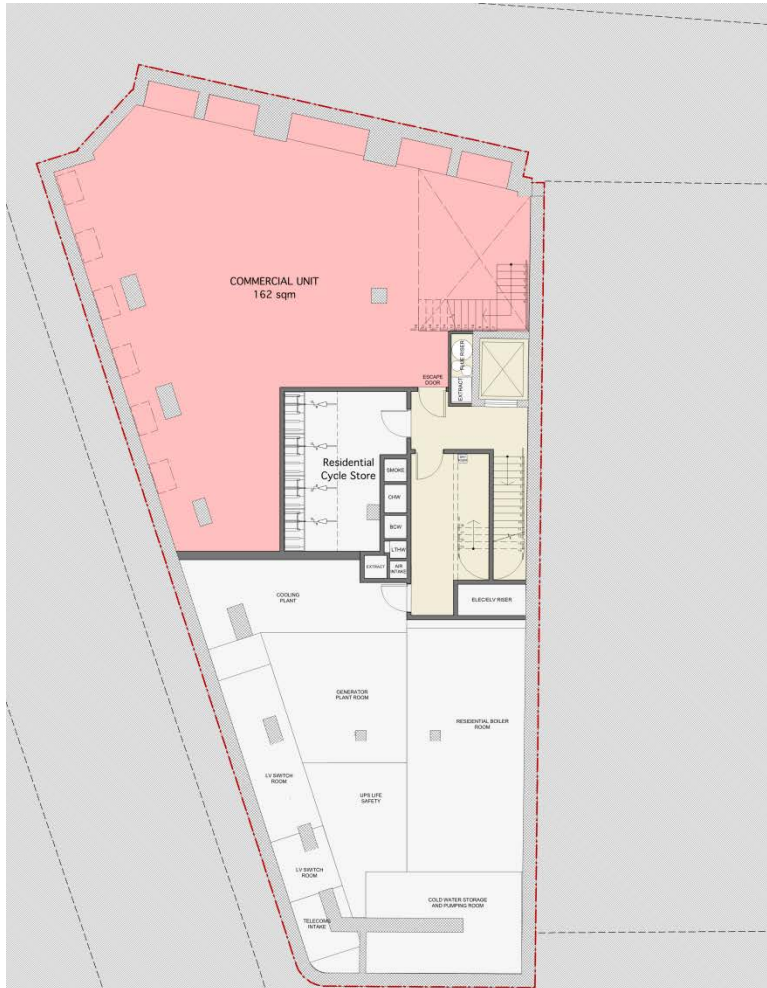
## Ref: 2014/0603/P



Proposed section AA showing extensions and stepping down of building to its existing parapet height towards the Warren St end.

# Cambridge House 373-375 Euston Rd.

## Ref: 2014/0603/P

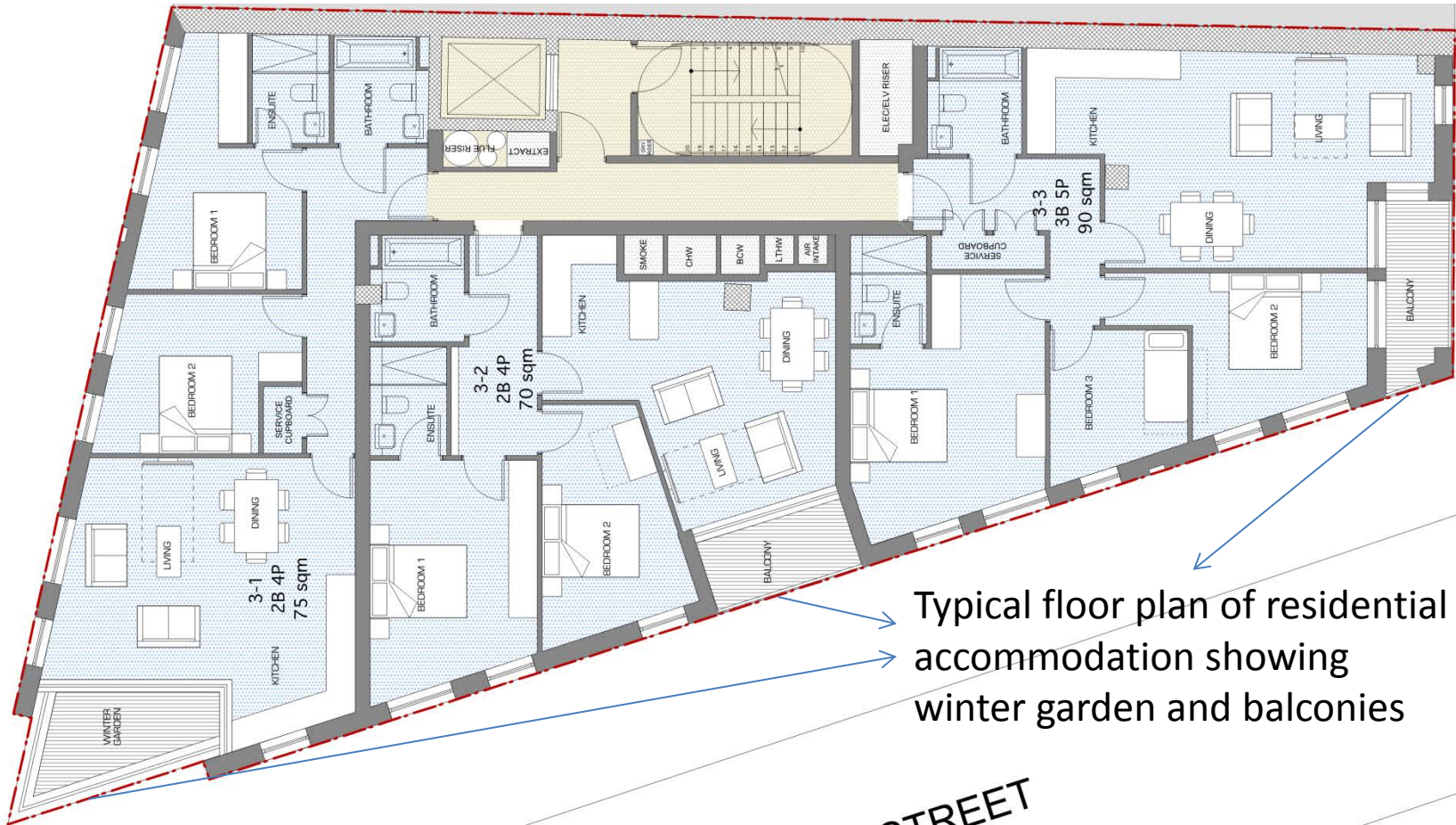


Proposed commercial floorspace at basement and ground floor level



# Cambridge House 373-375 Euston Rd.

Ref: 2014/0603/P



Typical floor plan of residential accommodation showing winter garden and balconies

CLEVELAND STREET