

DP2119/JWP/AWHP

11 December 2015



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Dear Mr Sexton,

**80 CHARLOTTE STREET AND 65 WHITFIELD STREET - REFERENCE 2010/6873/P
TOWN & COUNTRY PLANNING ACT 1990 (AS AMENDED)
MINOR MATERIAL AMENDMENT**

On behalf of our client, West London and Suburban Property Investments Ltd, a wholly owned subsidiary of Derwent London, we submit with this correspondence a Section 73 application under the Town and Country Planning Act 1990 to secure a minor-material amendment to the approved and implemented scheme for the redevelopment of 80 Charlotte Street and 65 Whitfield Street, London, W1T 4QP.

The amendments proposed have been discussed at a number of pre-application meetings and are understood to be acceptable. It has also been agreed that they can be secured by way of Section 73 application. The reason for the amendment application is due to additional demolition at the main part of the 80 Charlotte Street site to deliver The additional demolition will also allow for new improved buildings to be delivered with a longer and more certain lifespan,, which will be more sustainable in the long term. It is now predicted to achieve a BREEAM score of 'Excellent'. Greater certainty will also be realised during the construction phase as, due to the structural complexities and weaknesses of the buildings previously approved for retention.

The broad acceptability of the additional demolition has been tested in necessary updates and amendments to documents previously approved. These updates demonstrate that the impact is deemed to be acceptable. Furthermore, the detail of the demolition process will be secured as part of the revised Construction Management Plan (CMP), which will need to be resubmitted for approval by Camden, as required by the Section 106 Agreed (Clause 4.2.1). This is also expected to confirm that, due to the increase in scope, the number of apprentices sought will also increase, beyond the figure initially anticipated.

As a direct consequence of the additional demolition, the final appearance of the approved scheme has also been amended due to changes in levels across a number of floors. This impacts only on the lower floors. No other changes in appearance to the massing are proposed.

The minor amendments to the design of the lower floors are deemed to be improvements to the previously approved design. They have been discussed and agreed at the pre-application stage with officers. Importantly, they maintain the distinctiveness of each 'building' as viewed from



the surrounding streets, which reinforces their individuality, as is common in Fitzrozia, and the privacy of the newly created public open space accessed from Chitty Street from the surrounding offices.

It is therefore concluded that the proposed amendments are acceptable.

As agreed as the pre-application stage, as part of this application please find attached the following:

- signed and dated application forms;
- a copy of the signed and dated notice letters and notice;
- a copy of the original planning permission;
- a copy of approved drawings (including the updated extent of demolition which was approved by way of a non-material amendment application reference 2013/5340/P and by way of minor-material amendment applications under references 2013/6971/P and 2014/7451/P) which are affected by the amendment;
- a revised set of drawings (only those which have been revised are included);
- a drawing schedule which lists all drawings now superseded;
- a supplementary Design Report which explains the revisions to the approved scheme, including revised access requirements;
- a Basement Impact Assessment given the amendment to the basement depth;
- revised versions of the following documents previously approved:
 - Construction Method Statement
 - Contamination Risk Assessment
 - Energy Statement (excluding the residential element of the scheme which is not amended under this application)
 - Sustainability Statement (excluding the residential element of the scheme which is not amended under this application)
 - Noise, Vibration and External Building Fabric Assessment
 - Buried Heritage Assets
 - Façade Retention and Basement Proposal (that part relating to the basement is now covered by the separate Basement Impact Assessment)
 - Air Quality Assessment (that part relating to demolition and construction only)
- payment of £195.

We request that the relevant documents listed above replace those previously approved.

It should also be noted that the amendments proposed will necessitate the re-submission of details associated with a number of conditions and Section 106 obligations, which have previously been discharged. Tables 1 and 2 outline the relevant status of these previous approvals at Appendix A. We suggest that an informative is added to any forthcoming submission notice which requires the re-submission of this information previously approved under condition.



We trust that the enclosed information is sufficient to allow the application to be registered. If you have any queries in the interim, please contact Anthony Plumbly of this office.

Yours sincerely,

DP9 Ltd

DP9 Limited

ENCS



Appendix A – Conditions and Section 106 Obligations Discharged

Table 1 – Conditions Discharged and Proposed Minor Material Amendment Status

Date Approved	Reference	Condition Reference	Requirement	Status
28 May 2015	2015/2090/P	11(a), 11(b), 11(c) and 11(e)	Details associated with shopfronts & office entrances; facing materials of buildings & details of elevations; roof canopies & brise soleils; & the design & appearance of roof areas	Resubmission necessary due to design amendments. Note: The 28 May 2015 approval superseded details previously approved on 11 March 2013 under reference 2012/6825/P.
28 May 2015	2015/1978/P	10	Details associated with green and brown roofs.	No change to details previously approved. Note: The 28 May 2015 approval superseded details previously approved on 8 March 2013 under reference 2012/6824/P.
28 May 2015	2015/1977/P	3	Details associated with the corner detailing to the sixth floor of 67-69 Whitfield Street.	No change to details previously approved. Note: The 15 February 2015 approval superseded details previously approved on 8 March 2013 under reference 2012/6822/P.
2 May 2013	2013/1877/P	6(b)	To provide details associated with the ground contamination investigation (in part).	Further discharge expected to be required.
13 February 2013	2012/6778/P	19	To provide details of the Pocket Park to Chitty Street.	Resubmission necessary due to design amendments.
15 February 2013	2012/6823/P	5	Details associated with the proposed cycle storage areas.	Resubmission necessary due to design amendments.
29 October 2012	2012/5283/P	6 (a)	Details associated with the programme of ground investigation.	No change to details previously approved.

Table 2 – Section 106 Obligations Discharged



Date Approved	S106 Reference	Purpose	Status
30 September 2015	4.2	Construction Management Plan	Resubmission necessary due to additional demolition and basement excavation
15 March 2013	4.1.1 / 4.1.2	Intermediate Housing Scheme	No change
7 January 2013	4.5.2	Commercial Element Sustainability Plan	Resubmission necessary due to updated approach
7 January 2013	4.5.6	Residential Element Sustainability Plan	Resubmission necessary due to updated approach
7 January 2013	4.6.2	Commercial Element Energy Efficiency & Renewable Energy Strategy	Resubmission necessary due to updated approach
7 January 2013	4.6.6	Residential Element Energy Efficiency & Renewable Energy Strategy	Resubmission necessary due to updated approach
29 January 2013	4.7.2	Accessible Accommodation Plan	No change
27 March 2013	4.8.1	Public Open Space Plan	No change
15 February 2013	4.9.1	Draft Commercial Element Service Management Plan	No change
29 January 2013	4.10.1	Draft Commercial Element Travel Plan	No change
29 January 2013	4.10.4	Draft Residential Element Travel Plan	No change
4 January 2013	4.12.2	Level Plan	No change