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Our Ref: 2014/2889/PRE
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Llewelyn Davies
44-46 Whitfield Street
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Dear Anil Garawal,

**Re. Planning Pre-application advice meeting ref. 2014/2889/PRE
Arthur Stanley House
40 - 50 Tottenham Street
London
W1T 4RN**

Change of use and works of conversion to commercial office space at sub-basement, basement and ground floor levels, and to provide residential use at levels 01 to 07 (4 units); including new build to rear.

I refer to our pre-application meeting held on **13/05/2014** about the above proposal.

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

Site Description

The application site comprises vacant hospital (outpatients) with ancillary offices. The building is an eight storey brick-faced post war block of limited architectural merit. It is within the Charlotte Street conservation area, and is currently identified as a detractor in the Charlotte Street Conservation Area Appraisal due to its scale and bulk.

The site is identified in the Fitzrovia Area Action Plan (FAAP) as a potential site suitable for permanent self-contained homes if the established medical/healthcare uses are no longer required. Commercial use at ground floor level is noted as also being suitable. The FAAP states that any use on the site which increases the use of open space should provide new on-site public open space or if this is not possible this should be provided on an identified site in the vicinity.

The surrounding area contains a range of built forms and scales with traditional four storey terraced buildings to the south and more modern institutional blocks of a similar scale to the subject building directly to the north.

Considerations

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

- Land use (loss of healthcare facility; creation of residential units; contributions towards affordable housing; and creation of commercial floorspace)
- Design
- Transport and Highways impacts

The following matters were not discussed at the meeting but are also material planning considerations which need to be discussed prior to submission of an application:

- Sustainability
- S106 contributions

Land use

Loss of healthcare facility

During the meeting you gave the view that as the site was allocated for housing the FAAP it may not be necessary to demonstrate compliance with policies for retention of healthcare uses as this assessment will have already been made when the FAAP was adopted.

The FAAP states that the Council would expect permanent housing on the site but only if the established medical / healthcare use is no longer required. As such, it is still necessary to demonstrate compliance with policies on retention of healthcare facilities. Policy DP15 is the relevant policy in this instance.

Policy DP15 states that the Council will protect existing community facilities (which includes healthcare facilities) by resisting their loss unless a replacement facility that meets the needs of the local population is provided (criteria c) or where the specific community facility is no longer required and evidence is provided to show that the loss would not create, or add to, a shortfall in provision for the specific community use, and demonstrate that there is no demand for any other suitable community use on the site (criteria d). The policy states that where this is successfully demonstrated the Council's preferred new use will be affordable housing.

You advised in the meeting that the healthcare facility operating at the site closed down in 2006 and all services which ran from the site were relocated to the main UCLH site. You also stated that provision of additional healthcare services will be coming forward at the Odeon site.

It is likely that you will be able to meet Criteria (c) of Policy DP15 as you state that replacement facilities have/ or will be provided. However, further details would be required. It would be helpful to know precisely what services were provided at this site and specifically where they have been relocated too. If the current proposal displaces existing services, or services which have temporarily been moved to another building which are not suitable or available in the long term we may need to secure through a S106 agreement that the proposed development is not occupied until permanent re-provision of the health care use has been secured.

If you wanted to demonstrate compliance with criteria d you would need to make an assessment as to whether there is demand for any other suitable community use on the site. This goes much wider than health care use and would include childcare facilities, all educational and training facilities, policing facilities, youth facilities, libraries, community halls, meeting spaces, places of worship, public conveniences and other use in Use Class D1 that provide a service to the local community. I would advise that it would be difficult for you to demonstrate compliance with criteria d. However, if you decide you want to pursue this route I would suggest you make contact with the Council's Third Sector team who would be able to advise you whether there is demand for a community use in this location. You are advised to

contact Adam Demosthenous on 020 7974 4214 or Jeff Hopwood 020 7974 6441 who work in the Communities and Third Sector Team.

If you can demonstrate that the loss of the existing community facility would be acceptable either through the criteria c or d route, housing is considered to be the most appropriate alternate land use for the site.

Creation of residential units

Providing the loss of community use is considered acceptable, the principle of providing residential accommodation at the site would be supported by policies CS6 and DP2.

You have put forward two options for redevelopment in your pre-application documentation. Both options provide a mix of B1 office floorspace and C3 residential floorspace. Option 1 provides 4,898 sqm (GIA) of office floorspace and 1,952 sqm of residential floorspace. Option 2 provides 2,529 sqm (GIA) of office floorspace and 4,224 sqm of residential floorspace.

Mix

Policy DP5 seeks to provide a range of unit sizes to meet demand across the borough. In order to define what kind of mix should be provided within residential schemes, Policy DP5 includes a Dwelling Size Priority Table. The Council would expect any housing scheme to meet the priorities outlined in the table, or provide robust justification (such as RP requirements) for not providing a mix in line with the table and the requirements outlined in paragraph 5.5 of the supporting text to the policy.

At present the mix is not considered to be appropriate as the proposal provides too few family sized units (3 and 4 beds), too many 2 bed units. In terms of social rented properties 50% should be 3 bed +, intermediate affordable 10% should be 3 bed + and for market housing 40% should be 2 beds.

Affordable Housing

You gave a view at the meeting that you would not be required to provide affordable housing at this sites as affordable housing is covered by the Odeon site consolidated S106 agreement dated 2004. I have discussed this with my colleagues including our legal team and the Council does not consider this to be the case.

The 'deal' around exempting Arthur Stanley House from affordable housing under the 2004 s106 agreement has lapsed because the s106 provided that in order for the Arthur Stanley House site to take the benefit of that 'exemption deal' the Arthur Stanley House units had to have been recommended for planning permission before 2008.

The 2004 s106 agreement was drafted so that come what may and irrespective of whether the Arthur Stanley House affordable housing exemption became operative or whether it lapsed- there was an absolute requirement on UCLH to provide a certain minimum number of affordable housing units (30) on the Middlesex Annex. As such, the Council's usual policy requirements on affordable housing apply to Arthur Stanley House.

Policy DP3 expects all developments with a capacity to provide 10 units or more to make a contribution to affordable housing. DP3 introduces a sliding scale for developments between 10 units and 50 units.

The 50% target will operate on a sliding scale for housing developments, subject to the financial viability of the development, with a norm of 10% for 1,000 sq m (gross) of additional housing and 50% for 5,000 sq m (gross) of additional housing, considered to be sites with capacity of 10 dwellings and 50 dwellings respectively.

Option 1 - Your option 1 scheme provides 1,952 sqm (GIA) of residential floorspace. In accordance with CPG2- Housing affordable housing contributions are based on gross external floorspace rather than gross internal floorspace, as such I have multiplied your GIA figure by 1.25 to work out the GEA = 2,440 sqm GEA. On this basis a 24% contribution towards affordable housing would be required.

Option 2 - Your option 2 scheme provides 4,225 sqm (GIA) of residential floorspace which would be 5,281 sqm GEA. On this scheme a 50% contribution towards affordable housing would be required.

In line with the requirements of the policy, the provision of affordable housing will be expected on site.

An open book financial viability appraisal, which shall be independently assessed at the applicant's cost, would be required should a less than the required provision be provided by the applicant. A deferred payment obligation would be secured in the S106 for re-appraisal of the development at a later date.

Lifetime Homes and Wheelchair Housing

All units should meet lifetimes homes standards. This should be demonstrated in the submission by way of a Lifetimes Homes Assessment. 10% of the homes should either meet wheelchair housing standard or be easily adaptable to meet the standards.

Standard of accommodation

All flats would be considered against the standards outlined within the Mayor's London Housing SPG 2012. All units should have good outlook, daylight and sunlight levels, be secure and comply with space standards including space for storage.

The residential units would be accessed by a stair core and lifts with a ground floor entrance on the Tottenham Mews elevation. From the plans submitted it appears that all units on both options, other than the penthouse on option 2 would be single aspect. This is disappointing. The layout should be revised to provide a majority of dual aspect units. Single aspect units with north facing windows would be completely unacceptable. Provision of dual aspect units would also ensure that all units had good outlook.

Access to private amenity in the form of balconies is welcomed especially for the family sized units.

There is an opportunity to create residential units with their own front doors facing on to Tottenham Mews. This is something you should explore.

Details of refuse and recycling facilities should be detailed in any further application and should accord with the requirements of CPG1 –Chapter 10. They should be located sensitively to ensure the ground floor is active and high quality.

It is suggested that the design of the residential development is readdressed in order to ensure the proposed accommodation is high quality.

Creation of commercial floorspace

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

Policy DP13 provides more detailed information as to how these aims will be implemented. It states that the Council will retain land and buildings that are suitable for continued business use.

From the information provided during the pre-application discussion I am of the view that the lawful use of the site is a Class D1 health care facility with ancillary office floorspace, rather than Class B1 office floorspace. As such, based on the information available at this stage I do not suggest that you need to demonstrate compliance with policy DP13. However, you are proposing some B1 office floorspace as part of the proposed development. This is considered acceptable in principle, however, it would be beneficial to free up floorspace at ground floor level facing Tottenham Mews to create residents unit(s) with their own entrances which face on to the mews.

Office accommodation on the Tottenham Street frontage would be welcomed. New office accommodation should be well lit and should include a proportion of accommodation which would be attractive to small and medium size enterprises (SMEs) in accordance with Principle 4 of the FAAP.

Design

Context - The site lies within Charlotte Street Conservation Area with townscape of a fine Georgian grain and scale lying to the east and south of the site. The two principle views of the site, from the Gooch Place and Charlotte Street, have Georgian scaled buildings sitting in the foreground, forming the principle setting of the building. The site has a second frontage onto Tottenham Mews, which retains its historic character on its western side. Listed buildings and positive contributors have a high presence in the area as defined in the Character Appraisal.

The existing building is recognised as being detrimental to the character and appearance of the Conservation Area as a result of its height and bulk. The building is of little architectural merit.

It is proposed that the building is stripped back to frame and re-clad. In addition infill block is proposed on the mews.

Comprehensive approach - The site along with Tottenham Mews site to the north and Middlesex Annex site are highlighted in the Fitzrovia Action Plan as opportunity sites. It is expected that a coordinated approach be taken between these sites to deliver a cohesive solution that brings forward townscape benefits such as new routes and coordinated open space. Although an extant approval exists for the Tottenham Mews site, it is our understanding it is unlikely to be built out and if so presents a new opportunity to deliver further aspirations from the Fitzrovia Action Plan.

The building line on the western side Tottenham Mews to be delivered by this proposal and Tottenham Mews site should improve upon the existing permission with regard to sightlines and permeability through to the Middlesex Annex site. This would involve setting back the mews element of the proposal to accommodate clear sight lines from Tottenham St through to Middlesex Annex.

Additionally the mews has a bottleneck at the point its alignment shift, and the proposal should provide and widening of the public realm in this location with public space.

Opportunities should also be explored to use the site to its full potential. The current design would seem to underutilise the rear of the site. It is noted that Middlesex House presents a blank gable to the site.

Height and mass - The building is already recognised as harmful in terms of height. Any increase in height would be considered to further harm conservation area and the view of the listed BT tower from Goodge Place. The infilling of the concrete frame on the south of the top floor would also harmfully add bulk and it is recommended that the concrete structure is removed from the building to reduce the sense of bulk and improve views. Any projection of the façade towards the street, breaking the existing building line, would again be unacceptable and as such any new façade, balconies etc. should sit within the existing volume.

Mews buildings - The mews infill would be best suited to houses with their own front doors. The scale should reflect the existing mews houses directly opposite on the other side of the mews.

Architectural approach - The building should respond to context in terms of material and detail. This would result in a missionary façade, principle in brick, with punched openings. An expected level of detail quality and consideration to context can be seen in recent approvals such as the neighbouring Charlotte street building, the redevelopment of the Saatchi block, and Cartwright Gardens student halls in neighbouring Bloomsbury Conservation Area. Attempts should be made to visually reduce the scale of the building.

Neighbouring amenity

Policy DP26 states that development should protect the quality of life of occupiers and neighbours by only granting permission for development that does not cause harm to amenity in terms of privacy and overlooking, overshadowing and outlook, sunlight and daylight, noise and vibration, odour, fumes and dust and microclimate.

From the site visit I can advise that the properties to the rear of the site are not in residential use, as such, I am not concerned about overlooking or loss of daylight to the properties to the rear.

A new residential development is currently being built-out opposite the site at 73 - 75 Charlotte Street, 34-38 Tottenham Street and 4 Tottenham Mews. (reference: 2012/2045/P). This proposal includes habitable room windows which face Arthur Stanley House. The layout of the units at Arthur Stanley House should be carefully designed to ensure that the proposal would not harm the amenity of future residents in terms of overlooking.

Transport and Highways impacts

The site has a PTAL value of 6b meaning that access to public transport is considered to be excellent.

Car Parking

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

Cycling

Camden's Parking Standards for cycles states that a minimum of 1 space for staff

and 1 for visitors are required per 250sqm over a threshold of 500sqm of retail and commercial floorspace.

From a residential perspective the Council would use TfL's Parking standards that stipulate that a minimum of one space is required for dwellings up to 2 bedrooms. For units with 3 or more bedrooms the standards require the provision of 2 spaces per unit.

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

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

The proposal will result in a large number of construction vehicle movements to and from the site, which would have a significant impact on the local transport network. This is of concern as the site is located within the Clear Zone Region which is a highly constrained area in regard to transport. Furthermore, Tottenham Mews is a highly constrained mews with a width of 4 metres at its narrowest point. The configuration of Tottenham Mews is such that large construction vehicles would not be able to access the site for either the demolition and construction phases without significant disruption to the highway network. As such, a draft Construction Management Plan would be required alongside the submission of the application.

Other matter – Financial contributions towards public realm improvements and highways works are also likely to be required and would be secured via a S106 agreement.

Sustainability

Policy DP22 (Promoting sustainable design and construction) states that the Council will require development to incorporate sustainable design and construction measures. All developments are expected to reduce their carbon dioxide emissions by following the steps in the energy hierarchy (be lean, be clean and be green) to reduce energy consumption. As of 1 October 2013 new developments are expected to achieve a 40% reduction in carbon when compared to Building Regs 2010 (see London Plan policy 5.2).

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

An energy statement should be submitted with an application of this nature which demonstrates how carbon dioxide emissions will be reduced in line with the energy hierarchy. CPG3 - Sustainability provides guidance on what should be included in an energy statement. Further details can be found in CPG3- Sustainability.

The new build residential units would be required to meet as a minimum 'Code Level 4' in a Code for Sustainable Homes Assessment; the new residential accommodation within the existing building would be required to meet very good in a BREEAM Domestic Refurbishment Assessment, and the new commercial floorspace would be

expected to meet 'very good' in a BREEAM Assessment. Please see CPG3 – Sustainability for further details.

A Code for Sustainable Homes and BREEAM Pre-assessment should be submitted as part of any application submission, with a post construction review to be secured via a legal agreement to any approval.

Community Infrastructure Levy

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

Please be aware that Camden CIL is likely to be adopted by the time any application on this site is considered at committee. The preliminary draft charging schedule, out for consultation, can be found here <https://consultations.wearecamden.org/culture-environment/camden-cil-preliminary>

S106 Contributions

Local community benefits (CS19)

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

Likely s106 terms (subject to change if Camden CIL adopted)

- Car free
- Affordable housing contribution
- Public Open Space contributions
- Education contributions
- Social and community facilities contributions
- Construction / Servicing Management Plans
- CfSH 'level 4' minimum and BREEAM 'very good' minimum
- Energy Statement
- Environmental improvements / public realm contribution
- Highways contribution
- Travel Plan
- Construction Workers Training and Recruitment Package

You are advised to enter into a Planning Performance Agreement, the details of which can be agreed with officers. The cost of a PPA is £6,000 and this would cover both the pre-application and application process. Any additional meeting would be charged on top of this fee. Your early consultation with the surrounding local residents, ward councillors and any other local amenity groups especially Charlotte Street Conservation Area Advisory Committee and the Charlotte Street Association, is recommended.

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

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

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

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

If you have any queries about the above letter or the attached document please do not hesitate to contact **Jenna Litherland** on **020 7974 3070**.

Thank you for using Camden's pre-application advice service.

Yours sincerely,

Jenna Litherland
Senior Planning Officer