

Mr. Anthony Plumbly
DDP9
100 Pall Mall
London
SW1Y 5NQ

Application Ref: **2015/7017/P**
Please ask for: **Fergus Freeney**
Telephone: 020 7974 **3366**

30 March 2016

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Variation or Removal of Condition(s) Granted Subject to a Section 106 Legal Agreement

Address:

Saatchi Block
80 Charlotte Street
65 Whitfield Street and 14 Charlotte Mews
London W1T 4QP

Proposal:

Variation of condition 2 (approved drawings) granted under reference 2010/6873/P dated 16/03/12 for mixed use redevelopment of site; to demolish post war buildings on Charlotte Street, Chitty Street, Howland Street and part Whitfield Street and erection of new mixed use buildings, similar to those approved with minor façade and basement alterations.

Drawing Nos: Superseded drawings: ; P2304 03; P3121 02; P3125 02; P1020 00; P2099 02; P2100 02; P2101 01; P2102 01; P2103 01; P2104 01; P2105 01; P2106 02; P2107 02; P2108 02; P2109 03; P2110 01; P2150 01; P2303 04; P3150 03; P2301 03; P3101 03; P3120 02; P2302 03; P3130 02; P2211 03; P1000 02; P1099 05; P1100 04; P1101 05; P1102 04; P1103 04; P1104 05; P1105 00; P1106 00; P1107 00; P1300 01; P1301 01; P1310 00; P1311 00

Revised drawings and documents: P2304 04; P3121 03; P3125 03; P1020 02; P2099 4; P2100 04; P2101 02; P2102 02; P2103 02; P2104 02; P2105 02; P2106 03; P2107 03; P2108 03; P2109 04; P2110 02; P2150 02; P2303 05; 3150 04; P2301 04; P3101 04; P3120 03; P2302 04; P3130 03; P2211 04; P1000 03; P1099 06; P1100 05; P1101 05;



P1102 05; P1103 05; P1104 06; P1105 01; P1106 01; P1107 01; P1300 02; P1301 02; P1310 01; P1311 01; Basement Impact Assessment (8th Dec 2015); Ground Contamination Risk Assessment and Remediation Strategy (8th Dec 2015); Noise Impact Addendum Assessment (Dec 2015); Sustainability Statement Addendum (11th Dec 2015); Energy Statement Addendum (11th Dec 2015); Façade Retention and Basement Proposals (9th Dec 2015); Supplementary Design Report (Dec 2015); Construction Method Statement (Dec 2015); Historic Environment Assessment (Buried Assets) (Dec 2015); Geotechnical Desk Study (Dec 2015); Air Quality Assessment (Addendum) (Dec 2015)

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

1 REPLACEMENT CONDITION 2

The development hereby permitted shall be carried out in accordance with the following approved plans-

P2304 04; P3121 03; P3125 03; P1020 02; P2099 4; P2100 04; P2101 02; P2102 02; P2103 02; P2104 02; P2105 02; P2106 03; P2107 03; P2108 03; P2109 04; P2110 02; P2150 02; P2303 05; 3150 04; P2301 04; P3101 04; P3120 03; P2302 04; P3130 03; P2211 04; P1000 03; P1099 06; P1100 05; P1101 05; P1102 05; P1103 05; P1104 06; P1105 01; P1106 01; P1107 01; P1300 02; P1301 02; P1310 01; P1311 01; Basement Impact Assessment (8th Dec 2015); Ground Contamination Risk Assessment and Remediation Strategy (8th Dec 2015); Noise Impact Addendum Assessment (Dec 2015); Sustainability Statement Addendum (11th Dec 2015); Energy Statement Addendum (11th Dec 2015); Façade Retention and Basement Proposals (9th Dec 2015); Supplementary Design Report (Dec 2015); Construction Method Statement (Dec 2015); Historic Environment Assessment (Buried Assets) (Dec 2015); Geotechnical Desk Study (Dec 2015); Air Quality Assessment (Addendum) (Dec 2015)

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

Informative(s):

- 1 This approval under Section 73 of the 1990 Act effectively varying the relevant condition of application dated 16/03/2012 (ref: 2010/6873/P) and is subject otherwise to the same terms, drawings, conditions (and obligations where applicable) as attached to the previous planning permission.
- 2 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.

- 3 Permission has been granted for a large-scale redevelopment of the site to provide a mixed use scheme comprising office, retail and residential. The development as approved would retain a number of existing building facades within the Charlotte Street Conservation Area. It also proposed to retain a number of large post war office buildings to reuse floorplates and reclad in modern material and design. The principle of mixed use development at this site has been found to be acceptable. This proposal is for complete demolition of the post war buildings fronting Charlotte Street, Howland Street and part of Whitfield Street to allow for a full rebuild. The newly erected buildings would be of a similar appearance to the approved reclad post war buildings already approved, albeit with some alterations to the appearance of all facades (Charlotte Street, Howland Street, Chitty Street and Whitfield Street) to alter proportions of bays and floor heights, particularly at ground floor level with some alterations to approved lightwell depth and size.

These amendments are required as structural investigations have highlighted defects within the structural integrity of the existing 1960s concrete structure, in particular the lack of rebar cover and problems of extensive concrete honeycombing. To retain these structures, with associated repairs, would be extensive, complicated and time-consuming.

The main issues to consider are:

- Design
- Sustainability
- Basement excavation
- Construction

4 Design

The proposed changes can be summarised as follows:

Howland Street - Complete demolition of post war buildings, erection of new building to match height and overall design of approved, with minor façade alterations namely to lower height of bays at ground floor level and to increase the depth and length of the proposed lightwell.

Whitfield Street - facades of buildings at the south side of the block would be retained and mostly unaltered. The flank of the existing post war building would be demolished and replaced with a newly erected building to be similar in appearance to the approved albeit with a reduced ground floor level to allow for an increase in the overall height of each floor. The ground floor would now be in line with the retained façade at ground floor level at the adjoining building. The lintels on the retained façade would be retained (under an earlier, approved, amendment application they were to be removed), there would be minor façade alterations to all new elements.

Charlotte Street - Complete demolition of all buildings and erection of new buildings

to match those already approved, albeit with reduced height of bays at ground floor level in the southern element. The northern element would remain relatively unchanged. There would be a slight increase in the depth of the lightwell.

Chitty Street - Complete demolition of all buildings other than the south east corner façade (which is within the Charlotte Street Conservation Area). To allow for the erection of new building to match the approved albeit with minor alterations to the western element to lower the bays at ground floor level and reduce overlooking to pocket park by screening windows behind perforated brick feature wall.

The proposed complete demolition of the post war buildings is considered to be acceptable, they are not within a conservation area, nor are they locally listed, nor are they considered to be of any significant historic or architectural merit.

The proposed design changes are considered to be acceptable, they would be broadly similar to the approved scheme with only minor façade alterations. The changes do not affect the overall appearance of the scheme or impact upon the wider streetscene or adjoining conservation area. The scheme has been designed so that each element appears as a separate building to maintain the character of Fitzrovia, which would not change. The proposed materials, height, scale, form and detailed design would be so similar to the approved as to be considered a non material amendment.

5 Sustainability

The approved scheme, with retained floorplates and reclad post-war buildings would have achieved a BREEAM rating of Very good. The revised scheme, which proposes the demolition of all post war buildings and erection of new buildings to modern standards, can achieve BREEAM of Excellent as noted in the submitted Sustainability Statement.

With regards to energy and CO2 emissions the submitted energy statement identified that there would, under the approved scheme, be a minimum of a 46% improvement on Part L 2006 for the commercial element. The amended scheme would improve upon Part L 2006 (i.e. an improvement greater than 46%), despite the baseline for buildings tightening since the scheme was originally approved. This includes a reduction in carbon emissions by 15%. This is an improvement on the approved scheme in accordance with policies CS13 (tackling climate change through promoting higher environmental standards) and DP22 (Promoting sustainable design and construction).

The original section 106 agreement contained clauses requiring that a BREEAM rating of Very Good or higher for the commercial element and Excellent for the residential element be attained, and details submitted to demonstrate this. This requirement was satisfied for the Approved Development on 7th January 2013 following the submission of the relevant plans. The improvements upon the approved plans are therefore welcome.

6 Basement excavation

The amended proposals for this previously approved development include further demolition of buildings and the deepening of the existing basement below 80 Charlotte Street by approximately 2 metres. A basement impact assessment has been carried out by the applicants and independently assessed.

The independent assessment states that it is accepted that there are no slope stability, hydrogeological or hydrological concerns with respect to the development proposals. The basement retention system has not been fully developed. However, it is stated in the BIA that the retaining walls in those sections will be of sufficient stiffness to limit ground movements to within the predicted values.

The report concludes that the BIA has been prepared in accordance with the processes and procedures set out in Camden Planning Guidance 4. The methodologies and assumptions are clearly stated and are appropriate to the scale of the proposals and the nature of the site. The conclusions have been arrived at are based on all necessary and reasonable evidence of the considerations, in a reliable, transparent manner, by suitably qualified professionals, with sufficient attention paid to risk assessment and use of cautious or moderately conservative engineering values/estimates. The conclusions of the various documents/details comprising the BIA are generally consistent with each other and are sufficiently robust and accurate and accompanied by sufficiently detailed amelioration/mitigation measures, such that further information required can be provided within a Basement Construction Plan.

It is recommended that a Basement Construction Plan is provided and approved prior to commencement on site and this should include:

- A refined GMA/building damage assessment for the remaining sections which have not been fully developed
- Consistent pile sizes and spacing in the various sections of the BIA
- The full input and output from all the ground movement analysis programmes used
- A detailed temporary works scheme to validate assumptions made in the GMA for the remaining sections.
- Results of condition surveys of potentially affected structures.
- Detailed monitoring scheme for potentially affected structures.
- Control measures for possible water ingress between the individual piles.

7 Construction

The previous scheme proposed substantial renovation of the existing post-war

building's floorplates with a re-clad façade. The new scheme proposes the total demolition of all post war structures on the site and the rebuilding to modern specifications. Given the complexities of refurbishing buildings generally, and the added issue of severe issues with the structural integrity of the existing 1960s concrete the most appropriate option is considered to be a total demolition and rebuild.

The demolition of the existing structures will allow for not only improvements in sustainability/energy but also for a more certain construction period. The applicants have submitted a construction method statement which highlights that no more than 40 construction vehicles a day will be used (no more than as already approved) and that dust from demolition can be minimised through the use of shrouds and vehicular cleansing as they leave the site. The construction method statement concludes that the proposal is feasible in terms of general construction process and methodology.

Given that the construction process would be simplified with less uncertainty surrounding potential repair works to old concrete, it is considered that there could be less impact on neighbours as there is lower potential for delays.

8 Cycle access

The previous proposal would have seen bicycles accessing the basement parking facilities via the vehicle access ramp from Howland Street. The revised proposal would locate the cycle parking facilities to a slightly lower level within the basement; bicycles will now access it via the vehicle ramp and then a separate bicycle ramp.

The ramp would be 1.5m wide and have a gradient of 1:10 this is considered to be acceptable. There would be no changes to the amount or type of cycle spaces provided, which is acceptable given the scope of this application.

9 Other matters

In all other respects the scheme would remain unchanged and as such there would be no additional considerations above what has been assessed in the previous scheme.

There would be no impact on the amenity of surrounding residential properties as the height, bulk, mass and general design would remain unchanged with window positions only being moved minimally to take into account revised floor levels.

The section 106 agreement has been amended to include the following revised heads of terms:

- Basement Construction Plan
- Approval in Principle (with costs)

Special attention has been paid to the desirability of preserving or enhancing the

character or appearance of the conservation area, under s.72 of the Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

The site's planning history and relevant appeals have been taken into account when coming to this decision. No representations were received as a result of consultation.

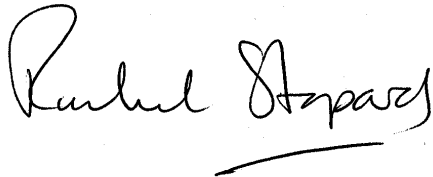
As such, the proposal is in general accordance with policies CS1, CS5 and CS14 of the London Borough of Camden Local Development Framework Core Strategy, and policies DP24, DP25, DP26 and DP27 of the London Borough of Camden Local Development Framework Development Policies. The proposed development also accords with policies 7.4, 7.6 and 7.8 of the London Plan March 2015, consolidated with alterations since 2011, and paragraphs 14, 17, 56-66 and 126-141 of the National Planning Policy Framework.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

A handwritten signature in black ink, appearing to read 'Rachel Stopard', with a horizontal line underneath.

Rachel Stopard
Director of Culture & Environment