

125 Shaftesbury Avenue

Planning Statement

SEPTEMBER 2016





GERALDEVE

Town Planning Statement
125 Shaftesbury Avenue

On behalf of: Almacantar Shaftesbury S.à.r.l.

September 2016

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1 Executive Summary

- 1.1 The application proposals brought forward by Almacantar Shaftesbury S.à.r.l. will provide an exciting opportunity to create a high quality sustainable mixed use development within Central London.
- 1.2 The existing building is a standalone basement, ground plus nine upper storeys building which has been primarily used as offices (Class B1) since its construction. The existing building was constructed in the late 1970's, early 1980's. As such, the existing office accommodation is outdated and does not suit modern occupier requirements. The floorplates and core configuration are inefficient and the space planning is irregular which does not suit modules for modern tenancies and occupation. Likewise, floor to floor heights are restrictive and the building services are outdated.
- 1.3 The existing building provides a poor contribution to the existing urban character, relationship to the public realm and confusing urban legibility. The façade of the existing building has significantly deteriorated, providing poor environmental performance, and is in need of remedial work. Accordingly, this Planning Statement accompanies an application for extensive refurbishment alongside infill and extensions to make the development feasible.
- 1.4 The current neglected appearance of the building detracts from the public realm, the adjacent Seven Dials (Covent Garden) and Denmark Street Conservation Areas and adjacent listed buildings and views around the site. It sits in a location between the distinct areas of Soho, Covent Garden, Seven Dials and Bloomsbury, fronting two key arterial routes of Shaftesbury Avenue and Charing Cross Road. The site has the potential to help stitch these areas together in the urban fabric.
- 1.5 The proposals have evolved around an opportunity to significantly upgrade this building, reflecting Camden's key policy objectives and taking advantage of the building's many strengths, namely its highly accessible Central London location, including proximity to the new Crossrail station at Tottenham Court Road, unique characteristics, the mix of building styles and heights in the area, and the potential to create strong pedestrian links through to the surrounding districts. The proposals will result in a highly sustainable mixed-use development, including additional office floorspace and retail floorspace, providing active frontages at ground floor level and

improving the public realm, as well as providing a new pedestrian route through the site. Whilst the proposals result in a loss of overall retail floorspace, much of the existing floorspace is unusable as it is currently located at basement level, occupied by plant and used for back of house or storage facilities. The proposed retail floorspace will consolidate the existing provision to create significantly higher quality retail units, meeting modern retail occupier requirements.

1.6 In this context it is considered that the development will make a significant contribution to both Camden and to London by improving the dysfunctional lack of connectivity between Soho, Covent Garden, Seven Dials and Bloomsbury through the creation of a place of character with improved movement and connections between people and places.

1.7 The problem of drugs, crime and homelessness in this area are well known. A key success of these proposals will be the ability to significantly reduce these unwanted activities and create a safer, more pleasant area to live, work and visit.

1.8 It is envisaged that the proposed public realm works will improve the street environment, both for those living and those working in the area, by offering more attractive places to spend time, and for those travelling through and by making the area more legible, safer and visually attractive whilst providing an urban environment that is distinctive and safe.

1.9 The proposed development will deliver the following benefits:

- Regenerate and transform the existing area;
- Sustainable reuse and regeneration of an existing outdated office building;
- Provision of approximately 1,000 new jobs;
- Provision of new and improved active public uses at ground floor level to further activate street frontages with a mix of shops, cafes and restaurants;
- High quality and attractive design, embracing the principles of sustainable design and construction;
- Better building energy use through installation of modern and efficient facilities and systems;
- Improvements to the surrounding public realm, in particularly Stacey Street;
- Re-instatement of a historic route through the site, joining Old and New Compton Street;

- Creation of a safe and secure environment for existing and future residents, employees and visitors of the area; and
- Contribution to affordable housing in the Borough through off-site solution of Payment in Lieu (PIL).

1.10 The application proposals seek to comply with the Core Strategy and Development Plan policies, guidance and standards contained therein. The scheme goes to the very heart of the principles contained in the NPPF, London Plan and Camden's Local Development Framework.

2 Introduction

2.1 This Planning Statement is submitted in support of a detailed planning application made on behalf of Almacantar Shaftesbury S.à.r.l. ('the applicant') for remodelling, refurbishment and extension of 125 Shaftesbury Avenue, London. This statement sets out the town planning case in support of the application. It summarises the planning history of the site and assesses the development in the context of relevant policies and guidance.

2.2 The proposals are described in greater detail in the Development Proposals section of this statement. In summary, planning permission is sought for:

“Remodelling, refurbishment and extension of existing office and retail building (Class B1/A1/A3/Sui Generis), including terraces, a new public route, a relocated office entrance (Charing Cross Road), rooftop plant and flexible retail uses (Classes A1/A3), along with associated highway, landscaping and public realm improvements.”

2.3 The statement is structured as follows:

- Section 3 – description of the site and surroundings;
- Section 4 – details of the site’s background and planning history;
- Section 5 – details of the development proposals;
- Section 6 – details of the consultation on the proposals;
- Section 7 – relevant planning policy framework;
- Sections 8-14 – consideration of the material planning considerations arising from the application proposals; and
- Section 15 – summary and conclusions.

2.4 The proposed works are designed by DSDHA and are described in Section 5 of this statement as well as in the Design and Access Statement. This statement should be read in conjunction with the plans and drawings submitted, as well as the following documents which are submitted in support of this application (in addition to this statement):

- Design and Access Statement prepared by DSDHA;
- Townscape, Visual Impact and Heritage Assessment prepared by Peter

Stewart Consultancy;

- Sustainability Statement (including Energy) prepared by Renewable Environmental Services;
- Noise Impact Assessment prepared by Waterman;
- Air Quality Assessment prepared by Waterman;
- Daylight and Sunlight Report prepared by Gordon Ingram Associates;
- Transport Assessment (including Travel Plan and Servicing Strategy) prepared by Waterman;
- Construction Management Plan prepared by A.I.A;
- Flood Risk Assessment prepared by AKT II;
- Arboricultural Assessment prepared by Tree Fabrik;
- Drainage Management Plan prepared by Waterman;
- Site Waste Management Statement prepared by Waterman;
- Preliminary Environmental Risk Assessment prepared by Waterman;
- Preliminary Ecological Appraisal prepared by Waterman;
- Historic Environmental Desk Based Assessment prepared by Waterman;
- Statement of Community Involvement prepared by London Communications Agency;
- Financial Viability Assessment prepared by Gerald Eve LLP;
- Landscape and Public Realm Strategy ; and
- Housing Study prepared by DSDHA.

3 Site and Surroundings

- 3.1 The application site is located in the London Borough of Camden. The building fronts on to four streets: Shaftesbury Avenue, Charing Cross Road, Phoenix Street and Stacey Street. Both Shaftesbury Avenue and Charing Cross Road are busy traffic routes through the area, whilst Stacey Street and Phoenix Street are quieter pedestrian routes from Soho to St Giles.
- 3.2 The existing building is a standalone basement, ground plus nine upper storeys 1970's/80's building which has been used primarily as offices (Class B1) since its construction. 125 Shaftesbury Avenue lies in the Holborn and Covent Garden Ward of Camden. The site finds itself between, but not associated with, very distinct character areas of London including St Giles, Soho, Covent Garden and Holborn. The site itself lacks identity and it is considered that the development will assist with creating linkages and stitching this area into its wider context.
- 3.3 The building itself is not listed. The Odeon cinema, to the north east of the building, is Listed Grade II and the Phoenix Theatre to the north west is Listed Grade II. Other surrounding listed buildings include St Giles-in-the-Fields Church to the north, which is Listed Grade I and the Palace Theatre to south which is Listed Grade II*.
- 3.4 The London Plan identifies the application site within the Central Activities Zone (CAZ). The strategic priorities of the CAZ are to enhance and promote the unique international, national and London wide roles of the CAZ, supporting distinct offer of the Zone based on a rich mix of local as well as strategic uses and forming the globally iconic core of one of the world's most attractive and competitive business locations. The CAZ is also required to sustain and enhance the distinctive environment and heritage of the CAZ, in appropriate parts ensure that office provision is not strategically constrained and provision is made for a range of occupiers, support and improve the retail offer of the CAZ and sustain and manage the attractions of the CAZ as a leading visitor destination.
- 3.5 The site is also identified as being within an arts, cultural or entertainment character area. In this area, development capacity should be brought forward which supports infrastructure and services to sustain and enhance this role.
- 3.6 The site is not located within any protected views or viewing corridors within the

London View Management Framework (2012).

- 3.7 Within the Camden Local Development Framework (LDF), the site is within an Archaeological Priority Area, Central London Location and part of the site is also located within a Central London Frontage. The site is not within a conservation area but adjoins the Seven Dials (Covent Garden) and Denmark Street Conservation Areas.
- 3.8 The Seven Dials (Covent Garden) Conservation Area lies to the south east of the site. The special character of the Conservation Area is found in the range and mix of building types and uses and the street layout. The character is not dominated by one particular period or style of building but rather it is their combination that is of special interest.
- 3.9 The Denmark Street Conservation Area lies to the north east of the site and was designated as an extension to the Bloomsbury Conservation Area in 1984. An extension was designated in 1991 and a further extension in 1998.
- 3.10 The site has an excellent public transport accessibility level with the highest possible rating of PTAL 6b.
- 3.11 The site forms an island with Trentishoe Mansions to the south. As the two buildings are situated between two main roads; Shaftesbury Avenue and Charing Cross Road.
- 3.12 The area around the site is densely built up, so the upper parts of the existing building are visible from few locations in the wider area. Buildings surrounding the site are mixed in scale, ranging from lower rise buildings such as St Giles Church, and late 19th century office and institutional buildings on the south side of Shaftesbury Avenue of a consistent scale of 4 and 5 storey, to taller buildings further north up Charing Cross Road, towards Tottenham Court Road, including Centrepoint and Central Saint Giles.
- 3.13 This area is also undergoing considerable change with a new Crossrail station at Tottenham Court Road and over-site development. When complete, a new office building built over the recently opened Tottenham Court Road London Underground

Station and an adjacent mixed-use development, which includes a theatre, will significantly alter the scale and character of this end of the street. Furthermore, in May 2016 Camden's Development Control Committee resolved to grant planning permission for the redevelopment of Ilona Rose House (old Foyles bookshop), opposite the application site on Charing Cross Road, to provide a basement, ground and part eight upper storey mixed use building.

- 3.14 The surrounding properties are a mix of uses, including commercial (office B1), residential (C3) to the rear of the site on Phoenix Street and to the south in Trentishoe Mansion, as well as some retail (A1) and restaurant (A3) at ground floor level. There are also a number of cultural uses in the area, with Phoenix Theatre (Listed Grade II) adjacent and Palace Theatre (Listed Grade II*) to the south, as well as the Odeon Cinema (Listed Grade II) to the north east of the site.

4 Planning History

- 4.1 The planning history for the site is extensive and therefore this Planning Statement does not include minor applications. A full planning history table is attached at Appendix A.
- 4.2 On 3 May 1978, planning permission was granted (ref. P13/36X/A/26208) for the development of the site bounded by Charing Cross Road, Phoenix Street, Stacey Street and New Compton Street and the site bounded by New Compton Street, Stacey Street, Shaftesbury Avenue, 123 Shaftesbury Avenue and 5 New Compton Street by the erection of a basement and ten storey building for use as shops, showrooms, restaurant and offices together with associated car parking. We understand that this planning permission was implemented and is the planning permission relating to the existing building on the site.
- 4.3 On 21 May 1986, planning permission was granted (ref. 8600609) for use of part of the building as a dry cleaners.
- 4.4 On 14 March 2002, planning permission was granted (ref. PSX0204122) for the refurbishment of the existing ground floor offices including the provision of full height glazing and a stainless steel canopy.
- 4.5 There is no other planning history of relevance to this planning application.

5 Development Proposals

- 5.1 The proposals have evolved around an opportunity to significantly upgrade this building, reflecting Camden's key policy objectives and taking advantage of the building's many strengths, namely its highly accessible Central London location, including proximity to the new Crossrail station at Tottenham Court Road, unique characteristics, the mix of building styles and heights in the area, and the potential to create strong pedestrian links through to the surrounding districts. The proposals will result in a highly sustainable mixed-use development, including office and retail floorspace, providing active frontages at ground floor and improving the public realm, as well as providing a new route through the site.
- 5.2 The proposed development has evolved in response to feedback from Officers at London Borough of Camden (LBC), Design South East (DSE), Developer's Briefing (DB) and extensive consultation with local groups, stakeholders and residents including a Development Management Forum (DMF). A full description of the proposals is contained in the Design and Access Statement prepared by DSDHA. This Planning Statement should be read in conjunction with the Design and Access Statement and other technical assessments together with the formal plans and drawings submitted with the applications. The key details of the proposals are summarised in this section.
- 5.3 A summary of the existing and proposed land use components is set out in table 1 below:

Table 1 – Land Use Summary

Land Use	Existing (sqm GIA)	Proposed (sqm GIA)	Net Change (sqm GIA)
Office (Class B1)	18,830.4	28,513.3	+9,682.9
Retail	3,872.6	0	-3,872.6
Sui Generis	70.4	0	-70.4

Flexible Retail (Class A1/A3)	0	2,398.7	+2,398.7
TOTAL	22,773.4	30,912	+8,138.6

- 5.4 The proposed development would see the retention and recladding of the lower floors of the building. The existing set back upper floors would be removed and reconstructed. The upper floors of the building would be for office use (Class B1) and an uplift in +9,682.9sqm GIA office floorspace is proposed.
- 5.5 The ground and lower ground floors would be animated with 2,398.7sqm of active public uses, such as shops and restaurants (flexible Class A1/A3) characteristic of the area, in addition to the enhanced office lobby fronting on to Charing Cross Road. Whilst the proposals result in a loss of overall retail floorspace from the existing, much of the existing floorspace is unusable as it is currently located at basement level, occupied by plant and used for back of house and storage facilities. The proposed retail floorspace will consolidate the existing provision to create significantly higher quality retail units, meeting modern retail occupier requirements.

6 Consultation

- 6.1 The Localism Act 2011 emphasises the need for effective and meaningful pre-application consultation.
- 6.2 This is reiterated by the National Planning Policy Framework, March 2012, ('NPPF') which states that early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality pre-application discussions enable better coordination between public and private resources and improve outcomes for the community (paragraph 188).
- 6.3 Consultation is recognised as an essential tool for balancing the views and needs of different interest groups and securing mutually compatible solutions and as such has played an important role in the preparation of this planning application.
- 6.4 Paragraph 190 reiterates that the more issues that can be resolved at the pre-application stage, the greater the benefits.
- 6.5 The proposals for the refurbishment and extension of 125 Shaftesbury Avenue have been subject to extensive consultation between summer 2015 and summer 2016. Those consulted include:
- London Borough of Camden (Planning, Design, Housing)
 - Design South East (DSE) Review
 - Local Stakeholders
 - Residents Associations
 - Development Control Committee Members
 - Ward Councillors
 - Statutory Consultees
 - General Public (Developer's Briefing)
 - Westminster City Council
 - Historic England
 - Metropolitan Police
- 6.6 The proposals have evolved over the consultation period and have sought to accommodate, where possible, comments made during these consultations. These

comments have included height, bulk and design of the proposed building, land uses, public realm and open space, daylight and sunlight and potential Section 106 obligations. Full details are set out in the Statement of Community Involvement which accompanies this application.

- 6.7 The consultation events held are set out below and further details are contained within the Statement of Community Involvement.

Camden Council Officers

- 6.8 Extensive pre-application meetings have been held with planning and design officers from LBC since June 2015. Additional technical meetings to discuss transportation, sustainability, noise and public realm meetings have also taken place at the pre-application stage with relevant officers of LBC.

Consultation with Residents, Neighbours and Other Stakeholders

- 6.9 In order for local residents and businesses to understand the proposals in detail, a public consultation exhibition was held on 21, 22 and 31 March and 1 and 2 April 2016 at the Bloomsbury Hotel. To publicise the exhibition, flyers including a map of the exhibition location and details of the opening hours were distributed on two occasions to 2,540 residential and commercial properties in the area surrounding the Proposed Development. The flyer also contained details of the dedicated consultation email address and phone line as well as the address of the consultation website. The exhibition was also promoted through adverts in Camden New Journal, West End Extra, consultation on the website featuring details of exhibition and contact details, through personal emails to those the project team had engaged with to date and through community groups via work of mouth.
- 6.10 The public consultation exhibition aimed to demonstrate how the design team has responded to the comments raised during the discussions with officers and stakeholders.
- 6.11 The Applicant and consultant team were present at the exhibition to discuss the proposals and respond to any queries. In total 17 responses were received to the

proposals.

- 6.12 In addition, the Applicant presented the scheme at a Development Management Forum (DMF) on 19 April 2016. Ten members of the public attended the DMF, representing local businesses, bodies and residents associations.
- 6.13 The proposals were also presented to Design South East (DSE) on 28 April 2016. The DSE panel provided feedback on the proposals including emphasis on the design team to show how the proposed additional volume would enhance, or at least not harm, the conservation area. Comments received also highlighted that the affordable housing could be problematic for families to access and live in; however, the provision of a new route through the site was welcomed. The architectural treatment of the building up to shoulder height was considered sophisticated and well-proportioned with the modelling and rhythm of the bay well handled.

Members

- 6.14 A Developer's Briefing presentation was also held on 27 July 2016, which gave an opportunity to present the scheme proposals to committee members.

Summary

- 6.15 The consultation strategy has been extensive and has sought to engage with statutory and non-statutory consultees including residents, local businesses, community groups and politicians throughout the design process. The information provided during this process was full and comprehensive.
- 6.16 The proposals have been revised to reflect comments raised throughout the consultation, particularly in relation to the proposed building design, land uses and public realm works.

7 Planning Policy Context

- 7.1 The London Borough of Camden assesses all development proposals against the Development Plan, which comprises the London Plan (LP) Consolidated with Alterations (2016), Camden's Core Strategy (2010) and Camden Development Policies (2010). Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 7.2 The National Planning Policy Framework (NPPF) (2012) is the overarching planning document in the country. It sets out the Government's planning policy objectives for England and how these are expected to be applied. It summarises, in a single document, all previous national planning policy. The NPPF must be taken into account in the preparation of the Development Plan and is a material consideration in all planning decisions.
- 7.3 The PPG should also be considered alongside the NPPF, as it outlines how government planning practice should be followed and interpreted in accordance with the principles of the NPPF.
- 7.4 For the purposes of decision-taking in the Borough, the policies in the Core Strategy are not considered out-of-date simply because they were adopted before the publication of the NPPF. However, policies in the NPPF are material considerations which the Council should take into account. The Council should give due weight to the relevant policies in the Core Strategy according to their degree of consistency with the NPPF.
- 7.5 The Mayor of London and the London Borough of Camden have also produced Supplementary Planning Guidance/Documents (SPGs/SPDs) which provide further detail on the implementation of policy and are a further material consideration in the determination of planning applications. Camden's supplementary guidance documents are referred to as Camden's Planning Guidance.

The National Planning Policy Framework (NPPF), March 2012

- 7.6 The purpose of the planning system is to contribute to the achievement of sustainable development. All plans should be based upon, and reflect, the presumption in favour of sustainable development, with clear policies that will guide

how the presumption should be applied locally. The NPPF explains that the policies of the NPPF taken as a whole constitute what the Government considers sustainable development to mean in practice.

- 7.7 Specifically, paragraph 19 states that the planning system should do all that it can to promote sustainable economic growth in order to create jobs and prosperity and meet the challenges of global competition alongside a low carbon future. The NPPF states that significant weight should be placed on the need to support economic growth through the planning system. Investment in business should not be overburdened by the combined requirements of planning policy expectations.
- 7.8 The presumption in favour of sustainable development is new policy guidance designed to ensure that the planning system as a whole focuses on opportunities. The presumption, in practice, means that significant weight should be placed on the need to support economic growth through the planning system and local planning authorities should plan positively for new development and approve all individual proposals wherever possible. However, development should not be allowed if it would undermine the key principles for sustainability in the Framework. The NPPF makes clear that the policies should apply “unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits” (paragraph 14).
- 7.9 The NPPF sets out core planning principles that should underpin both plan-making and decision-taking. It states that “every effort should be made objectively to identify and then meet the housing, business and other development needs for an area, and respond positively to wider opportunities for growth” (paragraph 17).
- 7.10 Section 7 of the NPPF states that the Government attached great importance to the design of the built environment and that good design is a key aspect of sustainable development.

National Planning Practice Guidance (PPG), March 2014

- 7.11 On 6th March 2014, the Department for Communities and Local Government (DCLG) launched its National Planning Practice Guidance (PPG). The PPG outlines how government planning practice should be followed and interpreted in accordance with the principles of the NPPF. The guidelines set out in the PPG should be accorded to when determining an application.

7.12 With regard to decision taking, the PPG is a material consideration in the determination of planning applications.

The London Plan Consolidated with Alterations, 2016

7.13 The London Plan aims to set out a framework to co-ordinate and integrate economic, environmental, transport and social considerations over the next 20 years. The London Plan includes London-wide planning policy guidance and sets the relevant regional planning policy guidance for Islington and forms a component part of the statutory development plan.

7.14 The Mayor recognises that London is a city which has very distinctive strategic needs. The London Plan has been designed to facilitate the continuing attractiveness of London as a World City.

7.15 The Mayor considers that the greatest challenge faced in London is to accommodate significant growth in ways that respect and improve London's diverse heritage while delivering the vision of an exemplary, sustainable world city. This will involve the sensitive intensification of development in locations that are, or will be, well served by public transport.

7.16 The following policies from the London Plan are considered relevant to the planning application:

- 2.10 – Central Activities Zone – Strategic Priorities
- 2.11 – Central Activities Zone – Strategic Functions
- 2.13 – Opportunity Areas and Intensification Area
- 4.1 – Developing London's Economy
- 4.2 – Offices
- 4.3 – Mixed Use Development and Offices
- 4.7 – Retail and Town Centre Development
- 4.8 – Supporting a Successful and Diverse Retail Sector and Related Facilities and Services
- 4.9 – Small Shops
- 5.1 – Climate Change Mitigation
- 5.2 – Minimising Carbon Dioxide Emissions
- 5.3 – Sustainable Design and Construction
- 5.5 – Decentralised Energy Networks

- 5.6 – Decentralised Energy in Development Proposals
- 5.7 – Renewable Energy
- 5.8 – Innovative Energy Technologies
- 5.11 – Green Roofs and Development Site Environs
- 6.1 – Transport – Strategic Approach
- 6.3 – Assessing Effects of Development on Transport Capacity
- 6.9 – Cycling
- 7.1 – Lifetime Neighbourhoods
- 7.2 – An Inclusive Environment
- 7.3 – Designing Out Crime
- 7.4 – Local Character
- 7.5 – Public Realm
- 7.6 – Architecture
- 7.8 – Heritage Assets and Archaeology
- 7.14 – Improving Air Quality

Supplementary Planning Documents

- Central Activities Zone (CAZ) (2016) - The emphasis of this SPD is to encourage the provision of office and business floorspace within the CAZ and the document sees a shift towards greater weight being placed on the provision of offices and other CAZ strategic functions relative to new residential.

Local Planning Policy

- 7.17 The relevant development plan is Camden's Core Strategy, which was adopted in 2010 and Camden's Development Policies, also adopted in 2010. The following policies are considered relevant to the determination of these applications:

Core Strategy

- CS1 – Distribution of Growth
- CS3 – Other Highly Accessible Areas
- CS5 – Managing the Impact of Growth and Development
- CS7 – Promoting Camden's Centres and Shops
- CS8 – Promoting a Successful and Inclusive Camden Economy
- CS9 – Achieving a Successful Central London

- 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 and Encouraging Biodiversity
- CS17 – Making Camden a Safer Place

Development Policies

- DP1 – Mixed Use Development
- DP10 – Helping and Promoting Small and Independent Shops
- DP12 – Supporting Strong Centres and Managing the Impact of Food, Drink and Entertainment and Other Town Centre Uses
- DP13 – Employment Sites and Premises
- DP16 – The Transport Implications of Development
- DP17 – Walking, Cycling and Public Transport
- DP18 – Parking Standards and Limiting the Availability of Car Parking
- DP22 – Promoting Sustainable Design and Construction
- DP24 – Securing High Quality Design
- DP25 – Conserving Camden’s Heritage
- DP26 – Managing the Impact of Development on Occupiers and Neighbours
- DP31 – Providing of, and Improvements to, Open Space, Sport and Recreation

Supplementary Planning Guidance

7.18 Other relevant LBC Supplementary and Design Guidance of relevance to this application includes:

- CPG 1 – Design
- CPG 2 – Housing
- CPG 3 – Sustainability
- CPG 5 – Town Centres, Retail and Employment
- CPG 6 – Amenity
- CPG 7 – Transport
- CPG 8 – Planning Obligations

Emerging Local Plan

- 7.19 Consultation on the Local Plan Submission Draft ran for 8 weeks from 8 February to the 4 April. On 24 June 2016 the Council submitted the Camden Local Plan and supporting documents to the Secretary of State for Communities and Local Government for independent examination. The public hearings for the Examination will be held at Camden Town Hall and are currently timetabled for October 2016.
- 7.20 The Camden Local Plan sets out the Council's planning policies and, once adopted, will replace the current Core Strategy and Development Policies planning documents (adopted in 2010). The Local Plan will play an essential role in the delivery of the Camden Plan, the Council's vision for the borough, in particular the objectives of creating the conditions for and harnessing the benefits of economic growth, reducing inequality and securing sustainable neighbourhoods.

Site Specific Allocations

- 7.21 Within the LP, the site is located in the CAZ. The LP notes that the CAZ contains a unique cluster of vitally important activities including central government offices, headquarters and embassies, the largest concentration of London's financial and globally-orientated business sector and the offices of trade, professional bodies, institutions, associations, communications, publishing, advertising and the media. The LP identifies that the Mayor and boroughs should *inter alia* recognise that the CAZ is the heart of London's world city offer and promote and coordinate development so that together they provide a competitive, integrated and varied global business location.
- 7.22 The CAZ SPG states that over the period 2011 to 2036, the CAZ boroughs are projected to accommodate a further 460,000 jobs of which 58% are within the CAZ itself. The strategic functions of the CAZ and its unique character and heritage, are fundamental to London's status as a dynamic, exuberant and successful world city. Its continued success will ensure that business, visitors and investment continue to flow into the capital and support not just the economy of inner and outer London, but also the wider metropolitan area and the UK as a whole. The strategic functions of the CAZ as set out in the CAZ SPG are as follows:

- 1) Functions associated with State, Government and Monarchy
- 2) Diplomatic organisations (such as embassies and High Commissions)
- 3) Agglomerations of nationally and internationally significant offices and company headquarters connected with finance, business, professional bodies, associations and institutions
- 4) Uses connected with science, technology, media, communications and cultural sectors of regional, national and international importance
- 5) Centres of excellence for higher and further education and research
- 6) Medical and legal establishments of regional, national and international importance
- 7) Arts, culture, leisure and entertainment uses/clusters of regional, national and international importance
- 8) Retailing, including specialist outlets, of regional, national and international importance
- 9) Tourism facilities including hotels and conference centres
- 10) Specialist creative clusters associated with other central activities including for example clothing, fashion, jewellery, printing, antiques, art and culture
- 11) Transport facilities, especially for public transport of regional, national and international importance
- 12) Places of worship and places of assembly of regional, national and international importance
- 13) Use and enjoyment of the River Thames
- 14) Heritage, built environment, the Royal Parks and other green and open spaces (public and private).

7.23 On the LDF proposals map to the Core Strategy, the application site is located in the Central London Area. The site is also designated as an Archaeological Priority Area.

Part of the site falls within Central London's Frontages.

- 7.24 The Council will use its Core Strategy and Development Policies Document, where relevant and up to date, together with the Mayor of London's adopted LP as the basis for determining planning application in the borough. In addition, to support the policies in these documents, more detailed planning guidance has been prepared. Camden has updated its supplementary planning documents to ensure that they are in line with the adopted Core Strategy and Development Policies Document.

8 Land Use

8.1 The lawful use of the upper floors (first to ninth) of 125 Shaftesbury Avenue is solely as an office building (Class B1). At basement and ground floor levels there is some provision of retail (Class A1), restaurant (A3) and sui generis floorspace as well as some ancillary office (Class B1) floorspace. The proposals will provide a high quality office (Class B1) building at basement, ground and ten upper storeys, with flexible commercial (A1/A3) use at ground and lower ground floor level. The proposed uses are considered against national, regional and local policy below:

- Offices (Class B1)
- Flexible Retail (Class A1 and A3)
- Mixed Use and Central Activities Zone

8.2 The proposals comprise commercial development appropriate to its central London and CAZ location. The existing and proposed mix of uses is as follows (GIA):

Land Use	Existing (sqm GIA)	Proposed (sqm GIA)	Net Change (sqm GIA)
Office (Class B1)	18,830.4	28,513.3	+9,682.9
Retail (Class A1)	3,872.6	0	-3,872.6
Sui Generis	70.4	0	-70.4
Flexible Retail (Class A1/A3)	0	2,398.7	+2,398.7
TOTAL	22,773.4	30,912	+8,138.6

Office Use

8.3 At a national level, the NPPF sets out the Government's commitment to securing economic growth in order to create jobs. The economic role, along with the social

and environmental roles, is one of the three dimensions of the NPPF. The planning system should contribute to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure.

- 8.4 The planning system should encourage and not act as an impediment to sustainable growth, and local authorities should plan proactively to meet the development needs of business.
- 8.5 Paragraph 21 states that Local Plans should support existing business sectors, taking account of whether they are expanding or contracting, and policies should be flexible enough to accommodate needs not anticipated in the plan and to allow a rapid response to changes in economic circumstances. It stipulates that plans should plan positively for the location, promotion and expansion of clusters or networks of knowledge driven, creative or high technology industries.
- 8.6 London Plan policies 2.10-2.13 acknowledge the strategic importance of the Central Activities Zone and seek to support and enhance the role of the CAZ within London. Specifically, development proposals should increase office floorspace within the CAZ and “seek solutions to constraints on office provision and other commercial development imposed by heritage designations”.
- 8.7 Policy 2.10 addresses the strategic priorities of the CAZ, and specifically seeks to enhance and promote the unique role of the CAZ and its rich mix of uses that makes it one of the world’s most attractive and competitive business locations. Part A (e) of this policy further seeks to ensure that office development is not strategically constrained, and that provision is made for a range of occupiers.
- 8.8 Policy 2.11 states that development within the CAZ should increase office floorspace and include a mix of uses, including residential, unless such a mix would demonstrably conflict with other policies in the London Plan. Part A (b) of the policy encourages local authorities and relevant agencies to seek solutions to constraints on office provision and commercial development imposed by heritage designations.
- 8.9 Part B (b) of Policy 2.13 states that development proposals should seek to optimise residential and non-residential output and densities, provide necessary social and

other infrastructure to sustain growth, and, where appropriate, contain a mix of uses.

- 8.10 Policy 4.1 sets out the strategic principles to guide development that can promote London's economy, which includes support for the provision of sufficient and suitable workspaces in terms of type, size and cost as well as support for infrastructure for small and medium sized enterprises.
- 8.11 Policy 4.2 focusses specifically on office development and the contribution office development makes to the successful functioning of London's economy. It states that the Mayor and stakeholders should support mixed use development and redevelopment of office provision, including enhancing its varied attractions for businesses of different types and sizes including small and medium sized enterprises. The Plan recognises that there will be strategic and local differences in implementing this policy and states that stakeholders should meet the distinct needs of the central London office market by sustaining and developing its unique and dynamic clusters of specialist functions. This policy also seeks increases in the current office stock where there is evidence of sustained demand.
- 8.12 The Mayor's Economic Development Strategy 2010 sets out a range of economic objectives. The Mayor's vision is that London should excel amongst global cities, expanding opportunities for all its people and enterprises and achieving the highest environmental standards and quality of life over the years until 2031 and beyond.
- 8.13 Furthermore, the GLA adopted the CAZ SPG in March 2016. The emphasis of this SPD is to encourage the provision of office and business floorspace within the CAZ, and, in this location, the document sees a shift towards greater weight being placed on the provision of offices and other CAZ strategic functions relative to new residential.
- 8.14 LBC Policy CS8 of the Core Strategy explains that a concentration of office growth should be promoted across growth areas and Central London. Part c) states that LBC will expect a mix of employment facilities and types.
- 8.15 LBC Policy CS9 supports growth in homes, offices, hotels, shops and other uses within Central London. LBC will inter alia:
- Recognise its unique role, character and challenges;
 - Support Central London as a focus for Camden's future growth in homes,

offices, shops, hotels and other uses;

- Seek to ensure that development in Central London, in the growth areas of King's Cross, Euston, Tottenham Court Road and Holborn beyond, contributes to London's economic, social and cultural role while meeting the needs of local residents and respecting their quality of life;
- Support residential communities within Central London by protecting amenity and supporting community facilities; and
- Take into account the specific identity of the areas within Central London when making decisions on planning applications and in relevant initiatives and works.

8.16 LBC development control Policy DP13 states that where sites are suitable for continued business use, LBC will consider redevelopment proposals for mixed use schemes provided that the level of employment floorspace is maintained or increased.

Assessment

8.17 125 Shaftesbury Avenue sits within the CAZ. The site is also in close proximity to the new Crossrail station at Tottenham Court Road, which will open in 2018. Employment floorspace in this location is therefore protected and promoted.

8.18 The proposals for 125 Shaftesbury Avenue involve the refurbishment and extension of an existing office building to provide 28,513.3sqm (GIA) of office floorspace.

8.19 The existing building was constructed in the late 1970's, early 1980's. As such, the existing office accommodation is outdated and does not suit modern occupier requirements. The floorplates and core configuration are inefficient and the space planning is irregular which does not suit modules for modern tenancies and occupation. Likewise, floor to floor heights are restrictive and the building services are outdated.

8.20 The existing building provides a poor contribution to the existing urban character, relationship to the public realm and confusing urban legibility. The façade of the existing building has significantly deteriorated, providing poor environmental performance, and is in need of remedial work. Accordingly, this Planning Statement accompanies an application for extensive refurbishment alongside infill and

extensions to make the development feasible.

- 8.21 The proposed increase in the amount of office floorspace created by the scheme is supported at all levels of planning policy. Policies relating to the CAZ place significant emphasis on the creation of new and improved office floorspace.
- 8.22 The proposed development will contribute significantly to the employment growth targets set out in the London Plan. The uplift in office floorspace would deliver a years' worth of growth in office floorspace needed for the west end section of Camden to maintain its proportion of Camden's growth while meeting the growth targets.
- 8.23 The development proposals for the site represent a mixed-use employment led scheme including provision of retail and restaurant/café uses. This mix allows for the provision of a significant amount of modern office (Class B1) floorspace which is supported by other uses in line with strategy London wide planning policy.
- 8.24 The office floorspace has been designed to meet the requirements of modern office occupiers and will be highly flexible in nature, allowing it to be easily subdivided to meet tenant space requirements. The provision will enhance the overall commercial uses within the local area.
- 8.25 The Proposed Development would support 1,940 jobs directly onsite, of which 78% would be workers who commute from London and 7% would commute from within Camden. Taking into account existing employment onsite, the Proposed Development would support an additional 1,000 jobs directly onsite resulting in an additional £1.85m of worker expenditure in the local area per year.
- 8.26 The office proposals are therefore considered to be in accordance with national, regional and local planning policy.

Retail Use

- 8.27 At a national policy level, paragraph 23 of the NPPF states that planning policies should be positive, promote competitive town centre environments and set out policies for the management and growth of centres over the plan period.

- 8.28 The guidance makes clear that local planning authorities should promote competitive town centres that provide customer choice and a diverse retail offer and which reflect the individuality of town centres.
- 8.29 The NPPF requires that Local Planning Authorities should apply a sequential approach when considering the most appropriate location for retail uses i.e. focusing large scale retail in High Order Centres.
- 8.30 Paragraph 23 goes on to state that it is important that needs for retail and other town centre uses are met in full and are not compromised by limited site availability.
- 8.31 At a regional level, the LP sets out a number of policies relating to town centres and retail development.
- 8.32 125 Shaftesbury Avenue is located within the CAZ. Policy 2.10 of the London Plan recognises the CAZ as being at the heart of London's globally iconic core and supports boroughs in improving the retail offer of the CAZ for residents, workers and visitors. London Plan Policy 2.11 aims to identify, enhance and expand retail capacity to meet strategic and local need. Policy 2.11 also acknowledges one of the CAZ's strategic functions is to ensure that development provides for a mix of uses.
- 8.33 LP Policy 2.15 sets out the requirements for development proposals within Town Centres. They should aim to:
- Sustain and enhance the vitality and viability of the centre
 - Accommodate economic and/or housing growth through intensification and selective expansion in appropriate locations
 - Support and enhance the competitiveness, quality and diversity of town centre retail, leisure and other consumer services
 - Be in scale with the centre
 - Promote access by public transport, walking and cycling
 - Promote safety, security and 'lifetime neighbourhoods'
 - Contribute towards an enhanced environment, urban greening, public realm and links to green infrastructure
 - Reduce delivery, servicing and road users' conflict
- 8.34 Policy 4.7 relates to retail and town centre development in relation to the LP strategic direction and planning decisions. The policy seeks to support a strong

approach to assessing need and bringing forward capacity for retail development in town centres. The scale of retail should be related to the size, role and function of a town centre and its catchment.

- 8.35 In addition, LP Policy 4.8 seeks to support a successful and diverse retail sector.
- 8.36 The CAZ SPG states that whilst retail is a key strategic function of the CAZ it is not necessarily appropriate in all parts of the CAZ and a more nuanced policy approach should be taken which reflects the different circumstance of different parts of the CAZ. Furthermore, the SPG states that the emergence of multil-channel retailing has presented both challenges and opportunities within the CAZ. Many retailers are responding to rapid growth in internet based retailing by provide ‘click and collect’ services and using flagship London stores to ‘showcase’ products brought either in store or on-line. Despite growth in internet based retailing, retail vacancy rates in the CAZ have fallen significantly over the past 7 years.
- 8.37 The SPG goes on to state that whilst regard should be taken to the quantity of retail space, regard should also be taken to the quality of space to meet modern retailer requirements with flexibility for innovative retail formats sensitively designed and integrated within the distinctive CAZ environment.
- 8.38 At a local level, Policy CS1 sets out the distribution of growth within the Borough. The policy seeks sustainable development which makes the most efficient use of limited land and buildings.
- 8.39 Policy CS7 states that retail growth can be provided in town centres where opportunities emerge.
- 8.40 LBC will promote successful centres for residents, visitors and workers by:
- Seeking to protect and enhance the role and unique character of each of Camden’s centres, ensuring that new development is of an appropriate scale and character for the centre;
 - Providing for and maintaining a range of shops, services, food, drink and other suitable uses to provide variety, vibrancy and choice;
 - Protecting and promoting small and independent shops, and resisting the loss of shops where it would cause harm to the character and function of a

centre;

- Making sure that food, drink and entertainment uses do not have a harmful impacts on residents and the local area, and focusing such uses in Camden's Central London Frontages, Town Centres;
- Supporting and protecting Camden's local shops, markets and areas of specialist shopping;
- Pursuing the individual planning objectives for each centre.

8.41 Paragraph 7.17 sets out LBC's vision for small shops. LBC will promote the provision of small units where appropriate and independent shops where possible.

8.42 LBC will expect the provision of small shop units as part of large retail developments provided that this is considered appropriate to the centre (para 10.4). Specifically, the Council will consider the need for the provision of small units for schemes involving over 1,000sqm of retail and generally expect such provision for schemes of 5,000sqm of retail or more (para 10.4). Small units are considered to be those that are less than 100sqm gross floorspace. The Council will take in to account the character and size of the shops in the local area when assessing the appropriate scale of new premises.

Assessment

8.43 At present, there are several existing retail units that wrap around the ground floor level of 125 Shaftesbury Avenue, fronting both Shaftesbury Avenue and Charing Cross Road. There is one sui generis unit to the rear of the existing building, albeit that this is a dry cleaner which does not offer a typical active frontage characteristic of the area.

8.44 The existing retail frontages are poor, offering low floor to ceiling heights, and small shopfronts. The existing units also provide deep, and dark, floorplates which do not lend themselves to prime retail floorspace. The majority of the existing retail floorspace contained within the building is at basement level and is currently used for back of house facilities, storage and plant. Accordingly this floorspace is not useable retail floorspace and makes the existing level of retail floorspace look disproportionately high.

- 8.45 Whilst the proposals result in a loss of retail (Class A1/A3) floorspace by 1,473.9sqm, from the existing provision of 3,872.6sqm (GIA), the opportunity has been taken to improve the retail offer generally, by providing better quality retail units, improved shopfronts and active frontages that wrap the entirety of the ground floor of the building, which they do not as existing, helping to improve security by providing natural surveillance.
- 8.46 When considering the loss of retail floorspace, consideration should be given to the CAZ SPG adopted in 2016. Whilst some existing retail floorspace will be lost, much of this floorspace is currently unusable and therefore whilst this floorspace contributes to the overall retail area of the existing building, the floorspace is currently used for back of house services, plant and storage which makes the existing retail floorspace figure look disproportionately high.
- 8.47 The proposals seek to consolidate the existing floorspace, to provide the most efficient use of that floorspace, whilst ensuring that the units proposed are of a high quality and suitable for modern retailer requirements. The proposals will also result in a better mix of retail occupiers in accordance with local planning policy requirements. The proposals will result in additional 82.6m (73%) active frontage at ground floor level.
- 8.48 Retail floorspace has also been lost by taking the opportunity to provide a new pedestrian route through the site, a significant public benefit of the proposals.
- 8.49 Part of the site is allocated as a Central London Frontage in which successful and vibrant centres are promoted. Paragraph 12.8 of LBC's Development Policies highlights that food, drink and entertainment uses are most appropriate within Central London Frontages.
- 8.50 The principle for retail use at ground floor level is supported by policy, given the site's CAZ location, Central London location, Central London Frontage allocation and a need to activate the ground floor frontages at the ground floor level of the building. The site should therefore be promoted as part of a competitive town centre which provides customer choice and a diverse retail offer in line with the NPPF, London Plan and LDF aspirations.
- 8.51 With regards to opening hours, it is anticipated that they would be no later than 1am

for the A3 uses. They would need to be able to trade until this hour in order to be considered favourably alongside other restaurants having similar hours in Convent Garden and Soho, and characteristic of sites within the Central London Frontages.

- 8.52 A strict operational and management policy would be put in place, dealing with such considerations as refuse handling, goods deliveries, maintenance and cleaning of any extract duct and use of external seating areas.
- 8.53 Servicing and waste are important considerations in relation to any new retail use. These are dealt with separately within this Planning Statement.
- 8.54 The application complies with planning policy, optimising high quality retail floorspace provision and providing active frontages to all sides of the building in accordance with planning policy and guidance.

Mixed Use and the CAZ

- 8.55 One of the aims set out in the NPPF is to ensure that developments optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses and support local facilities and transport networks (paragraph 58). It is therefore important to ensure that a range of needs can be met through a new development.
- 8.56 The site is located within the London Plan defined CAZ and Camden's Central London Area.
- 8.57 The London Plan states that the Mayor is committed to protecting the unique character of the CAZ which covers London's geographic, economic and administrative core. The Mayor's strategic priorities for the CAZ are set out in Policy 2.10 of the London Plan and include:-
- Enhance and promote the unique international, national and London wide roles of the CAZ, supporting the distinct offer of the Zone;
 - In appropriate quarters, bring forward development capacity and supporting infrastructure and services without compromising residential neighbourhoods;
 - Sustain and enhance the distinctive environment and heritage of the CAZ;

- In appropriate parts of the CAZ ensure that development of offices is not strategically constrained and that provision is made for a range of occupiers; and
- Improve infrastructure for public transport, cycling and walking and optimise the development and regeneration benefits they can support.

- 8.58 Policy 2.11 states that the Mayor and Boroughs should ensure that development proposals to increase office floorspace within the CAZ include a mix of uses including housing. This has, however, been supplemented by the recently adopted CAZ SPD. The emphasis of this SPD is to encourage the provision of office and business floorspace within the CAZ and the document sees a shift towards greater weight being placed on the provision of offices and other CAZ strategic functions relative to new residential. In this particular location it states that offices and other CAZ strategic functions should be given greater weight relative to new residential.
- 8.59 The Mayor and Boroughs should also seek solutions to constraints on office provision and other commercial development imposed by heritage designations, including through high quality design to complement these designations.
- 8.60 The Plan estimates that the CAZ (and north of the Isle of Dogs) could have 177,000 new jobs by 2031 with the projected increase generating demand for nearly 2.3 million sqm of office floorspace (Table 4.1).
- 8.61 To address the important relationship between office development and housing, Policy 4.3 of the Plan highlights the need for a tailored approach in the unique circumstances of the CAZ, requiring that increase in office floorspace should provide for a mix of uses including housing. Local authorities should develop approaches to mixed use development taking into account land use swaps and housing credits.
- 8.62 LBC policies CS1 and DP1 will require the provision of a mix of uses in suitable schemes. Policy DP1 states that where a proposal will increase the total gross floorspace by more than 200 square metres, the Council will expect a contribution to the supply of housing. The Council will require up to 50% of all additional floorspace to be housing.
- 8.63 Policy DP1 states that when considering whether a mix of uses should be sought; whether residential can be practically achieved on site; the most appropriate mix of

unit sizes; and the scale nature of any contribution to the supply of housing and other secondary uses; the Council will take into account:-

- a) The character of the development, the site and area;
- b) The site size, the extent of the additional floorspace and constraints on including a mix of uses;
- c) The need for an active frontage and natural surveillance;
- d) The economics and financial viability of the development including any particular costs associated with it;
- e) Whether the sole or primary use proposed is housing;
- f) Whether the secondary uses would be incompatible with the character of the primary use;
- g) Whether an extension to the gross floorspace is needed for an existing user;
- h) Whether the development is publicly funded;
- i) Any other planning objectives considered to be a priority for the site.

8.64 The policy continues to state that where inclusion of a secondary use is appropriate for the area and cannot practically be achieved on the site, the Council may accept a contribution to the mix of uses elsewhere in the area or exceptionally a payment in lieu.

8.65 Policy DP3 of Camden's Development Policies seeks affordable housing provision from housing schemes. It states that the Council will expect the affordable housing contribution to be made on site, but where it cannot practically be achieved on site, the Council may accept off-site affordable housing, or exceptionally a PIL. The Council will negotiate the development of individual sites and related sites to seek the maximum reasonable amount of affordable housing on the basis of an affordable housing target of 50% of the total addition to housing floorspace, but will apply the target with regard to a sliding scale from 10% for developments with capacity for 10 dwellings to 50% for developments with capacity for 50 dwellings.

8.66 Policy DP3 goes on to state that whether an affordable housing contribution can be sought, whether it can practically be achieved on site, and the scale and nature of the contribution that would be appropriate, the Council will also take into account:

- a) Access to public transport, workplaces, shops, services and community facilities;

- b) The character of the development, the site and the area;
- c) Site size, and constraints on including a mix of market and affordable tenures;
- d) The economics and financial viability of the development including any particular costs associated with it;
- e) The impact on creation of mixed and inclusive communities; and
- f) Any other planning objectives considered to be a priority for the site.

Assessment

- 8.67 The proposals result in an additional 8,083sqm GEA floorspace. The increase in floorspace proposed is as a result of a more efficient use of the internal space, the infilling of lightwells and extensions to the existing building.
- 8.68 Local policy requires the provision of up to 50% of total additional floorspace to be provided as housing. If housing cannot be achieved on site, a contribution to off-site housing may be considered. In exceptional circumstances the Council may accept a payment in lieu. 50% of the total additional floorspace is 4,041.5sqm. Under Policy DP3, this amount of housing would generate a requirement for 2,020.75sqm of affordable housing at 50%.
- 8.69 The project team have undertaken a detailed exercise to examine the potential for housing to be provided on site in accordance with Policy DP1. Through the preparation of a Housing Study, which has been submitted alongside this planning application, it became apparent that it would not be possible to accommodate residential floorspace on site. The units that could be incorporated into the design of the building suffered many fundamental drawbacks, particularly in terms of amenity, including:
- Being predominantly single aspect due to the depths of the existing commercial floor plates;
 - North-east or north-west facing with poor natural daylight;
 - Vibration issues associated with the close proximity of London Underground lines;
 - Poor outlook and overlooking issues;
 - Lack of private amenity space; and

- Poor quality access.

- 8.70 The inclusion of residential on site also resulted in unusable office floorplates throughout the building and the additional cores required to serve the units impacted on the ground floor retail units and active frontages.
- 8.71 A scheme was worked up during the consultation stage which included the provision of six affordable housing units (929sqm). This was the maximum that was achievable on site. The provision of these six units was presented to LBC officers, stakeholders and residents at the public exhibition and Design Review Panel. It was unanimously agreed that the units proposed would have such poor access, amenity and impact on the proposed office floorspace, that an alternative solution might be more appropriate.
- 8.72 Having undertaken a detailed exercise to assess the possibility of providing residential floorspace on site, it was concluded and agreed with officers that residential use could not practically be delivered on-site having regard to the provisions of Policy DP1 criteria part (a), (b), (d) and (i), set out below.

Criterion (a)

- 8.73 The proposed development is a refurbishment and extension of an existing office building, accordingly, the opportunity to provide any additional floorspace, to accommodate residential floorspace, is limited.
- 8.74 The site is in the CAZ where office use is given greater weight to residential use. The site is also located in close proximity to the new Crossrail station at Tottenham Court Road which is due to open in 2018. As a result of the new Crossrail station there will be an increased demand, in the area, for office floorspace. Employment floorspace in this location is therefore protected and promoted.

Criterion (b)

- 8.75 The existing floorplates are designed for commercial use and are not readily adaptable for residential use having regard to London Housing Design Guide (LHDG) standards. The proposals are for the refurbishment of an existing

commercial building which covers the entire existing building footprint.

- 8.76 The existing building has large commercial floorplates and accordingly any conversion to residential use would result in fundamental drawbacks to the units proposed as set out within paragraph 8.68 above as well as the remaining commercial floorspace (paragraph 8.70 above).
- 8.77 A Housing Study has been prepared by DSDHA and accompanies the application submission. This sets out in detail the on-site residential options considered. Please refer to the Housing Study for more information on why the options considered are no considered feasible in the context of the constraints of the existing site.

Criterion (d)

- 8.78 The Housing Study was supported by viability testing. It was concluded that in most, if not all, of the scenarios, the residential options would not be viable.

Criterion (i)

- 8.79 In terms of other planning objectives, there is a need for new employment floorspace in Camden. The proposed scheme creates approximately 8,138.6sqm (GIA) of new employment floorspace generating approximately 1,000 new jobs.
- 8.80 For all of the reasons set out above, it is concluded that it will not be possible to provide any of the residential floorspace requirement on site. The lack of on-site provision has been agreed in principle with LBC planning officers.
- 8.81 Policy DP1 states that if housing cannot be practically achieved on site, the Council may accept an off-site solution.
- 8.82 Throughout the pre-application period, the team have been considering the potential for providing an off-site solution to the housing and affordable housing requirements. It should be noted that the search is ongoing and the sites that have been considered to date are summarised within the Housing Study submitted as part of the application. At present no solution has been found. Two off site solutions are also currently being explored in detail with LBC planning officers and these

discussions are ongoing.

- 8.83 If an off-site solution is not found to be feasible, and in accordance with Policy DP1, the Applicant has confirmed that they will make a payment in lieu. A Financial Viability Assessment has been prepared and submitted with this application which confirms that a contribution of £2.1m can be provided.

9 Design

- 9.1 The NPPF stipulates that it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes (Paragraph 57).
- 9.2 It identifies that securing high quality and inclusive design goes beyond aesthetic considerations. Therefore planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment (Paragraph 61).
- 9.3 Policies 5.3 and 7.2 of the LP seek development to meet the highest standards of sustainable and accessible design and construction, to improve the environmental performance of new development and to adapt to the effects of climate change over their lifetime.
- 9.4 Policy 7.3 advises that design should encourage a level of human activity that is appropriate to the location, to maximise activity throughout the day and night, creating a reduced risk of crime and sense of safety at all time.
- 9.5 Policies 7.4, 7.5 and 7.6 seek to ensure that development respects the local character of the area; promotes high quality public realm; and ensures that the architecture makes a positive contribution to a coherent public realm, streetscape and wider cityscape.
- 9.6 LP Policy 7.6 sets out a series of overarching design principles for development in London and advises that large scale buildings should be of the highest quality design, including inter alia:
- i. Optimise the potential of sites;
 - ii. Promote high quality inclusive design;
 - iii. Incorporate the best practice in resource management and climate change mitigation;
 - iv. Comprise materials and details which complement local architectural character; and
 - v. Be of a proportion, composition, scale and orientation that enhances, activates

and appropriately defines the public realm.

9.7 At a local level, Core Strategy Policy CS14 seeks to ensure that new developments are attractive, safe and easy to use.

9.8 The aim of Development Policy DP24 is to require all developments to be of the highest standard of design. This policy reflects the LP design and principles and goes on to state that the Council will require all developments to be of the highest standard of design and will expect developments to consider:

- i. The character, setting, context and form and scale of neighbouring buildings;
- ii. The character and proportion of the existing building;
- iii. The quality of materials to be used;
- iv. The provision of visually interesting frontages at street level;
- v. The appropriate location for building services equipment;
- vi. The provision of appropriate hard and soft landscaping; and
- vii. The provision of appropriate amenity space.

9.9 Camden has also published a Planning Guidance SPD, April 2011 which establishes design principles to be used in the assessment of development proposals. The document reinforces or where necessary amplifies existing guidance and defines the Council's expectations for new buildings, as positive and enduring additions to this unique urban landscape. The key messages are to consider:

- i. The context of a development and its surrounding area;
- ii. The design of the building itself;
- iii. The use of the building;
- iv. The materials used; and
- v. Public spaces.

Assessment

9.10 The project architects, DSDHA, have designed a scheme which has a distinct identity but which will be coherent and legible and will significantly improve this part of London.

- 9.11 A detailed Design and Access Statement has been submitted to accompany the planning application. This sets out in detail the key design issues which have been considered as part of the proposals. This is summarised below.
- 9.12 The proposals for 125 Shaftesbury Avenue have been developed in response to the context and to the challenges and opportunities that the refurbishment of the existing building presents. A series of key townscape and streetscape views were identified at the early stages of the design process in order to ensure that the proposal presents an appropriate response to the varied context.
- 9.13 Whilst as much of the existing structure has been retained as is practicably possible, a wholesale removal and reconstruction of the façade is proposed in order to create a contemporary, high quality building that meets current targets for environmental performance.
- 9.14 The proposals main frontages to Charing Cross Road and Shaftesbury Avenue both rise to seven storeys and are proportioned to relate to those of neighbouring buildings. The buildings massing steps down to five storeys at the junction of Phoenix Street and Stacey Street in response to the smaller scale residential buildings in this location. The composition and hierarchy has been studied and carefully composed to a scale and proportion that is appropriate to the existing structure and the local context.
- 9.15 The proposed architectural language for the lower street facing floors of the building is that of a solid, masonry façade with punched windows openings as opposed to the conventional fully glazed curtain wall construction that is a predominant in the design of many office buildings.
- 9.16 The two principle street facing facades respond directly to their neighbouring buildings, whilst reading as a coherent whole. This results in a building that is immediately solid and grounded in its context in a manner that is consistent with the scale and volume of space that exists within the inherited structure.
- 9.17 The upper floors of the building are set back from the main streets. Here an opportunity exists to transform the character of the building and the way in which it responds to its context in the more distant townscape views. Through the demolition

of the existing concrete structure, from levels seven upwards, and its replacement with a lightweight steel construction, the form of the upper levels have been reimagined and reoriented as a new 'rooftop' element of the building. A series of concave forms respond directly to the geometry of Cambridge Circus, acknowledging the importance of this view, and are articulated with continuous loggias on the southern elevations and deep brass-coloured metal fins on the remaining elevations. Both of these architectural elements respond to environmental conditions and provide passive solar control thus improving the environmental performance of the façade.

- 9.18 The material expression of the proposed scheme has been developed to give a clear identity to the building and reflects the more nuanced use an articulation of materials within the local context. Specificity is brought to the different elevations of the proposed building through variations in composition and articulation of the façade, whilst a unified and restricted material palette ensures that the scheme can be understood as a coherent whole.
- 9.19 Referencing some of the historical and listed buildings in the local area, and in order to create a more uplifting building, a light coloured reconstituted stone/precast concrete will be the predominant façade material of the lower floors. At ground and first floors this will be combined with brass coloured metal window detailing to denote a strong 'plinth' condition.
- 9.20 The use of brass coloured metalwork will also be deployed at the upper floors of the building to bring warmth; to compliment the tonality of the neighbouring buildings, and to denote a separate 'rooftop' architecture.
- 9.21 The five storey element of the building at the junction of Stacey Street and Phoenix Street is faced in light coloured brick to further break down the mass of the building and to relate to the brick facades of the nearby residential blocks.
- 9.22 The proposed design of 125 Shaftesbury Avenue is considered appropriate to its context and will provide a high quality, environmentally sustainable building within Central London. The proposals have been developed to give a clear identity to the building but which is more suitable to the buildings surroundings. Accordingly the

proposed design is considered to accord with planning policy.

Environmental Performance / Sustainability

- 9.23 One of the core 12 principles of the NPPF is to support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change, and encouraging the reuse of existing resources, including conversion of existing buildings, and encouraging the use of renewable resources (for example, by the development of renewable energy).
- 9.24 The Mayor's vision in the LP is to ensure London becomes an exemplary, sustainable world city whilst allowing London to grow in a responsible and considered socio-economic manner.
- 9.25 LP Policy 5.1 seeks to achieve an overall reduction in London carbon dioxide emissions of 60% (below 1990 levels) by 2025.
- 9.26 Policy 5.2 states that proposals should make the fullest contribution to minimising carbon dioxide emissions in accordance with the Mayor's energy hierarchy.
- 9.27 Major development proposals should include a detailed energy assessment to demonstrate how the minimum target for carbon dioxide emissions reduction outlined above are to be met within the framework of the energy hierarchy.
- 9.28 Policy 5.3 states that development proposals should ensure that sustainable design standards are integral to the proposal, including its construction and operation, and ensure they are considered at the beginning of the design process.
- 9.29 Policy 5.6 considers that development proposals should evaluate the feasibility of a Combined Heat and Power system which should seek:
- i. Connection of existing heating or cooling networks;
 - ii. Site wide CHP network;
 - iii. Communal heating and cooling.
- 9.30 Policy 5.7 seeks to increase the proportion of energy generated from renewable

sources, and that the minimum targets for installed renewable energy capacity will be achieved in London. Development proposals should provide a reduction in carbon dioxide emissions through the use of onsite renewable energy generation, where feasible.

- 9.31 All renewable energy systems should be located and designed to minimise any potential adverse impact on biodiversity, the natural environment and historical assets.
- 9.32 Policy 5.10 states that the Mayor will promote and support urban greening such as new planting in the public realm which includes tree planting, green roofs and walls and soft landscaping.
- 9.33 Policy 5.11 encourages the use of roof, wall and site planting, especially green roofs and walls where feasible, to deliver as many objectives of draft Policy 5.11 as possible.
- 9.34 Camden Core Strategy Policy CS13 advises that the council will require all developments to take measures to minimise the effects of and adapt to climate change.
- 9.35 Development Policies Policy DP22 requires development to incorporate sustainable design and construction measures including providing green and brown roofs; meeting Code for Sustainable Homes level 4 by 2013; expecting developments to meet very good in Eco Homes prior to 2013 and encouraging 'excellence' from 2013; expecting non-domestic development to achieve 'very good' BREEAM assessments and 'excellent' from 2016; and ensuring schemes include appropriate climate change adaptation measures, such as:
 - summer shading and planting;
 - limiting run-off;
 - reducing water consumption;
 - reducing air pollution; and
 - not locating vulnerable uses in basements in flood-prone areas.

Assessment

9.36 An Energy Strategy Report has been prepared by Renewable Environmental Services and accompanies the submission of the planning application. The measures proposed in respect of 125 Shaftesbury Avenue are set out below.

Be Lean

9.37 The 125 Shaftesbury Avenue scheme features the following energy saving measures to reduce the development energy requirements and to exceed the compliance requirements of Part L of the Building Regulations:

- Improved U-values and G-values
- Improved ventilation performance
- Improved lighting and lighting controls
- Improved system efficiencies

9.38 This results in a 19.6% improvement against Part L of the Building Regulations.

Be Clean

9.39 The proposed development does not include the provision of community heating, Combined Heat or Power (CHP) or Combined Cooling, Heat and Power (CCHP). Whilst these options have all been considered, none are considered feasible for the reasons set out below.

9.40 District Heat Network – Given the location of the site, there is no scope for the development to be served with heat from, or export heat to, an off-site community heating scheme. However, whilst there is no community heating systems currently within a reasonable distance of the site, it is prudent for the development to make provision for future connection to a district heat network by including a soft punch point in the structure to allow easy connection in the future should it be available. The possibility of such a connection will be reviewed on the future replacement of current proposed plant.

9.41 CHP – The operation of a site wide CHP plant should be based on the presence of a base heating load on site. Domestic Hot Water (DHW) demand is considered an optimal base load for such an operation since it is stable, relatively constant through

the year, and largely independent of weather variations. As the development contains office and retail units with no residential dwellings, the subsequent DHW demand would be low meaning that it would not be practicably or financial feasible to operate a CHP unit and therefore it is not proposed to use a CHP unit at this development.

- 9.42 CCHP – A site wide CCHP plant should be based on the presence of a base heating load on site. DHW demand is considered an optimal base load for such an operation since it is stable, relating constant through the year, and largely independent of weather variations. As the development contains office and retail units with no residential dwellings, the subsequent DHW demand would be low meaning that it would not be practicably or financial feasible to operate a CCHP unit and therefore it is not proposed to use a CCHP unit at this development.

Be Green

- 9.43 Consideration has been given to the suitability of renewable technologies, which are set by the GLA, within the proposed development. These are set out below:

- Wind turbine – The proposed development is in an urban environment and is surrounded by other buildings meaning that the wind flow will be turbulent and non-continuous. Large standalone wind turbines require large open areas and increase the noise levels of the development which is not acceptable to Camden’s Environmental Health Department. Therefore, this technology is not proposed for this Development.
- Solar water heating – Solar water heating requires extensive distribution pipe work with buffer vessels and requires a reasonable DHW demand. The available roof area is limited for this development and can be utilised more efficiently with the installation of Photovoltaics.
- Ground Source Heat Pumps (GSHP) – There may be some suitability of the site for a closed-loop borehole system. However there are a number of risk items:
 - The 125 Shaftesbury Avenue development is to retain an existing structure and constructing piles in an existing structure can be both practically and financially very difficult.
 - The site is located in central London where underground

tunnels/services may pass underneath/near to the site.

- The constraints and density of the site.
- The depth of boreholes required.
- A potential system must be balanced, reducing the effectiveness.

The local geology would need to be assessed to guarantee the potential output therefore; this technology is not proposed for this development.

- Biodiesel CCHP – Biodiesel CHP can potentially offer higher CO₂ savings compared to other renewable technologies. However, this option comes with considerable issues:
 - i. Frequent supply and delivery of biodiesel is required to the site.
 - ii. A biodiesel storage tank is required.
 - iii. Biodiesel CHP emits high NO_x emissions unless fitted with expensive Selective Catalytic Reduction (SCR) technology.

The NO_x emissions are not acceptable from a local air quality perspective. The limited site does not have the required space for deliveries and fuel storage required.

- Air Source Heat Pumps (ASHP) – Air Source Heat Pumps are suitable for the development to serve 100% of space heating and cooling demand for the office as well as the heating, cooling and DHW for the retail. This technology is proposed for this development.
- Photovoltaics (PV) – Photovoltaics can be installed on the available roof area of the 125 Shaftesbury Avenue development. The technology is straightforward to install in any development and does not require any integration or create any conflict with the main building services plant. The CO₂ emission savings can be substantial due to the high grid electricity displacement carbon factor. The technology is proposed for this development.

9.44 The technical feasibility assessment carried out by the design team and documented above give a clear route forward for the most efficient and technically feasible solution to maximise carbon dioxide emission reduction, that being the use of ASHP to provide the heating to the development in addition to the cooling. Photovoltaic panels are also proposed.

9.45 A BREEAM pre-assessment has been undertaken and is appended to the Sustainability Statement submitted in support of the planning application. The

BREEAM assessment looks at a variety of areas including, energy consumption, water consumption, materials, air quality, transport links, daylighting quality and scores the commercial office on how well it performs against a series of targets with the cumulative score allowing a particular BREEAM rating to be awarded. The BREEAM report demonstrates how the commercial office scores against each BREEAM credit and targets a BREEAM Excellent rating which requires increased resource savings.

- 9.46 The development has maximised the potential of the site to provide a 22.87% improvement over Part L 2013 Building Regulations. Whilst this is short of the 35% London Plan target, this is achieved on a restricted site, as well as whilst retaining the existing structure. This route to construction means that there is a very large embodied carbon saving in terms of the materials used in construction. The use of the existing structure means the use of GSHP technology is not feasible and CHP is not suitable for an office development. The carbon savings achieved are through passive design measures and the intended specification of highly efficient HVAC and lighting equipment as well as ASHPs for the office heating and retail heating and 150sqm of PV panels.
- 9.47 Accordingly, the proposals are considered acceptable in energy terms.

Security and Community Safety

- 9.48 The London Plan recognises that initiatives relating to policing and community safety and crime reduction are important in improving the quality of life of many Londoners. These include sensitive design and lighting, joint action to tackle crime on estates and measures taken through regeneration initiatives.
- 9.49 Policy 7.3 lists a number of design principles for new development including that they are safe for occupants and passers-by taking into account the objectives of 'Secured by Design', 'Designing out Crime'.
- 9.50 The Secured by Design initiative states that good design must be the aim of all those involved in the development process and should be encouraged everywhere. The objective of Secured by Design is to achieve a better quality of life by addressing crime prevention at the earliest opportunity in the design, layout and construction of homes and commercial premises.

9.51 The Government published Safer Places: The Planning System & Crime Prevention 2004. This document firmly establishes this subject within the planning process and identifies Secured by Design as a successful model.

9.52 At a local level, Core Strategy Policy CS17 advises that the council will require all developments to incorporate design principles which contribute to community safety and security.

Assessment

9.53 The problem of drugs, crime and homelessness in this area are well known. A key success of these proposals will be the ability to significantly reduce these unwanted activities and create a safer, more pleasant area to live, work and visit.

9.54 This has been a fundamental consideration in the design of the proposals and the public realm. The introduction of active ground floor frontages is critical to creating an environment which is resistant to crime.

9.55 The Applicant has been working with LBC and the Metropolitan Police to develop the Secure by Design principles. The route has been designed with gates to allow it to be closed at night in order to ensure that this is not used for crime related activities.

9.56 The critical need for proper management of public spaces is acknowledged and is reflected in the urban design approach to layout of the proposed uses and public realm as detailed within the Design and Access Statement.

9.57 A management company will be responsible for the day to day management of the site and will manage the CCTV cameras across the site. It is also envisaged that the management company will patrol the site 24 hours a day.

10 Townscape and Heritage

Conservation Areas and Listed Buildings

- 10.1 Under paragraph 128 of the NPPF, in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including the contribution made by their setting.
- 10.2 Paragraph 131 states that in determining planning applications, local planning authorities should take account of:
- The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - The positive contribution that conservation of heritage assets can make to sustainable communities including their economic viability; and
 - The desirability of new development making a positive contribution to local character and distinctiveness.
- 10.3 When considering the proposed development on the significance of a designated heritage asset, great weight should be given to the assets conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a Grade II listed building, park or garden should be exceptional (paragraph 132).
- 10.4 Where a development proposal will lead to a less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use (paragraph 134).
- 10.5 Policy CS14 contained within LBC's Core Strategy, sets out the requirements to safeguard Camden's heritage. The overall strategy is to sustainably manage growth in Camden in a way that conserves and enhances the heritage and valued places that give the borough its unique character.
- 10.6 Development Policy DP25 indicates that to maintain the character of Camden's

conservation areas, the Council will:

- a) Take account of conservation area statements, appraisal and management plans when assessing applications within conservation areas;
- b) Only permit development within conservation areas that preserves and enhances the character and appearance of the area;
- c) Prevent the total or substantial demolition of an unlisted building that makes positive contribution to the character or appearance of a conservation area where this harms the character or appearance of the conservation area, unless exceptional circumstances are shown that outweigh the case for retention.

Assessment

- 10.7 Whilst 125 Shaftesbury Avenue is not within a Conservation Area, a Townscape and Visual Impact Assessment has been submitted alongside the planning application which includes a detailed assessment of the proposals in relation to the surrounding heritage context. This is summarised below.
- 10.8 The refurbishment and extension of the building has been carefully designed to reflect the guidance contained within the relevant conservation area statements, by creating a building which will enhance the area and respond more appropriately to its urban context. The proposed development is of a high quality design, and is based on a clear understanding of the townscape and urban design character of its context as well as the significance of nearby heritage assets including the Seven Dials, Soho, and Denmark Street Conservation Areas and nearby listed buildings.
- 10.9 The architect's design strategy for the site learns from the shortcomings of the existing building. It recognises the potential of the proposed development to perform the role of anchor at an historic threshold into St Giles and help improve perceptions of this under-appreciated district of central London.
- 10.10 Some views towards the site from parts of the surrounding conservation areas will change as a result of the proposed development. This change is considered to be positive and there will be no harm to any element of setting that contributes to significance of these consideration areas. Denmark Street and Soho Conservation Areas are undergoing noticeable change associated with Crossrail, both within and

on their boundaries, taking place a short distance to the north of the site. Opportunities to view 125 Shaftesbury Avenue, as redeveloped, from both conservation areas will be limited mainly to streets in the immediate vicinity of the site as is the case today. In such views, the proposed development would improve the character of the above-mentioned views, by redeveloping the site's existing building to provide a high quality modern development.

- 10.11 Of the local views, only those identified within the Seven Dials Conservation Area Appraisal and the Bloomsbury Conservation Area have the potential to take in the proposed development. In terms of the Seven Dials views, TVIA View 6 reveals that the red brick turreted corner of the Palace Theatre at Cambridge Circus will remain the focus of the local view west along Earlham Street. Equally, the proposed development will have no effect on one's appreciation of the Post Office Tower in the local view north along Mercer Street. Local views along Shaftesbury Avenue towards Cambridge Circus will take in the proposed development. Views 7 in the TVIA shows that the refurbished and extended 125 Shaftesbury Avenue will enhance the quality of such views.
- 10.12 In respect of the only relevant local view identified from within the Bloomsbury Conservation Area (from Tottenham Court Road), TVIA View 16 reveals that Centre Point will remain the focus of the view. The proposed development will appear comparable in height to the site's existing building, with architecture of a much higher quality. When development at St Giles Circus is complete, it will conceal the proposed development from view.
- 10.13 The setting of nearby listed buildings will be enhanced by the proposed development. The significance of the Church of St Giles in the Fields (Grade I) the immediate setting of which has changed considerably in the late 20th and early 21st centuries, would be unaffected by the proposed development. The significance of other heritage assets identified in this assessment would also remain unchanged.
- 10.14 Where noticeable in the foreground or backdrop of views of those locally listed buildings, unlisted buildings of merit, and positive contributors in the local area, the proposed development will be seen to be of a high quality of design and materials. The majority of such views will already take in existing 20th and 21st century buildings, some of which include tall buildings and other large-scale development in a townscape currently undergoing considerable change associated with the

development of a new Crossrail station at Tottenham Court Road.

- 10.15 The proposed development will significantly enhance the quality of the townscape of the area. It is of a high quality of design and offers a number of urban design and townscape benefits including the intensification of accommodation on the site, better defined active street edges and public realm improvements. In respect of design and built heritage considerations, it is in line with the policies and guidance on design set out at National, Regional and Local level.

Views

- 10.16 The London View Management Framework (LVMF) 2012 provides guidance on the policies in the London Plan for the protection of strategically important views in London, and explains how 26 views designated by the Mayor and listed in the London Plan are to be managed. The site does not fall within any views with the LVMF.

Assessment

- 10.17 A full analysis of these views and other local and mid distance views has been undertaken as part of the pre-application and application process and the key views have been tested and reported within the accompanying Townscape and Visual Impact Assessment. This is summarised below.
- 10.18 Eighteen views agreed with the Council have been assessed as part of the prepared TVIA document. These include short, medium and long-range views from a range of directions. They demonstrate that the proposed development, where visible, will appear as an appropriate and beneficial element to the townscape.
- 10.19 Within St Giles, views 8, 9, 10 and 11 demonstrate how the proposed development has been shaped to respond to its context, broken down into smaller blocks to relate to the low and mid-rise mainly late 20th century building on Stacey Street and New Compton Street. Views 8 and 9 will reveal the building's positive engagement with the public realm, improving considerably on the current situation.
- 10.20 From Cambridge Circus, it will be possible to appreciate the sympathetic modelling

and expression of the building's top floors, intended form a neutral backdrop to the circus buildings. The proposed street frontages to Charing Cross Road and Shaftesbury Avenue will be seen as fitting additions to both streets.

- 10.21 Opportunities to view the proposed development from Seven Dials will be very limited. View 6 (Mercer Street / Seven Dials) reveals that only a portion of its upper levels will be seen behind Earlham House. More of these levels would be seen from View 5 (Shelton Street / Tower Street). Their considered form and lightness in tone will improve considerably on the site's dark mass seen from there today. Arriving at Shaftesbury Avenue from Mercer Street, one will appreciate the transformative effect of the scheme on this major thoroughfare (view 7), with an engaging street frontage and well proportioned, and richly detailed elevations.
- 10.22 In the case of views from Soho, the impression from views 1 and 2 on Old Compton Street will be of a welcoming building of high architectural quality. Incidental views of the building's upper levels will be possible from streets to the south – Romilly Street (View 14) and Shaftesbury Avenue at Green Street (View 3). They will not feature prominently in either view. View 12 on Charing Cross Road shows that the scheme will positively define the site's frontage to this major thoroughfare. The scheme will be glimpsed from Soho Square (View 15), but it would not be noticeable to most viewers.
- 10.23 The proposed development will be picked up in some mid-distance views on Tottenham Court Road (View 16) and Charing Cross Road (View 17), as is the case with the existing building. It will mark a considerable improvement on the current situation in both cases. In these cases, the considered modelling and expression of its upper levels will help to lessen its impact on these views.
- 10.24 While the proposed development may be glimpsed from a few locations on the South Bank, it is unlikely to be noticed. In the case of View 18 (South Bank, at Bernie Spain Gardens) the scheme will not be visible above the roofline of Somerset House. The experience of riverside views from the gardens will change considerably with the construction of the Garden Bridge.
- 10.25 In line with Core Strategy and Development Policy DP24, there will be no harmful impact on views; on the contrary, they will be enhanced. It is therefore considered

that the design of the proposal is consistent with the relevant national, regional and local policy requirements.

11 Environmental

Public Realm, Open Space and Routes

- 11.1 Policy 7.5 of the London Plan seeks to ensure amongst other objectives, that London's public spaces should be secure, accessible, easy to understand and maintain and incorporate the highest quality landscaping, planting, furniture and surfaces.
- 11.2 At a local level, Policy DP24 seeks to ensure that developments provide high quality landscaping proposals. Supporting paragraph 24.22 advises that new hard and soft landscaping should be of a high quality and should positively respond to its local character.
- 11.3 Policy DP31 states that development that will lead to an increased use of public open space will only be granted "where an appropriate contribution to the supply of open space is made" and that "priority will be given to the provision of publicly accessible open space".
- 11.4 Furthermore, the supporting text to Policy DP31 makes reference to the Council's identified areas of public open space deficiency as shown on the map of page 134 of the Core Strategy. In these areas, the priority is for the provision of open space on development sites.

Assessment

- 11.5 As a result of Crossrail and the station upgrade works at Tottenham Court Road, there is an anticipated rise in pedestrian numbers from 30 million in 2009 to 56 million in 2018. In this context, requirement for improved public realm and pedestrian permeability becomes vital for the success of the surrounding area moving forward.
- 11.6 London Borough of Camden is committed to delivering the West End Project which will be a £41 million project which will unlock the area's potential, boosting business and creating new public spaces for the community and visitors to enjoy. The project will be delivered by 2018 in time for the opening of Crossrail, when it is estimated

that Tottenham Court Road station will be busier than Heathrow Airport. The intention is for the scheme to deliver:

- High quality public spaces for everyone to enjoy;
- Better streets that reduce traffic congestion, delays and collisions;
- Brand new parks, green spaces and improved air quality;
- Safe and attractive streets with wider tree-lined pavements;
- Streets designed to make bus journeys simpler, faster and more reliable;
- Improved streets for cycling including protected cycle lanes on Gower Street; and
- A better place to do business.

11.7 The site falls within the area covered by the West End Project and the 125 Shaftesbury Avenue scheme architects, DSDHA, are also working with Camden to deliver the West End Project. Accordingly, DSDHA have been able to consider any future changes to highways, pedestrian movement and public realm, as a result of the West End Project, when designing the scheme for 125 Shaftesbury Avenue.

11.8 The design rationale for the development has evolved in this context, seeking to address and encourage the predicted increase in pedestrian flows through the careful development of a new public open space on Stacey Street.

11.9 The existing and proposed areas of open space are as follows:

	Existing	Proposed	Net Change
Public Open Space	36.4sqm	36.4sqm	0sqm
Privately Owned Highways Adopted Land	127.4sqm	29sqm	-98.4sqm
Privately Owned Public Open Space	498.9sqm	607.6sqm	+108.7sqm

Total Open Space	662.7sqm	673sqm	+10.3sqm
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- 11.10 The office element of the proposals has been calculated to generate a need for approximately 314sqm of open space. This is based on a net increase in office floorspace of 8,083sqm (GEA) and providing 38.9sqm of open space per 1,000sqm of additional GEA as set out in Figure 5 of CPG 6.
- 11.11 125 Shaftesbury Avenue falls within an area of open space deficiency as defined by the map on page 134 of Camden’s Core Strategy. The definition of public open space deficiency is set out in Appendix A of CPG 6. It is considered to be an area, of more than 280 metres walking distance away, from a public open space with a multi-functional role, that is a space over 0.25ha (2,500sqm).
- 11.12 Notwithstanding the site’s allocation as being within an area of public open space deficiency, the site falls within close proximity of the public open spaces of St Giles Church and Phoenix Gardens. Furthermore, since the adopted of the Core Strategy in 2010 a considerable amount of new publicly accessible open space is in the process of being delivered in the immediate vicinity of the site. Following the delivery of the West End Project, Crossrail over-site, Centre Point and St Giles Circus, it may be the case the site is no longer considered to be located in an area that is still categorised as deficient in public open space.
- 11.13 Moreover, the threshold for provision of public open space on site is 100 dwellings or 30,000sqm of any floorspace. Neither the number of proposed dwellings, nor the office floorspace (measured by uplift or new floorspace) reaches this threshold. Notwithstanding this, it is worth noting that CPG 6 does not specifically state how the open space requirement should be calculated i.e. whether this should be on uplift or total proposed floorspace. However, the existing building at 125 Shaftesbury Avenue covers the entire site and the proposals are for a refurbishment and extension of the existing building. Accordingly the opportunity to substantially increase the open space provision on the site is minimal.
- 11.14 Notwithstanding the above policy position, the proposals seek to reinstate a historic pedestrian route (Little Compton Street) through the site, by creating a new pedestrian route linking Old Compton Street, to the south, with New Compton Street, to the north. At present the area to the rear of 125 Shaftesbury Avenue is an

underused and intimidating space due to a lack of active frontage and poor quality materials. The proposed route through the site will integrate this into the wider area and provide an improved public realm for residents and workers of the area. For safety reasons, public access to the route will be restricted at night-time. Gates will close off the space during the night. Flexible retail (A1/A3) units are proposed to the north to provide activity. To the south the office entrance will provide natural surveillance, overlooking the entrance to the route and public realm area.

11.15 The proposed public realm design around the site, will integrate this development into its context and the emphasis will be on the improvement of pedestrian experience through re-paving with high quality materials, de-cluttering pavement zones and careful placement of soft and hard landscaping.

11.16 The key features of the design in terms of public realm are as follows:

- New public spaces on Caxton Walk and Stacey Street, including planting, seating, lighting and high quality paving materials;
- A new pedestrian route through the heart of the scheme, creating greater permeability;
- A strong visual connection between the office lobby and Caxton Walk, extending the perceived extent of public realm;
- Level thresholds between the public realm and office/retail units without the need for raised public space;
- A planting scheme that increases biodiversity and compliments the existing planting within Phoenix Gardens; and
- Enhancement of the north-south pedestrian and cycle connection by creating inviting public realm on Stacey Street, which provides a space to dwell on the way between Tottenham Court Road and Covent Garden.

11.17 The proposed public realm design will unify the pavement treatment around the site. The unification of the ground plane will expand the appearance of the space and decrease vehicular speeds.

11.18 The existing trees around the site will be retained with additional planting being introduced provide seasonal interest and colour.

- 11.19 By locating access to the service yard for 125 Shaftesbury Avenue on Stacey Street, close to Charing Cross Road, clear separation is maintained between the public realm areas to be used by pedestrians, and service and cycle access to the site.
- 11.20 Camden's policy position in regard to open space provision on this site can be summarised as encouraging but not insistent upon the provision of publicly accessible open space as part of the development with the main emphasis being on securing improvements to the public realm. The introduction of a new route through the site, an improved public realm area to the rear of the site on Stacey Street and proposed streetscape improvement works to Shaftesbury Avenue, Charing Cross Road and Phoenix Street go a significant way to realising these objectives.
- 11.21 Further details of public realm, open space and routes are detailed within the Landscape Statement.

Waste

- 11.22 The Mayor's Municipal Management Strategy, Waste Strategy 2000 requires a reduction in biodegradable waste going to landfill and therefore demand better sustainable waste management practices to be adopted by all.
- 11.23 At a local level, Core Strategy Policies CS13 and CS18 aim to reduce the amount of waste produced in the Borough and increase recycling and the re-use of materials to meet the targets of 40% of household waste recycled by 2010, 45% by 2015 and 50% by 2020 and make sure that developments include facilities for the storage and collection of waste and recycling.
- 11.24 Development Policy DP26 advised that the Council will protect the quality of life of occupiers and neighbours by only granting permission for development that does not cause harm to amenity.

Assessment

- 11.25 Waste collection for the office accommodation will be from the new service bay accessed from Stacey Street, adjacent to the existing car park entrance. Eurobins will be located within the basement of the proposed building for recycling and a

general waste compactor. The compactor would be collected by a skip lorry which would require a reversing manoeuvre.

- 11.26 The vehicular waste collection arrangements will be detailed in the Service and Delivery Management Plan, secured by condition, and collection times will be scheduled to minimise impact on other deliveries and the resulting impact on the highway network. A coordinated facilities management team will be employed to book delivered, store material, arrange goods transfer and manage waste.
- 11.27 Any proposed restaurant occupiers will be encouraged to utilise one of the commercial food waste collection schemes. It is envisaged that such a scheme is likely to operate through the service yard but with food waste only being sent to the service bay by the restaurant when a food waste collection vehicle is present.
- 11.28 On the day of waste collection, the service manager would transport waste to the refuse store on foot. The types of refuse i.e. non-recyclables, recyclable materials and food recyclables would be selected and placed in their own separate Eurobin(s), wheelie bins or waste compactor. The Service Manager would supervise the refuse vehicle loading at all times to ensure that it does not conflict with other vehicular movements along Stacey Street.
- 11.29 The proposals are therefore considered to accord with national, regional and local planning policy.

Ecology and Biodiversity

- 11.30 The UK Biodiversity Plan was published in 1994; the Mayor published his Biodiversity Strategy in 2002, the London Biodiversity Partnership published the London Biodiversity Action Plan 2001-2004.
- 11.31 At a local level, Core Strategy Policy CS13 and Development Policy DP22 require developments to incorporate green or brown roofs and green walls wherever suitable.

Assessment

- 11.32 The Landscape proposals contained within the Design and Access Statement

prepared by DSDHA, as well as the Preliminary Ecological Appraisal prepared by Waterman, are submitted with the application, and outline some of the measures which will add significant ecological enhancement to the site. These are as follows:

- Introduction of planted balconies to serve the office accommodation;
- Retention of the existing trees to the rear of the site on Stacey Street;
- Additional planting using native and/or species of biodiversity value to the rear of the site on Stacey Street; and
- Provision of bird and bat brick habitats.

11.33 Accordingly, the proposals are considered to accord with planning policy.

Flooding

11.34 At a regional level, Policy 5.11 contained within the London Plan states that the proper consideration of flood risk is vital to ensuring that London is and continues to be a sustainable city.

11.35 At a local level, Core Strategy Policy CS13 states that LBC will minimise the potential for surface water flooding.

11.36 Policy DP22 of Camden's Development Policies requires developments to incorporate green or brown roofs wherever suitable.

11.37 Policy DP23 states that LBC will require developments to reduce their water consultation, the pressure on the combined sewer network and the risk of flooding.

Assessment

11.38 A Flood Risk Assessment (FRA) has been prepared and accompanies this planning application. The FRA concludes that the Environment Agency Flood Map indicates that the site is located within Flood Zone 1, an area of land assessed as having less than 0.1% (1 in 1000) annual probability of flooding from fluvial or tidal sources. Using all available evidence, it is considered that the site has a very low probability of flooding from fluvial or tidal sources. Using all the available evidence, it is considered that the site has a very low probability of flooding from groundwater,

from artificial sources, from sewers and other drainage networks as long as they are adequately maintained as required, and a low probability of flooding from surface water and overland flow. Accordingly, it has been demonstrated that the site had a very low probability of flooding from all sources.

11.39 A Drainage Strategy has also been prepared which accompanies the planning application. The Strategy concludes that the London Plan requires surface water runoff for new developments to be restricted to 50% of the existing rate. The existing surface water runoff rate from the site has been calculated to be 100.8l/s which would be restricted to 50.4l/s as part of the development. This requires a total storage volume of approximately 81m³, allowing for the impacts of climate change for the lifetime of the development. The required attenuation tank has been included within the proposed basement arrangements.

11.40 Appropriate treatment would be incorporated into the drainage system to ensure that the quality of water discharged is accepted. The final proposed Sustainable Urban Drainage System (SuDS) scheme would be confirmed at the detailed design stage. The on-site drainage networks and SuDS would be privately managed and maintained for the lifetime of the development, ensuring they remain fit for purpose and function appropriately.

11.41 It is anticipated that foul flows from the Site currently discharge one or more of the combined sewers surrounding the Site. It is therefore proposed to re-use the existing connection if possible post development. The proposed foul flow rate totals 12.65 l/s but an allowance for a higher figure of 15 l/s has been made.

11.42 It is therefore considered that the proposals meet the regional and local planning policies relating to water and flooding.

Noise

11.43 Policy 7.15 of the London Plan states that development proposals should seek to reduce noise by:

- a. Minimising the existing and potential adverse impacts of noise on, from, within, or in the vicinity of, development proposals;

b. Separate new noise sensitive development from major noise sources wherever practicable through the use of distance, screening, or internal layout in preference to sole reliance on sound insulation;

c. Promoting new technologies and improved practices to reduce noise at source.

11.44 Policy DP28 of Camden's Development Policies states that the Council will seek to ensure that noise and vibration is controlled and managed and will not grant planning permission for:

a. Development likely to generate noise pollution; or

b. Development sensitive to noise in locations with noise pollution, unless appropriate attenuation measures are provided.

11.45 DP28 states that development that exceeds Camden's noise and vibration thresholds will not be permitted. The Council will only grant permission for plant or machinery if it can be operated without causing harm to amenity and does not exceed their noise thresholds.

11.46 DP28 also states that the Council will seek to minimise the impact on local amenity from the demolition and construction phases of development. Where these phases are likely to cause harm, conditions and planning obligations may be used to minimise the impact.

Assessment

11.47 The Acoustic Report submitted as part of this application concludes that the prevailing noise climate at and within the vicinity of the site was established through baseline survey conducted over typical weekdays covering the day, evening and night-time periods. The dominant noise source affecting the site was road traffic; namely from Charing Cross Road to the west and Shaftesbury Avenue to the south.

11.48 The results of the baseline noise survey were used to develop a noise model allowing prediction of noise incident on the development facades. The results of the noise model were used to provide indicative required sound insulation performance of the glazed elements of the facades to provide appropriate internal ambient noise

levels (IANLs) for office use. The results indicate that standard thermal double glazing, albeit high performing on the western and southern facades at lower floor levels, should allow appropriate IANLs to be achieved. The required performance of the glazing will need to be secured by condition and specified at each 1/1 octave band.

11.49 The proposed ventilation strategy for the development is mechanical ventilation with a combination of sealed windows. This considered appropriate given the high prevailing noise levels which would not allow a natural ventilation strategy (opening of windows) to be adopted without exceeding the recommended internal ambient noise levels for office use.

11.50 The prevailing baseline noise levels established through survey were used to derive recommended plant noise limits at the nearest sensitive receptors, satisfying the noise requirements of LBC. Potential effects could, however, be controlled through a suitable worded planning condition to safeguard the residential amenity of the area.

11.51 During a visit to the site and the surrounding area, no perceptible levels of both tactile and audible vibration were noted. However, consideration would be given to structure-borne noise during design stages to ensure a high quality commercial development is provided.

11.52 Mitigation measures referred to within the accompanying Noise Report should be incorporated into the scheme as appropriate. Control of noise emissions from fixed mechanical plant and building services would safeguard the existing amenity of the area.

11.53 The proposals therefore fully accord with National, Regional and Local Planning Policy.

Air Quality

11.54 Under Policy 7.14 of London Plan, “Improving air quality”, Borough’s should implement the Mayor’s Air Quality Strategy and work towards achieving reductions in pollutant emissions.

- 11.55 At a local level, Core Strategy Policy CS11 promotes sustainable and efficient travel and Policy CS16 seeks to improve Camden's health and wellbeing.
- 11.56 Under Development Policy DP32 the Council, in assessing proposals, will require air quality assessments where development could potentially cause harm to the air quality.
- 11.57 The entire Borough of Camden has been designated as an air quality management area for nitrogen dioxide and PM10 through the local air quality management regime. Camden recently consulted on draft Clean Air Action Plan 2016-18 to gather views on the new plan. The plan brings together a variety of actions to help reduce the key air pollutants in Camden – Nitrogen Dioxide (NO₂) and Particulate Matters (mainly PM₁₀ and PM_{2.5}) – which arise from road traffic, gas boilers, and other sources.

Assessment

- 11.58 An Air Quality Assessment has been submitted alongside this planning application. The report concludes that with a range of appropriate site management practices to control dust emissions, the likely effects associated with construction activities are negligible.
- 11.59 It is anticipated that the likely effect of construction vehicles entering and leaving the site is in the worst-case of minor significance in the context of existing local road traffic emissions. Furthermore, all construction plant now needs to comply with the London Low Emission Standards set for non-road mobile machinery. Consequently, the likely effect of any emissions from plant operation on the site is negligible. All construction effects would be localised, episodic and temporary.
- 11.60 Due to the excellent public transport links offered and the fact that on-site car parking will be substantially reduced, the proposed development is only predicted to result in an additional eight vehicular trips per day relating to additional servicing vehicles. This change is unlikely to increase road traffic emissions. Consequently, an air quality assessment of the traffic emissions was not undertaken because the likely effects of the development on air quality are not significant.

- 11.61 The existing heating and energy plant at the site would be replaced by newer/more efficient plant. Consequently, computer modelling was carried out to predict the likely effect of the heating and energy plant emissions from the operation of the completed development, and the likely resultant changes that this would bring about to local air quality. The effect of the development on air quality was predicted for the closest residential reception to the development located on Phoenix Street and Charing Cross Road, and across a 1km grid centred on the site.
- 11.62 Based on the above, the overall effect of the operational development on local air quality is judged to be not significant in the case of this development proposal. It is therefore considered that the proposal meets the aspirations of both Regional and Local planning policy.

12 Amenity

Daylight and Sunlight

- 12.1 At a local level, Development Policies DP26 states that the Council will protect the quality of life of occupiers and neighbours by only granting permission for development that does not cause harm to amenity. The supporting text, specifically paragraph 26.3, advises that to assess whether acceptable level of daylight and sunlight are available to habitable spaces, the Council will take into account the standards recommended in the British Research Establishment's Site Layout Planning for Daylight and Sunlight – A Guide to Good Practice (2011).

Assessment

- 12.2 The daylight and sunlight affecting the proposed development and surrounding properties is considered within the Daylight and Sunlight Report prepared by GIA, submitted alongside this application. This report assesses the impact of the proposal in terms of daylight and sunlight to surrounding properties using the Vertical Sky Component (VSC) and the No Sky Line (NSL).
- 12.3 It is inevitable when constructing buildings in an urban environment that alterations in daylight and sunlight to adjoining properties can occur. The numerical guidance given in the BRE document should be treated flexibly, especially in dense urban environments and particularly where neighbouring properties are located within narrow streetscapes and with design obstructions restricting the availability of daylight and sunlight.
- 12.4 The technical analysis undertaken shows that a number of surrounding properties will experience a very high level of compliance within the daylight criterion. Where transgressions of guidance do occur, this technical assessment demonstrates that in the majority of cases, this is due to either low exiting values (producing disproportionate percentage alterations) or the constraints imposed by the existing architectural design of the neighbouring properties, such as balconies (in the case of 1A Phoenix Street) and flank elevations and light-wells (as demonstrated within Trentishoe Mansions, 88-94 Charing Cross Road/ 3-5 Caxton Walk).

- 12.5 The sunlight criterion demonstrates a very good rate of compliance for such a dense urban site. The majority of the apertures relevant for assessment show relative conformity with the BRE Guidelines. Where transgressions from guidance are noted, there are clear mitigating reasons for these, such as low existing APSH values and the existing architectural form of some of the neighbouring properties (i.e. restricting balconies, flank elevations and light-wells).
- 12.6 Additionally, we have undertaken a transient overshadowing assessment on the two main amenity spaces within close proximity to the development site. These include the Phoenix Garden (roof garden on 1A Phoenix Street) and St Giles-in-the-Fields Church yard, both of which are directly to the north of the site. Our analysis of these two areas illustrates that dependent upon the time of year, the additional overshadowing impacts to these areas are small, and at 21st December, the overshadowing will be entirely in keeping with the impacts associated with the building which currently occupies the development site.
- 12.7 The proposed scheme, in daylight and sunlight terms has been designed to react well to the existing residential environment and therefore, the scheme is generally compliant with the existing residential area. Further details can be found in the accompanying Daylight and Sunlight Report.

Overlooking

- 12.8 Development Policies DP26, referred to above, also applies to overlooking.

Assessment

- 12.9 The scheme has been designed to protect existing residents in the surrounding area from overlooking. The upper levels of the surrounding buildings are predominantly in residential use which is generally considered to compliment the proposed office use as the residential occupiers will be occupying their properties at different times of the day to the office occupiers. Furthermore the existing building is in office use and at present there are no known overlooking issues.
- 12.10 It is therefore considered that the proposals are in line with policy given its dense

urban location.

13 Transport

- 13.1 Paragraph 29 of the NPPF states that the transport system needs to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel.
- 13.2 Paragraph 30 of the NPPF states that encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion.
- 13.3 Further to this, paragraph 34 states that plans and decisions should ensure developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised.
- 13.4 At a regional level, LP Policy 6.3 states that “development proposals should ensure that impacts on transport capacity and the transport network, at both a corridor and local level, are fully assessed”. The policy also indicates that transport assessments will be required in accordance with TfL’s Transport Assessment Best Practice guidance for major planning applications.
- 13.5 Policy 6.9 states that “the Mayor will work with all relevant partners to bring about a significant increase in cycling in London”.
- 13.6 Policy 6.10 indicates that “the Mayor will work with all relevant partners to bring about a significant increase in walking in London, by emphasising the quality of the pedestrian environment, including the use of shared space principle promoting simplified streetscape, de-cluttering and access for all”.
- 13.7 The Mayor’s Transport Strategy (2010) sets out policies and proposals to achieve the goals set out in the LP providing a vision of London as an exemplary sustainable world city.
- 13.8 At a local level, Core Strategy Policy CS11 seeks to promote the delivery of transport infrastructure and the availability of sustainable transport choices, to support Camden’s growth, reduce the environmental impact of travel and relieve

pressure on the borough's transport network.

- 13.9 Development Policy DP16 seeks to ensure that development is properly integrated with the transport network and is supported by adequate walking, cycling and public transport links.
- 13.10 Development Policy DP17 seeks to promote walking, cycling and public transport use, and as such, development should make suitable provision for pedestrians, cyclists and public transport.
- 13.11 Development Policy DP18 states that development should provide the minimum necessary car parking provision. In the Central London Area the Council will expect development to be car free.
- 13.12 The Council will strongly encourage contributions to car clubs and pool car schemes in place of private parking in new developments across the borough, and will seek the provision of electric charging points as part of any car parking provision.
- 13.13 To assess the overall implications of developments, LBC under policy DP16, expects the submission of a Transport Assessment where the implications of proposals are significant.

Assessment

- 13.14 A Transport Assessment prepared by Waterman has been submitted in support of the planning application which summarises any transport impacts resulting from the proposed development.
- 13.15 The site is extremely well connected in terms of public transport with a PTAL rating of 6b (with 1a being the lowest accessibility and 6b being the highest accessibility). The site is within walking distance of Tottenham Court Road, Leicester Square and Covent Garden underground stations and the new proposed Crossrail station at Tottenham Court Road. There are also a significant number of bus stops within a short walk of the site. Accordingly, it is considered that the trip generation from the development would have a negligible impact on the surrounding transport systems.

- 13.16 The existing site has some 21 car parking spaces with 15 being used for car parking and the rest occupied for other uses. Within the proposed development, there is no proposed car parking, other than two parking spaces on lease to residents of Trentishoe Mansions adjacent. Access to the basement car park would be controlled via traffic lights to ensure incoming and exiting vehicles do not conflict.
- 13.17 In terms of provision of cycle parking, the proposal will provide for the 303 cycle parking spaces in total. 292 of these spaces will be long term spaces located within the existing basement and 11 will be short term external spaces. This is in accordance with LBC's policy requirements.
- 13.18 The existing vehicle ramp has a gradient of between 1:10 and 1:10.5. Whilst the use by cyclists, of such gradients on existing ramps designed for motor vehicles, is common in central London, signs advising cyclists to dismount would be located on the ramp. In addition, the southern side of the ramp would be demarcated pedestrian/cycle route and any servicing of the building would not take place at peak cycling use times.
- 13.19 The Transport Assessment submitted alongside the planning application confirms that the excellent surrounding transport networks would not require any mitigation measures to accommodate the development's trip generation. Furthermore, the highway network would benefit from the loss of 13 useable car parking spaces, with the removal of these spaces being compliant with LBC planning policy.
- 13.20 In transport-related impacts, the proposed development would be negligible in comparison to the existing background demand. The proposed scheme meets the transport aspirations of current guidance in respect of sustainable development and LBC's expectations for a development of this nature. Accordingly it is considered that the proposals accord with planning policy and should be considered acceptable.

Servicing

- 13.21 At a national level, paragraph 35 of the NPPF states that developments should be located and designed where practical to accommodate the efficient delivery of goods and supplies.
- 13.22 At a local level Policy DP20 deals with servicing and deliveries and states that the

Council will expect development that would generate significant movement of goods or materials by road, both during construction and in operation, to be located close to the Transport for London Road Network or other Major Roads, accommodate goods vehicles on site and seek opportunities to minimise disruption for local communities through effective management.

Assessment

- 13.23 A Transport Assessment has been submitted alongside the planning application which details the servicing arrangements for the proposed development.
- 13.24 The majority of office servicing and all refuse collection would take place from a new service yard entrance accessed directly from Stacey Street, adjacent to the existing car park entrance. It is necessary to move the existing service yard due to the new pedestrian route through the site. Tracking diagrams for the servicing have been provided within the Transport Assessment. The access would require the service vehicle to approach from the north, generally via New Compton Street, into Stacey Street, and then reverse into the site.
- 13.25 Additional servicing would be provided in the basement car park area which could accommodate LGVs. This will be necessary to service the retail units on Charing Cross Road, which can be accessed from basement via a servicing lift.
- 13.26 All servicing would be managed by a Service Management Plan secured by planning condition.
- 13.27 The small number of additional delivery movements (9 per day) would not have a significant impact on the highway network. The development would generate additional cycle and pedestrian traffic, but again, this would be accommodated on the existing networks.
- 13.28 Accordingly, the proposed delivery and servicing of the development at 125 Shaftesbury Avenue is considered acceptable and in accordance with national, regional and local planning policy.

14 Planning Obligations

- 14.1 Under Section 106 of the Town and Country Planning Act 1990, as amended, local planning authorities have the power to enter into planning obligations with any person interested in land in their area for the purpose of restricting or regulating the development or use of the land.
- 14.2 In accordance with Regulation 122 of the Community Infrastructure Levy Regulations 2010, as amended, and paragraph 204 of the NPPF, a planning obligation should only be sought where they meet all of the following tests:
- a) Necessary to make the proposed development acceptable in planning terms;
 - b) Directly related to the proposed development; and
 - c) Fairly and reasonably related in scale and kind to the proposed development.
- 14.3 Paragraph 203 of the NPPF supports that planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.
- 14.4 Under paragraph 205 of the NPPF, where obligations are being sought, local authorities should take account of changes in market conditions over time and, wherever appropriate, be sufficiently flexible to prevent planned development being stalled.
- 14.5 Planning conditions should only be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects (Paragraph 206 NPPF).
- 14.6 Under Policy 8.2 of the LP 'Planning Obligations', boroughs should include appropriate strategic as well as local needs in their policies for planning obligations.
- 14.7 Policy 8.2 states that negotiations should seek a contribution towards the full cost of all such provision that is fairly and reasonably related in scale and kind to the proposed development and its impact on a wider area.
- 14.8 As set out in Camden Planning Guidance 8 (CPG 8) 'Planning Obligations', the use

of planning obligations is an important tool in ensuring the delivery of necessary infrastructure to support the Local Development Framework.

14.9 The use of planning obligations is specifically required through Core Strategy Policy CS19 'delivering and monitoring the core strategy' although a whole range of individual development policies may be used to justify an obligation.

14.10 Core Strategy Policy CS19 states that the Council will use planning obligations, and other suitable mechanisms, where appropriate, to; support sustainable development; secure any necessary and related infrastructure, facilities and services to meet the needs generated by development; and mitigate the impact of development.

14.11 The Applicant confirms that they will enter into a Legal Agreement with the Council to secure the reasonable and necessary planning obligations associated with the development in accordance with Regulation 122 of the CIL Regulations, the NPPF and Core Strategy Policy CS19.

14.12 Heads of terms for the proposed development at 125 Shaftesbury Avenue are anticipated to cover the following:

- i. Affordable housing contribution
- ii. Car free
- iii. Construction management plan
- iv. Route through the site (possibly named Little Compton Street)
- v. Energy
- vi. Highways contribution for highway works
- vii. Employment
- viii. Local procurement
- ix. Public realm
- x. Service management plan
- xi. Sustainability
- xii. Travel plan

Community Infrastructure Levy

14.13 Since 1 April 2012, all developments in London which result in the addition of over

100sqm GIA floorspace (with some exceptions including affordable housing) have been eligible to pay Mayoral CIL. Developments in Islington are in Zone 1 and are therefore eligible to pay £50 per sqm. The purpose of Mayoral CIL is to pay for strategic transport infrastructure, nominally Crossrail.

14.14 The scheme would be liable to make a Mayoral CIL or Crossrail SPD payment as a substantial uplift in GIA is proposed. The necessary form has been completed as part of this application which will enable this figure to be calculated.

14.15 London Borough of Camden started charging for Camden CIL on 1 April 2015 and it is considered that the proposed development will be liable for a payment, to be agreed.

15 Summary and Conclusions

- 15.1 The Applicant has instructed DSDHA to design a scheme at 125 Shaftesbury Avenue which is an refurbishment and extension of the existing building and provides a sustainable mix of uses by providing high quality office accommodation, a mix of active public uses such as shops, cafes and restaurants within a central London location, whilst having regard to national, regional and local planning policy.
- 15.2 The existing poor quality and outdated building will be regenerated with additional employment floorspace and approximately 1,000 new jobs to be provided on site helping to reinvigorate this important part of central London. At a regional level, the London Plan priorities development in locations which are well served by public transport. The building has excellent public transport links and is located in close proximity to the new Crossrail station opening in 2018.
- 15.3 At a local level, the proposals are at the heart of the strategy Core Strategy objective. These objectives are met through:
- Creating a sustainable development which adapts to a growing population and reuses an existing building;
 - Providing a range of employment opportunities across a range of employment sectors;
 - Providing a range of open spaces and encouraging walking and cycling, enabling people to lead active and healthy lives; and
 - Creating a safe and secure environment for existing and future residents and workers.
- 15.4 The development will create a distinctive place, with well-designed public realm at its heart.
- 15.5 In its context, it is considered that the development will make a significant contribution to both Camden and to London by resolving the lack of connectivity between Soho, Covent Garden, Seven Dials and Bloomsbury through the creation of a place of character with improvement movement and connections between people and places. It is envisaged that the proposed public realm works will improve the street environment, both for those living and those working in the area, by

offering more attractive places to spend time, and for those travelling through and by making the area more legible, safer and visually attractive whilst providing an urban environment that is distinctive and safe.

- 15.6 The proposals satisfy planning policies at a national, regional and local level.
- 15.7 The application accords with national, regional and local policy objectives to deliver sustainable, mixed use and balanced communities.



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Appendix – A



125 Shaftesbury Avenue
PLANNING HISTORY

Date Received	Reference No	Type of Application	Description	Decision	Date of Decision
26/11/2010	2010/6407/P	Full planning permission	Installation of x 6 condensing units to 7th floor roof space of existing office building (Class B1).	Permission granted	14/01/2011
16/01/2006	2006/0314/P	Full planning permission	Installation of 1x new air conditioning unit adjacent to 6x existing units at 7th floor roof level.	Permission granted	30/03/2006
30/11/2004	2004/5140/P	Full planning permission	The installation of 5x condensor units and 1x satellite dish on the 7th floor roof space.	Permission granted	11/03/2005
22/03/2004	2004/1262/P	Full planning permission	Installation of 2 No. external air conditioning condensers on 1st floor flat roof.	Permission granted	10/06/2004
22/12/2003	2003/2904/P	Full planning permission	Erection of five rooftop satellite dishes.	Application withdrawn	N/A
03/09/2003	2003/2031/A	Advertisement consent	The display of internally illuminated numerals on the building canopy to the ground floor entrance and halo illuminated numerals mounted on stone cladding to one side of the entrance.	Permission granted	22/10/2003
10/07/2003	2003/0472/P	Full planning permission	Siting of 6 external Air-Conditioning Condensor Units on first floor flat roof within fenced enclosure.	Permission granted	27/08/2003
07/02/2002	PSX0204122	Full planning permission	The refurbishment of the existing ground floor offices including the provision of full height glazing and a stainless steel canopy, as shown on drawing numbers; 1248.PL.01 - 1248.PL.13.	Permission granted	14/03/2002
14/12/2000	P13/42/A		Installation of a 60cm channel Mastra Satellite dish	Application Withdrawn by the Council	04/09/2001



15/07/1999	PS9904697	Telecomms/Satellite GDO	The installation of a radio equipment cabin and three panel antennae, mounted on the roof, as shown on drawing numbers 01 to 03.	No objections	10/08/1999
26/05/1998	PS9804478	Full planning permission	The installation of a louvre in a first floor window facing Stacey Street for air handling equipment, as shown by 3 unnumbered A4 sheets and 2 unnumbered A3 sheets and location plan.	Permission granted	29/11/1998
11/08/1998	PS9804757	Telecomms/Satellite GDO	The erection of six pole mounted directional antennae, up to four dish antennae and one equipment cabin with a maximum cubic capacity of 30 cubic metres. (as shown on drawing no. 30/GLN0576/G14/01).	No objection to proposed siting and appearance	27/08/1998
11/06/1997	PS9704550	Full planning permission	The erection of a roof enclosure over a small lightwell at first floor level, as shown by drawing numbers SK03, site plan, C10033/SK08, C10033, 9604130/03, and 4 un-numbered A4 drawings, photographs and Rockwool specification extract.	Permission granted	17/10/1997
05/08/1997	PS9704582R1	Full planning permission	Details of an enclosed service corridor within a lightwell pursuant to condition 7, of an appeal decision dated 25 November 1996, for change of use of the premises to restaurant use, as shown on drawing No: 9604130/01B.	Details approved	22/08/1997
17/06/1997	PS9704582	Full planning permission	The provision of a service corridor within a lightwell in connection with the restaurant use approved on appeal by letter dated 25 November 1996. (Plans submitted).	Withdrawn application	05/08/1997



23/05/1997	AS9704478	Advertisement consent	Display of two non-illuminated advertisements on the canopy at the corner of Shaftesbury Avenue and Stacey Street; as shown on drawing numbers 95632/4106 and 4107A.	Permission granted	02/07/1997
03/05/1996	P9601380	Full planning permission	Installation of 1.8m diameter satellite dish on 7th floor flat roof; as shown on drawing numbers Plan A, Plan B and on the location plan.	Permission granted	28/06/1996
07/03/1996	P9600702	Full planning permission	Installation of new chiller and pump and new satellite dish at seventh floor level roof; new air handling plant and associated weather louvre at tenth floor level roof; new chillers, pump and plant at eleventh floor (top) roof, as shown on drawing numbers 95632/5003, 0010A, 0011A, 1007C, 1019D, 1200; FHP1802/1009A, 1015A, 1017A, unnumbered drawings of 7th, 10th, 11th and manufacturers details for antennas.	Permission granted subject to conditions	07/06/1996
23/03/1992	9200289	Full planning permission	Extension of fire escape from 119 to 125 Shaftesbury Avenue including new opening door to existing staircase of 125 Shaftesbury Avenue as shown on drawings nos. 92/06/P01 P02; TCCL/1255/1 and two photographs.	Permission granted subject to conditions	15/05/1992
13/05/1988	8800224	Full planning permission	Installation of jib and cradle equipment on the roof as shown on one	Permission granted subject to conditions	10/08/1988
25/03/1988	8880039	Advertisement consent	The display of two sets of internally illuminated numerals one on each side panel of the existing entrance canopy as shown on your unnumbered drawing. Period of consent 1st July 1988 to 31st June 1993.	Permission granted	25/05/1988



05/08/1986	8680208	Advertisement consent	Display of an internally illuminated projecting box sign on the Stacey Street frontage ^as shown on one un-numbered drawing. ^Period of Consent 1st September 1996 to 31st August 1991.	Grant Approval for Advertisement	20/08/1986
15/07/1986	8601305	Full planning consent	Installation of a new shopfront as shown on drawing number 86022/2.	Permission granted	02/09/1986
02/07/1986	8601196	Full planning consent	Installation of a new shopfront. (Plans submitted).	Withdrawn application	N/A
10/04/1986	8600609	Full planning consent	Use as a dry cleaners. ^As shown on two unnumbered drawings. Unit 5, 125 Shaftesbury Avenue.	Permission granted subject to conditions	21/05/1986
05/09/1984	8480180	Advertisement consent	1) The display of an internally illuminated projecting clock measuring 1m x 1m with a height above ground of 2.4m. (2) The display of an oval internally illuminated fascia box sign measuring 1.4m x 1.15m with a height above.	Grant Approval for Advertisement	08/11/1984
27/03/1984	8400474	Full planning consent	The installation of a ground floor frontage as an entrance to the basement restaurant. (As shown on your drawing no: 114 SK 03 & 2 unnumbered illustrations).	Permission granted	31/05/1984
17/03/1978	P13/36X/A/26208	Full planning permission	Development of the site bounded by Charing Cross Road, Phoenix Street, Stacey Street and New Compton Street and the site bounded by New Compton Street, Stacey Street, Shaftesbury Avenue, 123 Shaftesbury Avenue and 5 New Compton Street by the erection of a basement an ten storey building for use as shops, showrooms, restaurant and offices together with associated car parking.	Permission granted subject to conditions	03/05/1978



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LJW/WRIM/J10156A

30/05/1975	21063	Permission for development (limited period until 31 July 1976	Use for artists' studios and workshop space.	Permission granted	18/07/1975
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