

Address:	77-79 Charlotte Street/5 Tottenham Mews London W1T 4PW		3
Application Number:	2015/1076/P	Officer: Eimear Heavey	
Ward:	Bloomsbury		
Date Received:	19/02/2015		
Proposal: Demolition of existing buildings and erection of a new part four, part five and part six storey building plus double basement to provide 4 x flats (1 x 1 bed; 3 x 3 beds) along with B1 and B1c floorspace.			
Background Papers, Supporting Documents and Drawing Numbers:			
<p>Site location plan; Existing drawings – 2128/0199 Rev A; 0200 Rev A; 0201 Rev A; 0202 Rev A; 0203 Rev A; 0204 Rev A; 0205 Rev A; 0206 Rev A; 0207 Rev A; 0208 Rev A; 0209 Rev A; Demolition drawings – 2128/0249Rev A; 0250RevA; 0251RevA; 0252RevA; 0253RevA; 0254RevA; 0255RevA; Proposed drawings – 2128/0298RevA; 0299RevA; 0300RevA; 0301RevA; 0302RevA; 0303RevA; 0304RevA; 0305RevA; 0306RevA; 0400RevB; 0401RevB; 0500RevB; 0502RevA & 0503RevA;</p> <p>Daylight/sunlight report by Delva Patman Redler dated Feb 2015; Ecology Assessment by Thomson Ecology dated Feb 2015; Energy Statement by Scotch Partners dated Feb 2015; Sustainability Statement by Scotch Partners dated 9th Feb 2015; Noise Impact Assessment by Scotch Partners dated Jan 2015; BREEAM Assessment by Thomson Ecology dated Feb 2015; Construction Management Plan by HUSH dated Jan 2015; Basement Impact Assessment by Multidisciplinary Consulting dated 11th Feb 2015</p>			
RECOMMENDATION SUMMARY: Grant planning permission subject to condition and S106 Legal Agreement			
Applicant:		Agent:	
Maurice Ostro c/o Agent		Boyer Planning 83 Blackfriars Road London SE1 8HA	

ANALYSIS INFORMATION

Land Use Details:			
	Use Class	Use Description	Floorspace (GIA)
Existing	B1a Business – Office		757m ² (493m ² NIA)
	B1c Light industrial		40m ²
Proposed	B1a Business – Office		613m ² (499m ² NIA)
	B1c Light Industrial		36m ²
	C3 Dwelling House		603m ²
Residential Use Details:			
	Residential Type	No. of Bedrooms per Unit	

		1	2	3	4	5	6	7	8	9+
Existing	<i>Flat/Maisonette</i>									
Proposed	<i>Flat/Maisonette</i>	1		3						
	Parking Spaces				Cycle spaces					
Existing	0				0					
Proposed	0				8					

OFFICERS' REPORT

Reason for Referral to Committee: Part 3 (i) major development involving the construction of more than 1000sq. metres of non-residential floorspace; Part 3 (v) the total demolition of a building in a conservation area, and Part 3 (vi) the making of a planning obligation under Section 106 of the Town and country Planning Act 1990.

1. SITE

- 1.1 This L-shaped 225sq metre site within a terrace of properties is bound by Charlotte Street to the east (front of the site), Tottenham Street to the south and Tottenham Mews to the west (rear of the site). The site is located within the Charlotte Street Conservation Area and within the Central London area. The buildings on the site are not listed or identified as positive contributors in the conservation area, nor does the site affect the setting of such buildings. The site has a PTAL level of 6(b) excellent.
- 1.2 Two conjoined properties currently occupy the site. 77-79 Charlotte Street is five storeys plus lower ground with lightwell fronting on to Charlotte Street. The building is accessed from Charlotte Street but is entirely separate from the single storey garage building to the rear of the site. Both buildings are currently occupied; the garage to the rear is used for the storage of scooters and motorcycles associated with a garage repair business whilst the ground floor level of the office building is occupied by 'The Fayre Share Foundation', an interfaith charitable organisation. The offices were last fully occupied by the BBC in 2013.
- 1.3 The surrounding area is characterised by a mixture of commercial and residential uses. This includes the recently constructed office and residential development, adjacent to the site at 73-75 Charlotte Street. The west side of Tottenham Mews is the Day Hospital for Mental Health owned by the NHS, and Arthur Stanley House owned by UCLH. The east side of Tottenham Mews is predominantly residential. The terraces enclosing Charlotte Street are mainly occupied by retail and cafe uses at street level with a mixture of residential flats and small offices on the upper floors.

2. THE PROPOSAL

- 2.1 Planning permission is sought for the complete demolition of all buildings and redevelopment of the site. The new height and massing would incorporate a 5 storey plus set back 6th storey fronting on to the Charlotte Street whilst the Tottenham Mews elevation will consist of a new 3 storey plus set back 4th storey building – which will include a replacement commercial storage area for the scooter repair business.
- 2.2 It is also proposed to extend the lower ground floor element along with excavating a new basement level which will be associated with the office use on site. The building will also incorporate level access and a central lift and stairs.

- 2.3 The 5 storey block fronting Charlotte Street would accommodate office space at basement, lower ground, ground and part-first floor levels, which would be used by 'The Fayre Share Foundation' a charity and the applicants own business, 'Ostro Minerals'.
- 2.4 In addition to this, 3 x family sized 3 bed flats are proposed over 2nd, 3rd, 4th and 5th floor levels. Entrance to both the flats and the office space will be via Charlotte Street and the communal bin and bike storage is proposed at ground floor level next to the entrance to the building. The replacement 36sqm commercial storage space to the rear of the site will be accessed via Tottenham Mews.

Revisions

- 2.5 Revised plans were sought during the course of the application which incorporated lowering of the building along with breaking up of the fenestration and the introduction of metal railings fronting Charlotte Street. The revisions also incorporated metal balconies to the mews building at the rear, facing Tottenham Mews.

3. RELEVANT HISTORY

3.1 Application site

8800504 – Planning permission was granted on 05/01/198 for the continued use of the ground floor as offices

5 Tottenham Mews

2013/2810/P – Planning permission was granted on 26/08/2014 for the erection of a 4 storey, 4x bedroom house with rear ground floor terrace.

73-75 Charlotte Street

2012/2045/P – Planning permission was *granted* on 13/12/2012 for the erection of a part 3/4/5 & 6 storey building plus basement level for a mixed use development comprising of 11 residential units (Class C3) and 253sqm of office (Class B1) floorspace at part basement and ground floor level, following demolition of existing buildings at 73-75 Charlotte Street & 34-38 Tottenham Street and 4 Tottenham Mews.

4 Tottenham Mews

PS9804016: Planning permission was granted on 13/07/1998 for the erection of an additional storey for office use (Class B1) at third floor level to the existing three storey building in Class B1 use.

Surrounding Area

Saatchi Block, 80 Charlotte Street

2010/6873/P: Creation of additional floorspace through the infilling of the existing courtyard, the extension of the existing basement, seven storey extension to the Chitty Street elevation and the construction of two additional storeys (creating a nine storey building in total, with existing buildings to be partially demolished) in association with the existing office use (Use Class B1); the creation of new public

open space, change of use from office (B1) to create flexible units at ground and lower ground floor levels (Class B1, A1 or A3 use); and the change of use and extensions to 67-69 Whitfield Street to create 19 residential units (Use Class C3) all to the site bounded by Chitty Street Charlotte Street, Howland Street and Whitfield Street. Granted 04/05/2012

Arthur Stanley House

2015/0391/P: Refurbishment of the existing eight storey Arthur Stanley House and new build element to the rear facing Tottenham Mews to enable a change of use from health care (Class D1) to a mixed use development comprising office floor space (Class B1), flexible office (Class B1)/ health care (Class D1) floorspace at ground floor level and 12 residential units (Class C3) (market units: 1 x 1bed, 8 x 2bed, 1 x 3bed. affordable units: 2 x 3 beds) and associated landscaping fronting Tottenham Mews. **Cttee resolved to grant permission on 25th June 2015**

Astor College

2015/1139/P - Refurbishment of existing student accommodation (Sui Generis) comprising 2 storey upper ground floor front extension, 8 storey rear extension and front central bay extended forward (from 1st to 6th floor) to provide 60 additional bedrooms, elevational alterations including overcladding, relocation of main access, provision of ground floor cafe (Class A3) and pedestrianisation of Bedford Passage. **Cttee resolved to grant permission on 25th June 2015**

4. CONSULTATIONS

Public exhibition

- 4.1 Prior to submission, the applicant carried out a public exhibition on 14th October 2014 between 4 and 8pm at the site. Invites were sent to local residents, businesses and Ward Councillors. Details of the exhibition also featured on the 'Fitzrovia News' website on 8th October 2014.

Statutory Consultees

Charlotte Street CAAC

- 4.2 No response to date.

Charlotte Street Association

- 4.3 No response to date.

Crossrail safeguarding

- 4.4 No objection.

4.5 Adjoining Occupiers

<i>Number of letters sent</i>	27
<i>Total number of responses received</i>	1
<i>Number in support</i>	0
<i>Number of objections</i>	0

- 4.6 A site notice was displayed from 07/04/2015 to 28/04/2015 and the application was also advertised in the Ham & High on 09/04/2015. The statutory public consultation period formally expired on 30/04/2015.
- 4.7 A comment was received from the owners of the neighbouring development at 73-75 Charlotte Street who state that although they have no objection to the proposed development, they would ask that consideration is given to the fact that there are bedrooms next to a small internal lightwell adjacent to the application site.

5. **POLICIES**

- 5.1 National Planning Policy Framework (NPPF) 2012
The London Plan March 2015, consolidated with alterations since 2011

LDF Core Strategy and Development Policies

- CS1 – Distribution of growth
- CS3 – Other highly accessible areas
- CS5 – Managing the impact of growth and development
- CS6 – Providing quality homes
- CS8 – Promoting a successful and inclusive Camden economy
- CS9 – Achieving a successful Central London
- CS10 – Supporting community facilities and services
- CS11 – Promoting sustainable and efficient travel
- CS13 – Tackling climate change through promoting higher environmental standards
- CS14 – Promoting high quality places and conserving our heritage
- CS17 – Making Camden a safer place
- CS18 – Dealing with our waste and encouraging recycling
- CS19 – Delivering and monitoring the Core Strategy

- DP1 – Mixed use development
- DP2 – Making full use of Camden's capacity for housing
- DP5 – Homes of different sizes
- DP6 – Lifetime homes and wheelchair housing
- DP13 – Employment premises and sites
- DP16 – The transport implications of development
- DP17 – Walking, cycling and public transport
- DP18 – Parking standards and limiting the availability of car parking
- DP20 – Movement of goods and materials
- DP21 – Development connecting to the highway network
- DP22 – Promoting sustainable design and construction
- DP23 – Water
- DP24 – Securing high quality design
- DP25 – Conserving Camden's heritage
- DP26 – Managing the impact of development on occupiers and neighbours
- DP27 – Basements and lightwells
- DP28 – Noise and Vibration
- DP32 – Air quality and Camden's Clear Zone

Supplementary Planning Policies

- 5.2 Camden Planning Guidance 2011 (updated 2013)
Fitzrovia Area Action Plan (adopted March 2014)
Charlotte Street Conservation Area Appraisal and Management Plan 2008

6. **ASSESSMENT**

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

- **Land use principles**
- **Housing**
- **Design Issues**
- **Neighbouring amenity**
- **Basement works**
- **Transport, construction management and servicing**
- **Energy & Sustainability**
- **Noise**
- **CIL & Planning obligations**

Land use principles

- 6.2 In terms of the employment uses on site, Core Strategy Policy CS8 sets the overall strategy for growing Camden's economy whilst Development Plan Policy DP13 seeks to retain buildings that are suitable for continued business use. Policy DP13 also states that where premises or sites are suitable for continued business use the Council will consider redevelopment proposals for mixed use schemes provided certain criteria are met. Additionally, the recently adopted Fitzrovia Area Action Plan (FAAP) seeks to ensure that existing business premises suitable for small and medium enterprises (SMEs) are retained. The Council will principally seek to maintain a supply of premises that can provide lettings of less than 100sq m.
- 6.3 At the moment the office premises at Charlotte Street is partly occupied by 'The Fayre Share Foundation', an interfaith charitable organisation which brings together charities from London's faith communities enabling them to work together on areas of common interest. 'The Fayre Share Foundation' is expected to occupy the lower ground, ground and first floor of building upon completion, whilst the basement level will facilitate the applicants' family gemstone business (Ostro Minerals).
- 6.4 The existing building provides generally inflexible floorspace and has been only partly occupied since 2013, the last user being a BBC production team. The main access to the building is stepped, the lift has capacity for 1-2 people maximum and is not at all suitable for wheelchair users, the stairs is extremely narrow which can only accommodate one person at a time. Most strikingly, it is noted that the building consists of 24 rooms of varying shapes and sizes which would need significant investment to be brought up to modern standards. Although it is acknowledged that some of the rooms could be suitable for SME's the rooms are very small, the largest being 30sqm far less than 100sqm sought by the FAAP.
- 6.5 Notwithstanding the above, the scheme is considered to be compliant in terms of the criteria set out in Policy DP13, as the level of employment floorspace will be replaced, in a more flexible manner, in the proposed development. The Existing

NIA is 493sqm whilst the Proposed NIA will be 499sqm and, coupled with the fact that a priority use (residential) is also propose, the scheme is clearly in accordance with DP13. It is also worth noting at this point that should 'The Fayre Share Foundation' ever wish to vacate the building, the premises would be entirely suitable for use by another or various other businesses due to its flexibility and ease of access. Furthermore, the potential use of a small minority of the rooms for SME's is not considered to outweigh the possible planning gain from the redevelopment proposals which incorporate more flexible office accommodation for an important charity along with additional family sized residential development for the borough.

- 6.6 In terms of the B1c garage to the rear of the site, this is currently used for storage for a scooter repair business and it is proposed to incorporate this element in to the redevelopment scheme, which is welcomed and this will be secured via S106 agreement.
- 6.7 In addition to the above, Policy DP1 (Mixed use development) states that, in the Central London Area, where more than 200sqm (gross) additional floorspace is provided, 50% of that additional floorspace should be housing. In this instance an additional gross internal floorspace of 603sqm all of which is residential and in line with the principles of DP1.
- 6.8 With regards to the introduction of residential on this site it is noted that housing is the priority land use of the LDF. Policies CS6 and DP2 make housing the top priority when considering the future of underused land and buildings. New residential floorspace is welcomed provided it meets the Council's residential development standards and does not harm local amenity. Consequently, the loss of the existing employment and storage floorspace in place of more flexible space along with residential development is considered to be acceptable in land use terms.

Housing

- 6.9 The application proposes 4 units of residential accommodation, incorporating a mix of 1 x 1 bed units and 3 x 3 bed units. Policy DP5 seeks a mix of large and small homes in all residential developments. The associated dwelling size priorities table notes a lower demand for 1 bed market units and a medium demand for 3 bedroom units. Meanwhile the Fitzrovia Area Action Plan (FAAP) places emphasis on the need for larger homes. As a whole, the development is considered to fulfil the requirements of DP5 and no objection is raised to the proposed mix of units.
- 6.10 Residential development standards are outlined in Camden Planning Guidance (CPG2) which requires certain floorspace sizes to be incorporated into new residential development. The London Plan minimum space standards are higher than those set out in the Camden CPG. The following table sets out the proposed flat sizes against both sets of space standards:

Proposed flat sizes	Camden CPG	London Plan standards
1 bed - 59 sqm	32sqm	50sqm / 1b 2person
3 beds – 120 sqm	61sqm	95sqm / 3b 6person

- 6.11 As can be seen from the above table the proposed units exceed of the requirements set out in Camden Planning Guidance and those set out in the London Plan. The proposed units will have good levels of outlook and will all receive adequate natural light and ventilation. 2 of the 3 bed units will benefit from outdoor paved terrace areas and all of the 3 bed units will be dual aspect. Policy DP6 requires all new homes to comply with 'Lifetime Homes' criteria and states that 10% of homes developed should either meet wheelchair housing standards or be easily adaptable to meet them. The applicant has submitted a Lifetime Homes Assessment which indicates that all of the relevant criteria will be met. Access to all of the flats will be from a communal entrance via a lift which will be secured for authorised access only.

Design issues

- 6.12 The existing building fronting Charlotte Street is not historic although it stands adjacent to a row of early 19th century houses which typify this part of the Charlotte Street Conservation area and the wider Bloomsbury location. These type of buildings date from the early development of the area and were recorded by John Tallis in about 1840. It is considered that the existing building has little architectural merit and hence the principal of demolition is acceptable in this instance. Furthermore, the single storey garage to the rear of the site is in a derelict condition and is of no architectural merit, as such there are no concerns over its proposed demolition.
- 6.13 Policies CS14 and DP24 seek to ensure all development is of the highest quality design and considers the character, setting, context and form of neighbouring buildings. The height and bulk of the new buildings have been reduced to prevent any impact on longer views of the conservation area and consequently the Charlotte Street elevation will be no higher than the existing building, albeit a set-back top storey is proposed but this will not be visible from street level.
- 6.14 The replacement building is now considered to be refined to the extent that it blends easily with the existing terrace, the recently approved 'Derwent' scheme on the corner and the wider conservation area. The elevation facing Charlotte Street will incorporate the use of mid-tone grey brick and anodised windows in dark bronze which reflect and respond to the materials used in the immediate area. A condition will be placed on the permission seeking details of the materials along with a sample panel.
- 6.15 With regards to the building on Tottenham Mews, it is noted that permission was granted in 2014 for the erection of a 4 storey residential building in place of the garage. In this instance, a four storey mews building, incorporating a garage at ground floor level, is proposed which is considered to sit appropriately with the existing mews buildings in terms of height and bulk and is therefore considered acceptable.

Neighbouring amenity

- 6.16 Core Strategy Policy CS5 and Development Policy DP26 seek to ensure that the existing sensitive residential amenities of neighbouring properties are protected, particularly with regard to privacy, outlook, daylight and sunlight. The new building

fronting Charlotte Street would largely echo the existing building's footprint, scale, height and massing. The most significant change would occur to the new building fronting Tottenham Mews, which will be 12meters in height, compared to the 3m high garage which currently exists on site.

- 6.17 In considering the extra height and bulk of this building on the site, the applicants have submitted an independent daylight/sunlight report by Delva Patman Redler which assesses the impact on the most sensitive windows of the neighbouring properties at 73-75 Charlotte Street and at 81 Charlotte Street. The report tested the Vertical Sky Component (VSC), the Average Daylight Factor (ADF) and the No Sky Line (NSL) for 15 windows in the neighbouring properties along with testing 3 windows for Annual Probable Sunlight Hours (APSH), all of which comfortably pass the BRE Guidelines. Furthermore due to the orientation of the new building, many windows will actually experience a gain in their level of daylight/sunlight.
- 6.18 The most affected window will be a first floor bedroom window at 81 Charlotte Street which will experience a reduction of 11.5% in its VSC, however this reduction is minimal considering that BRE guidance determines that the VSC figure can be reduced by up to 20% (0.8 of its former value) before the daylight loss is materially noticeable.
- 6.19 Given the orientation of the buildings within a terrace, along with the fact that the neighbouring frontages face on to public highways, there will be no loss of outlook to these properties. However, in terms of overlooking and loss of privacy it is noted that the application site and the recently constructed 'Derwent' scheme at 73-75 Charlotte Street share a lightwell and as such it is necessary that a condition be placed on the permission for obscure glazing of the windows of the proposed development which are adjacent to this lightwell.

Basement works

- 6.20 Policy DP27 and CPG4 state that developers will be required to demonstrate through the use of appropriate methodologies, that the schemes would maintain the structural stability of the building and neighbouring properties; not adversely affect drainage and run-off or causing other damage to the water environment; and avoiding any cumulative impact upon structural stability or the water environment in the local area.
- 6.21 A Basement Impact Assessment (BIA) has been submitted in support of this application. The BIA was produced by Multidisciplinary Consulting (MLM) and has been independently reviewed by Geotechnical & Environmental Associates (GEA).
- 6.22 GEA requested further information on June 3rd 2015 due to the fact that there was no demonstrable evidence that the assessments in the report by MLM had been made in conjunction with an Engineering Geologist with the CGeol qualification from the Geological Society of London. In addition to this, there were no assessment of ground movements resulting from the basement construction and hence further information was also required in this respect. The additional information was submitted on the 15th July 2015.

- 6.23 The screening stage of the report by MLM identified the following points which needed to be taken forward to the scoping stage:

Surface water flow & flooding

- All of the questions in the surface flow and flooding flowchart were answered 'No' as there is no change in surface areas from the old building to the new. The Independent review by GEA agrees with this justification.

Groundwater flow (subterranean)

- With regards to groundwater flow, the report states that the site is underlain by and aquifer; and as groundwater was encountered within the boreholes, it is likely that the basement will extend beneath the water table surface.

Slope stability

- The site is within an aquifer; is within 5m of a highway and the proposed basement will significantly increase the differential depth of foundations relative to neighbouring properties.

Scoping

- 6.24 In terms of the submitted report by MLM, site investigations were undertaken in November 2014 comprising of seven boreholes constructed to a maximum depth of 6.5m, along with a single borehole advanced to 25m. These were then monitored for the ensuing two weeks. The GEA Independent Report states that the scope of the investigations is considered to be acceptable to inform the design and confirm the suitability of the proposed construction methods.
- 6.25 Although adequate attention was given to the basement construction methodology and sequencing of both piling and underpinning but despite heave calculations having been mentioned there was no assessment of the effects of such heave or of the installation and excavation in front of the piled walls. The additional information has since been received and reviewed by GEA.
- 6.26 Whilst GEA are broadly happy with the revised BIA and the assumptions made, final comments were received on 19th August 2015. These stated that further information is required regarding ground movement analysis and mitigation measures to be set in place in case ground movements are measured to be greater than predicted and further explanation of statements justifying the damage categories is required. GEA have confirmed that these could be dealt with via a Basement Construction Plan secured via S106 legal agreement.
- 6.27 The BIA provided was independently reviewed by GEA. GEA have confirmed that the submission demonstrates in sufficient detail accordance with DP27 and no objection is raised to the proposed basement development subject to the securing of a Basement Construction Plan via legal agreement for additional information regarding ground movement analysis and mitigation measures. In light of this it is considered that the proposed basement excavation would not cause harm to the built and natural environment and would not result in flooding or ground instability. A condition will be added to the permission requiring details of the engineer undertaking the works. Therefore the development would accord with the objectives of Policy DP27.

Transport, construction management and servicing

Car parking

- 6.28 Considering the site has a Public Transport Accessibility Level (PTAL) of 6b (excellent), is located within a Controlled Parking Zone, and within the "Clear Zone Region", for which the whole area is considered to suffer from parking stress, the development (both residential and office) shall be secured as car free through a S106 legal agreement in accordance with policy DP18.

Cycles

- 6.29 Cycle parking should now be provided in accordance with London Plan 2015 standards. For residential uses this gives a requirement for 1 space per 1 bedroom unit and 2 spaces for all other dwellings for long stay, and 1 space per 40 units for short stay, which gives a requirement for 4 spaces. For B1 office uses in Inner/Central London, the requirement is for 1 space per 90 sqm for long stay and 1 space per 500 sqm for short stay for the first 5,000 sqm and 1 space per 5,000 sqm thereafter, which gives a requirement for 8 spaces for a floor area of 613 sqm (577 sqm + 36 sqm for the garage). Overall, the cycle parking requirement is for 12 spaces. The Planning Statement and application form state that only 8 cycle parking spaces are to be provided, this is a shortfall of 4 cycle spaces however given that one space could easily fit in to the B1c Garage, the shortfall is 3 cycle spaces. Given the limited space available at ground floor level for the cycle parking, this shortfall is not considered to be a sufficient reason to refuse the application and the cycle parking area will be secured by condition.

Construction Management

- 6.30 Given the significant demolition and construction works proposed on a site located within the clear zone region of Central London, a full Construction Management and Demolition Plan (CMP/DMP) shall be secured by the s106 in accordance with policy DP20. A draft CMP has been submitted but this should be revised once a contractor has been appointed. The CMP shall be submitted for approval prior to any demolition works starting on site and the approved plan shall be closely monitored by the Council to ensure neighbouring amenities, particularly those of residents along Tottenham Street and the mews, are appropriately protected during the works.

Cumulative Impact

- 6.31 A number of nearby schemes are under construction or within the planning process with construction potentially to begin within the next 3 years.

Nearby development proposals include:

Saatchi Block, 80 Charlotte Street (2010/6873/P)

73-75 Charlotte Street, 34-38 Tottenham St and 4 Tottenham Mews (2012/2045/P)

64 Charlotte Street; Arthur Stanley House, 40 Tottenham Street (2015/0391/P)

Astor College 2015/1139/P and 32 Tottenham Street (2012/3537/P)

Current applications – not yet consented

61 - 65 Charlotte Street (2015/1746/P)

6.32 Given the proximity of other development (within the planning process, under construction or with construction expected) there is potential for cumulative impacts to arise when there is overlap between the construction phases of multiple developments. Traffic movements could lead to temporary increases in congestion along Charlotte Street and access routes likely to be utilised for construction traffic including Tottenham Court Road and Euston Road.

6.33 A precautionary and proactive approach to environmental management will be required to mitigate, manage and where possible prevent cumulative impacts. In addition to standard control measures, close liaison between construction managers would be required in order to minimise and mitigate any potential cumulative impacts. The management of cumulative impacts would be secured via the CMP.

Highways contribution

6.34 With regard to highway works, a Section 106 contribution of £7,000 will be secured for repaving the footway adjacent to the site. This will help to ensure that any damage caused during the construction works can be rectified.

Servicing and refuse collection

6.35 Existing kerbside drop-off and collection will continue. The residential units will leave refuse sacks at kerbside on collection days. A refuse holding area for both the residential and commercial units will be accessed from Charlotte Street, adjacent to the main entrance. These arrangements are acceptable, and the limited vehicular movements to the site do not necessitate the securing of a Delivery and Serving Plan.

Sustainability & Energy

6.36 Pursuant to Core Strategy policy CS13 and Development Policies DP22 and DP23 all developments in Camden are required to make the fullest contribution to the mitigation of and adaptation to climate change, to minimise carbon dioxide emissions and contribute to water conservation and sustainable urban drainage.

6.37 This requires developments to make the fullest contribution to tackling climate change in the following hierarchy: firstly by minimising carbon dioxide emissions, adopting sustainable design and construction measures (be lean), secondly prioritising decentralised energy (be clean) and thirdly incorporating renewable technologies (be green). The Energy Statement by Scotch Partners submitted in support of the application broadly follows this energy hierarchy.

6.38 Lean (*use less energy*) measures include improved building thermal performance, improved building air permeability, improving air tightness and utilising thermal mass. Clean measures (*supplying energy efficiently*) set a priority to connect to an existing or planned decentralised energy networks where feasible. However given that the nearest network is 500metres away this is not considered to be a feasible option but it is proposed to provide heat via a wet underfloor heating system at the application site. Green measures (*using renewable energy*) proposed include a solar hot water system for the residential units.

- 6.39 The energy statement is showing an overall 37% reduction in CO2 emissions. Camden requires all developments to be assessed against a 'gas heating baseline' (TER), in order to represent actual CO2 savings (NB an electric heating baseline will be much higher because it is a more carbon intensive fuel). It is unclear from the submitted report how the baseline emissions stated in the energy statement have been calculated and as 37% appears to be quite a high reduction of emissions, a condition will be added to the permission requesting details of how a 20% reduction in CO2 emissions beyond Part L has been reached. This has been agreed by the Council's sustainability officer.
- 6.40 A sustainability statement prepared by Scotch Partners was also submitted in support of the application which states that the development will meet Code Level 4; will restrict water usage to 105 litres per person per day and will incorporate a green roof to improve biodiversity at the site. The sustainability report and post construction review will be secured via S106 agreement.
- 6.41 The proposed building, with the provisions and technologies described above along with the introduction of a green roof on the mews building, is considered to make a positive contribution to promoting sustainability and tackling climate change within Camden. Details of the green roof along with bird and bat boxes will be secured by condition.

Noise

- 6.42 Policy DP28 relates to the protection of existing and future amenity with regard to noise disturbance, and acknowledges that background noise levels in Camden are high in many areas, especially in central urbanised areas like this. Accordingly the applicant commissioned an independent Acoustic Report, which has assessed the impact of external noise emissions and noise intrusion on both the proposed and neighbouring flats. The closest neighbouring residential windows are at 73-55 and 81 Charlotte Street, and the report confirms that the proposed development would not exceed the upper thresholds of Camden's noise standards provided mitigation measures are implemented. These measures will be secured by condition.

CIL & Planning obligations

- 6.43 The development is also liable for the Camden CIL payment which came into operation in April 2015. The amount is calculated on the Net Additional Floorspace, which in this instance is 419sqm. This amounts to £500 per sqm as the uplift is residential and the site is in Zone A and equals a total of £209,500.
- 6.44 In addition to a highways contribution, a CMP and a car free development, the sustainability statement (and post construction review) will also be secured via S106 as will the garage repair business to the rear of the site. There will also be a 'Local Employment and Training' clause whereby construction work placement opportunities of not less than 2 weeks each, shall be undertaken over the course of the development and which shall be recruited through the Council's Kings Cross Construction Skills Centre. If the build costs of the scheme exceed 3 million, the applicant must recruit 1 construction apprentice per £3million of build costs and pay the Council a support fee of £1,500 per apprentice as per clause 8.17 of CPG8. Recruitment of construction apprentices should be conducted through the Council's Kings Cross Construction Skills Centre.

Mayor of London's Community Infrastructure Levy (CIL)

- 6.45 The proposal will be liable for CIL as the new build floorspace exceeds 100sqm. Based on the Mayor's CIL charging schedule and the information given on the plans the charge is likely to be £60,800 (1,216sqm x £50). This will be collected by Camden after the scheme is implemented and could be subject to surcharges for failure to assume liability, submit a commencement notice and late payment, or and indexation in line with the construction costs index.
- 6.46 Furthermore, due to the introduction of 3 family sized units and the increased demand this will have with regards to open space in the area it is considered appropriate in this instance to secure a contribution towards open space in Fitzrovia, in line with the FAAP. This contribution amounts to £6,951 and will be secured via S106 agreement.

7. CONCLUSION

- 7.1 The planning benefits include 3 residential family sized units that will strengthen a mixed and inclusive community in this part of Fitzrovia. The internal accommodation would be of a good quality and standard of design, with all flats comfortably exceeding minimum space standards, with 2 of the large flats having access to private amenity space. The existing office floor space would be replaced with more flexible office space along with a new active frontage to Charlotte Street and the existing garage to the rear will be replaced.
- 7.2 The design and appearance of the new building is of a high quality and the choice of facing materials have been carefully considered in order to respond positively to the character and appearance of other buildings of value in the conservation area. The new build would not cause any material harm to neighbouring privacy, daylight, sunlight and outlook.
- 7.3 The development would be appropriate and in accordance with relevant National and Regional Guidance, Core Strategy and Development policies and Camden Planning Guidance for the reasons noted above.

8. RECOMMENDATION

- 8.1 Planning Permission is recommended subject to a S106 Legal Agreement covering the following Heads of Terms:-
- **Car free development;**
 - **Basement Construction Plan**
 - **Highways contribution of £7,000;**
 - **Open Space contribution of £6,951;**
 - **Construction & Demolition Management Plan;**
 - **Local Employment and Training;**
 - **Procurement**
 - **Sustainability statement and post construction review;**
 - **Scooter/motorcycle repair business;**

9. LEGAL COMMENTS

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

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: Site location plan; Existing drawings - 2128/0199 Rev A; 0200 Rev A; 0201 Rev A; 0202 Rev A; 0203 Rev A; 0204 Rev A; 0205 Rev A; 0206 Rev A; 0207 Rev A; 0208 Rev A; 0209 Rev A; Demolition drawings - 2128/0249Rev A; 0250RevA; 0251RevA; 0252RevA; 0253RevA; 0254RevA; 0255RevA; Proposed drawings - 2128/0298RevA; 0299RevA; 0300RevA; 0301RevA; 0302RevA; 0303RevA; 0304RevA; 0305RevA; 0306RevA; 0400RevB; 0401RevB; 0500RevB; 0502RevA & 0503RevA;

Daylight/sunlight report by Delva Patman Redler dated Feb 2015; Ecology Assessment by Thomson Ecology dated Feb 2015; Energy Statement by Scotch Partners dated Feb 2015; Sustainability Statement by Scotch Partners dated 9th Feb 2015; Noise Impact Assessment by Scotch Partners dated Jan 2015; BREEAM Assessment by Thomson Ecology dated Feb 2015; Construction Management Plan by HUSH dated Jan 2015;

Basement Impact Assessment by Multidisciplinary Consulting dated 11th Feb 2015 (will need to be updated as additional info was requested);

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

- 3 Detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority before the relevant part of the work is begun:

a) Details including sections at 1:10 of all windows (including jambs, head and cill), ventilation grills, external doors and gates;

b) Manufacturer's specification details of all facing materials (to be submitted to the Local Planning Authority) and samples of those materials (to be provided on site).

The relevant part of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course of the works.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London

Borough of Camden Local Development Framework Core Strategy and policy DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 4 A sample panel of the facing brickwork demonstrating the proposed colour, texture, face-bond and pointing shall be provided on site and approved in writing by the local planning authority before the relevant parts of the works are commenced and the development shall be carried out in accordance with the approval given. The approved panel shall be retained on site until the work has been completed.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 5 No lights, meter boxes, flues, vents or pipes, and no telecommunications equipment, alarm boxes, television aerials, satellite dishes or rooftop 'mansafe' rails shall be fixed or installed on the external face of the buildings, without the prior approval in writing of the local planning authority.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

- 6 The development hereby approved shall not commence until such time as a suitably qualified chartered engineer with membership of the appropriate professional body has been appointed to inspect, approve and monitor the critical elements of both permanent and temporary basement construction works throughout their duration to ensure compliance with the design which has been checked and approved by a building control body. Details of the appointment and the appointee's responsibilities shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. Any subsequent change or reappointment shall be confirmed forthwith for the duration of the construction works.

Reason: To safeguard the appearance and structural stability of neighbouring buildings and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Development Policies and policy DP27 (Basements and Lightwells) of the London Borough of Camden Local Development Framework Development Policies.

- 7 The lifetime homes features and facilities, as indicated on the drawings and documents hereby approved shall be provided in their entirety prior to the first occupation of any of the new residential units.

Reason: To ensure that the internal layout of the building provides flexibility for the accessibility of future occupiers and their changing needs over time, in accordance

with the requirements of policy CS6 of the London Borough of Camden Local Development Framework Core Strategy and policy DP6 of the London Borough of Camden Local Development Framework Development Policies.

- 8 Noise levels at a point 1 metre external to sensitive facades shall be at least 5dB(A) less than the existing background measurement (LA90), expressed in dB(A) when all plant/equipment (or any part of it) is in operation unless the plant/equipment hereby permitted will have a noise that has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or if there are distinct impulses (bangs, clicks, clatters, thumps), then the noise levels from that piece of plant/equipment at any sensitive façade shall be at least 10dB(A) below the LA90, expressed in dB(A).

Reason: To safeguard the amenities of the [adjoining] premises [and the area generally] in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policies DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies.

- 9 Before the relevant part of the development is first occupied, the proposed cycle storage area hereby approved shall be provided and fitted out in its entirety and permanently maintained and retained thereafter.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy CS11 of the London Borough of Camden Local Development Framework Core Strategy and policy DP17 and DP18 of the London Borough of Camden Local Development Framework Development Policies.

- 10 Prior to construction the development hereby approved shall submit an energy statement demonstrating how a 20% reduction in carbon dioxide emissions beyond Part L 2013 Building Regulations in line with the energy hierarchy has been submitted to and approved in writing by the Local Planning Authority. Prior to occupation, evidence demonstrating that the approved measures have been implemented shall be submitted and approved in writing by the Local Planning Authority.

Reason: To ensure the development contributes to minimising the effects of, and can adapt to a changing climate in accordance with policies CS13 (Tackling climate change through promoting higher environmental standards) and DP22 (Promoting sustainable design and construction).

- 11 Prior to the first occupation of the building a plan showing details of the green roof including species, planting density, substrate and a section at scale 1:20 showing that adequate depth is available in terms of the construction and long term viability of the green roof, and a programme for a scheme of maintenance shall be submitted to and approved in writing by the local planning authority. The green roof shall be fully provided in accordance with the approved details prior to first occupation and thereafter retained and maintained in accordance with the approved scheme of maintenance.

Reason: To ensure that the green roof is suitably designed and maintained in accordance with the requirements of policies CS13, CS14, CS15 and CS16 of the London Borough of Camden Local Development Framework Core Strategy and policies DP22, DP23, DP24 and DP32 of the London Borough of Camden Local Development Framework Development Policies.

- 12 Prior to commencement of development details of a sustainable urban drainage system shall be submitted to and approved in writing by the local planning authority. Such system shall be based on a 1:100 year event with 30% provision for climate change, demonstrating 50% attenuation of all runoff and demonstrating greenfield levels of runoff. The system shall be implemented as part of the development and thereafter retained and maintained.

Reason: To reduce the rate of surface water run-off from the buildings and limit the impact on the storm-water drainage system in accordance with policies CS13 and CS16 of the London Borough of Camden Local Development Framework Core Strategy and policies DP22, DP23 and DP32 of the London Borough of Camden Local Development Framework Development Policies.

- 13 Prior to first use of the development, the windows associated with the communal stairwell, the office and residential accommodation which face the shared lightwell with 73-75 Charlotte Street, shall be obscure glazed and fixed shut from ground to 3rd floor levels. Thereafter, these windows shall be permanently maintained and retained as such.

Reason: In order to prevent unreasonable overlooking of the bedroom windows of the new residential units in the neighbouring development at 73-75 Charlotte Street, in accordance with the requirements of Core Strategy Policy CS5 (Managing the impact of Development) and Development Plan DP26 (Managing the impact of development on occupiers and neighbours) of the London Borough of Camden Local Development Framework 2010.

- 14 Prior to first occupation of the development a plan showing details of bird and insect box locations and types and indication of species to be accommodated shall be submitted to and approved in writing by the local planning authority. The boxes shall be installed in accordance with the approved plans prior to the occupation of the development and thereafter retained.

Reason: In order to secure appropriate features to conserve and enhance wildlife habitats and biodiversity measures within the development, in accordance with the requirements of the London Plan 2015 (Consolidated with Alterations Since 2011) and Core Strategy Policy CS15 of the London Borough of Camden Local Development Framework

Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Argyle Street WC1H 8EQ, (tel: 020-7974 2363).

- 2 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Environmental Health Service, Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 2090 or by email env.health@camden.gov.uk or on the website www.camden.gov.uk/pollution) or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.
- 3 The Mayor of London introduced a Community Infrastructure Levy (CIL) to help pay for Crossrail on 1st April 2012. Any permission granted after this time which adds more than 100sqm of new floorspace or a new dwelling will need to pay this CIL. It will be collected by Camden on behalf of the Mayor of London. Camden will be sending out liability notices setting out how much CIL will need to be paid if an affected planning application is implemented and who will be liable.

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

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

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

Please send CIL related documents or correspondence to CIL@Camden.gov.uk



Application No: 2015/1076/P

**77-79 Charlotte Street/5 Tottenham Mews
London
W1T 4PW**

**Scale:
1:1250
Date:
21-Aug-15**



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77-79 Charlotte Street

2015/1076/P



77-79 Charlotte Street 2015/1076/P



View of front of existing office building

77-79 Charlotte Street 2015/1076/P



View of rear of building showing existing garage

77-79 Charlotte Street 2015/1076/P



View of Tottenham Mews to rear of site

77-79 Charlotte Street 2015/1076/P



Image of proposed new development fronting Charlotte Street

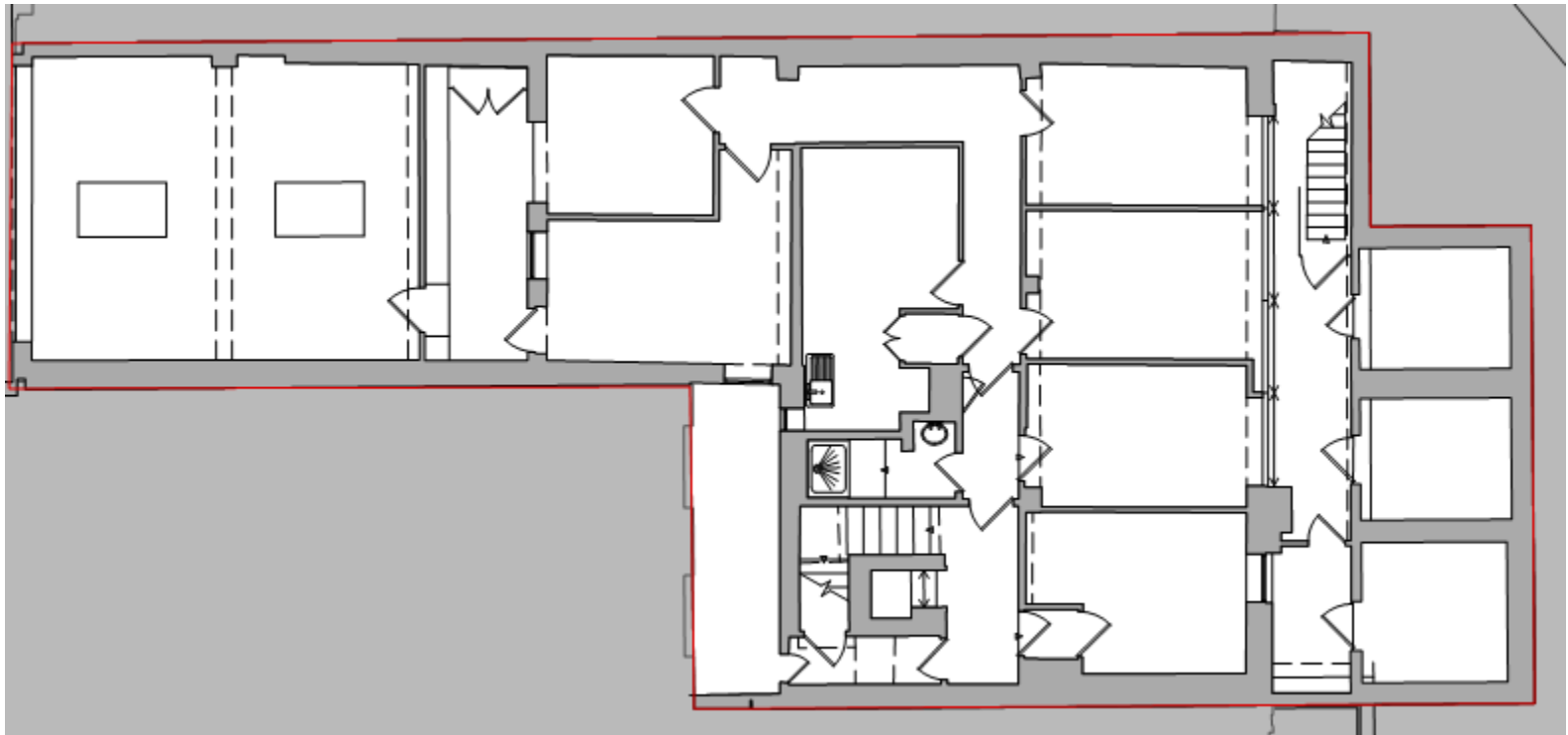
77-79 Charlotte Street 2015/1076/P



Image of proposed development to rear facing Tottenham Mews

77-79 Charlotte Street

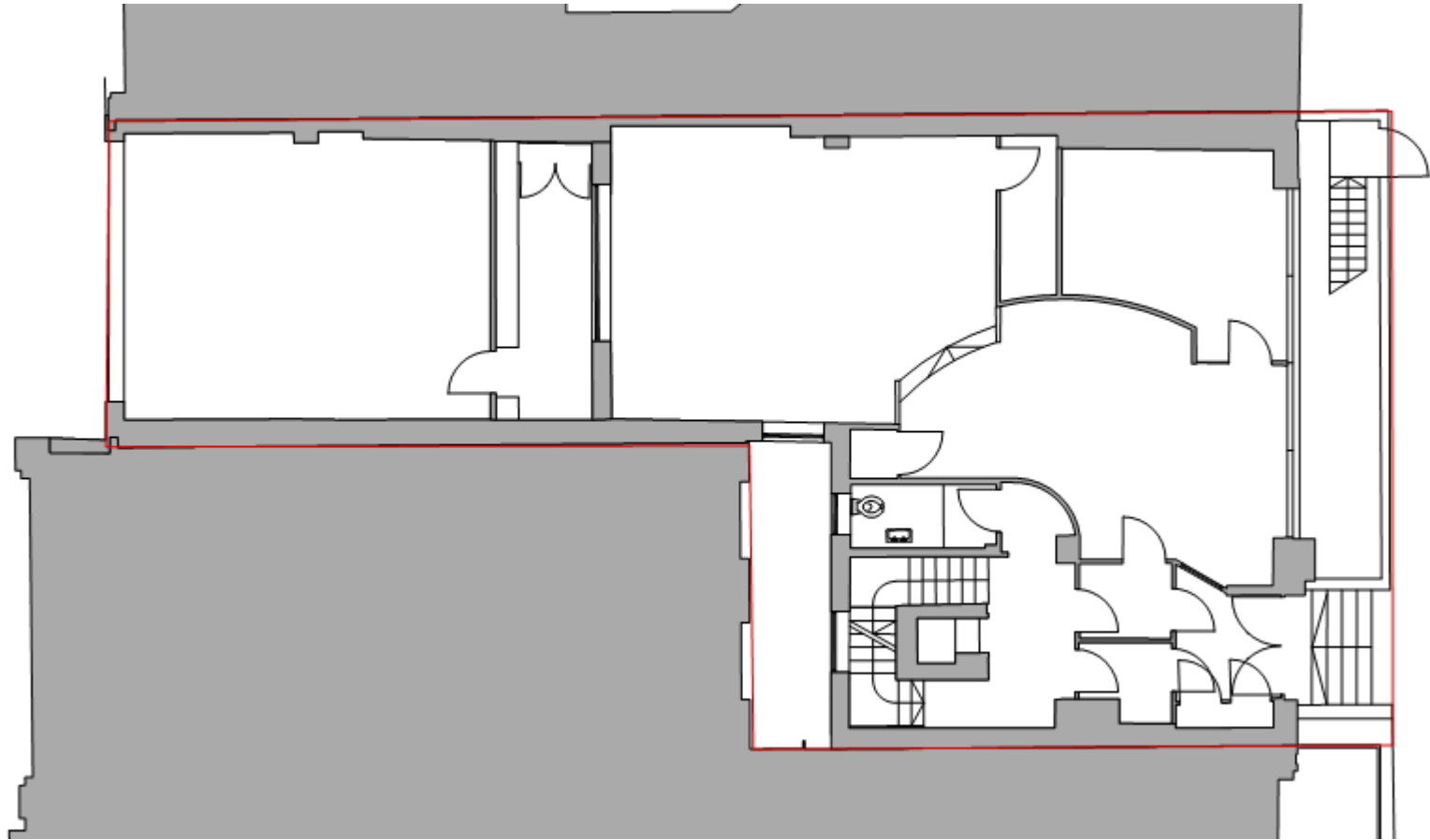
2015/1076/P



Existing lower ground floor level

77-79 Charlotte Street

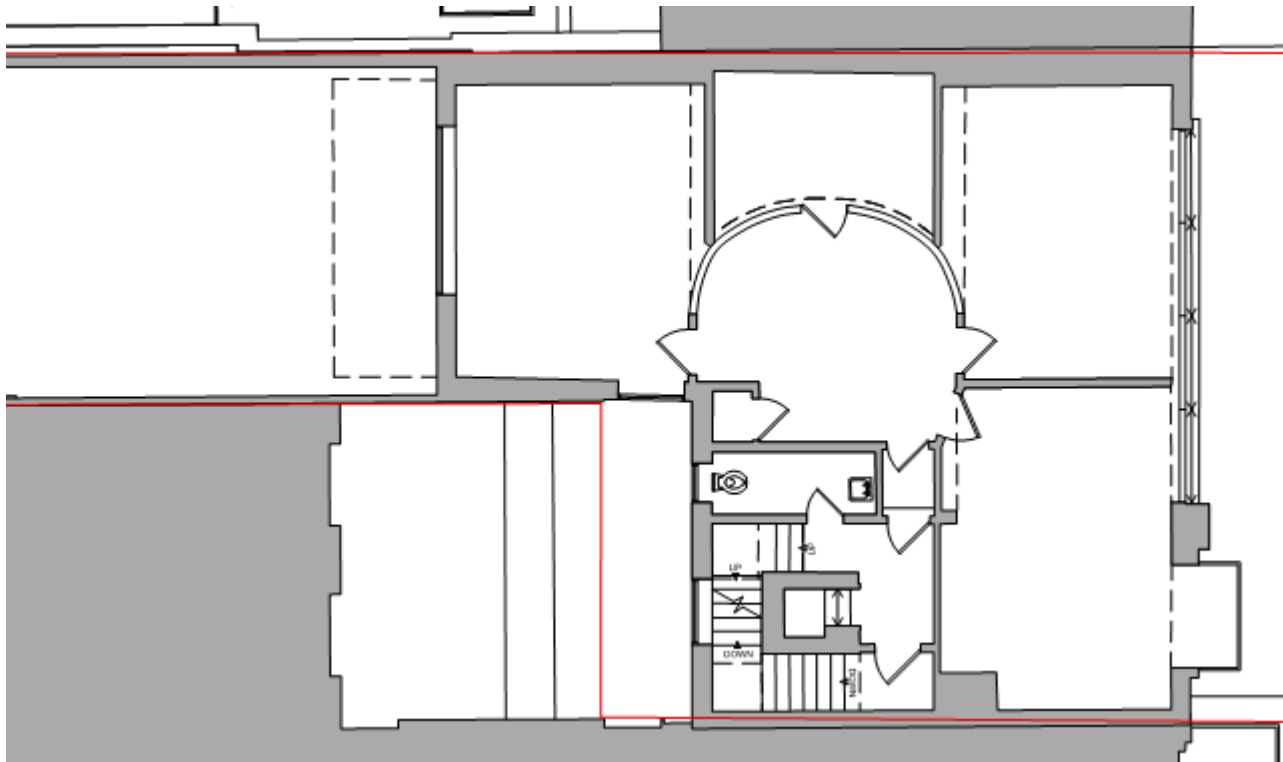
2015/1076/P



Existing ground floor level

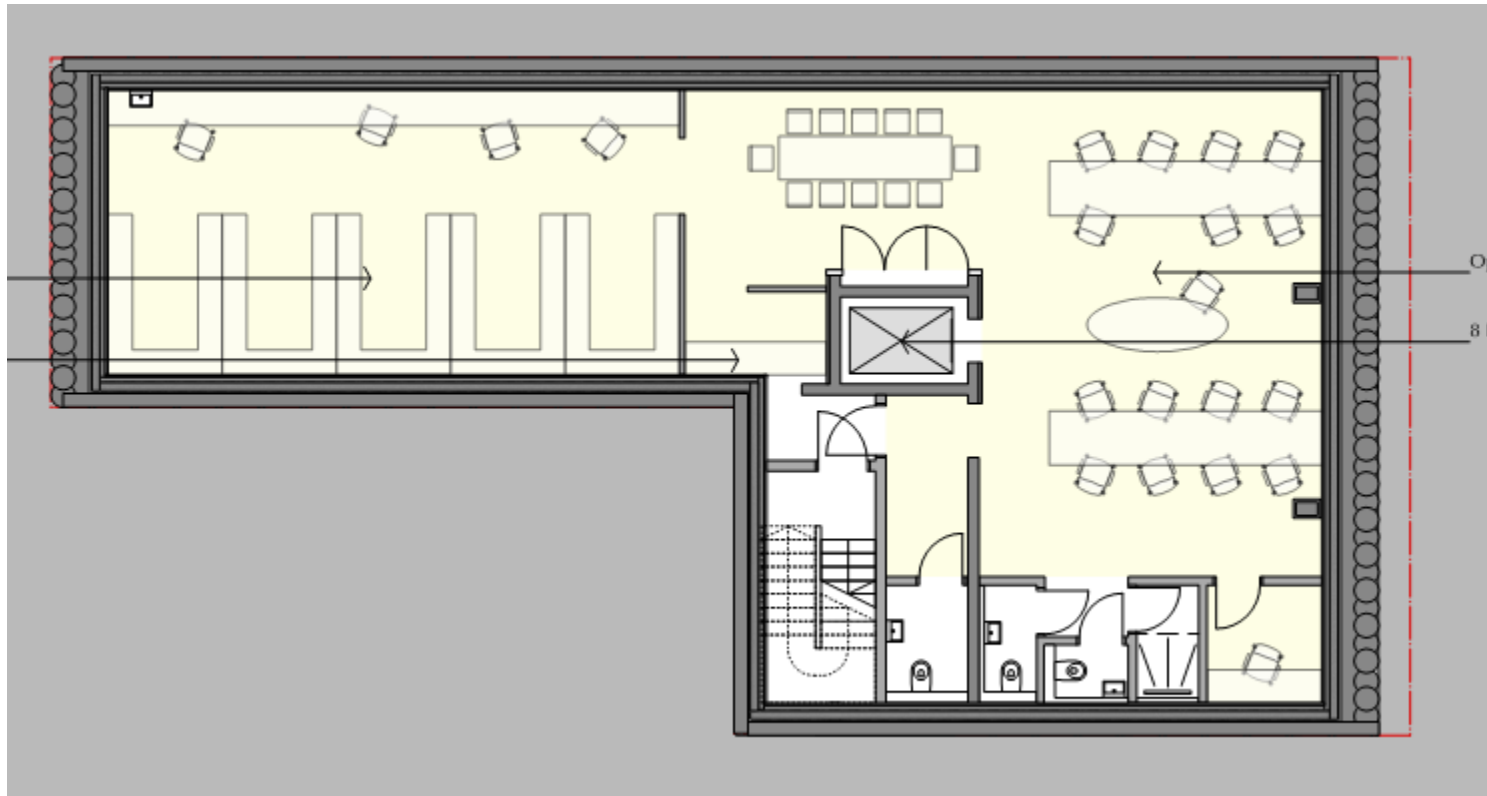
77-79 Charlotte Street

2015/1076/P



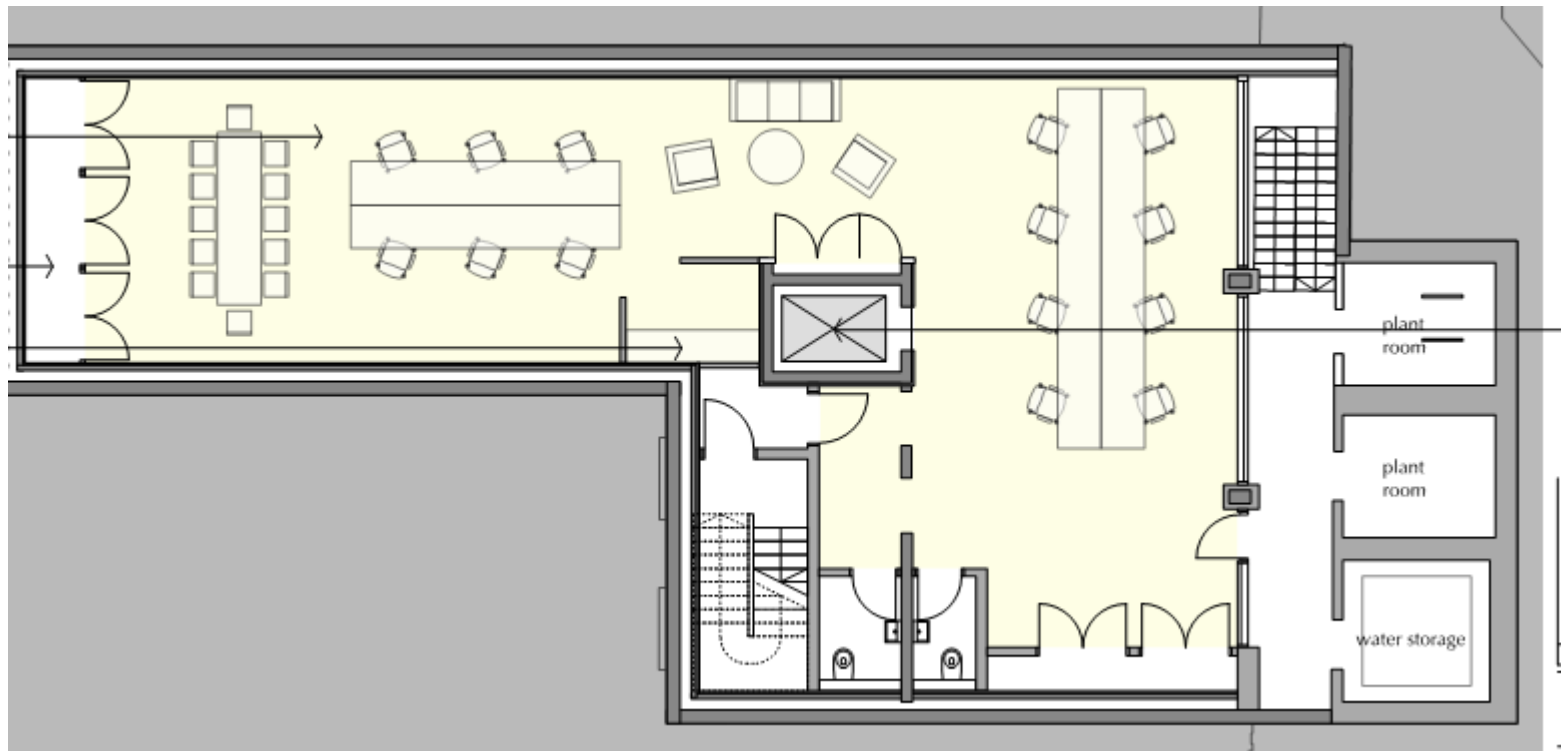
Existing 3rd floor level

77-79 Charlotte Street 2015/1076/P



Proposed basement level for use by 'Ostro Minerals'

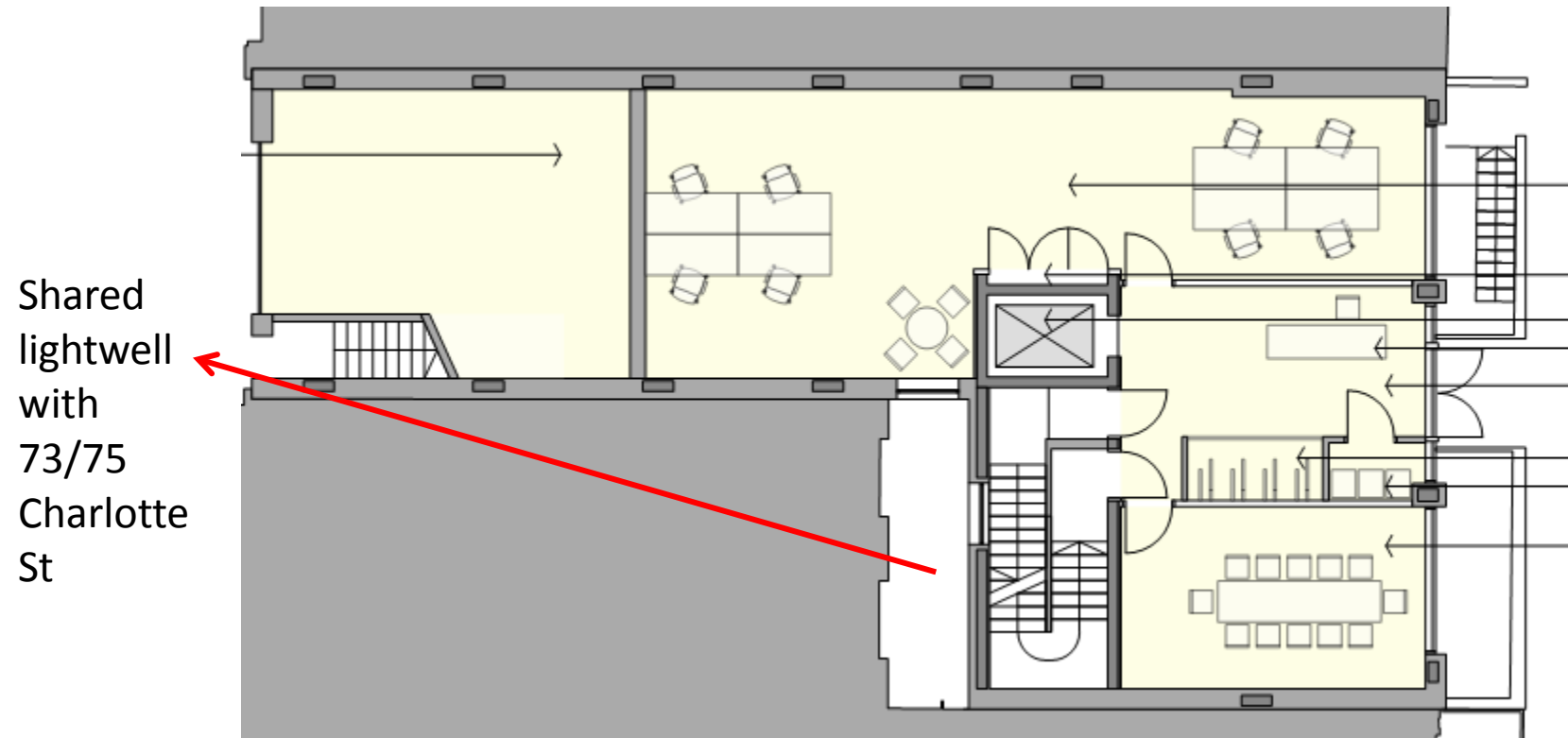
77-79 Charlotte Street 2015/1076/P



Proposed lower ground floor office level

77-79 Charlotte Street

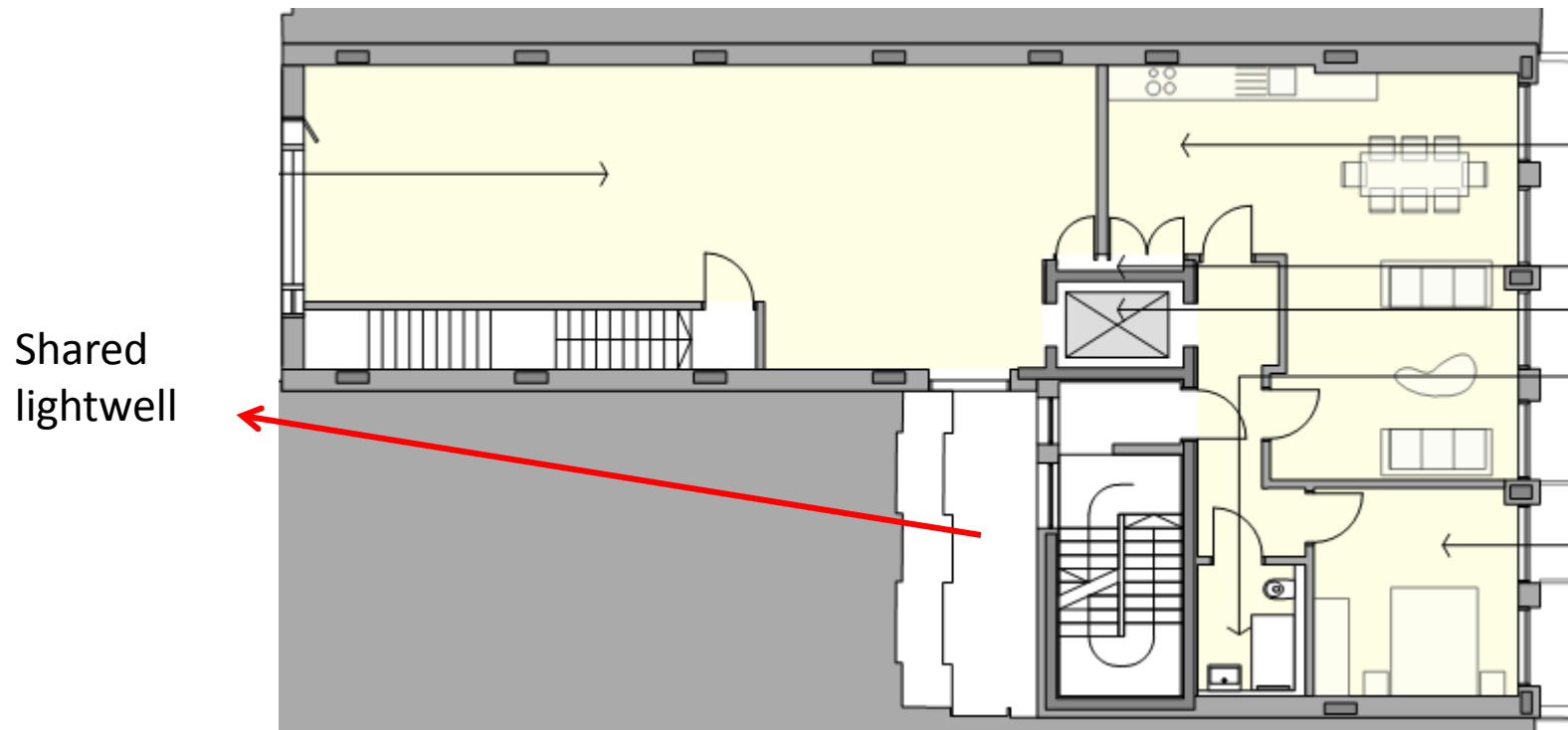
2015/1076/P



Proposed ground floor office level

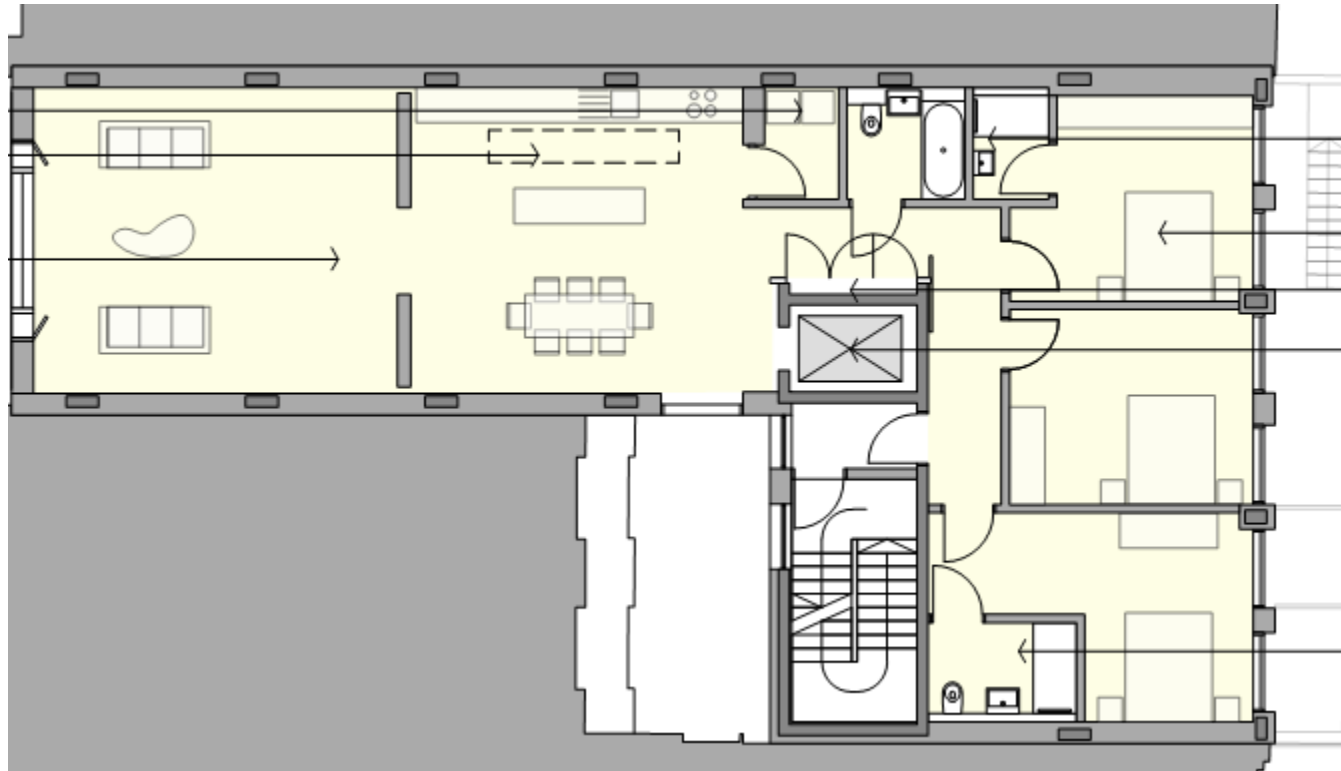
77-79 Charlotte Street

2015/1076/P



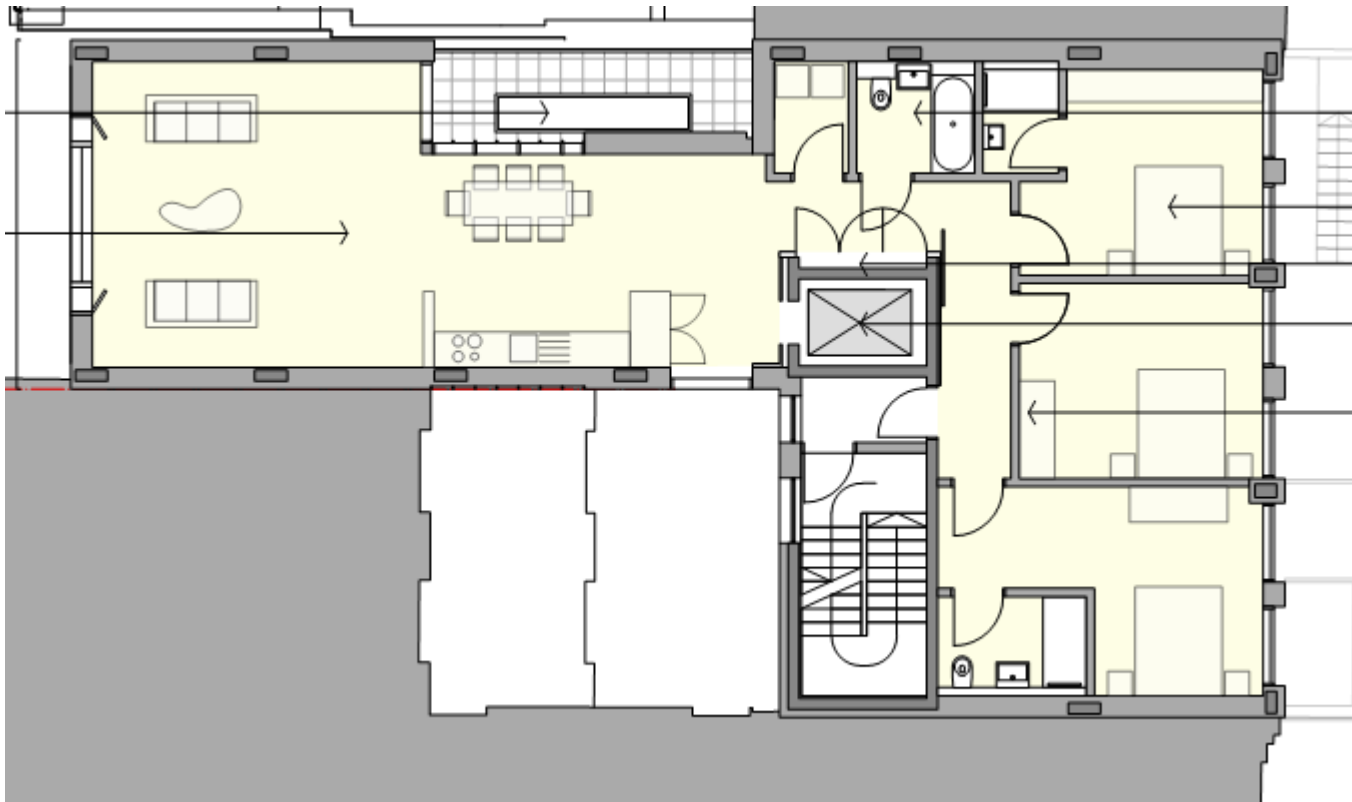
Proposed first floor office level with ancillary flat

77-79 Charlotte Street 2015/1076/P



Proposed second floor level – 3 bed flat

77-79 Charlotte Street 2015/1076/P



Proposed 3rd floor level – 3 bed flat

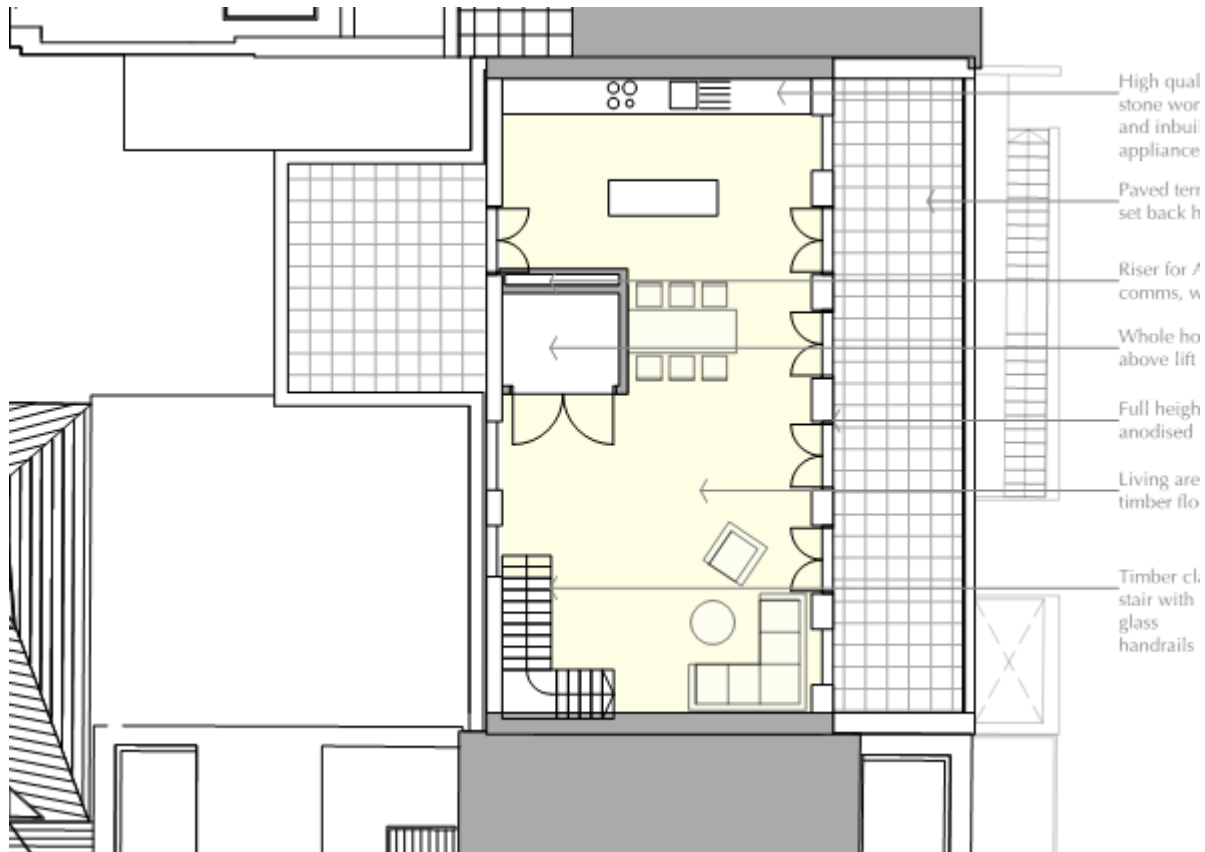
77-79 Charlotte Street 2015/1076/P



Proposed 4th floor level – 3 bed maisonette

77-79 Charlotte Street

2015/1076/P



Upper floor of maisonette

77-79 Charlotte Street

2015/1076/P



Proposed front elevation

77-79 Charlotte Street

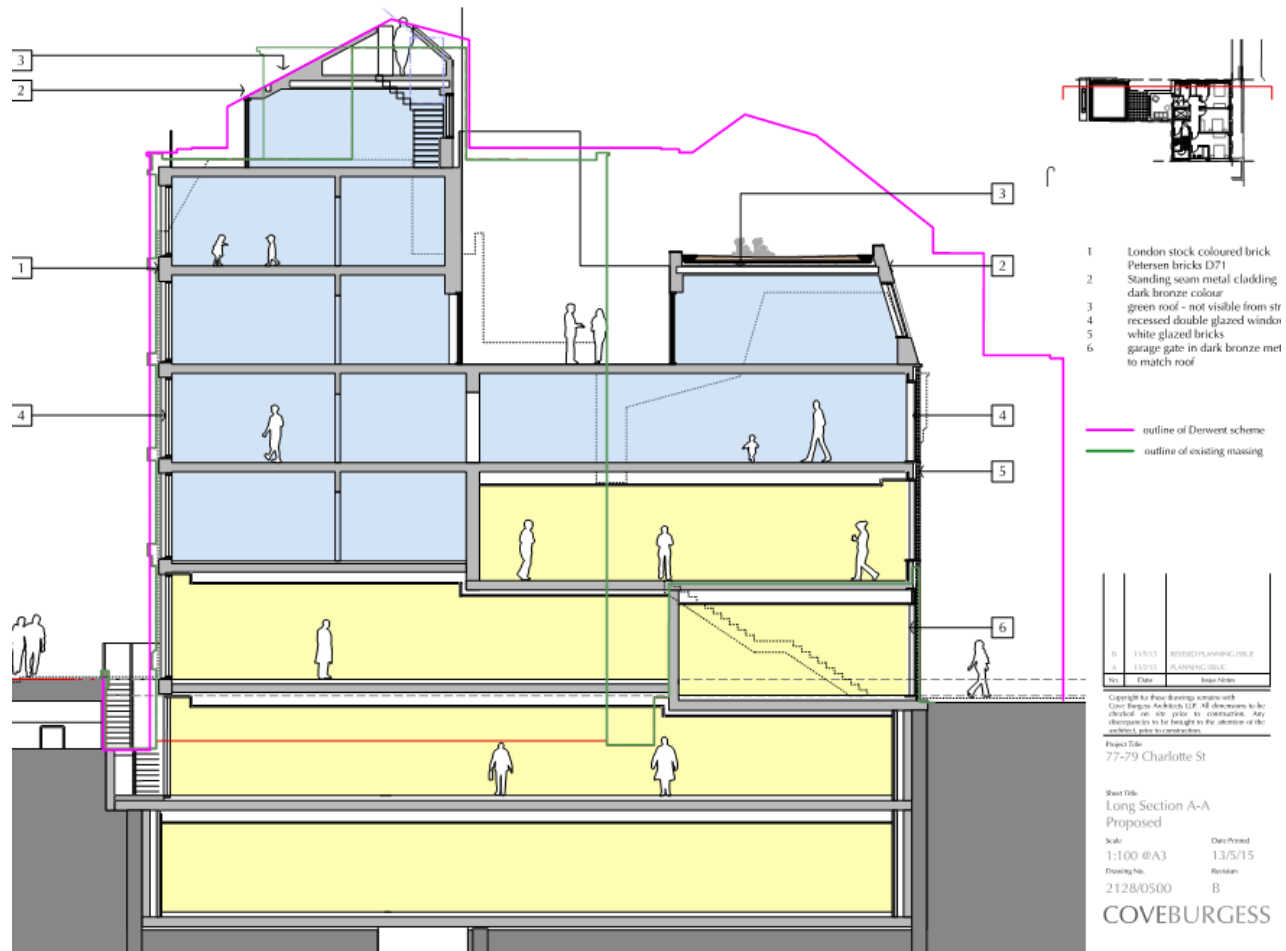
2015/1076/P



Proposed rear elevation

77-79 Charlotte Street

2015/1076/P



Proposed section