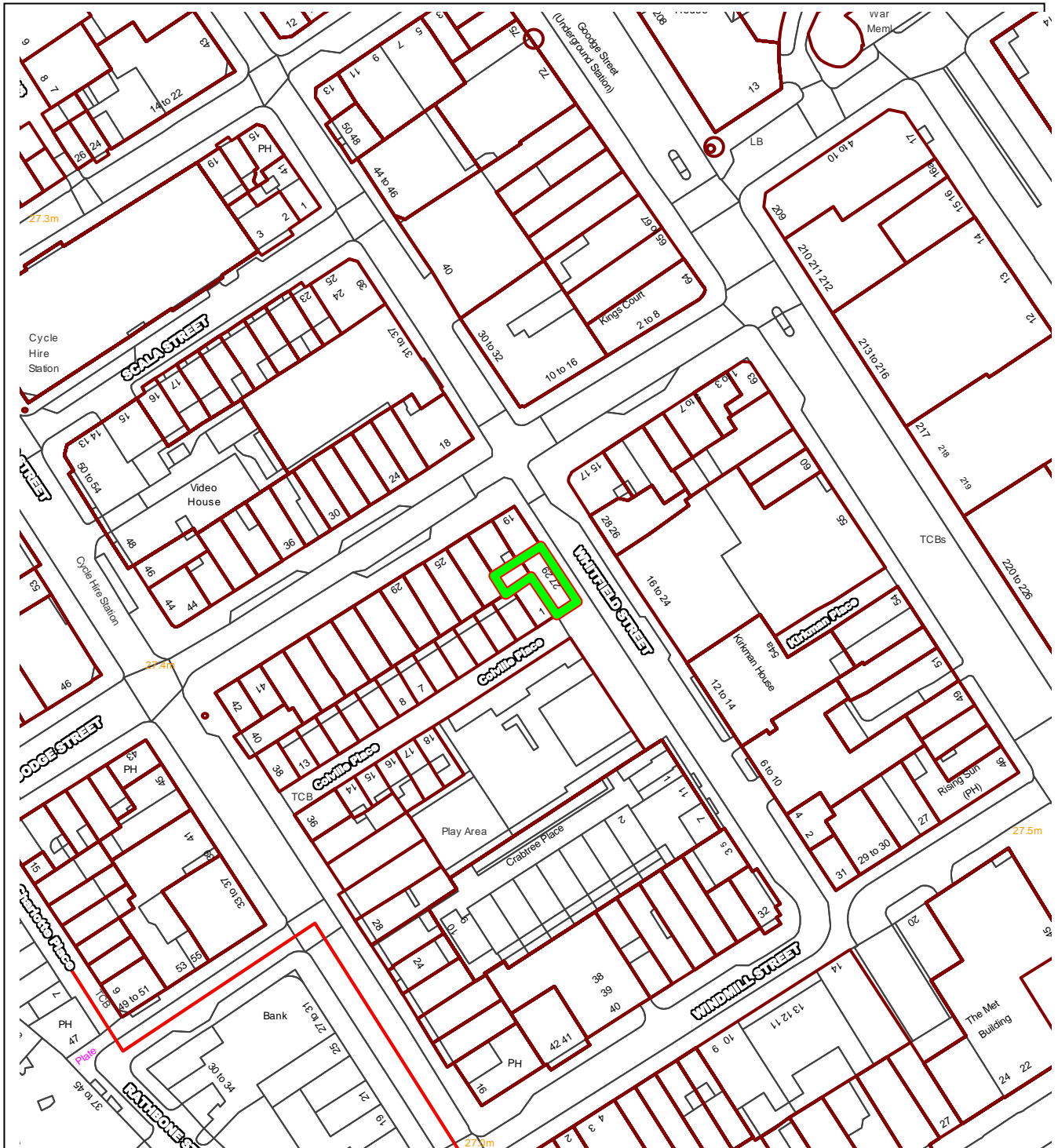


27 – 29 Whitfield Street 2016/6495/P



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Front elevation – Colville Place



Front elevation – Colville Place



Colville Place elevation in context



Whitfield Street elevation – view north towards 19 Godge Street



Corner of Colville /Whitfield (By Marc Dorfman)



As above (By Marc Dorfman)



view from Goodge Street

(by M Dorfman)



View from public gardens opposite Colville Place



Oblique view from the west end of Colville Place towards the site



Other roof terrace balustrades along Colville Place



View from 1 Colville Place top terrace towards site



Glimpse of existing plant on roof of 19 Goodge Street from no. 1 Colville Place



View 1 Colville Place front terrace down towards remainder of Colville Place terraces



Rear of site – flat roof and rooflight



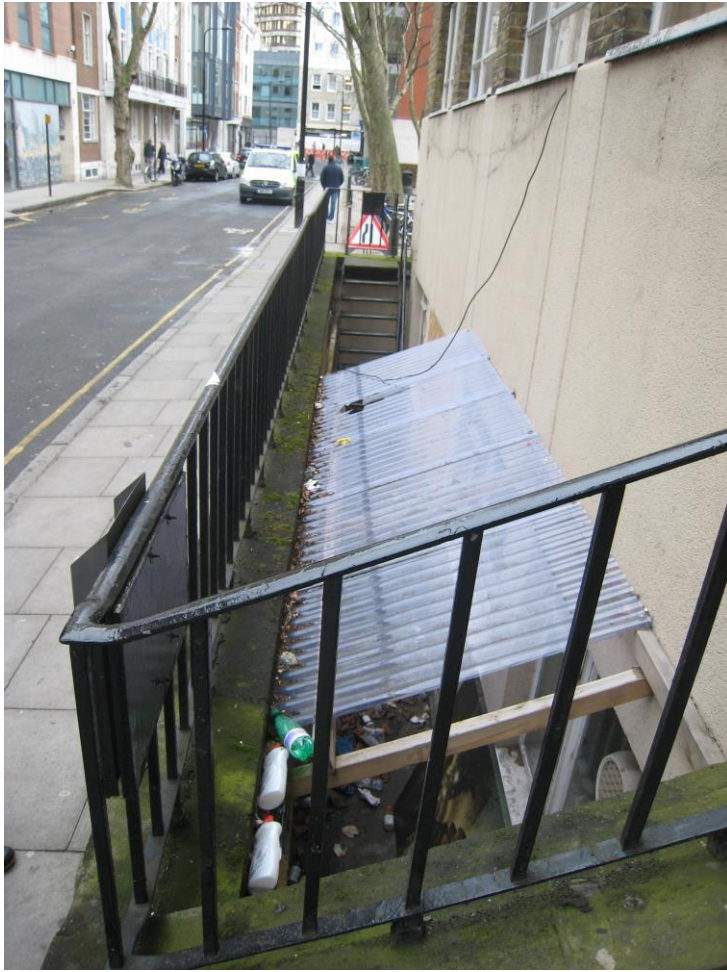
View from 1 Colville Place towards 2nd floor rear flat roof and 1st floor flat roof of site



View from no. 1 Colville Place window towards existing plant on top of subject site



View from office window at 27-29 Whitfield St (site) towards existing lantern/ roof light



Front existing lightwell – Whitfield Street

Delegated Report Members' Briefing	Analysis sheet	Expiry Date:	14/02/2017
	N/A	Consultation Expiry Date:	01/03/2017
Officer		Application Number(s)	
Tania Skelli-Yaoz		2016/6495/P	
Application Address		Drawing Numbers	
Cyclone House 27- 29 Whitfield Street London W1T 2SE		See decision notice	
Proposal(s)			
Change of use of basement, ground and first floor to flexible uses (Class use A1/ B1/ D1), second floor to B1 office, and new single-storey roof extension to create additional B1 office space, rooftop plant enclosure, facade alterations including new front entrance, replacement windows, and infill of light-well at basement level.			
Recommendation:	Grant conditional planning permission subject to S 106 legal agreement		
Application Type:	Full Planning Permission		

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. Notified: 00		No. of responses	21	No. of objections	21
Summary of consultation responses:	<p>A Press Notice has been advertised on 29th December 2016.</p> <p>A Site Notice has been displayed during 8th February 2017-1st March 2017.</p> <p>Objections from local residents at nos. 1, 3, 4 and 6 Colville Place including the gallery at no. 1 Colville place, 61 Riding House Street W1, 10 Crabtree Place, W1, 16 Brendon Street W1, 102 Ridgmount Gardens WC1, 57 Gordon Mansions at Torrington Place WC1, 2 Goodge Street, 13 Bartholomew Villas NW5, Stukeley Street WC2 as well as wider London (23 North Road, 185 New Kent Road SE1, 14 Whittlesey Street SE1, 44 Edge Street W8, 30 Battenberg Walk SE19, 25 Cross Street N1, 46 Voltaire Road SW4 and DSDH Architects at 357 Kennington Lane SE11) were received, with the following objections as summarised below:</p> <p><u>Land use:</u></p> <ol style="list-style-type: none"> 1. Mixed use of all floors not desirable, especially A1. This would result in disturbance and disruption to the adjoining occupiers. Class use A1 would be acceptable on basement and ground floor. <p><u>Design & Conservation:</u></p> <ol style="list-style-type: none"> 2. Harm to views from CA; site should be read in the Colville/Whitfield Street context and with views from Goodge Street. View of trees on Whitfield Street from Goodge Street will be diminished reducing the quality of the CA. 3. Harm to LB as proposal detracts from simple character of Colville Place and listed building. 4. Additional sections to show relationship of no. 1 Colville Place and rear of site should be submitted. 5. Height of proposal damaging to the setting of listed building and CA and views from Colville Terrace and Crabtree Fields. The roof extension is not accepted to result in less than substantial harm and is contrary to the NPPF. 6. Front new railings harmful to LB and CA. 7. Taller windows at front would be out of keeping with area. <p><u>Amenity:</u></p> <ol style="list-style-type: none"> 8. Rear balconies use would result in noise disturbance and overlooking into adjoining properties. 9. Front 3rd floor terrace use would result in noise disturbance and 					

- overlooking.
10. Top 4th floor terrace use would result in noise disturbance and overlooking. Noise from users would amplify throughout the area.
 11. The roofs should be used for maintenance only.
 12. Noise Assessment required for top floor plant proposal.
 13. Details of plant openings not provided.
 14. Noise from proposed plant would result in loss of amenity.
 15. Plant should be located in basement.
 16. Access to art gallery for visitors and deliveries at no. 1 Colville Place would be compromised during construction.
 17. Noise during construction would harm the function of the gallery at no. 1 Colville Place.
 18. Taller/ full height windows at front would lead to increased noise to adjoining residential occupiers.
 19. Taller/ full height windows at rear would lead to loss of privacy and increase in crime to adjoining residential occupiers.

Officers' comments:

Land use:

1. The mixed use is not proposed beyond the 1st floor level.

Design/Conservation:

2. Please refer to the Design/Conservation part of the report; it concludes that no harm to the setting of the listed building is considered to result from this proposal.
3. Please refer to the Design/Conservation part of the report; it concludes that the development will enhance and protect the Charlotte Street Conservation Area.
4. Sections to the rear have been provided.
5. The proposal is not considered to result in harm to the adjoining heritage asset at 1 Colville Place and therefore not contrary to NPPF 132 & 134.
6. The proposed railings to the 1st, 2nd and 3rd floor levels have been removed from the proposal.
7. The taller windows to the front Whitfield Street elevation are considered to be acceptable in the surrounding architectural context.

Amenity:

8. The proposed railings to the front 3rd floor terrace and rear terraces have been omitted.
9. See 8. above
10. Issues regarding loss of privacy from the 4th floor terrace and noise from the plant have been addressed in the Amenity section below.
11. See 10. above
12. The relocation of the plant to the basement has been considered by the applicant but resulted in further loss of office space and due to cooling requirements un-workable. As this is a replacement plant it was considered acceptable. An Acoustic report has been submitted and revised; please see noise section below for assessment.
13. The plant design and openings are shown on plan/ elevations.
14. See 12. above
15. See 12. above
16. Concerns have been raised over noise, disturbance and dust during

the construction phase. These are matters covered by Environmental Health legislation and the Building Regulations and do not therefore form a material consideration to which weight can be attributed as part of the planning process. The applicants should be reminded by way of an informative of the need to comply with the relevant legislation. In terms of construction vehicles and access, the street is not considered to be particularly constrained. Any works affecting the Highway such as the suspension of parking bays will require permission from the Council's Highways Department. However, due to the location of the site, a Construction Management Plan is recommended.

17. See 16. above

18. The proposed large windows fronting and openable to the open pavement and Crabtree Fields are not considered to result in a potential noise nuisance. The office space is relatively small and was approved previously as such. It is considered unlikely that an office space of this size will result in detrimental human ambient noise and could not be refused for this reason.

19. Windows as the rear have been revised to not fully open. Openings are proposed at previously existing locations and areas.

**CAAC/Local groups
comments:**

Cllr Rishi Madlani: Objection.

1. Overlooking from proposed rear second floor terrace into the kitchen of 1 Colville Place.
2. The proposed barriers create a distinct sense of enclosure into the kitchen of 1 Colville Place.
3. Overlooking into the top floor balcony space of 1 Colville Place.
4. The visual impact of barriers at the roof level of the proposed building is detrimental.
5. The top level floors proposed for the north part of the site impact detrimentally on the view of the Colville Place terrace (of houses).

Officers' comments:

1. *The flat roof will have no barriers/ railings and be conditioned for maintenance only.*
2. *As above.*
3. *As above.*
4. *As above.*
5. *The additional top floor extension to the building is considered acceptable in the surrounding urban context. Please refer to Design & conservation section below.*

Bloomsbury CAAC: Objection.

1. Inappropriate increase in bulk, scale and massing.
2. Harm to the setting of the adjacent listed building (no 1 Colville Place)
3. Proposed windows on the Colville Street elevation are out of scale and not in keeping with the character of the terrace.
4. Proposed railings to the upper floor terraces will impact negatively on the conservation area.
5. No public benefits to the neighboring residents who surround the site.

Officers' comments:

1. *The additional top floor extension to the building is considered acceptable in the surrounding urban context. Please refer to Design & conservation section below.*
2. *Less than substantial harm is considered to result from the proposal to the listed building. Please refer to Design & conservation section below.*
3. *The front elevations windows are considered appropriate for the front façade of this building in the surrounding mixed context. Please refer to Design & conservation section below.*
4. *The 3rd floor flat roof barriers/ railings have been removed. The top floor railings are set back from the parapet and will be less visible and only from long views.*
5. *The proposal is considered to benefit the public by returning a vacant/ poor state of repair building into use thereby enhancing the CA.*

Fitzrovia Neighbourhood Association: Objection.

1. Height and bulk of proposed roof extension impact on listed building.
2. Roof extension out of character with area.

3. Raising of the parapet and the fitting of railings to the front of the Colville Place elevation harm on listed building and conservation area.
4. Loss of privacy due to front roof terrace.
5. Loss of amenity due to rear railings

Officers' comments:

1. *The additional top floor extension to the building is considered acceptable in the surrounding urban context. Please refer to Design & conservation section below.*
2. *As above.*
3. *The raising of the parapet was kept to a minimum considering the building will be refurbished and not demolished. The 3rd floor front railings are omitted from the proposal.*
4. *The front roof terrace is removed.*
5. *The rear railings are removed from proposal.*

Twentieth Century Society: Objection.

1. Substantial increase in height with a plant room further stacked on top. Harm to the setting of the listed building, CA and long views.
2. No public benefits that outweigh this harm.

Officers' comments:

1. *The additional top floor extension to the building is considered acceptable in the surrounding urban context. Please refer to Design & conservation section below.*
2. *The proposal is considered to benefit the public by returning a vacant/ poor state of repair building into use thereby enhancing the CA.*

Charlotte Street Association: objection.

1. Bulk and massing of roof extension and plant detrimental to the setting of the listed building, CA and long views.
2. Unclear drawings and labelling of rear building to site.
3. Loss of amenity due to use of top (4th floor) roof terrace, due to noise.
4. Overlooking from roof terraces.
4. Sectional drawings requested to area between rear flat roofs and rear windows of no. 1 Colville Place.
5. Noise nuisance to result from proposed tall windows at ground floor of Colville Place elevation.
6. Proposed render colour out of keeping with existing building.
7. Noise nuisance from air intake/ exhaust at rear flat roof of building.

Officers' comments:

1. *The additional top floor extension to the building is considered acceptable in the surrounding urban context. Please refer to Design & conservation section below.*
2. *The submitted drawings are considered full and clear for assessment purposes.*
3. *The use of the 4th floor top roof terrace is considered acceptable in amenity terms subject to restriction of hours condition. Please see amenity section below.*
4. *All roof terraces have been removed except top 4th floor roof terrace which is set back from front in order to minimise overlooking into no. 1*

Colville Place's terrace.

6. *Sectional drawings have been provided.*
7. *In the context of the proposed use and size of building, the larger windows onto the ground floor of the Colville Place elevation are not considered to be out of character in the surrounding busy area of Whitfield Street and Crabtree Fields and is unlikely to raise noise levels unacceptably in the area.*
8. *The proposed render colour has been carefully assessed and considered acceptable. Final details of all facing materials are recommended to be submitted by condition.*
9. *All plant and machinery within the development have been assessed by the Environmental Health Team and found compliant, subject to standard condition.*

BRAG (Bloomsbury Residents Action Group): Objection.

1. Loss of amenity due to roof terraces. Bulk and massing of proposal to harm setting of listed building.
2. No public benefit to result from this proposal.

Officers' comments:

1. *All roof terraces have been removed expect top 4th floor roof terrace which is set back from front in order to minimise overlooking into no. 1 Colville Place's terrace.*
2. *Less than substantial harm is considered to result from the proposal to the listed building. Please refer to Design & conservation section below.*
3. *The proposal is considered to benefit the public by returning a vacant/poor state of repair building into use thereby enhancing the CA.*

The Jolanta and Max Neufeld Charitable Trust: Objection.

1. Height and bulk of proposal would harm the setting of the listed building and CA.

Officers' comments:

1. *Less than substantial harm is considered to result from the proposal to the listed building. Please refer to Design & conservation section below.*

Site Description

- 1.1 The site consists of a 3 storey plus basement building dating from the mid-20th century – it was constructed following bomb damage, at some point between 1958 and 1968. The building is typical of the period with a modest façade of brickwork with render panels and strips of metal framed windows. The (whole) building was most recently used as a courier hub and taxi control office, which falls under Sui-Generis Class Use.
- 1.2 The site is located within the Charlotte Street Conservation Area and is not identified as making a positive contribution to its character and appearance. Immediately to the west of the site at 1 Colville Place is a Grade II listed house by Max and Jolanta Neufeld architects dating from 1964, built to a similar scale as the remainder of Colville Place.
- 1.3 The site is located on the corner of Whitfield Street and Colville Place and is currently vacant.. The area is characterised by a mix of uses including more commercial uses towards Godge Street and more residential towards Colville Place. Directly to the south of the site is the open

space of Crabtree Fields. It is located within the designated Central London Area (Fitzrovia).

Relevant History

2016/2073/PRE Pre-application submission for change of use of basement, ground and 1st floors to flexible uses and 2nd floor to Class C3 residential use, single storey roof extension to create a self-contained residential unit at 2nd and 3rd floor level, facade alterations and infill of lightwell at basement level. Pre-application advice issued 11/05/2016.

2016/4859/PRE Pre-application submission for change of use of basement, ground and first floor to flexible uses, second floor to B1 office, and new single-storey roof extension to create additional B1 office space, rooftop plant enclosure, facade alterations including new front entrance, replacement windows, and infill of light-well at basement level. Pre-application advice issued 11/10/2016.

2013/8158/P Change of use of basement, ground and 1st floors to office (Class B1) use and 2nd floor to Class C3 residential use, single storey roof extension to create two self-contained residential units at 2nd and 3rd floor level, facade alterations, infill of lightwell at basement level, installation of roof plant enclosure and other associated works. Application withdrawn in April 2016 following officers' advice.

2013/2101/PRE Pre-app advice issued in 2013 for improvement works to the facade of the building, office use at basement to third floors, a two storey roof extension and duplex residential unit at fourth and fifth floors

2012/4136/P Planning permission was granted on 22/10/2012 for the change of use from a courier hub and taxi control office (sui generis) to offices (Class B1a).

2003/3178/P Planning permission was granted on 1/3/2004 for the retention of radio mast on existing Class B1 (office) building.

8400185 03/04/1984 Established Use Certificate in respect of the second floor as offices.

Relevant policies

National Planning Policy Framework 2012

The London Plan 2016

LDF Core Strategy and Development Policies (2010)

Core Strategy Policies

CS5 (managing impact of growth)

CS11 (sustainable travel)

CS13 (Tackling climate change through promoting higher environmental standards)

CS14 (high quality places and conserving heritage)

CS15 (parks, open spaces and biodiversity)

CS16 (health and wellbeing)

CS19 (delivering and monitoring the Core Strategy)

Development Policies

DP12 (Supporting strong centres and managing the impact of food, drink, entertainment)

and other town centre uses)
DP13 (employment sites and premises)
DP17 (walking, cycling and public transport)
DP18 (parking standards)
DP19 (managing the impact of parking)
DP20 (movement of goods and materials)
DP22 (promoting sustainable design and construction)
DP23 (Water)
DP24 (high quality design)
DP25 (conserving Camden's heritage)
DP26 (impact on occupiers and neighbours)
DP28 (noise and vibration)
DP32 (Air quality and Camden's Clear Zone)

Emerging Local Plan policies 2016

The Camden Local Plan was formally submitted to the government for public examination in summer 2016. Following the public hearings, the Council is consulting on Main Modifications to the Local Plan. Following the Inspector's report into the examination, which is expected in early-mid April 2017, policies in the Local Plan should be given substantial weight. Adoption of the Local Plan by the Council is anticipated in June or July. At that point the Local Plan will become a formal part of Camden's development plan, fully superseding the Core Strategy and Development Policies, and having full weight in planning decisions.

The following policies are considered to be relevant:

G1 Delivery and location of growth
E1 Promoting a successful and inclusive Camden economy
E2 Employment premises and sites
A1 Managing the impact of development
A4 Noise and vibration
D1 Design
D2 Heritage

Camden Planning Guidance 2011 and 2013 - amend

CPG 1: Design (2015)
CPG 5: Town centres, retail and employment (2013)
CPG 6: Amenity (September 2011)
CPG 7: Transport (September 2011)
CPG 8: Planning obligations (2015)

Charlotte Street Conservation Area Statement (July 2008)

Fitzrovia Area Action Plan (March 2014)

Assessment

1.0 Proposal

1.1 Permission is sought for the change of use of basement, ground and 1st floors to a mixed use of office, non-residential institutions and retail (Class B1/D1/A1) use and 2nd floor to 3rd floor as office use. The application is for the addition of a single storey roof extension for use as office

space, facade alterations, infill of lightwell at basement level, installation of replacement roof plant enclosure, roof terrace at 4th floor level and other associated works. The site comprises of 383sqm existing previously approved office space (B1) - this has not been implemented. The proposal comprises 383sqm in total [GIA]. The total floorspace increase (3rd floor) is 57sqm [GEA]. The site is currently vacant and has been for a while. The last use was classified as Sui-Generis.

1.2 Revisions:

- Removal of Juliet balconies to rear windows and replacement with taller windows (than existing), obscured at lower half and clear glazed at original location of openings.
- Removal of safety railings to rear 1st and 2nd flat roofs (flat roofs are conditioned to be used for maintenance only)
- Addition of green roof to rear 1st floor and front 3rd floor flat roofs. No other external changes to this area.
- Removal of safety railings to front 3rd floor flat roof, addition of green roof and Juliet balconies to window openings (terrace not to be used for amenity purposes)
- Roof plant set away from rear building line (with Colville Place) by 0.5m, reduction in height by 0.3m, removal of its roof, reduction in size including reduction of access area (hatch) to roof.

1.3 Land use

1.4 The proposal introduces retail (A1) and a D1 (non-residential institution) use class to the area in addition to office use (B1). All of the above proposed uses would not be alien to the area and are suitable for this location and particularly their location within the Central London Area. Adjoining the site at no. 1 Colville Place there is a small art gallery (A1/ D1) and many other galleries are present on the nearby Charlotte Street. Other retail (A1) units are present on Goodge Street, which is located close distance to the site. Accordingly, the mix of uses on this site is considered acceptable and in accordance with policies DP13 and F1 of the Fitzrovia Action Plan.

2.0 Design & conservation

2.1 The building is prominent in views northwards up Whitfield Street, when viewed from the front of Crabtree Fields. Although it is built to a slightly larger scale and has its main frontage onto Whitfield Street, it also reads as part of the terrace of 3 storey houses on Colville Place to the west. From the south the open aspect of Crabtree Fields allows wider views of the north side of Colville Place than would normally be expected in such an urban location. Although there are mature trees which obscure a considerable amount of the view of the roof tops.

2.2 The Charlotte Street Conservation Area Statement describes the character of the quieter commercial streets, which includes Whitfield Street:

2.3 *“They have a strong sense of enclosure deriving from the relatively narrow street width, continuous frontages of generally four or five storeys in height and a largely consistent, strong parapet line. A variety of materials – red brick, yellow brick and render – is evident on all of the streets.”*

2.4 A single storey addition is proposed to create further office accommodation at 3rd floor level. In conjunction with the change of use of the building, an overall upgrading of its design and appearance is proposed. This includes alterations to the fenestration and external finish of the building, the replacement of the main entrance, the addition of a new secondary front entrance (both with canopies) to the ground floor level and canopy on Whitfield Street and the addition of a roof terrace at 4th floor/ roof level.

Additional floor

2.5 The proposed additional floor is setback from the Colville Place elevation, with the parapet height facing Crabtree Fields increased modestly. The additional floor is now aligned in plan form terms with the uppermost storey of the Grade II listed building at 1 Colville Place. This pattern of 3 storeys + a setback upper storey is consistent with the smaller scaled residential properties on Colville Place and given the oblique views that are available down this narrow street, the additional height and bulk would not be readily perceptible. The setback of the upper storey and its revised scale and proportions avoid the building appearing too dominant in views from Crabtree Fields and from the south along Whitfield Street, however it is worth noting that mature trees provide a filtering of these views during the summer months. The main elevation of the building faces the larger highway of Whitfield Street with the secondary elevation facing the Colville Place alley. As such, it is considered reasonable to consider the additional storey in the context of the larger buildings surrounding it to the north and east. The 4 storey façade to Whitfield Street relates well to the taller 5 storey property to the north and sits comfortably within the context of the larger scaled buildings on Whitfield Street, as well as according with the traditional context of 4 storey 18th and 19th century townhouses on Goodge Street.

2.6 A small stair enclosure and zinc plant room are also proposed above the roof addition. The plant room is relatively larger than the existing however this is not likely to be prominent in longer views from Crabtree Fields due to the dense tree cover. There may be glimpses of the plant room moving northwards up Whitfield Street from the opposite pavement but any views would be seen in the context of the larger bulk of the adjacent building to the north at 19 Goodge Street. Following the reduction of this plant room in height and removal of its roof any impact on long views is considered to be further diminished.

2.7 The applicant has been requested to explore the Council's preferred option of locating the plant (heat pump condensers) in the basement (for visual amenity reasons) and has justified the plant's location externally as necessary for operational reasons.

Alterations to fenestration

2.8 Alterations to the fenestration of the building are proposed as part of the modernising of its appearance. On the east elevation the size and proportion of the openings will generally be retained, with new fenestration added. The proposed windows on the south elevation are more vertically proportioned and sit comfortably with the traditional scale and alignment of the fenestration along Colville Place. A sense of diminishing fenestration has been included which also reflects the adjacent 19th century properties. Although there is a lower proportion of solid to void on the proposed south elevation than the existing arrangement this is consistent with the appearance of traditional 18th and 19th century terraced houses. All new windows are proposed to be double glazed aluminium framed.

2.9 Windows at the rear are proposed to be retained at their previously existing locations. The glazing will remain clear in the upper parts (as existing) and obscure glazed and fixed shut in the lower (new) parts. A green roof is proposed to the rear 1st floor flat roof and the existing 'dome' rooflight replaced with a new flat rooflight.

New facing materials

- 2.10 In order to harmonise and modernise the appearance of the building it is proposed to apply a new light grey render colour to the rendered areas and clean and retain all the existing brick areas. All materials are recommended to be conditioned.

Lightwell

- 2.11 The application includes a proposal to cover over the basement lightwell on the front elevation facing Whitfield Street. This is considered acceptable in this case. The Charlotte Street Conservation Area Statement indicates that the infilling of basement lightwells will be resisted where this forms part of the character of the area. This advice is clearly more applicable to the traditional 18th and 19th century buildings which characterise the area. Here, the simple and relatively discreet flush glazing is in keeping with the contemporary aesthetic of the proposed building and the covering over of the lightwell will not harm the appearance of the building and the wider area.

Listed status and NPPF

- 2.12 Requests have been made about the adjacent property at No. 1 Colville Place, a modern infill, to have its listed grade upgraded from Grade II to grade II*. This is not confirmed to have been received by Historic England (HE) and the Council has had no formal notification of such a request. Should No. 1 Colville Place be upgraded the planning authority would consult Historic England and their response would form part of our assessment. It is considered unlikely that the upgrading of the listed status would result in a significant change in the current recommendation.
- 2.13 NPPF 134 - Where a proposal leads to less than substantial harm to the designated heritage asset this harm should be weighed against the public benefits. It is considered that there is potentially modest impact to the setting of the listed building, in terms of the height of the third floor and it resulting in a very slight increased sense of enclosure to the front terrace users of no. 1 Colville Place, however, there is also an element of public benefit as the scheme brings the site back into use with the refurbished and enhanced appearance of the building within this part of the CA and includes a viable proposed use. The new ground floor gallery space which overlooks Whitfield Street will provide a greater visual link with the public domain and provide a more welcoming and vibrant streetscape to this part of the CA. Paragraph 132 of the NPPF is not considered relevant because of the listed building is grade II and the level of harm to it is considered less than substantial.
- 2.14 The revised proposals are now considered acceptable. The revisions to the upper storey in terms of its height, alignment and relationship to the lower floors of the building ensure that it does not appear overbearing in relation to the adjacent Grade II listed building, whilst still acknowledging its corner position and the larger scale of the buildings on Whitfield Street. The improvements to the façades of the building, the masking of the view of the common brick which form the flank wall of no. 19 Godge Street and the enlivening of a modest but rather mundane mid-20th century building will enhance the character and appearance of the conservation area. Accordingly, the proposal is considered to comply with policies DP24 and DP25 and the Fitzrovia Area Action Plan.

3.0 Amenity

- 3.1 Rear flat roofs: the 2x rear flat roofs would be for maintenance only and not to be used by occupiers for amenity purposes. Their status will therefore be retained as existing. All extended windows facing the rear are obscured at their lower part and do not provide ready access to the roofs. All windows, expect the new one at 3rd floor level were previously existing in their proposed location and therefore this proposal will maintain this relationship. A condition to

secure the obscuring (and fixed shut) of the lower part of windows is recommended. The green roof designed to be integrated to 1st floor rear flat roof is recommended to be conditioned too.

3.2 Front 3rd flat roof: the 3rd floor roof terrace is designed with a green roof, to be conditioned upon approval. 2x tall windows are proposed to the terrace (for maintenance access only) and Juliet balcony railings will be fixed to the window frames. This will prevent from overlooking into the lower roof terrace at no. 1 Colville Place.

3.3 4th floor roof terrace: the perimeter balustrade of this terrace that is intended for the commercial occupiers, has been set back from the parapet by 0.5m in order to minimise its visual prominence. This would result in a common urban setting where the commercial occupiers may have some glimpses towards the front area of the no. 1 Colville place roof terrace but not into the habitable space or to the area closest to the internal rooms. As such, it is considered that the impact is acceptable, on balance, and not detrimental to the amenity of the adjoining resident.

3.4 Daylight & Sunlight: the extended area is due south east to no. 19 Goodge Street to its rear, a building which is higher than the existing site. A Daylight & Sunlight Report submitted by Deloitte was submitted with the proposal which concluded (section 4.3.1) that a negligible impact with regards to a small loss of daylight to a third floor residential window at no. 19 Goodge Street (window 108) will occur (below the 0.8 allowable limit of loss). This was concluded to be within the flexibility allowed by the BRE within urban areas and does not affect the remainder windows assessed within the surrounding area.

3.5 The above report also concludes that no loss of sunlight will result from this development. Accordingly, the proposal is considered to comply with policy DP26.

Plant & Noise

3.6 The plant enclosure height has been reduced in height by 0.3m and pulled away from its boundary with no. 1 Colville Place by 0.5m. The roof of the plant has been removed. Access to the roof space is via a low level glazed access rooflight hatch.

3.7 A revised Acoustic Report by KP Acoustics ref. 14907.PCR.01.Rev.B, dated 10th March 2017 was submitted. This report focuses on noise emissions from mechanical plant including the air intake and exhaust at the rear of the building. A number of noise mitigation measures are mentioned as recommended in the revised noise report to ensure compliance to specified noise criteria.

3.8 The consultant has opted to choose the upper limit in terms of noise criteria of - 10dB below the background noise level - giving a plant noise level of 34dB(A) during the day and 30dB(A) during the night. This is a better noise reduction standards than the minimum 5dB below background noise level required and therefore acceptable. A further noise measure of an acoustic screen has been suggested to further attenuate any noise.

3.9 The recommended condition takes into account external plant noise at the nearest noise sensitive premises in line with BS142:2014. The Environmental Health Team has assessed the report and has considered it acceptable. Accordingly, the proposal is considered to comply with policies DP26 and DP26 and DP28.

4.0 Transport

4.1 The site has a PTAL score of 6b, the highest achievable, which indicates that it has an excellent level of accessibility by public transport. The nearest station is Goodge Street, located to the east, whilst the nearest bus stops are located to the east on Tottenham Court

Road.

Cycle and Car Parking

- 4.2 No off-street car parking is currently provided and none is proposed. In order to prevent the future occupants from obtaining on-street parking permits from the Council, the development should be subject to a car free agreement and this is recommended to be secured by means of the Section 106 Agreement.
- 4.3 New developments are recommended to be provided in accordance with the standards set out in the London Plan, the LDF policies and the emerging local plan policy T1. With a flexible use it is difficult to suggest which standard should be used for calculating the cycle parking requirement. However, for the purposes of this assessment a B1 use has been assumed. For B1 office uses, the standards require the provision of 1 space per 90sqm long stay plus 1 space per 500sqm for short stay use. With a total floor area of 397sqm GI; a requirement for 4 long stay spaces and 1 short stay space, giving a total of 5 spaces, is recommended. Cycle parking is shown within the basement. Whilst this should preferably be at ground floor level, it is acceptable in this case due to the constraints of the site, and subject to details.

Managing the impacts of construction on the surrounding highway network

- 4.4 Camden LDF Development Policy DP20 states that Construction Management Plans should be secured to demonstrate how a development will minimise impacts from the movement of goods and materials during the construction process (including any demolition works). Camden Development Policy DP21 relates to how a development is connected to the highway network. For some developments this may require control over how the development is implemented (including demolition and construction) through a Construction Management Plan (CMP).
- 4.5 Construction traffic flows to and from the site are likely to be fairly low, however due to the amount of construction and refurbishment works required and the sensitive nature of the local streets, a CMP must be secured. The primary concern is public safety but we also need to ensure that construction traffic does not create (or add to existing) traffic congestion in the local area. The proposal is also likely to lead to a variety of amenity issues for local people (e.g. noise, vibration, air quality, temporary loss of parking, etc.). The Council needs to ensure that the development can be implemented without being detrimental to amenity or the safe and efficient operation of the highway network in the local area. A CMP must therefore be secured as a Section 106 planning obligation if planning permission is granted.
- 4.6 In order to minimise traffic congestion and road safety issues during development works, construction vehicle movements are acceptable between 9.30am to 4.30pm on weekdays and between 8.00am and 1.00pm on Saturdays. If there is a school in the vicinity of the site or on the proposed access and/or egress routes, then deliveries must be restricted to between 9.30am and 3pm on weekdays during term time. However, specific details would need to be agreed with Camden during development of the CMP. The CMP would need to be approved by Camden prior to works commencing on site.
- 4.7 The Council has a CMP pro-forma which must be used once a Principal Contractor has been appointed. The CMP, in the form of the pro-forma, would need to be approved by the Council prior to any works commencing on site. A CMP Implementation Support Contribution of £1,140 would also need to be secured as a Section 106 planning obligation if planning permission is granted.

Highway and Public Realm Improvements directly adjacent to the site

- 4.8 The summary page of Development Policy DP21 states that *'The Council will expect works affecting Highways to repair any construction damage to transport infrastructure or landscaping*

and reinstate all affected transport network links and road and footway surfaces following development'.

4.9 The would therefore need to secure a financial contribution for highway works (repaving the footway) directly adjacent to the site on Whitfield Street and Colville Place as a Section 106 planning obligation if planning permission is granted. This would allow for any damage caused during construction of the proposed development to be repaired and enable the proposal to comply with Development Policy DP21. This cost is estimated at £12,772.48.

5.0 Other

5.1 Waste collection & recycling: the applicant has liaised with the Council's Street Services team and will register the business and other uses as required, for waste collection, once relevant.

6.0 Addendum

6.1 The proposal with a recommendation for approval for the above development was presented to members on May 2nd 2017. Members resolved to agree with officers' recommendation. Since then additional information was submitted (3D images) to the Council, which members have not seen at the time of making their decision. In view of the new material submitted, it is considered necessary to return the case to members for consideration. The additional material has been assessed by officers and it is considered that it does not alter the recommendation made previously and summarised below.

7.0 Summary

7.1 The proposed refurbishment of this building, together with the proposed alterations and extension has been revised several times during the course of the application and assessed against the relevant design and conservation policies. The set back of the plant and balustrade, set back of the 3rd floor extension and reduction in overall height of the 3rd floor extension have contributed to a proposal with an acceptable visual impact on this corner of Central London and is considered not to have a detrimental impact on the setting of the adjoining listed building.

7.2 The conditioning of the details of materials and windows will further ensure that the development results in one that enhances and protects the Charlotte Street Conservation Area.

7.3 The proposed mix of uses at this location is considered suitable and acceptable and complies with the relevant policies.

7.4 The proposed development, subject to conditions, will not result in a detrimental impact on the amenity of adjoining occupiers.

8.0 CIL

8.1 The mayoral CIL would amount to £19,150 (383sqm [GIA] x £50 per sqm).

8.2 The Camden CIL would amount to £17,235 (383sqm [GIA] x £45 per sqm for office).

8.3 The above amounts may have to be adjusted in accordance with GEA figures. In accordance with CIL regulations, occupation needs to occur over 6 months within a 3 years period prior to the application date. Otherwise, the entire building will be liable to CIL as oppose to the extended area only. All proposed uses are considered liable to the CILs. Separate advice may have to be sought for clarification upon permission.

9.0 Section 106 legal agreement Heads of Terms

- Highway works financial contribution
- CMP
- Car-free development

10.0 Recommendation

10.1 Grant conditional planning permission subject to condition and legal agreement.

The decision to refer an application to Planning Committee lies with the Executive Director Supporting Communities. Following the Members Briefing panel on Monday 22nd May 2017, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to www.camden.gov.uk and search for 'Members Briefing'.

DP9
100 Pall Mall
London
SW1Y 5NQ

Application Ref: **2016/6495/P**

18 May 2017

Dear Sir/Madam

DRAFT
FOR INFORMATION ONLY - THIS IS NOT A FORMAL DECISION
Town and Country Planning Act 1990 (as amended)

DECISION SUBJECT TO A SECTION 106 LEGAL AGREEMENT

Address:

Cyclone House
27 - 29 Whitfield Street
London
W1T 2SE

Proposal:

DECISION
Change of use of basement, ground and first floor to flexible uses (Class use A1/ B1/ D1), second floor to B1 office, and new single-storey roof extension to create additional B1 office space, rooftop plant enclosure, facade alterations including new front entrance, replacement windows, and infill of lightwell at basement level.

Drawing Nos: [Prefix 51517-P] 01 D, (as existing:) 10 C, 11 C, 12 C, 13 C, 14 E, 30 D, 31 C, 50 D, 51 F, (as proposed:) 20 D, 21 C, 22 E, 23 H, 24 I, 25 L, 26 I, 40 G, 41 I, 60 K, 61 L, 3D images.

The Council has considered your application and decided to grant permission subject to the conditions and informatives (if applicable) listed below **AND** subject to the successful conclusion of a Section 106 Legal Agreement.

The matter has been referred to the Council's Legal Department and you will be contacted shortly. If you wish to discuss the matter please contact **Aidan Brookes** in the Legal Department on **020 7 974 1947**.

Once the Legal Agreement has been concluded, the formal decision letter will be sent to you.

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 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

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.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans: [Prefix 51517-P] 01 D, (as existing:) 10 C, 11 C, 12 C, 13 C, 14 E, 30 D, 31 C, 50 D, 51 F, (as proposed:) 20 D, 21 C, 22 E, 23 H, 24 I, 25 L, 26 I, 40 G, 41 I, 60 K, 61 L.

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

- 4 Before the development commences, details of secure and covered cycle storage area for 5 cycles as indicated within the lower ground floor shall be submitted to and approved by the local planning authority. The approved facility shall thereafter be provided in its entirety prior to the first occupation of the development, and permanently 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 of the London Borough of Camden Local Development Framework Development Policies.

- 5 Noise levels at a point 1 metre external to sensitive facades shall be at least 10dB(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 15dB(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.

- 6 Full details in respect of the green roof in the area indicated on the approved roof plans (rear 1st floor and front 3rd floor) shall be submitted to and approved by the local planning authority before the relevant part of the development commences. The buildings shall not be occupied until the approved details have been implemented and these works shall be permanently retained and maintained thereafter.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies CS13, CS15 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.

- 7 The use of the 4th (top) floor roof terrace hereby permitted shall be restricted to the following times: 8am-6pm Monday - Fridays, 9am-12pm Saturdays. The terrace shall not be used on Sundays and bank holidays.

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

- 8 A sample panel of the proposed new and replacement facing materials demonstrating the proposed composition, colour, texture and finish of render and including balustrades and windows, canopy, lightwell glazing and entrance railings 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.

- 9 The use of the rear 1st and 2nd floor roofs and the front 3rd floor roof area shall not be used other than for maintenance, and shall be maintained and retained as such.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 of the London Borough of Camden Local Development Framework Development Policies.

- 10 Notwithstanding what is shown on Drawing 51517-P-61 Rev L hereby approved, the lower part of the 4x windows facing Colville Street shall be obscurely glazed, permanently fixed shut and non-openable in perpetuity to a height of 1.1 metres from internal finished floor level.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 of the London Borough of Camden Local Development Framework Development Policies.

- 11 Notwithstanding the provisions of Class D1 of the Schedule of the Town and Country Planning (Use Classes) Order, 1987, or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, the premises shall not be used as an educational institution or place of worship.

Reason: To ensure that the future occupation of the building does not adversely affect the adjoining premises/immediate area by reason of noise in accordance with 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.

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 6941).
- 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 Compliance and Enforcement team [Regulatory Services], Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en> 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

- 4 Your proposals may be subject to control under the Party Wall etc Act 1996 which covers party wall matters, boundary walls and excavations near neighbouring buildings. You are advised to consult a suitably qualified and experienced Building Engineer.
- 5 Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which this permission is granted. Information/drawings relating to the discharge of matters covered by the Heads of Terms of the legal agreement should be marked for the attention of the Planning Obligations Officer, Sites Team, Camden Town Hall, Argyle Street, WC1H 8EQ.

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

Yours faithfully

Supporting Communities Directorate