

DP4375/BJC/HPM

17 October 2017

Andrew Payne  
Greater London Authority  
City Hall  
The Queen's Walk  
London  
SE1 2AA

DP9 Ltd  
100 Pall Mall  
London SW1Y 5NQ

Registered No. 05092507

telephone 020 7004 1700  
facsimile 020 7004 1790

[www.dp9.co.uk](http://www.dp9.co.uk)

Dear Andrew,

### **294-295 HIGH HOLBORN**

We write on behalf of our client CHH London Ltd ('the Applicant') and pursuant to the planning application for development proposals at 294-295 High Holborn ('the Site') (planning ref. 2017/1827). This letter seeks to respond to the Strategic Planning Application Stage 1 Referral dated 9 October 2017 from the Greater London Authority ('the GLA'). Specifically the letter seeks to respond to comments and requests included within paragraphs 17-20 under the sub-section titled 'Affordable Housing'.

The Site is currently cleared following the implementation of a planning permission for an entirely commercial building of similar proportions to the application currently under consideration. The consent from 2003 (as amended) has been lawfully implemented and could be built out. The current application proposals importantly seek the introduction of residential uses which will contribute towards supporting mixed uses in Central London; an aspiration which is shared by all levels of policy. Of note, the Applicant also intends to utilise the proposed office accommodation as a new headquarters building for their business. In order to align with existing commercial lease arrangements for their existing location there is an imperative to deliver the floorspace as soon as possible.

The development proposals were discussed positively with officers from the London Borough of Camden ('LB Camden') in formal pre-application meetings from December 2016. During these meetings and in associated dialogue with officers it was agreed in principle that a payment in lieu of provision of affordable housing would be appropriate. As agreed with officers, this was due to the scale and location of the proposed development in addition to the difficulties of providing a small amount of affordable housing floorspace locally elsewhere. On this basis, it was accepted that the development make a full policy compliant contribution towards funding the delivery of affordable housing elsewhere in the borough.

The planning application was submitted on 29 March 2017 although due to departure of the case officer, the application was subject to prolonged delay and the GLA were not consulted until 26 June 2017. Unfortunately, formal acknowledgement of the request was not received until 1 September 2017. Due to these circumstances determination of the application has been significantly delayed. In light of the principle of development having already been established via





the extant consent and as the scheme is policy compliant, realistically the application should have been determined around the end of June 2017 in line with the statutory determination timescales.

The Stage 1 response outlines in paragraph 19 that the financial contribution in this instance is unknown and that such a contribution should be determined by a 'Viability Tested Route'. Further, that it should follow Paragraph 2.64 of the GLA's Affordable Housing and Viability Supplementary Planning Guidance ('the SPG') which was published in August 2017 significantly after the application was prepared, submitted and should have been determined. Paragraph 2.64 introduces new guidance which requires that where a local authority has a locally based approach for determining financial contributions in lieu of affordable housing, then this may only be applicable if that contribution is higher than the level assessed via the viability tested route.

The application was prepared on the basis that it would make a full policy compliant contribution towards affordable housing via way of payment in lieu. This was in accordance with local policy DP3 which based on LB Camden's sliding scale approach sought a contribution equivalent to 16% of gross residential floorspace proposed on the Site. LB Camden's supporting guidance for planning obligations 'CPG 8' (July 2015) states that where a payment in lieu approach is taken a figure of £2,650 per sq m is applied. The principles of such an approach is maintained in the recently published Camden Local Plan (2017).

Whilst LB Camden do consider development viability, this is only in circumstances where a negotiated viability position is sought. Where a planning policy compliant contribution is proposed (either via on or offsite provision or financial contribution) then a viability assessment is not required as no negotiation is sought. A viability assessment was not requested by LB Camden or prepared on this basis, nor was such an assessment requested by the GLA when the referral process commenced.

We also note the Stage 1 response requests the inclusion of a late stage review. As the proposed development includes a policy compliant equivalent level of affordable housing and is not subject to a 'Viability Tested Route' then the inclusion of such a review is wholly unnecessary. Furthermore, we reference the Camden Local Plan which only requires a later review of viability '*where the development's contribution to affordable housing falls significantly short of the Council's targets due to financial viability*'. A situation which is clearly not reflective of the application in this instance.

The application is accompanied by a policy compliant financial contribution towards the provision of affordable housing, enabling the Council to deliver new affordable housing in the borough. In addition, unlike the current live consent it will deliver new homes within Holborn, promoting mixed living and working communities in Central London.

As stated the application has already been subject to significant delay and should have been determined before the summer period and significantly prior to the publication of the GLA's SPG. To prevent incurring further delay to the delivery of both high quality new homes in Holborn and funding of affordable homes, we consider strongly that no viability assessment or review mechanism is necessary in this instance. Further, given the Applicant's requirements to create a new headquarters building for their business, additional delay will impact detrimentally on the relocation strategy which could jeopardise the Applicant's ability to pursue this application, especially in the context of the extant commercial consent.



Please contact Harry Manley or Barnaby Collins at the above address should you wish to discuss further.

Yours sincerely,

DP9 Ltd.

**DP9 Ltd**