21 February 2018

Neil Devereux

The Planning Inspectorate

Zone 3N

Temple Quay House

2 The Square

Bristol

BS1 6PN

Dear Mr. Devereux,   
  
**Town and Country Planning Act 1990  
Appeal by Calabar Properties Ltd  
Appeal Ref. APP/X5210/W/17/3179742  
Site Address: 11-12 Grenville Street, London, WC1N 1LZ**

On behalf of our client, Calabar Properties Ltd, I write to provide a short response to Camden’s formal responses (dated 22/12/2017 and 05/01/2018) for the appeal at 11-12 Grenville Street, London, WC1N 1LZ.

**Response dated 22/12/2017 – Reason for Refusal 1 – Loss of Office/Employment Floorspace**

The Council accepts the principle of the residual approach but questions the lack of an independent assessment. This submission is made in the context that the viability assessment has been with the Council since 5 August 2016, when the application was received.

For the Council to suggest an independent assessment at this late stage is most unreasonable. The appellant would have paid for an independent assessment had the Council asked for this, at any time during the application process.

The costs included in the viability assessment to bring the building back into use have been verified by the project manager and in the Cost Plan produced by Rider Levett Bucknall. WSP in their Marketing Statement (Appendix 4 of the Statement of Case) demonstrate that the appeal premises lacks basic amenities and facilities for office lettings. and is in a very poor and rapidly deteriorating physical condition – having been vacant since 2001.

The planning officer’s observations on costs carry little weight – the appellant should not be penalised for using companies perfectly qualified to advise on construction costs.

**Response dated 05/01/2018 – Paragraph 3.2**

The Council’s letter states that “*there has been no constructive dialogue from the Appellant during this appeal.*”

I have to say that this statement has no foundation. We requested meetings with the Case Officer on numerous occasions and were met with a negative response with every approach. For the Officer to raise this at this late stage is very unprofessional as well as completely unreasonable.

**Remainder of response dated 05/01/2018**

The appellant has considered the affordable housing position, this being a new policy issue since the Council’s decision. This is now with the Inspector for a decision - the Inspector can consider the relative merits or otherwise of Unilateral Undertaking A and B.

**Unilateral Undertakings**

These are submitted in good faith by the appellant.

There is no need for the tenant to be party to the S106 as the tenant will have no responsibility for any of the obligations. The scheme will only be implemented if the tenant is not in occupation.

In terms of the highway works, these will not be undertaken without reverting to the Council under a s278 Agreement. There is no need for this to be referenced in the S106 as this is unnecessary – it will have to happen if the appeal is allowed and the scheme is to be implemented in line with the permission.

The Undertaking is signed by the Landlord. The title number needs to change and a substitute Undertaking can be submitted, should the Inspector decide to allow the appeal.

All other matters remain as indicated in previous correspondence.

Yours Sincerely,

|  |  |  |
| --- | --- | --- |
| *JLL*  *Planning, Development & Heritage*  *30 Warwick Street*  *London W1B 5NH* | T +44 207 852 4742  *Jeff.Field@eu.jll.com*  *jll.com* |  |

Jeff Field BA (Hons) MA Dip TP Dip PVL MRTPI MRICS

Chairman – Planning, Development & Heritage