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4 June 2018

Planning Department  
London Borough of Camden  
5 Pancras Square  
London  
N1C 4AC

Dear Sirs,

**TOWN AND COUNTRY PLANNING ACT 1990 – FULL PLANNING PERMISSION  
2 WINDMILL STREET, FITZROVIA, W1T 2HX**

On behalf of our Client, Heriot UK Ltd, we enclose an application for full planning permission to extend and alter the existing building at 2 Windmill Street, Fitzrovia, along with the change of use of the ground floor and basement.

**Application Submission**

The application submission comprises of this letter and the following documents:

- Application Form;
- Site Location Plan (ref: 2WS000);
- Site Plan (ref: 2WD001);
- Existing Basement and Ground Floor Plan (ref: 2WS900);
- Existing First and Second Floor Plan (ref: 2WS901);
- Existing Third and Fourth Plan (ref: 2WS902);
- Existing Elevations (ref: 2WS903);
- Existing Section (ref: 2WS904);
- Proposed Basement and Ground Floor Plan (ref: 2WS100);
- Proposed First and Second Floor Plan (ref: 2WS101);
- Proposed Third and Fourth Plan (ref: 2WS102);
- Proposed Elevations (ref: 2WS200);
- Proposed Section (ref: 2WS300);
- Existing and Proposed Roof Plan (ref: 2WS902);
- Daylight, Sunlight and Overshadowing Assessment; and
- Community Infrastructure Levy (CIL) Additional Information Form.

The application fee of £462 has been calculated in accordance with The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012. This fee has been paid via cheque.

**Application Site**

The site forms part of a terrace of yellow brick, Georgian era townhouse properties. Windmill Street accommodates a range of retail and commercial uses at ground floor, with predominately residential uses above. The area surrounding the site comprises a mixed urban context characterised by retail, commercial and residential uses. The site is classified as being with Flood Zone 1, and so is not affected by sources of flooding.

The site has a Public Transport Accessibility Level (PTAL) of 6b which reflects an excellent level of access to public transport. Goodge Street London Underground Station is roughly 300 metres to the north, and Tottenham Court Road Station is located 550 metres to the south. There are also a number of bus services that provide access to the surrounding area.

### **The Proposed Development**

The proposed description of development is:

*"Change of use of ground and basement floors from office (B1) to Class A1/B1 (Dual Use) with rear extension at first, second (Class B1) and third floors (Class C3), new shop front, new windows to front and rear elevations together with associated physical works".*

This application also seeks planning permission for a number of physical works, which comprise:

- Closet wing rear extension which terminates at third floor;
- Changes to rear façade to match proposed closet wing façade materials;
- Replacement of existing rear windows;
- Reconfiguration of the shopfront to create a secondary entrance at ground floor to serve the ground and basement floors;
- Dedicated washrooms on ground, first and second floors; and
- Installation of partition wall at ground floor entrance to provide separate access to the upper floors.

### **Planning History**

Planning permission was granted in 2012 (ref: 21012/0261/P) for the change of use of the basement of 2 Windmill Street from offices (B1) to restaurant use (A3) in connection with an existing restaurant at basement and ground floor of 14 Charlotte Street. This permission demonstrates that the loss of office floor space at lower ground floor has been considered acceptable by Camden.

### **The Building**

The application site comprises a five storey property (plus basement) located on the southern side of Windmill Street. It is defined by the red line on the Site Location Plan. The site area equates to 68.2 square metres. It is presently in B1 use class at basement, ground, first and second floors, with third and fourth floors in C3 residential use. The ground floor accommodates a shop front with a single access door to the property. It has also been subject to a number of piecemeal alterations and extensions to the rear which results in an incoherent and unattractive rear elevation which detracts from the character. The front basement area is not heated, and so serves no function other than for storage purposes, and the site hosts a filled in lightwell to the front elevation on Windmill Street.

### **Planning Assessment**

Section 38 (6) of the Planning and Compulsory Purchases Act 2004 requires planning applications to be determined in accordance with policies of the statutory Development Plan, unless material considerations indicate otherwise. In this case, the statutory Development Plan consists of the:

- The London Plan (2016);

- The Camden Local Plan (2017); and
- The Camden Local Plan Policies Map.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 stipulates that, as a general duty, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.

### **Policy Designations**

The Site is subject to the following designations under the adopted Development Plan:

- Within the Charlotte Street Conservation Area;
- Within a Protected Frontage (Secondary);
- Within the Central London Area; and
- Within the Fitzrovia Area Action Plan.

### **Principle of Development**

#### Retail

The Proposal comprises the change of use of basement and ground floors to retail use, with a closet wing rear extension at upper floors. Planning policy at the national and local levels supports the future development of the site. The Camden Local Plan, under Policy G1, promotes sustainable development and opportunities for delivering jobs and new premises in the borough, by focusing on redevelopment of underutilised sites for town centre uses.

This is supplemented by Policy TC1 and Policy TC2, which particularly promotes retail uses within designated frontages, which serve to provide a range of shops to enhance the character and vibrancy of the area. Specifically, the site is located within a secondary retail frontage, where shops (A1) are considered the optimum land use, as stated by Policy TC2 (part g):

*"The Council... will protect the secondary frontages as locations for shops (A1) together with a broader range of other town centre uses to create centres with a range of shops, services, and food, drink and entertainment uses which support the viability and vitality of the centre".*

Internally, the basement and ground floor layouts have been reconfigured to provide a modern facility that would be attractive for future occupiers. This has included removing internal structures to improve the function of the lower floors. The Proposal also removes the changes in levels within the ground floor, which were historically constructed as a staging area when operated by a tailoring business. This enables accessible access across the ground floor for future occupiers and visitors.

In addition, the ground floor entrance way has been altered to provide separate access to the upper floors for commercial and residential occupiers. The ground and basement floors are connected via a new staircase located within the building.

The Proposal is therefore policy compliant in terms of land use, which would support the viability and vitality of the Fitzrovia and South West Bloomsbury specialist retailing area. This is reinforced by the Town Centres and Retail Supplementary Planning Guidance, which reiterates the need to manage retail frontages such as Windmill Street, to maintain sufficient shops in the area to retain Fitzrovia as a shopping destination.

### Residential

The site features a 2 bedroom residential flat, measuring 81.8 sqm, within the third and fourth floors. The existing unit is significantly above minimum space standards and provides a good standard of accommodation. Nonetheless, the proposed rear closet extension will enlarge the size of the existing residential unit at third floor by an additional 6.3 sqm. This will enable the unit to be refurbished and modernised to maximise the residential amenity of occupants. The proposal also enables the introduction of an additional toilet.

This is consistent with the objectives of Policy H1 and H3 which seek to secure a sufficient supply of homes and to safeguard existing homes, and thus should be supported by the Council.

### Office

Notwithstanding the above, it is acknowledged that the Proposal could potentially represent the loss of an existing office premises, measuring 104.4 sqm. This planning application however proposes 6.2 sqm of additional commercial floorspace at first and second floor via the rear extension, which partially offsets the loss of ground and basement office floorspace and improves the functionality of the upper two floors. The net loss of commercial floorspace equates to 98.2 sqm.

In its current condition, the ground and lower floors of the building make a limited contribution to the Borough's office stock. The quality of the existing space is limited and in need of modernisation in order to secure its long term use. The Proposal would refurbish the lower floors to a high standard with increased flexibility for how the floorspace could be utilised. This would support SMEs, which is a key priority within the AAP.

The Proposal will result in the upgrading of the building and will also improve the quality of the retained commercial uses at first and second floors. In combination, the Proposal represents a better use of the site in this context, and would support the modernisation of the property. For this reason, it is proposed that the Proposal is considered favourably against this conflicting policy requirement.

Overall, the Proposal makes an effective use of an underutilised site, and would not result in a material reduction of useable floorspace in business use (B1). It would provide either an enhanced self-contained B1 or A1 unit within a secondary frontage, adding an active frontage at street level.

### **Heritage and Design**

High quality design is at the forefront of policy requirements through the spine of national, regional and local policy. Criteria in the London Plan and Local Plan (Policy 7.4, Policy 7.6, Policy D1 and D2) seek proposals to respect their urban context whilst promoting local distinctive schemes that are sustainable, inclusive and accessible. Proposals must also enhance Camden's rich and diverse heritage assets and their settings. Within conservations areas, proposals must preserve the character and appearance of the area.

The Proposal has been designed to benefit the host building and the setting of the wider Charlotte Street Conservation Area. The host building has an existing rear extension at ground to first and second floors which is proposed to be treated in brick to present a coherent treatment to the façade. In addition, existing glazing is to be replaced with traditional sash windows.

The existing building features a modern extension to the rear elevation, which is poor quality and detracts from the character of the conservation area. Images of the existing building are included within the Design and Access Statement submitted as part of this planning application.

The Proposal promotes a closet wing extension to the rear of the property from ground to third floor levels. This form of extension is traditional for Victorian-era properties and is characteristic of properties of this terrace, particularly the adjoining 4 Windmill Street property which demonstrates a full height closet wing rear extension.

The extension would have a volume of 39.3 cubic metres, and is consistent with the height and projection of the adjoining property. We therefore consider the Proposal remains sympathetic to the surrounding scale and proportion of buildings in the vicinity. The scale and height of the extension is also subordinate to the host building.

In respect of appearance, the proposed materials palette is in keeping with the existing building, in order to remain consistent and in ensuring a high quality finish.

Overall, the Proposal delivers a design that complies with London Plan policies 7.4 Local Character and Policy 7.6 Architecture, and Local Plan Policy D1 and D2. The Proposal is a clear enhancement to the building, and also to the character and appearance of the Charlotte Street Conservation Area.

### **Shopfront**

The scheme seeks consent for a new replacement shopfront at street level. The existing frontage on Windmill Street is of limited quality and appears to be a non-original feature of the host building. We do not consider the shopfront to add to the historic value of the property or in fact the character and appearance of the conservation area.

The new shopfront has been designed with care and attention to the existing character, architectural and historic merit and design of the property, as well as taking cues from neighbouring buildings on Windmill Street. The proposed shopfront adopts a refined design approach, featuring a large glazed shopfront window, accompanied by a glazed door providing access to the ground floor unit. The materials are considered to be appropriate to the conservation area, and will complement the host building. The existing painted wood door is retained to provide access to the upper levels.

The shopfront incorporates traditional shopfront features including defined pilasters and stall riser, fascia and cornice and mullion and transom bars incorporated into the shopfront window as sought by Policy D3 and thus demonstrates compliance with the Council's guidance for shopfront design.

When compared against the existing shopfront, the Proposal will enrich the use of the ground floor, which will help secure the long-term use of the ground floor unit.

### **Heritage**

The protection of heritage assets is controlled by London Plan Policy 7.8 and Local Plan Policies D1 and D2, which aim to safeguard heritage assets and their settings. The scheme design has been carefully developed with care and attention to the site's location in the Charlotte Street Conservation Area.

The character of development in this part of the Conservation Area is fairly uniform at front, but is more varied to the rear with different rooflines and extensions. The Proposal seeks planning permission for a closet wing extension to the rear elevation, which would terminate at third floor. The rear extension is treated in brick and features new windows that provide historic detailing. The Proposal will also restore the retained area of the existing rear elevation.

The property's primary contribution to the Conservation Area is in the primary façade on Windmill Street. The existing rear elevation is formed of a modern rear extension which is of limited quality. Given the scale of the

proposals when seen in the context of the existing building, we consider the Proposal will have no material impact on the setting of the conservation area. In fact, the proposal presents a historic recreation of the rear elevation which presents a significant improvement to the rear elevation and the quality of the building generally. Thus the conservation area is at least preserved, with the rear alterations resulting in an enhancement.

#### **Amenity**

Policy A1 of the Local Plan states that the Council will seek to protect the quality of life of occupiers and neighbours, by considering relevant factors including visual privacy, outlook and daylight and sunlight.

The application has been submitted with a daylight and sunlight assessment, which demonstrates that the development would result in no material impact on adjacent properties in terms of loss of daylight or overshadowing in accordance with the BRE Guidance.

The rear extension is also sensitively designed to ensure no glazing is proposed on the western facing elevation of the extension. This ensures that there will be no overlooking of neighbouring properties to the west. It is also proportionate in scale and so would not impact on the standard of outlook for adjoining occupants. From properties on Charlotte Street, the closet wing extension does not extend across the full rear elevation, thus retaining a separation distance of over 2 metres, which would not result in a material impact on outlook. Occupiers would also still benefit from clear angled views outwards and so the Proposal is therefore compliant with amenity requirements.

#### **Transport**

The site is located in the Bloomsbury & Fitzrovia controlled parking zone (CA-E) which operates between 08:30 and 18:30 hours on Monday to Saturday. In addition, the site has a PTAL rating of 6b which means it is highly accessible by public transport. Given the highly accessible nature of the site, no parking is proposed, thus supporting Council (Policy T2) and GLA (Policy 6.13) objectives for promoting car-free development.

#### **Community Infrastructure Levy**

The Proposals do not meet the relevant thresholds that would make the scheme liable in respect of LB Camden CIL or Mayoral CIL. Nonetheless, the requisite CIL forms have been submitted alongside this planning application.

#### **Conclusion**

The proposal seeks to provide a larger refurbished office or retail unit with the ground and basement floors, with an extension to the residential unit, which are supported in policy terms and accord with the relevant policies of the Development Plan. The proposal replace the existing poor quality office space and introduce a preferred use at ground and basement floors, the loss of which has already been accepted by the Council as evidenced by the historic permission on-site (ref: 21012/0261/P). Overall, the proposal significantly improves the design of the rear extension, leading to an enhancement to the conservation area. The application proposals are considered to accord with the relevant policies of the Development Plan and so are therefore considered to be both appropriate and beneficial.

We therefore consider the proposal to be appropriate and beneficial and respectfully request that the Council grants planning permission for the proposed application.

Should you require any further information at this stage, please do not hesitate to contact Tim Miles ([tim.miles@montagu-evans.co.uk](mailto:tim.miles@montagu-evans.co.uk) / 020 7312 7444) or Tom Cole ([tom.cole@montagu-evans.co.uk](mailto:tom.cole@montagu-evans.co.uk) / 020 7866 8674) at this office.



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Yours sincerely,



**MONTAGU EVANS LLP**