

## CHH LONDON Ltd.

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Planning and Development  
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19<sup>th</sup> September 2018

Dear Sirs

### **Planning Application 2018/3105/P: Lincoln House, 293 - 302 High Holborn (Application)**

Further to David Fowler's email of 11<sup>th</sup> September 2018, we provide our comments on the Application.

CHH London Ltd is the owner of 294-295 High Holborn ("294-295"), which is the currently vacant site abutting the western boundary of the Application site. Planning permission was granted on 15<sup>th</sup> August 2018 (reference 2017/1872/P) for the erection of a nine-storey building comprising retail use (Classes A1 - A3) at basement and ground floor levels, office use (Class B1) at first and second floor levels and 10 residential units (6 x 1 bed and 4 x 2 bed) (Use Class C3) above including plant and associated works. 294-295 also has the benefit of an extant earlier consent for retail/office uses (reference PSX0304010 / 2007/3660/P, as amended), which has been implemented.

Whilst CHH London is an immediate neighbour, we were not included in the 'Handshake Letter' mailing of 20<sup>th</sup> March 2018 referred to in the Applicant's Statement of Community Involvement. We previously first met the Applicant in April 2017 to discuss their proposals and to share information regarding the respective schemes. At that time our application for 294-295 (ref: 2017/1872/P) had been submitted but the proposed scheme for Lincoln House was at design development stage. The issues of daylight, overlooking and privacy were discussed and as a result the proposals for 294-295 were amended to address these.

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Further to comments made by the Applicant during the consultation period, the planning consent for 294-295 (ref: 2017/1872/P) includes a condition (condition 4) to mitigate overlooking. It requires that 'prior to occupation of the residential units, full details of overlooking mitigation measures for the windows facing eastwards, shall be submitted to and approved by the Council.' To date the design has shown this being achieved by the use of fins within the window design. Further, the related section 106 agreement contains

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an obligation (Clause 4.2) that we should inform prospective occupants of residential units in 294-295 about development proposals at Lincoln House prior to their occupation of any of those units.

The purpose of the condition and the section 106 obligation described above is to ensure that development proposals for Lincoln House are not prevented as a result of the development at 294-295 under permission 2017/1872/P. In particular, it is to ensure that Lincoln House is not prevented from being extended towards 294-295. It is a misunderstanding to interpret them as enabling any development on the Lincoln House site, whatever its impacts to a development at 294-295. The Applicant's planning statement demonstrates this misunderstanding, which is borne out by the fact that there are no appropriate mitigation measures included in the proposals that would mitigate the impact of the proposed development on 294-295.

At the time of the discussions with the Applicant, it indicated that it would look at mitigation measures within its own scheme such as angled or arrow slot windows to mitigate overlooking. No such mitigation measures have been included. In addition, the scheme for Lincoln House shows external terraces at the sixth and eighth floors extending the full length of the southern elevation with a return on the western elevation, which will create unacceptable amenity impacts for the residential units in our development at 294-295. These terraces are likely to be used as break out/smoking areas and perhaps entertainment during in or out of work hours so potentially causing considerable nuisance in terms of overlooking and noise.

For these reasons we object to the Application in its current form. We expect that mitigation is provided to prevent overlooking from the eastern elevation windows, and the removal of the terrace on the western elevation and curtailing of that along the southern elevation, for the reasons set out above.

We emphasise that we are not opposed to development at Lincoln House, only that any development must include appropriate mitigation, or changes to design, to protect residential amenity. As stated above, permission 2017/1872/P takes account of future development at Lincoln House and does not seek to prevent it. The Council will have regard to this when it considers whether to grant planning permission for the Application. However, it must also have regard to the amenity of future residential occupiers at 294-295. The planning condition and section 106 obligation relating to 2017/1872/P do not amount to allowing any development, whatever the impacts on residential occupiers, without appropriate mitigation, or appropriate changes in the design, which are needed to protect the amenity of future residents in a development for which the Council has granted planning permission.

Further, if the Council is convinced that the Applicant cannot comply with the London Plan and Council's own Local Plan in providing the required level of residential accommodation within the scheme and that there are no off site opportunities, then CHH London assumes that the Council will seek the appropriate payment in lieu for this.

Yours faithfully

  
**Benjamin Dove-Seymour**  
Director

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