



**Date: 02/12/2016**  
**Our ref: 2016/4252/PRE**  
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Dear Sue Wheldon,

**Re: 135 - 149 Shaftesbury Avenue**  
**London**  
**WC2H 8AH**

[www.camden.gov.uk/planning](http://www.camden.gov.uk/planning)

Thank you for submitting a pre-planning application enquiry for the above property which was received on 14/11/2016, together with the required fee of £14,400.00. These notes were informed by meetings with planning and conservation officers completed on 22<sup>nd</sup> September and 3<sup>rd</sup> November 2016 and a site visit completed on the 5<sup>th</sup> October 2016.

## **1. Proposal**

- 1.1 Redevelopment of site involving part demolition of the building and erection of a 6-storey roof extension, plus newly formed basement level 3, to accommodate a sui generis use (a theatre and/or multi-functional arts venue); an 128 bedroom hotel (Class C1) and bar (Class A4).

## **2. Site description**

- 2.2 The application site is located on the north side of Shaftesbury Avenue and comprises a standalone Listed Grade II building within cinema (Class D1) use. Historically in use as the Saville Theatre (Class Sui Generis), the building fronts four streets, namely New Compton Street to the north, St Giles Passage to the east, Shaftesbury Avenue to the south, Stacey Street to the west.
- 2.3 The rear of the site is the designated open space of Phoenix Community Garden.
- 2.4 The site is located within the Central Activities Zone (CAZ) and an Archaeological Priority Area.
- 2.5 The site is not within a conservation area but adjoins the Seven Dials (Covent Garden) and Denmark Street Conservation Areas.
- 2.6 The surrounding properties are a mix of uses, including commercial (Class B1), residential (Class C3) to the rear of the site on New Compton Street as well as some retail (A1) and restaurant (A3) at ground floor level.
- 2.7 There are also a number of similar uses in the area, namely the Phoenix Theatre (Listed Grade II) and Palace Theatre (Listed Grade II\*).

### 3. Planning history

#### 3.1 The following planning history is relevant to this site:

*135 - 149 Shaftesbury Avenue:*

- LS9904804: Internal alterations for refurbishment, including creation of new partitions and alterations to internal surfaces of walls including the provision of acoustic fabric to auditoria wall. Granted 26/10/1999
- LSX0005257: Alterations to form four screen cinema, Granted 20/02/2001
- 9157: The alteration to the elevations of Saville Theatre, 135 Shaftesbury Avenue, Camden, in connection with use as twin cinemas. Granted 07/10/1970

#### 3.2 The following planning history is relevant to adjacent sites:

*151 Shaftesbury Avenue:*

- 9501817R4: Demolition of existing building and the development of the site by an 8 storey plus basement building for use as offices, 5 residential units and rehearsal room. Granted 04/09/96.

*Phoenix Community Garden (21 Stacey Street):*

- 2014/7285/P: Erection of a single storey community and ecology centre building (Class D1) ancillary to community gardens, following demolition of three existing single-storey outbuildings at the junction of Stacey Street and New Compton Street. Granted 06/01/2015

*Phoenix Gardens / New Compton Street (now known as Penrdell House):*

- 9200226: The erection of a six storey residential building to provide 27 flats and maisonettes. Granted 02/07/1992

### 4. Relevant policies and guidance

#### 4.1 The following policies will be taken into consideration:

National Planning Policy Framework (NPPF) 2012  
London Plan 2016

LDF Core Strategy and Development Policies:

CS1 Distribution of growth

CS2 Growth areas

CS5 (Managing the impact of growth and development)

CS6 Providing quality homes

CS9 Achieving a successful Central London

CS10 (Supporting community facilities and services)

CS11 (Promoting sustainable and efficient travel)

CS13 (Tackling climate change and promoting higher environmental standards)

CS14 (Promoting high quality places and conserving our heritage)

CS16 (Improving Camden's health and well-being)

DP5 (Homes of different sizes)

DP6 (Lifetime homes and wheelchair homes)

DP12 (Supporting strong centres)  
 DP15 (Community and leisure uses)  
 DP16 (The transport implications of development)  
 DP17 (Walking, cycling and public transport)  
 DP18 (Parking standards and the availability of car parking)  
 DP19 (Managing the impact of parking)  
 DP20 (Movement of goods and materials)  
 DP21 (Development connecting to the highway network)  
 DP22 (Promoting sustainable design and construction)  
 DP23 (Water)  
 DP24 (Securing high quality design)  
 DP25 (Conserving Camden's heritage)  
 DP26 (Managing the impact of development on occupiers and neighbours)  
 DP27 (Basements and lightwells)  
 DP28 (Noise and vibration)  
 DP32 (Air quality and Camden's Clear Zone)

Camden Planning Guidance (CPG) 2016 – CPG 2  
 Camden Planning Guidance (CPG) 2015 – CPG 1, 3, 4, 8  
 Camden Planning Guidance (CPG) 2013 – CPG 5  
 Camden Planning Guidance (CPG) 2011 – CPG 6 and 7

#### 4.2 Emerging policy:

It should be noted that the Camden Local Plan will replace the Core Strategy and Development Policies in 2016/17. The submission draft has now been approved by Cabinet and Full Council after a period of public consultation. The Local Plan and associated documents were formally submitted to the Secretary of State for public examination along with copies of all representations received on 24 June. In accordance with Section 20 of the Planning & Compulsory Purchase Act 2004, Inspector Katie Child, was appointed to conduct an examination to determine whether the Plan is sound. The public hearings for the Examination were held at the Camden Town Hall during October 2016.

#### 4.3 The submission draft is a material consideration in planning decisions. At this stage the Plan has weight in decision making and is a statement of the Council's emerging thinking. Emerging policy is therefore a relevant consideration to this pre-app advice.

### 5. Assessment

#### 5.1 The application, in more detail proposes:

- Change of use of building currently a cinema within Use Class D1 use to:
  - A theatre and/or multi-functional arts venue within a Sui Generis use at basement, ground and 1<sup>st</sup> floor levels
  - An hotel within Use Class C1, accommodating 128 bedrooms
  - A roof level bar within Use Class C4
- The erection of a 5/6 storey roof extension
- The excavation of an additional basement floor level

5.2 The main issues to consider in this case are as follows:

- Land uses
- Heritage / Design – scale, bulk and detailed design including demolition
- Standard of accommodation.
- Access
- Impact on neighbouring amenity
- Impact of basement development
- Transport, access and parking
- Energy/Sustainability
- Economic Development
- Trees
- Planning Obligations
- Consultation

## 6. Land Use

### Change of use from D1 to Sui Generis

- 6.1 Although the use class of a cinema, namely D1, differs from that of a theatre, namely Sui Generis, both the Core Strategy and Development Policies recognise both as a leisure facility and therefore fall within Policy DP15 for assessment. Therefore the potential 'loss' of the cinema in situ could be considered acceptable, in the context of a 'replacement' leisure facility of a similar floorspace (including a multi-functional arts venue) which also serves the local community.
- 6.2 It should be noted however that the space provided should be viable for potential occupiers. Concern is raised as to the requirements of a theatre on this site, particularly in mind of the roof extension proposed. It is likely such a use would require a new fly tower. The typical fly weight of 'blockbuster' musical theatre productions currently being performed in London's theatres are:
- Phantom of the Opera – 20.7 tonnes
  - Beauty and the Beast: 27.5 tonnes (originally 48 tonnes)
  - Oliver! – 22 tonnes
  - Lion King- 30 tonnes (originally 58 tonnes)
  - We Will Rock You – 13 tonnes
- 6.3 Within this context, it is considered there is a demonstrable need for a fly tower capable of a significant capacity to be incorporated for such a use which may therefore impact upon the hotel and bar uses within the roof extension proposed above.

### Provision of C1 floorspace

- 6.4 Policy DP14 supports the provision of tourist accommodation in highly accessible areas, such as the location of the subject site. DP1 requires developments that include more than 200sqm of additional floor space provide 50% of all floor space as permanent housing (Class C3). Council policy states that on-site provision of

this housing floorspace is sought on all sites, there are possible exceptions to this with off-site provision and payment in lieu options in exceptional circumstances. You must demonstrate how you will contribute to permanent housing and provide justification if you do not believe it can be provided directly on or off site. As such the hotel rooms are likely to be considered acceptable in principle subject to the provision of permanent housing and the further considerations outlined below.

#### Provision of A4 floorspace

- 6.5 The provision of a bar at roof top level within the newly created roof extension, notwithstanding the concerns raised in the below amenity section, is considered acceptable and is not considered to harm the vitality and viability of the locality.

#### Mixed Use Development

- 6.6 The Council will require a mix of uses in development where appropriate in all parts of the borough, including a contribution towards supply of housing. In the Central London area where more than 200sqm (gross) additional floorspace is provided, we will require up to 50% of all additional floorspace to be housing.
- 6.7 The Council will require any secondary uses to be provided on site, particularly where 1000sqm (gross) of additional floorspace or more is proposed. Where inclusion of a secondary use is appropriate for the area and cannot practically be achieved on the site, the Council may accept a contribution to the mix of uses elsewhere in the area, or exceptionally a payment in lieu
- 6.8 There are a number of criteria listed in DP1 which the Council considers whether a mix of uses should be sought. For criteria a) and b) the Council considers that the development is in a mixed area of both residential and commercial nature, residential on this site would not be out of place. The proposed development could be capable of containing an element of residential use.
- 6.9 With regards to point c), there is an active street frontage in this location and the adjacent elevations enjoy natural surveillance.
- 6.10 With regards to point d) no financial viability information has been provided to demonstrate that housing could not be provided on site.
- 6.11 With regards to points e) and g) given the adjacent residential uses and that the proposed use is a hotel it is not considered that the residential and hotel use are incompatible, floor plates, ceiling heights and utility servicing would be complementary.
- 6.12 Points f), h) and i) these are not likely to be a relevant consideration.
- 6.13 Based on the above and in the absence of robust evidence and justification demonstrating otherwise (any viability evidence submitted would need to independently assessed at a cost to the applicant) it is considered that an element of housing should be provided on site in order to be policy compliant. CPG8

Planning Obligations provides further advice in section 6 of Affordable Housing and Housing in Mixed-use development.

- 6.14 The policy on this is clear in that on any proposals for commercial floorspace over 200sqm, the Council would seek to negotiate up to 50% of the additional floorspace for housing. This acts as a starting point, and whilst we would take into account any justification/viability argument the onus is on the applicants, through the submission of a detailed financial appraisal (which should include existing use value of the site, set against the residual value of the developed scheme), to address the necessary policy requirements of SD3.
- 6.15 In negotiating the level of an off-site residential contribution or payment-in-lieu, the Council will consider the development economics of the sites involved. Financial appraisals should be submitted for consideration and these may include the cost of providing housing on an alternative site, existing use values, alternative development options (including development of an amount of floorspace below the policy threshold triggering housing provision and development that includes the target proportion of housing), development costs and sales values.
7. Heritage / Design – scale, bulk and detailed design including demolition

#### Significance

- 7.1 The former Saville Theatre is a Grade-II listed building, adjoining the Denmark Street Conservation Area to its rear and the Seven Dials Conservation Area to its front, but outside either. Designed by Sir Thomas Bennett in 1929-30, with the theatre architect Bertie Crewe and incorporating work by the sculptor Gilbert Bayes, it is reputed to be Bennett's own favourite commission and his only theatre, but one of several important collaborations with Bayes. The setting of Bayes' frieze, echoed in the elevation by stone and brick banding and by the cornice and strong flat parapet line above, is of critical significance to the listed building's special interest. The former Saville Theatre is an extremely fine and characterful building of its era but wears its Classical inspiration very proudly. It is an idiosyncratic approach to the theatre typology in form and elevation, and it addresses Shaftesbury Avenue as if it were a grander boulevard at this point. Special interest is heavily invested in the front elevation, which is especially sensitive, but this is bound up with the simplicity and detailing of the returns, and the more pragmatic but considered arrangement of openings on the rear.

#### Harm

- 7.2 Considering the scope of the proposed scheme in terms of the tests for management of change to heritage assets laid down by the NPPF, it is clear that the scale of the interventions you envisage carry the risk of causing substantial harm to the listed building (para. 133); this would not be justifiable. It is clear from your investigations that any scheme to combine theatre and hotel uses inside the existing building will involve some loss of historic fabric which is likely to cause some harm. Less than substantial harm must be weighed against public benefits secured by the scheme, including the building's optimum viable use (i.e. that viable use which is most consistent with its conservation) (para. 134). This harm can be minimised by careful engineering, sensitive design and concentration of change in low-significance areas; it could be mitigated and eventually justified as part of a

proposal which creates a sustainable cinema or theatre of special quality on the site and which conserves the building's special interest through enhancement of its degraded aspects.

### Extension

- 7.3 The building's exterior architectural form is highly significant and sensitive and would be best served by retention, unaltered. Applying the NPPF tests to your intended proposals, the Council considers it critical that if you propose any addition external to the building's historic envelope, this must not harm the building, but on the contrary enhance it (and by extension both its adjoining conservation areas) through an architectural intervention of exceptional quality: an addition which justifies itself, as a response to and enhancement of the building and its townscape setting. The architectural challenge is significant: the amenity of Phoenix Garden to the north and of nearby residential properties must be considered, as well as the architectural demands of the host building and the character and quality of the surrounding streets. Your sketch massing (dated November 2016) shows 5 storeys of near full width and full depth added to the roof (4.5 full storeys above parapet height). On top of this you propose a smaller storey to permit a roof-top bar. The particularity of the present building's composition does not suggest simple prescriptions of formulae for additional height - its feasibility depends on design. That said, as well as the sketch massing in your diagram some significantly different architectural options suggest themselves: given the angles of likely visibility, the scale of the existing building and the parapet height, it seems likely to be possible to accommodate two to three storeys set-back behind the parapet at full width, subject to a successful design, which may be fairly simple in form and materiality; alternatively, guided by the historic layout of the roof and the corresponding uses beneath, it may prove possible to accommodate significant additional height at roof level asymmetrically, not across the full area. Subject to the success of the intervention overall, there is no reason to question feasibility of a rooftop bar, as suggested, which has little visibility from the street.

### Fabric survival and significance

- 7.4 No loss of historic (i.e. 1930s) fabric is desirable, and so intervention should be thoughtfully influenced by its survival and significance. Donald Insall's report of 2008 concludes that, save for the three corner staircases and a range of offices on the rear of the building, no historic fabric survives within the building. This is unlikely to be quite true, and it is evident from sections and from exploration of the building that the 1970s cinemas have been accommodated broadly within the historic volumes of the theatre auditorium, stage, and likely the lounge and bar in the lower floors. Columns, some brickwork and boarding, and perhaps walls around the new screens, as well as extensive fabric in the basement appears to date from the 1930s. There are no historic decorative features in evidence in the interior. The roof also clearly substantially remains, but has been altered. Among this fabric, that which most records the past hierarchy of uses, circulation and layout is of interest. With the possible exception of the abandoned bar, the basement fabric and the range of service and storage rooms at the rear is of very limited significance being only loosely connected to past uses. The back of house arrangements in the building's northern corner are of somewhat more significance, being more clearly designed with stage functions in mind and connecting purposefully to the rear elevation. The surviving corner staircases are an interesting surviving feature of the

original circulation, and could easily and desirably be returned to more characterful appearance.

#### Engineering and relationship to historic fabric

- 7.5 Though the theatre's internal arrangement was clearly not intended to be strongly manifested in the architectural expression, nor the functional form of the roof visible, there are areas where this is in evidence: especially in the arrangement of windows and access on the rear, the still distinguishable but modest rake and flytower on the roof, and in the retained layout and approximate volumes (though not plan-form or, in general fabric) of the original circulation and theatre. The sketch massing you propose implies a heavy-duty engineering intervention which would amount to façade retention. The prospect of accentuating the height of the building's front façade within to provide a naturally lit atrium is architecturally interesting, but would seem to work against the building's designed arrangement. Adopting the building's historic floor levels, reusing fabric at the lower levels, and the possibility of salvaging volumes which extend upwards within the building all counsel against total demolition and re-engineering of the building's interior. Independently of this, excavation of an additional basement may be acceptable subject to detailed analysis and justification.

#### Heritage benefits

- 7.6 Heritage benefits which reinstate or restore lost and degraded aspects of the theatre's historic design (including its intended character), will generally count in favour of any proposed scheme. The exterior of the theatre retains most of its detailing, although the wrought iron window on the frontage has notably been replaced by glass blocks. The Insall report helpfully describes the 1970s alterations, which are of no heritage interest. Reinstatement would desirably extend as far as revealing lost aspects of the theatre's form and layout: drawing on the rake in the roof and the original full-height spaces to provide internal atria and lighting for instance; recovering theatre, lounge or bar volumes in their original locations; making the historic position of the auditoria and stage at least legible.

#### Use

- 7.7 The reprovision of a theatre or cinema use at the heart of the scheme and within the historic building's principal floors and volumes is critical to conserving its special interest, and is a public benefit inseparable from realising the building's optimum viable use. Other uses should support this principal use, which should define its presence to Shaftesbury Avenue. Specifically, conserving the significance of the front elevation demands entrance into the lobby of a cultural venue, and that this remains the principal use of the building as entered from the Avenue; these uses should not be non-specialist spaces of low quality confined to the lower floors. If both hotel and theatre functions are to be given ground- and first-floor space, consideration should be given to substantially separating these across the front and rear elevations, to avoid public and foyer areas of nebulous character. Interestingly, the theatre's original design was distinguished by the generosity of its unusual commercial offer and its bar and lounge spaces, as *The Stage's* opening night review records: "so comfortable, indeed, are the lounge and the bar at the Saville, that it is to be feared that something more than a warning bell will be necessary to clear them".



## **8. Standard of accommodation.**

- 8.1 Details should be submitted which satisfactorily demonstrate that the internal design, layout and standard of air quality of the proposed development would provide an acceptable standard of accommodation and amenity for future occupants.
- 8.2 There is a high volume of traffic on Shaftesbury Avenue, and diesel trucks are known to stand, with engines running, for long periods of time in close proximity to the proposed hotel. Therefore mitigation measures should be proposed which demonstrate that the air can be adequately treated/filtered.

## **9. Access**

- 9.1 The London Plan requires that 10% of bedrooms are accessible, based on the information provided it is not clear if this is the case, but should in any case be incorporated. When modifying entrances improving disabled access should be a priority. Entrances should be level with the highway, without stepped entry access.

## **10. Impact on neighbouring amenity**

- 10.1 The proposed development is located in a predominantly commercial area, however, in close proximity is the six storey residential building of Pendrell House with many openings servicing habitable rooms and terraces, as well as the Phoenix Community Garden. Therefore, as a result of the proposal's proximity, it will need to adequately be demonstrated that it would not result in a material loss of light, outlook or privacy to existing residential occupiers.
- 10.2 In line with CPG6 (Amenity) to ensure privacy, there should normally be a minimum distance of 18m between the windows of habitable rooms of different units that directly face each other. This will need to be explored by the applicant and methods may need to be put in place to reduce overlooking (including the perception of being overlooked) – which could include louvres, window layout/design/angle, screening with planting etc.
- 10.3 A thorough daylight/sunlight report is recommended to demonstrate that habitable rooms to these properties are not significantly affected, particularly given the likely height and form of the roof extension proposed.
- 10.4 Consideration should also be made in respect of the environmental and ecological undertakings of the Phoenix Community Garden.
- 10.5 Given the resulting use as a theatre, the number of hotel rooms proposed and the location of a roof top bar, a management plan for servicing and guests will need to be secured by s106 agreement to ensure there is no additional impact on the surrounding area. The proposal would also require a robust assessment and potential mitigation strategy to attenuate noise impacts (eg sound proofing in walls and floors should be submitted) as a result of the theatre, hotel and bar uses.

- 10.6 The council seeks to ensure that the level of noise/vibration from all plant and machinery does not increase existing ambient noise levels, therefore planning permission will only be granted for plant and machinery if it can be operated without causing a loss to local amenity and does not exceed the thresholds set out in the LDF. Any proposed AC units etc will require the submission of a noise impact assessment.

## **11. Impact of basement development**

- 11.1 It has been provisionally proposed to enlarge or extend the basement floor level. To accompany any application (in order to validate the application) a Basement Impact Assessment (BIA) would need to be submitted with the application. This is in line with CS13, DP22, DP23 and DP27. This is supported by CPG4 and Arup guidance for subterranean development 'Camden geological, hydrogeological and hydrological study'.
- 11.2 The BIA will need to include the following stages:
- Stage 1 - Screening;
  - Stage 2 - Scoping;
  - Stage 3 - Site investigation and study;
  - Stage 4 - Impact assessment; and
  - Stage 5 - Review and decision making.
- 11.3 At each stage in the process the person(s) undertaking the BIA process on your behalf should hold qualifications relevant to the matters being considered. Paragraph 2.11 of CPG4 outlines the qualifications required for assessments.
- 11.4 In order to provide us with greater certainty over the potential impacts of proposed basement development, we will expect independent verification of Basement Impact Assessments, funded by the applicant, when certain criteria are met.

## **12. Transport, access and parking**

### Delivery and servicing management plans:

- 12.1 It is anticipated that the proposal would generate delivery and servicing movements and therefore may incur significant noise and disturbance impacts. General guidance on requirements for service vehicles and goods vehicles is given in Development Policy DP20 - Movement of goods and materials.

### Parking:

- 12.2 Applicants should first seek to minimise car use from their development, in accordance with Core Strategy Policy CS11 and policies DP16-DP20 of the Camden Development Policies. Alternative measures include:

- provision for walking, cycling and public transport;
- car-free development so that there is no need for parking; and
- car clubs and pool cars.

- 12.3 Standards for the number of spaces required for car/cycle parking and servicing are given in Camden Development Policies Appendix 2. Given the broad nature of the proposal put forward, it is recommended that this be reviewed and wholly incorporated and discussed with planning officer's prior to submitting a formal application to confirm policy compliance.

#### Construction Management Plan

- 12.4 It is anticipated that the proposal is likely to require a Construction Management Plan (CMP) due to the proposed basement excavation work that is likely to generate a significant number of construction vehicle movements during the overall construction period.
- 12.5 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. The CMP pro-forma is available on the Camden website at the hyperlink below:
- <http://www.camden.gov.uk/ccm/content/environment/planning-and-built-environment/two/planning-applications/making-an-application/supporting-documentation/planning-agreements/>
- 12.6 A CMP implementation support contribution of £3,240 would also need to be secured by a Section 106 planning obligation if planning permission is granted.

#### Highway and Public Realm Improvements directly adjacent to the site

- 12.7 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'*.
- 12.8 We would therefore need to secure a financial contribution for highway works (repaving the footway) directly adjacent to the site 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. .

### **13. Energy/Sustainability**

#### Energy Statement

- 13.1 The applicant will be expected to submit an Energy Statement showing how the development will meet the following policy requirements:
- Follow the hierarchy of energy efficiency, decentralised energy and renewable energy technologies set out in the London Plan (2011) Chapter 5 (particularly Policy 5.2) to secure a minimum of 35% reduction in regulated CO2 emissions below the maximum threshold allowed under Part L 2013, for the new build areas.  
[GLA guidance on preparing energy assessments](#) and CPG3 should be followed. [NOTE: Decentralised Energy Priority Areas are shown on [this map](#)]
  - CS13 requires all developments to achieve a 20% reduction in CO2 emissions through renewable technologies (the 3<sup>rd</sup> stage of the energy

hierarchy) wherever feasible, and this should be demonstrated through the energy statement.

- Where the London Plan carbon reduction target cannot be met on-site, we may accept the provision of measures elsewhere in the borough or a financial contribution (charged at £60/tonne CO<sub>2</sub>/ yr over a 30 year period), which will be used to secure the delivery of carbon reduction measures elsewhere in the borough. Further information on this can be found [here](#).

#### Sustainability Statement

13.2 The applicant will be expected to submit a Sustainability Statement - the detail of which to be commensurate with the scale of the development showing how the development will:

- Implement the sustainable design principles as noted in policy DP22
- Achieve a BREEAM 'Excellent' rating (minimum) and minimum credit requirements under Energy (60%), Materials (40%) and Water (60%) for the non-residential areas.
- We will also expect all major developments (particularly water intensive developments like hotels) to incorporate greywater harvesting, unless demonstrated to be unfeasible (evidence will need to be provided)
- The applicant should also provide details for how any materials will be reused/ recycled.
- The development will be expected to incorporate a green roof/s (see Nature Conservation and Biodiversity point below)

#### Sustainable drainage and Flooding

13.3 The applicant will be expected to:

- Submit a Flood Risk Assessment if >1ha. Developments in areas known to be at risk of surface water flooding must be designed to cope with being flooded.
- Achieve greenfield run-off rates wherever feasible and as a minimum 50% reduction in existing run off rates. Please note: this is 50% of all peak storm events up to and including the 1:100 year storm event. Where variable discharge rates are not achievable then the applicant will be required to target 50% of the 1:1 year peak storm event. Volumes will need to be constrained for the 1 in 100 year (plus 30% uplift for climate change) 6 hour storm event. This should be achieved through implementing SuDS unless demonstrated to be inappropriate (as set out in the Ministerial Statement by the Secretary of State on 18 December 2014).

13.4 When designing SuDS the development should follow the drainage hierarchy in policy 5.13 of the London Plan below:

- store rainwater for later use
- use infiltration techniques, such as porous surfaces in non-clay areas
- attenuate rainwater in ponds or open water features for gradual release
- attenuate rainwater by storing in tanks or sealed water features for gradual release

- discharge rainwater direct to a watercourse
- discharge rainwater to a surface water sewer/drain
- discharge rainwater to the combined sewer

- 13.5 We would be keen to see SuDS which provide biodiversity/amenity benefits proposed. This information above should be provided in the form of a Surface Water Drainage Statement. The applicant should submit full details, including drainage plans (showing location and extent of SuDS, invert levels, site levels and exceedance flow routes), Microdrainage modelling results (modelling the whole drainage system) evidencing that no flooding occurs in the proposed system up to and including the 1:100 year + climate change 6 hour storm event, and maintenance plans (including maintenance activity, frequency, responsibility and access requirements). The applicant should also complete and submit the Drainage Pro-forma found on [this page](#).
- 13.6 The applicant should also refer to the [SFRA](#) when completing Surface Water Drainage Statements and undertaking Flood Risk Assessments.

#### Air Quality

- 13.7 Due to the scale of the development, the applicant will be required to submit an Air Quality Assessment (AQA). [This page](#) contains further details for when we require an AQA. We recommend that developers follow the [EPUK Land-Use Planning & Development Control: Planning For Air Quality Guidance](#) when doing an AQA. The AQA will need to clearly outline the methodology and include an assessment of the impact of the development on local air quality during operation (Air Quality Neutral Assessment) and construction, as well as impacts of local air quality on occupants. Details of any mitigation measures should be clearly outlined in the assessment.
- 13.8 All developments are expected to meet the Mayor's Air Quality Neutral requirements. If CHP is proposed then the CHP standards set out in the [Mayor's Sustainable Design and Construction SPG](#) must be met. We will also look to see stack heights and locations are carefully designed to limit sensitive receptor exposure and that any other relevant mitigation measures are put in place.
- 13.9 We expect developers to follow The [Mayors SPG on Control of Dust and Emissions](#), in their AQAs and Construction Management Plans (CMP). Mitigation measures appropriate to the identified level of risk should be included and stated within the AQA. These will then be secured through the CMP. We also have an [air quality checklist](#) which we expect to be completed and included within all AQAs. The [LAQM website](#) includes our AQ progress reports from monitoring as well as the AQ action plan – these should be used to inform all AQAs.

#### Nature Conservancy and Biodiversity

- 13.10 All developments in the Borough should be compliant with the ecology, nature conservation and biodiversity requirements of the London Plan, as well as Camden's Core Strategy and Development policies, and comply with the mitigation hierarchy (information, avoidance, mitigation, compensation, additional benefits) set out within these policies. CPG3 provides further guidance on how these policies should be met.

Lighting can have particular negative impacts on biodiversity. Unnecessary lighting should be avoided. Where lighting may harm biodiversity, timers or specific coloured lighting will be required to minimise any disturbance.

- 13.11 The Council will expect all developments to incorporate brown roofs, green roofs and green walls unless it is demonstrated this is not possible or appropriate. This includes new and existing buildings. Special consideration will be given to historic buildings to ensure historic and architectural features are preserved. See CPG3 and Camden's Biodiversity Action Plan - Appendix 4 for further advice on green roof and living wall design.

## **14. Economic Development**

- 14.1 The scheme would involve an uplift of commercial floorspace. Camden would therefore require the developer to assist with training and employment initiatives via the S106 Agreement.
- 14.2 Should the scheme go ahead, Camden would seek to secure the following in order to maximise the opportunities to local residents and businesses afforded by the proposed development:
- The applicant should work to CITB benchmarks for local employment when recruiting for construction-related jobs as per clause 8.28 of CPG8.
  - The applicant should advertise all construction vacancies and work placement opportunities exclusively with the King's Cross Construction Skills Centre for a period of 1 week before marketing more widely.
  - The applicant should provide a specified number (to be agreed) of construction or non-construction work placement opportunities of not less than 2 weeks each, to be undertaken over the course of the development, to be recruited through the Council's King's Cross Construction Skills Centre.
  - If the build costs of the scheme exceed £3 million the applicant must recruit 1 construction or non-construction apprentice per £3million of build costs and pay the council a support fee of £1,700 per apprentice as per clause 8.25 of CPG8. Recruitment of construction apprentices should be conducted through the Council's King's Cross Construction Skills Centre.
  - If the value of the scheme exceeds £1 million, the applicant must also sign up to the Camden Local Procurement Code, as per section 8.30 of CPG8.
  - The applicant provide a local employment, skills and local supply plan setting out their plan for delivering the above requirements in advance of commencing on site.
- 14.3 We would request that a proportion of the overall apprenticeships and work placements provided were delivered upon completion of the development in accordance with CPG 8.33.

- 14.4 A financial contribution to assist local residents to receive training in the skills that would enable them to access the jobs created by the new development would also be sought.

## **15. Trees**

- 15.1 A total of three street trees are located at the rear of the site, therefore you would need to demonstrate that all trees are to be retained and would not be harmed by the proposed development. You should provide a tree survey and arboricultural statement with your application. In accordance with BS5837:2012 (trees in relation to design, demolition and construction).

## **16. Consultation**

- 16.1 Given the location and sensitivities of the site, together with the scale of the scheme, it is recommended that the applicant conducts its own consultation with surrounding neighbours, relevant councillors and local groups such as:

- Phoenix Gardens
- St Giles in the Field Church
- Holborn and Covent Garden ward councillor, Sue Vincent, and Dragon Hall Trust
- Covent Garden Community Association and Seven Dials Trust
- Soho Housing (Pendrell House and The Alcazar)
- Phoenix Theatre (Ambassador Theatre Group)
- Phoenix Artist Club
- Bloomsbury Conservation Area Advisory Committee (BCAAC)
- Westminster City Council
- Historic England
- Soho Society

- 16.2 Whilst there is no statutory obligation to do this, it would allow for local residents and stakeholders to view your proposals, provide comments and hopefully allow the applicant to address any points raised prior to the application being submitted.

- 16.3 Once an application is submitted, the Council will carry out statutory consultation in accordance with our Statement of Community Involvement.

## **17. Planning Obligations**

- 17.1 Dependant on the scale of the final proposal, S106 contributions or agreements may include the following:

- Mixed use contributions
- Highway Contribution
- Construction Management Plans
- Servicing Management Plans
- Travel plans
- Pre-assessment and post-construction review (energy and sustainability)

**Conclusion**

In broad terms, an addition at roof level could be considered acceptable, however this element would need to justify itself, as a response to and enhancement of the building and its townscape setting. Given the designation of the building and its environment, the architectural challenge will be significant.

The Council will aim to negotiate on-site housing in the absence of robust justification to demonstrate that this is not possible. Any viability assessments submitted will need to be independently assessed at the applicant's expense.

**This represents an initial informal officer view of your proposals based on the information available to us at this stage and would not be binding upon the Council, nor prejudice any future planning application decisions made by the Council.**

Yours sincerely,

Gideon Whittingham

Senior Planning Officer  
Planning Solutions Team