

TOWN PLANNING STATEMENT

GERALD EVE LLP

247 TOTTENHAM COURT ROAD

JULY 2020





GERALDEVE

Town Planning Statement

247 Tottenham Court Road

On behalf of: Prudential UK Real Estate Nominee 1 Limited and
Prudential UK Real Estate Nominee 2 Limited

31 July 2020

Contents		Page	Appendices		
1	Executive Summary	3	A	Planning History Schedule	76
2	Introduction	5	B	Draft Heads of Terms	81
3	Site and Surroundings	10			
4	Planning History	14			
5	Pre-Application Engagement and Consultation	17			
6	Proposed Development	21			
7	Planning Policy Framework	29			
8	Land Use	34			
9	Design, Bulk and Massing	43			
10	Historic Environment and Townscape	48			
11	Energy, Sustainability and Public Realm	56			
12	Transport, Air Quality and Amenity	62			
13	Planning Obligations and the Community Infrastructure Levy	72			
14	Summary and Conclusions	75			

1 Executive Summary

- 1.1 This Town Planning Statement is submitted on behalf of Prudential UK Real Estate Nominee 1 Limited and Prudential UK Real Estate Nominee 2 Limited (the “Applicant”) in support of an application for full planning permission for the redevelopment of 247 Tottenham Court Road, 3 Bayley Street, 1-2 Morwell Street and 4 Morwell Street (the “Site”).
- 1.2 The Applicant has appointed CO-RE as development managers to bring forward the proposals, alongside a full project team led by Stiff + Trevillion Architects to deliver the proposals.
- 1.3 The Proposed Development presents an opportunity to replace the existing buildings which are poor quality and piecemeal; acting as a broken tooth on Tottenham Court Road and encouraging anti-social behaviour on Morwell Street. The existing buildings interact poorly with the streetscape with no level access for any uses, and limited activity on Bayley Street and Morwell Street. The existing buildings contribute to the anti-social behaviour prevalent along Morwell Street.
- 1.4 The Proposed Development would provide a highly sustainable new building with a mix of uses including new homes, flexible high-quality workspace, and flexible retail uses at ground floor and basement to future proof the building. Sustainability has driven the project brief, with it being clear in this case that demolition is the most sustainable option when taking into account the embodied and operational carbon impacts of retaining and refurbishing the existing structure.
- 1.5 The proposals align with Camden’s aspirations for Central London which is an identified area of growth at a local and regional level. In particular the development aids in working towards the Council’s vision for the Borough by 2025 by:-
- Delivering a truly mixed-use development in a central, well connected location providing homes and jobs;
 - Facilitating growth which is inclusive for local people;
 - Improving the public realm by contributing to the delivery of the West End Project and the way the building interacts with the streetscape by design out crime; and

- Delivering a highly sustainable building which is flexible in its design to stand the test of time.
- 1.6 The design team has engaged with Camden's Officers over the course of the last year alongside other key consultees to inform the final design of the Proposed Development. Community engagement has taken place over June and July 2020 and is set to continue into August, the Applicant is committed to continuing their engagement with local residents and businesses during the determination period and in the future.
- 1.7 This Town Planning Statement provides an assessment of the Proposed Development in planning terms in line with Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) which requires planning applications to be determined in accordance with the Development Plan unless material considerations otherwise.
- 1.8 It is considered that the Proposed Development fully complies with the development plan and meets the objectives and aspirations for Camden and the Applicant. On this basis, we consider that planning permission should be granted.

2 Introduction

1.9 This Town Planning Statement is submitted on behalf of Prudential UK Real Estate Limited Partnership (the “Applicant”) for the redevelopment of the five existing buildings at:

- 247 Tottenham Court Road, London, W1T 7HH;
- 3 Bayley Street, London, WC1B 3HA;
- 1 Morwell Street, London, WC1B 3AR;
- 2-3 Morwell Street, London, WC1B 3AR; and
- 4 Morwell Street, London, W1T 7QT.

1.10 Together these addresses comprise the development “Site” for which full planning permission is sought. The proposals seek to provide a new, high quality and sustainable building providing a truly mixed-use building comprising office, residential and flexible retail/office floorspace. The Applicant has appointed a full design team, led by CO-RE as the Development Manager and Stiff + Trevillion as the Principal Architects to bring forward the proposals.

1.11 The Proposed Development is described in detail at chapter 6 of this statement. For the avoidance of doubt, full planning permission (PP-08873663) is sought for the following works:-

“Demolition of 247 Tottenham Court Road, 3 Bayley Street, 1 Morwell Street, 2-3 Morwell Street and 4 Morwell Street and the erection of a mixed use office led development comprising ground plus five storey building for office (Class B1) use, flexible uses at ground and basement (Class A1/A2/A3/B1/D1/D2), residential (Class C3) use, basement excavation, provision of roof terraces, roof level plant equipment and enclosures, cycle parking, public realm and other associated works.”

1.12 The Site occupies a prominent location on the west side of Tottenham Court Road with Bayley Street to the north, Morwell Street to the east and 248-250 Tottenham Court Road and the new development at One Bedford Avenue to the south.

1.13 This Statement provides an assessment of the Proposed Development against the relevant national, regional and local planning policy framework for the Site. It is structured as follows:-

- A description of the Site and its Surroundings at Section 3;
- A summary of the Planning History at Section 4;
- A summary of the pre-application engagement with the London Borough of Camden and consultation with other stakeholders at Section 5;
- A description of the Proposed Development in detail at Section 6;
- A summary of the adopted and emerging Planning Policy Framework at Section 7;
- An assessment of the land use considerations at Section 8;
- An assessment of the design, bulk and massing considerations at Section 9;
- An assessment of the historic environment and townscape considerations at Section 10
- An assessment of the energy, sustainability and public realm considerations at Section 11;
- An assessment of the transport, air quality and amenity considerations at Section 12;
- A summary of Planning Obligations (including draft Heads of Terms) and the Community Infrastructure Levy arising from the Proposed Development at Section 13; and
- Summary and Conclusions at Section 14.

1.14 This Statement should be read alongside the submitted plans and reports, which support the application for full planning permission. These documents are set out below.

- Completed Application Form and Ownership Certificate A;
- Community Infrastructure Levy Additional Information Form;
- Site Location Plan, prepared by Stiff + Trevillion;
- Drawing Schedule, prepared by Stiff + Trevillion;
- Existing and proposed plans, elevations and sections, prepared by Stiff + Trevillion;
- Design and Access Statement, prepared by Stiff + Trevillion;
- Access Statement, prepared by David Bonnet Associates;
- Fire Statement, prepared by JGA;
- Acoustic Report, prepared by AECOM;

- Basement Impact Assessment, prepared by AKT-II
 - Energy Statement, prepared by Watkins Payne Partnership;
 - Sustainability Statement (including BREEAM Pre-Assessment), prepared by Watkins Payne Partnership;
 - Whole Life Cycle Carbon Assessment, prepared by Hoare Lea;
 - Desk Based Archaeological Assessment, prepared by Cotswolds Archaeology;
 - Air Quality Assessment, prepared by AECOM;
 - Daylight, Sunlight and Overshadowing Assessment, prepared by Point 2 Surveyors;
 - Drainage Report, prepared by AKT-II;
 - Townscape and Visual Impact and Heritage Assessment (including Accurate Visual Representations produced by Miller Hare), prepared by Peter Stewart Consultancy;
 - Transport Assessment, prepared by Momentum;
 - Framework Delivery and Servicing Plan, prepared by Momentum;
 - Framework Travel Plan, prepared by Momentum;
 - Draft Construction Management Plan pro-forma, prepared by Momentum;
 - Statement of Community Involvement, prepared by London Communications Agency;
 - Preliminary Ecology Assessment and Potential Bat Roost Assessment, prepared by Tyler Grange; and
 - Bat Survey Report, prepared by Tyler Grange.
- 1.15 In addition, an Environmental Screening Report was submitted to Camden Council (ref. 2020/3082/P) on 10 July 2020. The Council confirmed on 20 July 2020 that an Environmental Statement was not required.
- 1.16 On 21 July 2020, the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 (the “Regulations” were laid before parliament and will come into force on 01 September 2020. The Regulations revoke Parts A and D of the Town and Country Planning (Use Class Order) 1987 (as amended) from 01 September 2020.
- 1.17 Regulation 4 of the Regulations provides that if before 01 September 2020 an application for planning permission is submitted which refers to uses or use classes specified in the Town and Country Planning (Use Class Order) 1987 (as amended) (the “Use Classes Order”) as it applies on 31 August 2020, that application must be

determined by reference to the Use Classes Order as at 31 August 2020. For the avoidance of any doubt, this application for the Proposed Development is submitted with reference to the Use Classes Order as it applies on 31 August 2020 and must therefore be determined by reference to the Use Classes Order as it applies on 31 August 2020.

- 1.18 The Proposed Development has been subject to extensive pre-application discussions in accordance with the Applicant's Planning Performance Agreement ("PPA") with Camden's Planning, Design, Conservation, Highways and Sustainability Officers in addition to consultees including Historic England, the Metropolitan Police and Transport for London. The Applicant has also consulted with neighbouring residents and local organisations in respect of the Proposed Development. The Proposed Development has also been presented to Camden's Design Review Panel.
- 1.19 London Communications Agency have undertaken a programme of consultation with key stakeholders, local interest groups and neighbouring residents to discuss the Proposed Development. The consultation is described in detail in the submitted Statement of Community Involvement.
- 1.20 This Statement provides an assessment of the Proposed Development in planning terms in line with Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) which requires planning applications to be determined in accordance with the Development Plan unless material considerations otherwise.
- 1.21 The adopted Development Plan for the Site comprises the London Plan (including Minor Alterations, adopted in March 2016); and the Camden Local Plan (adopted in July 2017). The National Planning Policy Framework (the "NPPF"), published in June 2019 is a material consideration, along with relevant supplementary planning policy guidance.
- 1.22 Emerging planning policy at the regional level which is considered relevant to the Proposed Development and has been considered in line with Paragraph 48 of the NPPF. This comprises the New London Plan (Intend to Publish) version published in December 2019.

- 1.23 The Applicant has owned the existing buildings for over 20 years and has a diverse property portfolio in the UK, Europe and Asia. Their focus is on actively managing properties over a long period of time for primarily institutional investors. CO-RE have been appointed as Development Manager for the project. CO-RE specialise in large scale, complex development projects working with project teams and stakeholders collaboratively to maximise returns for assets and the local community.
- 1.24 The Proposed Development seeks to optimise the Site in two different and contrasting contexts striking a balance between Tottenham Court Road as a primary Central London street with the finer grain of Morwell Street and Bedford Square to provide new high quality building replacing and enhancing the existing mix of uses on the Site.
- 1.25 The Proposed Development aligns with Camden's aspirations to deliver commercial and residential growth in Central London with the provision of a new, sustainable building providing high quality workspace, homes and retail.
- 1.26 For these reasons and those set out in detail in this Town Planning Statement, it is considered that the Proposed Development is in accordance with relevant statute, planning policy and guidance, and the Application should accordingly be granted planning permission.

3 Site and Surroundings

The Site

- 3.1 The Site comprises five buildings bound by Tottenham Court Road to the west, Bayley Street to the north, Morwell Street to the east and 248-250 Tottenham Court Road and the new development at One Bedford Avenue to the south. The existing buildings are intertwined in a number of ways and this is set out in detail below.

247 Tottenham Court Road

- 3.2 The existing building comprises basement, ground plus six stories with retail uses at ground floor and the upper floors are within an office use. Carparking is provided within the basement with access provided via a ramp which runs under 4 Morwell Street. The existing building is a 1960s office building faced in a mix of stone and brickwork with aluminium fenestration. The upper floor features a building maintenance cradle and track which projects outwards.
- 3.3 The ground floor retail uses comprise a mix of shops and cafes with the existing office entrance located to the south. None of the existing units at ground level have level access due to a slight slope of Tottenham Court Road (ranging from approximately 28.84 m AOD to the south up to 27.21 m AOD at the north), access is stepped to the office entrance and all of the retail units.

3 Bayley Street

- 3.4 The existing building is located on the corner of Bayley Street and Morwell Street with its entrance on the corner of the two streets. It is a ground plus five storey building which comprises a mix of office and residential floorspace. The first and second floor level are used as office accommodation and are accessed from the office floors of 247 Tottenham Court Road. The upper floors are comprised of four flats.
- 3.5 The building is clad in dark granite at ground floor and has a recessed entrance with a projecting canopy, the upper floors are clad in light coloured stone panels. The residential elements are only accessible via stairs.

1 Morwell Street

- 3.6 The existing building is a ground plus two storey building comprising two residential flats at the upper floors. The southern part of the ground floor provides access and emergency exits to the car parking within the basement. The building is faced in red brickwork at the upper floors and features central projecting semi-octagonal bay and features a pitched roof.

2-3 Morwell Street

- 3.7 The existing building is a ground plus two storey building. At ground floor level the retail unit facing Tottenham Court Road extends to the ground floor of 2-3 Morwell Street. The upper floors are joined to the office accommodation at 247 Tottenham Court Road. The building is faced in light brick with a pitched roof.

4 Morwell Street

- 3.8 The existing building comprises a basement, ground plus two storey building with a pitched roof with three front gables which frame three bays. Triangular glazing projects outwards from the façade. The building is faced in a mix of white render and red brick. The building is occupied by the Architectural Association and is used as offices and studios at the upper floors, and storage in the basement. The vehicular ramp bisects the ground floor and provides access to the basement at 247 Tottenham Court Road.
- 3.9 The Site sits within two very different contexts, Tottenham Court Road being an important Central London street characterised by larger buildings, with Morwell Street having a much finer, historic grain leading beyond to Bedford Square.
- 3.10 Morwell Street suffers from a significant amount of antisocial behaviour, poor quality footways and a lack of activity and active frontages.
- 3.11 The Site sits between the neighbourhoods of Fitzrovia and Bloomsbury with Tottenham Court Road dividing the two on a north-south axis. The surrounding area is comprised of a mix of different scales, architectural rhythm and grain. In land use terms, the surroundings are a mix of commercial, institutional and residential uses

surrounding the Site. The nearest residential use is located opposite the Site at 26 Morwell Street.

- 3.12 To the south and west, the scale of buildings is mixed with some taller buildings including One Bedford Avenue, Central Cross, St Giles Hotel and Centre Point with more historic buildings at a smaller scale in Bloomsbury and Fitzrovia. To the north, Tottenham Court Road has a broadly unified height and scale leading towards the Euston Road to a cluster of taller buildings at Regent's Place and Hampstead Road.
- 3.13 Tottenham Court Road has recently been subject to substantial public realm works as part of the West End Project which has seen traffic change from one way to two-way with wider footways, pocket parks and traffic calming measures.
- 3.14 The Site itself is not Listed and is outside a Conservation Area. The nearest Conservation Area is located directly opposite the site with the boundary of the Bloomsbury Conservation Area opposite the north and east of the site running along Morwell Street and Bayley Street. To the north west, the Charlotte Street Conservation Area is located opposite Tottenham Court Road. The Hanway Street Conservation Area is located further to the south west and is located partially in the London Borough of Camden and the City of Westminster.
- 3.15 The nearest Listed Buildings are located to the east which form part of the group listing of Nos. 28-38 Bedford Square which are all Grade I Listed Buildings, the designation includes some of the buildings on the opposite side of Morwell Street. To the north, on the opposite side of Bayley Street, Nos. 6-10 Bedford Square are Grade II Listed before the row of Grade I Listed Townhouses at Nos. 12-27 Bedford Square all the way to the junction with Gower Street.
- 3.16 Bedford Square itself is a Grade II* Registered Park and Garden of Special Historic Interest (England). The railings, gates, 37 lamp standards and garden house within and surrounding the Square are also all Grade II Listed. The Square is designated as London Square under the London Squares Preservation Act 1931.
- 3.17 The Site has the following planning policy designations in accordance with the Camden Local Plan Policy Proposals Map (adopted July 2017): -
- Central Activities Zone (CAZ):

- Central London Area;
- Central London Frontage (Primary);
- Fitzrovia Area Action Plan (“AAP”);
- Archaeological Priority Area (Tier 2 - Lundenwic); and
- Crossrail 2 Safeguarding Area (subsurface).

3.18 The Site is not allocated within the adopted or emerging Site Allocations Local Plan.

3.19 The Site has an excellent Public Transport Accessibility Level (PTAL) of 6b which is the highest rating on the scale. The nearest London Underground Stations are Tottenham Court Road and Goodge Street which are located approximately 220m to the south and 400m to the north of the Site respectively. Local buses serve Tottenham Court Road and nearby Oxford Street. National Rail Services are also located nearby with Euston Station located less than a mile to the north and King’s Cross St. Pancras located 1.2 miles north east of the Site.

3.20 The total area of the application boundary at the Site is 0.19 hectares and is shown on the submitted Site Location Plan (ref. 4486-ST-PR-01-003), prepared by Stiff + Trevillion.

4 Planning History

- 4.1 An examination of the London Borough of Camden's online planning history search has been undertaken and the Site's recent relevant planning history is summarised in the Section. The majority of the buildings on site have a limited planning history for the last ten years and mostly relate to changes of use and external alterations. The buildings along Morwell Street appear to have been granted permission in the 1990's.

247 Tottenham Court Road

- 4.2 It appears that the current building was granted planning permission on 28 June 1963 for:-
- 4.3 **“The redevelopment of the site of Nos. 237-246 Tottenham Court Road, 3 Bayley Street and Nos. 1-7 Morwell Street, Street, Holborn, by the erection of a building comprising basement, ground and six floors over for the use as storage and car parking in the basement, and shops on the ground floor, showrooms and warehousing on the first floor, residential and offices on the second to fifth floors and offices, Canteen, etc., on the sixth floor.”**
- 4.4 Most recently, on 02 May 2008, permission was granted (ref. 2008/1349/P) for the **“installation of 2 air handling units at roof level for third floor office.”**
- 4.5 On 25 October 2007, permission was granted (ref. 2007/4340/P) for the **“erection of rails and jibs at roof level of existing seven-storey building on Tottenham Court Road, Morwell and Bayley Street elevations to facilitate installation of a window cleaning cradle system.”**

1 and 2-3 Morwell Street

- 4.6 On 30 January 1992, full planning permission was granted (ref. 9101244) for:-
- “Erection of 2 x 3 storey buildings on rear service yards fronting Morwell Street to provide hairdressing school with ancillary storage and 2 one bedroom flats; and change of use of 1st floor of Nos.237-247 from school to**

Class B1 business use as a variation of the planning permission granted by letter dated 13th November 1990 (Reg.No.PL/9000239).”

4.7 It is unclear which properties along Morwell Street this application relates to. There have been a number of change of use applications permitted in the 1970s and 1980s.

4 Morwell Street

4.8 On 29 April 1983, full planning permission (ref. 9300204) was granted for the **“change of use from hairdressing school within Class D1 to institutional use by the Institute of Road Transport Engineers”**

4.9 There does not appear to be any planning history for 1 Morwell Street or 3 Bayley Street.

4.10 In terms of surrounding planning permissions, One Bedford Avenue lies to the south of the Site which is separated by 248-250 Tottenham Court Road. Full planning permission was granted (ref. 2013/3880/P) on 20 December 2013 for:-

“Erection of an eight storey building plus basement level for a mixed use development comprising retail use (Class A1) at part basement and ground floor levels and office use (Class B1) at part ground and first to seventh floor levels with associated plant in basement and roof, following complete demolition of existing retail/office buildings at 1 Bedford Avenue and 251-258 Tottenham Court Road.”

4.11 Camden’s Development Control Committee noted the following principles in respect of the development which are relevant in considering the proposals at the Site. The Committee report concludes that *inter alia*:-

- The demolition of the buildings was acceptable due to the inefficient internal layouts of the existing buildings;
- The replacement of the existing retail with flexible retail was acceptable and would strengthen the retail significance of Tottenham Court Road;
- The introduction of activity to Morwell Street was welcomed;
- The proposals would not harm the setting of Bedford Square, particularly in the summer months when tree cover obscures views to the new massing;

- Static views from the Square are somewhat contrived and do not represent a “real” or common view from within Bedford Square;
- The development would enhance views from Bedford Square;
- Maximising active frontages along Morwell Street is positive in terms of security and designing out crime; and
- On-street servicing from Morwell Street is acceptable as it is a quiet back street and this would support activity at ground floor level.

4.12 A full planning history schedule is included at Appendix A.

5 Pre-Application Engagement and Consultation

- 5.1 The Localism Act 2011 emphasises the need for effective and meaningful pre-application consultation.
- 5.2 Paragraph 39-46 of the NPPF highlights the important of pre-application engagement and front loading; early engagement has significant potential to improve the efficiency and effectiveness of the planning system for all parties. Good quality pre-application discussion enables better coordination between public and private resources and improves outcomes for the community.
- 5.3 Local Planning Authorities have a key role to play in encouraging other parties to take maximum advantage of the pre-application stage and the more issues that can be resolved at pre-application stage, the greater the benefit.

Community Consultation

- 5.4 London Communications Agency have undertaken a phased programme of consultation which was undertaken remotely in light of the Covid-19 social-distancing requirements. Meetings were held with key stakeholders including the Bedford Estates, the Bloomsbury Association, the Fitzrovia Association, the Charlotte Street Association, Bedford Court Mansions, and École Jeannine Manuel prior to the submission of the application and meetings have been set up with Bee Midtown Business Improvement District (BID) for August 2020.
- 5.5 A consultation website was published in early June 2020 with stakeholders, local residents and business invited to provide their comments and feedback. An advertisement was also placed in the Camden New Journal on 02 July 2020. A virtual public exhibition was held with interested parties throughout July 2020 with Members of the Design Team available to present and discuss the proposals. The full consultation strategy and responses are summarised in the Statement of Community involvement, prepared by London Communications Agency.

London Borough of Camden

- 5.6 The Proposed Development has been subject to extensive pre-application discussions between August 2019 and July 2020.
- 5.7 The design team have discussed the Proposed Development at a series of pre-application meetings (ref. 2019/4361/PRE) and workshops with Officers in respect of design, land use, highways and transport, townscape and heritage, servicing and deliveries and sustainability.
- 5.8 The key feedback that has been received is briefly summarised as follows:-

Design, bulk and massing

- Views of the massing from Bedford Square should be minimised as far as possible and not harm the Grade I Listed Townhouses;
- The massing should step down towards the Morwell Street elevation and recognise the change in character on this street
- The roof level plant and terraces should form a singular, coherent structure on the western side of the building;
- The material palette on Morwell Street should be different from Tottenham Court Road and Bayley Street;
- The building should have a prominence on Tottenham Court Road and stand out;
- The retail units should appear to be double height to emphasise their role as primary shopping frontages;

Sustainability

- The case for demolition of the existing buildings is compelling and it should be made clear why retaining the existing structure is not feasible and what impact this has in terms of embodied carbon versus operational carbon over the whole life cycle of the building as part of the planning application;
- The development should promote cycling and end of trip facilities and make them visible to all users of the building;
- The building should feature mixed mode ventilation;
- Urban greening is welcomed;

- It should be made clear how the development will be futureproofed and adaptable in terms of the design and material choices;

Highways and Transport

- On street servicing is acceptable in this case given the other priorities for the ground floor of the building;
- Public realm works surrounding the site are welcomed;
- Short stay cycle parking should be delivered in accessible locations;
- The development should be car free;
- The commercial cycle parking and end of trip facilities should be prominent and visible within the office entrance;

Land Use and Residential Quality

- The new housing should comprise a mix of large and small units;
- The approach to the Council's mixed-use policy is appropriate and the Council will accept a payment in lieu of affordable housing in line with policy guidance;
- The flexible retail would future proof the viability and vibrancy of Tottenham Court Road in this changing economic climate;
- Active frontages should be maximised on Morwell Street to combat anti-social behaviour; and
- The new housing should have generous space standards and feature private amenity space.

Other Consultees

- 5.9 The design team have also held meetings with Historic England (16 December 2019), the Metropolitan Police Designing out Crime Officer (26 June 2020) and Transport for London (08 July 2020). Historic England confirmed that the heritage impacts are not so significant as to warrant Historic England involvement in pre-application discussions.

Design Review Panel

- 5.10 The proposals were considered by Camden's Design Review Panel ("DRP") on 24 April 2020 and a formal written response was issued on 07 May 2020. The panel were

supportive of the design principles and approach for the Proposed Development and made some recommendations to aid in refining the proposals. The Panel did not consider it necessary for the proposals to be considered again at DRP. The DRP comments and the design team's response is detailed in full in the Design and Access Statement, prepared by Stiff + Trevillion.

- 5.11 The pre-application process has been iterative, with Officer feedback informing the Proposed Development which has been refined as a result of this engagement.

Environmental Impact Assessment

- 5.12 On 09 July 2020, the Applicant submitted an Environmental Impact Assessment ("EIA") Screening Request to the London Borough of Camden. On 20 July 2020, the Screening Opinion (ref. 2020/3082/P) confirmed that the Proposed Development would not require the preparation of an Environmental Statement in line with Regulation 5(5) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended).
- 5.13 This consultation with Camden Officers, key stakeholders, consultees and neighbours has resulted in the Proposed Development evolving to respond to feedback.

6 Proposed Development

6.1 This Section of the Statement should be read in conjunction with the Design and Access Statement which has been prepared by Stiff + Trevillion. It contains a full description of the Proposed Development and the rationale for its design, scale, layout, access and materiality.

6.2 The Proposed Development seeks the redevelopment of all buildings on the Site to deliver a new, high quality office led mixed use development. For the avoidance of doubt, full planning permission (ref. PP- 08873663) is sought for:-

“Demolition of 247 Tottenham Court Road, 3 Bayley Street, 1 Morwell Street, 2-3 Morwell Street and 4 Morwell Street and the erection of a mixed use office led development comprising ground plus five storey building for office (Class B1) use, flexible uses at ground and basement (Class A1/A2/A3/B1/D1/D2), residential (Class C3) use, basement excavation, provision of roof terraces, roof level plant equipment and enclosures, cycle parking, public realm and other associated works.”

6.3 The Proposed Development encompasses a number of works (including some which would form part of a Section 278 Agreement), which are summarised as follows:-

- Demolition of all buildings on Site with the existing basement wall of 247 Tottenham Court Road retained as far as possible;
- Erection of a ground plus five storey building with set backs at level four and five on the Morwell Street elevation for an office led mixed use development comprised of:-
 - i. Office (Class B1) over all floors;
 - ii. Residential (Class C3) at ground to fifth floor level;
 - iii. Flexible retail (Class A1/A2/A3/D2) at ground and basement level;
 - iv. Flexible office and open Class D1 (Class B1/D1) floorspace at ground and basement level;
- Use of part of the ground floor office reception as a publicly accessible café space;
- Creation of new roof terraces at levels four, five and roof level;
- Introduction of new green roofs;
- Hard and soft landscaping at level four, five and roof level;

- Installation of a plant enclosure at roof level;
- Relocation of the existing Santander Cycle docking station; and
- Provision of cycle parking for all uses and associated end of trip facilities.

6.4 Table 1 summarises the floor areas of the existing building and the proposed development on the basis of gross internal area.

Table 1: Gross Internal Area (GIA) by land use

Land Use	Existing GIA (sqm)	Proposed GIA (sqm)	Net change GIA (sqm)
Office (Class B1)	6,885	7,717	832
Residential (Class C3)	478	1,305	827
Flexible Class D1/B1	743	656	-87
Retail (Class A1/A2/A3/D2)	1,138	1,350	212
Total:	9,244	11,028	+1784

6.6 Table 2 summarises the floor areas of the existing building and the proposed development on the basis of gross external area.

Table 2: Gross External Area (GEA) by land use

Land Use	Existing GEA (sqm)	Proposed GEA (sqm)	Net change GEA (sqm)
Office (Class B1)	7,651	8,411	+760
Residential (Class C3)	531	1,520	+989
Flexible Class D1/B1	826	726	-100
Retail (Class A1/A2/A3/D2)	1,265	1,560	+295
Total:	10,273	12,217	+1,944

6.7 In line with the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020, from 01 September 2020 the existing lawful use of the retail (Class

A1) and Office (Class B1) will change to Commercial, Business and Service (Class E).

6.8 The proposed breakdown of residential accommodation is set out at table 3 below.

Table 3: Proposed residential accommodation

Dwelling Size	Existing Market Housing	Proposed Market Housing
One bed (1B2P)	2	-
Two bed (2B3P)	4	-
Two bed (2B4P)	-	5
Three bed (3B5P)	-	2
Four bed (4B6P)	-	1
Total	6	8

6.9 In terms of land use, the predominant land use will remain within an Office (Class B1) use and provide 7,717 sqm of high-quality flexible workspace. A total of eight market flats (Class C3) are proposed (1,305 sqm total) to replace the existing market residential on Site which provides an uplift of 827 sqm.

6.10 The proposed office (Class B1) accommodation has been designed to be fully flexible to cater for future changes in office demand and a range of different occupiers

6.11 In terms of residential quality, the new housing proposed would meet and exceed the New London Plan space standards, feature private outdoor amenity space with each flat having their own balcony, terrace or winter garden. All of the housing is dual aspect and would be accessed from a central lift and stair core with the entrance located on Morwell Street. Residential bin stores and cycle parking are located at the ground floor and are directly accessed from Morwell Street.

6.12 Flexible retail uses are proposed at the ground and basement level in a Class A1/A2/A3/D2 use in line with Schedule 2 Part 3 Class V of the Town and Country (General Permitted Development)(England) Order 2015 (as amended) to give flexibility to future tenants. This would ensure that the 1,350sqm of retail floorspace would complement and enhance the vibrancy and vitality of Tottenham Court Road

as a primary central London frontage while having regard to the challenging retail climate in light of the covid-19 pandemic.

- 6.13 Flexible Class B1/D1 floorspace is proposed on the eastern side of Morwell Street the ground floor and basement in line with Schedule 2 Part 3 Class V of the Town and Country (General Permitted Development)(England) Order 2015 (as amended). The Proposed Development seeks an open Class D1 use to allow for a variety of different potential uses alongside the potential for office accommodation (Class B1). This would see the delivery of 656 sqm of floorspace at basement and ground floor level.
- 6.14 Each of the uses has access to a back of house corridor which provides for segregated waste storage and goods lifts at basement level.
- 6.15 A key aspiration for the Proposed Development is to maximise activity through active uses, the retail, office, flexible B1/D1 and residential uses at ground floor would activate 90% of the frontages and provide an uplift of approximately 55%.

Bulk, Mass and Materiality

- 6.16 The proposed bulk and massing of the Proposed Development would provide ground plus five upper storeys (+48.86m AOD) with two plant enclosure rooms (+52.26m AOD) at roof level and chamfered corners on the northern elevation.
- 6.17 This responds to a dominant architectural theme of a number of buildings along Tottenham Court Road. A key challenge in shaping the bulk and massing is balancing the differing scales of Tottenham Court Road and Morwell Street and beyond to Bedford Square. The Proposed Development responds to this challenge by setting back along Morwell Street at fourth floor with a further set back at fifth floor to the western side of the chamfer on the corner of Bayley Street and Morwell Street.
- 6.18 A singular plant room would house all M&E equipment and lift overruns which would be clad in a scalloped louvred PPC metal finish. The roof level would include a shared roof terrace for the office occupiers, a green roof and photovoltaic panels which would not be visible from street level.
- 6.19 The Proposed Building seeks to introduce three principal materials which respond to the context of each elevation. The office element which faces Tottenham Court Road

and Bayley Street would read as one distinct element with the treatment to Morwell Street having a different character and architectural treatment.

- 6.20 The Tottenham Court Road, Bayley Street and the first two bays (12 m) of the Morwell Street elevation would be faced in a dark masonry finish at ground floor with the upper floors featuring a scalloped terracotta which is envisaged to be a grey/pale green colour. The first floor would feature a different treatment with a darker fenestration to make the retail units appear more prominent. The terracotta would be expressed with vertical ribbing at each bay with peaks at roof level, this ribbed expression alternates horizontally between each floor level in between the glazing to create added visual interest.
- 6.21 Along Morwell Street, a brick finish is proposed at the upper floors with a slight differentiation in the brickwork between the office and residential uses to break up the elevation and give vertical emphasis to reflect the finer grain of the eastern side of Morwell Street.
- 6.22 The glazing proposed to Bayley Street and Tottenham Court Road would sit within a deep window reveal which is expressed horizontally with a grey aluminium frame with side vented panels which projects outwards slightly, vertically, the terracotta would step in to meet the glazing.
- 6.23 The material palette has been chosen to give the building prominence on Tottenham Court Road, drawing inspiration from other buildings on the street which does not have a dominant materiality, complementing the surrounding mixed and diverse character of the area.

Energy and Sustainability

- 6.24 Sustainability is a key aspect of the Proposed Development in all manners, not only in terms of BREEAM and life-time carbon reduction but in its operational phase in terms of health and wellbeing. The Proposed Development would be highly sustainable with central plant equipment at basement levels and the roof to service the building. The Energy Strategy for the building proposes an all-electric solution with no gas or CHP boilers to minimise greenhouse gas emissions. Low-zero carbon technologies are proposed with photovoltaic panels at roof level. Openable vents are proposed to provide passive natural ventilation to the office floors to minimise the

need for mechanical heating and cooling as part of a mixed-mode system for the building.

- 6.25 The submitted Energy Statement sets out that the Proposed Development overall is set to achieve a 50.2% reduction in CO2 emissions. The commercial office element is set to achieve a 58.06% reduction, and the commercial retail element is set to achieve a 10.13% reduction against the 2013 (with amendments from 2016) Part L2A Building Regulations as a result of these measures. The residential element is set to achieve a 64.4% reduction in CO2 emissions against the 2013 (with amendments from 2016) Part L1A Building Regulations. Overall the development would achieve a 50.2% reduction over the notional building.
- 6.26 The use of low carbon technologies and building materials leads to an indicative shortfall of 62.25 tonnes of CO2 per annum which would be addressed with a carbon off-setting contribution which has been calculated in accordance with New London Plan draft policy SI2 as £177,414.74 to achieve zero carbon for the development. The contribution would only be relevant if the New London Plan is published at the time of determination of the application. This is discussed further at section 11 of this Statement.
- 6.27 A BREEAM pre-assessment indicates that the Proposed Development will achieve an “Excellent” score for both the office and retail elements (72.79% and 71.32% respectively).
- 6.28 The introduction of a semi-intensive green roof and planting along the terraces would contribute to urban greening with an indicative score of 0.21.
- 6.29 The key sustainability considerations are discussed in detail at section 11 of this Statement.

Basement Excavation

- 6.30 The Proposed Development would see lateral and subterranean excavation to create one level 5m deep across the Site with a smaller, deeper element at the south of the Site involving additional excavation (a further 5 m) to create two subterranean levels. The basement areas would contain cycle parking and end of trip facilities for the

commercial uses, waste stores, plant equipment, retail floorspace and flexible D1/B1 floorspace.

- 6.31 A Basement Impact Assessment, prepared by AKT-II has been submitted to outline how the surrounding buildings and below ground infrastructure will be safeguarded.

Public Realm Works

- 6.32 The Proposed Development seeks to deliver a package of public realm enhancements by rationalising the ground floor building line along Morwell Street and introducing a pocket park along the south side of Bayley Street. Following the Council's investment in the West End Project ("WEP") which saw traffic priorities along Tottenham Court Road changed to provide two-way traffic flow, alongside the widening of footways.

- 6.33 The Applicant would be willing to provide a financial contribution through a Section 278 Agreement to provide for the relocation and extension of the Santander bicycle docking station and a financial contribution through a S106 contribution towards provision of public open space which could include the introduction of a pocket park on the south side of Bayley Street alongside the provision of on-street Sheffield stands to enhance the public realm and promote sustainable travel.

Access and Parking

- 6.34 The current ground floor of the buildings, including the retail units along Tottenham Court Road do not provide a level threshold with the footway for any of the uses. The Proposed Development would facilitate level access for all uses within the building with a new ground floor slab sitting at the lowest level of the Site to allow for floor build-ups for the retail units to enable level access for every unit to overcome the slight slope and level change from the north to the south of the Site (approximately 370mm).

- 6.35 The existing car parking within the basement would be removed and the development would be car free. Blue Badge holders would be able to utilise the existing spaces along Morwell Street. Servicing and refuse collection is proposed to be undertaken on-street along Morwell Street. Waste storage for the commercial uses is provided within the basement, and for the residential use this is provided at the ground floor.

6.36 Long-stay cycle parking for the Proposed Development is provided within the basement with associated end of trip facilities in line with the Draft New London Plan standards. The requirement has been assessed by assuming a split of the flexible retail uses, which results in a requirement for 150 spaces (136 for the commercial, 16 for the residential) with changing rooms, showers, lockers, a cycle concierge and a dedicated gullied staircase and lift for cycles which would be accessible from Morwell Street leading directly into the basement facilities. The 136 long stay cycle parking for the commercial uses is provided in the following forms:-

- 94 spaces (70%) are provided in the form two tier racks;
- 19 spaces (14%) are provided in the form of folding cycle lockers;
- 17 spaces (12.5%) are provided as CaMden Sheffield Stands; and
- 5 spaces (3.5%) are provided as recumbent spaces.

6.37 A total of 16 showers with 92 lockers are also provided within the basement together with a dedicated area for cycle maintenance and a drying cupboard to incentivise cycling and a mode shift to more sustainable methods of travel.

6.38 The commercial short stay cycle parking requirement is for 62 spaces. It is proposed to provide majority of these within the public realm and the office reception space, including the relocation and expansion (+6 spaces) of the existing Santander docking station on Bayley Street. The proposed breakdown is as follows:-

- 26 spaces (14 CaMden Sheffield Stands) – Tottenham Court Road (western side);
- 26 spaces (6 new spaces) – Santander Docking Station relocation to Tottenham Court Road north of the junction with Percy Street;
- 5 spaces (hanging racks) – Office reception space; and
- 26 spaces (14 CaMden Sheffield Stands) – Bayley Street Parklet.

6.39 It is envisaged that the delivery of these spaces would be secured via Section 278 Agreement.

6.40 The 14 long stay spaces and 1 short stay space for the residential would be provided in a dedicated cycle store accessed from Morwell Street.

7 Planning Policy Framework

- 7.1 The statutory development plan for the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004 comprises:
- the London Plan, Consolidated with Alterations since 2011 (published in March 2016); and
 - The Camden Local Plan (published July 2017); and
 - The Fitzrovia Area Action Plan (published in June 2014).
- 7.2 The NPPF and National Planning Practice Guidance (“NPPG”) and are both material considerations.
- 7.3 In terms of emerging policy, Paragraph 48 of the NPPF states that local planning policies may give weight to relevant emerging policies, taking into account the stage of preparation of the emerging plan, the extent to which there are unresolved objections to emerging policies, and the degree of consistency those emerging policies have with regard to the wider development framework.
- 7.4 In this context, it is considered that there are relevant policies at a regional level within the New London Plan (intend to publish version) published in December 2019.

Statutory Tests

- 7.5 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 sets out that Local Planning Authorities should pay special regard to the desirability of preserving a listed building or its setting or any features of historic or architectural interest which it possesses when considering applications.
- 7.6 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 sets out that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of conservation areas.

National Planning Policy and Guidance

- 7.7 The Ministry of Housing, Communities and Local Government published the revised NPPF in February 2019. This is the first revision of the National Planning Policy Framework since 2012.
- 7.8 The NPPF sets out the Government's economic, environmental and social planning policies for England. It summarises, in a single document, all previous national planning policy advice (contained within PPG and PPS). Taken together, these policies articulate the Government's vision of sustainable development, which should be interpreted and applied locally to meet local aspirations.
- 7.9 The NPPF confirms that the purpose of the planning system is to contribute to the achievement of sustainable development. All plans should be based upon and reflect the presumption in favour of sustainable development, with clear policies that will guide how the presumption should be applied locally. The NPPF explains that the policies of the Framework, taken as a whole, constitute what the Government considers sustainable development to mean in practice.
- 7.10 The presumption in favour of sustainable development in the new policy guidance is designed to ensure that the planning system as a whole focuses on opportunities. The presumption, in practice, means that significant weight should be placed on the need to support economic growth and housing delivery through the planning system and local planning authorities should plan positively for new development and approve all individual proposals wherever possible. However, development should not be allowed if it would undermine the key principles of sustainability in the Framework.
- 7.11 The NPPF makes clear that the policies should apply unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits (paragraph 49). Specifically, paragraph 19 states that the planning system should do all that it can to promote sustainable economic growth in order to create jobs and homes to meet the challenges of global competition alongside a low carbon future. The NPPF states that significant weight should be placed on the need to support economic growth and housing delivery through the planning system.

7.12 National Planning Practice Guidance (“NPPG”) is an online resource which is maintained by the MHCLG and is regularly updated. It provides guidance relating to a number of planning matters, the Conserving and Enhancing the Historic Environment PPG is considered relevant to the Proposed Development.

Regional Planning Policy – The London Plan (consolidated with alterations since 2011) (2016)

Adopted Policy

7.13 The London Plan is the overall strategic plan for Greater London, which includes the 32 Boroughs and the City of London. The aim of the London Plan is to set out an overarching framework to co-ordinate and integrate economic, environmental, transport and social considerations over the next 20 to 25 years. The London Plan forms the London-wide policy context within which the Boroughs set their local planning agendas, and forms part of the statutory development plan.

7.14 This high level, over-arching vision is supported by detailed objectives including:-

- A city that meets the challenges of economic and population growth with a strong and internationally competitive and successful economy at the leading edge of innovation and research;
- A city that delights the senses and takes care over its buildings and streets and makes the most of and extends its wealth of open and green spaces;
- A city that becomes a world leader in improving the environment; including tackling climate change and reducing pollution; and
- A city where it is easy, safe and convenient to move about with effective transport systems that actively encourage more walking and cycling.

Emerging Policy

7.15 The Mayor consulted on the New London Plan between 1 December 2017 and 2 March 2018. The Examination in Public (“EiP”) for the Plan concluded on 22 May 2019. A revised draft was published following the EiP in June 2019 which included the minor suggested changes incorporated in August 2018 and further suggested

changes arising from Matters Statements which we discussed prior to the EiP. The “Intend to Publish” version of the plan was made public on 09 December 2019 and has been submitted to the Secretary of State, On 13 March 2020, the Secretary of State responded to the Mayor, ordering him not to publish the Plan, and has mandated further amendments. The Mayor will now consider the Secretary of State's response and take the statutory steps to finalise the Plan. This is referred to throughout this Statement as the “New London Plan”. Given the late stage of the Plan, it is considered that material weight can be given to the Draft Plan in line with paragraph 48 of the NPPF.

7.16 The draft Plan is centred around Good Growth, with a focus on building strong and inclusive communities, making the best use of land, creating a healthy city, growing a good economy and increasing efficiency and resilience. The draft Plan recognises the key role of Central London as a driver for London and the wider UK economy with the City of London and the wider CAZ being critical in supporting growth.

7.17 The following GLA Supplementary Planning Guidance are also considered relevant:

- Shaping Neighbourhoods: Character and Context (June 2014);
- Sustainable Design and Construction (April 2014); and
- Central Activities Zone (March 2016).

Local Planning Policy

7.18 The Camden Local Plan adopted in July 2017 sets out how development will be managed within the borough. The Plan seeks to address a number of challenges; adapting to Camden’s growing population and to social change, the supply and cost of housing in the borough, maintaining a successful economy and improving opportunities, inequalities, health and wellbeing, improving transport, quality of the environment and crime and safety.

7.19 To address these challenges, the Plan sets three key objectives:-

- (1) Developing new solutions with partners to reduce inequality and improve health and wellbeing
- (2) Creating conditions for and harnessing the benefits of economic growth

(3) Investing in our communities to ensure sustainable neighbourhoods

- 7.20 The Council's objective is to create the conditions for growth to provide the homes, jobs and other facilities needed to support it, while ensuring that growth delivers opportunities and benefits for our residents and businesses. The Plan aims to deliver sustainable growth while continuing to preserve and enhance the features that make Camden such an attractive place to live, work and visit.
- 7.21 The Fitzrovia Area Action Plan ("AAP") was published in March 2014 and seeks to balance growth and pressures from development in central London alongside the established residential communities in the area. This AAP seeks to ensure that development proposals bring real benefits to the area, particularly in terms of public open space and other public spaces, housing, affordable homes, community facilities and locally produced energy. It seeks to support sustainable growth of a realistic level and secure the most efficient and effective use of land, while maintaining what makes the area attractive as a place to live, work and visit.
- 7.22 Camden Planning Guidance ("CPG") provides further detailed guidance in assessing development in the Borough.
- 7.23 The following sections of this Statement consider the Proposed Development against the following key planning considerations:-
- Land Use and Principle of Development
 - Design, Bulk and Massing
 - Heritage and Townscape
 - Energy and Sustainability
 - Other material considerations including transport, servicing, amenity, air quality, noise, archaeology and ecology.

8 Land Use

Principle of Development

- 8.1 Paragraph 11 of the NPPF states that there is a presumption in favour of sustainable development, and that development that accords with an up-to-date Local Plan should be approved. For the reasons set out within this chapter, the Proposed Development is considered to be in accordance with the key policies contained in the development plan and represents sustainable development.
- 8.2 London Plan policy 7.6 (i) confirms that buildings and structures should optimise the potential of sites. Chapter 1 of the new London Plan sets out how growth should be managed in the Capital to build strong and inclusive communities, making the best use of land, creating a healthy city, delivering the homes Londoners need, growing a good economy and increasing efficiency and resilience.
- 8.3 Policy G1 of the Local Plan sets out how the Council will create conditions for growth to deliver homes, jobs and infrastructure by supporting development that makes the best use of the site, providing a mix of uses in accessible parts of the Borough (including self-contained housing) to deliver 16,800 new homes, 695,000sqm of new office floorspace and 30,000 sqm of new retail floorspace by 2031. The Council anticipate the most significant growth to be delivered across the Borough, with Central London playing a key role in facilitating that growth.
- 8.4 Part 4 of the Fitzrovia AAP seeks to ensure that growth takes place in a way that strikes an appropriate balance between residential, institutional and commercial uses, while managing the impact of growth on the existing residential community and ensuring an environmentally sustainable future.
- 8.5 The Proposed Development seeks to optimise previously developed urban land, which is well served by public transport. The Proposed Development is in accordance with the character and established mix of uses on the existing buildings and the surrounding area. It will recycle and replace an outdated building and inefficient group of buildings contributing to the provision of new workspace, retail and homes within

the Borough, consistent with the NPPF, London Plan policy 7.6, and Local Plan Policy G1.

Mixed Use Policy and Residential Accommodation

- 8.6 Chapter 5 of the NPPF provides a framework for delivering a sufficient supply of homes by setting out how Local Authorities should assess, and plan for housing need to be met through sufficient land being available to meet housing need.
- 8.7 Policy 4.3 of the London Plan states that within the CAZ a mix of office and residential floorspace uses are provided. Draft Policy SD5 of the New London Plan states that offices and other CAZ strategic functions are to be given greater weight relative to new residential in all other areas of the CAZ.
- 8.8 Paragraph 1.3.3 of the CAZ SPG sets out that offices and other CAZ strategic functions should be given greater weight relative to new residential development.
- 8.9 Policy H1 of the Local Plan sets out that self-contained housing is the priority land use across the Borough.
- 8.10 Policy H2 of the Local Plan seeks to achieve commensurate levels of self-contained housing whenever non-residential development is proposed to ensure a balance of uses across the Borough. The policy requires where more than 200sqm GIA of non-residential development is proposed in the Central London Area, 50% of the additional floorspace will be required to be delivered as self-contained housing with an appropriate mix, including affordable housing where relevant. The requirement to deliver affordable housing on Site is subject to a set of criteria which is set out at Policy H4 of the Local Plan and the Interim Housing CPG.
- 8.11 Policy H3 of the Local Plan resists development that would involve a net loss of residential floorspace.
- 8.12 Policy H4 of the Local Plan sets out the Council's approach to affordable housing provision which is based on a site's capacity to provide housing, with affordable housing being required on a sliding scale between 2% and 50%. The policy also states that where development sites have capacity to provide fewer than 10 dwellings, that

the Council will accept the provision of affordable housing as a payment in lieu of on-site provision.

- 8.13 Policy H6 of the Local Plan requires 10% of new building housing to be accessible or adaptable for wheelchair users. Policy H7 of the Local Plan seeks to secure a mix of large and small homes with dwelling size priorities. These principles are reinforced at principle 1 of the Fitzrovia AAP.
- 8.14 The Interim Housing CPG provides detailed guidance on calculating a site's capacity to provide housing, along with a split between market and affordable. Paragraph IH2.56 of the Interim Housing CPG states that any existing residential floorspace on the development site should be retained or replaced independently of the 50% target.
- 8.15 The Proposed Development would see a total uplift of all uses of 1,784 sqm. Under policy H2, this generates a requirement for 892 sqm of that uplift to be provided as housing as part of a mix of uses. In line with the Interim Housing CPG, the Site has a capacity to provide nine dwellings with this target broken down into 18% affordable, and 82% market (160.sqm GIA/731.4sqm respectively).
- 8.16 Policy H4 allows payments in lieu of affordable housing where sites have a capacity for less than ten dwellings, therefore the Proposed Development is not required by policy to provide affordable housing on Site. The Proposed Development would introduce eight high quality market flats (1,305 sqm GIA, 827sqm GIA uplift) which replaces the existing housing on site in addition to meeting and exceeding the market housing requirement generated by the Council's mixed-use policy. A policy compliant payment in lieu of £533,855 to the Council's affordable housing fund would be secured via Section 106 Legal Agreement.
- 8.17 The Proposed Development would deliver five new two-bedroom flats, two three-bedroom flats and one four bedroom flat which are considered to be an appropriate mix in line with the Council's dwelling size priorities for market housing.
- 8.18 The new residential accommodation would comply with New London Plan space standards by providing private amenity space, internal storage, generous floor to ceiling heights and dual aspect which would support housing growth in the Borough and achieve a mix of uses on the Site in line with London Plan Policy 4.3, the CAZ

SPG, New London Plan draft policy SD5, Local Plan Policies H1-H4 and the Interim Housing CPG.

Employment

- 8.19 The NPPF sets out the Government's commitment to securing economic growth and advises that plans should proactively meet the development needs of businesses and support an economy fit for the twenty first century. Paragraph 80 of the NPPF goes on to state that significant weight should be given to supporting economic growth and productivity, taking into account local business needs and opportunities for development.
- 8.20 The London Plan identifies the Site as a location where office uses are supported, recognising that the CAZ is the country's most important strategic office location. Policy 2.10 recognises the CAZ as being at the heart of London's world city offer and identifies a strategic priority to promote and coordinate development to provide a competitive, integrated and varied global business location. Whilst Policy 2.11 aims to ensure that development proposals to increase office floorspace within CAZ.
- 8.21 Policy 4.1 of the London Plan states that the Mayor will work with boroughs to support and promote the continued development of a strong and sustainable economy across London. Policy 4.2 encourages boroughs to "support the management and mixed-use development and redevelopment of office provision." Policy 4.2(d) specifically supports increases in current stock where evidence of sustained demand exists.
- 8.22 Draft Policy SD4 of the New London Plan sets out how the strategic functions of the CAZ should be promoted and enhanced. Policy E1 of the New London Plan supports new office development in the CAZ.
- 8.23 Policy E1 of the Local Plan supports the provision of a range of business and employment floorspace including the intensification of existing employment sites and direct new office development to the growth areas, Central London and the town centres to meet expected demand.

- 8.24 Policy E2 of the Local Plan reiterates that the sites which are suitable for continued business use will be protected and the intensification of employment uses will be supported provided they are maintained or increased.
- 8.25 The Proposed Development will deliver 8,532 sqm of high-quality flexible office (Class B1) space to a shell and core standard which is supported by planning policy at a regional and local level. The proposed office space has been flexibly designed to cater for future office requirements and has been designed to cater for one or more tenants in the building, including the potential for multiple occupiers split on each floor. The proposal represents an increase in 967 sqm of office floorspace. The ground floor office reception would also feature a lounge/café which would be accessible to members of the public.
- 8.26 The proposals therefore accord with the NPPF, London Plan policies 4.1 and 4.2, New London Plan draft policy SD4 and E1, and Local Plan policies E1 and E2.

Retail Uses

- 8.27 Paragraph 85 of the NPPF seeks to promote “positive, competitive” town centre environments and to direct retail development to town centres in the first instance, recognising town centres as the heart of their communities.
- 8.28 Policies within the London Plan are supportive of ancillary retail facilities for their role as a component for mixed use development, and their contribution to increasing the vitality at street level. London Plan policy 2.11 seeks to identify, enhance and expand retail capacity to meet strategic and local need within the CAZ, particularly in identified CAZ frontages. London Plan policy 4.7 states that retail, commercial, culture and leisure development should be focused on sites within town centres, or if no in-centre sites are available, on sites on the edges of centres that are, or can be, well integrated with the existing centre and public transport.
- 8.29 Supporting text to the New London Plan recognises the structural changes affecting the retail sector currently and encourages boroughs to plan proactively to accommodate future demand and manage the transition of surplus retail to other uses (paragraph 6.9.3). This approach is reflected in draft policy E9, which promotes the

provision of alternative town centre uses on the ground floor (where viable) when redeveloping surplus retail space.

- 8.30 Tottenham Court Road is an identified growth area for retail uses. Policy TC1 of the Local Plan sets out that the Council will promote retail and other town centre uses across the borough and support the additional provision as part of redevelopment schemes in Tottenham Court Road. Retail floorspace is expected to be supported by a range of other town centre uses including food, drink and entertainment uses. Appendix 4 of the local plan sets out that the proportion of the frontage should be provided as a minimum of 80% Class A1 for Tottenham Court Road primary frontage.
- 8.31 Principle 5 of the Fitzrovia AAP sets out that shops, food, drink and entertainment uses will be guided to the Central London Frontage on Tottenham Court Road.
- 8.32 The Proposed Development would see the delivery of new high-quality flexible retail uses to enhance Tottenham Court Road's role as a primary retail location in Central London. The Proposed Development seeks flexible Class A1/A2/A3/D2 uses to ensure that the development when completed can maximise activity and respond to the changing retail climate.
- 8.33 The ground floor slab would be cast at the lowest point of the building to ensure that all of the retail units are able to achieve level access through individual floor finishes which is highly beneficial compared to the existing retail units which all have stepped access.
- 8.34 Stiff + Trevillion have prepared a study as to how the retail uses could be divided in terms of use, and size across the ground and basement levels. An indicative signage strategy has also been provided to show how this would be well designed to complement the townscape and character of Tottenham Court Road.
- 8.35 The Proposed Development would result in an increase of active retail frontage at ground floor along Tottenham Court Road against the existing buildings and ensure that the retail uses are futureproofed to respond to the fast-changing nature of retail in light of an increase in online shopping and the covid-19 pandemic. The proposals are considered to comply with the NPPF, policy 2.11 and 4.7 of the London Plan, draft policy E9 of the New London Plan, policy TC1 and TC2 of the Local Plan and the Fitzrovia AAP.

Flexible Class B1/D1 Use

- 8.36 The New London Plan recognises the importance of Bloomsbury as specialist academic cluster which forms part of the strategic functions of the Central Activities Zone (CAZ). Draft policy SD4(G) states that the CAZ is a centre of excellence for these clusters and should be supported and promoted.
- 8.37 Chapter two of the Camden Local Plan sets out the Council’s spatial strategy for growth. Paragraph 2.52 states that the Council recognises the unique character and challenges of Central London, in particular in balancing its economic, social and cultural role. The Council will support the concentration of educational, cultural and research institutions within Central London that form an integral part of the Knowledge Quarter.
- 8.38 The Council’s definition of “community facilities” is broad and refers to a wide range of social infrastructure that provides a service to the community. It includes childcare, education, adult learning and training, healthcare, police stations, youth provision, libraries, public houses, community halls, places of worship and public toilets.
- 8.39 Policy C2 of the Local Plan sets out that the Council will work with its partners to ensure that community facilities and services are developed and modernised to meet the changing needs of the community and reflect new approaches to the delivery of services. Part G of the policy states that the Council will ensure existing community facilities are retained, recognising their benefit to the community, including protected groups, unless one of the following tests is met (1) a replacement facility is provided, or (2) the existing premises are no longer viable in their existing use.
- 8.40 The key test in policy C2 in considering the loss of a “community use” is whether:-
- (1) The loss of the facility would not create, or add to, a shortfall in provision for the existing community use; and
 - (2) If (1) is satisfied, whether the facility is unable to address a need for any other community use in the local area.

- 8.41 The loss of a facility may also be acceptable where this forms part of an asset management strategy of a public or voluntary body and the loss is necessary to allow the service to continue operating successfully, for example where a facility is underused or no longer fit for purpose.
- 8.42 Policy E1(i) of the Local Plan sets out that the Council will secure a successful and inclusive economy in Camden by creating the conditions for economic growth and harnessing the benefits for local residents and businesses by recognising the importance of education as an employment generating use.
- 8.43 It appears that the lawful use of the Architectural Association (“AA”) space at 4 Morwell Street is a mix of a Class B1 and Class D1 uses which would comprise a composite Sui Generis use class. The Proposed Development seeks to largely replace the existing floorspace at 4 Morwell Street space with a flexible B1/D1 use.
- 8.44 4 Morwell Street is considered to be a mix of educational (architectural studios for students) and office (administrative offices for staff of the AA) uses, most likely within a Class B1/D1 dual use and has been occupied by the AA since 1996. They also occupy several buildings within Bedford Square as part of their wider campus. Through their ongoing estate management strategy, 4 Morwell Street has been identified as surplus to their requirements and is no longer fit for purpose and they will be vacating the property in August 2020.
- 8.45 In land use terms, it is not considered that the existing education element is afforded protection in policy terms, in the event the proposed Class D1 use is never implemented as part of the flexible Class B1/D1 use, the following must be considered:-
- (1) The AA have consolidated their assets into Bedford Square. 4 Morwell Street is surplus to requirements, and no longer fit for purpose;
 - (2) The consolidation of their assets means that there is no impact in terms of the wider strategic functions of the CAZ and the Knowledge Quarter and no shortage of higher education uses.
- 8.46 The existing use is considered to have limited benefits for the wider local community and the tenant is consolidating its assets in Bedford Square, its loss would not



prejudice the strategic function of the CAZ, nor would it lead to a shortfall in educational uses locally or elsewhere within Camden. On this basis, it is considered that any loss of educational floorspace and its replacement with offices is acceptable and complies with draft policy SD4 of the New London Plan and policies C2 and E1 of the Local Plan.

9 Design, Bulk and Massing

- 9.1 The Section considers the Proposed Development against relevant national, regional and local design policy and guidance. This Section should be read alongside the Design and Access Statement, prepared by Stiff + Trevillion.
- 9.2 The Government attaches great importance to the design of the built environment in the NPPF. Paragraph 124 states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.
- 9.3 Paragraph 127 of the NPPF stipulates that it is important to plan positively for the achievement of high quality and inclusive design for all development, which will function well over the lifetime of the development, are visually attractive, sympathetic to local character, establish a strong sense of place, optimise the potential of the site, and create places that are safe.
- 9.4 London Plan Policy 2.10(A)(d) seeks to sustain and enhance the distinctive environment and heritage of the CAZ, recognising both its strategic components and other features including distinctive buildings and historic heritage, through high quality design and urban management.
- 9.5 London Plan Policy 7.1 sets out that new development should be designed so that the layout, mix of uses and interface with the surrounding land will improve people's access to community infrastructure. Policy 7.2 requires all new development in London to achieve the highest standards of accessible and inclusive design.
- 9.6 London Plan policy 7.4 states that 'Development should have regard to the form, function, and structure of an area, place or street and the scale, mass and orientation of surrounding buildings.'
- 9.7 Policy 7.5 of the London Plan, on Public Realm, seeks to ensure that London's public spaces should be secure, accessible, inclusive, connected, easy to understand and maintain, relate to local context, and incorporate the highest quality design, landscaping, planting, street furniture and surfaces. Public realm should be comprehensible at a human scale using gateways, focal points and landmarks as appropriate to help people find their way.

9.8 London Plan policy 7.6 sets out a series of overarching design principles for development in London, seeking to incorporate the highest quality materials and design appropriate to its context. The policy seeks building and structures to be inter alia:

- 1) Of the highest architectural quality;
- 2) Of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm;
- 3) Comprise details and materials that complement;
- 4) Incorporate best practice in resource management and climate change mitigation; and
- 5) Meet the principles of inclusive design.

9.9 In terms of emerging policy, New London Plan draft policy D2 states that the density of development should be proportionate to the site's connectivity and access to public transport. Draft policy D3 sets out that all development must make the best use of land and use a design led approach to optimise the capacity of sites. Part B of the policy states that development proposals should have regard to form and layout, experience and respond to the quality and character of the surroundings.

9.10 Draft policy D4 states that the design of development proposals should be thoroughly scrutinised. The scrutiny of a proposed development's design should cover its layout, scale, height, density, land uses, materials, architectural treatment, detailing and landscaping. The design and access statement should explain the approach taken to these design issues.

9.11 New London Plan draft policy D5 Inclusive Design requires development proposals to achieve the highest standards of accessible and inclusive design. Design and access statements for development proposals should include an inclusive design statement. When dealing with historic buildings and heritage assets, careful consideration should be given to inclusive design at an early stage.

9.12 At a local level, policy C6 of the Local Plan seeks to promote access for all by expecting all buildings and places to meet the highest standards of accessibility and inclusive design.

9.13 Policy D1 of the Local Plan seeks to secure high quality design in development by requiring development to respond to local character and context, be highly sustainable

in design and construction, integrating well to the surrounding streets and townscape, comprises high quality architecture, is accessible for all and designed to minimise crime and anti-social behaviour.

- 9.14 Further detailed design guidance is set out within the Design CPG published in March 2019.
- 9.15 The Proposed Development has been designed by Stiff + Trevillion to an exemplary standard and architectural detail with careful and appropriate consideration for its surroundings.
- 9.16 The Site sits between the Bedford Square and Tottenham Court Road character areas which are set out in the Fitzrovia AAP which requires the Proposed Development to strike a balance between the role that Tottenham Court Road has in terms of its scale and prominence and the much finer grained historic character of Bloomsbury to the east.
- 9.17 Tottenham Court Road has a broadly consistent massing along its length with some taller buildings located to the south and west of the Site. The Proposed Development seeks to respond to the overall bulk and massing of the surrounding buildings on Tottenham Court Road which are largely the same height as the existing buildings at 247 Tottenham Court Road and 3 Bayley Street.
- 9.18 The same height of building wraps around to Bayley Street before stepping down with setbacks at level four and five to respond to the finer grain context of Morwell Street and beyond to Bedford Square. The massing is considered to be appropriate and strikes a balance between the two different townscape contexts.
- 9.19 The proposed material palette sees the Proposed Development primarily faced in a coloured terracotta along Tottenham Court Road, Bayley Street and part of Morwell Street, with the remainder a light brick to provide a more calm, unified backdrop in keeping with the character of Morwell Street. At ground and first floor level, a dark grey basalt stone is proposed to express the base of the building to encourage public use and activity.
- 9.20 At first floor, larger windows behind steel balustrades provide a transition to the lighter terracotta material and introduce the curved baroque form. The upper parapet

features a scalloped top along the Tottenham Court Road and Bayley Street elevation which provides articulation to the top of the building. The terracotta tiles would be expressed with vertical detailing which would reflect light at different times of the day to emphasise the quality and visual interest of these facades.

9.21 The Proposed Development has responded to feedback from Camden’s Design Review Panel by:-

- Incorporating passive natural ventilation within the new façade;
- Setting back the fourth and fifth floor facing Morwell Street to better respond to the scale and grain of this street;
- Contributing to the delivery of a pocket park on the southern side of Bayley Street to promote greening and social interaction;
- Introducing a coloured terracotta and providing additional detailing to the façade to give further emphasis and prominence along Tottenham Court Road; and
- Adding a scalloped finish to the upper parapet to articulate and break up the massing.

9.22 The Proposed Development would provide level access to all uses and entrances into the building which is currently not facilitated in any of the existing buildings. The shared office reception/café space would be accessible to all members of the public to maximise activity.

9.23 It is considered that the Proposed Development would secure the delivery of a high-quality building that respects and positively responds to the local context and character by striking a balance between the contrasting scales of Tottenham Court Road and Morwell Street, beyond to Bedford Square. The building has been designed to be highly sustainable and provide active frontages to design out crime and antisocial behaviour along Morwell Street. The Proposed Development is considered to fix a “broken tooth” along Tottenham Court Road and would contribute to the ongoing rejuvenation of the wider area.

9.24 It is considered the Proposed Development would provide an exemplary and highly sustainable design in a prominent location. The proposals have also been considered by Camden’s Design Review Panel. The proposals therefore fully comply with the

NPPF, London Plan policy 2.10, 7.1, 7.2, 7.4, 7.5 and 7.6, New London Plan draft policy D2-D5, Local Plan policy D1 and C6 and the Design CPG.

10 Historic Environment and Townscape

- 10.1 This section considers the Proposed Development against relevant national, regional and local heritage planning policy and guidance relating to designated heritage assets, archaeology and townscape. This section also considers the Proposed Development in respect of townscape views and impact heritage assets, notably the setting of one the Grade I Listed terraces on Bedford Square.
- 10.2 A full analysis of the impact of the proposed development on designated heritage assets is included within the submitted Townscape, Visual Impact and Heritage Assessment (“TVIHA”), prepared by Peter Stewart Consultancy and Miller Hare and submitted as part of the application and should be read alongside this Section of this Statement.

Policy and Statutory Context

- 10.3 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) states that in considering whether to grant planning permission for development which affects a listed building or its setting, the decision maker shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 7.6 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 sets out that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of conservation areas.
- 10.4 The need to apply this test was reiterated by the Court of Appeal in the case of *Catesby Estates Ltd v Steer and Secretary of State for Communities and Local Government v Steer* [2018] EWCA 1697 sets out three general principles to be applied when considering the setting of a Listed Building. The Judgement sets out at paragraphs 28 to 30, *inter alia* that:-
- (1) It is necessary for the decision maker to understand what the setting of a listed building encompasses even if its extent is difficult to delineate exactly, and whether the proposed development is within the setting, or related to it in some way;

- (2) There is no single approach to identify the extent of a listed building's setting and how one experiences a listed building within its changing surroundings are not limited only to sight;
 - (3) Where, when and how the setting of a Listed Building is perceived and any harm caused to it should be considered in line with the planning balance by the decision maker, both in terms of the NPPF and the presumption in favour of sustainable development.
- 10.5 The Judgement is clear that the *setting* of a Listed Building is not limited to how one *visually* experiences a heritage asset through sense of sight; in judging the impact development may have on the significance of a Listed Building and its setting, regard should be given to its physical surroundings and how that informs the relevant "experience" of that heritage asset.
- 10.6 The Government has attached great importance to conserving and enhancing the historic environment at Chapter 16 of the NPPF.
- 10.7 Paragraph 187 of the NPPF sets out that local planning authorities should maintain, or have access to a historic environment record containing up to date evidence to assess the significance of heritage assets and the contribution they make, and predict the likelihood that currently unidentified heritage assets, particularly sites of historic and archaeological interest, will be discovered in the future.
- 10.8 Paragraph 189 of the NPPF states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.
- 10.9 As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

- 10.10 Paragraph 192 of the NPPF states that in determining planning applications, local planning authorities should take account of:
- The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - The positive contribution that conservation of heritage assets can make to sustainable communities including their economic viability; and
 - The desirability of new development making a positive contribution to local character and distinctiveness.
- 10.11 Paragraph 193 states that, when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 10.12 Paragraph 196 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 10.13 The NPPG on Conserving and Enhancing the Historic Environment provides further guidance in assessing the impact of development proposals which effect heritage assets. It sets out that "significance" derives not only from a heritage asset's physical presence, but also from its setting. It sets out that "Public Benefits" may follow from many developments and could be anything that delivers economic, social or environmental objectives as described at Paragraph 8 of the NPPF.
- 10.14 London Plan Policy 2.10 seeks to sustain and enhance the distinctive environment and heritage of the CAZ, recognising both its strategic components and other features including distinctive buildings and historic heritage, through high quality design and urban management.
- 10.15 London Plan Policy 7.8 states that development should identify, value, conserve, restore and reuse and incorporate heritage assets where appropriate. Development which affects heritage assets should conserve their significance by being sympathetic to their form, scale, materials and architectural detail.

- 10.16 The policy goes on to state that new development should make provision for the protection of archaeological resources, landscapes and significant memorials. The physical assets should, where possible be made available to the public on-site. Where the archaeological or memorial assets cannot be preserved or managed on-site, provision must be made for the investigation, understanding, recording, dissemination and archiving of that asset. This position is supported at draft policy HC1 of the New London Plan.
- 10.17 London Plan Policy 7.12 states new development should not harm, and where possible should make a positive contribution to, the characteristics and composition of the strategic views and their landmark elements. Development in the foreground and middle ground of a designated view should not be overly intrusive, unsightly or prominent to the detriment of the view.
- 10.18 Policy D2 of the Local Plan states that the Council will preserve and where appropriate, enhance Camden's rich and diverse heritage assets and their settings. In respect of designated heritage assets, the Council will not permit development that results in harm that is less than substantial to the significance of a designated heritage assets unless the public benefits of the proposal convincingly outweigh that harm.
- 10.19 In respect of archaeology, the policy states that the Council will protect remains of archaeological importance by ensuring acceptable measures are taken proportionate to the significance of the heritage asset to preserve them and their setting, including physical preservation, where appropriate.

Heritage Impact

- 10.20 The TVIHA, prepared by Peter Stewart Consultancy concludes that there is no harm caused to the setting of any nearby heritage assets. In the event that the decision makers take a different view, it is considered that the public benefits flowing from the development are significant and in line with paragraph 196 of the NPPF, where the level of harm is assessed to be less than substantial harm, this harm should be outweighed by the public benefits of the proposals. The public benefits arising from the proposals are set out below.

Environmental Benefits

- 10.21 The positive impacts that will be delivered as a result of the Proposed Development will greatly improve the local environment by:-
- i. Providing a highly sustainable new building which uses recycled and low carbon materials;
 - ii. Improvement to the townscape and street scene by creating a new, coherent building of a high-quality design;
 - iii. Delivering a building which achieves a BREEAM score of “Excellent” for the office and retail elements and achieves low operational carbon with a 50.2% reduction in CO2 for the whole development, which goes a long way to meeting zero carbon;
 - iv. Creating car free development and removing the existing office car parking on site;
 - v. Promoting sustainable modes of travel with a focus on cycling and exemplary end of trip facilities;
 - vi. Providing urban greening at roof level and along the new terraces to provide biodiversity and ecology benefits; and
 - vii. Contributing to new public realm and open space by providing a new parklet on the south side of Bayley Street to complement the West End Project;

Economic Benefits

- 10.22 The Proposed Development makes a number of economic contributions to Camden through:-
- i. Providing new high-quality flexible office accommodation in an identified area of economic growth to provide jobs for approximately 1,000 workers in use;
 - ii. Providing workspace which adds to the Borough’s workspace offering for a variety of different tenants;
 - iii. The employment density will increase as a result of the Proposed Development through more efficient floorplates;
 - iv. Flexible ground and basement floor uses which can cater for future demand
 - v. Optimising the use of land to maximise the area which can be built upon;
 - vi. Investment in the Camden economy through local procurement during construction; and

- vii. Provision of new high-quality active frontages along 90% of the development with new flexible retail uses.

Social Benefits

10.23 The Proposed Development makes a contribution to social well-being in Camden through:-

- i. Reducing crime and antisocial behaviour through design improvements and increasing natural and passive surveillance on Morwell Street;
- ii. Contributing to new public open space along Bayley Street and the further implementation of the West End Project;
- iii. Opportunities for local people to undertake construction apprenticeships;
- iv. New policy compliant mix of homes for residents which are high quality with private amenity space;
- v. Sustainable office space for workers with a focus on wellbeing;
- vi. Providing level access to all uses of the building which is not provided in the existing arrangement; and
- vii. Provision of publicly accessible café/lounge in the office reception which is welcoming to all.

10.24 Cumulatively, the Proposed Development would see the delivery of environmental, economic and social public benefits which when considered holistically are substantial. In line with Paragraph 196 of the NPPF, it is considered that these substantial public benefits significantly outweigh any harm that could be perceived as a result of the Proposed Development.

Townscape Impacts

10.25 It was agreed during pre-application engagement with Camden Officers that ten Accurate Visual Representations (“AVRs”) would be prepared to inform the impact of the Proposed Development on the townscape.

10.26 The TVIHA concludes that the Proposed Development is high quality, well detailed architecture which leads to a positive impact on the surrounding streetscape through the opening up of the ground floor plane and the pedestrian experience which would

be a high quality addition to the immediate and surrounding townscape with limited visibility of the Proposed Development in longer distance views.

10.27 The TVIHA concludes that the Proposed Development forms part of the setting of some Listed Buildings in the vicinity of the Site but does not contribute to their significance. It is considered that the Proposed Development does not have any impact on the character or heritage significance, or cause any harm to:-

- The Bloomsbury Conservation Area;
- The Grade I Listed terraces on the western side of Bedford Square; or
- Bedford Square (a Grade II Registered Park and Garden).

10.28 If the decision maker was to disagree with this assessment, it is considered that any harm is very much at the lower end of “less than substantial” and is clearly outweighed by the economic, social and environmental benefits of the proposals. The Proposed Development is therefore considered to comply with the statutory tests, the NPPF, London Plan policies 2.10 and 7.8, New London Plan draft policy HC1 and Local Plan policy D2.

Archaeological Impacts

10.29 The Site is located within the Lundenwic Tier 2 Archaeological Proximity Area. The Proposed Development includes basement excavation and piling, accordingly an Archaeological Desk-Based Assessment (“DBA”) has been prepared by Cotswold Archaeology to assess any potential impact on below ground heritage assets and any mitigation measures.

10.30 The DBA sets out that there are no designated below ground assets within the Site, however there is limited potential for prehistoric activity, historic agricultural activity, remains of the English Civil War and the post medieval expansion and settlement of London’s suburbs. The Site has been subject to development throughout the 19th and 20th Century which is likely to have displaced or truncated below ground heritage assets.

10.31 The DBA concludes that while there is the possibility that historic and modern urban development within the Site has truncated any such remains, although fragmentary survival cannot be ruled out. Any archaeological remains present within the Site are

unlikely to comprise remains of the highest significance (i.e. to warrant scheduling). It is therefore considered that the potential archaeological resource within the Site would not require preservation in situ, nor would it preclude development.

- 10.32 It is considered that impacts upon the potential archaeological remains could be mitigated through a proportionate programme of archaeological fieldwork which could be controlled via planning condition in consultation with the Greater London Archaeological Advisory Service (GLAAS). The Proposed Development therefore complies with the NPPF, London Plan Policy 7.8 and policy D2 of the Local Plan.

11 Energy, Sustainability and Public Realm

- 11.1 This section considers the Proposed Development against relevant planning policy regarding energy and sustainability.
- 11.2 At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.
- 11.3 The NPPF contains the Government's policy on climate change. Paragraph 149 states that local planning authorities are required to adopt proactive strategies to mitigate and adapt to climate change. Paragraph 150, states that to support the move to a low carbon future, local planning authorities should plan for new development in locations and ways that reduce greenhouse gas emissions; such as through its location, orientation and design. Any local requirements for the sustainability of buildings should reflect the Government's policy for national technical standards.
- 11.4 Chapter 5 of the London Plan considers climate change. Policies 5.1 and 5.2 of the London Plan focus specifically on how to mitigate climate change and the carbon dioxide emissions reduction targets that are necessary across London to achieve this. Developments are required to make the fullest contribution to tackling climate change by minimising carbon dioxide emissions (Be Lean), adopting sustainable design and construction measures and prioritising decentralised energy (Be Clean), including renewables (Be Green), in accordance with Policy 5.2. This Policy sets out the London Plan requirement to reduce carbon emissions by 40% over a Part L2A 2010 baseline for new buildings during the period 2013-2016.
- 11.5 Policy 5.3 states that developments should demonstrate that sustainable design standards are integral to the proposal, including its construction and operation, and ensure that they are considered at the beginning of the design process in accordance with the Mayor's sustainable design principles.
- 11.6 Furthermore, Policy 5.5 of the London Plan states that the Mayor expects 25% of the heating power used in London to be generated through the use of localised decentralised energy systems by 2025.

- 11.7 London Plan Policy 5.7 relates to renewable energy and seeks to increase the proportion of energy generated from renewable sources. Major development proposals should provide a reduction in expected carbon dioxide emissions through the use of on-site renewable energy generation, where feasible.
- 11.8 Policy 5.10 promotes and supports urban greening and advises that development proposals should integrate green infrastructure from the beginning of the design process to contribute to urban greening. Draft policy G5 of the New London Plan states that major development proposals should contribute to urban greening and sets a target urban greening factor score of 0.3 for predominantly commercial development.
- 11.9 In support of the policies of the London Plan, the Mayor's SPG on Sustainable Design and Construction provides the context for all developments and provides a mechanism for addressing climate change impacts through new developments. As an update to the 50% carbon reduction target set out in London Plan policy 5.2, the SPG states that the Mayor will adopt a flat carbon dioxide improvement target beyond Part L 2013 of 35% to both residential and non-residential development.
- 11.10 In terms of emerging policy, New London Plan draft policy SI2 states that major development should be net zero carbon by achieving reductions in greenhouse gases in operation and through the energy hierarchy of; "be lean, be clean, be green, be seen". Part C of the policy sets out that a minimum on site reduction of 35% is required for major development, 15% of which should be achieved through energy efficiency measures for non-residential development. Paragraph 9.2.4 of the New London Plan states that the zero-carbon target for major non-residential developments applies on final publication of the Plan, meaning that the weight test in line with paragraph 48 of the NPPF does not apply to draft policy SI2.
- 11.11 In July 2019, Camden declared a climate emergency and subsequently published a Climate Action Plan setting out how the Council will work towards zero carbon by 2020.
- 11.12 Policy A2 of the Local Plan seeks to protect, enhance and improve access to parks, open space and green infrastructure. The Council will seek to secure new and enhanced open space provision through Section 106 Contributions and the Community Infrastructure Levy by applying a standard of 9sqm per residential

occupier, and 0.74 sqm per commercial occupier. If there is no realistic means of direct provision, the Council may accept a financial contribution in lieu of on site or off site provision.

- 11.13 Policy CC1 of the Local Plan sets out that the Council will require all developments to minimise the effects of climate change and encourage all developments to meet the highest feasible environmental standards that are financially viable during construction and occupation by promoting zero carbon development, requiring all development to reduce carbon dioxide emissions through the London Plan energy hierarchy and to promote sustainable travel.
- 11.14 Part E of the policy requires all proposals that involve substantial demolition to demonstrate that it is not possible to retain and improve the existing building. The supporting text at paragraph 8.17 of the Plan states that all proposals for substantial demolition and reconstruction should be fully justified in terms of the optimisation of resources and energy use, in comparison with the existing building. Paragraph 8.19 of the Plan states that the Council will expect developers to consider the service life of buildings and their possible future uses to optimise resource efficiency.
- 11.15 Policy CC2 of the Local Plan requires all development to be resilient to climate change by promoting sustainable design and construction measures. Developments involving conversions of over 500sqm should achieve BREEAM “Excellent” non-domestic buildings.
- 11.16 Policy CC3 of the Local Plan seeks to reduce flood risk and maximise water efficiency through the use of Sustainable urban Drainage Systems (SuDS) to achieve greenfield runoff rates where feasible.
- 11.17 The Water and Flooding CPG published in March 2019 sets out detailed standards for promoting water efficiency including rain water harvesting, recycling water through grey water systems and SuDS.
- 11.18 A suite of documents have been prepared and submitted with the application regarding sustainability. The Design and Access Statement, prepared by Stiff + Trevillion, Energy Statement and Sustainability Statement, prepared by Watkins Payne Partnership and the Whole Life Cycle Carbon Assessment, prepared by Hoare Lea should all be read alongside this Statement.

- 11.19 The submitted Energy Statement sets out that the Proposed Development overall is set to achieve a 50.2% reduction in CO2 emissions. The commercial office element is set to achieve a 58.06% reduction, and the commercial retail element is set to achieve a 10.13% reduction against the 2013 (with amendments from 2016) Part L2A Building Regulations as a result of these measures. The residential element is set to achieve a 64.4% reduction in CO2 emissions against the 2013 (with amendments from 2016) Part L1A Building Regulations. Overall the development would achieve a 50.2% reduction over the notional building.
- 11.20 The development would feature a mixed mode ventilation system to minimise energy demand in temperate periods with openable vented panels for the office and residential elements of the building.
- 11.21 The use of low carbon technologies and building materials leads to an indicative shortfall of 62.25 tonnes of CO2 per annum which would be addressed with a carbon off-setting contribution which has been calculated in line with New London Plan draft policy SI2 as £177,414.74 to achieve zero carbon for the development. In line with paragraph 9.2.4 of the New London Plan, a carbon offsetting contribution would only be required if the New London Plan is published at the point the application is determined.
- 11.22 A BREEAM pre-assessment indicates that the Proposed Development will achieve an “Excellent” score for both the office and retail elements (72.79% and 71.32% respectively).
- 11.23 A detailed Whole Life Cycle Assessment (“WLCA”), prepared by Hoare Lea has been submitted as part of the Sustainability Statement. It sets out that in this case, demolishing the buildings on Site would be the most sustainable solution over a sixty-year period due to the reductions which can be achieved in operational carbon, despite the embodied carbon spend.
- 11.24 Camden’s Design Review Panel commended the Applicant’s approach to sustainability and noted that the proposals put forward a credible argument for demolishing the buildings.
- 11.25 It has proven that it is neither feasible, nor the *most* sustainable option in the long term, to retain the existing building structure, primarily because of the buildings age

and the extent of intervention that would be required to bring it up to modern standards as part of even the most basic refurbishment.

11.26 The WLCA considers two refurbishment scenarios which explore retaining the existing structure of 247 Tottenham Court Road, one where the existing façade is retained, and one where a new façade is installed. The following works would need be undertaken (as a minimum) to bring the building up to modern standards:-

- Demolition of all buildings except 247 Tottenham Court Road;
- Removal of the existing building façades;
- Demolition of part of the existing slabs to introduce new cores (the existing building only has one lift);
- Demolition of the ground floor slab to achieve level access and facilitate basement excavation;
- Substantial structural strengthening to support the weight of a new energy efficient façade;

11.27 The level of investment in refurbishing a building must be commensurate with the commercial returns associated with the cost of the works and it is not economically feasible to install high specification plant equipment in a refurbishment as is possible in a new build. Consequently, if a refurbishment was pursued for this Site, the level of investment into efficient operational plant equipment would not be as high as a new build and would not be as operationally efficient. The WLCA estimates that a new build development would be more sustainable when considering operational and embodied carbon 15 years after completion of construction.

11.28 In redeveloping the Site, this presents an opportunity to design in sustainability at the outset and future proof the building for at least sixty years, if not more. Low carbon construction including the proposed terracotta material would seek to minimise the future embodied carbon in the building. The existing basement retaining wall would also be retained.

11.29 The proposed floor to ceiling heights are the same continuously throughout the floorplates for all uses to ensure that the building is adaptable for alternative uses in the future and to allow for a continuous glazing treatment along Morwell Street. The highly efficient glazing proposed on all elevations is almost floor to ceiling which

maximises the amount of natural light to minimise energy usage and promote wellbeing. This would enable the use of the building to change in the future with minimal interventions to the Proposed Building.

- 11.30 In terms of water and drainage, the Proposed Development will provide attenuation and blue/green roofs to achieve a greenfield runoff rates. In terms of urban greening, a 576 sqm extensive green roof is proposed at roof level which would result in an urban greening factor score of 0.21. Whilst this is below the suggested target of 0.3, the Proposed Development is considered to contribute towards urban greening.
- 11.31 In terms of open space, the Site is within a densely developed urban environment with limited opportunities for on-site provision of new open space. The Proposed Development could deliver part of the West End project with a new pocket park located on the south side of Bayley Street which would contribute to the delivery of new public open space in Camden. It is anticipated that a Section 106 Open Space Contribution which has been calculated as £159,964 could be used to fund the delivery of the pocket park.
- 11.32 The Proposed Development will be highly sustainable and fully accord with the NPPF and the presumption in favour of sustainable development, London Plan policy 5.2-5.5, the Mayor's Sustainable Design and Construction SPG, New London Plan draft policy SI2 and G5, Local Plan policy A2, CC1-CC3, and the Water and Flooding CPG.

12 Transport, Air Quality and Amenity

Daylight, Sunlight and Amenity

- 12.1 Paragraph 127 of the NPPF refers to securing a good standard of amenity for all existing and future occupants of land and buildings.
- 12.2 Policy 7.6 of the London Plan states that planning decisions in respect of buildings and structures should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy and overshadowing.
- 12.3 Draft Policy D13 of the New London Plan introduces the Agent of Change principle which seeks to manage noise and other potential nuisances through good design and locating uses in appropriate locations.
- 12.4 Policy A1 of the Local Plan sets out how the Council will manage the impact of development to protect the quality of life of occupiers and neighbours. The policy states that planning permission will be granted unless it causes unacceptable harm to residential amenity. To protect residential amenity, the Council will consider:-
- Visual privacy and outlook;
 - Sunlight, daylight and overshadowing;
 - Artificial lighting levels;
 - Transport impacts;
 - Construction phase impacts;
 - Noise and vibration levels;
 - Odour, fumes and dust;
 - Microclimate;
 - Contaminated land; and
 - Impact upon water and wastewater infrastructure.
- 12.5 The Proposed Development has been assessed in terms of its potential for impact on the amenity of the surrounding sensitive receptors. A Daylight and Sunlight Analysis has been prepared by Point 2 which has been submitted as part of the planning application.

- 12.6 Having regard for the findings of the Vertical Sky Component (VSC) and No Sky Line (NSL) tests for daylight and Annual Probable Sunlight Hours (APSH) test for sunlight, there is one property which experiences reductions beyond the BRE guidelines at 26 Morwell Street. The Assessment has considered six neighbouring properties in total, other than 26 Morwell Street, all windows meet the BRE guidance for daylight and sunlight.
- 12.7 26 Morwell Street has five windows which face the Site and serve three different flats. It has not been possible to obtain all room layouts and uses due to the covid-19 pandemic not enabling a site visit, the Assessment nonetheless sets out the daylight and sunlight losses experienced at the property.
- 12.8 In terms of daylight reductions, of the five windows, two experience a slight reduction between 24% and 25% VSC.
- 12.9 Two out of the three remaining rooms will meet the standards for NSL with one window at ground floor serving a bedroom experiencing a 22.8% reduction in NSL. These reductions are considered to be acceptable in this central urban location.
- 12.10 In terms of sunlight, all three rooms which have Site facing windows orientated within 90 degrees of due south have retained values below the BRE guidance for APSH. The retained values are considered to be good or reasonable given the Sites central urban location. The retained winter APSH levels are between 3% and 6% with the annual retained APSH levels ranging from 15% to 25%.
- 12.11 A radiance study has been undertaken to ascertain how the levels of daylight distribution in each room is altered with the Proposed Development in place. Whilst not part of the BRE guidance, it is considered to be a useful tool for Local Authorities to understand the losses in light, particularly where these are minor absolute reductions to properties with low levels of existing light. The introduction of a light, semi-reflective material has been included in the radiance test. These show that the levels of light distribution do not materially change within with each room.
- 12.12 On balance, whilst some of the windows experience reductions for VSC, NSL and ASPH in excess of BRE guidance for some windows within 26 and 26a Morwell Street, the existing daylight levels are low and therefore the actual reduction in daylight levels is relatively low. Point 2 have prepared a comprehensive analysis which concludes

that the light loses to neighbouring properties will not alter how any of the most impacted rooms are used, and it is therefore considered that the proposals comply with Local Plan Policy A1.

Transport, Servicing and Cycle Parking

12.13 Chapter 9 of the NPPF sets out the Government's policies with regards to Transport. The overall aims are to promote solutions that support a reduction in greenhouse gas emissions and reduce congestion and will contribute to wider sustainability and health objectives. The NPPF outlines aims for a transport system balanced in favour of sustainable transport modes, in order to give people a real choice about how they travel. It also encourages solutions which support reductions in greenhouse gas emissions and reduce congestion. Paragraph 108 of the NPPF states it should be ensured that:

- appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
- safe and suitable access to the site can be achieved for all users;
- any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

12.14 London Plan Policy 6.1 'Strategic Approach' examines the integration of transport and development and as such:

- Encourages patterns and forms of development that reduce the need to travel especially by car;
- Seeks to improve public transport capacity and accessibility where it is needed, for areas of greatest demand and areas designated for development and regeneration, including the CAZ and Opportunity Areas;
- Supports, in general, high trip generating development only at locations with both high levels of public transport accessibility and capacity, sufficient to meet the transport requirements of the development. Parking provision should reflect levels of public transport accessibility;
- Supports measures that encourage shifts to more sustainable modes and appropriate demand management; and

- Promotes walking by ensuring an improved urban realm.
- 12.15 London Plan policy 6.9 states that “the Mayor will work with all relevant partners to bring about a significant increase in cycling in London, so that it accounts for at least 5% of the modal share by 2026. He will:
- Identify, promote and implement a network of cycle routes across London which will include Cycle Superhighways and Quietways;
 - Continue to operate and improve the cycle hire scheme; and
 - Fund the transformation of up to four outer London borough town centres into cycle friendly ‘mini- Hollands’.
- 12.16 The policy also states that “Developments should:
- Provide secure, integrated and accessible cycle parking facilities in line with the minimum standards;
 - Provide on-site changing facilities and showers for cyclists;
 - Contribute positively to an integrated cycling network for London by providing infrastructure that is safe, comfortable, attractive, coherent, direct and adaptable and in line with the guidance set out in the London Cycle Design Standards; and
 - Provide links to existing and planned cycle infrastructure projects including Cycle Superhighways, Quietways, the Central London Grid and the ‘mini-Hollands’.
- 12.17 London Plan Policy 6.13 seeks to preventing excessive car parking provision that can undermine cycling, walking and public transport use.
- 12.18 In terms of emerging policy, New London Plan draft policy T5 sets out minimum cycle parking standards for new developments. Table 10.2 requires:-
- For office (Class B1) uses, one space per 75 sqm GEA for long stay cycle parking, for short stay cycle parking, the requirements are 1 space per 500sqm GEA for the first 5,000sqm, and thereafter 1 space per 5,000sqm GEA.
 - For residential (Class C3) uses, two spaces per dwelling (for dwellings larger than 1 bedroom) for long stay cycle parking, and two spaces for between 5 and 40 dwellings for short stay;
 - For retail use (Class A1), one space per 250sqm GEA for long stay cycle parking, and one space per 60 sqm GEA for short stay cycle parking.

- For other retail uses (Class A2-A4), the requirements are one space per 175 sqm GEA for long stay, and 1 space per 20 sqm GEA short stay.
- 12.19 Policy T1 of the Local Plan seeks to promote sustainable transport by prioritising walking, cycling and public transport in Camden by supporting public realm improvements and the pedestrian environment, promoting cycling and providing high quality parking and end of trip facilities in developments. Policy T2 of the Local Plan requires all new development in the Borough to be car free. Policy T4 of the Local Plan requires developments over 2,500sqm to provide Construction Management Plans, Delivery and Servicing Management plans and Transport Assessments.
- 12.20 The Transport CPG published in March 2019 provides detailed guidance relating to deliveries and servicing, cycle parking and end of trip facilities.
- 12.21 The Proposed Development would be car free and remove the existing car parking spaces from the basement which would be beneficial in promoting sustainable travel. There are two blue badge spaces along Morwell Street which could be utilised by the site if required.
- 12.22 On street loading from Morwell Street is proposed in order to maximise activity at ground floor level and provide dedicated entrances for the various uses proposed within the building. It should be noted that this is no different to the existing scenario. A Framework Delivery and Servicing Management Plan has been prepared by Momentum which sets out how this would be managed.
- 12.23 It is anticipated that vehicle movements would increase by two trips to a total of 21 servicing movements a day, of which three would be during peak hours. No additional peak hour trips would occur compared to the existing arrangement. This would be controlled in terms of hours of operation which would ultimately represent a benefit over the existing, unregulated and informal arrangement. It is considered that the Proposed Development would have a negligible impact on the surrounding road network given the small uplift in total servicing trips when compared with the existing arrangement.
- 12.24 While the Council promote off-street servicing in redevelopments sites, it is considered that on balance this would have a detrimental impact on the ground plane

of the proposed development and prejudice active uses and frontages, particularly on Morwell Street.

- 12.25 Long stay cycle parking is proposed in line with the New London Plan standards at policy T5 and table 10.2 for all uses within the building. The office end of trip facilities within the building are located in the basement level beneath the office reception with a gulled stair and dedicated cycle lift providing access.
- 12.26 Long-stay cycle parking for the Proposed Development is provided within the basement with associated end of trip facilities in line with the Draft New London Plan standards. The requirement has been assessed by assuming a split of the flexible retail uses, which results in a requirement for 150 spaces (136 for the commercial, 16 for the residential) with changing rooms, showers, lockers, a cycle concierge and a dedicated gullied staircase and lift for cycles which would be accessible from Morwell Street leading directly into the basement facilities.
- 12.27 The 136 long stay cycle parking for the commercial uses is provided in the following forms:-
- 94 spaces (70%) are provided in the form two tier racks;
 - 19 spaces (14%) are provided in the form of folding cycle lockers;
 - 17 spaces (12.5%) are provided as CaMden Sheffield Stands; and
 - 5 spaces (3.5%) are provided as recumbent spaces.
- 12.28 A total of 14 showers with 87 lockers are also provided within the basement together with a dedicated area for cycle maintenance and a drying cupboard to incentivise cycling and a mode shift to more sustainable methods of travel. The cycle facilities would have access to the primary office core and the retail back of house areas which provide access to all units.
- 12.29 The commercial short stay cycle parking requirement is for 62 spaces. It is proposed to provide majority of these within the public realm and the office reception space, including the relocation and expansion (+6 spaces) of the existing Santander docking station on Bayley Street. The proposed breakdown is as follows:-
- 26 spaces (14 CaMden Sheffield Stands) – Tottenham Court Road (western side);

- 26 spaces (6 new spaces) – Santander Docking Station relocation to Tottenham Court Road north of the junction with Percy Street;
- 5 spaces (hanging racks) – Office reception space; and
- 26 spaces (14 CaMden Sheffield Stands) – Bayley Street Parklet.

12.30 It is envisaged that the delivery of these spaces would be secured via Section 278 Agreement.

12.31 The 14 long stay spaces and 1 short stay space for the residential would be provided in a dedicated cycle store accessed directly from Morwell Street.

12.32 It is considered that the Proposed Development would make a substantial contribution to sustainable travel modes, with exemplary end of trip facilities which are prominently located alongside the main entrance. It is considered that the Proposed Development fully complies with New London Plan draft policy T5, Local Plan policies T1, T2 and T4 and the Transport CPG.

Noise

12.33 The NPPF contains guidance on noise management in planning decisions. Paragraph 180 states that decisions should aim to avoid noise giving rise to significant impacts on quality of life as a result of development and mitigate noise impacts.

12.34 Policy 7.15 of the London Plan, 'Reducing Noise and Enhancing Soundscapes' aims to support the Mayor's Ambient Noise Strategy. The reduction of noise resulting from developments, and screening of them from major noise sources, is sought under this policy.

12.35 Draft London Plan Policy D12 states the 'Agent of Change' principle places the responsibility for mitigating impacts from existing noise and other nuisance-generating activities or uses on the proposed new noise-sensitive development.

12.36 Policy A4 of the Local Plan sets out that noise and vibration in developments will be managed, and planning permission will only be granted for noise generating equipment (including plant and machinery) if it can be operated without causing harm to amenity. Detailed standards are set out in Appendix 3 of the Local Plan.

Assessment

- 12.1 An Acoustic Report has been prepared by AECOM and has been submitted with the application. An assessment has been carried out into the tonal plant noise arising from the new plant equipment at roof level and the substation proposed at ground floor level in terms of the nearest sensitive occupiers. The background noise assessments were not able to be carried out in advance of the covid-19 lockdown which has resulted in very low levels of background noise in Central London.
- 12.2 It has been agreed with Officers during the pre-application stage that appropriate baseline levels could be estimated from nearby developments and reasonable assumptions. It is envisaged that the submission of revised noise limits in line with an updated background noise assessment on site will be reserved by planning condition.
- 12.3 The analysis concludes that all proposed tonal plant equipment and the substation would meet the relevant noise limits to nearby sensitive receptors, including the proposed new residential accommodation.
- 12.4 The Proposed Development therefore complies with London Plan policy 7.15, Draft London Plan policy D12 and Local Plan policy A4.

Air Quality

- 12.5 In relation to Air Quality, London Plan Policy 7.14 states that development proposals should minimise increased exposure to existing poor air quality and make provision to address local problems of air quality (particularly within Air Quality Management Areas). Sustainable design and construction should be promoted to reduce emissions from the construction of buildings, and proposed development should be at least 'air quality neutral'.
- 12.6 Draft London Plan Policy SI1 aims to tackle poor air quality, protect health and meet legal obligations by ensuring development proposals should not:
- a) lead to further deterioration of existing poor air quality
 - b) create any new areas that exceed air quality limits, or delay the date at which compliance will be achieved in areas that are currently in exceedance of legal limits
 - c) create unacceptable risk of high levels of exposure to poor air quality

- 12.7 In order to meet the requirements as a minimum:
- a) Development proposals must be at least air quality neutral
 - b) Development proposals should use design solutions to prevent or minimise increased exposure to existing air pollution and make provision to address local problems of air quality in preference to post-design or retrofitted mitigation measures
 - c) Major development proposals must be submitted with an Air Quality Assessment. Air quality assessments should show how the development will meet the requirements of B1 Development proposals in Air Quality Focus Areas or that are likely to be used by large numbers of people particularly vulnerable to poor air quality, such as children or older people, which do not demonstrate that design measures have been used to minimise exposure should be refused.
- 12.8 Policy CC4 of the Local Plan sets out that the Council will ensure the impact of development on air quality is mitigated, requiring Air Quality Assessments where developments are likely to have an impact on Air Quality and provide mitigation measures for residential uses.
- 12.9 The submitted Air Quality Impact Assessment, prepared by AECOM concludes that the results of the construction phase assessment indicate that, in the absence of mitigation, demolition and construction phase impacts associated with the Proposed Development can be described as low to medium risk with regard to dust soiling, and negligible to low risk in terms of human health impacts. There are a range of mitigation measures which can be followed to reduce the nuisance and human-health impacts of the dust and PM₁₀ which, if effectively implemented, can reduce impacts to an insignificant level.
- 12.10 The operational impact of the Proposed Development on local air quality was assessed at 12 off-site receptor locations representing existing sensitive receptors. Predicted NO₂ concentrations are predicted to be above the annual mean air quality objective of 40 µg/m³ at all the receptors except for R6, R7 and R8 for both the Without and With Development operational traffic scenarios. Annual mean PM₁₀ and PM_{2.5} concentrations are predicted to be below the EU limit value of 40 µg/m³ and 25 µg/m³

respectively at all modelled receptors for both the Without and With Development operational traffic scenarios.

- 12.11 Air quality impacts due to the Proposed Development at all existing receptor locations are predicted to be negligible, according to the EPUK/IAQM significance criteria. Overall, the Proposed Development operational traffic impacts on local air quality are not considered to be significant. The Assessment concludes that the Proposed Development is air quality neutral.
- 12.12 The Proposed Development therefore complies with London Plan policy 7.14, Draft London Plan policy S11 and Local Plan policy CC4.

13 Planning Obligations and the Community Infrastructure Levy

- 13.1 Under Section 106 of the Town and Country Planning Act 1990, as amended, local planning authorities have the power to enter into planning obligations with any person interested in land in their area for the purpose of restricting or regulating the development or use of the land.
- 13.2 The NPPF states that planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition. It repeats the tests set out above and then states that where planning obligations are being sought or revised, local planning authorities should take account of changes in market conditions over time and, where appropriate, be sufficiently flexible to prevent planned development being stalled (paragraphs 54-57).
- 13.3 Policy DM1 of the Local Plan sets out that Council will use planning obligations, where appropriate to (i) support sustainable development, (ii) secure the infrastructure, facilities and services to meet the needs generated by development and (iii) mitigate the impact of development.

Community Infrastructure Levy

- 13.4 Since 2012, all developments in London which result in the addition of over 100sqm GIA floorspace (with some exceptions including affordable housing) have been eligible to pay Mayoral CIL. In February 2019 the Mayor adopted a new charging schedule (MCIL2). MCIL2 came into effect on 1 April 2019 and supersedes MCIL1 and the associated Crossrail Funding SPG. The relevant MCIL2 rates are as follows:
- Office - £185 per sqm (Central London);
 - Retail - £165 per sqm (Central London);and
 - All other Development - £80 per sqm (Band 1 – Camden).
- 13.5 Camden CIL came into effect on 1 April 2015. The CIL tariff for sites located within Central Camden (i.e. Zone A) are charged at the following rates:
- Office - £45 per sqm;
 - Retail - £25 per sqm
 - Residential (10 or more dwellings/>1,00sqm GIA) - £150 per sqm; and

- Other commercial uses - £25 per sqm.

13.6 Camden submitted its revisions to the CIL Charging Schedule, on 19 February 2020. The Council held a virtual Examination Hearing on Wednesday 27 May 2020. On 26 June 2020, the Examiners report was published recommending that the Charging Schedule is approved. If the charging schedule is adopted and comes into force prior to grant of the planning permission these will become the relevant charging rates.

13.7 The draft CIL Charging Schedule (2020) within Zone A sets out the following rates:

- Office - £110 per sqm;
- Retail - £32 per sqm;
- Residential (10 or more dwellings/>1,00sqm GIA) - £193 per sqm; and
- Other commercial uses - £32 per sqm.

Developer Contributions CPG (March 2019)

8.1 The CPG sets out how the Council will use Section 106 Contributions and CIL to fund infrastructure in the Borough. It states that financial contributions will be sought in respect of affordable housing, open space, infrastructure to address the site specific and related impacts of development which may include financial, and non-financial contributions. Detailed guidance for calculating specific financial obligations is set out within the relevant CPGs.

Draft Heads of Terms

13.8 The Applicant's solicitor CMS Cameron McKenna Nabarro Olswang LLP ("CMS") have prepared draft heads of terms which are included at appendix B.

13.9 At this stage, it is anticipated that the following of S106 contributions and obligations involved with this development could include:

- Affordable Housing Contribution;
- Carbon Offset Contribution;
- Travel Plan monitoring;
- Employment and Training Contribution;
- Employment and local procurement;
- Apprenticeship support fee;

- Public open space contribution (towards a pocket park on the southern side of Bayley Street);
- Section 278 Highway works;
- Delivery and Servicing Management Plan;
- Basement works;
- Energy and Sustainability Plans;
- Construction Management Plan and CMP implementation support;
- Pedestrian Cycling and Environmental Contribution;
- Travel Plan Monitoring Contribution; and
- Processing and monitoring charges (£572 per head as of October 2018).

14 Summary and Conclusions

- 14.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires proposals to be determined in accordance with the statutory development plan unless material considerations indicate otherwise. This Town Planning Statement has assessed the Proposed Development against the development plan and other relevant planning policy and guidance at national, regional and local policy level.
- 14.2 The Proposed Development has been designed by Stiff + Trevillion to an exemplary standard to create a new, sustainable landmark building for Tottenham Court Road which also responds appropriately to the smaller scale, finer grain of Morwell Street and Bedford Square beyond. The Proposed Development would fix a “broken tooth” within Tottenham Court Road and replace the existing buildings on site with a new, highly sustainable mixed-use development which relates to its surroundings and enhances the immediate townscape.
- 14.3 Sustainability is a key driver for the Applicant and the design team in its broadest sense. In this case, it is clear that demolition is the most sustainable option when considering the impact in terms of embodied and operational carbon over a 60-year period. The building has been designed to be adaptable to future uses by keeping consistent floor to ceiling heights across the commercial and residential elements. The existing basement walls would be retained with as much of the existing materials to be recycled for use in the new building.
- 14.4 The Proposed Development seeks to mitigate climate change through completely new and highly efficient all electric plant equipment and renewable energy on site to work towards zero carbon. The development would feature a mixed mode ventilation system to minimise energy demand in temperate periods with openable vented panels for the office and residential elements of the building.
- 14.5 The existing buildings encompass a number of land uses which will be re-provided and enhanced to deliver a truly mixed-use development providing workspace and flexible retail uses to enliven and activate Tottenham Court Road as a primary retail frontage and new homes which meet current standards

- 14.6 The Proposed Development would see the delivery of social, environmental and economic benefits, including the implementation of part of the West End Project to provide new open space along Bayley Street. The proposal provides active frontages and natural/passive surveillance along Morwell Street which will in turn reduce issues relating to anti-social behaviour.
- 14.7 The Site benefits from excellent public transport accessibility and would delivery improvements to the pedestrian and cyclist experience in terms of the public realm and the end of trip facilities.
- 14.8 As set out in this Statement, the Application complies with the relevant statutory tests, policies within the NPPF, the London Plan, the Camden Local Plan, relevant emerging planning policy and the principles of the presumption in favour of sustainable development. From this Statement, it is concluded that there are no material considerations of sufficient weight to determine that these applications are other than in accordance with the Development Plan, on this basis, planning permission should be granted accordingly.

Appendix A – Planning History Schedule

Date Received	Reference No.	Type of Application	Description	Decision	Date of Decision
237-247 Tottenham Court Road, London, W1T 7HH/7QZ					
09 April 2008	2008/1349/P	Full Planning Permission	Installation of 2 air handling units at roof level for third floor office.	Application Granted	02 May 2008
07 September 2007	2007/4340/P	Full Planning Permission	Erection of rails and jibs at roof level of existing seven-storey building on Tottenham Court Road, Morwell and Bayley Street elevations to facilitate installation of a window cleaning cradle system.	Application Granted	25 October 2007
09 September 2005	2005/3680/P	Full Planning Permission	The installation of air conditioning plant with acoustic enclosure at roof level.	Application Granted	19 October 2005
13 August 2003	2003/1444/P	Full Planning Permission	Alterations to ground floor elevation including the installation of a vertical platform lift to provide disabled access.	Application Granted	29 August 2003
12 November 1991	9101244	Full planning permission	Erection of 2 x 3 storey buildings on rear service yards fronting Morwell Street to provide hairdressing school with ancillary storage and 2 one bedroom flats; and	Application Granted	30 January 1992

Date Received	Reference No.	Type of Application	Description	Decision	Date of Decision
			change of use of 1st floor of Nos.237-247 from school to Class B1 business use as a variation of the planning permission granted by letter dated 13th November 1990 (Reg.No.PL/9000239).		
15 May 1990	9000239	Full planning permission	Erection of 2 x 3 storey buildings on rear service yards fronting Morwell Street to provide hairdressing school with ancillary storage and 2 one bedroom flats; and change of use of 1st floor of Nos.237-247 from school to Class B1 business use as shown on drawing numbers 3522/11 12 13(01) 14(01) 15(01) 16(01) 17 18 6(01) and 3522/I.L.01 and I.L.02 and revised by letter dated 29th October 1990.	Application Granted	01 November 1990
21 February 1990	9000099	Full planning permission	The erection of plant room on roof at the south end of building as shown on drawing numbered TCP/16/P01.	Application Granted	17 May 1990
27 May 1987	8701902	Full planning permission	Repositioning of condenser of an air conditioning unit on the roof. As shown on drawing numbered SK1 and 1 unnumbered drawing.	Application Granted	12 August 1987

Date Received	Reference No.	Type of Application	Description	Decision	Date of Decision
16 March 1978	26241	Full planning permission	Erection of single storey building in basement area to the rear of the existing block.	Application Granted	04 May 1978
17 June 1970	9146	Full planning permission	Erection of a rectangular mild steel water shiller on the roof and alteration of one existing window to glass louvre at 237/247 Tottenham Court Road, W1.	Application Granted	22 July 1970
19 May 1970	9004	Full planning permission	Erection of 2 cooling towers on roof and alteration of 2 existing windows to glass louvres at existing office building at 237/247, Tottenham Court Road.	Application Granted	18 June 1970
19 May 1968	5342	Full planning permission	Repositioning of two areas of restricted use of canteen rest room on 6th floor to 5th and 6th floors and change of use on part basement and ground floor from bank to shop, at 237/247 Tottenham Court Road, Camden.	Application Granted	24 November 1967
26 April 1968	5241	Full planning permission	The use of 3 bays at the southern and of the ground floor for showrooms with ancillary retail, storage and distribution use	Application Granted	15 May 1968

Date Received	Reference No.	Type of Application	Description	Decision	Date of Decision
			of premises at 237/247 Tottenham Court Road, Camden.		
29 September 1967	4315	Full planning permission	The erection of a canopy at the corner of the Bayley Street and Morwell Street elevations of 237/247 Tottenham Court Road, Camden.	Application Granted	24 November 1967
21 February 1963	4181	Full planning permission	The redevelopment of the site of Nos. 237-246 Tottenham Court Road, 3 Bayley Street and Nos. 1-7 Morwell Street, Street, Holborn, by the erection of a building comprising basement, ground and six floors over for the use as storage and car parking in the basement, and shops on the ground floor, showrooms and warehousing on the first floor, residential and offices on the second to fifth floors and offices, Canteen, etc., on the sixth floor.	Application Granted	28 June 1963
2-3 Morwell Street, London, WC1B 3AR					
19 February 1981	31936	Full planning permission	Change of use of the ground floor and basement of 2-3 Morwell Street, from warehouse to retail shop on the ground floor and ancillary storage and staff	Application Granted	13 April 1981

Date Received	Reference No.	Type of Application	Description	Decision	Date of Decision
			facilities in the basement, to form an extension to the retail premises at 242 Tottenham Court Road.		
18 December 1973	17958	Full planning permission	The formation at 2-3 Morwell Street, W.C.1 of a new window and the replacement of another window in an existing opening.	Application Granted	07 February 1974
10 June 1971	11309	Full planning permission	Erection of new staircase and lift and changes to front elevation at Nos. 2-3 Morwell Street, W1.	Application Granted	23-02-1972
10 June 1971	3254	Full planning permission	The construction of a new window at first floor level, on side elevation of the premises, 2-3, Morwell Street, Camden.	Application Granted	23 February 1972
4 Morwell Street, London, W1T 7QT					
19 February 1993	9300204	Full planning permission	Change of use from hairdressing school within Class D1 to institutional use by the Institute of Road Transport Engineers as shown on drawing numbers 3522/050a(13) 050b(13) 051a(03) 051b(03) 052a(08) & 052b(08).	Application Granted	29 April 1993

Appendix B – Draft Heads of Terms

247 TOTTENHAM COURT ROAD

PRUDENTIAL UK REAL ESTATE NOMINEE 1 LIMITED AND PRUDENTIAL UK REAL ESTATE
NOMINEE 2 LIMITED

S106 HEADS OF TERMS

1. PARTIES

- 1.1 The Mayor and Burgesses of the London Borough of Camden ("**Council**")
- 1.2 Prudential UK Real Estate Nominee 1 Limited and Prudential UK Real Estate Nominee 2 Limited ("**Owner**")

2. STANDARD PROVISIONS

- 2.1 **Excluded Liability:** occupiers of retail accommodation; individual occupiers of residential accommodation; all mortgagees and their successors; statutory undertakers.
- 2.2 **Releases:** on disposal of interests of all or part of the site.
- 2.3 **Implementation:** standard S56(4)(a) material operation (with exclusions for preparatory operations including 'demolition').
- 2.4 Confirmation that the S106 agreement does not affect right to develop the Site pursuant to another planning permission.
- 2.5 **Contract (Rights of Third Parties Act) 1999:** exclude effect.
- 2.6 Good faith and reasonableness clause.
- 2.7 **Dispute Resolution.**

3. CONTRIBUTIONS TRIGGERED ON IMPLEMENTATION

- 3.1 **Affordable Housing contribution:** £522,580 towards the provision of affordable housing.
- 3.2 **Carbon off-set contribution:** £177,414.74 (not indexed)
- 3.3 **Employment and training contribution:** £46,980 for providing training and supporting the Council's Job Hub Service.
- 3.4 **Apprenticeship support contribution:** £28,000 towards supporting apprentices;
- 3.5 **Public open space contribution:** £161,592 towards the provision of public open space through creation of a pocket park on the southern side of Bayley Street. Owner funding of the Pocket Park to be conditional on Council consulting Owner on design and letting contract for installation of Pocket Park.
- 3.6 **Pedestrian cycling and environmental contribution;** £[TBD] to support sustainable travel in the Borough

- 3.7 **CMP implementation support contribution:** £[TBD] for supporting the review and approval of the Construction Management Plan and ongoing monitoring.
- 3.8 **Processing and monitoring costs contribution:** £[TBD] based on £802 per head of agreement] as a contribution towards the Council's monitoring costs in relation to the obligations contained in the agreement.
- 3.9 **Travel Plan Monitoring Contribution:** £[TBD] to monitor the implementation of the Travel Plan¹.
- 3.10 **Legal costs:** Legal Costs will be confirmed at completion of the S106 Agreement.
- 3.11 Council to:
- 3.11.1 confirm receipt of each contribution and discharge of payment obligation in writing;
- 3.11.2 place contributions into an interest-bearing account; and
- 3.11.3 repay contributions if not spent within 7 years of payment.

4. TRAVEL PLAN

- 4.1 Submit travel plan² within six months of occupation. Monitoring reports to be provided on the 6 months following of occupation, the first anniversary, the third anniversary and the fifth anniversary.

5. ENERGY AND SUSTAINABILITY PLANS

- 5.1 Submit an energy and sustainability plan for approval. It must be approved before implementation of the development. Once approved the plan must be adhered to.

6. HIGHWAY WORKS:

- 6.1 Before occupation complete a S278 Highways Act 1980 Agreement to fund the relocation of the Santander Cycles near the development.

7. DELIVERY AND SERVICING

- 7.1 A delivery and servicing management plan is to be submitted and approved before occupation. The plan will be implemented on occupation.

8. LOCAL EMPLOYMENT AND TRAINING

- 8.1 Submit a Local Training Skills and Job Brokerage Strategy for approval. It must be approved before implementation of the development and subsequently adhered to.

¹ Payable on Council's written approval of draft travel plan

² Substantially in the form of the draft accompanying the planning application.

8.2 Before the implementation of development to submit a Local Procurement Strategy and use reasonable endeavours to implement the strategy until practical completion.

9. CONSTRUCTION MANAGEMENT PLAN

9.1 Submit a construction management plan for approval by the Council. It must be approved before implementation of the development and subsequently adhered to.

10. PLANS

10.1 Site;

10.2 Pocket Park;

10.3 Highways Works.

CMS Cameron McKenna Nabarro Olswang LLP

30 July 2020