

Application ref: 2020/3289/P
Contact: Gavin Sexton
Tel: 020 7974 3231
Email: Gavin.Sexton@camden.gov.uk
Date: 11 November 2020

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
Judd Street
London
WC1H 9JE

Phone: 020 7974 4444

planning@camden.gov.uk
www.camden.gov.uk/planning

DP9
100
Pall Mall
London
London
sw1y 5nq

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted Subject to a Section 106 Legal Agreement

Address:

**14-19
Tottenham Mews
London
W1T 4AA**

Proposal:

Demolition of existing two storey building.

Drawing Nos: Cover letter ref JWP/HW/DP9866 from DP9 dated 24th July 2020;

Location plan 13565-A-00-03-001; Siteplan 13565-A-00-03-002; Demolition drawings: prefix 13565-A-: L00-02-010 (plan), L01-02-01 (plan), XX-02-020 (elevations), XX-02-021 (sections). Letter from Angela McNab NHS Camden and Islington NHS Foundation Trust dated 26th March 2018.

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans

Cover letter ref JWP/HW/DP9866 from DP9 dated 24th July 2020; Location plan 13565-A-00-03-001; Siteplan 13565-A-00-03-002; Demolition drawings: prefix 13565-A-: L00-02-010 (plan), L01-02-01 (plan), XX-02-020 (elevations), XX-02-021 (sections). Letter from Angela McNab NHS Camden and Islington NHS Foundation Trust dated 26th March 2018;

Reason: For the avoidance of doubt and in the interest of proper planning.

- 3 Prior to commencement of the works of demolition, the perimeter of the site shall be made secure to a height of 2.4m and maintained as such until such time as the site is re-developed.

Reason: To safeguard the appearance of the site and the character and appearance of the immediate area and to ensure that the site contributes to community safety as required by policies D1 (Design), D2 (Heritage) and C5 (Safety and Security) of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission.

The proposal is for the demolition of the existing pre-fabricated building on the site. The cover letter sets out that this is intended to enable the use of the site for construction purposes by the developer at the adjoining site of 44 Cleveland Street (former Middlesex Hospital Annex), where work is currently underway.

The key issues for consideration relate to the conservation, carbon and land use consequences of demolition, and the impact of the development on the local environment and amenity during demolition works, and the safety and security of the site.

The existing building is identified in the Charlotte Street Conservation Area Appraisal and Management Plan 2008 as detracting from the overall character of the street. The principle of demolition of the existing building in that context was accepted as part of the approval of redevelopment of the site (reference 2012/4786/P). It is not considered necessary to require approval of an acceptable replacement building prior to demolition in order to preserve the character and appearance of the conservation area, because the demolition alone will enhance the conservation area. The demolition is therefore acceptable in terms of policies D1 and D2.

Policy CC1 identifies the need for development proposals to consider the carbon cost of demolition and to consider alternatives in the first instance. In this case the building has clearly reached the end of its life. As a prefab building it also holds limited embodied carbon in its structure and therefore there is no objection raised to its demolition in terms of policy CC1.

The existing building, which dates from 1974 and was last used as a Community Mental Health Resource Centre (MHRC) has been vacant since the NHS left the site in 2011. The Fitzrovia Area Action Plan (FAAP) sets out that the land use priorities for the Tottenham Mews Day Hospital are to provide medical/healthcare facilities and to match any additional non-residential floorspace with housing. Policy C2 (Community Facilities) 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 our community and reflect new approaches to the delivery of services. Part g of the policy expects facilities to be retained unless either a replacement facility of a similar nature is provided that meets the needs of the local population or its current/intended users or the existing premises are no longer required or viable in their existing use and there is no alternative community use capable of meeting the needs of the local area. The letter from the NHS included in this submission sets out that the services previously provided at the site have all been relocated and continue to be provided in the local area, subject to organisational and structural changes to the health service in the meantime. It is therefore considered that the demolition of the building is acceptable in terms of the aims of policy C2. It must be noted that the current proposals are for demolition purposes only, and not redevelopment for future uses. In the event that the site comes forward in due course for redevelopment, the proposed use(s) will be assessed against the relevant policy framework in place at the time, with this permission and the circumstances underpinning it being material considerations.

2 Reasons for granting permission (II/II):

As established above, the demolition of the building will enhanced the character and appearance of the Conservation Area by removing an unsightly and decaying building. However it remains for the site to be maintained in good order with a secure perimeter to avoid anti-social behaviour or community safety concerns arising from misuse of the cleared site. The accompanying cover letter sets out that the site will be securely hoarded and security mechanism and installations will be put in place but it is not evident when the site will be next occupied for either construction purposes or for redevelopment. Although s215 of the Town & Country Planning Act provides the local planning authority with powers to remedy untidy land, It is considered appropriate and necessary to preserve the character and appearance of the conservation area and to ensure that the demolition incorporates design principles which contribute to community safety by adding a condition which requires the site to maintain a secure perimeter of to a height of 2.4m until such time as the site is redeveloped, in accordance with policies D1 (design), D2 (heritage) and C5 (safety and security).

The site sits between or near to three other active construction sites, all with adjacencies to the Mews. The site also falls within the cumulative construction impact zone in central London. It is therefore considered necessary to ensure that a Demolition Management Plan, secured by s106 legal agreement, is provided and adhered to in order to ensure that the works are carried out in a manner which minimises the impact on local businesses, residents and the use of the public highway. In particular it will be essential for the demolition contractor to liaise closely with the developers/contractors of nearby sites,

especially those at 44 Cleveland Street, Arthur Stanley House on Tottenham Street (and its associated development in the Mews) and works at 79 Charlotte Street. It is also considered appropriate and necessary to secure a Construction Impact Bond, which will be fully refundable on completion of works, with a charge only being taken where contractors fail to take reasonable actions to remediate issues upon notice by the Council.

The existing building is of lightweight construction. Appendix 8 of the draft DMP has followed the Mayor's air quality assessment protocol for demolition and identifies that two on-site dust monitors will be installed. The DMP also sets out dust mitigation and air quality protection measures. The proposals are therefore in accordance with policy CC4 (air quality).

The DMP will require a DMP Implementation Fee as set out in planning guidance. The Bond and Implementation Fee would both be secured by s106 legal agreement. Subject to these measures the proposed demolition would have no enduring harmful impact on the amenity of neighbours or the local environment.

As the development does not include any replacement uses there is no requirement for cycle or other related infrastructure. Similarly it is not considered appropriate at this time to secure a contribution to highways reinstatement, as the site is likely to play an ongoing role in local construction activity and remediation of any damage to the highways can follow as part of any future re-development.

Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area, under s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

No objections have been received prior to making this decision. The planning history of the site has been taken into account when coming to this decision.

As such, the proposed development is in general accordance with policies A1, D1, D2, CC1, CC4 and C5 of the Camden Local Plan 2017, and the relevant principles of the FAAP, London Plan and NPPF 2019.

- 3 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).
- 4 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Noise and Licensing Enforcement Team, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (Tel. No. 020 7974 4444 or search for 'environmental health' on the Camden website or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within

the hours stated above.

- 5 You are advised the developer and appointed / potential contractors should take the Council's guidance on Construction Management Plans (CMP) into consideration prior to finalising work programmes and must submit the plan using the Council's CMP pro-forma; this is available on the Council's website at <https://beta.camden.gov.uk/web/guest/construction-management-plans> or contact the Council's Planning Obligations Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444). No development works can start on site until the CMP obligation has been discharged by the Council and failure to supply the relevant information may mean the council cannot accept the submission as valid, causing delays to scheme implementation. Sufficient time should be afforded in work plans to allow for public liaison, revisions of CMPs and approval by the Council.
- 6 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team London Borough of Camden 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444) . Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.
- 7 Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which this permission is granted. Information/drawings relating to the discharge of matters covered by the Heads of Terms of the legal agreement should be marked for the attention of the Planning Obligations Officer, Sites Team, Camden Town Hall, Argyle Street, WC1H 8EQ.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2019.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully



Daniel Pope
Director of Economy, Regeneration and Investment