

<b>Address:</b>	<b>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.</b>		<b>1</b>
<b>Application Number(s):</b>	2020/3583/P	<b>Officer: Laura Hazelton</b>	
<b>Ward:</b>	Bloomsbury		
<b>Date Received:</b>	<b>07/08/2020</b>		

**Proposal: 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.**

**Background Papers, Supporting Documents and Drawing Numbers:**

Existing drawings: EX-02-200-BP, ST-EX-02-099, ST-EX-02-100, ST-EX-02-101, ST-EX-02-102, ST-EX-02-103, ST-EX-02-104, ST-EX-02-105, ST-EX-02-106, ST-EX-02-107, EX-03-100, EX-03-101, EX-03-102, ST-EX-04-100, ST-EX-04-101, ST-EX-04-102, ST-EX-04-103, ST-EX-04-104.

Proposed drawings: 4486-ST-PR-01-003, 4486-ST-PR-02-002-BP, 4486 -PR-02-098, 4486-PR-02-099-B, 4486-PR-02-100-A, 4486-PR-02-101-B, 4486-PR-02-102-A, 4486-PR-02-104-A, 4486-PR-02-105-A, 4486-ST-PR-02-106-B, 4486-ST-PR-02-107-B, 4486-PR-ST-03-100-A, 4486-PR-ST-03-101-A, 4486-PR-ST-03-102-B, 4486-ST-PR-04-100, 4486-ST-PR-04-101, 4486-ST-PR-04-102, 4486-ST-PR-04-103, 4486-ST-PR-04-104.

Documents: Air quality assessment by Aecom dated July 2020; Bat survey report by Tyler Grange dated July 2020; Energy statement by Watkins Payne Partnership dated July 2020; Fire Planning statement by JGA dated July 2020; Delivery & servicing plan by Momentum dated July 2020; Framework Travel Plan by Momentum dated July 2020; Noise assessment by Aecom dated July 2020; Preliminary ecology appraisal & potential bat roost assessment by Tyler Grange dated July 2020; Statement of community involvement by London Communications Agency dated July 2020; Sustainability Statement by Watkins Payne Partnership dated July 2020; Town Planning Statement by Gerald Eve dated July 2020; Whole life carbon assessment by Hoare Lee dated July 2020; Access report by David Bonnet Associates dated July 2020; Archaeological desk based assessment by Cotswold Archaeology dated July 2020; Basement impact assessment by AKT-II dated July 2020; Daylight, sunlight & overshadowing report by Point 2 Surveyors dated July 2020; Design & Access Stated dated July 2020; Drainage assessment by AKT-II dated July 2020; Townscape, visual impact & heritage assessment by Peter Stewart Consultancy dated July 2020; Transport Assessment by Momentum dated July 2020; Revised drainage strategy by AKT-II dated October 2020; Building damage assessment Rev01 by AKT-II dated November 2020; BIA ground investigation

letter by GEA dated 13 November 2020; Stage 02 BIA report by AKT-II dated July 2020; Letter dated 5 November 2020 from Point 2 Surveyors; Planning application addendum dated 9 November 2020; Loading addendum note dated 21 October 2020; Construction Management Plan pro forma dated 18 November 2020; Transport assessment addendum by Momentum dated 17 December 2020; Sustainability & Energy Comments – Response V1.

**Recommendation Summary: Grant conditional planning permission subject to a section 106 legal agreement.**

<b>Applicant:</b>	<b>Agent:</b>
Prudential UK Real Estate Prudential UK Real Estate Nominee 1 Limited and Prudential UK Real Estate Nominee 2 Limited c/o Gerald Eve LLP	Gerald Eve LLP 72 Wellbeck Street London W1G 0AY

### Analysis Information

Land Use Details:			
	Use Class	Use Description	Floorspace (Gross Internal Area GIA sqm)
Existing		<i>C3 Dwelling House</i>	478
		<i>A1 Retail</i>	1,138
		<i>B1 Business - Office</i>	6,885
		<i>Flexible B1 / D1 Non-Residential Institution</i>	743
		<b>TOTAL</b>	<b>9,244</b>
Proposed		<i>C3 Dwelling House</i>	1,305 (+ 827sqm)
		<i>Flexible Retail (A1 / A2 / A3) / D2 Assembly &amp; leisure</i>	1,350 (+ 212sqm)
		<i>B1 Business - Office</i>	7,717 (+ 832sqm)
		<i>Flexible B1 / D1 Non-Residential Institution</i>	656 (- 87sqm)
		<b>TOTAL</b>	<b>11,028 (+1,784sqm)</b>

Residential Use Details (Existing):						
	Residential Type	No. of Bedrooms per Unit				Total
		1	2	3	4	
Market	Flat	2	4	0	0	6
	House	0	0	0	0	0
	<b>TOTAL</b>	2	4	0	0	6

<b>Residential Use Details (Proposed):</b>						
	Residential Type	No. of Bedrooms per Unit				
		1	2	3	4	<b>Total</b>
Market	Flat	0	5	2	1	<b>8</b>
	House	0	0	0	0	<b>0</b>
	<b>TOTAL</b>	<b>0</b>	<b>5</b>	<b>2</b>	<b>1</b>	<b>8</b>

<b>Parking Details:</b>		
	Parking Spaces (General)	Parking Spaces (Disabled)
Existing	20	0
Proposed	0	0

## **Officers' Report**

**Reason for Referral to Committee:** Major development involving the construction of more than 10 new dwellings or more than 1000 sq. metres of non-residential floorspace [clause 3(i)].

### **Environmental Impact Assessment (EIA)**

A screening request was submitted to the Council on 9 July 2020. The Screening Opinion (ref: 2020/3082/P) issued by the Council on 20 July 2020 confirmed the development would not require the preparation of an EIA in line with Regulation 5(5) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended).

The Council as Local Planning Authority determined that an Environmental Impact Assessment (EIA) was not required as the proposed development did not trigger the thresholds for Schedule 1 Development or trigger the thresholds for Schedule 2 Development, given that the development does not include:

- i) more than 1 hectare of urban development which is not dwellinghouse development;
- ii) more than 150 dwellings (8 units are proposed), or
- iii) the overall area does not exceed 5 hectares (it covers 0.19 hectares).

Since it was received prior to 1<sup>st</sup> September 2020, the Use Classes that were in effect prior to the Town and Country Planning (Use Classes) Amendment Order 2020 will be used to determine the application.

## **Executive Summary**

- i. The site comprises a number of buildings bounded by Tottenham Court Road, Bayley Street and Morwell Street. The application site is not listed, nor located within a conservation area; however, the site is adjacent to the boundary of the Bloomsbury Conservation Area which includes the north side of Bayley Street and the east side of Morwell Street. The Charlotte Street Conservation Area is located to the north west of the site on the opposite side of Tottenham Court Road. 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. This designation also includes 26, 26a and 27 Morwell Street.
- ii. The proposals would result in the loss of the existing buildings on site; however, these are considered to contribute little to the streetscene or townscape aside from their scale and height. Nos 2-3 Morwell Street are more historic 19th century buildings with traditional detailing and materials typical of this period of architecture. Although the upper floors are fairly attractive, the original shopfronts have been heavily altered and there is no objection to their loss. The proposed replacement building responds to the scale and language of the surrounding area, and is considered to provide a high standard of design and finish. Whilst there would be minor visual impact to the setting of the western terrace of Bedford Square due to the slight visibility of the development over the roofline, this is not considered to cause harm to the significance of the

designated heritage assets. It is acknowledged that the Georgian Group considers this visual impact to cause harm, but Officers do not agree with this conclusion given there would be only very limited visibility from one location to the south east of the Square during the winter months only. The development would be very slightly larger than the existing building when viewed from Bayley Street, but the proposed development would be an improvement in architectural terms, and would maintain the visual subordination of the existing building. Any perceived harm would be outweighed by the planning benefits brought forward by the replacement building and the scheme as a whole. The proposals include the following benefits:

- Additional employment floorspace with an uplift of 832sqm and an enhancement of the quality of the existing space.
  - An additional two new residential units at the site, and provision of a total of 8 high quality homes, all of which are high priority dwelling sizes.
  - Affordable housing contribution of £240,840 to contribute towards affordable housing nearby.
  - The proposed building is considered to be of high quality architecture.
  - Significant contributions towards the provision of local infrastructure and facilities are proposed through CIL, financial contributions in the S106 and public realm improvements.
  - A sustainable scheme that meets carbon reduction and renewables targets.
- iii. Assessing the development overall, it is considered that it would preserve the setting of the surrounding conservation areas. The comprehensive redevelopment has provided opportunity to design a building that has a better relationship to the three surrounding streets with 'active' features such as doors and windows at ground level. The proposals achieve active frontage along 90% of the perimeter, compared to 55% in the existing condition. The majority of this increase is located on Morwell Street, which will positively affect its character and provide increased surveillance of the street which suffers with anti-social behaviour and criminal activity.
- iv. Historic England were consulted and did not wish to offer comments on the application.
- v. In land use terms, it is considered that the proposed development would have an appropriate mixture of uses for the site, increasing and enhancing the existing uses while benefitting a number of the Council's policy objectives. This includes contributing towards a successful economy and town centre while making an appropriate contribution towards the Borough's supply of housing and making the borough more family friendly. The housing provided would provide a good standard of living accommodation and an affordable housing contribution would be made in compliance with policy.
- vi. In conclusion, the proposal would preserve and enhance the setting of the nearby conservation areas designated heritage assets, although there would be limited impacts on neighbouring amenity, the benefits of the scheme would be significant enough to outweigh these matters.

## 1 Site

- 1.1 The application site covers an area of approximately 0.19 hectares (1900 sqm). 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.
- 1.2 The existing building at 247 Tottenham Court Road comprises basement, ground, plus six storeys with retail uses at ground floor and office use to the upper floors. Car parking 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 ground floor retail uses comprise a mix of shops and cafes with the existing office entrance located to the south, off Tottenham Court Road. None of the existing units at ground level have level access due to a sloping ground level on Tottenham Court Road.
- 1.3 The existing building at 3 Bayley Street is located on the corner of Bayley Street and Morwell Street, and is accessed 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 are used as office accommodation and are accessed from the office floors of 247 Tottenham Court Road. The upper floors are in use as four residential flats. 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 properties are only accessible via stairs.
- 1.4 1 Morwell Street is a ground plus two storey building comprising two residential flats to 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 and features central projecting bay windows and a pitched roof. 2-3 Morwell Street is also ground plus two storeys and faced in a light brick with pitched roof. At ground floor, the retail unit facing Tottenham Court Road extends to the ground floor of 2-3 Morwell Street and the upper floors are joined to the office accommodation at 247 Tottenham Court Road. The existing building at 4 Morwell Street is a more modern construction and comprises basement, ground, plus two storey building with a pitched roof and three front gables. The building is faced in red brick with white render. The building is occupied by the Architectural Association (whose main residence is at 36 Bedford Square) 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.
- 1.5 The site fronts Tottenham Court Road to the west and Morwell Street to the east. Tottenham Court Road is a busy London thoroughfare characterised by taller buildings, ranging from four to eight storeys in the immediate vicinity, whereas Morwell Street has a much finer, historic grain. Central Cross on the opposite side of Tottenham Court Road is an anomaly in the immediate context, which although stepped back at the upper levels, rises to over 13 storeys in height.



*Figure 1 – Existing aerial view looking south*

- 1.6 The application site is not listed, nor located within a conservation area; however, the site is adjacent to the boundary of the Bloomsbury Conservation Area which includes the north side of Bayley Street and the east side of Morwell Street. The Charlotte Street Conservation Area is located to the north west of the site on the opposite side of Tottenham Court Road. The Hanway Street Conservation Area is to the south west of the site on the opposite side of Tottenham Court Road.
- 1.7 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. This designation also includes 26, 26a and 27 Morwell Street. To the north, on the opposite side of Bayley Street, Nos. 6-10 Bedford Square are Grade II Listed and the Townhouses at Nos. 12-27 Bedford Square all the way to the junction with Gower Street are Grade I listed.
- 1.8 Bedford Square itself is a Grade II\* Registered Park and Garden of Special Historic Interest (England). The railings surrounding the square, gates, 37 lamp standards and garden house within the Square are also all Grade II Listed. The Square is designated as a London Square under the London Squares Preservation Act 1931. Figure 4 in heritage section 11 shows the surrounding designated heritage assets.

- 1.9 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.
- 1.10 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 Euston Road to a cluster of taller buildings at Regent's Place and Hampstead Road.
- 1.11 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. Works have begun on implementing a new pocket park on the north side of Bayley Street opposite the site.
- 1.12 The Site has the following planning policy designations:
- Central Activities Zone
  - Central London Area;
  - Central London Frontage (Primary);
  - Fitzrovia Area Action Plan;
  - Archaeological Priority Area (Tier 2 - Lundenwic); and
  - Crossrail 2 Safeguarding Area (subsurface).
- 1.13 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.

## **2 The Proposal**

- 2.1 The proposal is for the demolition of all buildings on site and the erection of a replacement ground plus five storey building with setbacks at level four and five on the Morwell Street elevation and rooftop plant enclosure, to provide an office led mixed use development. The proposed uses would comprise office (Class B1) over all floors; residential (Class C3) at ground to fifth floor level; flexible retail (Class A1/A2/A3/D2) at ground and basement level; and flexible office and open class D1 (Non-residential institutions) at ground and basement level. The residential flats would comprise five two-bedroom units, two three-bedroom units and one four-bedroom unit.
- 2.2 The proposals include use of part of the ground floor office reception as a publicly accessible café space; creation of new roof terraces with hard and soft



landscaping at levels four, five and roof level; introduction of new green roofs; installation of a plant enclosure at roof level; relocation of the existing Santander Cycle docking station and installation of a new pocket park on the south side of Bayley Street; and provision of cycle parking for all uses and associated end of trip facilities.



*Figure 2 – The proposed building*

### Revisions

2.3 In response to comments received from officers and local stakeholders, revised drawings were submitted incorporating the following amendments:

- Revised elevation treatment to Morwell Street;
- A reduction in the extent of plant equipment at roof level and alterations to the proposed plant enclosure to reduce its height and position;
- Alterations to the layout of proposed commercial long stay cycle parking to reduce the number of foldable bike spaces to less than 10% of the total provision in compliance with London Plan Standards;
- Amendments to the proposed loading strategy; and
- Amendments to the draft Construction Management Plan (discussed in more detail in the Transport section).

## **3 Relevant history**

### The site

*247 Tottenham Court Road*

- 3.1 **4181** - 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. Permission granted 28/06/1963.
- 3.2 **2007/4340/P** – 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. Permission granted 25/10/2007.

*1 and 2-3 Morwell Street*

- 3.3 **9101244** - 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). Permission granted 30/01/1992.

*4 Morwell Street*

- 3.4 **9300204** - Change of use from hairdressing school within Class D1 to institutional use by the Institute of Road Transport Engineers. Permission granted 29 April 1983.

The area

*One Bedford Avenue*

- 3.5 **2013/3880/P** - 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. Permission granted 20/12/2013.

## **4 Consultation Summary**

### **Statutory**

#### **4.1 Historic England**

- On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation advisers, as relevant.

#### **4.2 Historic England Greater London Archaeological Advisory Service (GLAAS)**

- The planning application lies in an area of archaeological interest (Archaeological Priority Area) identified for the Local Plan: London Suburbs (Tier 2 APA).
- As identified within the submitted archaeological assessment, the site lies close to the projected line of the English Civil War Defences, however the exact alignment is currently little understood. The defensive ditch may therefore lie within the site. Survival on this site is not however expected to be extensive, owing to the existing c.3.3m deep basement. The base of deep cut features, such as the defensive ditch may however still survive.
- In light of the above and that the proposals include a deeper basement across the site, archaeological evaluation trenches should be excavated in order to clarify if any remains of the civil war defences survive within the site. This in turn will help to inform if any further archaeological mitigation is required.
- GLAAS are happy for any further archaeological works to be carried out in accordance with an archaeological written scheme of investigation condition.
- *Officer response: Permission would be granted subject to the archaeological condition suggested by GLAAS (see condition 6).*

#### 4.3 Transport for London (TfL) – Spatial Planning

##### Cycle Hire

- The relocation of the Cycle Hire docks from Bayley Street to Tottenham Court Road just north of Percy Street has been discussed with TfL. In principle it is acceptable, however, detail related this to will need some further thought and the Council agreement, given such issues such as trees, phone boxes and works to the public realm. The proposal must be supported by obligations and conditions related to cost and delivery.
- *Officer response: Should planning permission be granted, it would be subject to a S106 legal agreement with a requirement for the developer to enter into a s278/legal agreement with TfL to agree the relocation and costs of removal and relocation of Santander Bicycle stand on Bayley Street.*

##### Pedestrian Comfort Levels

- The TA does not include any data on background footfall. Whilst it suggests the development does not represent a net increase in footfall, location of Cycle Hire, and cycling parking on street will impact where people can walk, so should be assessed. TfL would expect the footfall levels on TCR and other similar locations will return to pre-Covid levels and there would be growth with development such as this one.
- *Officer response: See Transport section paragraphs 19.19 – 19.22.*

##### Folding Bikes

- Folding bikes are not generally an acceptable alternative to conventional cycle parking, except for office developments in the CAZ. This is up to 10% of the long stay provision where conventional cycle parking cannot be provided. They appear to proposing more than 14%.

- *Officer response: The proposed commercial long stay cycle store was amended so that folding bike storage is reduced to 8.8%, in compliance with the London Plan.*

#### Short Stay Cycle parking

- They propose to provide these offsite, the Intent to Publish London Plan refers to short stay cycle parking being within 15 metres of the building entrance. This depends on relocating existing cycle hire, as discussed above, and some of their proposed short stay is more than 15 metres from site.
- Provision of cycle hire caters for a different market of cyclist and also should not be accepted in lieu of cycle parking.
- *Officer response: Please refer to paragraphs 19.11 – 19.13 of the Transport section.*

#### Cycle Parking Layout

- Queries raised regarding aisle widths, how cyclists get to the basement, the size of the cycle lift and whether the spacing of the stackers and Sheffield stands is in accord with LCDS.
- *Officer response: Additional details were provided in response to the query from TfL and Camden's Transport Officer. The details have been reviewed by the Transport Officer and confirmed to be acceptable in terms of number and type of parking spaces, the size of the cycle lift and internal spacing.*

#### London Underground

- The site is adjacent to London Underground tunnels, the Northern Line runs below Tottenham Court Road.

#### Crossrail 2

- The site is within the 2015 Crossrail 2 Limits of Safeguarding and in the event that LB Camden proposed to grant planning permission a Crossrail 2 condition shall be attached to any decision notice.
- *Officer response: Planning permission would be granted subject to a condition safeguarding Crossrail infrastructure (see condition 24).*

#### Construction Logistics Plan

- TfL would recommend they provide estimate of number of vehicles needed during construction set out in accord with the stages within our latest guidance They should confirm commitment to planned measures following the guidance. They indicate routes to site. This movements represent a risk to other road users, so would recommend the risk is assessed and mitigation proposed (e.g. FORS Silver, Site Traffic Marshals, signage etc) and they also need to consider hoarding impact on local highway.
- *Officer response: The requirement to submit a full Construction Management Plan for review and sign off by the Council's Transport and Highways Officers prior to commencement of works would be secured by S106 legal agreement.*

#### 4.4 Crossrail 2

- The application relates to land within the limits of land subject to consultation by the Crossrail 2 Safeguarding Direction. If the Council, in its capacity as Local Planning Authority, is minded to grant planning permission, please apply a condition requiring detailed design and construction method statements to ensure no impact on Crossrail 2 structures.
- *Officer's response: This condition would be included should planning permission be granted (see condition 24).*

#### 4.5 TfL London Underground Infrastructure Protection

- Though we have no objection in principle to the above planning application there are a number of potential constraints on the redevelopment of a site situated close to underground tunnels and infrastructure. Therefore, it will need to be demonstrated to the satisfaction of LUL engineers that: the development will not have any detrimental effect on our tunnels and structures either in the short or long term; the design must be such that the loading imposed on our tunnels or structures is not increased or removed; and we offer no right of support to the development or land.
- Therefore we request that the grant of planning permission be subject to conditions requiring detailed design and method statements (in consultation with London Underground).
- *Officer's response: This condition would be included should planning permission be granted (see Condition 25).*

#### 4.6 Westminster City Council

- The City Council has considered the proposals and does not wish to comment.

#### Local groups/stakeholders

#### 4.7 Bloomsbury CAAC objection, summarised below:

- Object to demolition and replacement of existing buildings in Morwell Street. The proposed building overrides the existing setback corner of Morwell and Bayley Street and makes no concession in its design to the view along from Bayley Street from Bedford Square.  
*Officer response: Please refer to sections 10 (Demolition), 11 (Conservation) and 12 (Design) for full assessment of the principle of demolition and the proposed design. This view is assessed in paragraph 11.19.*
- It is not much taller than the existing building but becomes visible over the top of the Grade 1 houses on the West side of Bedford Square as viewed from the NE corner of the square. The northern part of 247 TCR is in an equivalent position in relation to Bedford Square as the British Museum's new exhibition and conservation building on the east side. English Heritage gave much attention to the views of this BM building from Bedford Square.  
*Officer response: Please refer to section 11 (Conservation) and paragraphs 11.19 – 11.29 for discussion of impact on Bedford Square.*

- Morwell Street is at present a pleasant and characterful street, especially towards its northern end. Nos. 2-3 are well preserved examples of the sort of modest commercial development typical of Fitzrovia in the later 19<sup>th</sup> Century and should be included in the Local List.  
*Officer response: Please refer to paragraphs 10.2 and 11.36 for discussion of demolition of 2-3 Morwell Street.*
- The dismissal of the existing buildings as 'piecemeal' assumes that London should consist of large monolithic structures of boringly uniform design and not a mixture of smaller plots with buildings of different heights and periods.  
*Officer response: Please refer to section 12 for design assessment.*
- The design of the replacement building, while of some interest in its detailing, like so much new architecture in its bland repetition gives the impression it was designed by a computer.  
*Officer response: Please refer to section 12 for design assessment*
- Recommend the application is refused.

#### 4.8 Bloomsbury Association, summarised below:

##### Development brief

##### *Addressing the climate and biodiversity emergency*

- Proposal fails to meet the ambitions of Local Plan Policy CC1(e) on justifying demolition.
- We disagree with the base assumption for the refurbishment scenarios. It seems the wrong order of priorities to place short-term commercial gain and market response before climate issues.
- Options were appraised for the existing buildings including refurbishment and extension with new services and refurbishment with new facades. These were compared to new build and refurbishment was dismissed. None of the refurbishment scenarios considered have been included in the design evolution described in Section 4 of the D&AS, only massing studies for redevelopment of the larger, consolidated site. This is insufficient basis to discount refurbishment as a viable choice.
- *Officer response: Please refer to section 17 (Sustainable design and construction) for full assessment and discussion of demolition.*

##### *Flexibility of the proposed commercial space*

- Fundamental changes are anticipated to the economy of city centres post COVID-19. We are sceptical of the future for large floorplate commercial office space in this location. Flexibility of use needs to be demonstrated.
- We are told that existing uses are 'protected' by planning policy and their replacement has set the brief. That may be a risk-averse planning strategy and, while a mix of uses is encouraged, is the existing mix the best long-term development solution or could it be improved upon?
- Changes to the use class order - This would effectively amalgamate all the proposed uses for the site, apart from residential, into a single use class.

We suggest the planning objectives sought through the mix of uses, such as active street frontages, may need to be secured by other means, either by condition or obligation.

- *Officer response: The office and residential development are built on the same floorplates, which allows flexibility and conversion to alternative uses in the future, which is welcomed. It would not be reasonable to require the applicant to demonstrate potential flexibility of alternative uses, and each application must be determined on their merits in accordance with the development plan.*
- *Please refer to section 8 for discussion of the proposed land uses.*
- *Conditions are proposed to ensure the development provides a certain percentage of retail floorspace and retains active frontages. Please refer to section 8 for full discussion.*

#### *Existing and proposed floorspace*

- It is understood that 50% of the considerable commercial uplift is allocated to residential use in response to Local Plan policy H2. Added to the existing six residential units, this gives space equivalent to eight larger units of various sizes plus a cash contribution. This is a welcome addition to the residential enclave in this part of Bloomsbury.
- Clarification should be sought from the developer on whether this is to be accommodation for sale or for rental and on whether the residential component is stand-alone with potential for future asset sale or integrated with the larger development. If the latter, the future flexibility for office space to be converted to residential use (and vice versa) should be demonstrated along with the opportunity for environmental and energy efficiency through shared services.
- *Officer response: The Council is unable to control whether market residential units are offered for sale or rental, and there is no policy basis on which to request this information. Officers are satisfied that the proposed floor to ceiling heights are the same continuously throughout the floorplates for all uses which would ensure that the building provides sufficient flexibility and adaptability for alternative uses in the future.*

#### Design

##### *Residential use*

- Bayley Street would be a better residential frontage as flats could then be dual aspect and would be better for residential amenity.
- *Officer response: The residential entrance is located to the southern end of the Morwell Street elevation, which is considered an appropriate location given the more domestic character of this street. It will also help to provide additional activation and surveillance to the streetscene*

##### *Bulk and massing*

- Bulk and scale more suited to the scale of Tottenham Court Road.
- The perceived height of the building on Morwell Street has been reduced by set-backs to ground + three floors. This is an improvement from what was shown in the 'consultation pack' but still appears too tall and out of scale with the street scene. This is damaging to the character of this part of

the Bloomsbury Conservation Area and, in particular, to the setting of the Grade I listed buildings opposite.

- Impact on sunlight and daylight to neighbours has been appraised and is included in the submission. It is noted that there is an impact on the daylight and sunlight to residential uses on Morwell Street. No consideration is given to the impact on daylight to the studio spaces of the Architectural Association nor sunlight to the 'pocket park' proposed on Bayley Street as part of the West End Project.
- There is a consistency in the roofline on the eastern side of this part of Tottenham Court Road that we would like to see respected.
- Roofscape and the impact on the setting of Bedford Square is recognised as an absolute constraint to the height of the proposed building. The Visual Impact Assessment shows this to be generally respected but the views looking along the north side of Bedford Square from the northern side of Bedford Square is of particular concern.
- Clarification should be sought from the applicant that parapet edge protection, window cleaning equipment, high-level M&E plant and tenants' plant, including that of retail tenants and noise mitigation screening, is included in the volume modelled.
- *Officer response: Please refer to section 12 (Design) for full assessment of the proposed design; paragraph 14.17 for discussion of impact on daylight to the Architectural Association building; section 11 (Conservation) for discussion of impacts to heritage assets.*
- *Detailed design has not been provided of the Bayley Street pocket park as the works would need to be designed and completed by Camden. Arboricultural Officers would provide input and expertise in choosing appropriate planting for this dense urban environment that would be able to thrive in this location.*
- *Planning permission would be granted subject to the condition that the rooftop plant room is no taller than as shown on the approved plans (see conditions 3 and 9).*

#### *Street level uses and frontages*

- Retail is single aspect to Tottenham Court Road. This is welcomed but results in inefficient, shallow units that, in the current economic climate, may be unmarketable.
- It is acknowledged there is a need to bring more activity to Morwell Street. There are major problems with drug-related crime, anti-social behaviour and rough sleeping on Morwell Street. There is still too much blind, inactive façade and too many recessed doorways in the current proposal.
- No certainty the proposed café would be delivered. The s106 agreement should include provision for maintaining an active frontage to Morwell Street through uses such as this.
- Sceptical of the viability of the proposed D1 use at ground and lower ground floors on Morwell Street unless a pre-let can be agreed.
- Residential access from Morwell Street is welcomed, as this will bring much needed activity to the street.
- Street level servicing, air inlet/exhaust and substation will detract from the potential for a continuous active frontage on Morwell Street. The latter



should be assessed for the impact of noise emissions on neighbouring buildings.

- *Officer response: The proposals achieve active frontage along 90% of the perimeter, compared to 55% in the existing condition, which would be a significant increase.*
- *A condition is proposed to secure the retention of the café and that it shall remain accessible to members of the public (condition 11). Conditions 13 and 14 also secure the retention of shopfronts and active frontage to Tottenham Court Road and Bayley Street.*
- *See paragraph 14.20 onwards for assessment of noise impacts. Final details and evidence of compliance with Camden's noise standards would be secured by condition (condition 8 and 9).*

#### *Typical residential floor plan*

- Residential accommodation in the current proposal is single aspect with units either facing Tottenham Court Road or Morwell Street.
- The location of the office core and residential escape stair could constrain future residential use of what is currently proposed as office space. Further information should be sought from the applicant on how office could be rearranged as additional residential units.
- Some articulation to the facades is achieved with balconies to Morwell Street. We suggest winter gardens would be more appropriate facing Tottenham Court Road.
- *Officer response: Please see section 9 for full assessment of standard of residential accommodation.*
- *The proposed development is considered to provide a sufficient level of adaptability for future conversion to alternative uses should this be necessary.*
- *The proposals include recessed balconies to Morwell Street and winter gardens fronting Tottenham Court Road.*

#### *Elevational treatment*

- The design appears a dreary, uninspiring, and monolithic box, extruded one storey higher than it should be, and that is likely to destroy the scale of Morwell Street. We are particularly concerned about the monolithic appearance of the building as seen from the corner of Percy Street. Tottenham Court Road may be characterized by big footprint buildings but their facades are finely articulated and modelled.
- The elevational composition to Tottenham Court Road and Bayley Street needs a 'top'. It has a classical 'base' and 'middle' but lacks any expression of its skyline profile.
- The terracotta cladding material is a welcome addition to the coarse-grained eclecticism of Tottenham Court Road.
- Concerns about colour.
- Brick is proposed for Morwell Street, referential to the rear of the buildings on Bedford Square. Again, we would like to see this developed further through condition.

- *Officer response: Please see section 12 for full design assessment. Final details of materials, colour and detailed design would be secured by condition (condition 3).*

#### *Open Space*

- We welcome the interest shown in engaging with the West End Project team on the design of the proposed 'pocket park on Bayley Street and to making a contribution towards its improvement.
- It has also been suggested that the project team talk with Bedford Estates with a view to deferring the West End Project plans and applying the s106 public open space contribution towards creating and maintaining enhanced parks at both ends of Morwell Street
- Relocation of cycle docking station – not in the public interest as this should be public open space.
- *Officer response: For the purposes of this application, the applicant will be required to enter into a section 278 / legal agreement with TfL to agree to details of the relocation of the Santander cycle stand and costs. These works would require the submission of a separate planning application which would be determined on its own merits.*

#### *Noise assessment*

- We do not accept the Noise Assessment submitted in support of the application. It is based, in part, on historical surveys prepared for 112 and 112A Great Russell Street that have been found to be flawed and were challenged at the time by the Bloomsbury Association. These and others quoted, may be representative of Tottenham Court Road but are not representative of the quieter noise climate on Morwell Street.
- The Noise Assessment also fails to identify and consider the aural impact on adjacent residential, educational and hotel buildings, on the character of the Conservation Area and the impact of servicing, air inlet/exhaust and substation at street level.
- *Officer response: The noise impact assessment has been reviewed by the Council's Environmental Health Officer who confirms it is acceptable. Final details of all plant and demonstration of compliance with Camden's noise standards would be secured by condition (conditions 8 and 9).*

#### *Substructure*

- We are uncomfortable with the proposal for a deeper basement and note the points made by Historic England.
- Piles would be noisy to install and would be disruptive next to existing residential, hotel and educational uses. There should be a condition requiring that any piles should be bored rather than driven.
- *Officer response: Please see section 15 for assessment of basement impact. Hours of basement excavations would be controlled as part of the construction management plan which would be secured by S106 Legal Agreement if planning permission is granted.*

### *Servicing management*

- All storage/holding areas appear too small to be usable. Morwell Street is narrow and waste from the Architectural Association is permanently stored on-street. This is not shown on the swept path analysis. Limitations on storing waste containers associated with the proposed development on the public highway should be limited by condition.
- *Officer response: Final details of waste and recycling storage will be secured by condition (condition 20), and a condition shall ensure that refuse and recycling bins are not stored on the public highway (condition 21).*

### Implementation

#### *Procurement*

- Given market uncertainty, we are concerned that construction may not proceed following demolition. We therefore suggest that evidence of a signed building contract for the construction of the (whole) development should be provided before demolition of the buildings takes place and this should be secure through condition or obligation.
- Once approved, design quality is easily lost through value engineering and minor material amendments, particularly with D&B. To ensure design quality is safeguarded, elevational details should be sought prior to construction of the building (not the relevant part) and the present architect should be novated to the D&B contractor with this confirmed through the s106 legal agreement.
- *Officer response: If planning permission is granted it would be subject to a condition stating that no demolition works shall commence until evidence of a building contract is provided (condition 5).*
- *Retention of the scheme architects Stiff and Trevillion would also be secured by s106 legal agreement to ensure design quality.*

#### *Approach to demolition and construction management*

- We do not accept the draft Construction Management Plan that has been submitted with the application. We note the requirement for a neighbourhood consultation process to have been undertaken prior to the submission of the CMP first draft. This has not happened. Camden does not seem to require a Demolition Management Plan, only a Construction Management Plan. For a project of this size, this is inappropriate.
- Access during both demolition and construction is a key issue. Indicative proposals are included in the Draft Construction Management Plan for access and egress from Tottenham Court Road, which is supported.
- Any proposal for Bedford Square, a sensitive historic environment with several educational institutions and a primary school, being used for site access and egress during the demolition and construction stages will be resisted.
- The construction of One Bedford Avenue was achieved with site access and egress entirely to/from Tottenham Court Road, via Morwell Street, which we would like to see repeated again. This is likely to be resisted by TfL and Camden's West End Project team but, given the period of construction and other sensitivities, is the only reasonable solution. An

alternative might be access and egress from Tottenham Court Road via Bayley Street alone.

- Whatever access route is adopted, it is likely to impact on the yet to be realised 'pocket parks' proposed as part of the West End Project for the closed junctions of Tottenham Court Road with Bayley Street and Bedford Avenue. Consideration should be given to a construction bond and/or s106 contribution to safeguard their reinstatement.
- Schedules of Condition should be prepared for the Grade I listed buildings on the western side of Bedford Square and on Morwell Street, together with highways and public spaces affected in advance of any demolition or construction starting.
- The commentary on the cumulative impact of other construction projects in the area given in Section 5.1 of the Transport Assessment is out of date.
- *Officer response: Please refer to Transport Section 19 for discussion of CMP. The final CMP would be secured by S106 agreement following consultation.*
- *Historic England, GLAAS nor the Council's Conservation Officer considered that a schedule of condition would be required for this development.*

#### Community involvement

- We are disappointed that the development team chose to only engage with interested parties at the last minute, at the end of a 9-month design process with planning officers.
- The Association supports good quality design that will enhance Bloomsbury's streetscape. In principal, we are generally supportive of this development as it has the potential to add vitality to the surrounding streets. However, a number of significant concerns have been expressed about the proposal that prompt us to 'Object' rather than 'Comment' at this stage. Hence we look to the Council to refuse this application in its current form.

#### **4.9 The Georgian Group objection, summarised below:**

- The Group has concerns over the impact the new development will have on the setting of the western terrace of Bedford Square, along with views from the northern terrace of the square. The new building will project further forward on Morwell Street than the existing building making it more visible from within the square.
- The Georgian Group objects to the application in its current form. The issue over the massing and height of the proposed development directly harms the setting of the heritage assets referred to within the previous sections.
- *Officer's response: See section 11 (Conservation) for full assessment.*

#### **4.10 Charlotte Street Association objection and comments, summarised below:**

*Scale and bulk:*

- The height and bulk of the proposed building is the same for both Tottenham Court Road and for Morwell Street. We wish to strongly object to this treatment. The bulk and scale is more suited to the scale of Tottenham Court Road. But this bulk and scale is not appropriate to the smaller scale and narrowness of quiet Morwell Street; there needs to be a more appropriate architectural response to Morwell Street.
- Many of the existing Morwell Street buildings (which are proposed for demolition) are of 3- and 4-storeys, which suits the smaller scale of Morwell Street. The proposed development for Morwell Street is 6-storeys including the ground floor, the same as is proposed for Tottenham Court Road.
- Concerns about the effect that the proposals will have on the educational buildings (studios and teaching spaces) at 248/250 Morwell Street used by the Architectural Association's (AA) School of Architecture, in terms of loss of quality of daylight and loss of sunlight.
- *Officer response: The proposals were revised in response to DRP comments to reduce the Morwell Street frontage to four storeys, with a stepped back fifth and sixth storey. The elevation treatment was also changed to brickwork in response to the existing materiality along Morwell Street. Please see section 12 (design) for full assessment.*
- *Please see paragraph 14.17 for discussion of impacts on the AA building.*

#### *Planning uses:*

##### *Cafe use on the Ground Floor:*

- We welcome the proposed cafe use as an active frontage on the corner of Bayley Street and Morwell Street, but concerned to hear that apparently this cafe use is regarded as “ancillary” to the office space and the office reception area. It could easily, over time, be lost and just become part of the office use and/or reception use. Thus, we think it is important that there is a planning condition to prevent the loss of cafe/active frontage use in this location.
- *Officer response: If planning permission is granted, it would be subject to a condition that the proposed café at ground floor level fronting Bayley Street and Morwell Street shall be retained in this location and remain accessible to members of the public during hours of opening (condition 11).*

##### *Ground Floor planning uses along Morwell Street:*

- On the Morwell Street frontage, the proposed use is flexible D1/B1 use; we are concerned about how this (glazed) frontage along Morwell Street will be treated, with the possibility of it becoming “dead” (or untidy) frontages at each or every “bay”, depending on which use is taking place behind the glazed frontage. Thus, we think that it is important that there is a planning condition, to ensure active frontages at each “bay” along the Ground Floor frontage.
- *Officer response: If planning permission is granted, it would be subject to a condition that the proposed ground floor windows on Morwell Street serving the proposed flexible D1/B1 space shall be retained as an active frontage to the street (condition 13).*

*Proposed planning uses and the new Use Class E:*

- We are particularly concerned about the potential and future impact of the new Use Class E on the development. Our understanding is that any of the proposed uses in this development could be interchanged and/or become one use under Use Class E, to which we would strongly object. We would be interested to know how Camden will ensure that the proposed mix will be retained.
- *Officer response: If planning permission is granted, conditions would secure a minimum of 80% of the ground floor level fronting Tottenham Court Road annotated on the plans as flexible retail space to be occupied in A1, A2 or A3 use at any one time (condition 12) and for the proposed ground floor retail windows on Tottenham Court Road to include a shop front display to the street at all times (condition 14).*

*Residential:*

- The residential is to be welcomed. We are not clear if this is affordable housing; but would press for the provision of affordable housing. Although half of the residential flats/duplexes overlook the quiet Morwell Street, we are concerned that the remaining residential units overlook the major traffic street of Tottenham Court Road, instead of onto Morwell Street.
- There is a very large, storey-height air inlet grill on the Morwell Ground Floor elevation - we are concerned that this location near to the residential above is likely to be detrimental in terms of noise (despite mitigation), including reflected noise due to the narrowness of the street.
- *Officer response: the scale of development and the uplift involved does not trigger the requirement for on-site affordable housing as the number of additional residential units is below ten. As such a payment in lieu of affordable housing is acceptable (discussed further in paragraph 9.12 onwards).*
- *The noise impact assessment has been reviewed by the Council's Environmental Health Officer who confirms it is acceptable. Final details of all plant and demonstration of compliance with Camden's noise standards to ensure protection of the amenity of existing and future occupants would be secured by condition (conditions 8 and 9).*

*Nos. 2-3 Morwell Street:*

- CSA provided the photographs and illustrations to show the interesting original shopfronts at nos. 2-3 Morwell Street. I understand that you arranged for the current hoardings to be removed, but that, unfortunately, little is left of the original frontages. This is disappointing; it is surprising that these two shopfronts were not picked up when the Bloomsbury Conservation Area plan was being revised in recent years when these frontages could still be seen; even though the frontages are on the opposite side of street "boundary" for the Conservation Area.
- *Officer response: Please refer to section 10 (demolition) and 11 (conservation) paragraph 11.36.*

*Design:*

- As seen in the 3-dimensional illustrations, there is no differentiation between the top storey and those below, thus producing an uncomfortable

lack of skyline to the top of the building, and giving an “unresolved vertical look. Although we appreciate the architectural design of a contemporary/modern building, the adjacent pub (on the corner of Tottenham Court Road and Bayley Street) as seen in the illustration, shows the traditional “cap” and roofline.

- *Officer response: Please refer to section 12 for full design assessment.*

*Public Realm proposals:*

- We understand that the current hire-bike docking station at the Bayley Street junction is to be moved to the wide paved area in front of Metropolis House, (nos. 39-45 Tottenham Court Road) which is between Percy Street and Windmill Street. We strongly object to this proposal to move and install the docking station on this paved area. Under the West End Project, there is the opportunity to create a decent small urban square for pedestrians in front of Metropolis House, and to be clear for pedestrians’ use and enjoyment, without the clutter of a docking station making it inevitably more difficult for pedestrians.
- *Officer response: Please refer to paragraph 19.27 for full discussion.*

*Construction Management Plan; also a management plan for the Demolition:*

- We would encourage the adoption of the Draft Construction Management Plan/ CMP; our understanding is that, in this draft CMP, the proposed lorry routes avoid Bedford Square with its significant listed buildings and educational institutions including a school, and a school of architecture, and nearby residents.
- There does not appear to be a proposal for a management plan for the Demolition phase. We would urge that there is also a Management Plan for the Demolition phase, including lorry routes etc, in order to protect the residential amenity and the environment, including that of the conservation area etc.
- *Officer response: Please refer to section 19 (Transport) for discussion of construction management plan.*

*Concern re. development not being built, following demolition:*

- In the current/on-going coronavirus situation, there might be the scenario where the buildings are demolished, but the developer then decides not to go ahead with building the development due to the (coronavirus) economic climate. We would then be left with a very large empty site in Tottenham Court Road/Morwell Street for an unknown number of years.
- Thus, we would suggest the need for a legal agreement whereby there is evidence of a signed building contract for the construction of the (whole) development before demolition of the buildings takes place.
- *Officer response: If planning permission is granted it would be subject to a condition stating that no demolition works shall commence until evidence of a building contract is provided (condition 5).*

**4.11 Bedford Court Mansions Ltd commented:**

- The main aspects we are interested in are: a demolition/construction traffic plan which minimises noise and physical impact; prevention/limitation of

anti-social behaviour / drug use on Morwell Street; and improvement of the overall TCR area.

- We would strongly support a traffic plan that restricts in / out movements to the area around the site between TCR and Morewell Street. The current draft construction management plan page 19 of 48 describes routing which reduces disruption to local residents by preventing construction traffic travelling along the eastern end of Bedford Avenue and Bedford Square. Given the large number of homes on Bedford Avenue plus the sensitive, historic character of Bedford Square which also includes a school, we would strongly support this approach to minimise disruption in these streets adjacent to the site.
- *Officer response: Please refer to section 19 (Transport) for discussion of construction management.*

### **Adjoining Occupiers**

- 4.12 Multiple site notices were displayed on Tottenham Court Road, Bayley Street, Bedford Avenue and Morwell Street from the 19<sup>th</sup> August until the 12<sup>th</sup> September 2020. A press advert was placed on 20<sup>th</sup> August 2020 in the Camden New Journal. The online consultation response function was extended to 21 September with the applicant's agreement due to registration of the application during the school holidays.

### **Letters of objection**

- 4.13 One objection was received from the owner/occupier of Flat 31, 4 Earnshaw Street on the ground of there being too much construction in and around Tottenham Court Road.

### **Re-consultation**

- 4.14 Following design revisions and amendments to the draft Construction Management Plan (to avoid the use of Tottenham Court Road as originally proposed - discussed further in the Transport section below), the Applicant informed local residents and key stakeholders about the changes to the construction access routes to and from the site. In his capacity as the ward member for the site (Bloomsbury) and brief as the Cabinet Member for Sustainable Camden, Cllr Adam Harrison (Labour) was also consulted. The appellant also sent an email notification to resident associations and community organisations, including Bloomsbury Conservation Area Advisory Committee, Bloomsbury Association, Charlotte Street Association, Fitzrovia Neighbourhood Association, Ecole Jeanine Manuel and Bedford Estates.
- 4.15 Local residents living in and around the site who the Applicant originally consulted prior to submission of the application were consulted again via email. The revised application documents were also uploaded to the consultation website and residents and other stakeholders were notified by email.
- 4.16 Formal re-consultation by way of site notice and press advert was not undertaken by the Council as the revisions comprised minor design amendments and a



reduction in size of the roof plant; and the Council was also satisfied that key stakeholders and interested parties were notified directly of the amendments to the draft CMP by the applicant.

4.17 Following receipt of the revised drawings and CMP, the following additional objections were received:

**4.18 Owners/ occupiers of flats 83, 112, 118 Bedford Court Mansions (summary)**

- Objection to revised CMP. Entry to Morwell Street should be from Tottenham Court Road. It should not entirely be from Gower Street, via Bedford Avenue and Bedford Square.
- On Bedford Avenue there are over 100 homes, residents parking plus other enterprises including an embassy.
- Construction vehicles for One Bedford Avenue accessed and egressed via Tottenham Court Road. There is a clear precedent.
- *Officer response: Please refer to section 19 (Transport) for discussion of construction management plan.*

**4.19 Ecole Jeannine Manuel UK**

- Opposed to the change to construction management plans to redirect construction traffic for the 247 Tottenham Court Road building works down Bedford Square and Bedford Avenue.
- As a School our primary concern is the safety and wellbeing of our pupils. In addition to regular entrance and exit times, and as we use outdoor spaces in the local area for playtime and sports lessons, children will be walking down Bedford Avenue and across Bedford Square on a regular basis throughout the day.
- In addition we feel that there is a much more logical solution to redirect the traffic via Tottenham Court Road, which would be a much more suitable route for the nature and frequency of the traffic, and much safer for our school community.
- *Officer response: Please refer to section 19 (Transport) for discussion of construction management plan.*

**4.20 Bedford Estates**

- Objection to revised CMP. Traffic should take priority over the impact on local residents, on the safety of schoolchildren and over heritage sensitivities. Although I note options are described, it is clear from the accompanying drawings that only one will be approved: access via Bedford Avenue and egress via Bedford Square.
- I am therefore reiterating the Bedford Estates objections to the CMP and continue to support the concerns raised by local residents, L'école Jeannine Manuel and the Bloomsbury Conservation Area Advisory Committee.
- *Officer response: Please refer to section 19 (Transport) for discussion of construction management plan.*

**4.21 Bloomsbury Association**

- Whilst we appreciate that Tottenham Court Road is being improved by the West End Project, it is not right that traffic should take priority over people;

over the impact on local residents, on adjoining businesses, on the safety and welfare of schoolchildren and over heritage sensitivities.

- Although options are vaguely described, it is abundantly clear from the drawings and correspondence accompanying the CMP that only one will be approved: access from Bloomsbury Street via Bedford Avenue and egress to Gower Street via Bedford Square.
- We accept that site access for construction vehicles will have to be from the parallel 'back street', Morwell Street. That probably cannot be avoided. The question then is how heavy demolition and construction traffic gets to Morwell Street.
- As when One Bedford Avenue was recently built, entry to Morwell Street should be from Tottenham Court Road, eastbound along a short section of Bedford Avenue; egress should be back to Tottenham Court Road, westbound along a short section of Bayley Street. It should not entirely be from Gower Street, via Bedford Avenue and Bedford Square to mitigate against harmful impacts on residents on Bedford Avenue, on the school at 43-45 Bedford Square, on the Square's sensitive heritage and on the safety of cyclists using Bedford Avenue and Bedford Square, all proper planning considerations enshrined in Camden's adopted Local Plan policies.
- The Cabinet Meeting held on 21 January 2014 considered, as Agenda item 16, West End Project Public Realm Improvements and gave approval for the project to proceed to detailed design and implementation. In doing so, Cabinet noted and had due regard to the results of the public consultation contained in the report and background papers. In these, it is acknowledged by Bloomsbury Ward Councillors that "The traffic arrangements for the construction of One Bedford Avenue including the use of Morwell Street should be considered as a model." Otherwise, there was discussion of restrictions on 'general traffic' but no discussion of what measures could be made for providing access to major construction sites within the Tottenham Court Road and Gower Street corridors after implementation. In that it was not considered and neither permitted nor precluded by Cabinet, we conclude each proposal should be judged on its merits.
- These are material considerations and we do not accept that it should be dealt with through the s106 process after permission is granted. Construction impact is a major issue here and the overall principals relating to the demolition and construction process have to be agreed at planning application stage. It cannot be left to vague and unrealistic options. If the applicant cannot demonstrate that the demolition and construction process can be effectively managed, the application should be refused as unable to meet the requirements of Policy A1.
- While the amendments to the elevation to Morwell Street are an improvement, scale is still a significant issue. The comments made in our representation dated 20 September 2020 still stand, including those on other detailed aspects of the initial Construction Management Plan
- *Officer response: Please refer to section 19 (Transport) for discussion of construction management plan.*

## **5 Policies & Guidance**

### **5.1 National Planning Policy Framework 2019**

### **5.2 NPPG**

### **5.3 The London Plan 2016**

### **5.4 Publication London Plan 2020**

### **5.5 Mayor's Supplementary Planning Guidance**

### **5.6 Camden Local Plan (2017)**

- G1 Delivery and location of growth
- H1 Maximising housing supply
- H2 Maximising the supply of self-contained housing from mixed-use schemes
- H3 Protecting existing homes
- H4 Maximising the supply of affordable housing
- H6 Housing choice and mix
- H7 Large and small homes
- C1 Health and wellbeing
- C5 Safety and security
- C6 Access for all
- E1 Economic development
- E2 Employment premises and sites
- A1 Managing the impact of development
- A2 Open space
- A3 Biodiversity
- A4 Noise and vibration
- A5 Basements
- D1 Design
- D2 Heritage
- CC1 Climate change mitigation
- CC2 Adapting to climate change
- CC3 Water and flooding
- CC4 Air quality
- CC5 Waste
- TC1 Quantity and location of retail development
- TC2 Camden's centres and other shopping areas
- T1 Prioritising walking, cycling and car-free development
- T2 Parking and car-free development
- T3 Transport infrastructure
- T4 Sustainable movement of goods and materials
- DM1 Delivery and monitoring

### **5.7 Fitzrovia Area Action Plan 2014**

- F1 Planning decisions in Fitzrovia

- 1 Housing and affordable housing
- 2 Public open space
- 4 Small and medium enterprises
- 5 Retail provision
- 9 Residential amenity
- 10 Sustainability and local energy networks

Part 5: Urban design principles

## 5.8 Supplementary Planning Policies

Camden Planning Guidance (2018/2019)

Access for All CPG

Air Quality CPG

Amenity CPG

Basements CPG

Biodiversity CPG

Community uses, leisure and pubs CPG

Design CPG

Developer Contribution CPG

Employment sites and business premises CPG

Energy efficiency and adaptation CPG

Interim Housing CPG

CPG 2 Housing

Planning for health and wellbeing CPG

Public open space CPG

Town centres and retail CPG

Transport CPG

Trees CPG

Water and flooding CPG

**Bloomsbury Conservation Area appraisal and management strategy  
2011**

**Charlotte Street Conservation Area appraisal and management strategy  
2008**

## 6 Assessment

The principal considerations material to the determination of this application are considered in the following sections of this report:

7	<b>Consultation and procedure</b>
8	<b>Land use principles</b>
9	<b>Housing mix, unit size, quality of accommodation and affordable housing</b>
10	<b>Demolition</b>
11	<b>Conservation</b>
12	<b>Design</b>
13	<b>Landscaping and trees, Open space, Nature conservation and biodiversity</b>
14	<b>Impact on neighbouring amenity</b>
15	<b>Basement Impact</b>
16	<b>Air quality</b>
17	<b>Sustainable design and construction</b>
18	<b>Flood risk and drainage</b>
19	<b>Transport</b>
20	<b>Safety and security</b>
21	<b>Refuse and recycling</b>
22	<b>Employment and training opportunities</b>
23	<b>Fire Safety</b>
24	<b>Planning obligations</b>
25	<b>Community Infrastructure Levy (CIL)</b>
27	<b>Conclusion</b>
28	<b>Recommendations</b>
29	<b>Legal comments</b>
30	<b>Conditions</b>
31	<b>Informatives</b>

## **7 Consultation and procedure**

### Consultation

- 7.1 A Statement of Community Involvement (SCI) has been submitted as part of the application which details the consultation that the applicant undertook prior to submitting their application.
- 7.2 London Communications Agency were appointed to undertake a phased programme of consultation which was carried out 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. A consultation website was published in early June 2020 with stakeholders, local residents and businesses invited to provide their comments and feedback. An advertisement was also placed in the Camden New Journal on 2 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.
- 7.3 Following design amendments to the proposals and changes to the draft construction management plan during the course of the application, the consultation website was updated and key stakeholders were notified. Officers consider this consultation was sufficient.

## **8 Land use principles**

### Note on Use Classes

- 8.1 On 21 July 2020, the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 (the “Regulations”) were laid before parliament and came into force on 1 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.
- 8.2 Regulation 4 of the Regulations provides that if before 1 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 applied on 31 August 2020, that application must be determined by reference to the Use Classes Order as at 31 August 2020. This application was submitted on 7 August 2020 and must therefore be determined by reference to the Use Classes Order as it applied on 31 August 2020 (i.e. referring to Use Classes A and D, and not the new Class E).

### Principle of development

- 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 30,000sqm 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 site is within the Tottenham Court Road Opportunity Area. The Publication London Plan identifies Opportunity Areas as significant locations with development capacity to accommodate new housing, commercial development and infrastructure. The application site is also located within a highly accessible area (PTAL level 6b - the best), which is well served by public transport.
- 8.6 The existing site comprises 478sqm residential floorspace (Class C3), 1,138sqm retail floorspace (Class A1), 6,885sqm office floorspace (Class B1), and 743sqm flexible business / non-residential institution floorspace (Class B1/D1). The proposed development would result in an increase of 827sqm residential floorspace, an increase of 212sqm flexible retail floorspace (comprising A1 / A2 / A3 / D2 uses), and an increase of 832sqm office floorspace. The flexible B1 / D1 floorspace would be reduced by 87sqm, or 11.7%.
- 8.7 The proposed development would largely maintain and increase the existing uses on site and would be in accordance with the character and established mix of uses in the existing buildings and the surrounding area. The proposed development and intensification of business, retail and residential uses would help meet the aspirations of both local and regional policy for this important growth area in Central London, and as such, the principle of development in this location is considered acceptable and in accordance with London Plan Policy 7.6 and Local Plan Policy G1.

#### Mixed use policy and residential accommodation

- 8.8 Policy H2 requires a mix of uses in new developments, including a contribution to the supply of housing. In the Central London Area, where development involves additional floorspace or more than 200sqm (GIA), the Council requires 50% of all additional floorspace to be self-contained housing. We will require self-contained housing to be provided on site, particularly where 1,000sqm (GIA) of additional floorspace or more is proposed. Principle 1 of the FAAP promotes the development of permanent self-contained housing in Fitzrovia and aims to ensure that additional non-residential floorspace is matched by an equal addition to floorspace for permanent self-contained housing (in Use Class C3).
- 8.9 The Interim Housing CPG further explains that "any existing residential floorspace on the development site should be retained or replaced independently of the 50% target in accordance with Local Plan Policy H3" (para IH2.56).

8.10 The proposed development would deliver a mix of uses including retail/restaurant/assembly and leisure (A1/A2/A3/D2), flexible employment and non-residential institution space (B1/D1) and residential accommodation (C3). These uses are largely all currently on site, and the proposal would therefore maintain the overall character of the site while increasing the quantum of each use to conform generally to the Council's aim of securing mixed-use development. The overall increase in floorspace (GIA) would be 1,784sqm, split between non-residential and residential uses as follows:

- Non-residential floorspace uplift = 957sqm (54%)
- Residential floorspace uplift = 827sqm (46%)

8.11 Under policy H2, this generates a requirement for 892sqm of the overall uplift to be provided as self-contained residential housing. The proposals would provide 1,305sqm residential floorspace which is an uplift of 827sqm. Although this is slightly lower than the policy requirement (by 4%), the new residential units would be provided on site, would comprise a very good mix of dwelling sizes (discussed further below) and provide a good standard of accommodation. Furthermore, the proposed scale of development was reduced at officers' request to limit the height and massing of the building and its visibility from Bedford Square.

8.12 In summary, the characteristics of the site and its physical constraints mean that the provision of less than 50% of the additional floorspace being in residential use is acceptable (subject to a contribution towards housing by way of a payment in lieu, which would form part of the affordable housing contribution calculated in section 8 below). Economic planning objectives would be achieved, retail/restaurant uses would be enhanced providing an active frontage and a significant uplift in residential accommodation would take place. Officers consider that the proposed quantum and balance of uses is appropriate for this site. As such, the proposed development and the provision of residential floorspace is considered to be in compliance with the aspirations of Local Plan Policy H2, London Plan Policy 4.3, and the Publication London Plan policy SD5.

#### Proposed office use

8.13 The proposed development would deliver an increase in office floorspace from 6,885sqm to 7,717sqm, an increase of 832sqm. The site is located within the Central London Area in the Central Activities Zone, which the London Plan identifies as the Country's most important strategic office location.

8.14 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 seeks to direct new office development to the growth areas, Central London and the town centres to meet expected demand. Policy E2 of the Local Plan reiterates that the sites which are suitable for business use will be protected and the intensification of employment uses will be supported provided they are maintained or increased. Policy E2 goes on to say that where premises or sites are suitable for continued business use, the Council will consider higher intensity redevelopment schemes which improve functional efficiency, maintain or, preferably, increase the amount of employment floorspace and number of jobs.



Redevelopment should retain as far as possible existing businesses that desire to remain on the site and the re-provided employment floorspace on the proposal site should be designed flexibly to be able to accommodate a range of business types and sizes, in particular small and medium-sized enterprises (SMEs) and businesses in growth sectors such as the creative industries.

- 8.15 Principle 4 of the FAAP also states that the Council will support SMEs by seeking to ensure that where appropriate: existing business premises suitable for SME use are retained; and new business development is designed flexibly to allow parts of the property to be occupied by SMEs.
- 8.16 In terms of the existing occupiers, the applicant has confirmed that the offices are largely vacant with only two remaining tenants. These include a Financial Advisors firm who are vacating in February 2021 and moving to new offices, and a firm of Recruitment Consultants who took space within the building on a short term basis and were aware of the Applicant's intention to redevelop the building when they signed the lease. As such, the proposed development would not displace existing tenants or cause harm to CAZ functions or Camden's local economy.
- 8.17 The Employment Sites and Business Premises CPG sets out how the Council will seek to use planning obligations to secure an element of affordable SME workspace from large scale employment developments with a floorspace of 1,000sqm (GIA or gross internal area) or more. As the employment floorspace uplift is below 1,000sqm, it is not considered reasonable to insist on the provision of affordable workspace in this instance.
- 8.18 However, the upper floor office spaces are designed flexibly and can be split by up to two occupiers per floor. Tottenham Court Road isn't within a specific office district or cluster for specific industries and will attract a range of different tenants from a number of industries. The lower ground and ground floor flexible B1/D1 space by virtue of its location within the building is likely to suit small/medium occupiers (in the event that it's used as B1 office floorspace) and will have an upper limit in terms of the rent it can achieve because of these same design parameters. This is also flexibly designed and could be split into two different tenancies potentially.
- 8.19 Although the development doesn't generate a requirement to provide affordable workspace in line with the Employment CPG, the applicant has stated their intentions for the building to be designed with SME's in mind and has sought for the building to be as flexible as possible to cater to as many different industries and occupiers as possible.
- 8.20 Given the location of the site within the CAZ and the existing office use of the site, the increase in office floorspace is considered appropriate in this location, and in accordance with policies E1 and E2 of the Local Plan, London Plan policies 4.1 and 4.2, and Publication London Plan policy SD4 and E1.

### Proposed flexible retail use

- 8.21 The Tottenham Court Road frontage is designated as part of the Central London Frontage and is identified as a retail growth area by Policy TC1 of the Local Plan which seeks to promote the additional provision of retail floorspace as part of redevelopment schemes. 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.
- 8.22 Moreover, the site forms part of the West End Special Retail Policy Area (WESRPA), which is recognised as an area of ‘international’ significance by London Plan policy 2.11. The London Plan requires local policies to strengthen this significance, and to optimise the future benefits from the Crossrail station at Tottenham Court Road.
- 8.23 Principle 5 of the Fitzrovia Area Action Plan (AAP) accordingly states that larger retail spaces should be located within the Central London Frontage, whilst smaller and independent shops should be located away from Tottenham Court Road within the neighbourhood centre.
- 8.24 The existing site features 1,138sqm of retail floorspace at present, in the form of four retail shops fronting Tottenham Court Road and two cafes, one of which wraps round the north west corner of the building with a secondary frontage onto Bayley Street.
- 8.25 The proposals are for 1,350sqm flexible retail floor space at ground and lower ground floor within classes A1 (shops), A2 (financial and professional services), A3 (restaurants and cafes) and D2 (Assembly and Leisure). The flexible retail space would front Tottenham Court Road, with a separate publicly accessible café on the corner fronting Morwell Street and Bayley Street. The proposed retail offer will provide high quality retail space, with level access and an increase in active retail frontage at ground floor along Tottenham Court Road.
- 8.26 The Proposed Development seeks a flexible permission within Classes A1/A2/A3/D2 to ensure that the development when completed can maximise activity and respond to the changing retail climate. The design and access statement includes indicative layouts to show 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 designed to complement the townscape and character of Tottenham Court Road. The spaces have been designed to allow for maximum flexibility to accommodate future demand and allows for either multiple tenants or a single tenant. This flexibility is welcomed. It is noted that the development at One Bedford Avenue also proposed flexible retail space at ground floor level which would either operate as one large single ‘anchor’ unit or up to four smaller units. Officers welcomed this flexibility and noted that “Whether it becomes one large unit or four smaller units is inconsequential, as either offer will be a significant improvement over the existing”.

- 8.27 For retail developments in excess of 1,000sqm policy TC5 advises that the need for small shop (less than 100sqm) provision should be considered as part of the offer. However a key test of this policy is whether the provision of such small units would be appropriate to the centre, in this case the WESRPA and Central London Frontage. The ground floor layout could conceivably be divided to provide smaller retail units of 100sqm or less, however, it is not considered reasonable or necessary to require the provision of smaller units given the location of the site on Tottenham Court Road where principle 5 of the Fitzrovia AAP seeks larger units.
- 8.28 The proposed mix of flexible uses are considered appropriate in this location, as these would aid in creating a sense of place and would contribute to the vitality, viability and diversity of this retail frontage. However, given the location of the site in the Tottenham Court Road primary frontage and the West End Special Retail Policy Area, it is recommended that conditions be used to manage the uses on the Tottenham Court Road frontage at ground level. It is recommended that a minimum of 80% of the ground floor level fronting Tottenham Court Road annotated on the plans as flexible retail space shall be occupied in A1, A2 or A3 use at any one time to prevent this space being used entirely for D2 purposes (condition 12). It is also recommended that the proposed ground floor retail windows on Tottenham Court Road shall at all times include a shopfront display to the street (condition 14).
- 8.29 In addition, it is recommended that the proposed café at ground floor level fronting Bayley Street and Morwell Street shall be retained in this location and remain accessible to members of the public during hours of opening, to ensure it is not converted to ancillary office accommodation and to safeguard the character, function and vitality of the area (condition 11).
- 8.30 With these controls in place, it is considered the proposals would comply with policy 2.11 and 4.7 of the London Plan, policy E9 of the Publication London Plan, policy TC1 and TC2 of the Local Plan and the Fitzrovia AAP.

#### Flexible B1 / D1 Non-Residential Institution

- 8.31 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. Community facilities refers to a wide range of social infrastructure that provides a service to the community, including education and adult learning and training.
- 8.32 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 and there is no alternative community use capable of meeting the needs of the local area.

- 8.33 The policy sets out how there may also be circumstances where a community use, either wholly or in part, is no longer required or viable in its current use. In this instance, the applicant will be expected to demonstrate to the Council's satisfaction that the loss of the facility would not create, or add to, a shortfall in provision for the existing community use and if it would not, that the facility is unable to address a need for any other community use in the local area. 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 (paragraph 4.44).
- 8.34 Policy E1 (part 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.
- 8.35 There is no recent planning history for no. 4 Morwell Street, but it is occupied by the Architectural Association ("AA") for 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 for these purposes by the AA since 1996. They also occupy several buildings within Bedford Square as part of their wider campus. The planning statement submitted with the application identifies that through the AA's ongoing estate management strategy, 4 Morwell Street has been identified as surplus to their requirements and no longer fit for purpose, and consequently, they vacated the property in August 2020.
- 8.36 The Proposed Development seeks to largely replace the existing floorspace at 4 Morwell Street space with a flexible B1/D1 use, with a minor reduction of 87sqm.
- 8.37 Given the flexible permission sought, it is possible that this space could be used solely for business purposes rather than non-residential institution use, and the potential loss of the existing education element is therefore considered. Of relevance to this assessment is the fact that the AA have consolidated their assets into Bedford Square. 4 Morwell Street is surplus to their requirements, no longer fit for purpose, and they have already vacated the premises. 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.
- 8.38 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 or with an alternative D1 use is acceptable and complies with policy SD4 of the Publication London Plan and policies C2 and E1 of the Local Plan.
- 8.39 Examples of D1 Non-residential institution uses include clinics, health centres, crèches, day nurseries, day centres, schools, art galleries (other than for sale or hire), museums, libraries, halls, places of worship, church halls, law court, and

non-residential education and training centres. The unit would measure 656sqm and would be split between ground and basement level which would limit congregation of people and noise disturbance as half of the floor area is below ground; however, in order to ensure that future occupation of the unit would not adversely impact the adjoining premises by way of noise disturbance, the unit would be subject to the condition that it could not be used as a place of worship (condition 15).

#### Conclusion; land use principles

8.40 Overall, the proposed development is considered to have an appropriate mixture of uses for the site that would enhance the existing spaces while benefitting a number of the Council's policy objectives by contributing towards a successful economy and retail function, whilst making an appropriate contribution towards the Borough's supply of housing. As such, the development is considered to be in accordance with the Camden Local Plan, Fitzrovia AAP, London Plan and Publication London Plan and is acceptable in this regard.

### **9 Housing mix, unit size, quality of accommodation and affordable housing**

#### Policy review

9.1 Local Plan Policies H1, H2, H3, H4, H6, H7 and the Housing CPG, and Publication London Plan policy H1 are relevant with regards to new housing, including to tenure and unit size. Local Plan policy H6 is relevant with regards to the amenity of proposed housing.

#### Mix of unit sizes

9.2 The existing site contains a total of six residential units, comprising 2 x 1 bedroom flats and 4 x 2 bedroom flats. The proposal includes eight residential units made up of 5 x 2 bedroom flats, 2 x 3 bedroom flats and 1 x 4 bedroom flat.

9.3 In accordance with the requirements of the Government's Housing Delivery Test, the Council has published a Housing Delivery Test Action Plan. This sets out a series of actions to ensure that Camden is able to meet its housing requirement in future years. The housing delivery plan has been produced as the data shows that housing completions in Camden in recent years have fallen below the borough's housing delivery target. Between 2016/17 and 2018/19, Camden had a target of 3,360 new homes and 2,924 were delivered. This equates to 87%. Under the 2019 rules if delivery falls below 95%, authorities must publish an action plan to explain how they intend to increase delivery in future years. This should be taken into account when the Council are making decisions on applications which if approved would enable the delivery of additional housing for the borough.

9.4 Policy H7 seeks to provide a range of unit sizes to meet demand across the Borough. For market units, table 1 of this policy considers 1 bedroom/studios to have a lower priority, 2 bedroom units to be of high priority, 3 bedroom units high priority and 4 bedroom (or more) a lower priority. The proposal would provide a

very good mix of unit sizes so that the majority (88%) would be high priority units. Although 4 bedroom units are a lower priority, a contribution towards family units is welcomed and is in line with the Council's objectives to be a more family friendly borough. On this basis, the unit mix is considered to be acceptable and in accordance with policy H7.

### Design and layout

- 9.5 The Ministry of Housing, Communities and Local Government (MHCLG) released nationally described space standards in March 2015, which are incorporated in the Local Plan. The minimum gross internal floor areas are set by the number of bedrooms and bed spaces/occupiers in each dwelling. The development would provide five 2 bedroom/4 person flats, two 3 bedroom/5 person flats and one 4 bedroom/6 person flat, which require a minimum of 70m<sup>2</sup>, 86m<sup>2</sup> and 106m<sup>2</sup> (2 storey dwelling) respectively. All of the units comply with the national standards and comfortably exceed them. The 2 bedroom flats would measure 85, 99 or 107sqm, the 3 bedroom flats would measure 102sqm, and the 4 bedroom flat would measure 188sqm. All bedrooms would also exceed the national space standard of 7.5sqm for a single and 11.5sqm for a double. All units also provide ample space for storage and home study/desk space.
- 9.6 The flats would be located to the southern end of the site from the first floor upwards, fronting either Tottenham Court Road or Morwell Street (the first floor flat would be fronting Morwell Street only). Although all units would be single aspect, all habitable rooms would benefit from large floor to ceiling windows, generous floor to ceiling heights of 2.8m and private amenity space in the form of terraces, balconies and winter gardens. The flats fronting Tottenham Court Road would have winter gardens to provide an additional layer of acoustic protection from traffic on Tottenham Court Road and air quality. All units would have private amenity space which meet London Plan standards for units of their size.
- 9.7 As well as the winter gardens on the Tottenham Court Road elevation, the fifth floor flat is set back from the floors below and features a large terrace the full width of the property. This terrace is not enclosed due to the distance above street level and corresponding improvements in air quality. The units facing Morwell Street at first, second and third floors all feature a recessed balcony, while the duplex flat at fourth and fifth floor is set back from the floors below and features a large full width-terrace.
- 9.8 The residential units fronting Tottenham Court Road would be at second floor level and above only, so that there was greater separation between the dwellings and the busy Tottenham Court Road. It is also noted that following recent improvements made by the West End Project, Tottenham Court Road is now restricted to buses and cyclists only during the hours of 8am to 7pm on Monday to Saturday which will improve noise and air quality. There are vents integrated into the edges of the window providing passive, filtered ventilation which also prevent windows being opened when the outside air quality does not meet standards. The proposed development is therefore considered to provide an acceptable standard of residential accommodation.

## Access and inclusive design

- 9.9 New build residential developments must comply with the access standards in Part M of the Building Regulations. This includes parts 1 (Visitable dwellings), 2 (Accessible and adaptable dwellings) and M4 (3) wheelchair user dwellings. The Council expects all new build housing development to go above the minimum mandatory Building Regulations with a requirement to meet Building Regulations part M4 (2); and in this case for 10% of the units to meet part M4 (3) (wheelchair housing). Although this is applied to new build housing providing 10 or more units within policy H6, the proposal includes this provision and would be secured by planning condition (condition 10).

## Daylight and sunlight

- 9.10 An internal daylighting assessment has been undertaken of the proposed units using the BRE methodology. The assessment demonstrates that all the development performs very well in terms of daylight and sunlight levels for this urban location. The daylight amenity to all 28 habitable rooms within the scheme was assessed, which comprised of 20 bedrooms and 8 mixed use living/kitchen/dining rooms. Of these rooms, 24 (85.7%) are fully BRE compliant, with many substantially in excess of the required levels.
- 9.11 All remaining four rooms (14.3%) which do not achieve the minimum daylight amenity standards are large multi-function rooms which contain a kitchen. This means that a target value of 2% has been applied in accordance with BRE and British Standard guidance. In reality, however, the kitchen element within these rooms is, in most cases, small and located at the rear of the room with the intention of it being artificially lit. BRE guidance accepts this situation may exist, stating at paragraph 2.1.14 that "If the layout means that a small galley-type kitchen is inevitable" (as is the case here) "it should be directly linked to a well daylighted living room".
- 9.1 The BRE Guidelines and BS 8026 provide for minimum levels of ADF being:
- Bedroom - 1%
  - Living room - 1.5%
  - Kitchen - 2%
- 9.2 The ADF value for 3 of these 4 living / kitchen / diners is in excess of 1.5%, which is the BRE and British Standard minimum recommended ADF level for a living room. Therefore, by assessing these rooms as BRE compliant on the basis referred to above, the daylight compliance rate for the Proposed Scheme is 96.4%. The one room which wouldn't meet BRE guidance is the living/kitchen/dining room of the first floor flat fronting Morwell Street with a value of 0.8%. This is a result of the location of the flat at first floor fronting the narrow Morwell Street and the northerly aspect. It is noted that the two bedrooms would meet BRE guidance with levels of 1.3% and 2%.
- 9.3 As such, just one residential room within the development would be below recommended BRE levels for ADF. Given the dense urban location, the large

windows serving the affected room and the good levels of daylight to the two bedrooms of this flat, overall, it is considered to provide an acceptable standard of accommodation. Furthermore, the reduced levels of light to this room would not cause such serious harm to the amenity of future occupants of this flat so as to warrant refusal of the application on this ground.

#### Affordable Housing

- 9.4 Policy H4 of the Local Plan seeks to maximise the supply of affordable housing, in line with aiming to exceed the Borough wide strategic target of 5,300 affordable homes from 2016/17-2030/2031. The Camden Strategic Housing Market Assessment estimates a need for around 10,000 additional affordable homes from 2016-2031. Policy H4 has a sliding scale target that requires an additional 2% affordable housing per capacity for each additional home. Capacity for one additional home is defined within the Local Plan as the creation of 100m<sup>2</sup> of additional residential floorspace (GIA). In assessing capacity, additional residential floorspace is rounded to the nearest 100m<sup>2</sup> (GIA). The affordable housing target of 50% applies to developments with capacity for 25 or more additional dwellings. Schemes providing between 1-9 units will be expected to make a payment in lieu (PiL) of affordable housing, subject to viability.
- 9.5 The existing site currently contains six residential units with a total floor area of 478sqm (GIA). The application proposals include a total of eight residential units equating to 1,305sqm (GIA) which results in a residential uplift of 827sqm. The uplift equates to a capacity for 8 homes and would suggest that a PIL is appropriate in this circumstance. As discussed in section 8, the target residential quantum required in accordance with policy H2 would be 50% of the uplift (1,784m<sup>2</sup>/2 = 892sqm).
- 9.6 The affordable housing payment in lieu rate is being reviewed as part of the current update to 'Camden Planning Guidance Housing'. This supplementary planning document is likely to be adopted 25th January 2021. The updated payment in lieu rate would be £1,500 per sqm GIA which is the rate applied for primarily non-residential developments. Therefore, following the adoption of the updated Housing guidance the affordable housing payment in lieu would be £240,840. Full workings are shown below.
- 9.7 The payment in lieu is calculated by multiplying the target affordable floorspace by the cost per square metre of £1,500. The financial contribution of £240,840 would be secured by Section 106 legal agreement in the event of planning being approved. It is considered that this PIL would maximise the development's contribution towards affordable housing in this instance, in accordance with policy H4 of the Camden Local Plan.
- 9.8 If the guidance is NOT adopted prior to the consideration of the application by committee, then the payment in lieu would remain set at £2,650 per sqm GEA. The payment in lieu for affordable housing based on that rate would be £531,855 (160.56sqm x 1.25 [to convert to GEA] x £2650).



Total addition to floorspace proposed	1,784 sq m GIA
Self-contained housing floorspace target	1,784 x 50% = 892 sq m GIA
Capacity	900 / 100 = 9 additional homes
On-site addition to self-contained housing floorspace provision - market	827 sq m GIA
On-site addition to self-contained housing floorspace provision - affordable	0 sq m GIA
Affordable housing percentage target (capacity x 2%)	9 x 2% = 18%
Affordable housing floorspace target (= shortfall in this scenario)	892 x 18% = 160.56 sq m GIA
Payment-in-lieu of affordable housing (shortfall GIA x £1,500 psm)	160.56 x £1,500 = <b>£240,840</b>
Market housing percentage target (100% minus affordable %ge target)	100 – 18% = 82%
Market housing floorspace target	892 x 82% = 731.44 sq m GIA
Market housing Surplus GIA	731.44 - 827 = - 95.56 sq m GIA NB. this credit is not given to the applicant unless it is being used to subsidise the delivery of more or better affordable housing – so not in this case
<b>Total payment</b> (affordable housing shortfall only)	<b>£240,840</b>

## 10 Demolition

- 10.1 The proposal involves the demolition of all existing buildings on site. Policy D2 (Heritage) resists the total or substantial demolition of an unlisted building that makes a positive contribution to the character or appearance of a conservation area. In this instance, the site is not located in a conservation area, and although the Morwell Street buildings face the western boundary of the Bloomsbury Square Conservation Area, as a group, they are not considered to significantly enhance or contribute to the setting of the conservation area.
- 10.2 Prior to the submission of the application, the Council was contacted by the Bloomsbury CAAC to request that the properties at 2 – 3 Morwell Street were included within the Bloomsbury Conservation Area boundary and the Local List as they appeared to be a well-preserved example of mid Victorian terraced development, with two preserved shopfronts on the ground floor. The request was made because the Conservation Area already contains many buildings of

the same type which are deemed to contribute positively to the contribution to the conservation area.

- 10.3 Given the existing shopfronts had been boarded up for a number of years, the Council's Conservation and Heritage Planners arranged for the boarding to be removed so a full assessment could be made of the condition of the shopfronts and whether they would be of sufficient quality to either be included within the Conservation Area boundary, added to the Local List or retained as part of the proposals. Upon inspection it was found that the two shopfronts had been heavily altered. Whilst the flanking brick pilasters and fascia appear historic, both shopfronts have undergone significant changes.



*Figure 3: Existing shopfronts at Nos. 2 (right) and 3 Morwell Street*

- 10.4 On 2 Morwell Street two large openings have been made. One opening has been completely infilled with breeze blocks and the other is covered with a roller shutter.
- 10.5 On 3 Morwell Street a full height lattice frame with glazed panels had been installed which appears to be modern. The shopfront has had vertical channels cut through its woodwork to allow the insertion of the studs, and further damage would likely be caused at the higher level where the vents emerged. The Council's Conservation Officer confirmed that upon closer inspection, the surviving elements appeared not to be of fine workmanship.
- 10.6 The Conservation Area boundary was previously reviewed in 2011, and Officers concluded that there was no change in circumstances that warranted an

amendment to the boundary. Overall, whilst the buildings make some positive contribution to Morwell Street this is mainly due to their overall scale, materials and architectural character of the upper floors which in itself would not be reason to include them in the conservation area. As such, there is no objection to the loss of these buildings on design and heritage grounds.

10.7 The rest of the existing buildings at the site are generally of limited architectural quality, and interact poorly with the streetscape with no level access. 247 Tottenham Court Road is an unassuming 1950s office block above shops, faced with Portland Stone and patterned concrete panels. While it is not unattractive and has settled comfortably into its setting, it has no specific historic value and there is no conservation objection to its loss, provided that its replacement contributes at least as much to the streetscape.

10.8 Likewise, nos. 3 Bayley Street, 1 and 4 Morwell Street are more modern postwar constructions and are not considered to be of any particular architectural merit. There is no objection to their loss on design and heritage grounds.

10.9 No. 247 in particular is no longer considered fit-for-purpose, for the following reasons:

- Poor internal layouts, low floor to ceiling heights and inflexible work and retail space.
- Stepped access across all three elevations impacts the office, retail and residential spaces.
- Out of date and failing mechanical and ventilation systems with no existing cooling and a reliance on radiators for heating, all approaching the end of their useful life.
- Vertical transportation needs to be replaced and expanded to suit the needs of modern workspace.
- Low performance of external facades, concrete and precast panels deteriorating and extensive cold bridging, glazing with very low thermal and acoustic ratings.
- Incorporation of poor-quality building materials which are coming to an end of their lifespan.
- Poor quality residential accommodation which is below modern space standards.

10.10 Policy CC1 (Climate change mitigation) requires all proposals that involve substantial demolition to demonstrate that it is not possible to retain and improve the existing building. 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.

10.11 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. The assessment demonstrates that it is not the most sustainable option in the long term to retain

the existing building structure, primarily because of the building's age and the extent of intervention that would be required to bring it up to modern standards.

10.12 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; and
- Substantial structural strengthening to support the weight of a new energy efficient façade.

10.13 The WLCA estimates that a new build development would be more sustainable when considering operational and embodied carbon 15 years after completion of construction. 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.

10.14 Furthermore, 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. This would enable the use of the building to change in the future with minimal interventions to the building, which meets the aspirations of policy D2 which states that design should be durable in construction and where appropriate should be flexible and adaptable for a range of uses over time.

10.15 Overall, the proposed demolition of the existing buildings is considered acceptable in this instance given the low architectural and sustainability quality of the majority of the existing buildings on site and the sustainability improvements provided (Energy and Sustainability is discussed in more detail in section 17), in accordance with policies D1, D2, and CC1 of the Camden Local Plan 2017 and the FAAP 2014.

## **11 Conservation**

### Legislative background

#### *The Planning (Listed Building and Conservation Area) Act 1990*

11.1 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 ("the Listed Buildings Act") states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority 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.

- 11.2 The effect of this section of the Listed Buildings Act is that there is a statutory presumption in favour of the preservation of Listed Buildings and their settings. Considerable importance and weight should be attached to their preservation. A proposal which would cause harm should only be permitted where there are strong countervailing planning considerations which are sufficiently powerful to outweigh the presumption. The NPPF provides guidance on the weight that should be accorded to harm to heritage assets and in what circumstances such harm might be justified (section 16).
- 11.3 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) requires local planning authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas. Case law is mixed on whether this requirement applies to development outside of a conservation area which could affect the setting of a conservation area; however, Policy D2 of the Camden Local Plan (part g) does state that the Council will resist development outside of a conservation area that causes harm to the character or appearance of that conservation area, and as such, the impact of the proposed development on the character of the surrounding conservation areas is a material consideration.
- 11.4 The duties imposed by the Listed Buildings Act are in addition to the duty imposed by section 38(6) of the Planning and Compulsory Purchase Act 2004, to determine the application in accordance with the development plan unless material considerations indicate otherwise.

#### The National Planning Policy Framework 2019 (NPPF)

- 11.5 The NPPF requires its own exercise to be undertaken as set out in chapter 16 - Conserving and enhancing the historic environment. Paragraph 190 requires local planning authorities to identify and assess the particular significance of any heritage assets that may be affected by a proposal. Paragraphs 193-196 require consideration as to the impact of a proposed development on the significance of a designated heritage asset, including an assessment and identification of any harm/the degree of harm. Paragraph 196 states:

*'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.'*

#### Significance of the Heritage Assets

- 11.6 The following section appraises the significance of nearby heritage assets as far as is relevant to the context of the application, before considering how the significance of these assets would be impacted by the proposals. Figure 4 shows a map of the nearby designated heritage assets surrounding the site.

- 11.7 The proposed development is likely to be visible from the Bloomsbury and Charlotte Street Conservation Areas, from Bedford Square, and within the settings of 38 Tottenham Court Road (grade II) and the Rising Sun PH at 46 Tottenham Court Road (grade II). Each of these assets is discussed in more detail below, as well as the impact of the proposals on their significance.
- 11.8 The Hanway Street Conservation Area (partly within the City of Westminster) is considered to be sufficiently distanced from the application site so as to not be impacted by the development.



*Figure 4: Location of designated heritage assets surrounding the site*

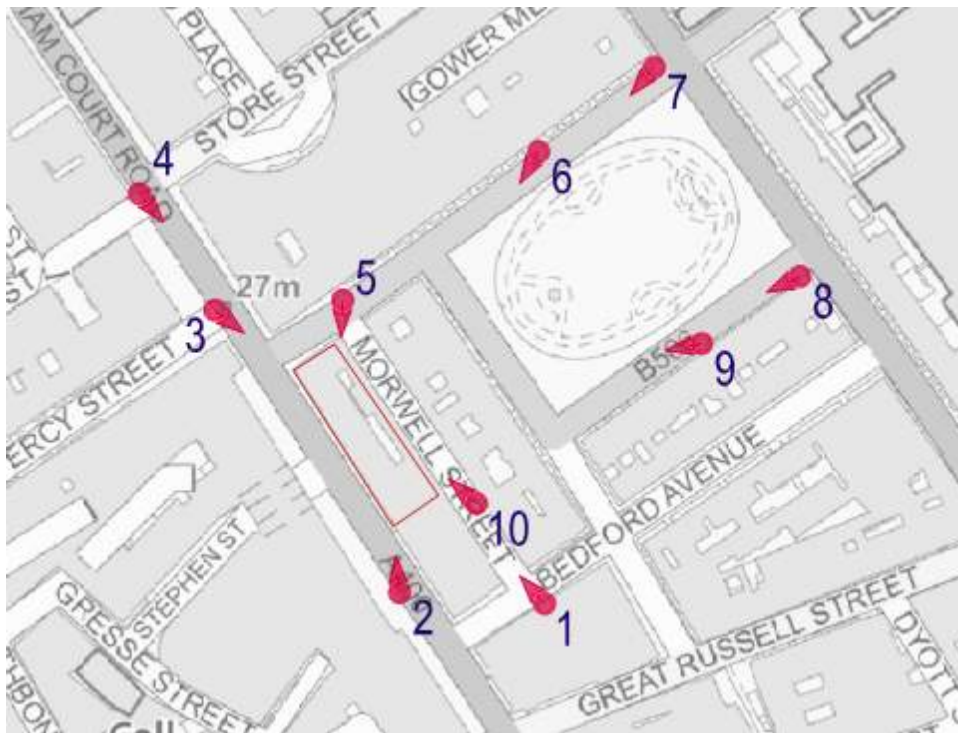
### Bedford Square

- 11.9 Nos. 28-38 (consecutive) and attached railings, Bedford Square, are listed grade I (the listing includes Nos 26, 26A and 27 Morwell Street). This terrace of 11 houses forms the west side of the Square. These three storey houses are of yellow stock brick and date from 1776-81. These buildings were designed either by Thomas Leverton or Robert Palmer.
- 11.10 Nos. 40-54 (consecutive) and attached railings, Bedford Square, are listed grade I (the listing also includes the north side of Bedford Avenue). This is a terrace of 15 houses forming the south side of Bedford Square. These three storey houses are of yellow stock brick with a plain stucco band at first floor level.



- 11.11 Nos. 1-10 (consecutive) and attached railings, Bedford Square, are listed grade I. This terrace of ten houses forms the eastern edge of the square. These three storey houses are of yellow stock brick with a plain stucco band at first floor level (no. 6 is stuccoed). No. 1, 6 and 10 were designed by Thomas Leverton while the others were either designed by Thomas Leverton or Robert Palmer. These buildings date from 1775-86.
- 11.12 No. 11 and attached railings, Bedford Square, is listed grade I. This building is located on the corner of Gower Street and Montague Place, but visually forms the end of the east side of Bedford Square. This three storey yellow stock brick building was probably designed by Robert Palmer and dates from 1776-81.
- 11.13 Nos. 12-27 (consecutive) and attached railings, Bedford Square, are listed grade I. This terrace of 16 houses forms the north side of the square. This is a symmetrical terrace of three storey houses, which are of yellow stock brick with a plain stucco band at first floor level. They date from 1776-81.
- 11.14 Bedford Square itself is a grade II\* listed Registered Park and Garden. It was built between 1776 and 1780. Bedford Square was the first garden square with an imposed architectural uniformity. In the late 19th Century the design of the garden was changed to what it is today: the pavilion was moved to the west of the garden and the paths that crossed the centre of the garden were removed. Few changes were made to the planting within the garden.
- 11.15 The garden house in the private garden in the middle of Bedford Square, is listed grade II. This wooden octagonal garden house dates from the mid-19th Century. The railings and the gates to the private garden are also listed grade II. These plain cast iron railings date from 1776-81.
- 11.16 The grade I listed properties discussed above all front onto the Square itself. The properties on the corners of the square (nos. 6 – 10 on the north west corner, no. 39 on the south west corner and nos. 50 – 60 to the south east) are all grade II listed. Nos. 50 – 60 form part of a larger listing which extends further south along Bloomsbury Street and includes 24 – 60 Bloomsbury Street.
- 11.17 The houses in Bedford Square form a most important and complete example of 18<sup>th</sup> Century town planning. The four terraces surrounding the square, the grade II\* square and its associated listed furniture have a clear visual and built form relationship. It is this relationship and the ability to appreciate this listed group together, along with the quality of architecture that gives each listing its significance.
- 11.18 The principal heritage consideration for this proposal is the setting of Bedford Square and whether the new building would cause material harm to the setting of the western terrace and the Square itself. The applicants have submitted a Townscape, Visual Impact and Heritage Assessment that contains ten verified views from the most sensitive locations surrounding the site that were agreed with officers prior to submission. The viewpoints include the north and south side of Bedford Square, the north and south ends of Morwell Street, and from the north and south of the site on Tottenham Court Road (see figure 5). The two

principal views within Bedford Square which will be impacted by the development are views 6 and 8 and these are discussed in more detail below.



*Figure 5: Townscape, Visual Impact and Heritage Assessment viewpoints.*

- 11.19 At present, a small section of the northern part of the existing building is visible behind the Bedford Square's western terrace when stood on the north side of the square (view 6). The existing view is shown in figure 6 below, with the proposed massing shown with the blue wireline.
- 11.20 In the existing situation, although the existing building is clearly visible behind the grade I terrace, the building provides a muted backdrop to the heritage asset. It presents an anonymous, plain, pale elevation, against which the 18<sup>th</sup> Century houses and their satellite buildings are able to maintain visual prominence. This relationship would be maintained by the development. Although the height of the proposed building would be very slightly increased in this view, the use of a pale terracotta and simple fenestration would ensure that the proposal is visually recessive and would maintain the existing sense of subordination. No part of the proposed development would appear above the ridgeline of the listed buildings on the western side of Bedford Square in this view. The final details of the facing materials shall be secured by condition (condition 3), to ensure they are appropriate in this setting.





*Figure 6: View 6 looking west along the northern edge of Bedford Square*

- 11.21 The Georgian Group raised concerns about the impact on views from the northern terrace of the Square, because the new building will project further forward on Morwell Street than the existing building making it more visible from the Square. Although the proposed building will be slightly more visible than the existing, it is considered an improvement in design terms, and would not result in harm to these views given the existing backdrop of larger, modern development to the west as can be seen in figure 6.
- 11.22 View 8 is located on the southern junction of Bedford Square with Bloomsbury Street, to the east of the site, within the Bloomsbury Conservation Area. Bedford Square is prominent in this view: the southern and western terraces, the garden in the centre, and the railings around the garden. Beyond the western terrace, in the middle distance, the tops of One Bedford Avenue and Central Cross are visible above the ridgeline, rising significantly taller than the terrace. The existing buildings at the application site are not visible in this view.
- 11.23 In the proposed condition, a sliver of the top of the proposed roof plant enclosure would be visible above the ridgeline of the listed terrace. Figure 7 shows the existing ridgeline in dotted red and the proposed development in blue. During the course of the application, the proposed roof enclosure underwent a number of changes to reduce its height and to push the massing to the western / Tottenham Court Road side of the building to limit its visibility from Bedford Square. Figure 7 shows that during the summer months, the development would not be visible due to the mature tree cover.



*Figure 7: View 8 looking west along the southern edge of Bedford Square.*

- 11.24 As one moves slightly further westwards and away from the tree cover, the proposed building would disappear below the ridgeline once more (figure 8). As such, the only visibility of the proposed development above the ridgeline of the western terrace would be in static views from one area to the south east of the square during the winter months when the trees are not in leaf. Officers have worked with the applicant's design team to ensure the development is as low as possible.
- 11.25 The Bloomsbury CAAC noted in their objection that the northern part of the site is in an equivalent position in relation to Bedford Square as the British Museum's new exhibition and conservation building on the east side and that English Heritage gave much attention to the views of this British Museum building from Bedford Square.
- 11.26 It is important to note that were the development visible behind any of the other terraces surrounding Bedford Square, the impact would be greater as their ridgelines are almost entirely preserved with no development currently visible behind them. However, in this instance, the western terrace has already been impacted by the large development at Central Cross and One Bedford Avenue.
- 11.27 Although One Bedford Avenue is a more recent development, it replaced an existing building on the site which was also visible above the Bedford Square roofline. The development was considered acceptable because the proposed building improved the view of the site when viewed from Bedford Square and removed the unsightly plant enclosure at roof level.



- 11.28 The proposed development would not be overly visually prominent in this setting and it is unlikely that many passers-by would notice the development once completed. It would be the proposed metal-clad plant enclosure which would be visible rather than the office/residential accommodation on the floors below, which would provide a more recessive, muted backdrop to the Bedford Square roof line due to the use of a single material with no window openings. A condition would secure details of the plant enclosure to be submitted for approval, which would also state that the enclosure shall be no taller than that shown on the approved drawings, and that all plant shall be contained within the screening shown on the submitted drawings in order to protect the setting of the listed buildings on Bedford Square (condition 3). It is also noted that Historic England in their consultation response did not wish to offer any comments.
- 11.29 Overall, although there is limited visibility of the development behind the western terrace, this would not cause harm to the quality of architecture that gives each listing its significance, or to the visual and built form relationship between the terraces and the square. The impact would be to the setting of the terrace, and would be limited to one static view, during the winter months only.
- 11.30 It is acknowledged that that the proposals would result in a minor visual impact to the setting of the Bedford Square heritage assets, and that the Georgian Group consider this to result in harm to Bedford Square, However, for the reasons discussed above, Officers do not consider this impact to result in harm to the significance of the heritage assets.



*Figure 8: View 9 looking west along the northern edge of Bedford Square.*

### 26, 26a and 27 Morwell Street

11.31 26, 26a and 27 Morwell Street are included within the listing description of 28-38 Bedford Square, although the listing description provides no information other than to note that they are included in the listing. Given the existing relationship between nos. 26, 26a and 27 and the existing buildings at the application site, the proposed development would not harm the setting of these heritage assets. The Morwell Street elevation would be taller than the existing buildings on site, but the proposed design, architectural quality and contribution to the streetscene would be improved by the new development, and consequently, the setting of the heritage assets.

### Bloomsbury Conservation Area

11.32 The Bloomsbury Conservation Area was designated in 1968. It is a large Conservation Area, extending from Euston Road in the north to High Holborn/ Lincoln's Inn Fields/ Carey Street in the south, and from Tottenham Court Road in the west to Grays Inn Road/ King's Cross Road in the east. The application Site is not located within the conservation area, but it does adjoin two sub areas: Sub Area 4 – Grafton Way/Alfred Place/Tottenham Court Road, to the north; and Sub Area 5: Bedford Square/ Gower Street, to the east.

11.33 The Bloomsbury Conservation Area Appraisal and Management Strategy was adopted on 18th April 2011 and notes that "Bloomsbury is widely considered to be an internationally significant example of town planning." The statement goes on to describe the character of the area:

*"The original street layouts, which employed the concept of formal landscaped squares and an interrelated grid of streets to create an attractive residential environment, remain a dominant characteristic of the area. Despite Bloomsbury's size and varying ownerships, its expansion northwards from roughly 1660 to 1840 has led to a notable consistency in the street pattern, spatial character and predominant building forms. Today, the area's underlying townscape combined with the influence of the major institutional uses that established in the district and expanded over time is evident across the large parts of the Conservation Area. Some patterns of use have changed over time, for example, offices and hotels came to occupy former family dwelling houses as families moved out of central London to the suburbs during the later 19th and 20th centuries. However, other original uses have survived and help to maintain the area's distinctive and culturally rich character (the most notable include hospitals, university and academic uses, cultural institutions such as museums, legal uses, and on a smaller scale, specialist retailers including booksellers and furniture shops)" (para 1.2).*

11.34 It is this consistency in street pattern, spatial character and predominant building forms which is considered to contribute to the area's architectural and historic significance.

11.35 Given the Bloomsbury Conservation Area is located to the east of the site and includes Bedford Square, the principal impacts on the conservation area will be

the same as those already discussed above, in relation to views from Bedford Square as well as views along Morwell Street. Although there would be some limited visibility from Bedford Square, the proposals would not cause harm to the street pattern, spatial character or predominant building forms within the conservation area. Existing and proposed views along Morwell Street are shown in figures 9 and 10 below (view 10 on figure 5 above) and are taken from the point where the upper storeys would be most visible.



*Figure 9: Existing view looking north along Morwell Street*



*Figure 10: Proposed view looking north along Morwell Street*

- 11.36 The proposed development would retain the existing footprint bounded by Tottenham Court Road, Bayley Street and Morwell Street, and the frontage onto Morwell Street has been reduced in height to four storeys, with the upper two storeys stepping away, to ensure the building is read as a four storey building on this elevation in most street level views to retain a sense of the existing mews character.
- 11.37 Morwell Street is historically the western mews to Bedford Square and maintains something of this character and scale, albeit mostly on three storeys rising to four storeys at the southern end. No original mews houses appear to remain, but the plot width is maintained. Following revisions, the proposal has a notional plot width, marked by vertical columns, that matches the historic one.
- 11.38 As discussed in section 10 (Demolition), two historic shopfronts on the western side have been boarded up for many years. They were briefly revealed and inspected by the Council's Conservation Officers, but were found to be of relatively low quality/much damaged, or missing entirely. They are within an isolated pair of 19<sup>th</sup> Century buildings which although historic with attractive upper floors which contribute positively to the streetscene, are of no special heritage value. The other two Morwell Street buildings to be lost are post-war and are of no historic value. While the loss of the 19th Century buildings is regrettable, given their ordinariness and lack of context within their terrace, there is no heritage objection to their demolition. The proposed replacement building would be of a high standard of design and constructed of brickwork which is appropriate in this setting. The new Morwell Street elevation would feature a greater number of openings and increased activation onto this street which is considered a significant benefit of the proposals.
- 11.39 Although undoubtedly larger than the existing Morwell Street buildings, the setback upper floors and four storeys fronting Morwell Street is considered to ensure the proposed building is an appropriate scale, and the proposed brick and detailed design are sympathetic to the building's setting (discussed in more detail in the Design section below). Consequently, in streetscape terms, the proposal is acceptable and would preserve the significance, character and appearance of the Bloomsbury Conservation Area.

#### Charlotte Street Conservation Area

- 11.40 The Charlotte Street Conservation Area lies to the north west of the site within the Fitzrovia area and was designated in 1974. The area's spatial character derives from the densely developed grid pattern of streets and limited open space. Development is predominantly four storeys and set back from the street by a small basement area creating a strong sense of enclosure. Although a range of building types is evident across the conservation area the predominant building type is the townhouse in a terraced form.
- 11.41 The most notable views are to local landmarks, primarily the BT Tower (outside the conservation area), viewed when travelling north, which serves as a more



recent reference point and aid to orientation. Centre Point similarly is a feature of the view south along Tottenham Court Road.

11.42 View 3 in figure 5 is taken from the edge of the Charlotte Street Conservation Area on the junction with Percy Street. The existing and proposed view are shown in figures 11 and 12 below. The existing building is six storeys in height with a number of antennae on the roof and prominent railings projecting from the parapet. South of the site is a mid-20<sup>th</sup> Century building on a narrow plot, between the site and the recent development at One Bedford Avenue. The top floors of One Bedford Avenue can be seen set back from the principle façade in glass. Centrepoint can be seen beyond at the southern end of Tottenham Court Road, rising to a considerable height.



*Figure 11: Existing view looking south along Tottenham Court Road.*

11.43 The proposed building would also be six storeys in height, but would sit approximately half a storey taller. The north and east elevations are visible from the Charlotte Street Conservation Area but the additional height would not interrupt views of Centre Point to the South. The proposed building is considered to be a high quality of design, which is an improvement in terms of architectural quality to the existing building and will enhance views from within the Charlotte Street Conservation Area.



*Figure 12: Proposed view looking south along Tottenham Court Road.*

#### 38 & 46 Tottenham Court Road

- 11.44 38 Tottenham Court Road is listed grade II. This three storey house dates from 1764-70 and was built by W Franks, W Richmond, H Roydhouse and J Pritchett. This multi coloured stock brick building has been painted red on the Percy Street façade. The ground floor has a late 19th Century shop front. This building is located on the junction between Percy Street and Tottenham Court Road, on the southern border of the Charlotte Street Conservation area.
- 11.45 The Rising Sun Public House at 46 Tottenham Court Road is listed grade II. This four storey public house dates from 1896, to the designs of Treadwell and Martin. The building's exterior is stuccoed with a brick extension. The building is located on the corner between Windmill Street and Tottenham Court Road, within the Charlotte Street Conservation Area.
- 11.46 No. 38 is located on the boundary of the Charlotte Street Conservation Area and no. 46 is further north along Tottenham Court Road. As such, the visual impact will be similar to the impact on the Charlotte Street Conservation Area, discussed above. The proposed building would be an improvement compared to the existing one. The site and proposed development form part of the wider setting of these listed buildings to varying degrees but do not contribute to their heritage significance. The proposed development will be consistent with the varied existing character of the immediate and wider area, and will not harm the significance of these listed buildings.



## Heritage impact and balance of benefits

11.47 The proposals are considered to preserve or enhance the setting of the nearby designated heritage assets; and whilst the sliver of development above the ridgeline of the western terrace of Bedford Square would result in a minor visual impact in one view from the south east corner of the square, this would only be during the winter months and is not considered to harm the significance of the heritage asset.

11.48 It is acknowledged that the Georgian Group consider this development to result in harm to the significance of Bedford Square, and should Members also consider the development to cause harm, then this must be given considerable weight in the balancing exercise.

11.49 The National Planning Policy Framework (NPPF) (paragraph 196) 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 securing its optimum viable use.”*

11.50 Public benefits may follow from many developments and could be anything that delivers economic, social or environmental objectives as described in the National Planning Policy Framework (paragraph 8). Public benefits should flow from the proposed development. The proposals are considered to provide a number of public benefits, including environmental, social and economic benefits. These are listed below.

### Environmental benefits:

- Providing a highly sustainable new building which uses recycled and low carbon materials;
- Overall improvement to the townscape and street scene;
- 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 CO<sub>2</sub> for the whole development, which goes a long way to meeting zero carbon;
- Creating car free development and removing the existing office car parking on site;
- Promoting sustainable modes of travel with a focus on cycling and exemplary end of trip facilities;
- Providing urban greening at roof level and along the new terraces to provide biodiversity and ecology benefits; and
- Contributing to new public realm and open space by contributing to a new parklet on the south side of Bayley Street or other open space projects in the immediate area to complement the West End Project.

### Economic benefits:

- Providing new high-quality flexible office accommodation in an identified area of economic growth to provide jobs for approximately 1,000 workers; and

- Investment in the Camden economy through local procurement during construction.

#### Social Benefits:

- Reducing crime and antisocial behaviour through design improvements and increasing natural and passive surveillance on Morwell Street;
- Opportunities for local people to undertake construction apprenticeships;
- New policy compliant mix of homes for residents which are high quality with private amenity space;
- Affordable housing contribution of £240,840 to contribute towards affordable housing nearby; and
- Providing level access to all uses of the building which is not provided in the existing arrangement.

11.51 Although the slight visibility of the proposed development above the roofline of Bedford Square is regrettable it is not considered to be harmful. The very minor visual impact which would only be apparent in one view during winter and the range of environmental, economic and social public benefits would more than outweigh any perceived harm caused to the setting of the western terrace properties on Bedford Square, the proposed development is considered acceptable in this regard in accordance with Policy D2 of the Local Plan.

#### Archaeological Impacts

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

11.53 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.

11.54 The DBA concludes that while there is the possibility that historic and modern urban development within the site has truncated any such remains, 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.

11.55 Historic England’s Greater London Archaeological Advisory Service (GLAAS) were consulted and confirmed that the site lies close to the projected line of the English Civil War Defences, however the exact alignment is currently little understood. The defensive ditch may therefore lie within the site. Survival on this site is also not however expected to be extensive, owing to the existing c. 3.3m

deep basement. The base of deep cut features, such as the defensive ditch may however still survive.

11.56 In light of the above and because the proposals include a deeper basement across the site, archaeological evaluation trenches should be excavated in order to clarify if any remains of the civil war defences survive within the site. This in turn will help to inform if any further archaeological mitigation is required. As such, GLAAS confirmed that they have no objection to the proposals subject to further archaeological works being carried out in accordance with an archaeological condition (condition 6).

## **12 Design**

### Policy review

12.1 London Plan policies 7.1 - 7.7, policy D1 and CPG (Design) seek to secure high quality design. Policy D1 seeks to secure high quality design in all development by requiring development to respond to local character and context, be highly sustainable in design and construction, integrate well to the surrounding streets and townscape, comprise high quality architecture, and be accessible for all.

### Site description

12.2 The site is approximately 27m x 65m. It consists of five separate buildings with 247 Tottenham Court Road occupying the majority of the site. An aerial view of the site looking north is provided in figure 13. The existing buildings on site comprise:

- 247 Tottenham Court Road, a ground plus six storey building which wraps around onto Bayley Street. It is a 1950s office block above shops, faced with Portland stone and patterned concrete panels.
- 3 Bayley Street, a ground plus five storey building. 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.
- 1 Morwell Street, a ground plus two storey building. The building is faced in red brickwork and features central projecting bay windows and a pitched roof.
- 2-3 Morwell Street, ground plus two storeys. These two 19<sup>th</sup> Century buildings are faced in a light brick with pitched roof.
- 4 Morwell Street, a ground plus two storey building, is a more modern construction, faced in red brick and white render with a pitched roof and prominent triangular front gables.



*Figure 13: Existing buildings on site viewed from the south*

- 12.3 The additional aerial view in figure 14 below shows the relationship between the taller Tottenham Court Road and Bayley Street building and the smaller more intimate Morwell Street buildings, as well as the wider context with Bedford Square to the east and One Bedford Avenue to the South which links to taller development to the south end of Tottenham Court Road and Centrepoint. The large Centre Cross development can be seen to the west on the other side of Tottenham Court Road.
- 12.4 Tottenham Court Road does not have a uniform style, but can be broadly split into three different zones. The northern section is a mix of predominantly modern large blocks in stone and cladding alongside large brick mansion blocks; the middle section is predominantly smaller ornate Victorian brick with plaster and stone detailed buildings; and the southern section is predominantly large scale modern buildings of concrete and stone. The application site sits between the middle and southern sections and the height of the existing building provides an appropriate link between the two contexts.





*Figure 14: Aerial view looking north*

- 12.5 The Design and Access Statement submitted with the application includes a detailed analysis of the architectural characteristics of the surrounding area and notes that the corners of most blocks are given special treatment. Examples include chamfers, curved corners, or they are celebrated with structural pillars and / or raised storeys some of which are capped with domes. There is a mix of setback roofs, dormers, parapets, pitched, and hipped roofs, which provide a varied skyline. Officers agree with this analysis.
- 12.6 Although neighbouring buildings 248-250 Tottenham Court Road and One Bedford Avenue to the south of the site have a strong horizontal emphasis, the study showed a predominance of vertical emphasis to the surrounding buildings.

#### Form, massing and distribution of uses

- 12.7 The proposed development has sought to respond to the contrasting scales of Tottenham Court Road, Bayley Street and Morwell Street, whilst creating a distinction between the different uses. The proposed building would be ground plus five upper storeys with a roof level plant enclosure. The proposed height would be only slightly taller than the existing, whilst infilling the area between Tottenham Court Road and Morwell Street. Although the Morwell Street elevation would be taller than existing, it would principally read as four storeys in height. The building is set back by 2.5 metres at 4th floor level along Morwell Street to minimise the impact on views from Bedford Square.
- 12.8 The proposed building is also set back at the 5th floor level on the corner of Bayley Street and Morwell Street. A chamfer on the corner of Bayley and Morwell Street provides a generosity to the public realm on this corner.

- 12.9 A setback terrace is also introduced to the southern end of the Tottenham Court Road frontage and the height of the parapet is reduced to address the connection with the neighbouring building (248-250 Tottenham Court Road) and provide a consistency of parapet height.
- 12.10 A singular plant room would house all rooftop M&E equipment and lift overruns which would be clad in a scalloped louvred PPC metal finish that continues the architectural language of the lower floors. 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.
- 12.11 Overall, the proposed building is considered to be an appropriate height and scale in this location. The two 'faces' of the building respond appropriately to the two contexts in which the building will be read – from the busy, densely developed Tottenham Court Road to the west, and from the smaller scale, heritage-sensitive Bedford Square and Morwell Street to the east. The building steps down in height on the Morwell Street elevation so that it will read as four storeys in most views, which is considered an appropriate replacement for the existing three storey buildings on site, whilst also sitting well against the height, massing and form of the modern development at One Bedford Avenue to the south.

#### Detailed design/Materials

- 12.12 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, Bayley Street and the first two bays of Morwell Street would read as one distinct element, whilst the treatment to the rest of the Morwell Street elevation would have a different character and architectural treatment. 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.
- 12.13 The proposed material palette to the office element is a grey / pale green terracotta to the upper storeys and the base would be a grey honed basalt surrounding the shopfronts and ground façade. Pilasters extend into the first floor to support blackened stainless steel railings. The terracotta tiles would be fluted to follow the scallop shape of the parapet level. The scalloped parapet would enhance the curved bays, and the use of terracotta finials would provide interest at the upper levels. Figures 15 and 16 provide a detailed view of the terracotta detailing and the fluted terracotta tiles to the upper floors.



*Figure 15: View south along Morwell Street*

- 12.14 The Bayley Street elevation provides a recessed central entrance to the offices, marked with a shallow canopy. The retail and café entrances are on the chamfered corners. The same grey basalt and terracotta façade elements continue around from Tottenham Court Road.
- 12.15 The terracotta and basalt façade to the office continues on to Morwell Street for two full bays. The proposed use of terracotta would provide a high standard of finish and the façade detailing has evolved significantly since pre-application stage to provide a high quality architectural design befitting of this prominent location. The selection of facing materials have been based on their sustainable credentials to minimise the embodied carbon of the construction. A sample panel of the proposed terracotta indicating the colour and finish would be secured by condition for approval prior to implementation of the relevant works, as well as detailed drawings of a typical bay and shopfronts to ensure the necessary standard of design is delivered on site (condition 3).
- 12.16 Along the rest of the Morwell Street elevation, a brick finish is proposed 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.





*Figure 16: Typical façade bay on Tottenham Court Road*

12.17 Brick was chosen so that the Morwell Street element would read as a building in its own right, and act as a moderator between the different scales of both Morwell Street and Tottenham Court Road. Following the initial submission of the application and detailed discussions with the Council's Urban Design Officer, further detailed design work was carried out on the design and façade arrangement of the Morwell Street elevation. The amendments were made to add texture and interest to the façade, and included the introduction of a projecting brick detail to the primary brick piers and structural openings; replacement of proposed brickwork with terracotta cladding to the fifth floor terrace fronting Morwell Street (to match the floors below on this element); introduction of slim brick piers at ground floor level; introduction of a low level wall in dark grey basalt beneath the ground floor windows so that they were not floor to ceiling glazing to match the prevailing character of the surrounding buildings; and revisions to the first floor windows to match the arrangement of the floors above. As with the terracotta façade, detailed drawings and sample panels would be secured by condition of the proposed brickwork and typical bay details for approval prior to implementation (condition 3).



- 12.18 The residential entrance is located to the southern end of the Morwell Street elevation, which is considered an appropriate location given the more domestic character of this street. It will also help to provide additional activation and surveillance to the streetscene. Concerns have been raised by the Bloomsbury Association that there are problems with drug-related crime, anti-social behaviour and rough sleeping on Morwell Street, and that there is still too much “blind, inactive façade and too many recessed doorways in the current proposal”. The proposal would significantly improve the ground floor level compared to the existing building with greater ‘active’ features such as doors and windows. The proposals achieve active frontage along 90% of the perimeter, compared to 55% in the existing condition. The majority of this increase is located on Morwell Street, which will positively affect its character and provide increased surveillance of the street.
- 12.19 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. The proposed windows would be a PPC aluminium surround featuring an extended cover cap and protruding sills and headers offering solar shading. There are vents integrated into the edges of the window providing passive ventilation. Detailed drawings of all windows and doors would be secured by condition (condition 3).
- 12.20 The Bloomsbury Association suggested that clarification should be sought from the applicant that parapet edge protection, window cleaning equipment, high-level M&E plant and tenants' plant, including that of retail tenants and noise mitigation screening, is included in the volume modelled. Officers have worked closely with the applicant’s design team to reduce the height of the proposed rooftop plant enclosure as much as possible. Conditions would also be imposed requiring final details of the plant enclosure and plant within, and to limit the height of the enclosure so that it shall be no higher than that shown in the approved drawings (conditions 3 and 9).
- 12.21 The Bloomsbury Association also raised concerns that street level servicing, air inlet/exhaust and the substation will detract from the potential for a continuous active frontage on Morwell Street. The proposals would provide an active frontage along 90% of the perimeter, compared to the existing level of 55% which is considered a significant improvement.
- 12.22 The Bloomsbury Association and Charlotte Street Association both also requested that the Council secure evidence of a signed building contract for the construction of the (whole) development to be provided before demolition of the buildings takes place due to concerns that the building could be demolished and no replacement constructed given the current climate. Such a condition would be imposed should planning permission be granted (condition 5).

#### Design Review Panel (DRP)

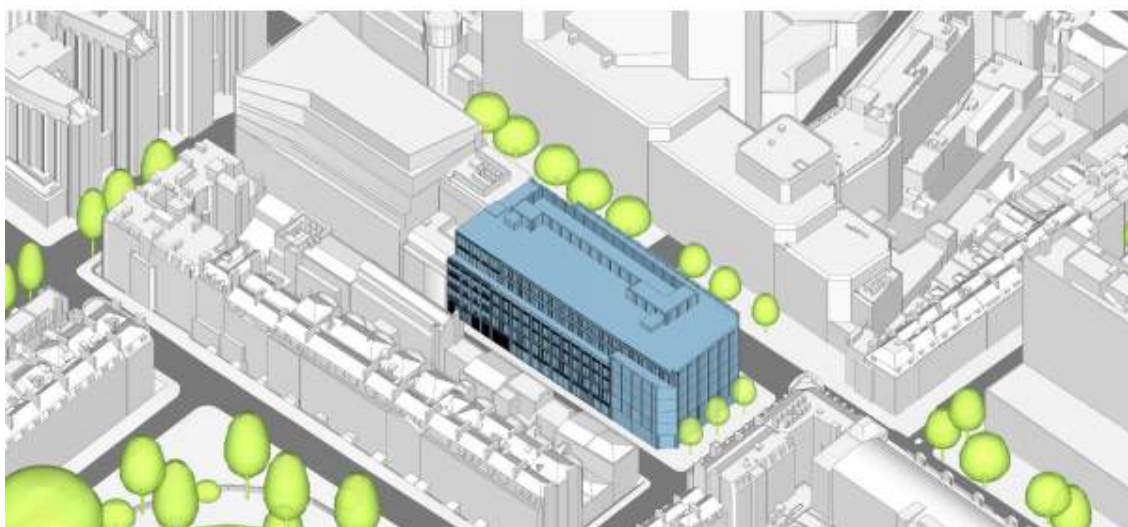
- 12.23 The proposals were considered by Camden’s Design Review Panel at pre-application stage on 24 April 2020 and the formal written report was issued on 7

May 2020 (attached at Appendix 1). The panel considered the proposed massing to sit comfortably on Tottenham Court Road but suggested that it should respond more sensitively to the smaller scale of Morwell Street. The panel were less concerned with the height of the lift overruns which would be partially visible from Bedford Square, but suggested the massing should reduce along the majority of Morwell Street, possibly to four storeys. The panel was supportive of the use of terracotta on the Tottenham Court Road elevation and the dark base to the building with a lighter material above, but did not consider terracotta to be the right material for Morwell Street, and suggested the residential accommodation should be given a more domestic appearance. The report's summary section is provided below:

### *Summary*

*The panel finds much to admire in the proposals for this prominent site which sits near the edge of one of the finest examples of a Georgian Square in London. It does however recommend a number of adjustments, and would encourage the design team to finesse proposals to ensure they are of an appropriate scale and quality required in this sensitive location. While the panel welcomes the design team's thorough sustainability analysis to justify the demolition of the existing building, it emphasises that the new building should operate in a light touch way, for instance with natural ventilation where possible. The scale of proposals facing onto Tottenham Court Road is viewed as acceptable. However, the panel consider a step down in scale towards Morwell Street is necessary, to avoid compromising the character of this mews street. The elevation to Tottenham Court Road is well considered, but has scope for refinement. It recommends the design team continue to look at references along Tottenham Court Road, which provide clues to giving more gutsiness and rhythm to the proposals. As part of this process, the panel suggests consideration of how the verticality of the facades could be strengthened, and how the chamfered corners are detailed to enhance views from Bedford Square. A change in materiality could be considered where the building faces onto Morwell Street. The panel has concerns about the quality of residential accommodation currently proposed and feels the floor plans require a rethink. The design team should ensure that all habitable rooms have adequate access to light and space, and ensure that amenity space enhances residents' wellbeing. Thought should be given to the wide pavement facing onto Bayley Street and if this can include planting and have a social function.*

- 12.24 The proposals presented to the Design Review Panel differed to the current proposals in terms of the detailed design and that it proposed five storeys to Morwell Street with a setback sixth storey. A massing diagram of the proposals is provided in figure 17.



*Figure 17: Massing diagram of pre-application proposals presented to DRP (top) and submitted proposals (bottom).*

12.25 The proposals were revised in response to the DRP feedback to reduce the height of the Morwell Street elevation to four storeys with setback fifth and sixth storeys; the Morwell Street materiality was changed to brick to reflect the existing material palette; extra detail was added to the façade at cornice level on Tottenham Court Road and Bayley Street elevations; and the residential arrangement was revised, and removed from the first floor level fronting Tottenham Court Road.

### Conclusion

12.26 The application site is not located in a conservation area and does not contain any listed buildings; however, it is located in close proximity to a number of heritage assets including Bedford Square, Bloomsbury Conservation Area and Charlotte Street Conservation Area. The proposals would result in the loss of the existing buildings on site; however, these are considered to contribute little to the streetscene or townscape aside from their scale and height. The proposed replacement building responds to the scale and language of the surrounding

area, and is considered to provide a high standard of design and finish. The proposed development would be visible above the roofline of the western terrace of Bedford Square, but this is not considered to cause harm, as discussed in the heritage section above.

12.27 Assessing the development overall, it is considered that it would preserve the character and appearance of the surrounding conservation areas. The comprehensive redevelopment has provided opportunity to design a building that has a better relationship to the three surrounding streets with 'active' features such as doors and windows at ground level. The proposals significantly increase the level of ground floor active frontage, the majority of which would be to Morwell Street, which will positively affect its character and provide increased surveillance of the street which suffers with anti-social behaviour and criminal activity. Detailed conditions would be attached should planning permission be granted requiring details of materials and other components to ensure the quality of the design is upheld.

12.28 It is recognised that often when the original architect is not retained to oversee the construction phase of the development and champion design quality, there is an increased risk that design quality of the development could be eroded through inappropriate detailed design and design changes. As such, it is recommended that the scheme architects Stiff and Trevillion are retained by S106 legal agreement, and that appointment of an alternative architect must be approved in writing by the local planning authority in order to uphold the necessary standard of design, architectural quality and materiality required for this prominent location. Overall, the proposals are considered to be in accordance with policies D1 and D2 of the Camden Local Plan and are acceptable in this regard.

### **13 Landscaping and trees, Open space**

#### Open space contribution

13.1 The Local Plan requires an 'appropriate contribution' to open space, with priority given to publicly accessible open space. Policy A2 gives priority to securing new public open space on-site, with provision of space off-site near to the development acceptable where on-site provision is not achievable. If there is no realistic means of direct provision, the Council may accept a financial contribution in lieu of provision. Principle 2 of the FAAP states that the Council will expect development in Fitzrovia that increases the use of open space to provide new on-site public open space. Where on-site provision is not practical, public open space should be provided on an identified site in the vicinity.

13.2 CPG Public Open Space states that developments exceeding 1,000sqm in floorspace will be expected to contribute towards open space and play facilities.

13.3 The scheme would be providing an additional two residential dwellings and 957sqm of non-residential floorspace.

- 13.4 Policy A2 (part m) applies a standard of 0.74m<sup>2</sup> per occupant for commercial developments and 9m<sup>2</sup> per occupant for residential in terms of on-site provision.
- 13.5 This would equate to a requirement of 87.6sqm overall, made up of 33.1sqm for the residential component (9sqm x 1.84 x 2 = 33.1sqm) and 54.5sqm for the employment uses (0.74sqm x (957/13) = 54.5sqm).
- 13.6 No new public open space is provided as part of the proposals. Policy A2 acknowledges that achieving the full quantum can be challenging, particularly on sites within densely built up parts of the borough such as this, where the majority of the site is already built over. There is also no existing public open space on site at present. Therefore, a financial contribution is required towards the provision, maintenance and improvement of open space. This is calculated as £8,937 for the residential shortfall (33.1sqm x £200 (capital costs) + 33.1sqm x £7 x 10 years (maintenance costs) and £14,715 for the non-residential shortfall (54.5sqm x £200 (capital costs) + 54.5 x £7 x 10 years (maintenance costs). A financial contribution of £23,652 would be secured by S106 legal agreement towards public open space.

#### Bayley Street pocket park

- 13.7 The applicant has also expressed a desire to provide a new pocket park on Bayley Street adjacent to the north elevation of the proposed building. Full details have not been worked up or provided as it would be outside of the red line boundary and on Camden-owned public highway. As such, the applicant suggested making a financial contribution to the pocket park whilst Camden would design and carry out the works. The Open Space CPG notes that there is a particular need to take a creative approach to delivering open space south of the Euston Road. This may include the greening of the public realm, for example through the provision of pocket parks and reclamation of road space. As such, the creation of an additional pocket park in this area would be welcomed (it would require the relocation of a cycle hire docking station which is currently in place to an alternative suitable location in the local area). The most appropriate means of securing this is considered to be as part of the Pedestrian, Cycling and Environmental Improvements contribution (discussed further in the Transport section below).

#### Landscaping and trees

- 13.8 There is a lack of public open space and soft landscaping features within the site boundary or surrounding it. As such, the proposed development would not necessitate the removal of existing trees or landscaping and it is not necessary to secure details of tree protection measures.
- 13.9 The proposal includes the introduction of new soft landscaping at the site in the form of planter boxes to the roof terraces at levels four, five and roof level associated with the office use and a large green roof, which is welcomed. Full details of the planting and maintenance would be secured by planning condition (condition 36).

## Nature conservation and biodiversity

- 13.10 A Preliminary Ecological Appraisal has been submitted as part of the application, which sets out the ecological baseline for the site. The site is not covered by nor adjacent to any sites that are the subject of statutory or non-statutory protection and it determines that no such sites are likely to be affected by development at the site. The only habitat currently found on site is building and hardstanding, which is considered to be of negligible ecological importance. The proposed loss of this habitat, therefore, presents no constraint and no mitigation will be required.
- 13.11 Three onsite buildings were considered to have negligible potential for roosting bats and two buildings were considered to have low potential for roosting bats. As these buildings are scheduled for demolition, in line with best practice guidance, the appraisal recommends that the two low potential buildings will require one emergence/re-entry survey during the bat active season (May-August, inclusive).
- 13.12 Precautionary checks for nesting birds are also recommended by an Ecological Clerk of Works (ECoW) if buildings are removed during the core nesting bird season (March – August, inclusive), to prevent death or injury by the proposed works. However, it should be noted that nests may be found at any time of year. Should nesting birds be present with young or eggs, an appropriate buffer should be erected, and the nest checked periodically by an ECoW until it is clear the young have fledged.
- 13.13 The proposals present the opportunity to incorporate ecological enhancements and improve the biodiversity at an otherwise innocuous urban site. Creating new habitat and improving opportunities for fauna which may be at the site, such as establishing green wall and roof planting, will be in line with the London Plan (2016), the Publication London Plan (2020) and the London Borough of Camden Local Plan (2017). New flora planted should preferably be native and of local stock where possible. In addition, enhancements for specific species groups could be provided post-construction including bird and bat boxes to increase the number of nesting and roosting sites across the site, respectively.
- 13.14 The Council's Nature Conservation Officer has reviewed the Preliminary Ecological Appraisal and recommends that the suggestions made within it are secured by condition. These will include bird and bat protection measures (conditions 33 and 34), details of bird and bat boxes to be incorporated into the fabric of the building (condition 31) and details of biodiversity enhancements (condition 32).
- 13.15 The proposals also include planter boxes to the terraces and a large green roof. This was originally proposed to be a sedum green roof but was revised to a biodiverse green roof at the request of Officers which will strengthen the urban greening credentials of the site and improve its biodiversity. Full details of the green roof shall be secured by condition (condition 37).

## 14 Impact on neighbouring amenity

### Policy review

- 14.1 Camden Local Plan policies A1 and A4, Principle 9 of the FAAP and the Amenity CPG are relevant with regards to the impact on the amenity of residential properties in the area. Any impact from construction works is dealt with in the transport section.

### Daylight and sunlight

- 14.2 A Daylight, Sunlight and Overshadowing Report has been submitted as part of this application prepared by Point 2 Surveyors Limited which details any impact upon neighbouring residential properties.
- 14.3 The methodology and criteria used for the assessment is provided by the Building Research Establishment's (BRE) guidance 'Site layout planning for daylight and sunlight: A guide to good practice' (BRE 209 2nd edition, 2011).
- 14.4 To assess the impact on daylight, the assessment uses the Vertical Sky Component (VSC) test, the No-Sky Line (NSL) test, and the Average Daylight Factor (ADF) test. The VSC is calculated at the centre point of each affected window on the outside face of the wall in question. A window looking into an empty field will achieve a maximum value of 40%. BRE guidelines suggest that 27% VSC is a good level of daylight. If a window does not achieve 27% VSC as a result of the development, then it is assessed whether the reduction in value would be greater than 20% of the existing VSC – which is when the reduction in light would become noticeable to occupants. However, officers consider that VSCs lower than 27% are normal for densely-built urban areas, with 20% still considered acceptable.
- 14.5 The NSL test calculates the distribution of daylight within rooms by determining the area of the room at desk / work surface height (the 'working plane') which can and cannot receive a direct view of the sky and hence 'sky light'. The working plane height is set at 850mm above floor level within residential properties. The guidance states that reductions of more than 20% of the existing NSL value would be noticeable (i.e. levels of NSL are reduced to less than 0.8 times their former value).
- 14.6 The ADF method assesses the quality of daylight within proposed accommodation and is a complex and representative calculation to determine the natural internal luminance (daylight) in an area. Whilst this methodology is not prescribed for existing, occupied properties it can be a useful informative given the level of accuracy entailed. This daylight assessment method considers the diffuse visible transmittance of the glazing to the room in question (i.e. how much light gets through the window glass); the net glazed area of the window in question; the total area of the room surfaces (ceiling, walls, floor and windows); and the angle of visible sky reaching the window/windows in question.
- 14.7 The BRE Guidelines and BS 8026 provide for minimum levels of ADF being:

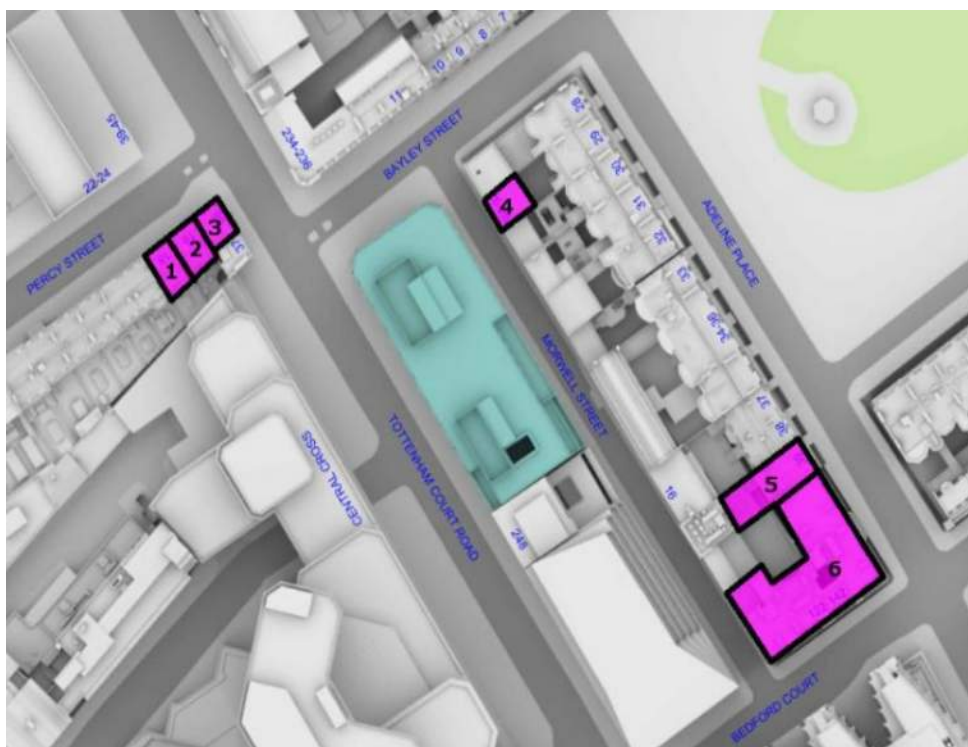


- Bedroom - 1%
- Living room - 1.5%
- Kitchen - 2%

14.8 For sunlight, the Annual Probable Sunlight Hours (APSH) test calculates the percentage of probable hours of sunlight received by a window or room over the course of a year. In assessing sunlight effects to existing properties surrounding a new development, only those windows orientated within 90 degrees of due south and which overlook the site require assessment. The main focus is on living rooms, with bedrooms and kitchens deemed less important. For neighbouring buildings, the guide suggests that occupiers will notice the loss of sunlight if the APSH to main living rooms is both less than 25% annually (with 5% during winter) and that the amount of sunlight, following the proposed development, is reduced by more than 4%, to less than 0.8 times its former value.

14.9 The following properties contain residential accommodation and due to their proximity to the site were analysed:

1. 18 Percy Street
2. 19 Percy Street
3. 20 Percy Street, 37-38 Tottenham Court Road
4. 26 & 26a Morwell Street
5. 39 Bedford Square
6. 122-142 Bedford Court Mansions, Adeline Place



*Figure 18: Nearest residential properties to the application site*

14.10 The daylight and sunlight report demonstrated that any impacts to the residential properties at 18, 19, 20 Percy Street, 37-38 Tottenham Court Road, 39 Bedford Square, and 122-142 Bedford Court Mansions would not be



noticeable to inhabitants, i.e. any reductions in daylight or sunlight would be less than 20%. As such, the occupants of these properties will not, therefore, notice any alteration to their levels of daylight and sunlight amenity as a result of the construction of the Development:

#### 26 & 26a Morwell Street

- 14.11 Located opposite the site to the north east, this property comprises three site-facing flats at ground, first and second floor levels.

#### *Daylight*

- 14.12 BRE guidance is that changes below 20% will not be noticeable. There is a total of five windows serving three rooms. Of these, three windows will meet BRE Guidance in terms of sky visibility at the window face (VSC). The two remaining windows will slightly exceed BRE Guidance with a 24% and 25% change from 17% and 14% VSC down to 13% and 10% VSC respectively. In both cases the rooms are served by two windows so have another window which still meets the BRE guidelines in its degree of being impacted.

- 14.13 In relation to light penetration into the room (NSL), the two rooms referred to above as having windows which fail the VSC test (both located on the 1<sup>st</sup> and 2<sup>nd</sup> floors) will satisfy BRE Guidance. The ground floor bedroom will slightly exceed the guidance at 22.8% compared to the recommended 20% change in NSL.

- 14.14 As seen from the VSC and NSL tests the extent of noticeable impact would be marginal, nevertheless given the narrow separation distance between the proposed development and 26 Morwell Street and the already low daylighting conditions, the use of a lighter brick to the Morwell Street elevation would provide a more reflective façade. In order to explore the extent to which specifying more reflective materials on the proposed building would mitigate any effect upon the neighbours opposite, the Daylight & Sunlight report has carried out Radiance daylight studies. This calculates the quality of daylight within the neighbouring rooms based upon many more variables including the extent to which light is reflected off the proposed façade and the properties of materials used. The Radiance study shows that there is limited light penetration into all 3 rooms in the existing condition and that the proposed development would only have a very slightly additional effect reducing this from approximately 0.4% - 0.6% ADF to 0.3% - 0.6% ADF.

- 14.15 The alteration in the level of brightness within each room, due to construction of the proposed scheme, overall, would be minor. The application of a more considered / detailed elevation treatment significantly limits the alteration in daylight within this neighbouring building and hence the effect upon its residents.

#### *Sunlight*

- 14.16 Of the total 3 assessed rooms within this building which have site facing windows and which are orientated within 90 degrees of due south, all breach BRE APSPH Guidance under existing conditions. However retained values are

good / reasonable, with winter APSH retained in a range of 3% - 6% (compared to a BRE recommended 5%) and annual APSH retained in a range from 15%-24% (compared to a BRE recommended 25%). The BRE itself acknowledges that it is often difficult to satisfy sunlight guidance in denser urban or city centres such as this.

- 14.17 The Bloomsbury Association noted in their objection letter that no consideration is given to the impact on daylight to the studio spaces of the Architectural Association. As these are not habitable rooms, impacts on daylight and sunlight are not scrutinised to the same degree as for residential properties; however, it is noted that the proposed overall height of the new building is only slightly taller than the existing building at 247 Tottenham Court Road. Although the elevation fronting Morwell Street would be taller than in the existing condition, the existing Morwell Street buildings are still within the shadow of no.247 at present, and as such, any impacts on light levels reaching the Architectural Association building at 36 Bedford Square would be limited. Furthermore, given the relationship between the buildings, with the AA building to the south east of the site, any impacts would likely only be to the evening sun when the sun sets behind the application site to the west, when the AA building would be less likely to be in use.

#### Conclusion – Daylight and sunlight

- 14.18 Construction of the proposed scheme will have an unnoticeable effect upon the daylight and sunlight amenity levels within five of the six residential properties near to the application site. The one exception is the property at 26 Morwell Street, where all three assessed rooms will experience small losses in either VSC or NSL of no more than 25.21% which is marginally in excess of the BRE recommended 20%. The use of a lighter brickwork to the Morwell Street elevation will provide more reflectance and partly ameliorate these impacts. In terms of sunlight, the proposed scheme would result in potentially noticeable changes in sunlight to all three site-facing rooms at no.26, but retained values are still good / reasonable. Overall, whilst there will be some minor impacts to the residential flats at 26 / 26a Morwell Street, which is regrettable, these are not considered to be so severe as to warrant refusal of the application on this basis.

#### Outlook

- 14.19 The residential property closest to the application site is 26 / 26a Morwell Street, located to the north west of the site on the corner of Morwell Street and Bayley Street. These properties face onto the terracotta clad element of the building which wraps around Bayley Street onto Morwell Street. In the existing condition, this part of the building is six storeys in height and measures approximately 20m high. In the proposed condition, this block would also be six storeys in height and would measure approximately 20m high. Given the narrow distance between these buildings of 9m and the fact that 26 & 26a Morwell Street are only three storeys in height, the impact of the additional height will have limited impact on the neighbouring outlook.

## Noise and disturbance

- 14.20 The proposals include the addition of roof level plant which would be consolidated within a single plant enclosure at roof level, towards the Tottenham Court Road side of the building. A Noise Assessment has been submitted in support of the proposals prepared by Aecom. The final plant specification has not been determined yet, and as such, the purpose of the noise assessment is to determine the noise climate in the vicinity of the site.
- 14.21 From these determined levels, outline recommendations for glazing and ventilation requirements can be given to meet internal ambient noise criteria and confirm the site suitability for the intended use. Maximum operational noise limits from fixed plant and building services at nearby noise sensitive receptors has also been identified. These noise limits are identified to ensure that plant from the development doesn't increase background noise levels at nearby sensitive receptors causing a breach of relevant noise criteria.
- 14.22 Due to constraints given the on-going coronavirus outbreak, it was not feasible to undertake a representative baseline noise survey to inform this assessment. It was not possible to measure representative baseline sound levels because typical road, air and rail transport usage has been reduced by travel restrictions and social distancing measures. As such a desktop study has been undertaken to determine the noise environment across the site and Aecom has used a number of previous planning application noise surveys to determine the noise climate in the vicinity of the site.
- 14.23 As such, the report presents the criteria to which the noise limits are established, the prediction of noise levels in the vicinity of the site and nearby noise sensitive receptors, a comparison of external noise and internal noise levels set out in the noise criteria and finally the glazing and ventilation recommendations from the results of the assessment.
- 14.24 The report has been reviewed by the Council's Environmental Health Officer (EHO) who has confirmed this approach is acceptable and that noise levels at the façades across the proposed development have been predicted based on use of appropriate historic baseline noise levels in the area and from DEFRA noise maps. The EHO considers that building services and fixed plant will be designed to achieve appropriate operational noise limits. Noise emissions from proposed building plant will be considered during detailed design in order to ensure that operational noise does not adversely affect nearby residents (both existing residents as well as future occupants of the proposed development). Overall, the application is considered appropriate in environmental health terms subject to conditions to ensure the development protects residents within the building and neighbouring buildings from noise and vibration within the development (condition 8); and a condition to secure details of the external noise level emitted from plant and any necessary mitigation measures to ensure it complies with Camden's noise standards, and ongoing compliance with Camden's noise standards (condition 9).

14.25 The proposals include the creation of new roof terraces facing Morwell Street at fourth floor, fifth floor and roof level. The terraces at fourth and fifth floor would be closest to the residential flats at 26 Morwell Street, but they are not considered to result in unacceptable noise disturbance as they would be two to three storeys higher than the neighbouring windows and fairly narrow at 2m wide so it is unlikely that a significant number of people would be able to use the terraces at any one time. Furthermore, hours of use will be secured by condition to limit their use of the office terraces to 8am to 9pm Monday to Friday and to prevent music being played (conditions 16 and 17). The roof terrace is larger in size but it is set back from the Morwell Street elevation by approximately 10m, and the suggested conditions are considered sufficient to prevent unacceptable noise disturbance.

#### Overlooking

14.26 The residential development is limited to the southern end of the proposed building, where it spans the building and fronts both Tottenham Court Road and Morwell Street. The residential flats in these locations would not directly face any nearby residential properties, and as such, would not result in any harmful overlooking.

14.27 The closest existing residential flats are within 26 & 26a Morwell Street. As discussed previously, the proposed development opposite these flats would be similar in height and form as the existing building, and would contain office floorspace, as existing. New window openings would be created at ground floor to serve the proposed café, but it is noted that the single ground floor window at 26/26a is obscured. As such, the new building is not considered to materially increase opportunities for overlooking from the proposed windows given the existing relationship of mutual overlooking between the commercial and residential use.

14.28 The new terraces are not considered to result in harmful levels of overlooking of neighbouring windows given they would be two to three storeys higher, meaning there would not be direct views between the two. They are not considered to materially increase overlooking compared to the existing relationship between the directly overlooking windows at the lower levels.

#### Amenity Conclusion

14.29 The proposed development will have an unnoticeable effect upon the daylight and sunlight amenity levels within five of the six residential properties near to the application site. The one exception is the properties at 26 and 26a Morwell Street, where there will be some minor impacts to the residential flats. However, these are not considered to be so severe as to warrant refusal of the application on this basis. The proposed building would alter the outlook from nearby residential properties, but this impact is not harmful, and the proposals would not cause unacceptable harm by way of loss of privacy or noise disturbance subject to conditions. As such, the proposals are considered to accord with policies A1 and A4 of the Local Plan.

## **15 Basement impact**

- 15.1 Policy A5 (Basements) states that the Council will only permit basement development where it is demonstrated that it will not cause harm - structurally, in amenity terms, environmentally or in conservation/design terms.
- 15.2 There is an existing single level basement beneath the entire footprint of the site to a depth of approximately 3.5m below ground level. The proposals include the extension of the existing basement to a depth of 5m below ground level, with an additional level of basement to 10m below ground level to the eastern corner towards Morwell Street.
- 15.3 The application was accompanied by a Basement Impact Assessment (BIA). The independent review by the Council's basement consultant (Campbell Reith) concluded that the BIA is adequate and in accordance with policy A5 and guidance contained in the Basements CPG, subject to the completion of a Basement Construction Plan (BCP), which is required by S106. This should include review of structural proposal, geotechnical parameters adopted and a ground movement assessment. The applicant has satisfactorily demonstrated that the proposed basement would not cause harm to the built and natural environment and would not result in flooding or ground instability, subject to BCP. Planning permission would be granted subject to a condition requiring details of the appointment of a suitably qualified chartered engineer to inspect, approve and monitor the critical elements of the basement construction (condition 7).
- 15.4 As such the proposed basement development is considered to accord with Policy A5 the Basements CPG and the proposals are acceptable in this regard.

## **16 Air quality**

- 16.1 The application site fronts the busy Tottenham Court Road as well as Morwell Street and Bayley Street. The whole of the Borough of Camden was declared an Air Quality Management Area (AQMA) in 2002 due to concern over the achievement of long-term NO<sub>2</sub> AQS objective and short-term PM<sub>10</sub> AQS objective.
- 16.2 Camden's Local Plan requires the submission of air quality assessments for developments that could cause harm to air quality. Mitigation measures are expected in developments located in areas of poor air quality. Given the scale and location of the proposal, an Air Quality Assessment (AQA) has been submitted prepared by Aecom.

### Impacts on occupants

- 16.3 The following mitigation measures are proposed:
- Mechanical ventilation.
  - NO<sub>x</sub> filtration – all the ventilation intakes on Tottenham Court Road and Bayley Street would be fitted with filtration systems to reduce high NO<sub>2</sub>

levels down to the levels within the national annual mean objective of 40 µg/m<sup>3</sup>.

- Residential balconies are provided to the rear where receptors do not exceed the annual mean NO<sub>2</sub> objective and winter gardens are provided on the Tottenham Court Road frontage.
- The heating, cooling and hot water for the residential properties will be provided by air source heat pumps while heating/cooling for the office space will be via a central air source heat pump at roof level and hot water provided by a water source heat pump.

16.4 It is noted that the commercial office areas are to be future proofed with natural ventilation apertures located behind screened louvres adjacent to the windows within each bay of the office areas from 1st floor level and above. These apertures will allow the commercial office space to operate a mixed mode ventilation and cooling strategy if improvements to the Tottenham Court Road air quality and noise allow in the future.

#### Impacts on local air quality

16.5 The air quality assessment considers the operational phase of the proposed development and impacts on local air quality due to emissions from road traffic associated with the proposed development. No on-site or on-street parking is provided as part of the proposed development, with existing parking spaces to be removed. The proposed development is car-free. The proposed development seeks to minimise the generation of CO<sub>2</sub> with a highly efficient building envelope with high efficiency mechanical and electrical services, along with air source heat pump and photovoltaic cells. These measures are welcomed.

16.6 The Air Quality Neutral Assessment shows traffic related NO<sub>x</sub> and PM<sub>10</sub> emissions are below the relevant Transport Emission Benchmark for a mixed use development with comparable number of residential properties and retail/office floor space. As such the development would be air quality neutral in accordance with policy requirements.

#### Construction impacts

16.7 During the construction phase of the proposed development, there is the potential for demolition and construction activities to generate fugitive emissions of dust and PM<sub>10</sub>. There is the risk of such emissions affecting amenity or health at receptors located in proximity to the source of emissions, unless appropriate mitigation measures are adopted. An assessment of the effects from fugitive emissions of dust and PM<sub>10</sub> from the proposed development has been undertaken. Overall, the Dust Risk Assessment conservatively identifies the site as having a medium risk of causing impacts during demolition and construction activities on the site and mitigation measures consistent with a medium-risk site should therefore be implemented.

16.8 The Mayor's recommended measures for Medium Risk sites would be secured via a CMP within a section 106 agreement. Real-time dust monitoring would be required with baseline monitoring secured by condition (condition 27).

## 17 Sustainable design and construction

- 17.1 The Local Plan requires development to incorporate sustainable design and construction measures, to ensure they use less energy through decentralised energy and renewable energy technologies. All developments are expected to reduce their carbon dioxide emissions by following the steps in the energy hierarchy (be lean, be clean and be green) to reduce energy consumption. Policies CC1 and CC2 of the Local Plan require development to minimise the effects of and be resilient to climate change and to meet the highest feasible environmental standards. Developments must achieve a 20% reduction in CO2 emissions through renewable technologies (the 3rd stage of the energy hierarchy) wherever feasible. They are also expected to achieve a BREEAM 'Excellent' rating and minimum credit requirements under Energy (60%), Materials (40%) and Water (60%). Principle 10 of the FAAP also expects all development in Fitzrovia to incorporate appropriate measures to make the area more sustainable and tackle climate change, and promotes local energy generation and networks in the area.
- 17.2 To comply with the London Plan the proposal must secure a minimum 35% reduction in regulated CO2 emissions below the maximum threshold allowed under Part L of the Building Regulations 2013. Where the London Plan carbon reduction target cannot be met on-site, the Council may accept the provision of measures elsewhere in the Borough or a financial contribution (charged at £90/tonne CO2/year over a 30-year period) to secure the delivery of carbon reduction measures on other sites. Policy 5.2 of the London Plan requires development to be designed in accordance with the energy hierarchy: be lean (use less energy), be clean (supply energy efficiently), be green (use renewable energy).
- 17.3 The Council's Sustainability Officers have assessed the details of the submission, which includes an Energy Assessment and a Sustainability Assessment (including BREEAM Pre-assessment). In summary the Commercial CO2 target of 35% is met along with the residential 35% on-site target and the renewable energy target of 20% for all parts. Whilst the Residential Zero Carbon target is not met, this would be overcome via a Carbon Offset financial contribution of £177,356.00.
- 17.4 The retail area and office areas would both achieve BREEAM excellent with scores of 71.3% and 72.7% respectively, with the following policy-compliant minimum credits:
- *Retail (Shell and Core)*
    - *Energy 63.2%*
    - *Water 87.5%*
    - *Materials 50.0%*
  - *Offices (fully fitted)*
    - *Energy 63.1%*
    - *Water 87.5%*

- **Materials 50.0%**

17.5 The water efficiency target for the residential scheme is confirmed as 105 litres per day per occupant in compliance with Policy CC3. This is to be achieved using water efficient equipment, sanitary ware and brassware and shall be secured by condition (condition 40).

17.6 The proposals do not include communal heating or connection to a District Energy Network. The justification provided in the applicant's Energy Statement on grounds of space constraints is accepted by the Council's Sustainability Officer.

17.7 The following would be secured by planning condition/S106 obligations:

- Sustainability measures through section 106 sustainability plan, including BREEAM 'Excellent', individual BREEAM scores listed above and water efficiency targets for residential parts.
- Energy measures through section 106 Energy Efficiency and Renewable Plan:
  - *Non-Residential parts –*
    - *overall minimum 16% CO2 reductions beyond Part L 2013 as amended;*
    - *minimum 48% Be Lean stage reduction through building efficiency;*
    - *minimum 48% Be Green stage reduction through renewables*
  - *Residential parts –*
    - *overall minimum 13% CO2 reductions beyond Part L 2013 as amended;*
    - *minimum 69% Be Lean stage reduction through building efficiency;*
    - *minimum 54% Be Green stage reduction through renewables*
- Carbon Offset contributions to be secured through section 106 of £177,356 in respect of the residential parts. Solar PV, Air Source Heat Pump and green roof details shall be secured by planning condition (conditions 35, 37, and 39).

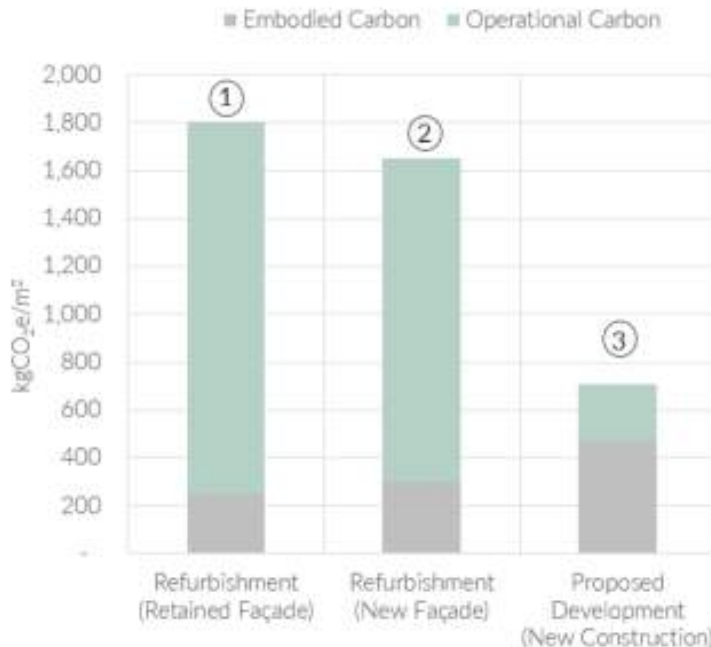
#### Whole life carbon assessment

17.8 A sixty year whole life carbon analysis has been undertaken to review a range of development scenarios. These include:

- Refurbishment (with retained façade). No modifications to façade; new M&E services with gas-boiler (regulation compliant).
- Refurbishment (with replacement of façade). Replacement of façade; new M&E services with gas-boiler (regulation compliant).
- New construction development. New energy efficient design; low carbon structure and low carbon mechanical, electrical and public health (MEP) systems.



17.9 The analysis considered embodied carbon in both construction and also operational carbon. It concludes that the total embodied and operation energy and carbon emissions is lowest for the proposed 'demolish and rebuild' scenario. The total was significantly higher for both a refurbishment-only scenario and a 'refurbish + replace facade' scenario:



17.10 As such, given the proposed development would result in lowered carbon emissions over time, the principle of the proposed demolition of the existing building is accepted on energy and sustainability grounds. It is recommended that the operational energy target (130 kWh/m<sup>2</sup> GIA) shall be secured via the s106 agreement. This should be part of an agreement to carry out and report on a Post Occupancy Evaluation of the building use and performance between 1-5 years after first occupation. This is in order to help ensure that the whole-life benefits represented in the assessment are realised in practice.

## 18 Flood risk and drainage

18.1 Camden Local Plan policy CC3 is relevant with regards to flood risk and drainage. Major development schemes are expected to:

- Achieve greenfield run-off rates wherever feasible and as a minimum, 50% reduction in run off rates.
- To include Sustainable Urban Drainage Systems (SuDS), unless demonstrated to be inappropriate.
- To follow the drainage hierarchy in policy 5.13 of the London Plan.
- To constrain run-off volumes to greenfield run-of volumes for the 1 in 100 year 6 hour event plus climate change.

18.2 A Drainage Strategy was submitted in support of the application which identifies that there are no areas of elevated local surface water flood risk in the vicinity.

Following initial concerns raised by the Council's Lead Local Flood Authority (LLFA) Officer as to the level of detail provided, the applicant provided a revised drainage strategy to address these comments.

- 18.3 As the proposed development will comprise of a building that covers the entire site area, it will not be possible to utilise infiltration devices, ponds or water features for surface water disposal, as they cannot be located at a suitable distance from foundations or boundaries to comply with Building Regulations.
- 18.4 Also, the anticipated presence of clay soils beneath the site would further exclude the use of infiltration solutions. There are no watercourses in the immediate vicinity of the site, therefore it will not be possible to discharge to one. The project is a full demolition and rebuild and therefore proposes a SuDS to make further improvements and contain volumes of surface water up to the 1 in 100 year event with 40% climate change event. In line with the development plan, the exceedance routes will ensure flooding is not caused to properties on or off the site.
- 18.5 The development will provide 365sqm of biodiverse green roofs which will manage surface water run-off, as well as provide biodiversity and amenity benefits. The proposal will significantly improve the pre-development peak run-off rates and will provide attenuation to achieve greenfield runoff rates.
- 18.6 The Council's Lead Local Flood Authority (LLFA) Officer has confirmed that the proposed SuDS are acceptable, subject to full details of the proposed green roof being secured by condition (condition 37) and a condition securing the installation of the SuDS and compliance with the site run-off rates proposed (condition 38).

## **19 Transport**

### Policy review

- 19.1 Camden Local Plan policies T1, T2, T3 and T4 and the Transport CPG are relevant with regards to transport issues.

### Introduction

- 19.2 The site is located on the east side of Tottenham Court Road and is also bounded by Bayley Street and Morwell Street. It is located in the Central London Area and the Holborn & Covent Garden controlled parking zone (CPZ).
- 19.3 The site has a PTAL score of 6b (excellent) which indicates that it has a high level of accessibility by public transport. The nearest station is Tottenham Court Road (underground), located around 200m south of the site. Tottenham Court Road Station is served by the Central Line and the Northern Line. Goadge Street (underground) is located directly to the north of the site. Bus stops are located nearby on Tottenham Court Road, Oxford Street and New Oxford Street.

- 19.4 Tottenham Court Road forms part of the Strategic Road Network (SRN) and is a major traffic corridor (including bus routes). As a result of recent West End Project (WEP) works, Tottenham Court Road now has a south bound lane for buses and cyclists.
- 19.5 No loading at any time restrictions exist along most of Tottenham Court Road, including the site frontage, although there are occasional loading bays on Tottenham Court Road and the side roads. There is a loading bay on the north side of Bayley Street, near Morwell Street. Morwell Street has sufficient carriageway width to allow parking on one side only and has some residents' bays, disabled parking bays and one loading bay. Morwell Street currently has two way working but will become a one-way street, northbound, in the near future.
- 19.6 Documents submitted in support of the application include a Transport Assessment, Framework Delivery and Servicing Plan, and a Framework Travel Plan.

### **Cycle parking**

- 19.7 Local Plan Policy T1 requires developments to sufficiently provide for the needs of cyclists. An assessment of the Draft London Plan cycle parking requirement for the various land use components is made in Table 3.9 of the Transport Assessment, reproduced below.

*Table 3.9: Long and Short Stay Cycle Requirements*

<b>Land Use</b>	<b>Long Stay</b>	<b>Short Stay</b>
Residential C3	16	1
Office B1	123	13
Food Retail A1	8	41
Retail A3	1	8
D2 Sui Generis	2	2
<b>Total</b>	<b>150</b>	<b>65</b>

- 19.8 Table 3.9 is accepted as an assessment of the London Plan requirements. The number of non-residential long-stay spaces required is 134 and this is proposed to be located within a basement store, accessed via the main office entrance from Bayley Street. The basement layout indicates storage for 136 cycles, and is acceptable in terms of numbers, spacing, and the provision of showers and lockers. The installation and retention of the cycle parking shall be secured by condition (condition 22).
- 19.9 The long stay non-residential cycle parking would be provided in the form of two-tier racks (103 spaces, 75.7%), Sheffield stands (16 spaces, 11.7%), spaces for foldable bikes (12 spaces, 8.8%), recumbent spaces (5 spaces, 3.8%). The proposals originally included a larger percentage of spaces for foldable bikes, but this was reduced to less than 10% of the overall provision in order to comply

with London Plan standards and respond to TfL's and Camden's Transport Officer's comments. Additional details were provided demonstrating how cyclists get to the basement, the size of the cycle lift and the spacing of the stackers and Sheffield stands which the Council's Transport Officer has confirmed are acceptable.

- 19.10 The long-stay residential cycle parking is shown within a residential bike store with separate access from the commercial bike storage, accessed via Morwell Street in the residential lobby. The requirement is for 16 spaces which is provided in the form of eight two-tier racks. The installation and retention of the cycle parking shall be secured by condition (condition 22).
- 19.11 The Transport Assessment confirms a requirement for 65 short-stay cycle parking spaces. The London Plan states that short-stay cycle parking should be located within 15 metres of the main entrance wherever possible and Camden's Transport CPG states that short-stay cycle parking must be located within the curtilage of a development. It is proposed to provide a small number of short stay parking spaces within the office reception, and the remainder at various locations on Tottenham Court Road and Bayley Street which is considered acceptable given the constraints of the site. It is also considered that locating short-stay cycle parking spaces adjacent to retail land uses on-street on Tottenham Court Road is likely to be more suitable for customers than locating short-stay cycle parking spaces in a basement area accessed via Bayley Street or Morwell Street.
- 19.12 The Transport Assessment shows an indicative short stay cycle parking layout. It is suggested that the existing short stay cycle facilities opposite the site (3 pairs of Sheffield Stands providing 12 spaces) could be enhanced to provide 13 additional stands / 26 spaces. Seven short stay cycle spaces would be located within the reception of the office, accessed via Bayley Street, in the form of lockers for folding bikes. This would be for office visitors and provide a design feature in the reception to promote cycling as a mode of transport. Visitors could also drop off their full sized bike and the concierge would take it into the basement long stay cycle store until the visitor was ready to leave.
- 19.13 It is also suggested that the new Bayley Street pocket park could incorporate up to 26 cycle parking spaces, although the intention here would be to create a people-first piece of public realm rather than a large number of short-stay cycle stands, to tie into the north side of the parklet concept on Bayley Street. It is proposed that the remaining 6 spaces are provided within the relocated Santander docking station.
- 19.14 Off-site cycle parking would need to be funded by the applicant and approved as part of the highway works required for the scheme, secured by S106 legal agreement.

#### Car parking

- 19.15 Policy T2 states that the Council will limit the availability of parking and require all new developments in the borough to be car-free. The application site is located within the Central London Area, falls within a controlled parking zone and

has a PTAL of 6b. Therefore, the proposed development would need to be car-free. No off-street car parking is proposed and the applicant is willing to restrict the ability of residents to apply for an on-street parking permit via legal obligation.

19.16 Subject to a car-free development being secured as a Section 106 planning obligation, the proposal would be in accordance with policy T2.

#### Deliveries and servicing

19.17 The applicant is proposing on-street servicing from existing loading bays in Morwell Street and Bayley Street. The Morwell Street loading bay, 12m in length, is currently used by the adjacent development at 1 Bedford Street although that building does not have exclusive access. The applicant's *Loading Addendum Note*, dated October 2020, makes an estimate of the servicing demand for the proposed development, and refers to the servicing demand for the 1 Bedford Street development as estimated in the Transport Assessment that supported its planning application. The servicing demand for both developments are added as shown in Table 1, reproduced below.

Table 1: Forecast Peak Hour Delivery & Servicing Vehicles (rounded up)

Development	Cars	MGVs	HVGs (rigid)	Total
1 Bedford Avenue + 247 TCRd	4	1	1	5*
<b>Total</b>	4	1	1	5
Dwell Time	10 mins	15 mins	20 mins	

\* rounding error

19.18 The Loading Addendum Note then concludes that the 12m loading bay in Morwell Street has sufficient capacity to cater for both developments. In the event of vehicles arriving at the same time, the note states that the Morwell Street loading bay could be used. The Council's Transport Officer originally had a minor concern over the assumption of dwell times given in Table 1 above, particularly the 15-minute dwell time for MGVs (vans). The *Freight Data Report* (City of London, 2017) quotes a survey of van parking duration. The survey showed that whilst 74% parked for 30 minutes or less, 26% parked for more than 30 minutes and 17% parked for more than 1 hour. This means the average duration for vans is more likely to be around 30 minutes rather than the 15 minutes quoted in Table 1. It is therefore not unlikely that demand for the Morwell Street bay will exceed supply on some occasions.

19.19 Whilst the Bayley Street loading bay is also available, it is less convenient, particularly for deliveries to 1 Bedford Street. It is therefore recommended that as a contingency measure, the Council allows for the conversion of one of the Pay-by-Phone bays in Morwell Street to be converted to a loading bay in the event of a problem manifesting post development.

### Trip generation

- 19.20 The Transport Assessment assesses the increase in trip generation that would be brought about by the redevelopment of the site by applying TRICS trip rate factors to both the existing and proposed floor areas. The predicted increase is 184 daily trips.
- 19.21 The Council's Transport Officer considers this may be an underestimate as the existing building is likely to have a lower rate of trips per unit area than the future site due as it would be less attractive to users.
- 19.22 The applicant's Transport consultant responded that the trip generation assessment has been estimated by using a well-established industry-standard methodology of forecasting trips based on floorspace, rather than considering the quality of the floorspace. Nevertheless, it is reasonable to assume that with higher quality commercial floorspace, the space occupied by users may just as conceivably be at a lower density. It is also conceivable that lower quality office space could be used more intensively than higher quality space. Therefore, they consider the methodology used in the Transport Assessment is appropriate and the trip generation methodology is robust.
- 19.23 Nevertheless, the applicant has supplied a draft Travel Plan which will need to be finalised once the occupiers of the office space are known. The site is well supplied by public transport infrastructure, and the developer would need to implement the Travel Plan to ensure that the uplift in trips to the site does not put unnecessary burden on the existing facilities. This can be accomplished through proposed of sustainable modes of travel such as walking and cycling. Furthermore, given the number of cycle parking spaces and the provision of showers and lockers, etc., it is likely that a good number of staff would commute via bicycle. A final Strategic Workplace Travel Plan and monitoring fee of £9,618 would be secured by S106 legal agreement if planning permission is granted.

### Highway and Public Realm impacts in the Vicinity of the Site

- 19.24 The Tottenham Court Road frontage has a forecourt, approximately 1.5m wide, adjacent to the public footway. The forecourt is privately owned and sits above the existing basement. We would ask for the forecourt to be repaved with materials to match the recent footway resurfacing on Tottenham Court Road. As this section of footway is quite flat, the levels will need to be carefully controlled to prevent ponding or water gathering next to the building line. The private forecourt on Bayley Street will also need to be resurfaced to match the adjacent footway.
- 19.25 The footway next to the Tottenham Court Road frontage is likely to sustain significant damage during the construction period due to the excavation, removal and replacement of the boundary retaining wall etc. A highways contribution would be secured as a section 106 planning obligation if planning permission is granted. The highway works would be implemented by the Council's highways contractor on completion of the development. A cost estimate for the highway

works has been requested from the Council's Transport Design Team but has not been received at the time of writing.

- 19.26 There are two vehicle crossovers on Morwell Street that will need to be removed and reinstated to footway. The footway beside the Morwell Street frontage is in a poor state of repair, is likely to suffer further damage from the construction works and should be replaced with materials to match the paving on the southern section of Morwell Street.
- 19.27 The existing Santander cycle dock in Bayley Street will need to be relocated to facilitate construction access. The applicant has expressed a desire for the relocation to be permanent and have suggested it is moved to an area near to the junction of Percy Street and Tottenham Court Road. TfL have been consulted and have not raised an objection to date. The most appropriate location for the relocated cycle stand would need to be agreed with Camden's Transport Officers and TfL and a separate application would need to be approved for these works which would be subject to the standard consultation process. For the purposes of the current application, the applicant would be required to enter into a s278/legal agreement with TfL to agree the costs of the removal and relocation of the docking station. The requirement to do so would be secured as a S106 obligation should planning permission be granted.
- 19.28 It is likely that construction of the new building will also result in damage to the existing pocket park at the western end of Bayley Street (to date, only below ground works have been completed). The cost of any necessary repairs following damage as a result of construction would be secured as part of the highways contribution secured by S106 planning obligation.

#### Pedestrian, Cycling and Environmental Improvements

- 19.29 The proposed development will generate a significant increase of trips to and from the site daily. The Council's transport policies are geared towards encouraging and promoting active travel (i.e. walking and cycling). The Council would therefore seek to secure a Pedestrian, Cycling and Environmental (PC&E) improvements contribution as a section 106 planning obligation if planning permission is granted. This would be used by the Council to transform the public realm in the general vicinity of the site for the benefit of cyclists and pedestrians.
- 19.30 The applicant has suggested the creation of an additional pocket park on Bayley Street following the relocation of the existing Santander cycle stand (if it is agreed that this relocation is a permanent one). Detailed drawings have not been worked up because it is outside of the redline boundary and Camden would likely design and carry out the works as they are located on public highway. However, officers would welcome the creation of additional public open space either on Bayley Street or in the vicinity of the site, and it is suggested that a pedestrian, cycling and environmental improvements contribution would be the most appropriate way to secure this.
- 19.31 The developer is also required to provide a contribution towards the planting and maintenance of two street trees in the vicinity and a contribution towards

new seating and cycle stands around Bedford Square or elsewhere in the vicinity which are likely to be used/enjoyed by occupants of the new development.

- 19.32 It is recommended that a financial contribution of £150,000 is secured via S106 legal agreement to cover the cost of the design and installation of the new pocket park or on other improvement works in the area.

#### Loss of public highway

- 19.33 The western footway on Morwell Street is about 1.6m wide over most of its length but widens out to around 2.7m about 17m from the northern end. The proposed building footprint would encroach on the widening, bringing about the loss of about 13 x 2.7 (35 sqm) of footway. The area has been enjoyed by the public as a right of way. Under section 31 of the Highways Act 1980, therefore, we would consider this area as being dedicated highway. The area would therefore have to be stopped up.

- 19.34 Although the narrowing of the pavement in this location is regrettable, given the proposals would reduce its width to match the rest of the pavement along the remainder of Morwell Street, it is not considered to result in significant detriment to pedestrian comfort.

#### Excavation in close proximity to the public highway

- 19.35 The proposed basement excavations would need to take place in close proximity to Tottenham Court Road, Bayley Street and Morwell Street. The Council must ensure that the stability of the public highway adjacent to the site is not compromised by the proposed basement excavations.

- 19.36 As such, the applicant would be required to submit an 'Approval in Principle' (AIP) report to our Highways Structures & Bridges Team within Engineering Services as a pre-commencement planning obligation. This is a requirement of British Standard BD2/12. The AIP report would need to include structural details and calculations to demonstrate that the proposed development would not affect the stability of the public highway adjacent to the site. The AIP would also need to include an explanation of any mitigation measures which might be required. The AIP report and an associated assessment fee of £1,800 would need to be secured via a legal agreement if planning permission were granted.

#### Street lighting - Morwell Street

- 19.37 There are two streetlights next to the site frontage in Morwell Street. In situations where there is a narrow footway, such as that in Morwell Street, we expect developers to replace existing street lighting with wall mounted bracket lamps. Details and the cost to do so would be secured by legal agreement.

#### Travel planning

- 19.38 There is a significant number of predicted trips associated with the development, the majority of these associated with the office use. This would



lead to higher pressure on local transport infrastructure. A draft travel plan has been submitted in support of the planning application. This is welcomed as it demonstrates a commitment to encouraging and promoting trips by sustainable modes of transport.

- 19.39 A strategic workplace travel plan (for the B1 office) and associated monitoring and measures contribution of £9,618 would be secured as a section 106 planning obligation if planning permission is granted. The Travel Plan would be targeted towards the office use, to encourage staff to make walking, cycling and travel by public transport the natural choice for day-to-day trips.

#### Construction Management Plan (CMP)

- 19.40 The proposal would require a significant amount of demolition and construction works. A large number of construction vehicle movements would be generated during the demolition and construction period. The Council's primary concern is public safety in addition to ensuring that construction traffic does not create (or add to existing) traffic congestion. There is also the need to ensure that there is no cumulative impact with other developments in the area. The proposal is likely to lead to a variety of amenity issues for local people, such as noise, vibration, dust and air quality.
- 19.41 The Council needs to ensure that the development can be implemented without being detrimental to amenity or the safe and efficient operation of the highway network in the local area. Construction of the new block will present a number of challenges due to the constrained access, difficulty in finding suitable access routes through residential areas, and the need to keep footways open to pedestrians.
- 19.42 A framework Construction Management Plan (CMP) was submitted with the application which originally proposed for construction vehicles to access the site via Tottenham Court Road, as was the case during the construction of One Bedford Avenue. However, since the approval and construction of One Bedford Avenue, Tottenham Court Road has been subject to substantial public realm works as part of the West End Project (WEP) which has seen traffic change from one way to two-way with wider footways, pocket parks, traffic calming measures and restricted access on Tottenham Court Road to buses and cyclists only during the hours of 8am to 7pm on Monday to Saturday. The Council's Transport Planners therefore advised that the proposals would be unlikely to be supported due to the traffic restrictions in place on Tottenham Court Road.
- 19.43 Meetings were held between the Council's Transport Planners, the WEP Project Manager and the Applicant's Transport Planners to discuss potential alternatives. The Applicant subsequently submitted a revised draft Construction Management Plan which proposed three alternative possible options:
- 1) Construction traffic uses Tottenham Court Road for access/egress;
  - 2) Construction traffic uses Gower Street/Bedford Avenue/Bedford Square for access/egress; and

- 3) Construction traffic uses a hybrid of both options using Tottenham Court Road for large deliveries early in the morning outside of the West End Project restrictions.
- 19.44 The applicant submitted three alternative options to allow for flexibility and further discussion with Officers and Residents to work together to seek to find a mutually beneficial solution for all parties.
- 19.45 Following submission of the draft CMP, the Council's Principal Transport Planner who is responsible for the final post-approval sign off of CMPs also reviewed a number of potential options for construction routing and advised that the Council's preferred option remains approach and departure using Gower Street via Bedford Avenue and Bedford Square respectively. The second preferred option would require vehicles to approach from the south from Charing Cross Road, or from north/east via Gower Street/High Holborn, then St Giles High Street, Earnshaw Street, New Oxford Street, Tottenham Court Road, Great Russell Street, Adeline Place, Bedford Avenue, Morwell St. The preferred departure route would be Bedford Square to return to Gower Street.
- 19.46 This second option would require a temporary traffic order to permit northbound access through the no entry point at the southern end of Adeline Place, which is planned as part of WEP changes to prevent this route being used as a northbound shortcut between Charing Cross Road and Gower Street. Permitting this movement is however likely to result in an increase in general traffic volumes passing through Bedford Square.
- 19.47 Ultimately, the final CMP would be secured by S106 legal agreement and would need to be submitted and approved by the Council's Transport Planners prior to any works commencing on site, following further consultation with residents. Officers are satisfied that there are a number of possible construction vehicle routing options; however, given the level of local interest and potential impact on existing business and residential occupants, it is proposed a Community Working Group is also set up which would be secured as part of the S106 legal agreement. In addition, a CMP implementation support contribution of £22,816 and a Construction Impact Bond of £30,000 would be secured as s106 planning obligations in accordance with Policy A1.

## **20 Safety and security**

- 20.1 Camden Local Plan Policy C5 (safety and security) and the Design CPG are relevant with regards to secure by design.
- 20.2 The Designing Out Crime Officer was consulted prior to the application being submitted and was involved in the design process. The Officer has confirmed they have no objections to the proposal overall and they have fully advised the applicant on the importance of being able to control access into the building, especially where uses have a cross over. With regards to the residential units, it was advised that these achieve 'Secured by Design – Silver' accreditation, which can be easily achieved.

20.3 The proposals achieve active frontage along 90% of the perimeter, compared to 55% in the existing condition. The majority of this increase is located on Morwell Street, which will positively affect its character and improve opportunities for increased activity and overlooking of the streetscene. The Design and Access Statement confirms that ongoing design development actions include an internal movement and access control strategy will be developed; a secure postal strategy will be developed; and retail security measures will be established once the tenant profiles are confirmed. These measures are welcomed, and an informative will be added to the decision notice to remind the applicant that it is recommended the scheme is designed to be Secured by Design Silver credentials.

## **21 Refuse and recycling**

21.1 Camden Local Plan policy CC5 (Waste) and Camden Planning Guidance (Design) are relevant with regards to waste and recycling storage and seek to ensure that appropriate storage for waste and recyclables is provided in all developments.

21.2 Separate dedicated waste stores are provided for the commercial uses and for the residential units. The commercial waste store is at basement level with lift access to ground floor and the residential refuse store is at ground floor with direct access onto Morwell Street.

21.3 A condition is recommended prior to the occupation of the development for full details of the location, design and method of waste storage and removal including recycled materials for both the commercial and residential uses. The final details would need to be agreed with the Council's Principal Environmental Services Officer (condition 20). An additional condition will also ensure that refuse and recycling bins are not left on the public highway (condition 21).

## **22 Employment and training opportunities**

22.1 The proposed development would be likely to generate increased employment opportunities during the construction phase, and as such, the Council would aim to ensure that local people benefit from these opportunities by securing a package of employment and training obligations through a Section 106 legal agreement. These would include the following:

- The applicant should work to CITB benchmarks for local employment when recruiting for construction-related jobs.
- The applicant should advertise all construction vacancies and work placement opportunities exclusively with the King's Cross Construction Skills Centre for a period of 1 week before marketing more widely.
- The applicant should provide 2 construction work placement opportunities of not less than 2 weeks each, to be undertaken over the course of the development, to be recruited through the Council's King's Cross Construction Skills Centre.
- If the build costs of the scheme exceed £3 million the applicant must recruit 1 construction apprentice paid at least London Living Wage per £3million of build costs, and pay the council a support fee of £1,700 per

apprentice. Recruitment of construction apprentices should be conducted through the Council's King's Cross Construction Skills Centre. Recruitment of non-construction apprentices should be conducted through the Council's Inclusive Economy team. The estimated build costs would generate a requirement for 16 apprenticeship places and a support fee of £27,200.

- The applicant must also sign up to the Camden Local Procurement Code, as per section 71 of the Employment sites and business premises CPG; and
- The applicant should provide a local employment, skills and local supply plan setting out their plan for delivering the above requirements in advance of commencing on site, as per section 63 of the Employment sites and business premises CPG.

22.2 The Employment sites and business premises CPG sets out how the Council will seek to use planning obligations to secure an element of affordable SME workspace from large scale employment developments with a floorspace of 1,000sqm (GIA) or more. As discussed previously, the proposals would result in an uplift of employment floorspace of 832sqm, and consequently, it is not considered reasonable to secure affordable workspace in this instance. However, the development would provide a flexible layout which would attract a number of different sized businesses and occupiers including SMEs.

22.3 Overall, the proposals are considered to be in accordance with policies E1 and E2 of the Camden Local Plan and are acceptable in this regard.

## **23 Fire Safety**

23.1 Policy D12 (Fire safety) of the Publication London Plan requires all major development proposals to be submitted with a Fire Statement. The application has been supported by a Fire Statement which includes details of the fire strategy and confirms that there will be no connection between the commercial spaces and the residential building.

23.2 The fire strategy for the residential is based on guidance in BS9991: 2015 Fire safety in the design, management and use of residential buildings – Code of practice. The fire strategy for the non-residential areas is based on guidance in BS9999: 2017 Fire safety in the design, management and use of buildings – Code of practice.

23.3 The residential building will be designed with a single core and will be sprinklered in accordance with BS 9251. The core will be designed as a firefighting core with the firefighting lift also being used to aide mobility impaired escape. There are some open plan apartments proposed and these will be designed in accordance with the recommendations of BS 9991 or a technical fire engineered solution will be developed to support any deviations from guidance.

23.4 The office will be served by two stairs and sprinklered in accordance with BS EN 12845. The building will be provided with a single firefighting shaft, however, both stairs will be provided with a fire main outlet. Routes from the stairs to outside are via protected corridors. The exits and stairs will be sufficient for the office floor plates considering 6m<sup>2</sup>/person and using an A1 risk profile.

23.5 The retail areas will be served by the same cores serving the office levels as well as stairs within the units. The exits and stairs will be sufficient for the retail areas considering 2m<sup>2</sup>/person and using a B1 risk profile.

23.6 Given the emerging weight in the planning process for fire safety, a condition would be applied to any planning approval requiring a further Fire Statement to be produced by an independent third party. It would be required to detail the building's construction, methods, products and materials used; the means of escape for all building users including those who are disabled or require level access together with the associated management plan; access for fire service personnel and equipment; ongoing maintenance and monitoring and how provision would be made within the site to enable fire appliances to gain access to the building. The submitted details would be assessed by the Council's Building Control department (condition 42).

## 24 Planning obligations

24.1 The following contributions are required to mitigate the impact of the development upon the local area, including on local services. These heads of terms will mitigate any impact of the proposal on the infrastructure of the area.

<b>Contribution</b>	<b>Amount (£)</b>
Affordable housing contribution	£240,840
Public open space contribution	£23,652
Highways contribution	£TBC
Pedestrian, cycling and environmental contributions	£150,000
Approval in Principle (AIP) report – review and sign off	£1,800
Workplace travel plan monitoring contribution	£9,618
CMP implementation support contribution	£22,816
Construction Impact Bond	£30,000
Carbon offset contribution	£177,356
Apprentice support fee	£27,200

## 25 Community Infrastructure Levy (CIL)

25.1 The proposal would be liable for both the Mayor of London's CIL2 (MCIL2) and Camden's CIL due to the net increase in floorspace and creation of residential units. Based on the MCIL2 and Camden's CIL charging schedules and the information given on the plans, the charges are likely to be £489,892. This estimate is based on the uplift of the development and the existing/demolished uses being lawful. The CIL estimate is based on the following calculations:

- Flexible retail uses MCIL2 - 212sqm x £165 = £34,980
- B1 office use MCIL2 - 832sqm x £185 = £153,920

- C3 residential floorspace - MCIL2 - 827sqm x £80 = £66,160
- Flexible retail uses Camden CIL – 212sqm x £32 = £6,784
- B1 office use Camden CIL – 832sqm x £110 = £91,520
- C3 residential floorspace Camden CIL – 212sqm x £644 = £136,528

25.2 This would be collected by Camden after the scheme is implemented and could be subject to surcharges for failure to assume liability, submit a commencement notice and late payment, and subject to indexation in line with the construction costs index. An informative would be attached on any decision notice advising the applicant of these charges. The final charges would be decided by Camden's CIL team.

## 26 Conclusion

26.1 The proposed development is a well-considered scheme which is a result of extensive pre-application discussions, with further refinements during the course of the application.

26.2 With regard to land use, the proposed development is considered to have an appropriate mixture of uses for the site that would increase and enhance the existing uses at the site while benefitting a number of the Council's policy objectives by contributing towards a successful economy and retail function, and making an appropriate contribution towards the Borough's supply of housing.

26.3 The proposals would result in the loss of the existing buildings on site; however, these are considered to contribute little to the streetscene or townscape aside from their scale and height. Nos 2-3 Morwell Street are more historic 19th Century buildings with traditional detailing and materials typical of this period of architecture. Although the upper floors are fairly attractive, the original shopfronts have been heavily altered and there is no objection to their loss. The proposed replacement building responds to the scale and language of the surrounding area, and is considered to provide a high standard of design and finish.

26.4 Whilst there would be slight visibility of the development over the roofline of the western terrace of Bedford Square, Officers disagree with the conclusion of the Georgian Group that this would cause harm to the significance of the affected heritage assets. However, should harm be perceived this would be outweighed by the planning benefits brought forward by the replacement building and the scheme as a whole. The proposals include the following benefits:

- Additional employment floorspace with an uplift of 832sqm and an enhancement of the quality of the existing space.
- An additional two new residential units at the site, and provision of a total of 8 high quality, high priority dwelling sizes.
- Affordable housing contribution of £240,840 to contribute towards affordable housing nearby.
- The proposed building is considered to be of high quality architecture.
- Significant contributions towards the provision of local infrastructure and facilities are proposed through CIL, financial contributions in the S106 and public realm improvements.

- A sustainable scheme that meets carbon reduction and renewables targets.

26.5 Assessing the development overall, it is considered that it would preserve the character and appearance of the surrounding conservation areas. The comprehensive redevelopment has provided opportunity to design a building that has a better relationship to the three surrounding streets with 'active' features such as doors and windows at ground level. The proposals achieve active frontage along 90% of the perimeter, compared to 55% in the existing condition. The majority of this increase is located on Morwell Street, which will positively affect its character and provide increased surveillance of the street which suffers with anti-social behaviour and criminal activity. Detailed conditions would be attached should planning permission be granted requiring details of materials and other components to ensure the quality of the design is upheld.

26.6 Paragraph 10 of the NPPF states that there is a presumption in favour of sustainable development, which should be a golden thread running through decision making. The dimensions of sustainable development are economic, social and environmental which should be sought jointly. The proposed development would result in significant benefits through all 3 strands of sustainable development without any adverse impacts significantly or demonstrably outweighing them. The proposal is considered to be a favourable sustainable development that is in accordance with relevant National and Regional Policy, the Camden Local Plan, the Fitzrovia Area Action Plan, Camden Planning Guidance and other supporting policy guidance for the reasons noted above.

## **27 Recommendation**

27.1 Planning Permission is recommended subject to conditions and a Section 106 Legal Agreement covering the following Heads of Terms:

### Affordable housing

- Affordable housing contribution of £240,840.

### Basement

- Basement Construction Plan (BCP)

### Employment and training

- The applicant should work to CITB benchmarks for local employment when recruiting for construction-related jobs as per section 68 of the Employment sites and business premises CPG.
- The applicant should advertise all construction vacancies and work placement opportunities exclusively with the King's Cross Construction Skills Centre for a period of 1 week before marketing more widely.
- The applicant should provide 2 construction work placement opportunities of not less than 2 weeks each, to be undertaken over the course of the development, to be recruited through the Council's King's Cross Construction Skills Centre, as per section 70 of the Employment sites and business premises CPG.

- The applicant must recruit 1 construction apprentice paid at least London Living Wage per £3million of build costs, and pay the council a support fee of £1,700 per apprentice as per section 65 of the Employment sites and business premises CPG. Recruitment of construction apprentices should be conducted through the Council's King's Cross Construction Skills Centre. Recruitment of non-construction apprentices should be conducted through the Council's Inclusive Economy team. The estimated build costs would generate a requirement for 16 apprenticeship places and a support fee of £27,200.
- The applicant must also sign up to the Camden Local Procurement Code, as per section 71 of the Employment sites and business premises CPG.

#### Energy and sustainability

- BREAM Excellent compliance and post construction review, targets as stated in the energy and sustainability statements for Energy, Materials and Water
- Water efficiency targets
- Energy measures including on-site renewables
- Energy provisions to be secured through Energy Efficiency & Renewable Energy Plan to include:
  - *Non-Residential parts –*
    - *overall minimum 16% CO2 reductions beyond Part L 2013 as amended;*
    - *minimum 48% Be Lean stage reduction through building efficiency;*
    - *minimum 48% Be Green stage reduction through renewables*
  - *Residential parts –*
    - *overall minimum 13% CO2 reductions beyond Part L 2013 as amended;*
    - *minimum 69% Be Lean stage reduction through building efficiency;*
    - *minimum 54% Be Green stage reduction through renewables*
  - Including operational energy target of 130 kWh/m<sup>2</sup> GIA.
- Sustainability measures for the whole development in accordance with approved statements
- Carbon offset contribution of £177,356.

#### Landscaping, trees and open space

- A contribution of £23,652 towards public open space

#### Transport

- Car free development
- Construction Management Plan (CMP) and associated requirement for a Construction Working Group to be formed prior to commencement.
- CMP implementation support contribution of £22,816 and a Construction Impact Bond of £30,000.



- Financial contribution for highway works directly adjacent to the site. Works to include:
  - Off-site short term cycle parking.
  - Repair to existing pocket park on Bayley Street.
  - Repairs to adjacent footway on Tottenham Court Road and Bayley Street
  - Removal of crossovers on Morwell Street and reinstatement of footway.
  - Contribution towards removal of existing street lighting and installation of new wall-mounted street lighting on Morwell Street.
  - Conversion of pay-by-phone parking bay to a loading bay.
- Provision of two new wall-mounted lamps designed to LB Camden specification.
- Level Plans are required to be submitted at the appropriate stage showing the interaction between development thresholds and the Public Highway to be submitted to and approved by the Highway Authority prior to any works starting on-site. The Highway Authority reserves the right to construct the adjoining Public Highway (carriageway, footway and/or verge) to levels it considers appropriate.
- Financial contribution for pedestrian, cycling and environmental improvements in the general vicinity of the site – creation of new pocket park on south side of Bayley Street, or other public open space in the vicinity, street trees and seating - of £150,000.
- Approval in Principle (AIP) report and a financial contribution of £1,800 for the review and sign-off of the AIP from our Structural Engineering service, prior to any works starting on-site.
- Strategic workplace travel plan (for the office) and associated monitoring and measures contribution of £9,618.
- Stopping up order to be approved by the highway authority.
- CMP implementation support contribution of £22,816 and a Construction Impact Bond of £30,000.
- Requirement for the developer to enter into a s278/legal agreement with TfL to agree the relocation and costs of removal and relocation of Santander Bicycle stand on Bayley Street.

#### Project Architect

- Unless otherwise agreed in writing by the Council (such agreement not to be unreasonably withheld or delayed) not to:
  - Submit any further drawings required to be submitted under or in connection with the planning permission unless such drawings have been prepared by Stiff & Trevillion Architects;
  - Implement or carry out works forming part of the construction of the development at any time when Stiff & Trevillion Architects are not employed by the owner as project architects; and
  - Occupy or permit occupation of any part of the extended floorspace until such time as the council has confirmed in writing that it has received certification from Stiff & Trevillion Architects that the development has been carried out and completed in accordance with

the planning permission and any details approved pursuant to the conditions contained within the planning permission.

## 28 Legal Comments

28.1 Members are referred to the note from the Legal Division at the start of the Agenda.

## 29 Conditions

1	<p><b>Implementation</b></p> <p>The development hereby permitted must be begun not later than the end of three years from the date of this permission.</p> <p>Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).</p>
2	<p><b>Approved drawings</b></p> <p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <p>4486-ST-PR-01-003, 4486-ST-PR-02-002-BP, 4486 -PR-02-098, 4486-PR-02-099-B, 4486-PR-02-100-A, 4486-PR-02-101-B, 4486-PR-02-102-A, 4486-PR-02-104-A, 4486-PR-02-105-A, 4486-ST-PR-02-106-B, 4486-ST-PR-02-107-B, 4486-PR-ST-03-100-A, 4486-PR-ST-03-101-A, 4486-PR-ST-03-102-B, 4486-ST-PR-04-100, 4486-ST-PR-04-101, 4486-ST-PR-04-102, 4486-ST-PR-04-103, 4486-ST-PR-04-104.</p> <p>Reason: For the avoidance of doubt and in the interest of proper planning.</p>
3	<p><b>Detailed drawings / samples</b></p> <p>Detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority before the relevant part of the work is begun:</p> <p>a) Details including plans, coloured elevations and sections at 1:20 of all new windows (including jambs, head and cill), ventilation grills, external doors, screening, balustrades, parapets, gates, planters and associated elements and lighting fixtures;</p> <p>b) Plan, coloured elevation and section drawings, including fascia, cornice, pilasters and glazing panels of the new shopfronts at a scale of 1:20;</p>

	<p>c) Manufacturer's specification details of all facing materials (to be submitted to the Local Planning Authority) and samples of those materials (to be provided on site) or via high-resolution email photographs if site viewing is not possible). Samples of materials to be provided at a suitable size (eg. 1x1m) and alongside all neighbouring materials;</p> <p>d) Plan, coloured elevation and section drawings of a typical terracotta bay at a scale of 1:20;</p> <p>e) Plan, coloured elevation and section drawings of a typical brick bay at a scale of 1:20;</p> <p>f) Plan, coloured elevation and section drawings of rooftop plant enclosure at a scale of 1:50. The height of the plant enclosure shall be no higher than that shown in the drawings hereby approved as an absolute maximum. All roof level plant machinery is to be housed within the drawn screening. No enlargement in height or footprint will be permitted, including all screening and lift over run unless otherwise agreed with the Council.</p> <p>g) Detailed drawings of two wall-mounted street lamps to be fixed to the Morwell Street elevation.</p> <p>The relevant part of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course of the works.</p> <p>Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policies D1 and D2 of the Camden Local Plan 2017.</p>
4	<p><b>External fixtures</b></p> <p>No lights, meter boxes, flues, vents or pipes, and no telecommunications equipment, alarm boxes, television aerials, satellite dishes or rooftop 'mansafe' rails shall be fixed or installed on the external face of the buildings, without the prior approval in writing of the local planning authority.</p> <p>Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policies D1 and D2 of the Camden Local Plan 2017.</p>
5	<p><b>Building contract</b></p> <p>No demolition works shall commence until a solicitors certificate (from a solicitor holding a practising certificate issued by the Solicitors Regulation Authority) confirming that a contract (or contracts) has/have been let for the construction of the approved development has been</p>

	<p>submitted to and approved in writing by the local planning authority. The solicitors certificate shall include a summary of the scope of works covered by the contract(s) and identify the key milestones and dates.</p> <p>Reason: In order to safeguard the character and appearance of the streetscene and the special historic interest of the area in accordance with the requirements of policies D1 and D2 of the Camden Local Plan 2017.</p>
6	<p><b>Archaeological Written Scheme of Investigation</b></p> <p>No work except demolition to the existing slab level shall take place until a stage 1 written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works.</p> <p>If heritage assets of archaeological interest are identified by stage 1 then for those parts of the site which have archaeological interest a stage 2 WSI shall be submitted to and approved by the local planning authority in writing. For land that is included within the stage 2 WSI, no demolition/development shall take place other than in accordance with the agreed stage 2 WSI which shall include:</p> <ul style="list-style-type: none"> <li>a) The statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works</li> <li>b) Where appropriate, details of a programme for delivering related positive public benefits.</li> <li>c) The programme for post-investigation assessment and subsequent analysis, publication &amp; dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the stage 2 WSI.</li> </ul> <p>Reason: Important archaeological remains may exist on this site. Accordingly the Local planning authority wishes to secure the provision of archaeological investigation and the subsequent recording of the remains prior to development in accordance with the requirements of policy D2 (Heritage) of the London Borough of Camden Local Plan 2017.</p>
7	<p><b>Details of basement engineer</b></p> <p>The development hereby approved shall not commence (excluding demolition to existing slab level) until such time as a suitably qualified chartered engineer with membership of the appropriate professional</p>

	<p>body has been appointed to inspect, approve and monitor the critical elements of both permanent and temporary basement construction works throughout their duration to ensure compliance with the design which has been checked and approved by a building control body. Details of the appointment and the appointee's responsibilities shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. Any subsequent change or reappointment shall be confirmed forthwith for the duration of the construction works.</p> <p>Reason: To safeguard the appearance and structural stability of neighbouring buildings and the character of the immediate area in accordance with the requirements of policies D1, D2 and A5 of the London Borough of Camden Local Plan 2017.</p>
8	<p><b>Noise standards</b></p> <p>The design and structure of the development shall be of such a standard that it will protect residents within the same building or in adjoining buildings from noise and vibration from the development, so that they are not exposed to noise levels indoors of more than 35 dBLAeq 16 hrs daytime and of more than 30 dB LAeq 8 hrs in bedrooms at night.</p> <p>Reason: To safeguard the amenities of neighbouring noise sensitive receptors in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.</p>
9	<p><b>Noise standards</b></p> <p>Prior to commencement of installation of any plant equipment, full details (including plans, elevations, manufacturer specifications and sections) of the proposed plant equipment and enclosure shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the external noise level emitted from plant/ machinery/ equipment and mitigation measures as appropriate. The measures shall ensure that the external noise level emitted from plant, machinery/ equipment will be lower than the typical background noise level by at least 10dBA, by 15dBA where the source is tonal, as assessed according to BS4142:2014 at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.</p> <p>Reason: To safeguard the amenities of neighbouring noise sensitive receptors in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.</p>

10	<p><b>Accessible and adaptable dwellings</b></p> <p>All units hereby approved shall be designed and constructed in accordance with Building Regulations Part M4 (2) with at least 10% designed and constructed in accordance with Building Regulations Part M4 (3) adaptable.</p> <p>Reason: To ensure that the internal layout of the building provides flexibility for the accessibility of future occupiers and their changing needs over time, in accordance with the requirements of policy H6 of the Camden Local Plan 2017.</p>
11	<p><b>Public café</b></p> <p>The proposed café at ground floor level fronting Bayley Street and Morwell Street shall be retained in this location and remain accessible to members of the public during hours of opening.</p> <p>Reason: To safeguard the character, function, vitality and viability of the area in accordance with policies G1, TC1 and TC3 of the Camden Local Plan 2017.</p>
12	<p><b>Flexible Retail use</b></p> <p>A minimum of 80% of the ground floor level fronting Tottenham Court Road annotated on the plans as flexible retail space shall be occupied in A1, A2 or A3 use at any one time.</p> <p>Reason: To safeguard the character, function, vitality and viability of the area in accordance with policies G1, A1, TC1 and TC3 of the Camden Local Plan 2017.</p>
13	<p><b>Flexible D1 / B1 frontage</b></p> <p>The proposed ground floor windows on Morwell Street serving the proposed flexible D1/B1 space shall be retained as an active frontage to the street.</p> <p>Reason: To safeguard the character, function, vitality and viability of the area and to secure an active retail frontage to assist with passive surveillance and pedestrian activity along Tottenham Court Road in accordance with policies G1, A1, TC1 and TC3 of the Camden Local Plan 2017.</p>
14	<p><b>Retail frontage</b></p> <p>The proposed ground floor retail windows on Tottenham Court Road shall at all times include a shop front display to the street.</p>

	<p>Reason: To safeguard the character, function, vitality and viability of the area and to secure an active retail frontage to assist with passive surveillance and pedestrian activity along Tottenham Court Road in accordance with policies G1, A1, TC1 and TC3 of the Camden Local Plan 2017.</p>
15	<p><b>Flexible D1 use</b></p> <p>Notwithstanding the provisions of Class D1 of the Schedule of the Town and Country Planning (Use Classes) Order 1987, or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, the proposed Flexible D1/B1 unit hereby approved shall not be used as a place of worship.</p> <p>Reason: To ensure that the future occupation of the building does not adversely affect the adjoining premises or immediate area by way of noise, in accordance with policies G1, A1 and A4 of the Camden Local Plan 2017.</p>
16	<p><b>Office terraces hours of use</b></p> <p>The use of the roof terraces associated with the office use shall not be carried out outside the following times 0730-2100 Mondays to Saturdays and 0830-2000 on Sundays and Bank Holidays.</p> <p>Reason: To safeguard the amenities of the nearest residential properties and the area generally in accordance with the requirements of policies G1, A1, A4 and TC2 of the London Borough of Camden Local Plan 2017.</p>
17	<p><b>No audible music played on terrace</b></p> <p>No music shall be played on the premises in such a way as to be audible within any adjoining premises or on the adjoining highway.</p> <p>Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies G1, D1, A1, and A4 and TC1 and TC2 of the London Borough of Camden Local Plan 2017.</p>
18	<p><b>Hours of use: café</b></p> <p>The proposed café at ground floor level fronting Bayley Street and Morwell Street shall not be open outside the following hours:</p> <p>08:00-19:00 Monday to Friday and 09:00-18:00 on Saturdays and Sundays</p> <p>Reason: To ensure that the amenity of occupiers of residential properties in the area is not adversely affected by noise and</p>



	disturbance in accordance with Policy A1 of the Camden Local Plan 2017.
19	<p><b>Hours of use: Flexible A1/A2/A3/D2</b></p> <p>The proposed flexible A1/A2/A3/D2 use hereby approved shall not be open outside the following hours:</p> <p>07:00-22:00 Monday to Sunday</p> <p>Reason: To ensure that the amenity of occupiers of residential properties in the area is not adversely affected by noise and disturbance in accordance with Policy A1 of the Camden Local Plan 2017.</p>
20	<p><b>Waste storage / removal</b></p> <p>At least six months prior to completion, details of the location, design and method of waste storage and removal including recycled materials, shall be submitted to and approved by the local planning authority in writing. The facility as approved shall be provided prior to the first occupation of any of the new units and permanently retained thereafter.</p> <p>Reason: To ensure that sufficient provision for the storage and collection of waste has been made in accordance with the requirements of policies A1 and CC5 of the Camden Local Plan 2017.</p>
21	<p><b>Delivery and refuse items</b></p> <p>All refuse and recycling bins, delivery cages, trolleys and any other items linked to deliveries and collection in association with the development hereby permitted are to be stored within the buildings and only brought out onto the public highway when deliveries are being made or refuse collected and returned to within the building immediately thereafter.</p> <p>Reason: In the interests of visual amenity and to prevent obstruction and inconvenience to users of the public highways, in accordance with policies A1, CC5 and T1 of the Camden Local Plan 2017.</p>
22	<p><b>Installation of cycle parking</b></p> <p>Prior to the occupation of the development, the cycle storage areas (including 136 spaces for the office accommodation with 5 spaces for recumbent spaces, and 16 spaces for the residential units) shall be provided in their entirety prior to the first occupation of the development, and permanently retained thereafter.</p>

	<p>Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy T1 of the Camden Local Plan 2017 and table 6.3 of the London Plan 2016.</p>
23	<p><b>External doors</b></p> <p>All external doorways, except for fire doors or for access to utilities, should not open outwards towards the public highway/footway/courtyard spaces. The proposed doors must either open inwards or have a sliding door so they do not restrict the flow of pedestrians or risk being opened onto those passing by.</p> <p>Reason: In order to enhance the free flow of pedestrian movement and promote highway safety and amenity in accordance with policies D1 and T1 of the Camden Local Plan 2017.</p>
24	<p><b>Crossrail 2 Safeguarding</b></p> <p>Prior to commencement of any development other than site clearance, preparation and structural demolition to the existing slab level, detailed design and construction method statements for all the ground floor structures, foundations and basements and for any other structures below ground level, including piling (temporary and permanent), shall be submitted to and approved in writing by the Local Planning Authority which:</p> <ol style="list-style-type: none"> <li>i. Accommodate the proposed location of the Crossrail 2 structures including tunnels, shafts and temporary works,</li> <li>ii. Accommodate ground movement arising from the construction thereof,</li> <li>iii. Mitigate the effects of noise and vibration arising from the operation of the Crossrail 2 railway within the tunnels and other structures.</li> </ol> <p>The development shall be carried out in all respects in accordance with the approved design and method statements. All structures and works comprised within the development hereby permitted which are required by paragraphs (i), (ii) and (iii) of this condition shall be completed, in their entirety, before any part of the building[s] [is] [are] occupied.</p> <p>Reason: To safeguard the strategic infrastructure improvement project, Crossrail, in accordance with the requirements of policy T3 of the London Borough of Camden Local Plan 2017.</p>
25	<p><b>London Underground Safeguarding</b></p> <p>A. The demolition of the development hereby permitted shall not be commenced until details of an impact assessment safeguarding measures and impact to London Underground assets and method statement of the demolition in consultation with London Underground) have been submitted to and approved in writing by the local planning authority.</p>

	<p>B. The development hereby permitted (other than structural demolition to the existing slab level) shall not be commenced until detailed design and method statements (in consultation with London Underground) for all of the foundations, basement and ground floor structures, or for any other structures below ground level, including piling (temporary and permanent), have been submitted to and approved in writing by the local planning authority which:</p> <ul style="list-style-type: none"> <li>• provide construction details on all structures</li> <li>• accommodate the location of the existing London Underground structures and tunnels</li> <li>• accommodate ground movement arising from the construction thereof by submitting tunnel impact assessment to LU</li> <li>• and mitigate the effects of noise and vibration arising from the adjoining operations within the structures and tunnels</li> </ul> <p>The development shall thereafter be carried out in all respects in accordance with the approved design and method statements, and all structures and works comprised within the development hereby permitted which are required by the approved design statements in order to procure the matters mentioned in paragraphs of this condition shall be completed, in their entirety, before any part of the building hereby permitted is occupied.</p> <p>Reason: To ensure that the development does not impact on existing London Underground transport infrastructure, in accordance with London Plan 2015 Table 6.1, Publication London Plan Policy T3 and 'Land for Industry and Transport' Supplementary Planning Guidance 2012.</p>
26	<p><b>Piling method statement</b></p> <p>No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.</p> <p>Reason: To safeguard existing below ground public utility infrastructure and controlled waters in accordance with the requirements of policies CC1, CC2 and CC3 of the Camden Local Plan 2017.</p>

27	<p><b>Construction related impacts – Monitoring</b></p> <p>Air quality monitoring shall be implemented on site. No development shall take place until</p> <p>a. prior to installing monitors, full details of the air quality monitors have been submitted to and approved by the local planning authority in writing. Such details shall include the location, number and specification of the monitors, including evidence of the fact that they have been installed in line with guidance outlined in the GLA’s Control of Dust and Emissions during Construction and Demolition Supplementary Planning Guidance;</p> <p>b. prior to commencement, evidence has been submitted demonstrating that the monitors have been in place for at least 3 months prior to the proposed implementation date.</p> <p>The monitors shall be retained and maintained on site for the duration of the development in accordance with the details thus approved.</p> <p>Reason: To safeguard the amenity of adjoining premises and the area generally in accordance with the requirements of policies A1 (Managing the impact of development) and CC4 (Air quality) of the London Borough of Camden Local Plan 2017.</p>
28	<p><b>Non-road mobile machinery</b></p> <p>All non-road mobile machinery (any mobile machine, item of transportable industrial equipment, or vehicle - with or without bodywork) of net power between 37kW and 560kW used on the site for the entirety of the demolition and phases of the development hereby approved shall be required to meet Stage IIIA of EU Directive 97/68/EC. The site shall be registered on the NRMM register for the demolition and construction phases of the development.</p> <p>Reason: To safeguard the amenities of the adjoining occupiers, the area generally and contribution of developments to the air quality of the borough in accordance with the requirements of policies CC1, CC2 and CC4 of the Camden Local Plan 2017.</p>
29	<p><b>Details of mechanical ventilation</b></p> <p>Prior to commencement of development (excluding demolition to the existing slab level and site preparation works) on site, full details of the mechanical ventilation including air inlet locations and filters shall be submitted to and approved by the local planning authority in writing. Air inlet locations should be located away from busy roads and other relevant sources of emissions and as close to roof level as possible, to protect internal air quality. The development shall thereafter be constructed and maintained in accordance with the approved details.</p>

	<p>Reason: To protect the amenity of residents in accordance with London Plan policy 7.14. To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies TC1, A1 and A4 of the Camden Local Plan 2017.</p>
30	<p><b>NO2 filtration details</b></p> <p>Prior to occupation, evidence that an appropriate NO2 filtration system on the mechanical ventilation intake has been installed and a detailed mechanism to secure maintenance of this system should be submitted to the Local Planning Authority and approved in writing.</p> <p>Reason: To safeguard the amenities of the prospective occupiers, adjoining premises and the area generally in accordance with the requirements of policies A1, CC1, CC2 and CC3 of the Camden Local Plan 2017.</p>
31	<p><b>Bird and bat boxes</b></p> <p>Prior to first occupation of the development a plan showing details of bird and bat box locations and types and indication of species to be accommodated shall be submitted to and approved in writing by the local planning authority. The boxes shall be installed in accordance with the approved plans prior to the occupation of the development and thereafter retained.</p> <p>Reason: In order to secure appropriate features to conserve and enhance wildlife habitats and biodiversity measures within the development, in accordance with the requirements of policy A3 of the Camden Local Plan 2017.</p>
32	<p><b>Biodiversity enhancements</b></p> <p>Prior to the commencement of above ground works (excluding demolition and any site preparation works), details of biodiversity enhancements incorporating the recommendations from the Preliminary Ecological Appraisal shall be submitted to and approved in writing by the local planning authority. The measures shall be installed in accordance with the approved plans prior to the occupation of the development and thereafter retained.</p> <p>Reason: In order to secure appropriate features to conserve and enhance wildlife habitats and biodiversity measures within the development, in accordance with the requirements of policy A3 of the Camden Local Plan 2017.</p>

33	<p><b>Breeding bird protection</b></p> <p>The proposed demolition or any site clearance should be undertaken outside the breeding bird season (i.e. it should be undertaken in the period September to January inclusive). Should it prove necessary to undertake demolition or clearance works during the bird nesting season, then a pre-works check for nesting birds should be undertaken by a qualified ecologist. If any active nests are found, works should cease and an appropriate buffer zone should be established (the qualified ecologist would advise). This buffer zone should be left intact until it has been confirmed that the young have fledged and the nest is no longer in use.</p> <p>Reason: In order to ensure the development safeguards protected and priority species in accordance with policy A3 of the Camden Local Plan 2017.</p>
34	<p><b>Bat protection</b></p> <p>During any internal or external demolition of buildings or any site clearance, a precautionary measure is required that all contractors are aware of potential roosting bats and that external features such as roof tiles and other features which may support bats (i.e. areas with cracks or holes providing access routes for bats) should be removed by hand. There is a required formalisation of a protocol as to the steps to be taken in the event that a bat or bats is/are found during the demolition works. Should bats or their roosts be identified then works must cease and the applicant will be required to apply for, and obtain, a European Protected Species Licence and submit proof of this to the authority before work recommences. Additionally they will be required to submit a method statement detailing features to be retained and added to site to maintain and replace roost and foraging features on the site.</p> <p>Reason: In order to ensure the development safeguards protected and priority species in accordance with policy A3 of the Camden Local Plan 2017.</p>
35	<p><b>Details of PV panels</b></p> <p>Prior to commencement of above ground works (excluding demolition and any site preparation works), drawings and data sheets showing the location, extent and predicted energy generation of photovoltaic cells and associated equipment to be installed on the building shall have been submitted to and approved by the Local Planning Authority in writing. The measures shall include the installation of a meter to monitor the energy output from the approved renewable energy systems. A site-specific lifetime maintenance schedule for each system, including safe roof access arrangements, shall be provided. The cells shall be installed in full accordance with the details approved</p>

	<p>by the Local Planning Authority and permanently retained and maintained thereafter.</p> <p>Reason: To ensure the development provides adequate on-site renewable energy facilities in accordance with the requirements of policies CC1 and CC2 of the Camden Local Plan 2017.</p>
36	<p><b>Landscaping details</b></p> <p>Prior to commencement of above-ground development (excluding demolition and any site preparation works), full details in respect of the landscaping to the terraces at fourth floor, fifth floor and roof level shall be submitted to and approved in writing by the local planning authority. Details shall include species, indicative images and details of the maintenance programme. The building shall not be occupied until the approved details have been implemented and these works shall be permanently retained and maintained thereafter.</p> <p>Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies A3, CC2 and CC3 of the London Borough of Camden Local Plan policies.</p>
37	<p><b>Green Roof details</b></p> <p>Prior to commencement of above-ground development (excluding demolition and any site preparation works), full details in respect of the green roof in the area indicated on the approved roof plan shall be submitted to and approved in writing by the local planning authority. Details of the green roof provided shall include: species, planting density, substrate and a section at scale 1:20 showing that adequate depth is available in terms of the construction and long term viability of the green roof, as well as details of the maintenance programme for green roof. The buildings shall not be occupied until the approved details have been implemented and these works shall be permanently retained and maintained thereafter.</p> <p>Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies A3, CC2 and CC3 of the London Borough of Camden Local Plan.</p>
38	<p><b>Sustainable Drainage</b></p> <p>The sustainable drainage system as approved (Drainage Strategy authored by AKT II, dated October 2020) shall be installed as part of the development to accommodate all storms up to and including a 1:100 year storm with a 40% provision for climate change, such that flooding does not occur in any part of a building or in any utility plant susceptible to water and to achieve a site run-off rate of 2 l/s. The</p>



	<p>system shall include 120 m3 attenuation tank and 365 m2 green roof with a minimum soil depth of 150 mm, as stated in the approved drawings and shall thereafter retained and maintained in accordance with the approved maintenance plan.</p> <p>Reason: To reduce the rate of surface water run-off from the buildings and limit the impact on the storm-water drainage system in accordance with policies CC2 and CC3 of the London Borough of Camden Local Plan 2017.</p>
39	<p><b>Air source heat pump details</b></p> <p>Prior to commencement of above ground works (excluding demolition and any site preparation works), details, drawings and data sheets showing the location, Seasonal Performance Factor of at least 2.5 and Be Green stage carbon saving of the air source heat pumps and associated equipment to be installed on the building, shall have been submitted to and approved by the Local Planning Authority in writing. The measures shall include the installation of a metering details including estimated costs to occupants and commitment to monitor performance of the system post construction. A site-specific lifetime maintenance schedule for each system, including safe access arrangements, shall be provided. The equipment shall be installed in full accordance with the details approved by the Local Planning Authority and permanently retained and maintained thereafter.</p> <p>Reason: To ensure the development provides adequate on-site renewable energy facilities in accordance with the requirements of policy CC1 of the London Borough of Camden Local Plan 2017.</p>
40	<p><b>Water use</b></p> <p>The development hereby approved shall achieve a maximum internal water use of 105litres/person/day. The dwellings shall not be occupied until the Building Regulation optional requirement has been complied with.</p> <p>Reason: To ensure the development contributes to minimising the need for further water infrastructure in an area of water stress in accordance with policies CC1, CC2 and CC3 of the Camden Local Plan 2017.</p>
41	<p><b>Diversion of waste from landfill</b></p> <p>The demolition hereby approved shall divert 85% of waste from landfill and comply with the Institute for Civil Engineer's Demolition Protocol and either reuse materials on-site or salvage appropriate materials to enable their reuse off-site. Prior to occupation, evidence demonstrating that this has been achieved shall be submitted to and approved in writing by the Local Planning Authority.</p>

	Reason: To ensure the development contributes to reducing waste and supporting the circular economy in accordance with the requirements of Policy CC1 of the London Borough of Camden Local Plan 2017.
42	<p><b>Fire statement</b></p> <p>No above ground new development shall commence (excluding demolition and any site preparation works) until a Fire Statement has been submitted to and approved in writing by the Local Planning Authority. The Fire Statement shall be produced by an independent third party suitably qualified assessor which shall detail the building's construction, methods, products and materials used; the means of escape for all building users including those who are disabled or require level access together with the associated management plan; access for fire service personnel and equipment; ongoing maintenance and monitoring and how provision will be made within the site to enable fire appliances to gain access to the building. The relevant Phase of the development shall be carried out in accordance with the approved details.</p> <p>Reason: In order to provide a safe and secure development in accordance with policy D12 of the Publication London Plan 2020.</p>

### 30 Informatives

1	This proposal may be liable for the Mayor of London's Community Infrastructure Levy (CIL) and the Camden CIL. Both CILs are collected by Camden Council after a liable scheme has started, and could be subject to surcharges for failure to assume liability or submit a commencement notice PRIOR to commencement. We issue formal CIL liability notices setting out how much you may have to pay once a liable party has been established. CIL payments will be subject to indexation in line with construction costs index. You can visit our planning website at <a href="http://www.camden.gov.uk/cil">www.camden.gov.uk/cil</a> for more information, including guidance on your liability, charges, how to pay and who to contact for more advice.
2	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).
3	Your proposals may be subject to control under the Party Wall etc Act 1996 which covers party wall matters, boundary walls and excavations near neighbouring buildings. You are advised to consult a suitably qualified and experienced Building Engineer.

4	<p>All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website at <a href="https://beta.camden.gov.uk/documents/20142/1269042/Camden+Minimum+Requirements+%281%29.pdf/bb2cd0a2-88b1-aa6d-61f9-525ca0f71319">https://beta.camden.gov.uk/documents/20142/1269042/Camden+Minimum+Requirements+%281%29.pdf/bb2cd0a2-88b1-aa6d-61f9-525ca0f71319</a> or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)</p> <p>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 must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.</p>
5	<p>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 &amp; 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.</p>
6	<p>This permission is granted without prejudice to the necessity of obtaining consent under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007. Application forms may be obtained from the Council's website, <a href="http://www.camden.gov.uk/planning">www.camden.gov.uk/planning</a> or the Camden Contact Centre on Tel: 020 7974 4444 or email <a href="mailto:env.devcon@camden.gov.uk">env.devcon@camden.gov.uk</a>).</p>
7	<p>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.</p>
8	<p>Mitigation measures to control construction-related air quality impacts should be secured within the Construction Management Plan as per the standard CMP Pro-Forma. The applicant will be required to complete the checklist and demonstrate that all mitigation measures relevant to the level of identified risk are being included.</p>
9	<p>Under part 3, Class V of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any</p>

	<p>subsequent amendments, the commercial units on part of the ground and lower ground floors can change between the A1/A2/A3/D1/D2/B1 uses shown on the floorplans hereby approved for 10 years without further planning permission (notwithstanding the provisions of condition 12). The actual use 10 years after the date of this permission will become the authorised use, so you will then need to apply for permission for any further change.</p>
10	<p>Under part 3, Class V of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any subsequent amendments, the commercial units on part of the ground and lower ground floors can change between the A1/A2/A3/D1/D2/B1 uses as shown on the approved floor plans for 10 years without further planning permission (notwithstanding the provisions of condition 12). The actual use 10 years after the date of this permission will become the authorised use, so you will then need to apply for permission for any further change.</p>
11	<p>All references to use classes within this permission are to the use classes as stated in the Town and Country Planning (Use Classes) Order 1987 as at 31 August 2020.</p>
12	<p>It is recommended that the residential units achieve 'Secured by Design – Silver' accreditation. You can find further information about 'Secured by Design' by reading the following guide:  <a href="https://www.securedbydesign.com/images/downloads/HOMES_BROCHURE_2019.pdf">https://www.securedbydesign.com/images/downloads/HOMES_BROCHURE_2019.pdf</a></p>

## **APPENDIX 1 – Design Review Panel Report**

**London Borough of Camden Design Review Panel**

**Report of Formal Review Meeting: 247 Tottenham Court Road**

Friday 24 April 2020  
Video conference

**Panel**

Catherine Burd (chair)  
Michal Cohen  
Scott Grady  
Robin Nicholson  
Peter Studdert

**Attendees**

Edward Jarvis	London Borough of Camden
Laura Hazelton	London Borough of Camden
Nick Baxter	London Borough of Camden
Alastair Crockett	London Borough of Camden
Angela McIntyre	Frame Projects
Kiki Ageridou	Frame Projects

**Apologies / report copied to**

Richard Wilson	London Borough of Camden
Bethany Cullen	London Borough of Camden
Kevin Fisher	London Borough of Camden
Deborah Denner	Frame Projects

**Confidentiality**

This is a pre-application review, and therefore confidential. As a public organisation Camden Council is subject to the Freedom of Information Act (FOI), and in the case of an FOI request may be obliged to release project information submitted for review.

# CONFIDENTIAL

## 1. Project name and site address

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

## 2. Presenting team

Mike Stiff	Stiff + Trevillion
Dan Campbell	Stiff + Trevillion
Jason Warren	Stiff + Trevillion
David Hutton	CO-RE
Peter Stewart	Peter Stewart Consultancy
Lisa Webb	Gerald Eve LLP
Liam Lawson Jones	Gerald Eve LLP
Ashley Bateson	Hoare Lea
Jason Plant	Avison Young

## 3. Planning authority briefing

Proposals include demolition of the existing building and redevelopment of the site for mixed uses including: office; residential; retail; and flexible business / non-residential institution floorspace; and public realm enhancements.

The existing building is ground plus six storeys with a basement floor, and contains retail, office, residential, and education uses. It is located on the east side of Tottenham Court Road, with Bayley Street to the north and Morwell Street to the east.

The site is located in the Central London Area, where policy H2 requires development involving additional floorspace of more than 200 sqm to provide 50 per cent of all additional floorspace to be self-contained housing. This is as well as any existing residential floorspace, which must be re-provided. Policy CC1 requires all proposals that involve substantial demolition to demonstrate that it is not possible to retain and improve the existing building.

The Fitzrovia Area Action Plan specifically notes that buildings should be designed to avoid harm to views from Bedford Square and Fitzroy Square. The existing building is not visible from Bedford Square, apart from the north west of the square, here the rear elevation forms a muted background to the listed square.

The Council has maintained the position that the impact on views from Bedford Square should not be worsened as doing so would result in harm to the setting of Bedford Square. During pre-application discussions, the applicant has submitted a number of revisions to the proposals and the latest iteration has reduced the height of the building creating limited views of two lift shafts over the Bedford roofline. The Council seeks the panel's views on the impact of the latest proposal on the setting and significance of Bedford Square, and whether the detailed design is appropriate in this location. The Council also seeks the panel's views on the sustainability proposals put forward and the principle of demolition.



# CONFIDENTIAL

## 4. Design Review Panel's views

### *Summary*

The panel finds much to admire in the proposals for this prominent site which sits near the edge of one of the finest examples of a Georgian Square in London. It does however recommend a number of adjustments, and would encourage the design team to finesse proposals to ensure they are of an appropriate scale and quality required in this sensitive location. While the panel welcomes the design team's thorough sustainability analysis to justify the demolition of the existing building, it emphasises that the new building should operate in a light touch way, for instance with natural ventilation where possible. The scale of proposals facing onto Tottenham Court Road is viewed as acceptable. However, the panel consider a step down in scale towards Morwell Street is necessary, to avoid compromising the character of this mews street. The elevation to Tottenham Court Road is well considered, but has scope for refinement. It recommends the design team continue to look at references along Tottenham Court Road, which provide clues to giving more gutsiness and rhythm to the proposals. As part of this process, the panel suggests consideration of how the verticality of the facades could be strengthened, and how the chamfered corners are detailed to enhance views from Bedford Square. A change in materiality could be considered where the building faces onto Morwell Street. The panel is has concerns about the quality of residential accommodation currently proposed and feels the floor plans require a rethink. The design team should ensure that all habitable rooms have adequate access to light and space, and ensure that amenity space enhances residents' wellbeing. Thought should be given to the wide pavement facing onto Bayley Street and if this can include planting and have a social function. These points are expanded below.

### *Sustainability*

- The panel commends the design team's thorough sustainability analysis which has generated a credible argument for demolishing the existing building.
- While demolishing the existing building may be acceptable, the panel insists the building that replaces it should operate with as light a touch possible, e.g. avoiding the need for air conditioning, with scope for natural ventilation and natural lighting.
- When considering how the building can be naturally ventilated the design team must consider the impact this will have on the building façade with the inclusion of openable windows etc. Similarly, it should ensure the façade is designed to minimise solar gain.





# CONFIDENTIAL

## *Scale and massing*

- As proposed the building height on the Tottenham Court Road elevation wraps around the flank of the building and onto the rear elevation onto Morwell Street.
- While the panel feels the proposed massing sits comfortably on Tottenham Court Road, it suggests that the massing should respond more sensitively to the smaller scale of Morwell Street.
- The panel are less concerned with the height of the lift overruns, which will be partially visible from Bedford Square, than the height of the building where it faces Morwell Street.
- The panel feels the proposed bulk here compromises the quality of the mews street, and is also concerned about the impact on the inhabitants of the properties on the other side of the Morwell Street.
- The panel suggests the massing should reduce along the majority of Morwell Street, possibly to four storeys.
- If adjustments are made to the massing on Morwell Street, this will require further thought about the Bayley Street flank elevation – and its presence in views from the Bedford Square approach.

## *Architectural articulation*

- The panel commends the design team's analysis of the existing architecture along Tottenham Court Road.
- However in comparison to its immediate context the proposed architecture appears quite plain, and the panel feel there could be scope for some of the gutsiness and rhythm found in the nearby buildings to be incorporated.
- The panel suggests extra detail at cornice level would improve the roof profile, which as proposed ends quite abruptly.
- While the design team describes the scheme as having a strong vertical rhythm, the panel suggests that the elevations are read horizontally due to the hard sill line across the elevations. Further consideration should be given to how the elevations are articulated to ensure their vertical rhythm is easily read.
- There could also be more variation between the different facades. For example, the panel notes that the gable end of the existing building has a different architectural expression and materiality, and that distinctive gables are a theme in the local context. Similarly the Morwell Street elevation could have a distinctive character that responds to the architecture of the mews.



# CONFIDENTIAL

- The panel would like to further understand the impact of the whole life carbon analysis on the proposed architecture.
- The panel suggests that solar shading could be an integral part of the architecture, and help give character to the building's façade.

## *Materiality*

- The panel recommends the materiality could change at the rear of the building, where it faces onto Morwell Street. In the panel's view glazed terracotta is not the right material for this more intimate location.
- The panel also suggests further thought about the materiality and architecture of the residential accommodation to give it a more a domestic appearance.
- The panel is supportive of the dark base to the building with a lighter material above.

## *General layout*

- The panel commends a well resolved ground floor plan and the location of shopfronts facing onto Tottenham Court Road.
- The active office lobby onto Bayley Street, which will activate the edge of the building that addressed Bedford square, is welcomed.
- The ground floor plan shows a drop off area outside the residential lobby. This appears to interrupt the pavement and should be removed.

## *Residential proposals*

- The panel is concerned with the quality of residential accommodation currently proposed, particularly the flats which face onto the heavily trafficked, polluted and noisy Tottenham Court Road.
- While the all the proposed residential accommodation is technically dual aspect, the bedrooms face into a lightwell which is likely to be quite dark. The panel suggests residential layouts should be reconsidered to ensure that homes receive ample daylight.
- The panel recommends that the residential accommodation could take up a greater proportion of the buildings frontage to allow for outward facing bedrooms.
- The panel suggests further consideration should be given to residential amenity space and its value to residents' well being. Alternative balcony locations should be tested to ensure they are habitable and attractive to residents, particularly those at first and second floor facing onto Tottenham Court Road.



# CONFIDENTIAL

- The panel urges the design team to ensure that residential balconies are depicted accurately in drawings and images, specifically whether they are inset balconies or winter gardens.
- The panel suggest that the design team explore stacking residential accommodation above the office floor plates, which may allow for better resolved residential layouts.

## *Public realm*

- The panel suggests that the wide pavement at the building edge onto Bayley Street could create an exciting piece of public realm which gives back to the area and responds to the outdoor seating at Gail's café opposite. This location could provide some outdoor space for the proposed café and create a green pocket at the edge of the site.
- Across the site the panel would like to see the inclusion of street trees where possible.

## *Next Steps*

The panel is confident that the detailed design issues it raises can be resolved in conversations with officers.



# Planning Committee

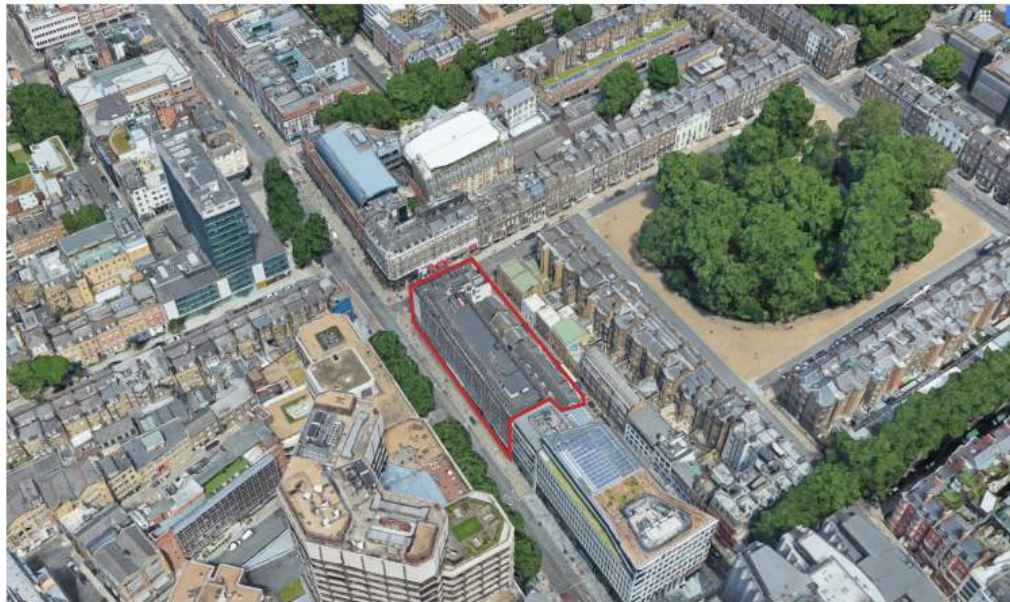
28<sup>th</sup> January 2021

2020/3583/P

247 Tottenham Court  
Road, 3 Bayley Street, 1-  
4 Morwell Street  
WC1B



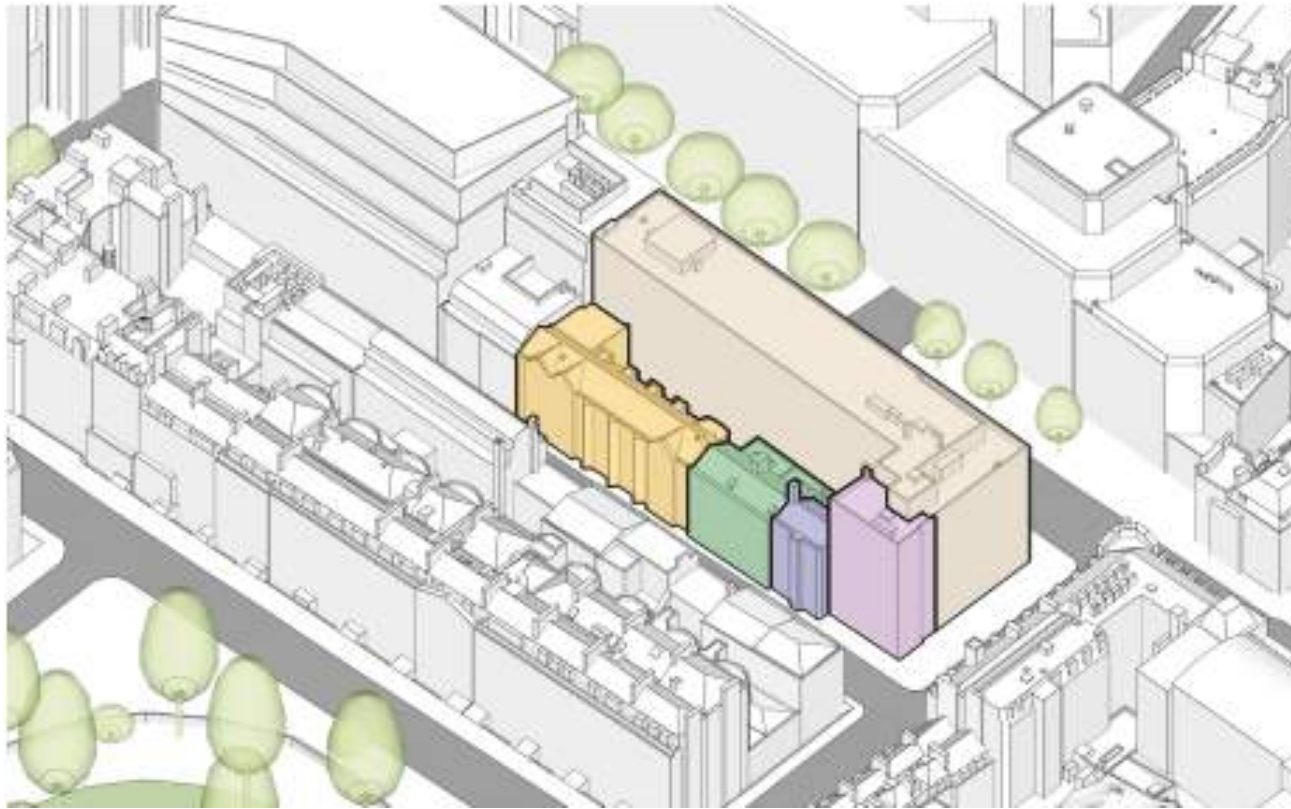




LOOKING NORTH



LOOKING SOUTH



-  - 3 Bayley Street - Residential
-  = 1 Morwell Street - Residential
-  = 2 Morwell Street - Retail / Office
-  = 4 Morwell Street - Office / Education
-  = 247 Tottenham Court Rd - Office / Retail





AERIAL VIEW LOOKING SOUTH EAST



AERIAL VIEW LOOKING NORTH WEST





VIEW LOOKING SOUTH ON TOTTENHAM COURT ROAD FROM PERCY STREET



VIEW LOOKING WEST ON BAYLEY STREET



VIEW LOOKING EAST ON BAYLEY STREET TOWARDS BEDFORD SQUARE



VIEW LOOKING NORTH ON MORWELL STREET



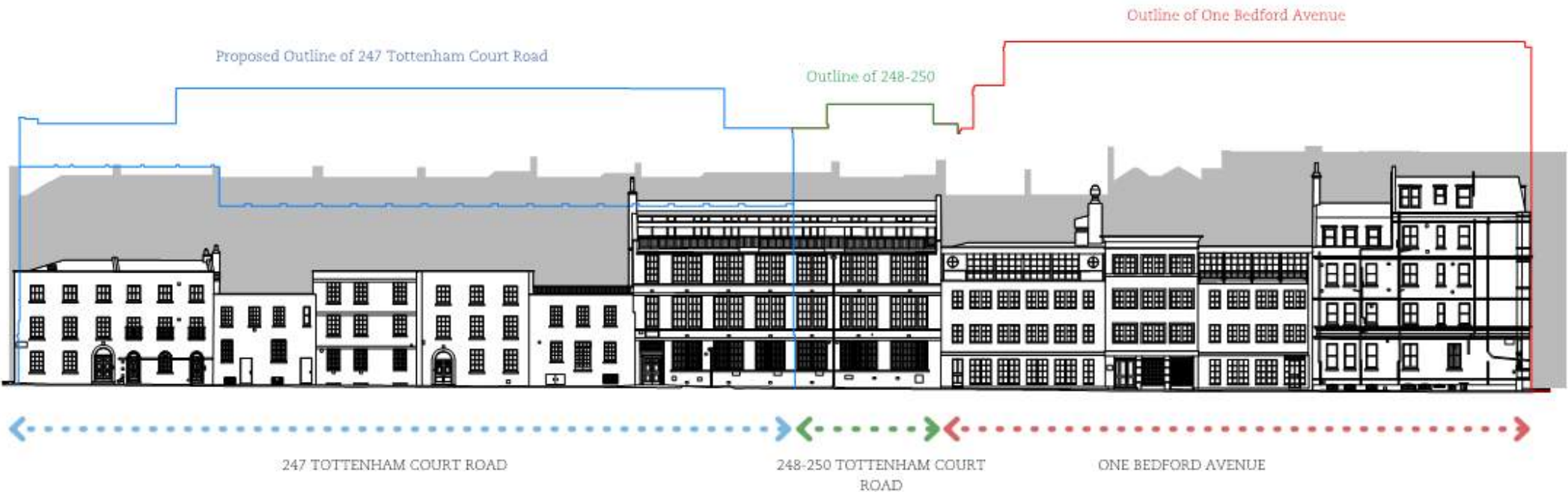
VIEW LOOKING NORTH ON TOTTENHAM COURT ROAD

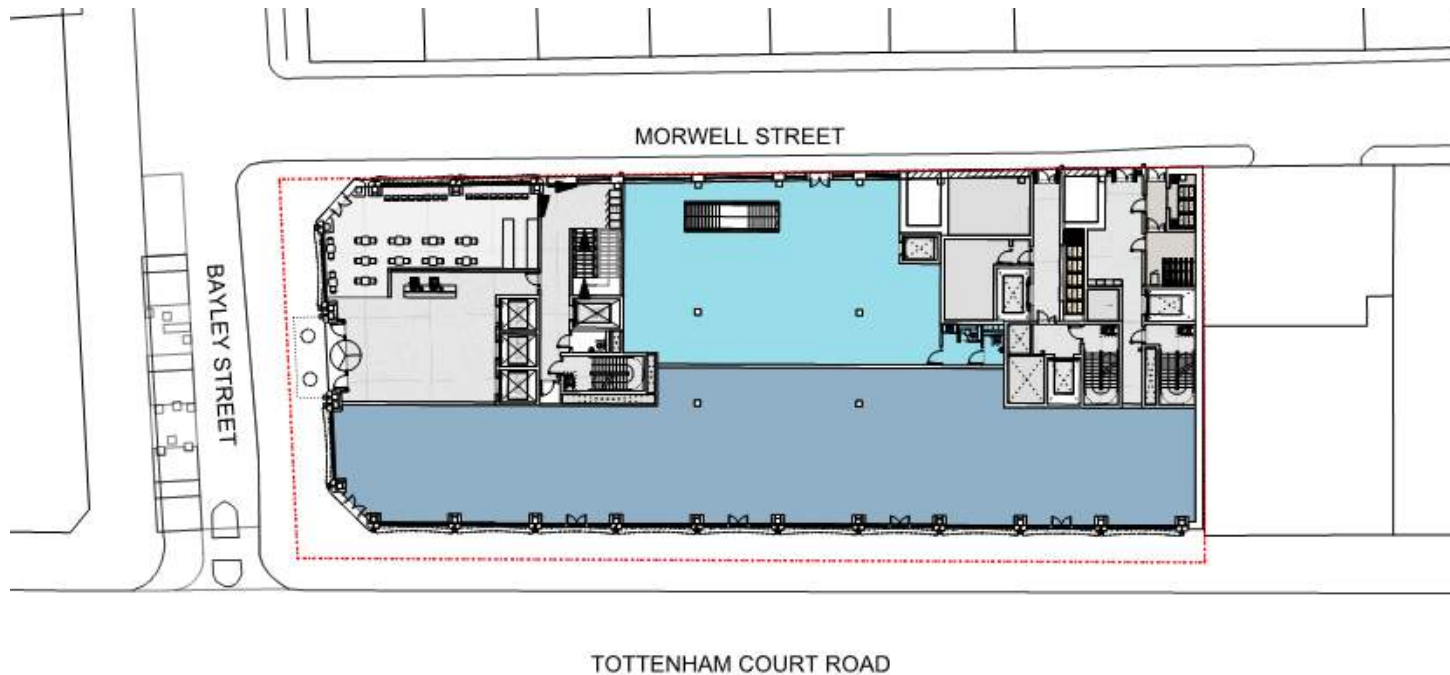
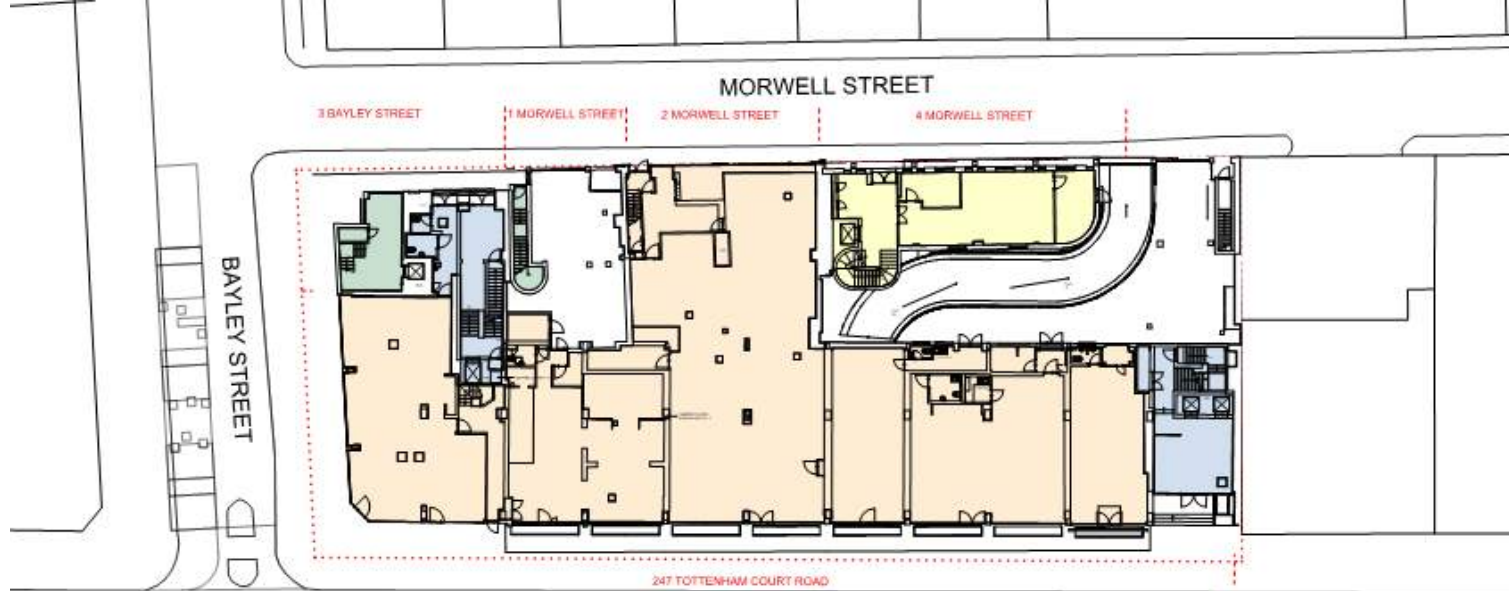


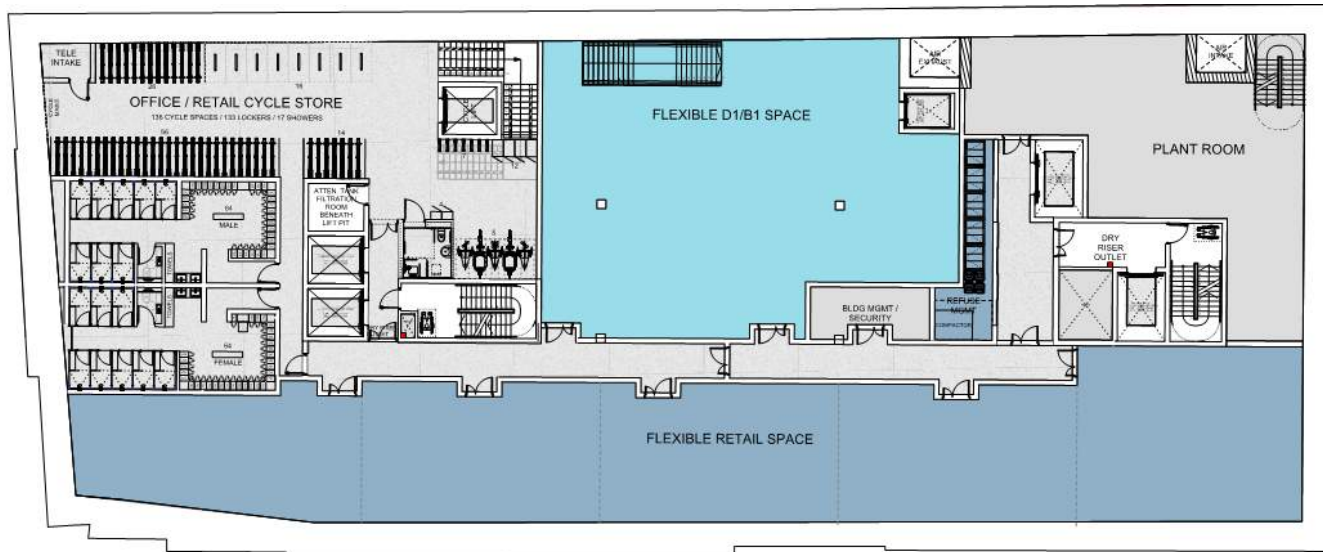
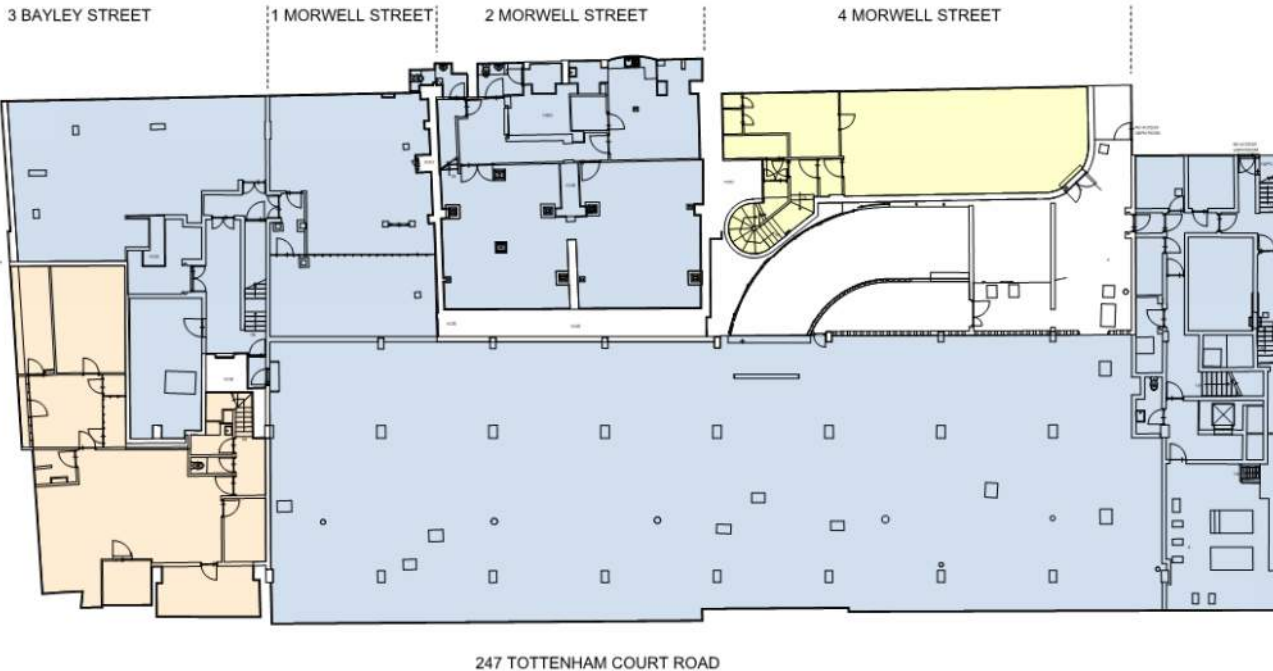
EXISTING OFFICE ENTRANCE DETAIL ON TOTTENHAM COURT ROAD

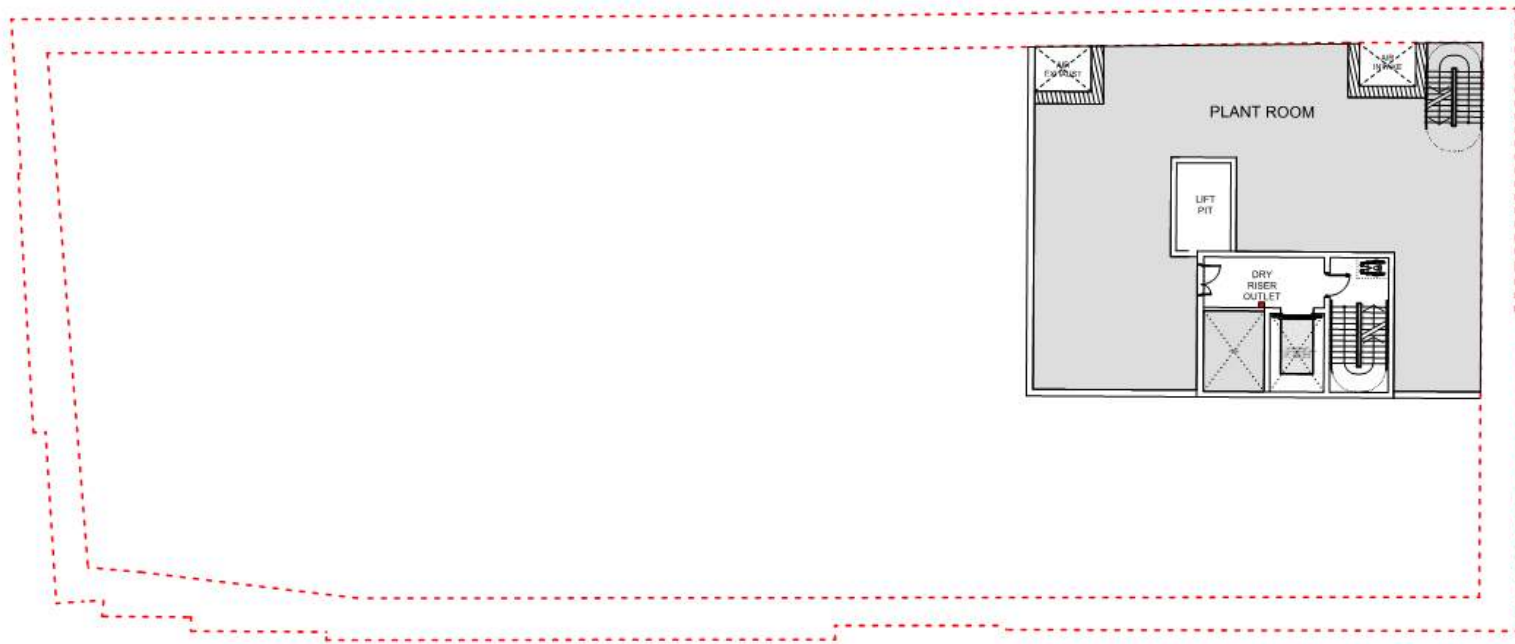












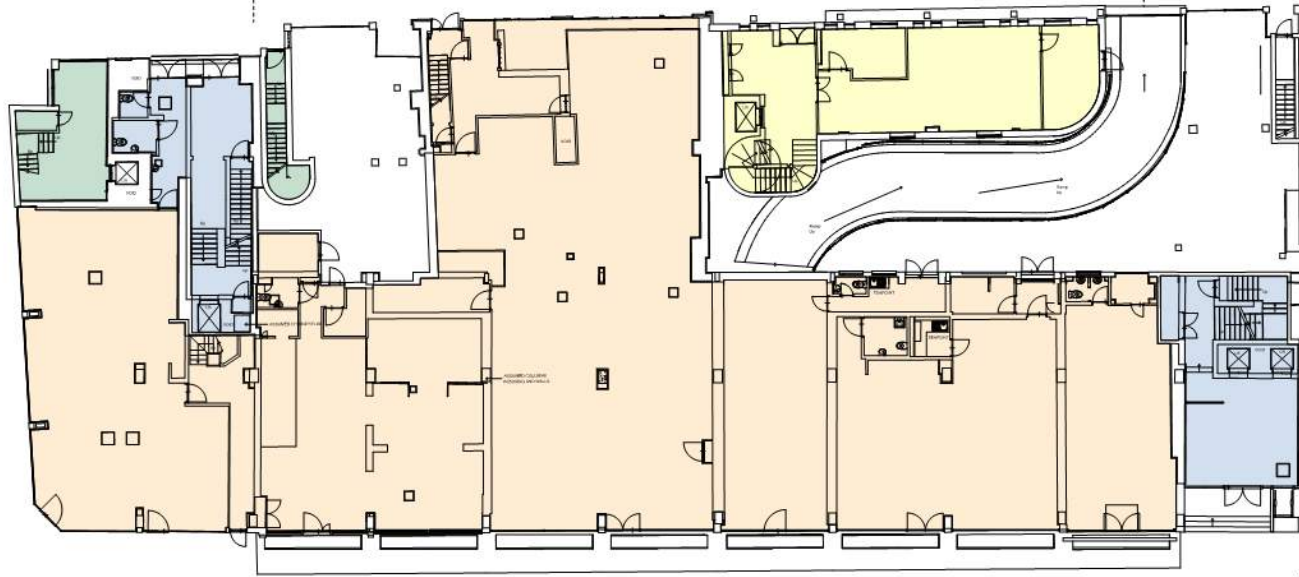


3 BAYLEY STREET

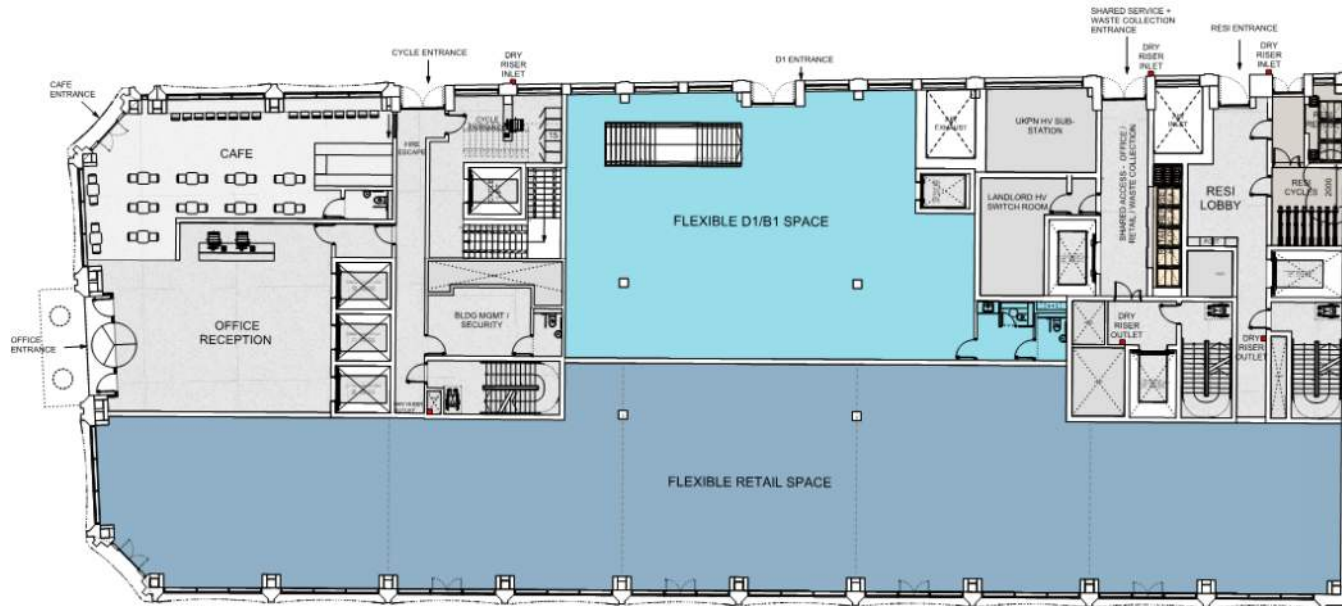
1 MORWELL STREET

2 MORWELL STREET

4 MORWELL STREET

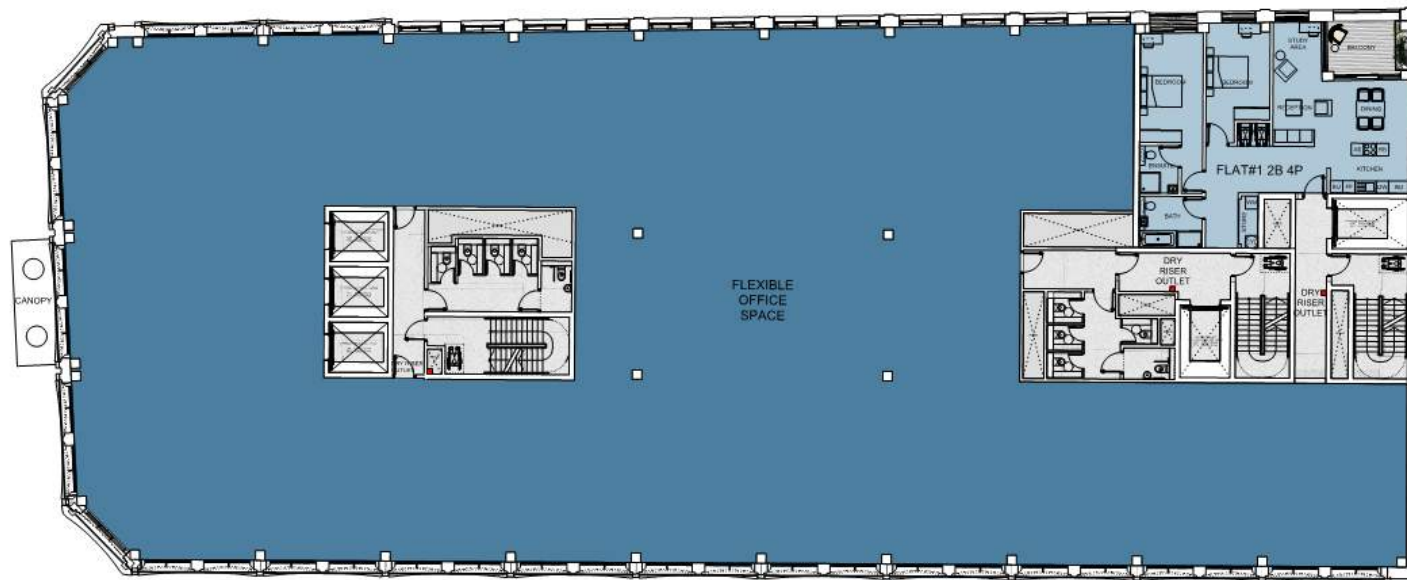


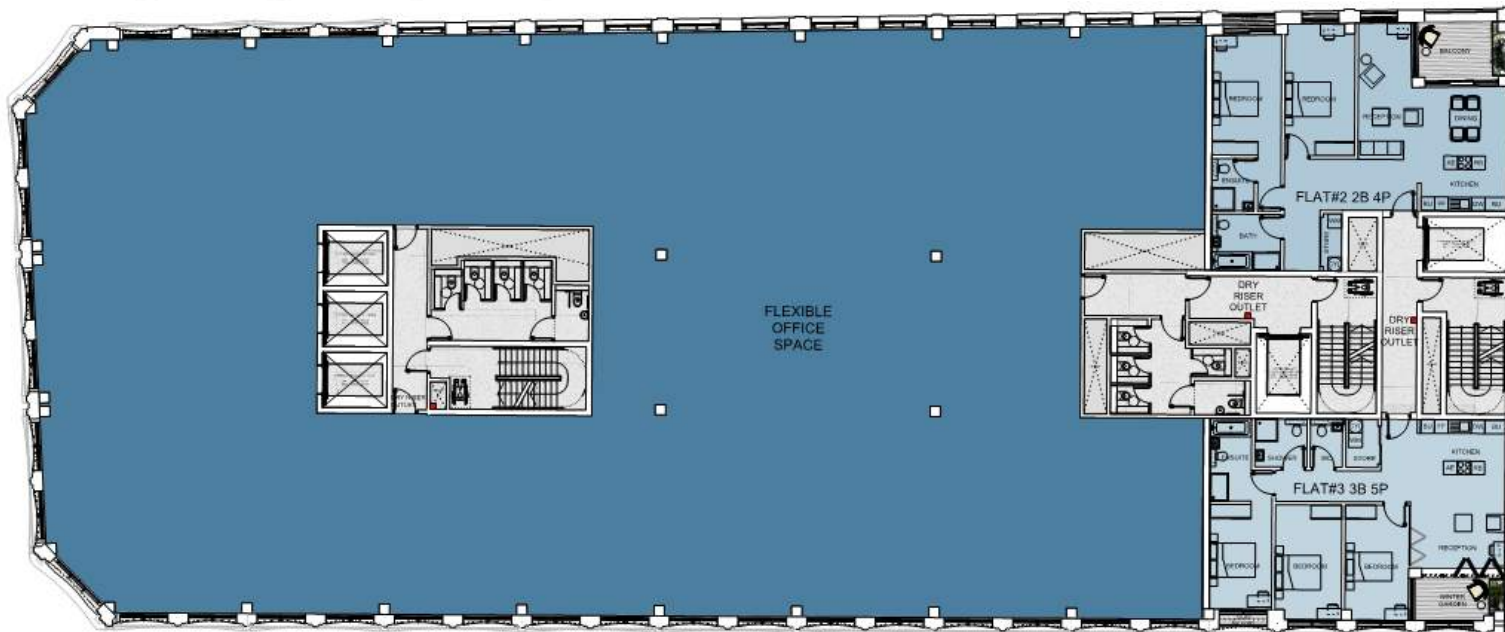
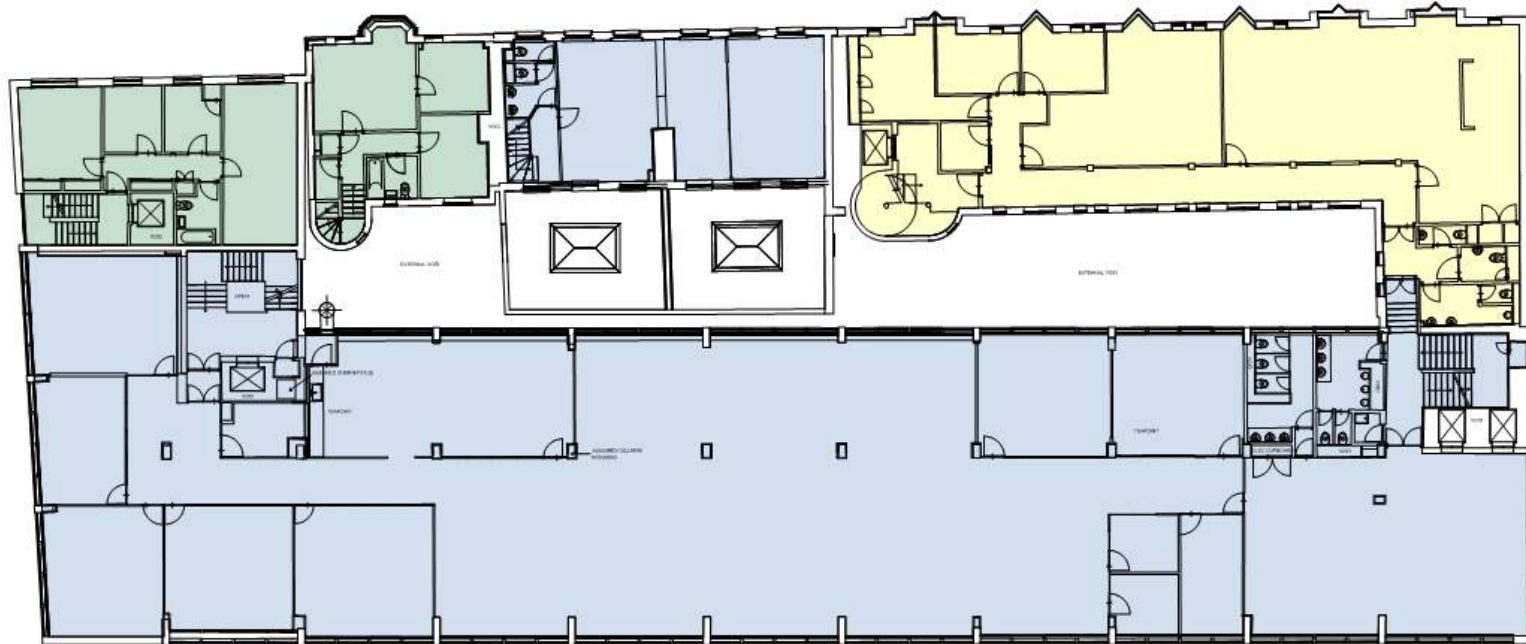
247 TOTTENHAM COURT ROAD

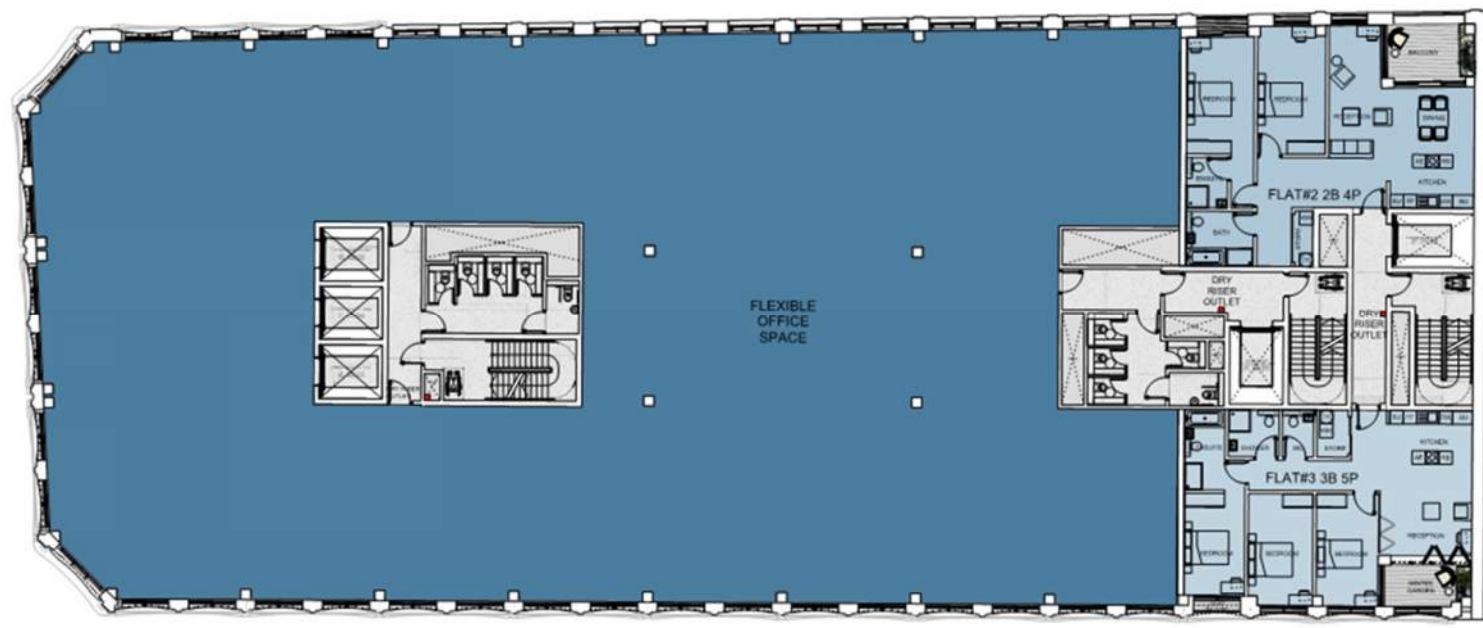
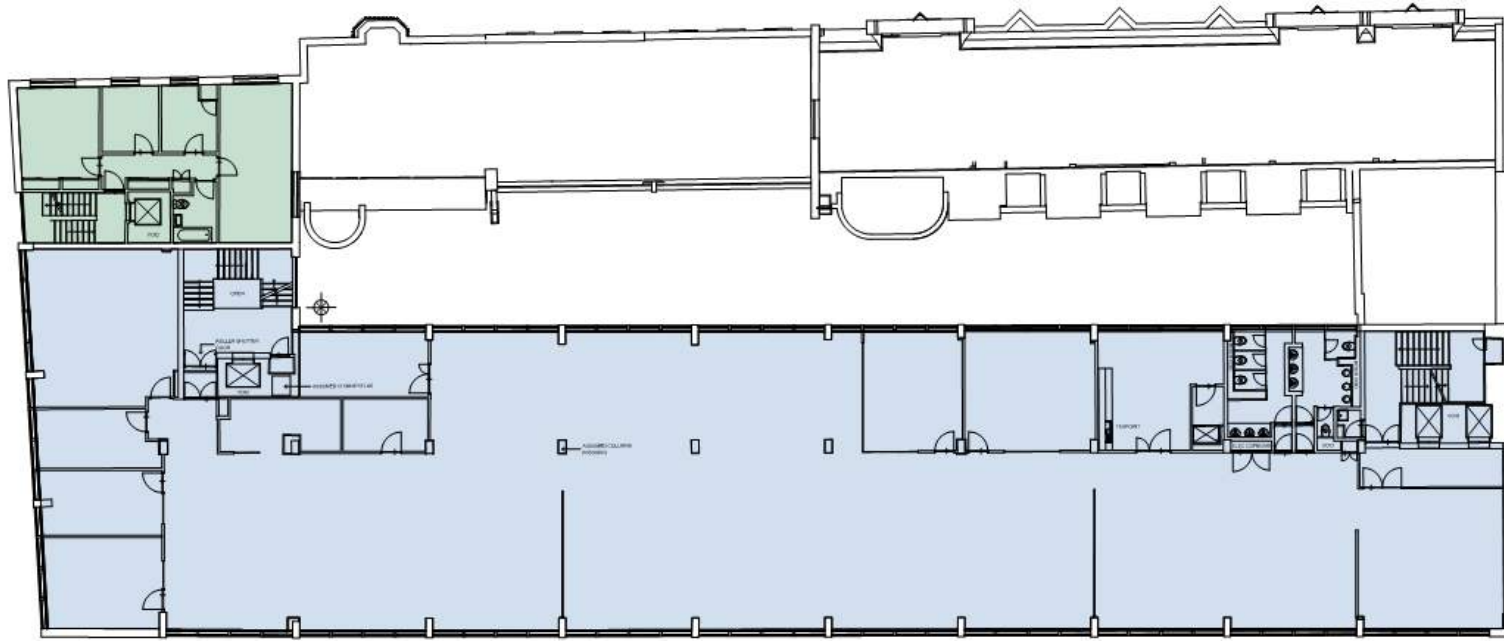


- Office
- Residential
- D1/B1
- Retail

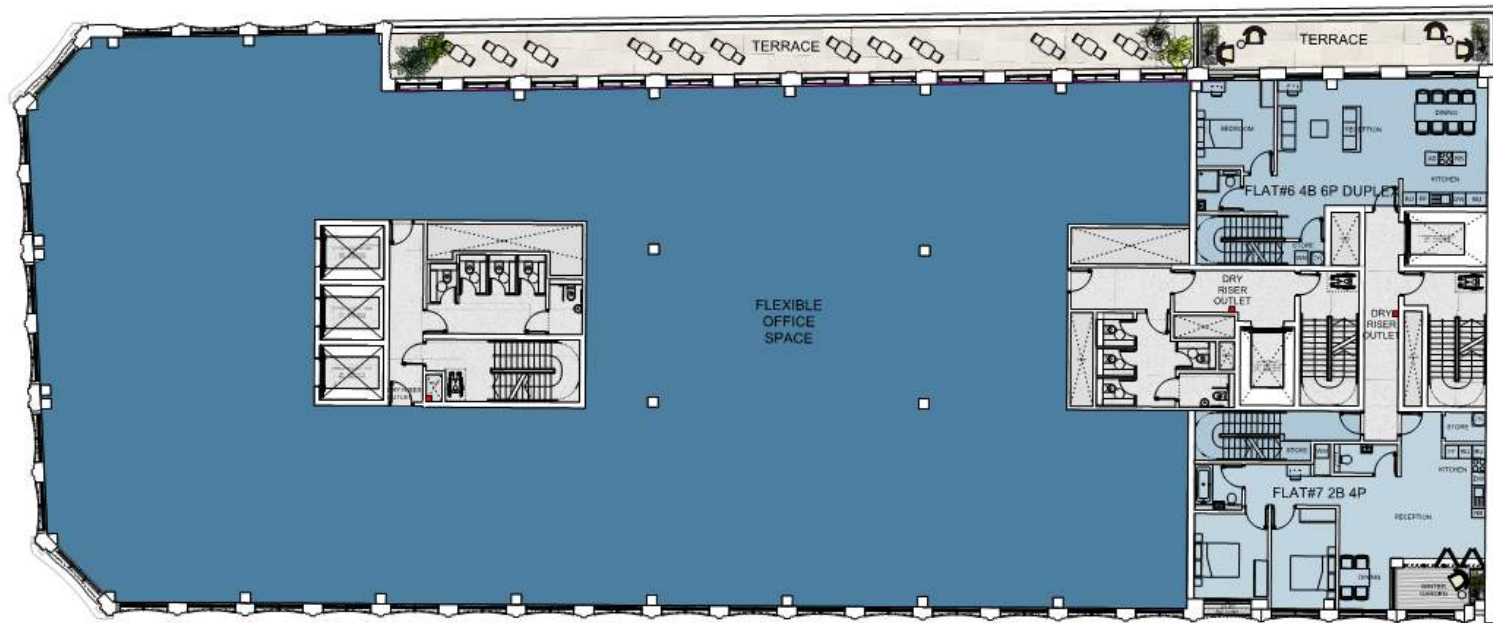
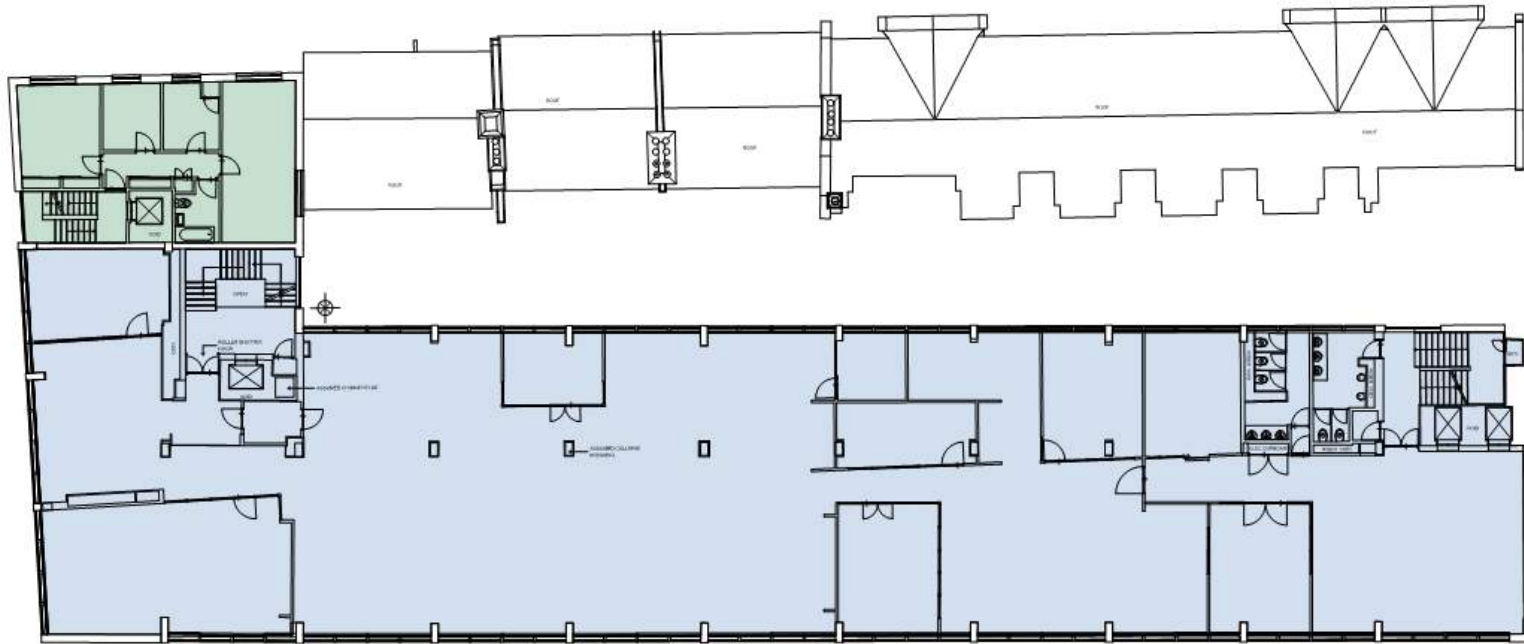


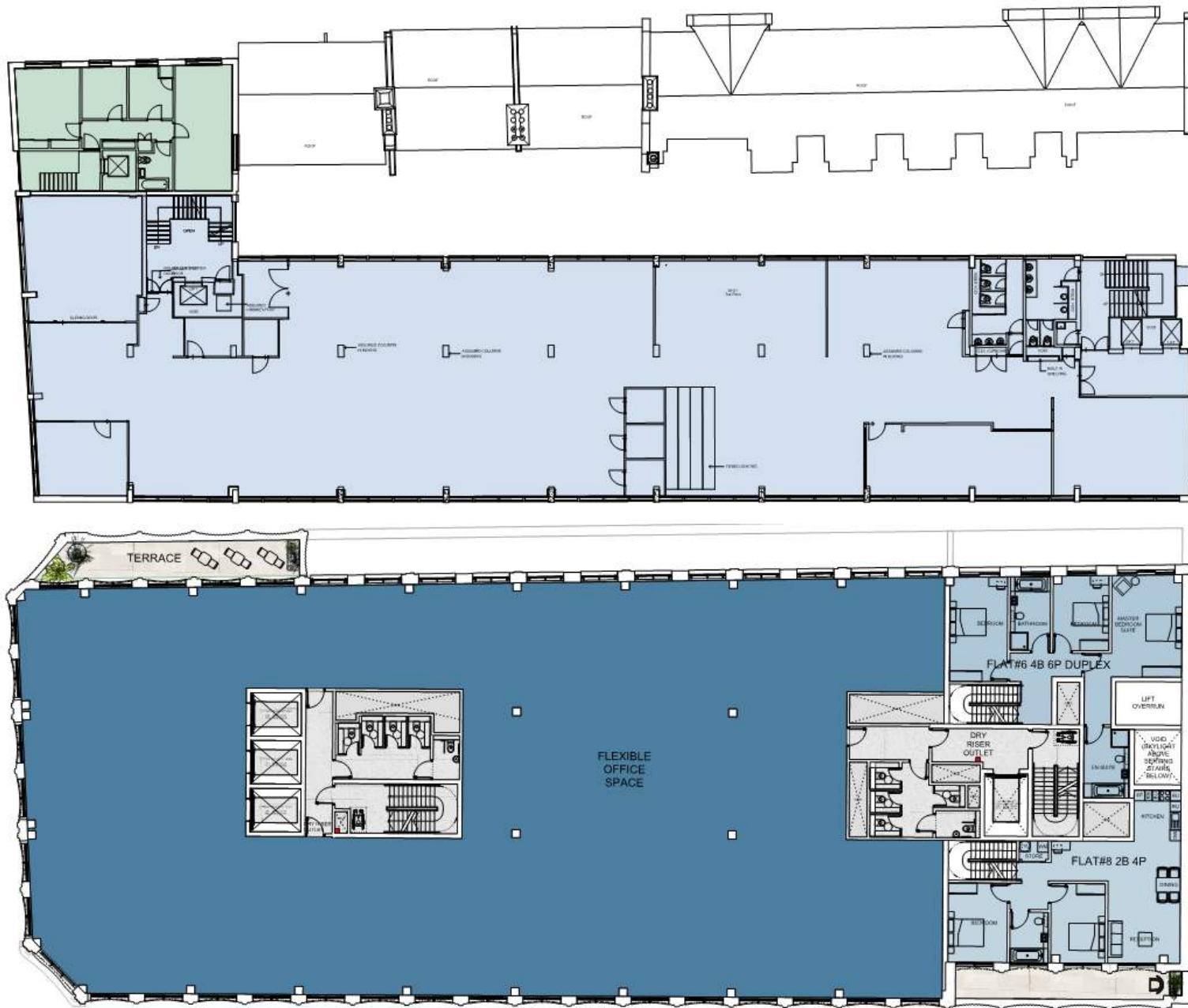


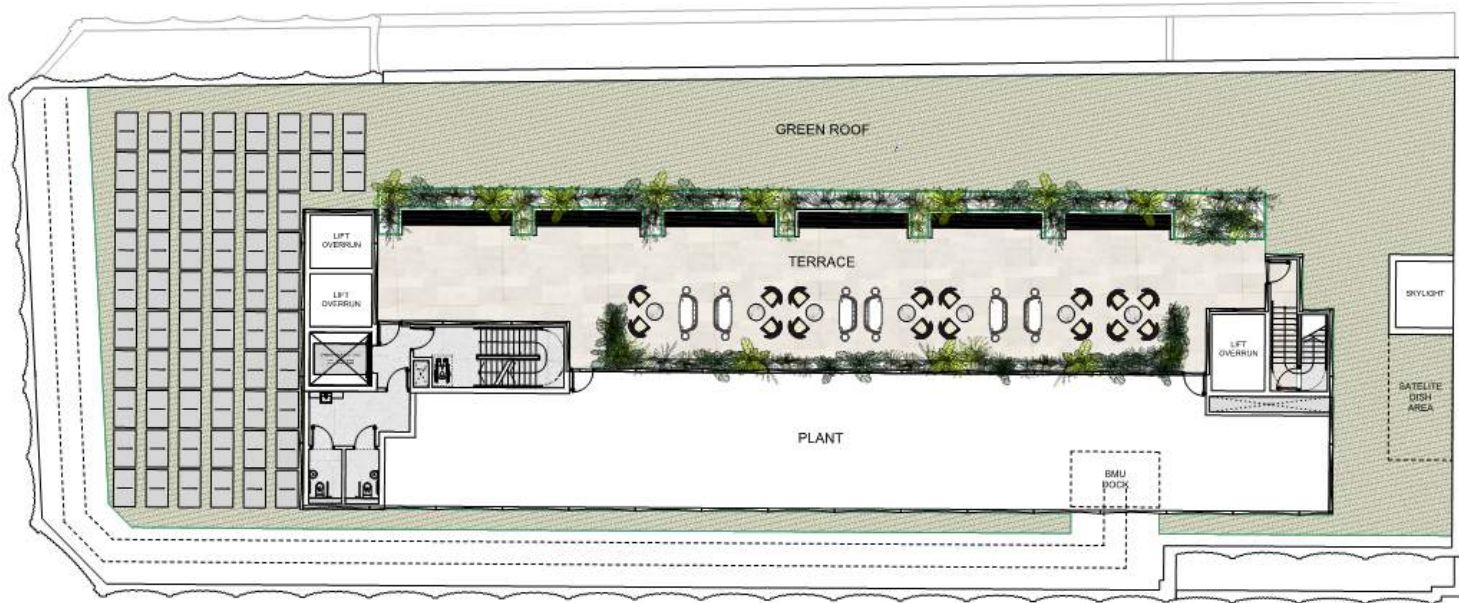
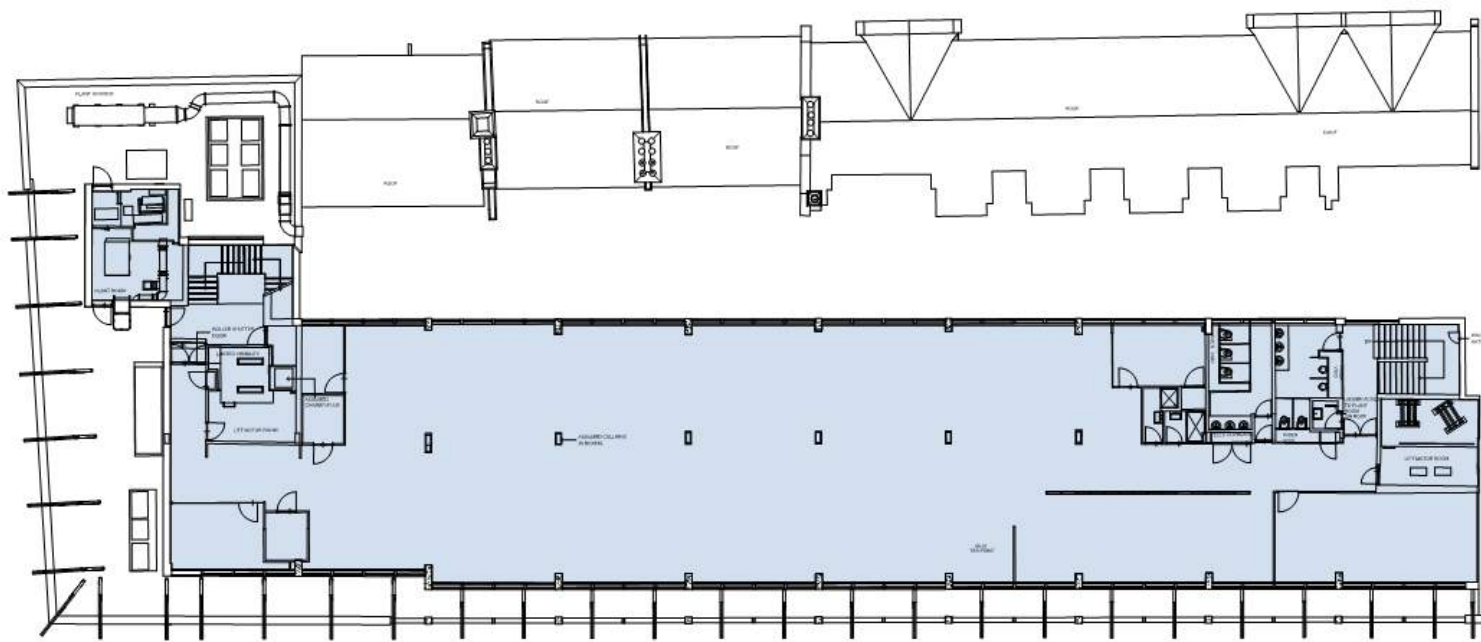


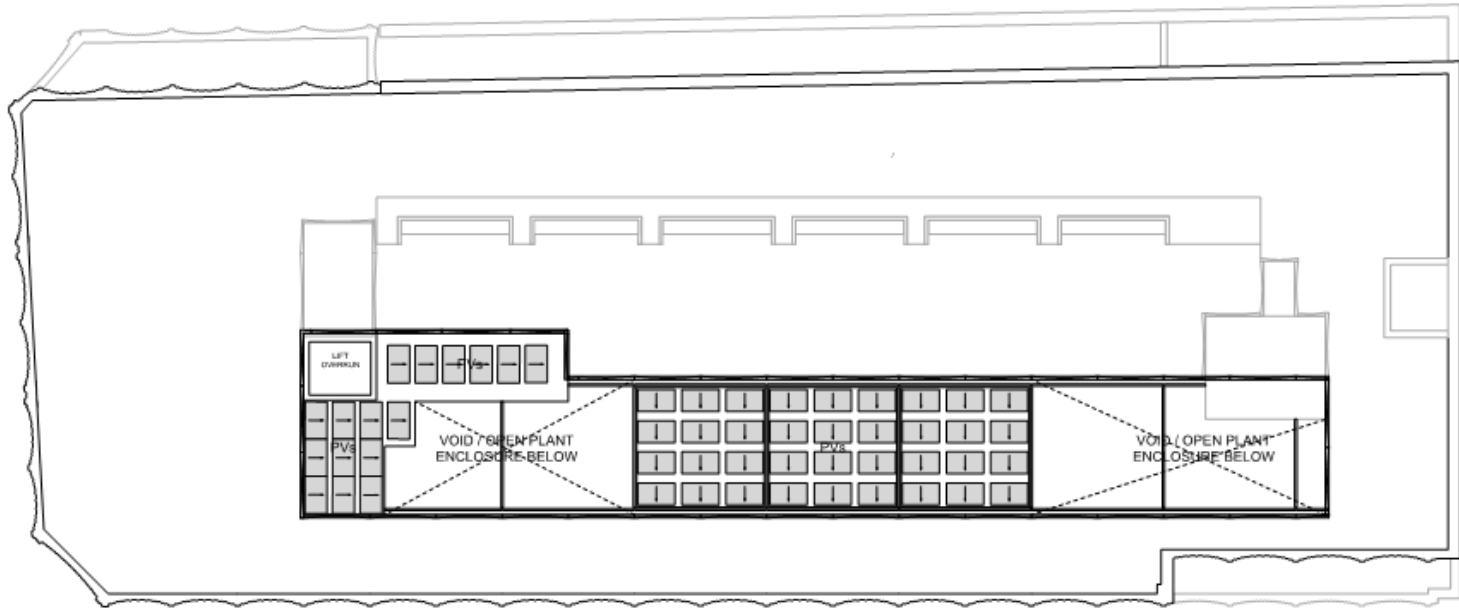
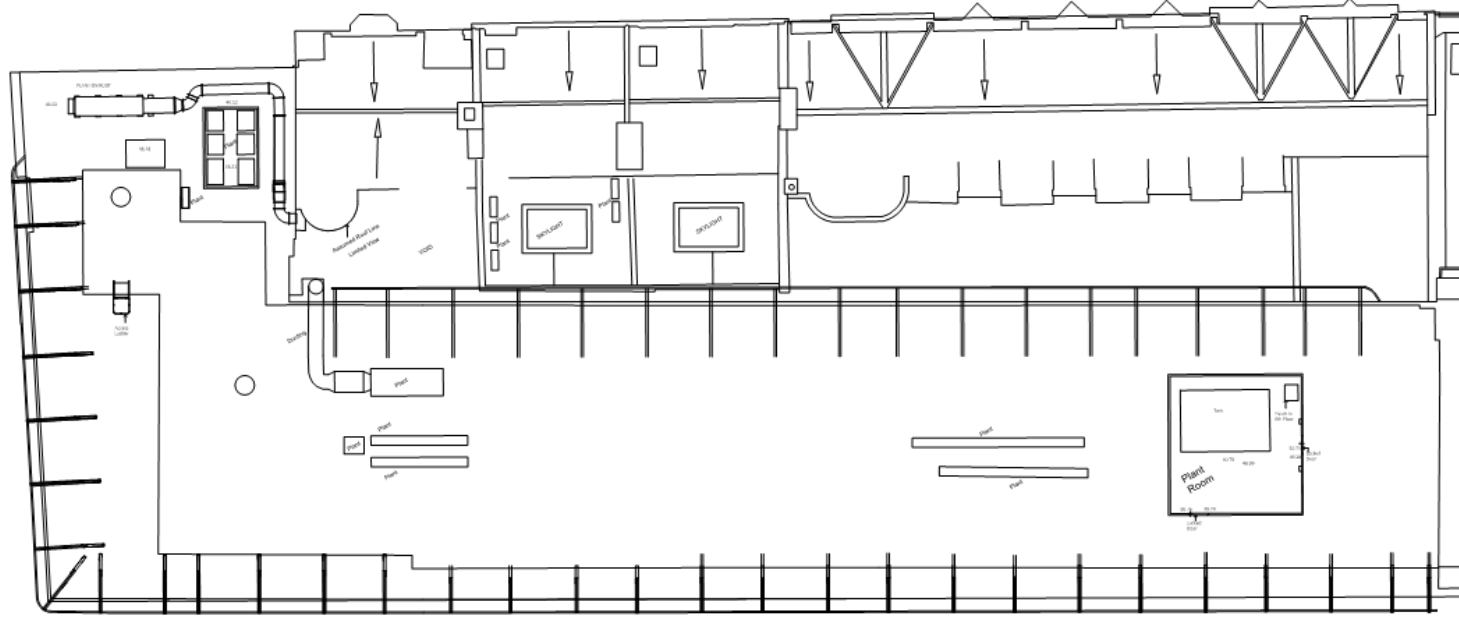




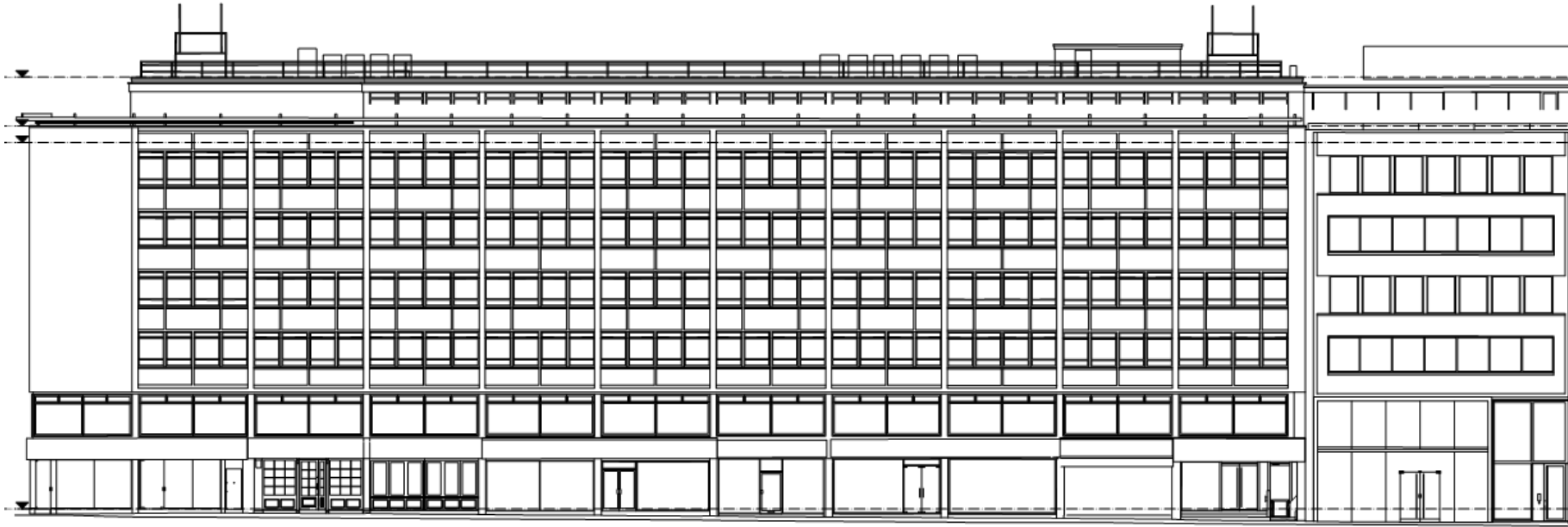




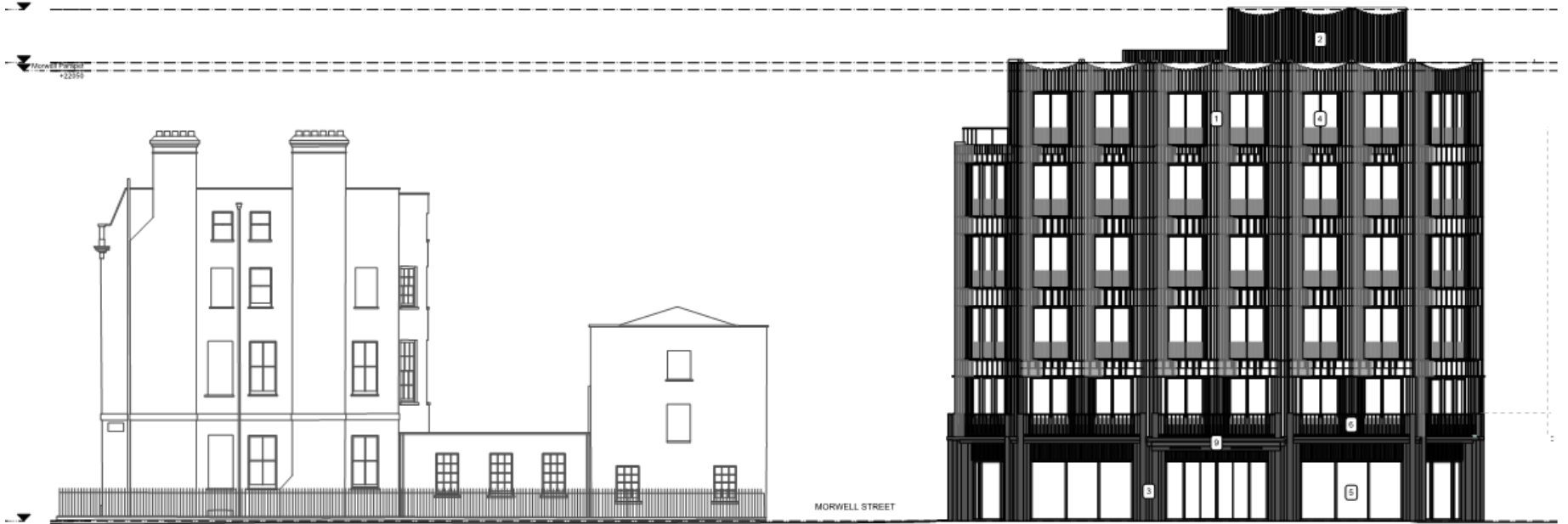
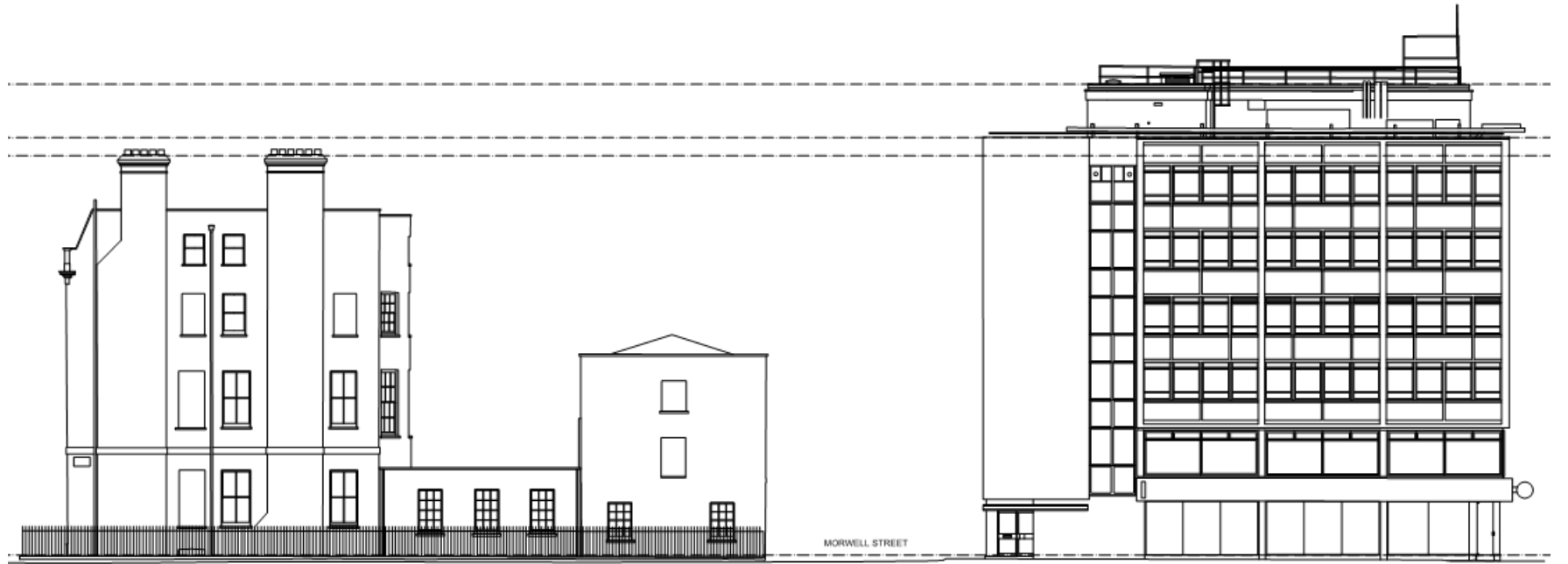


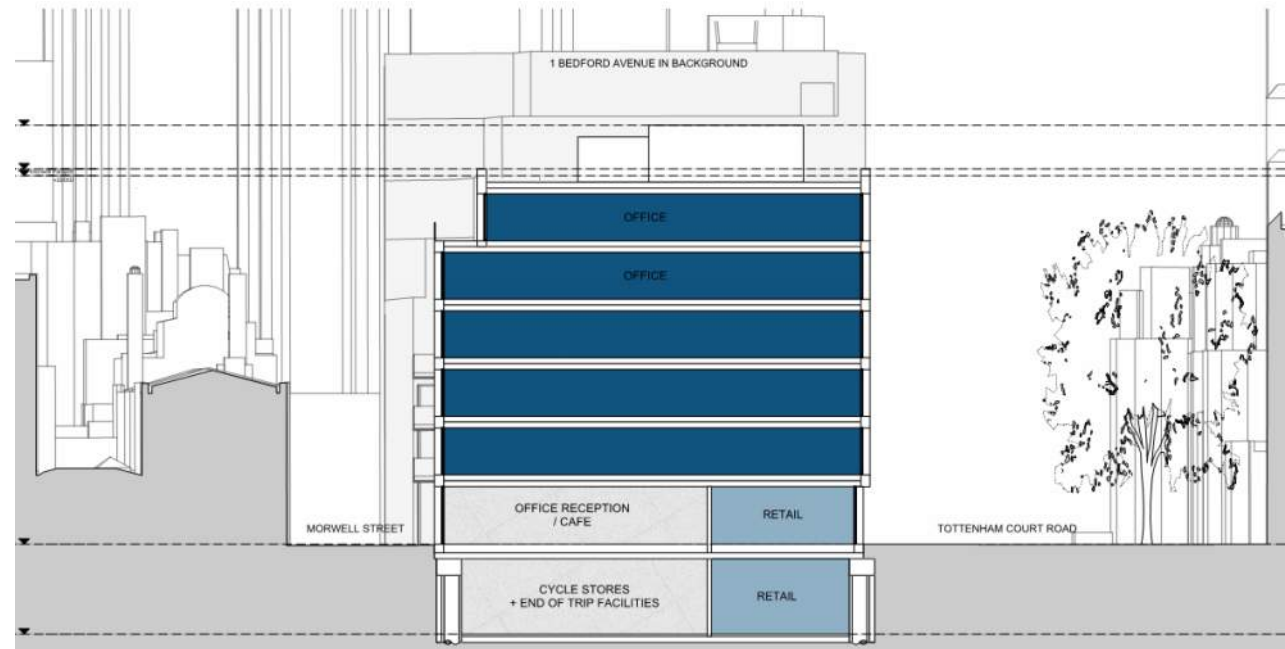
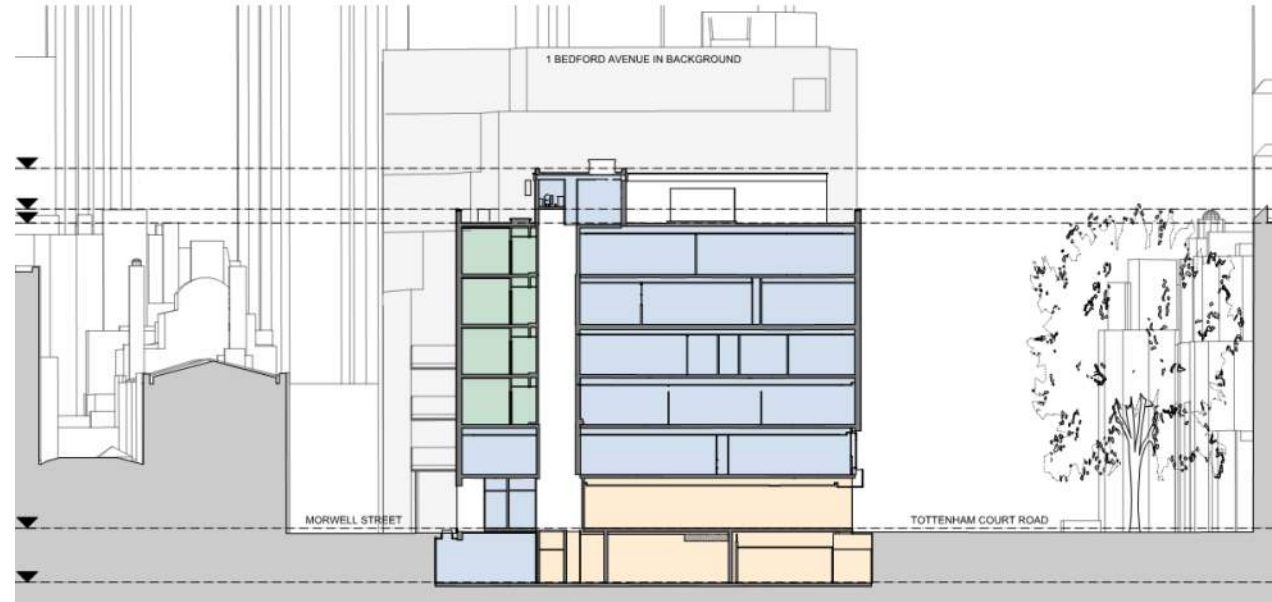
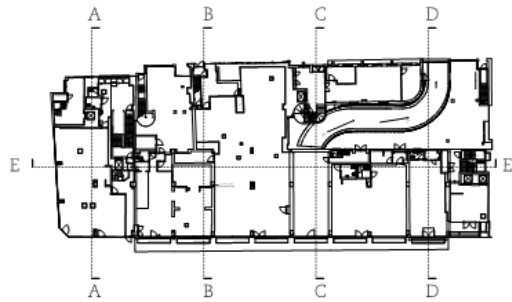


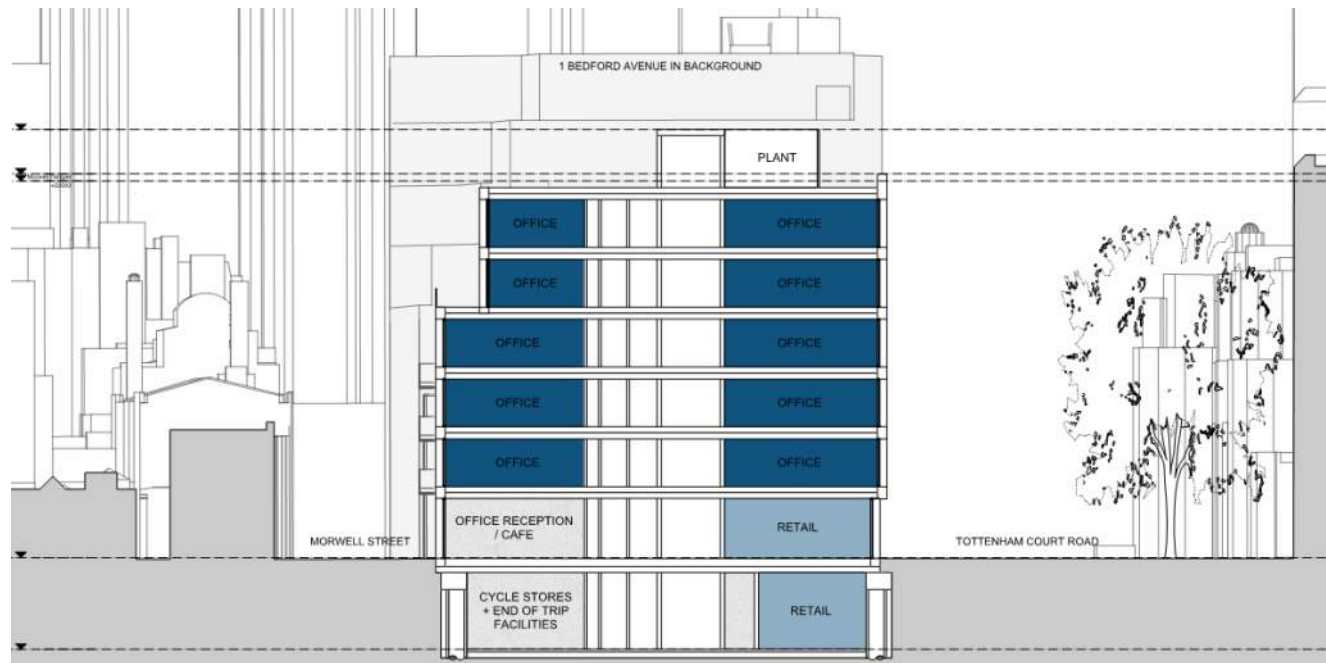
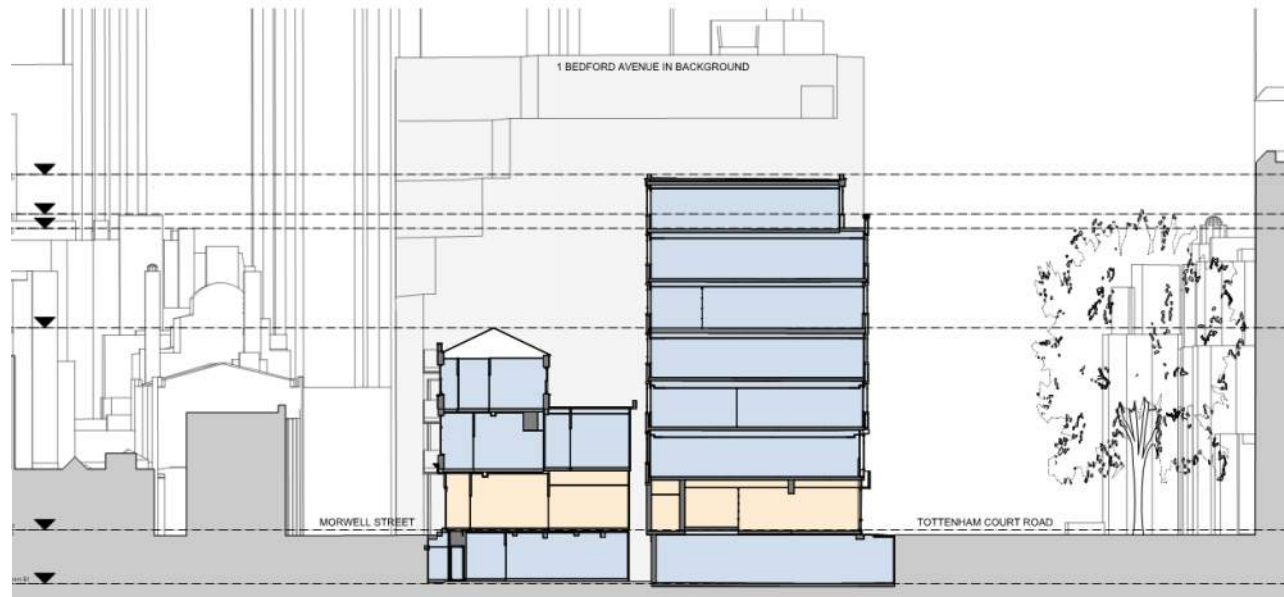
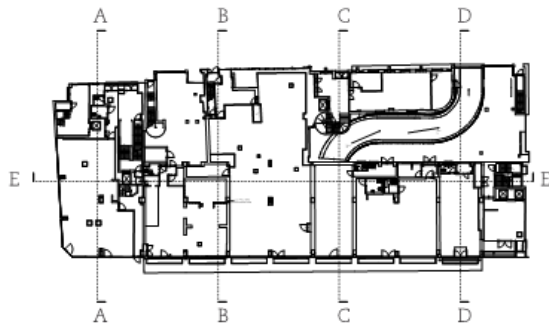




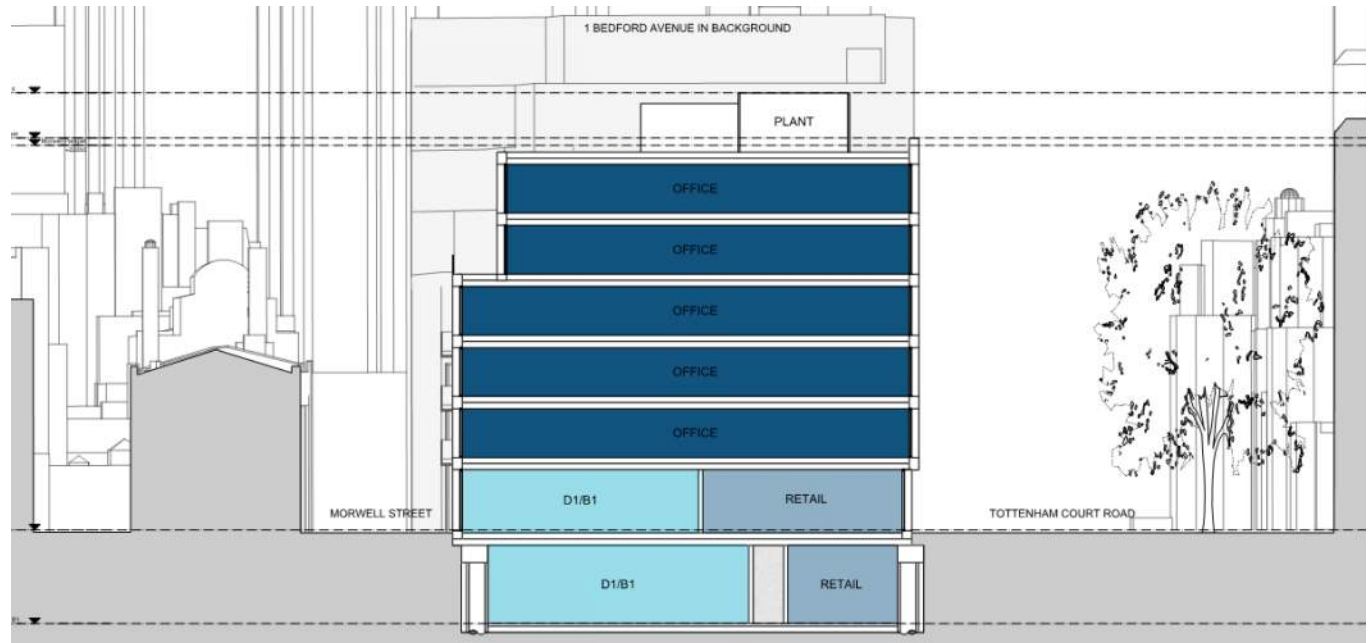
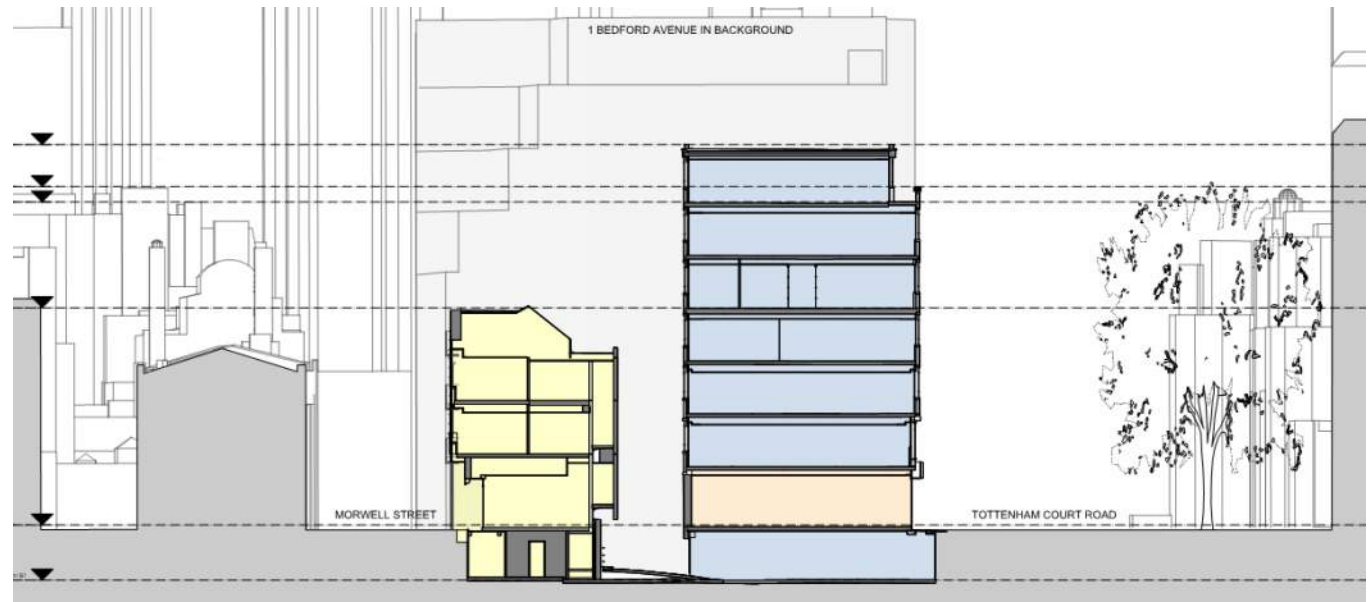
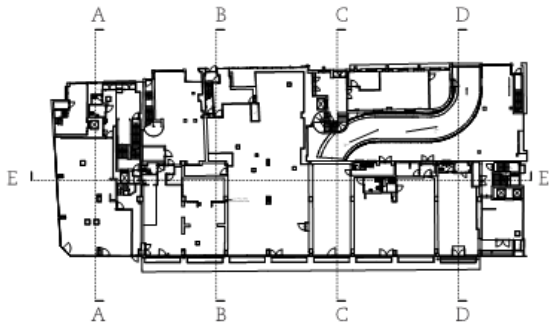


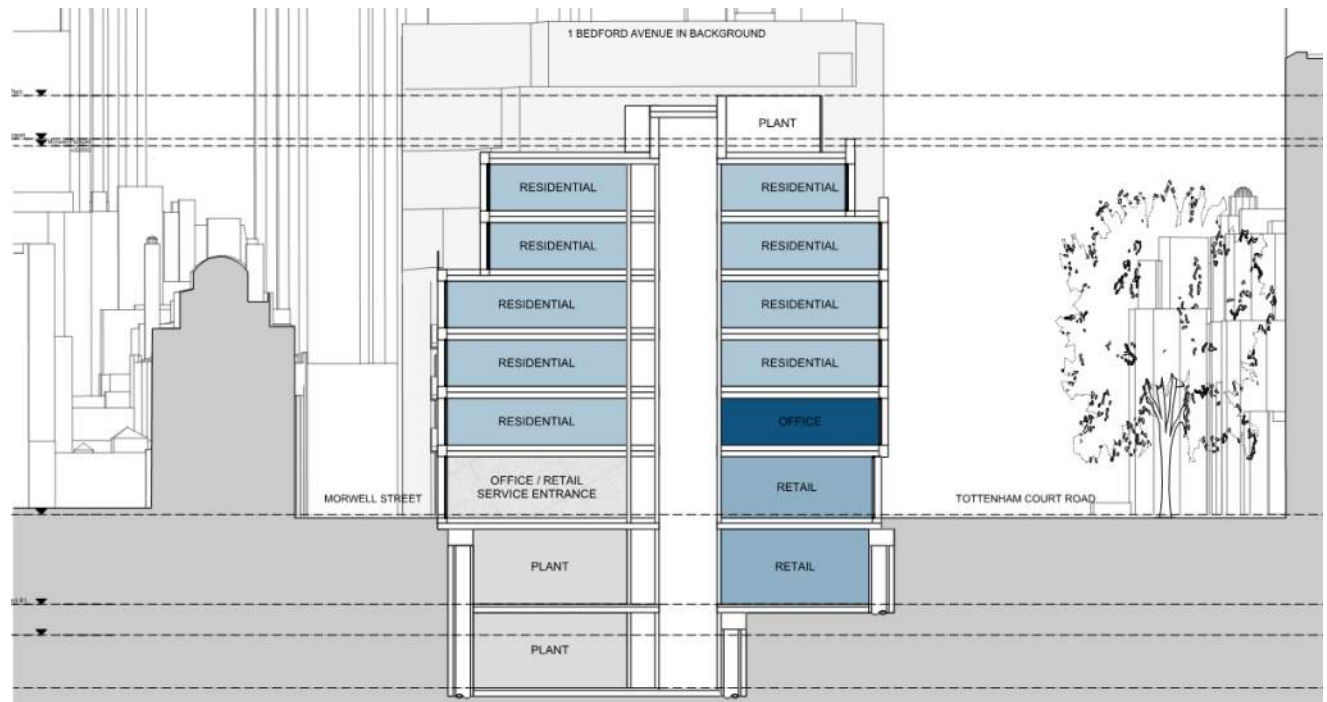
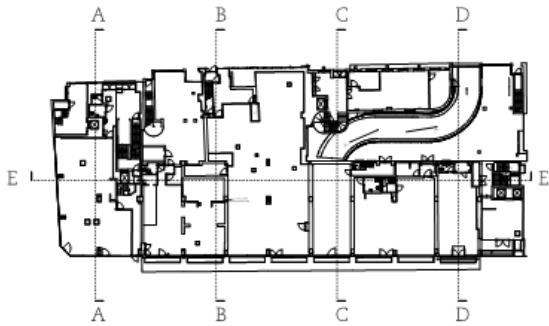




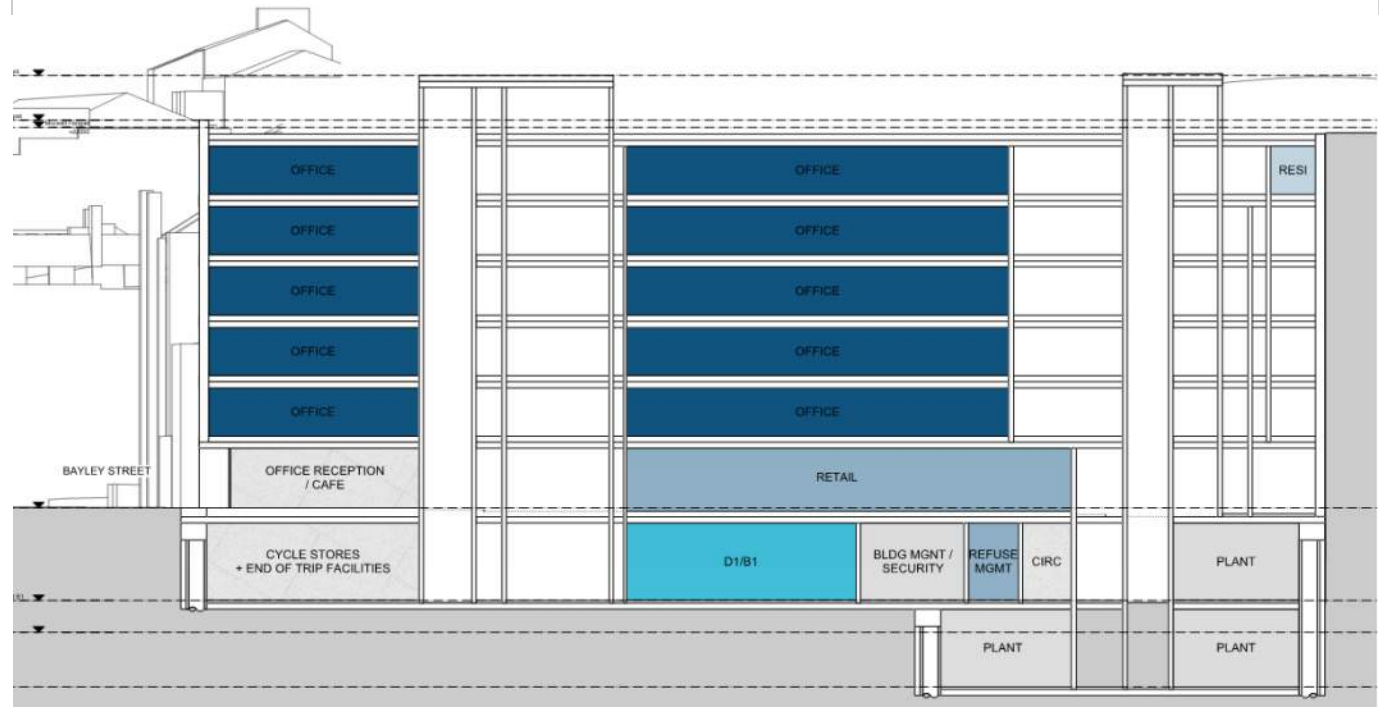
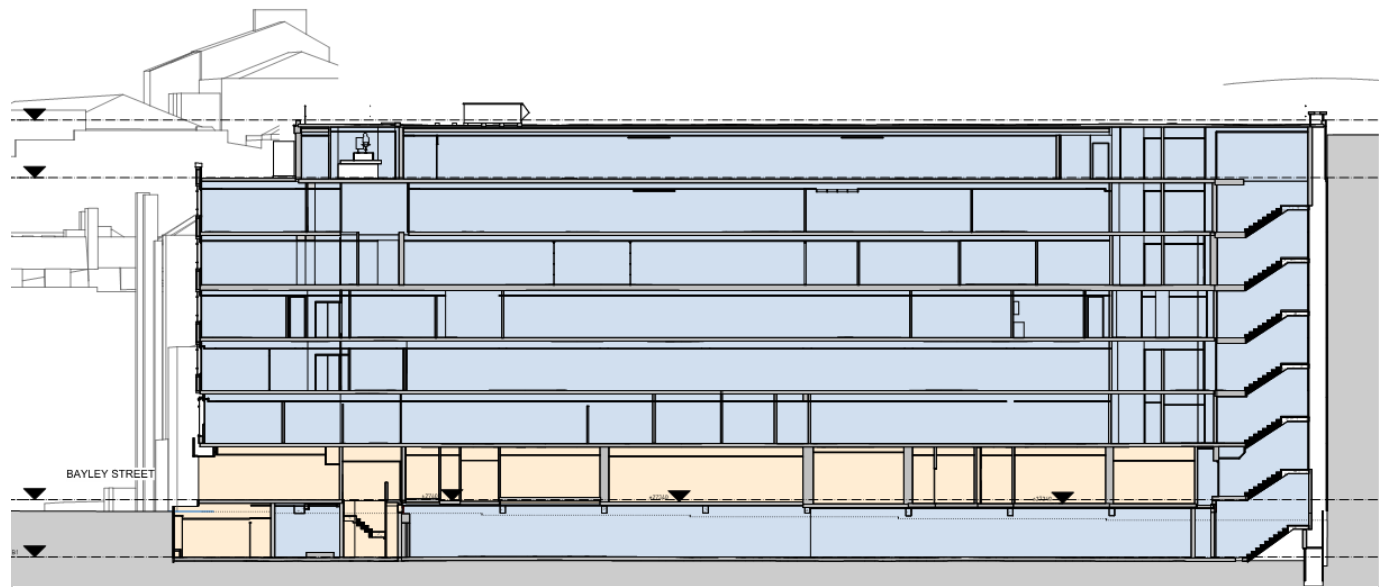
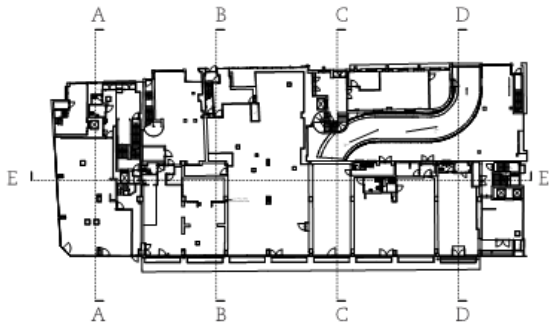


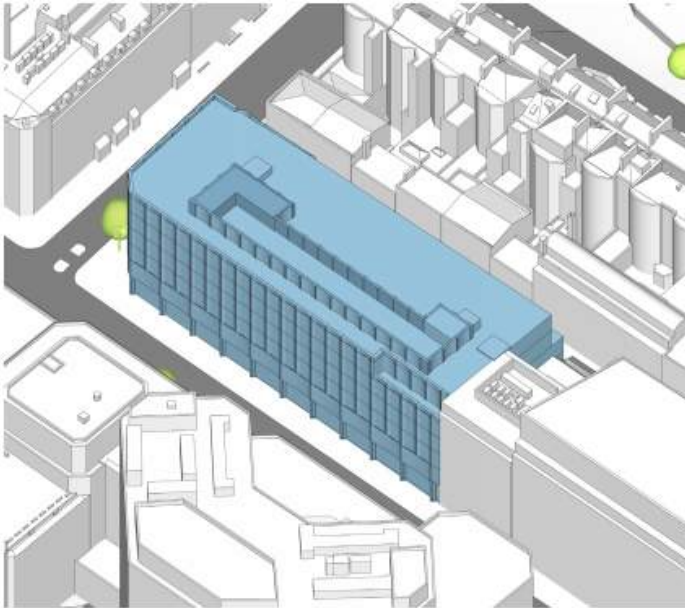








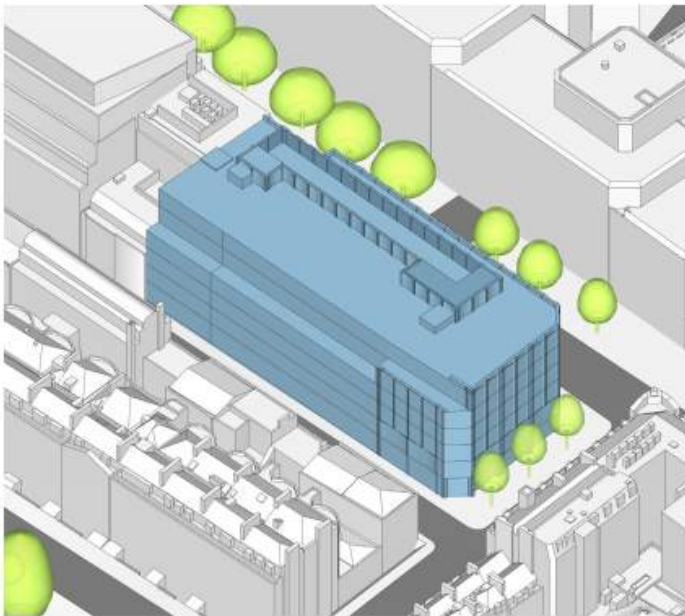




MASSING MODEL - AERIAL VIEW LOOKING NORTH EAST



DEVELOPMENT MODEL - AERIAL VIEW LOOKING SOUTH EAST



MASSING MODEL - AERIAL VIEW LOOING SOUTH WEST



DEVELOPMENT MODEL - AERIAL VIEW LOOKING NORTH WEST



























TYPICAL FACADE BAY ON TOTTENHAM COURT ROAD



TYPICAL SHOP FRONT ON TOTTENHAM COURT ROAD





Note: the upper storey of the Morwell Street elevation visible in this view has been changed to terracotta to match the floors below





















