

10<sup>th</sup> June 2021

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Dear Sir/Madam,

**43 WHITFIELD STREET: PLANNING APPLICATION FOR REPLACEMENT WINDOWS, REMOVAL OF EXISTING PLANT AND INSTALLATION OF NEW PLANT, PHOTOVOLTAICS PANELS AND ASSOCIATED WORKS**

Please find enclosed on behalf of our client, West London and Suburban Properties Ltd, an application for planning permission for replacement windows, removal of the existing roof plan and installation of new plant and photovoltaic panels and associated works.

As part of this application please find enclosed:

- Signed and dated application forms and Certificates
- Drawing No 2052/001 P01: Site Location Plan
- Drawing No 2052/002: Site Plan
- Existing Plans
  - Existing First Floor Plan & Existing Plant Layout to Ground Floor Roof Drawing No 2052/010 P01;
  - Existing Roof Plan Drawing No. 2052/012 P01;
  - Existing East Elevation Drawing No. 2052/020 P01;
  - Existing North Elevation Drawing No. 2052/021 P01;
  - Existing West Elevation Drawing No. 2052/022 P01; and
  - Existing South Elevation Drawing No. 2052/023 P01.
- Proposed Plans
  - Proposed First Floor Plan & Proposed Plant Layout to Ground Floor Roof Drawing No 2052/015 P01;
  - Proposed Roof Plan and Photovoltaic Panels Layout Drawing No. P01;



- Proposed East Elevation Drawing No. 2052/030 P01;
  - Proposed North Elevation Drawing No. 2052/031 P01;
  - Proposed West Elevation Drawing No. 2052/032 P01; and
  - Proposed South Elevation Drawing No. 2052/033 P01.
- Plant Drawings:
  - Existing External Plant Layout; and
  - Proposed External Plant Layout.
- Design and Access Statement (included within this letter)
- Planning Statement (included within this letter)
- Sustainability Statement (included within this letter)
- Environmental Noise Survey and Plant Noise Assessment Report (prepared by Hann Tucker Associates)
- Completed CIL Form.

The application fee has been paid directly through the Planning Portal.

## **DESIGN AND ACCESS STATEMENT**

### **The Site**

The applicant is West London and Suburban Properties Ltd which owns the freehold of 43 Whitfield Street. The building is a five-storey office building on the corner of Whitfield Street and Tottenham Street.

43 Whitfield Street is a modern building, constructed of brick with metal-framed windows.

The site is located within the Charlotte Street Conservation Area but is not listed. Within the wider area the adjacent buildings at 24 – 26 Tottenham Street are Grade II listed.

### **Planning History**

There are a number of planning history records for the application site, but none which are relevant to these application proposals.

### **The Proposals**

The application proposes:

- The replacement of the existing windows.
- The removal of the existing roof plant and replacement with new plant which will be consolidated onto the first-floor roof.



- The introduction of photovoltaic panels on the fifth-floor roof.

The existing windows within the building are the original windows from the 1960s. The replacement windows have been designed to reflect the appearance of the existing windows, but will be double glazed in order to enhance the energy efficiency of the building. It is considered that given the change to the windows does not result in a material change to the appearance of the building that planning permission is not required for these works, however for completeness these are included as part of this application.

With regards to the plant, at present there is one unit located on the main roof with the rest of the plant on the first-floor roof. This plant is now old and coming to the end of its useful life, and is therefore proposed to replace this with new plant. This will be housed behind an acoustic screen, the existing slatted timber fence will be replaced with a matching fence. As outlined in the enclosed Environmental Noise Survey and Plant Noise Assessment, plant noise emissions will be controlled to acceptable levels.

It is proposed to install photovoltaic (PV) panels on the fifth-floor flat roof. These panels will greatly improve the overall sustainability of the site and will create electricity from solar energy. The installation of these panels falls under permitted development, however, as with the windows they are included within this application as a matter of completeness.

## **PLANNING STATEMENT**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning decisions to be made in accordance with the Development Plan unless material considerations indicate otherwise. The Courts have held that the Government's statements of planning policy are such 'material considerations' which must be taken into account, where relevant, in decisions on planning applications.

The Development Plan for this site comprises:

- The London Plan (2021)
- Camden Local Plan (2017)

The following Local Plan Policies are considered relevant to the determination of these proposals: -

- D1 – Design
- D2 - Heritage
- A1 – Managing the Impact of Development
- A4 – Noise and Vibration



Camden Planning Guidance (CPG) provides advice and information on how the Council will apply their planning policies. The adopted CPG documents can be 'material considerations' in planning decisions. However, they have less weight than the Local Plan or other development plan documents. The latest CPG documents were approved by Council on 15 January 2021 following consultation.

The Charlotte Street Conservation Area Appraisal (2008) is also a material consideration.

The National Planning Policy Framework ('NPPF') (2019) and Planning Practice Guidance are also material considerations in the determination of the proposals.

The application site is located within the Central Activities Zone and the HS2 Safeguarding Area.

### ***Design***

National and strategic policy support good design. At a local level Policy D1 Design, states that the Council will seek to secure high quality design in development. The Council will require that development: respects local context and character; preserves or enhances the historic environment and heritage assets and matters of sustainability; uses high quality materials, integrates with its surroundings, is inclusive; is secure and other matters.

The proposed replacement of the existing windows will not materially alter the appearance of the building as they offer a like for like replacement. The mixture of materials will remain as existing and will comprise a mixture of steel and aluminum.

The consolidation of the roof plant and creation of a new acoustic enclosure will have a positive impact in design terms, by minimizing the appearance of this equipment. The proposed solar panels are not visible from the public realm and will have no impact on the external appearance of the building.

The proposals are therefore considered to continue to adhere to the objectives of the NPPF, London Plan and Local Plan policies and would deliver a high-quality scheme.

### ***Heritage***

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that, in the determination of an application, '*special regard*' is given to '*the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses.*'

Paragraph 189 within the National Planning Policy Framework requires the applicant to describe the significance of the heritage asset including any contribution made by its setting.

Paragraph 190 of the NPPF expects local planning authorities to identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset).



As the NPPF indicates, in considering a development proposal, what has to be assessed with regard to the setting is the effect that any change to the setting from the development would have on the heritage significance of the asset concerned.

Paragraph 192 states that in determining planning applications, local planning authorities should take account of:-

- *“The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation*
- *The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- *The desirability of new development making a positive contribution to local character and distinctiveness.”*

Paragraph 193 states: *‘When considering the impact of a proposed development on the significance of a designated heritage asset great weight should be given to the asset’s conservation. The more important the asset, the greater the weight should be, irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.’*

Policy D2 is focused on heritage. It is stated the Council will preserve and where appropriate enhance Camden’s rich heritage assets and their settings including conservation areas.

Policy D2 is further supported by CPG Design dated March 2019. The applicant has had regard to that CPG in particular its guidance on detailed design and use of materials.

As outlined above, the site is located within the Charlotte Street Conservation Area and is adjacent to Grade II listed properties. The proposals will not materially alter the appearance of the building and therefore it is considered the proposals will not result in adverse effect on the Conservation Area or harm to the setting of the adjacent heritage assets. The proposals therefore accord with national, strategic and local planning policy objectives with regards to heritage.

### **Noise and Amenity**

The London Plan Policy D14 states that development proposals should avoid significant adverse noise impacts on health and quality of life as a result of new development. Also, that development proposals should mitigate and minimise the existing and potential adverse impacts of noise on, from, within, as a result of, or in the vicinity of new development without placing unreasonable restrictions on existing noise-generating uses.

Local Plan Policy A1, Managing the impact of development, states that the Council will grant permission for development unless this causes unacceptable harm to amenity. Policy A4 deals with noise and vibration and outlines that development will not be granted permission if it is likely to create



unacceptable noise and vibration impacts. It goes on to say that permission will be granted for noise generating development, including any plant and machinery, if it can be operated without causing harm to amenity.

An Environmental Noise Report has been submitted in support of this application. The report advises that the proposed replacement plant will achieve noise emission levels that would not give rise to any concerns in respect of residential amenity.

Given the above, it is considered that the proposed development would cause no significant impact on environmental noise, in accordance with the London Plan and Local Plan policies.

### **SUSTAINABILITY STATEMENT**

The proposals only relate to external alterations and therefore there is no requirement to consider sustainability issues in detail. However, one of the key drivers for the proposals is to improve the energy efficiency of the building and enhance the EPC rating.

At present the building has an EPC rating of D (EPC Certificate No. 0970-0231-3060-3307-0002). The proposals will improve this with a target EPC Rating is B from the improvements to the specification of the glazing and the efficiency of the replacement plant.

Furthermore the proposals take the opportunity to provide PV panels on the roof of the building which will provide some of the electricity supply to the office building.

Having regard to the conclusions of this it is clear that the proposals accord with the board objectives for energy efficiency and sustainability at national, strategic and local level.

### **SUMMARY**

In summary the proposals would not result in any material change to the building, would not have any adverse impact on heritage assets and would improve the position with regards to the existing plant both acoustically and visually. It is therefore considered that the proposals are acceptable, and permission should be granted for these.

We trust that the enclosed information is sufficient to validate and determine the application. however should you wish to discuss this further or require any additional information please contact Caroline McIntyre on 07525 289 486 or [caroline.mcintyre@dp9.co.uk](mailto:caroline.mcintyre@dp9.co.uk).

Yours faithfully

DP9 Ltd.



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