

**TCR NEW LTD**

**16-24 WHITFIELD STREET LONDON W1T 2RA**

**Change of use to offices**

**PLANNING STATEMENT**

**Alan Cook Consultancy**

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## 1. Introduction

This statement is submitted in support of a planning application by TCR New Limited as freeholders of existing premises at 16-24 Whitfield Street London W1T 2RA.

Planning permission is sought in anticipation of the vacation of that part of the building on Whitfield Street which has been occupied by the British Transport Police since its original construction for this specific user over 20 years ago. This is to facilitate its early reuse for general office purposes, consistent with Planning Policy in this part of the Central Activities Zone. The description of development is specified as:

*Change of use of existing British Transport Police Station and Offices to Offices within Use Class E(g) (i), including removal of basement car parking, ramp and vehicle dock.*

Since the building readily lends itself to this conversion external changes are confined to minor changes to the ground floor façade on Whitfield Street.

Supporting documentation accompanying the submission reflects issues identified in pre application discussion with LB Camden, namely:

- Transport Assessment by Milestone Transport Planning;
- Energy & Sustainability Statement by Silver EMS;
- Planning Statement by Alan Cook Consultancy
- Emails confirming BTP vacation of premises

This statement serves to describe the proposal and to assess it within an overall planning context.

It is demonstrated that the development is entirely acceptable in planning terms and that the early grant of planning permission should be forthcoming.

## 2. The Site and the Application Scheme

### ***The Site and the Premises***

The application site lies between the west side of Tottenham Court Road ('TCR') and the east side of Whitfield Street in Fitzrovia, within the Charlotte Street Conservation Area. The surrounding area contains a mix of retail, office, service and residential uses.

The site is bounded on its eastern side by 60 Tottenham Court Road to the north and Kirkman Place, a pedestrian cul de sac to the south. On the Whitfield Street side to the west, 26-28 Whitfield Street lies to the north and 12-14 Whitfield Street to the south.

Opposite on the west side of Whitfield Street is a public open space managed by LB Camden known as Crabtree Fields. A modern Grade II listed property at 1 Colville Place overlooks this space & is in close proximity to the site.

Public transport in the area is excellent with the site enjoying the highest PTAL rating of 6b. Goodge Street station lies some 100m to the NW and Tottenham Court Road station (which will provide access to Crossrail) lies 350m to the SE.

The site has been developed by way of mixed-use premises pursuant to a grant of planning permission in 2000, with works completed in 2002. Whilst the principal occupier is the British Transport Police, a retail unit on the Tottenham Court frontage is occupied by Marks & Spencer as a convenience foodstore and is separately demised. As such it is not included within the current application site area and is not affected by the proposal.

While the foodstore is accessed & serviced from Tottenham Court Road all pedestrian & vehicular access to the application premises is from Whitfield Street.

### ***Planning History***

The site previously contained a Metropolitan Police Station and yard which fell vacant in the late 1980s / early 1990s and was then the subject of a Public Finance Initiative scheme to redevelop it to provide accommodation for the British Transport Police as part of a mixed use scheme. Planning permission for this scheme was granted by LB Camden in November 2000 (reference PS9904472/R3) and described in the following terms:

*Redevelopment of the site to form a mixed use development with a British Transport Police Station and headquarters building on basement, ground and first to third floors (both sui generis use) with pedestrian and vehicle entrances on Whitfield Street, together with Class A1 retail use on the basement, ground and first floors of the Tottenham Court Road frontage, with plant on the first and fourth floors, as shown by drawing numbers [as listed] and all documents and letters listed in the Schedule of documentation dated 24 February 2000.*

The permission was granted subject to some 14 conditions but only 1 of these relates to ongoing use; namely condition 11 which restricts the use of basement parking to operational vehicles.

### ***The Premises***

The application premises have been occupied by the British Transport Police (BTP) since their completion in 2002, under the terms of a lease expiring on 1 May 2022.

They extend to some 3,864 sqm gross, on basement, ground and 3 upper floors, together with a rooftop plant room, as shown in the existing as built plans submitted with the application.

Separate pedestrian entrances are provided to the police station and headquarters elements, befitting their separate functions, although there is internal linkage to facilitate ease of movement.

Basement parking is provided for some 13 vehicles, accessed via a ramp exiting directly onto Whitfield Street via a roller shutter door. There is also an incident vehicle dock on Whitfield Street and dedicated on street bays for police vehicles.

The police station element of the use has been confined to the ground floor and basement, including such obviously bespoke areas as interview rooms, cells, dog kennels and vehicle dock. On the upper floors the BTP headquarters offices are specified as conventional office type accommodation.

The premises were originally occupied by officers from the 'L' Region of the BTP which covered the policing of London Underground. Following organisational changes, it has latterly been occupied by the TfL sub division of B Division. It can be noted that the Force HQ of the BTP is currently based at 25 Camden Road NW1.

Further information as to why the BTP are leaving the premises is set out in Section 4 following, reflecting clarification sought by planning officers at pre application stage and in separate correspondence from the BTP. However, it is important to note that the applicant has no control over this outgoing tenant and that their continued presence in the premises is an operational matter for them to decide.

Against this background, it can be noted that most staff have already been moved from the premises and that it is anticipated that the premises will be vacated in their entirety by lease expiry.

### ***The Application***

With the imminent vacation of the application premises, it is clearly important that a new occupier is secured and the current application is directed to this objective. Securing permission in the terms applied for will provide a clear basis for marketing and will confirm the key elements of reuse. It may clearly be the case that a specific occupier has their own requirements which will generate a detailed specification for refurbishment and if this has any separate planning consequences a further application for planning permission will be made at that point.

Against this background and of the existing upper-level office use, the key changes which are now proposed centre on the conversion of the police station element and in particular the basement. Thus:

- The vehicular ramp is to be removed, with basement access secured via a new lift;
- Cycle parking, including lockers & showers in compliance with current standards, is to be contained within the basement;
- The vehicle incident dock on Whitfield Street is removed;
- There are consequential changes to a portion of the Whitfield Street ground floor elevation.

Given that these changes are within the existing building envelope there is no change to gross floor area.

### 3. Planning Policy

The NPPF provides an overarching policy framework in terms of sustainable development and support for employment generating development but in the present context keynote policy provisions are in the Development Plan, viz: The London Plan 2021 and The Camden Local Plan 2017. LBC Camden Planning Guidance also requires consideration. The most relevant of these policies has been clarified in pre application discussion with LB Camden.

#### **London Plan**

With reference to land use principle, The London Plan defines the role of the Central Activities Zone ('CAZ'), within which the application site falls. Policy SD4 applies and specifically supports office functions amongst other uses. This support is given further emphasis in SD5, which acknowledges the pressures arising from residential uses and gives greater weight to offices and other strategic functions with the exception of specified locations.

The reasoned justification provides further guidance and notes the need for a range of office floorspace in terms of size, quality and cost. This is given further expression in detailed Policy E1 which notes that:

*Improvements to the quality, flexibility and adaptability of office space of different sizes (for micro, small, medium-sized and larger enterprises) should be supported by new office provision, refurbishment and mixed use development.*

From a wider perspective, the Plan places significant emphasis on sustainability generally and energy efficiency specifically, setting out the energy hierarchy which should inform building design. Whilst this is largely directed to major new development it is clear that encouragement is given to these key principles for all forms of development.

#### **Camden Local Plan**

The keynote CLP Policies in the present case are considered to be Policy E1- insofar as this is directed to economic development and providing a range of employment premises- and Policy E2, which protects premises suitable for continued employment use. Significantly the terms 'business' and 'employment' in the policies are used to refer to sui generis uses of a similar nature or character to mainstream employment and thus extend beyond the (previous) B Use Class.

This approach clearly encapsulates the BTP headquarters element and its ongoing suitability for employment. Although the police station use clearly has a particular character as a sui generis facility It should be particularly noted that it has been confirmed in pre application discussion that its loss does not trigger a community use replacement under Local Plan Policy C2, given that it is clearly a specialist facility with a London-wide function, which is being replaced elsewhere in the capital. On this basis E2 retention of employment is a closer policy fit.

It is also noteworthy that CLP policies which provide for the mixed use of business premises through the incorporation of housing on or off site are only triggered where there is a floorspace increase, which does not apply here.

We understand that in transport terms, Policy T2 is expected to apply, such that even via change of use, development is expected to be car-free. This complements the approach in Policy T1, which prioritises walking, cycling and public transport.

Equally, whilst sustainability policies are largely directed to new build, there is crossover to change of use and/ or refurbishment in appropriate circumstances. Thus, Policy CC1 refers to 'all development' minimising the effects of climate change via either requirement, or encouragement, as appropriate. Similarly, Policy CC2 promotes sustainable design & construction measures. In recognition of this, clarification has been sought and obtained as to information requirements in the present change of use scenario. This has confirmed that there are no specific energy reduction targets which apply, or any BREEAM requirement.

In presenting the scheme for consideration we have also had regard to:

- CPG 'Transport' January 2021, which provides further detailed guidance as to car free development, servicing, and cycle parking.
- CPG 'Energy Efficiency and Adaptation' which amplifies policies CC1 & CC2 and distinguishes between minor, medium & major refurbishment. Given that there is no new floorspace, the present scheme falls in the minor category.



## 4. Assessment

### ***Development Principle***

Given the Development Plan at both strategic & local level, it is clear that general office use of the application premises in their entirety can be considered acceptable in principle. While we would stress that there must be some debate as to whether the BTP divisional headquarters element already enjoys the benefit of such designation in any event and that the submission of the application is without prejudice to this position, there is evidently no requirement to further pursue this point.

Moreover, since the proposals do not involve any increase in floorspace mixed use/housing polices of the CLP are not brought to bear.

We do recognise however that LB Camden wishes to be satisfied that there are no associated policy issues arising from the BTP relocation and to this extent reiterate here salient points discussed and evidenced at pre application stage. We also draw attention to the confirmatory email correspondence from the British Transport Police which has been submitted together with a short explanatory note.

In this regard, it is important to emphasise that the BTP departure is not at the applicants' behest and will not impact adversely on the services which BTP provide across the capital.

As the building owner, the applicants had invited BTP to renew their lease but have been advised of the BTP's alternative plans which do not include remaining at Whitfield Street.

The TfL Sub Division of BTP is funded by TfL and TfL have a number of alternative buildings available in the TfL portfolio. These include Albany House, Broadway SW1 where it is understood the Sub Division will relocate in the short term from May. The expectation then is of a move to another TfL property in Westminster. In either case, there will be no detriment to the services which BTP deliver. The BTP has a statutory obligation to provide safe & secure policing of the Underground which can be provided at a number of alternative facilities close to the Tube network. There is no requirement for these to be provided from any specific Central London location, let alone from the application site or the surrounding area.

Against this background the provision of specialist BTP services from the site is not considered to be a 'community use' in the sense envisaged in the Camden Local Plan, although even if it were to be classed as such the provision of a replacement facility elsewhere in central London fully meets the needs of the public & of the BTP.

In short, the proposal is entirely acceptable in terms of development principle and will secure ongoing employment opportunities in this highly accessible part of the CAZ.

### **Transport**

The accompanying Transport Assessment reviews the change of use from a transport perspective and demonstrates that in trip generation terms the general office use now proposed will generate significantly less daily person trips than did the BTP use when this was fully operational.

Notwithstanding the benefits of this overall reduction, a detailed analysis of modal split and distribution of trips associated with office use has been carried out and it is shown that the impacts on the pedestrian, cycle, public transport and highway networks at micro, neighbourhood and area-wide level will be negligible.

It is particularly noted that that securing car free development via alterations to the basement and removal of the vehicular access ramp is an important benefit of the proposals especially in this conservation area and secures compliance with important strategic & local policy objectives. The changes to the public highway which flow from this – most particularly the removal of vehicular crossovers & footway reinstatement - are also beneficial and can be secured by Agreement.

The removal of basement car parking provides the opportunity to cater for secure long stay cycle parking in compliance with contemporary standards, as well as supporting locker, toilet and shower facilities. Access to this area via a new platform lift will accommodate all types of cycle.

As we note below deletion of the access ramp & vehicle bay are also of benefit in design terms.

Pre application correspondence with LB Camden has identified a requirement for transport related obligations in the form of:

- Traffic Management Order Amendments;
- Construction Management Plan Implementation support contribution;
- Construction Impact Bond;
- Crossover reinstatement.

We can confirm on a without prejudice basis that the applicant is in principle willing to enter into the necessary Agreement(s) and will progress this matter following the submission of the application.

Having regard to these considerations, the proposals can be considered to be entirely acceptable in transport terms.

### ***Sustainability***

The Energy and Sustainability report by Silver EMS provides a framework for the provision of energy efficiency measures specifically and for sustainable reuse generally as part of the refurbishment of the premises when an occupier is secured and the change of use is implemented.

This includes:

- Improvements to lighting, heating controls and air handling;
- Use of energy efficient appliances;
- Consideration of roof mounted PV panels;
- Installation of water efficient fixtures & fittings;
- Careful selection of materials;

- Enhanced provision for on-site waste collection & recycling;
- Car Free use & the provision of generous and accessible cycle parking with associated facilities;
- Best practice Construction Management.

Whilst there are no specific targets to be met, these measures will ensure that the reuse of the building - which is in itself inherently sustainable – takes proper account of relevant sustainability principles.

### ***Design***

As we have noted, the only external change proposed is to the Whitfield Street ground floor frontage, where the removal of provision for vehicles on site affords the opportunity for a more sympathetic streetscape. The proposed elevation by studio cf shows functional roller shutter doors replaced by glazing and framing to match the treatment of the main frontage. The attractive mural which exists on the southern portion of the frontage and which we believe was installed in about 2003 will be maintained.

This clearly represents significant improvement on the existing and as such the S72 duty which applies in respect of the Conservation Area is satisfied. Equally, the setting of the Grade II listed building at 1 Colville Place is improved.

## 5. Conclusions

The application premises at 16-24 Whitfield Street were originally constructed to meet the specific requirements of the British Transport Police (BTP) and have been occupied by this user for over 20 years. The imminent vacation of the premises at the behest of the BTP necessitates that a new occupier is secured and submission of the current application is designed to establish the key elements of this reuse.

Whilst a significant portion of the building is already akin to offices and arguably benefits from such designation there are clearly elements which are bespoke to the BTP and as such an application for change of use overall has been considered to be appropriate. Attendant charges to the external fabric of the building are minimal and there is no increase in floorspace, although internal reconfiguration will allow the development to be car free in compliance with key policy objectives.

Pre application discussion with LB Camden has confirmed that the proposal is acceptable in terms of land use principle given the clear support for office use expressed in both the London Plan & the Camden Local Plan. It will clearly secure ongoing employment opportunities in this highly accessible part of the CAZ. Since the specialist police station element has been serving a London-wide rather than a local need and is to be relocated elsewhere in the Capital there is no local replacement or equivalent community use requirement.

In transport terms It has been demonstrated that general office use will generate significantly less daily person trips than did the police use when this was fully operational. As a result and having regard to the anticipated mode & distribution of new trips, impacts on the transport & highway network will be minimal.

Reuse of the building is in itself inherently sustainable and will take account of other relevant sustainability principles, including those related to energy use.

The replacement of existing roller shutter doors on Whitfield Street with glazing and the reinstatement of the footway will provide streetscape benefits and is an enhancement to the Conservation Area and the setting of the nearby listed building.

In overall terms the proposal warrants the grant of permission to facilitate the early reuse of the application premises for a use which is entirely consistent with planning policy.

**Alan Cook Consultancy**  
**January 2022**