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Development Management
Camden Council
5 Pancras Square
London
N1C 4AG

Rory Baker
E: rory.baker@savills.com
DL: +44 (0) 2075352991
Mobile: +44 (0) 7773162346

33 Margaret Street W1G 0JD
T: +44 (0) 20 7499 8644
F: +44 (0) 20 7495 3773
savills.com

Dear Sir/Madam,

**51-52 TOTTENHAM COURT ROAD, LONDON, W1T 2EQ
SUBMISSION OF FULL PLANNING APPLICATION**

Savills have been instructed to submit a full planning application for alterations to the ground floor unit, raising of the first floor level and a change of use from office (E(g)(i)) to residential (C3) on the upper floors at 51-52 Tottenham Court Road, W1T 2EQ ("the Site"). This application has been submitted via Planning Portal.

This planning application follows the submission of a planning application at the same site for the removal of the basement and lowering of basement floor from the proposals, increasing the height of the ground floor rear extension and rebuilding the first floor rear extension as previously consented, and merging the two consented shop fronts into a single ground floor retail unit frontage. It is yet to be validated at the time of submission.

This planning application seeks to encompass the above proposals, as well as converting the upper floors from office (E(g)(i)) use to three residential units (C3) with associated refuse and cycle provision.

In addition to this letter, please find enclosed the following documents for your consideration:

- Application Forms;
- Plans and drawings prepared by Squire & Partners
- Design and Access Statement prepared by Squire & Partners.

Site and Surroundings

The application site comprises two properties – 51 and 52 Tottenham Court Road, London, W1T 2EH. The application site is located on the western side of Tottenham Court Road, south of Goodge Street Underground station and north of Tottenham Court Road's junction with Oxford Street. Both properties, 51 and 52 Tottenham Court Road comprises mixed uses including retail, office and residential.



51 Tottenham Court Road

The building at 51 Tottenham Court Road comprises four storeys (ground, first, second and third floor) plus partial basement and provides a mix of retail and residential space. The retail use is situated primarily on the ground floor but also benefits from some existing basement space. The building has a modern ground floor shopfront, which is primarily formed from a painted aluminium frame and glazing. Part of the ground floor provides a right of way to the rear of the building. Generally the shopfront to Tottenham Court Road appears tired.

52 Tottenham Court Road

The building at 52 Tottenham Court Road also extends to four storeys in height (ground, first, second and third floors), with a partial basement towards the front of the site. The ground and partial basement are occupied by a retail unit and the first to third floor levels are laid out as offices. The property has a modern retail frontage at the ground floor level, which has recently been replaced with an aluminium and glass shopfront. As per 51 Tottenham Court Road, the shopfront appears tired.

Planning History

The application site has been subject to various planning applications and appeals. These applications and appeals are summarised below:

- A planning application (ref no. PS9804744R1) was submitted in relation to 51 Tottenham Court Road for the following development – Change of use and conversion of the first, second and third floors from offices (use class B1) to use as four self-contained flats together with alterations to fenestration on the front elevation and the installation of a new shopfront. The Council granted this application subject to a s106 agreement on 07 October 1998.
- A planning application (ref no. 2009/5669/P) was submitted in relation to 51-52 Tottenham Court Road for the following development – Erection of six storey building and excavation of basement to create retail space (Use Class A1) at ground and basement levels, and 3 x 2 bedroom flats, 2 studio flats (Use Class A3) and 20 bedrooms for student accommodation with shared facilities (Sui Generis) on the floors above, following demolition of the existing buildings. The Council refused this application on 24 August 2010. This decision was not appealed.
- A planning application (ref no. 2009/5947/C) was submitted in relation to 51-52 Tottenham Court Road for the following development – Demolition of existing four storey buildings. The Council refused this application on 24 August 2010. This decision was not appealed.
- A planning application (ref no. 2011/2286/P) was submitted in relation to 51-52 Tottenham Court Road for the following development – Erection of roof extension to 4th floor and alterations to front elevation in connection with provision of additional 2-bed self-contained flat (Class C3). The Council refused this application on 17 October 2011 and an appeal (ref no. APP/X5210/A/11/2166925) was dismissed by the Planning Inspectorate on 26 April 2012.

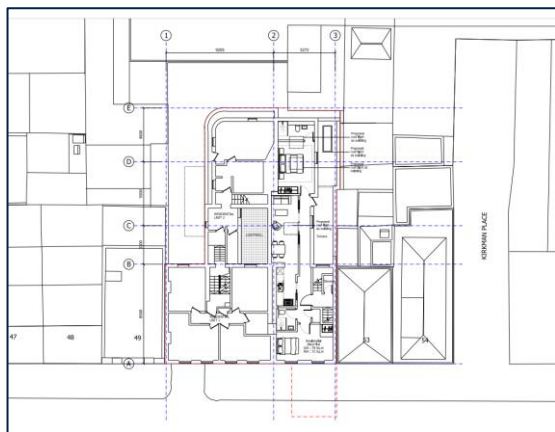
- A planning application (ref no. 2016/2027/P) was submitted in relation to 51-52 Tottenham Court Road for the following development – Demolition of existing rear extensions and erection of 4 storey rear extension, basement extension, roof extensions comprising an additional storey with mansard level above to no. 51 and set back roof extension no. 52 and external alterations including new shopfronts all to provide a mixed use retail, office and residential development involving the refurbishment and amalgamation of the existing ground floor retail units, refurbishment/reconfiguration of existing uses on the upper floors including the provision of additional office space at first to third floor levels and a new 3 bed residential flat at fourth floor level. The Council refused this application on 18 October 2016 and an appeal (ref no. APP/X5210/W/17/3173819) was dismissed by the Planning Inspectorate on 8 March 2018).
- A planning application (ref: 2018/3565/P) was submitted in relation to 51-52 Tottenham Court Road for the following development – Excavation of new basement and lowering of existing basement floor level by 1.0m; installation of 2 x new shopfronts. The Council approved this application on 5 February 2020.
- A planning application (ref: 2019/5320/P) was submitted in relation to 51-52 Tottenham Court Road for the following development - External alterations including increase in height of existing ground floor rear extension and replacement of existing first floor rear extension. The Council approved this application on 4 February 2020.

Proposals

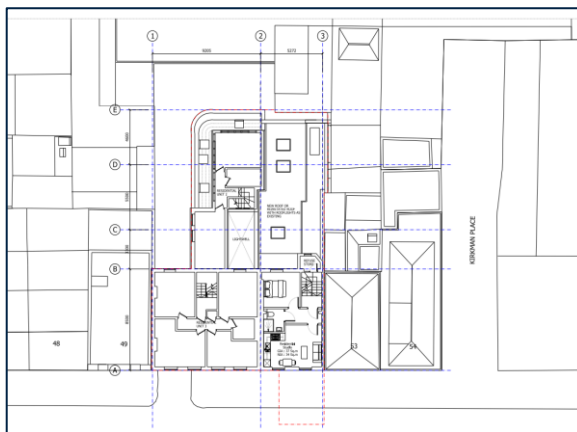
This planning application proposes the following.

Conversion of upper floors from office to three residential units

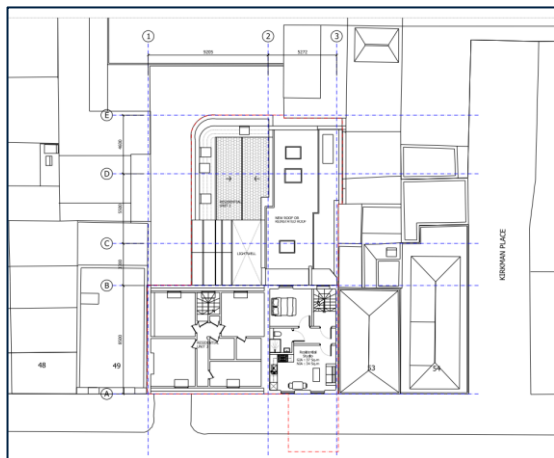
The proposals comprise the conversion of the existing office floorspace at 1st, 2nd and 3rd floors into 1 x 2 bed and 2 x 1 bed residential units, the general arrangements of which are illustrated in the supporting proposed plans prepared by Squire and Partners:



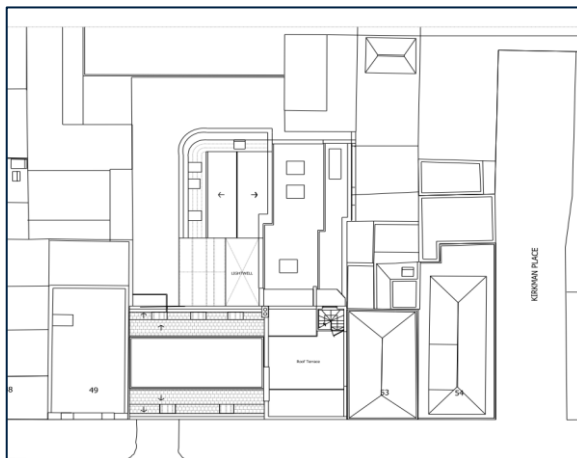
Proposed: First floor



Proposed: Second floor



Proposed: Third floor



Proposed: Roof Plan

The four units measure as follows, in accordance with the London Plan's Mayoral Space Standards (GIA):

- Unit 1 (2 Bed): 78m²
- Unit 2 (1 bed): 37m²
- Unit 3 (1 bed): 37m²

Cycle storage is provided on the ground floor accessed via the separate residential entrance. Communal refuse is provided on the 2nd floor off the stair core. The roof terrace will remain as an accessible roof terrace as existing as will the terrace at 1st floor.

Other proposed changes include:

- Merging of ground floor units across 51 and 52 Tottenham Court Road to comprise a single ground floor retail unit;
- New shop frontage;
- External alterations including increase in height of existing ground floor rear extension and replacement of existing first floor rear extension (as per previous approval).

Planning Policy

Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 (as amended) requires that applications for planning permission are determined in accordance with the development plan, unless material considerations indicate otherwise. The adopted Development Plan comprises the following documents:

- The London Plan (2021); and
- Camden Local Plan (2017).

The Development Plan is supported by other documents including Supplementary Planning Documents and Design Guidance.

The National Planning Policy Framework (NPPF) is a material consideration and promotes sustainable development (economic, social and environmental).

Camden Council are in the process of preparing an emerging Site Allocations Local Plan. The Council consulted on a Regulation 18 draft of the Plan in February 2020, and are due to hold another round of Regulation 18 consultation in November – December 2021, prior to the publication of the Regulation 19 Local Plan anticipated for early 2022 however this is now delayed.

Planning Assessment

Principle

Office to Residential

Camden's Local Plan is clear with regards to the position of employment premises and sites, and their loss/change of use to non-business premises / uses. Policy E2 states that Camden will resist development of business premises to non-business premises unless the following criteria can be met to the satisfaction of the Council:

- The site or building is no longer suitable for its existing business use; and
- That the possibility of retaining, reusing or redeveloping the site or building for similar or alternative type and size of business use has been fully explored over an appropriate period of time.

The Local Plan expands at para. 5.37 that the Council will take into account a variety of factors when assessing proposals involving the loss of business premises:

- The suitability of the location for any business use;
- Whether the premises are in a reasonable condition to allow the use to continue;
- The range of unit sizes it provides, particularly suitability for small businesses; and
- Whether the business use is well related to nearby land uses.

The application is supported by a letter provided by letting agents on behalf of the applicant which shows evidence that the office space has been marketed continuously since 16/09/2020. During this time, the agents have conducted a total of 12 viewings with no follow up visits booked. The property presently has no firm interest and no offers have been received during the marketing period.

Para. 5.39 of the Local Plan requires the applicant to demonstrate to the Council's satisfaction that there is no realistic prospect to demand to use the site for an employment use. The applicant is required to submit evidence of a marketing exercise for at least two years marketed at '*realistic prices, include a consideration of alternative business uses and layouts and marketing strategies, including management of the space by specialist third party providers.*'

There is further guidance on marketing contained within the January 2021 Employment Sites and Business Premises SPD. The SPD sets out a minimum criteria for marketing exercises. Further marketing evidence to satisfy this criteria, and comply with Policy E2, will be provided throughout the lifetime of the planning application.

In addition to the marketing, it should be taken into account that many of the upper floors of the properties along this part of Tottenham Court Road and the side streets are in residential use, with the 4 flats on the upper floors of no. 51 being granted in 1998. Residential use is therefore part of the character of the area. The current space has not been let for some time. This reflects the fact that the type of accommodation and arrangement is not suitable or satisfactory as in demand office space. It is laid out in an inefficient manner due to the constraints of the building and this has led to small rooms and narrow circulation spaces. The building is not suitable for meeting future office requirements where there is now greater expectations on accessibility, space and internal environmental conditions. Other commercial uses would not be suitable in this property without significant alterations that are likely to be undesirable and the only realistic commercial use that could be accommodated in the upper floors of the building is office space, and as set out above and will be evident on the site visit, the premises can no longer be considered to reasonably offer suitable workspace conditions.

The reality is that the office floorspace is inappropriate for continued use as a business premises due to accessibility, technological and internal environmental conditions issues which are a key concern for all business operators. In the light of the Covid-19 pandemic employers are looking for more flexible office space with good ventilation and good areas for circulation and space. Due to the space constraints of this building, the ability to update the office floorspace to meet occupier requirements would be limited.

Residential use of the upper floors is considered to be more appropriate and a way of delivering more housing in a highly sustainable location which will be in keeping with many of the upper floors in the area.

The change of use from office to residential is therefore considered acceptable in principle.

Policy H1 states that the Council aim to secure a sufficient supply of homes to meet the needs of existing and future households by maximising the supply of housing in the borough. The Council will also seek to exceed their housing target, and will aim to do so by, *inter alia*, where sites are underused or vacant, expecting the maximum reasonable provision or housing that is compatible with any other uses needed on the site. The NPPF also advocates the use of under-utilised buildings for residential where land supply is constrained with the conversion of space above shops one such way of using buildings more effectively to help meet housing need.

The proposals seek to deliver 3 units in place of underutilised vacant office floorspace (as evidenced by the marketing exercise carried out) and consider this to be maximising the housing provision deliverable given the context and character of the location along Tottenham Court Road. The mix comprises two studio flats and one 2 bedroom flat which is considered appropriate even when considered against the preferred dwelling size priority in Table 1 of Policy H7 in the Local Plan, which seeks a lower amount of 1 bedroom / studio beds, a high proportion of 2 beds, a high proportion of 3 beds and a lower proportion of 4 beds. The two studios are considered a suitable size and unit type for this central location and the character of the area, as well as more commonly for flats above retail premises. The Council would surely agree that this is not a location where the borough wide preference for larger, family units should apply to, and therefore smaller units are more readily and easily accommodated in this area. Additional space is afforded on the 1st floor as a result of the rear extensions and therefore can accommodate a two bedroom unit, which is suitable for this area and helps respond to the dwelling size priority in the Local Plan.

Policy H4 of the Local Plan seeks to maximise the supply of affordable housing. Specifically, the Council will expect a contribution to affordable housing from all developments that provide one or more additional homes and involve a total addition to residential floorspace of 100sqm GIA or more. The proposals will deliver 3 new units in excess of 100sqm and as such triggers the requirement for affordable housing contributions in accordance with Policy H4.

Part g of Policy H4 states that where developments have capacity for fewer than 10 additional dwellings, the Council will accept a payment in-lieu of affordable housing. Applying the Council's Housing SPD (2021) method of calculating payments in lieu of affordable housing, the application is required to contribute £30,400 based on a capacity of 2 additional homes, applying a 3% affordable housing target yielding a 6.08 affordable housing floorspace target applied to a payment in lieu rate of £5,000.

Ground Floor Retail

Camden's Local Plan sets out a clear policy framework for retail development, where it should be delivered and how it should be delivered. The relevant policies are TC1 (Quantity and location of retail development); TC2 (Camden's centres and other shopping areas); TC4 (Town centre uses)

Policy TC1 seeks to focus new shopping and related uses in Camden's designated growth areas and existing centres, having regard to the level of capacity available in these locations. Tottenham Court Road is identified as a growth area. As the proposals do not result in a net change in retail floorspace and retain an active frontage, there is no conflict with Policy TC1.

Policy TC2 promotes successful and vibrant centres, and will specifically seek to protect primary frontages in order to maintain the retail function of the centre. New retail spaces will also be expected to be of high quality, provide generous storey heights and incorporate room for signage. The proposals seek to retain the primary frontage as a combined retail unit, merging the two separate entrances into one consolidated entrance. The merging of the two units creates a much larger, more attractive retail space for occupiers to better suit the needs of a greater mix of tenants with larger spatial demands. The raising of the first floor level also improves the floor to ceiling heights of parts of the retail unit, again, improving the user experience and providing a greater quality of space for customers. As such, there is no conflict with Policy TC2.

TC4 ensures that development of shopping, services, food, drink, entertainment and other town centre uses does not cause harm to the character, function, vitality and viability of a centre, the local area or the amenity of neighbours. The existing site already comprises two retail units establishing the retail use in this location. Retail use is not proposed to change as a result of the proposals, with the quantum of floorspace remaining the same and the merging of two units into one.

The raising of the first floor level has already been established through planning permission ref: 2019/5320/P and will have a negligible impact on the occupiers of the first floor who will not be unduly harmed as a result. The proposals will not therefore result in any material change that will cause harm to the area or the amenity of its immediate neighbours. There has been no shift in policy or material circumstances that would lead the Council to reach a different view to its acceptability to that granted consent in 2020. There is therefore no conflict with TC4.

Alterations to the shopfront will be in accordance with the requirements of Policy D3 (Shopfronts), as detailed below.

In light of the above, it is considered that the principle of development is considered acceptable.

Design and Heritage

The relevant policies from Camden's Local Plan are Policy D1 (Design); Policy D2 (Heritage) and Policy D3 (Shopfronts).

These proposals are to improve the quality of the existing retail floorspace through the raising of the first floor level, providing more generous floor to ceiling heights and alterations to the benefit of future customers, which will in turn create a more attractive retail space. The merging of the two retail units will provide a larger, more spacious retail unit promoting a high quality retail unit in this prime shopping location. The proposals conform with Policy D1.

The proposal is considered to comply with Policy D2 which seeks to preserve and where appropriate enhance Camden's heritage assets including Conservation Areas. The replacement shopfront will be of a high quality with reference to the existing building. The replacement shopfront will greatly improve the appearance of the building which is currently very tired. The shopfront will be maintain accessibility, will be durable and secure. The improved appearance will enhance the contribution of the site and buildings to the Conservation Area.

The proposal complies with Policy D3 which aims to ensure a high standard of design in new and altered shopfronts. The proposed shopfront design is considered to complement the character and appearance of the existing buildings, will respect the upper floors of the building and will overall improve the contribution of the site and buildings to the Tottenham Court Road frontage. The proposed shopfront design has sought to respond to Camden's Planning Guidance – Shopfront Standards.

For the reasons set out above, the proposed development is considered to comply with planning policy relating to design and heritage.

Amenity

The following policy from Camden's Local Plan are considered to be relevant to the planning application: Policy A1 – Managing the impact of development.

The proposed replacement shopfronts are not considered to result in any amenity impacts to neighbours in terms of visual privacy, outlook, daylight/sunlight, lighting, transport impacts, noise and vibration, odour, fumes, dust, microclimate, contaminated land, water and wastewater infrastructure.

All residential units meet the minimum Mayoral Space Standards as per the London Plan (2021), with the 1st floor flat having access to a terrace at 1st floor accessible via the flat, as well as a communal rooftop terrace, providing the future occupants of the two studio flats with communal amenity space. All units are dual aspect and will receive good levels of internal natural light. All units will be built out in accordance with building regulation standards, and therefore all units will be acoustically acceptable amongst the adjoining premises and neighbouring buildings.

There will be minimal risk of overlooking, with the neighbouring building at 53 Tottenham Court Road absent of any external west facing windows on the rear projecting part of the building (red pantile roof, white render), and the windows overlooking the property from the east at 54A are of a suitable separation distance to prevent overlooking. Similarly with the rear glazing at 6-10 Whitfield Street, overlooking into the skylights is highly unlikely to cause any issues of privacy, given the distance and angle of skylights.

All proposed units will therefore benefit from a good standard of residential amenity.

The raising of the first floor level will provide a level floorplate for the first floor flat and the merging of the two retail units will not have an impact on neighbouring amenity, with no external manifestations.

The proposals therefore conform with Policy A1.

Cycle Provision

Camden's Local Plan (2017) requires cycle provision for new development to be provided in accordance with the standards set out in the London Plan. These are as follows:

- 1 space per studio / 1 person 1 bedroom
- 1.5 spaces per 2 person 1 bedroom dwelling
- 2 spaces per all other dwellings

The development is therefore required to provide a minimum of 4 spaces. These will be comfortably provided for in the cycle store at ground floor.

Conclusion

The proposed development is considered to comply with Camden's Local Plan policies and material considerations.

The conversion of office space on the upper floors to residential should be supported, with the requirements of Camden's Local Plan Policy E2 met and supported through evidence of marketing over a 22 month period demonstrating that other similar / alternative commercial uses have been fully explored to the satisfaction of the Council. The proposed units meet the minimum space standards, are dual aspect and provide good levels of internal natural light, little to no risk of overlooking or issues of privacy. Residential development represents a viable, optimal use of this existing site which has failed to attract commercial occupiers.

The proposal will provide a suitable mix of residential units in this specific location and affordable housing payment in lieu will arise.

The merging of the retail unit retains a strong active frontage, with no net change in quantum of retail floorspace, continuing to offer a strong retail offering in this prime location. The resultant single unit and raising of first floor level will improve the floor to ceiling heights and create a generous high quality retail space to the benefit of future customers. The changes to the shopfront are in keeping with the external appearance of the building and are sympathetic to the Conservation Area replacing a currently tired and unsightly shop frontage. There will be no amenity impacts to neighbouring properties.

I trust the above is clear and that you have sufficient evidence in order to validate and determine the application. Should you require any further information, please do not hesitate to contact me in the first instance.

Yours faithfully,

A handwritten signature in black ink, appearing to read "Rory Baker", written in a cursive style.

Rory Baker
Senior Planner
Savills