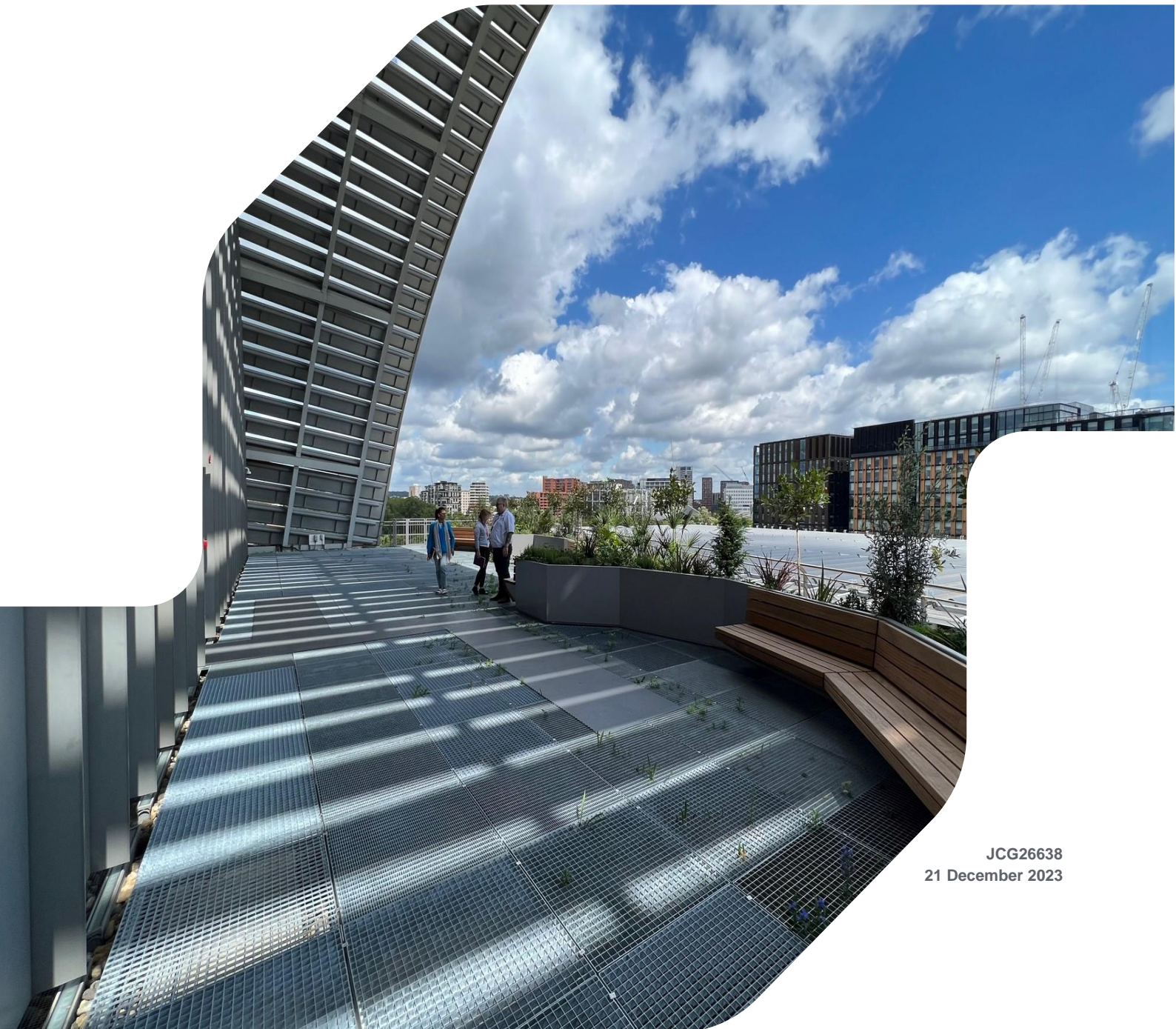


FRANCIS CRICK INSTITUTE – LEVEL 05 NE

FRANCIS CRICK INSTITUTE - LEVEL 05 NE

Planning Statement



JCG26638
21 December 2023

PLANNING STATEMENT

Document status

Version	Purpose of document	Authored by	Reviewed by	Approved by	Review date
V1	Internal Review	Nasrin Sayyed	Paul Willmott	Paul Willmott	6 Nov 23
V2	Internal Review	Nasrin Sayyed	Paul Willmott	Paul Willmott	1 Dec 23
Issue	Issue	Paul Willmott	Paul Willmott	Nasrin Sayyed	21 Dec 23

Approval for issue

Paul Willmott	PW	21 December 2023
---------------	----	------------------

The report has been prepared for the exclusive use and benefit of our client and solely for the purpose for which it is provided. Unless otherwise agreed in writing by R P S Group Limited, any of its subsidiaries, or a related entity (collectively 'RPS') no part of this report should be reproduced, distributed or communicated to any third party. RPS does not accept any liability if this report is used for an alternative purpose from which it is intended, nor to any third party in respect of this report. The report does not account for any changes relating to the subject matter of the report, or any legislative or regulatory changes that have occurred since the report was produced and that may affect the report.

The report has been prepared using the information provided to RPS by its client, or others on behalf of its client. To the fullest extent permitted by law, RPS shall not be liable for any loss or damage suffered by the client arising from fraud, misrepresentation, withholding of information material relevant to the report or required by RPS, or other default relating to such information, whether on the client's part or that of the other information sources, unless such fraud, misrepresentation, withholding or such other default is evident to RPS without further enquiry. It is expressly stated that no independent verification of any documents or information supplied by the client or others on behalf of the client has been made. The report shall be used for general information only.

Prepared by:

RPS

Paul Willmott OBE FRGS FRTPI
Senior Director - Planning

20 Farringdon Street
London, EC4A 4AB

T +44 20 3691 0500
E paul.willmott@rpsgroup.com

Prepared for:

Francis Crick Institute Ltd

1 Midland Road
London, NW1 1AT

Contents

1 INTRODUCTION1

2 SITE AND SURROUNDING CONTEXT6

3 PLANNING HISTORY7

4 THE PROPOSAL8

5 PLANNING POLICY CONTEXT12

6 PLANNING ASSESSMENT16

7 CONCLUSION21

1 INTRODUCTION

1.1 This Planning Statement has been prepared to accompany an application for a new proposals to the staff amenity area on the Level 05 NE roof area, at the eastern elevation (Midland Road end) of the Francis Crick Institute, Midland Road, London, NW1 1AT ("the Site").

1.2 The proposed development is described as follows:

"Replacement of the existing mesh material to the decking at Level 05 NE of the Francis Crick Institute, the erection of a glazed pavilion with green roof (and incorporating a retractable awning), and the installation of a green wall to the upper elevation of the NE quadrant fronting Midland Road together with biodiversity enhancements to the terrace at Level 06 SW".

Background

1.3 Planning permission ref. 2022/2667/P was granted on 25 November 2022 for the following development:

"The installation of a permeable deck above the existing brown roof on the eastern end level 05 terrace, together with a refreshment kiosk under the roof eaves, provision of perimeter planters and additional landscaping."

1.4 A copy of the decision notice ref. 2022/2667/P is enclosed with this application. The permission was subject to 9 conditions. The table below provides details of the conditions and the status update regarding discharging (or amending) the condition.

Table 1: Summary of Conditions of Permission ref. 2022/2667/P and Status

Condition No. and Trigger	Wording of Condition	Comments/Progress/ Relationship to this submission
1 – Compliance	The development hereby permitted must be begun not later than the end of three years from the date of this permission.	<p>The development was implemented before the expiration of the three-year period specified (25.11.2022).</p> <p>This submission seeks a new permission for the works to Level 05 NE and incorporates several changes to the existing consent.</p> <p>It is not considered that these can be addressed through the Section 73 process due to the importance of biodiversity in the overall assessment.</p>
2 – Compliance	The development hereby permitted shall be carried out in accordance with the following approved plans: 005 - Planting Plan; 21063 PL 002; 21063 PL 105 Rev. P1; 21063 PL 115 Rev. P1; 21063 PL 120; 21063 PL 203 Rev. P1; 21063 PL 204 Rev. P1; 21063 PL 205 Rev. P1; 21063 PL 223 Rev. P1; 21063 PL 224 Rev. P1; 21063 PL 225 Rev. P1; 21063 PL 321 Rev. P1; 21063 PL 401; 21063 PL 402; 21063 PL 421; 21063 PL 422;	<p>Development has been carried out in part, although it has not been completed.</p> <p>This application seeks amendments to the development illustrated in this condition.</p>

Biodiversity Metric 3.0 Auditing and Accounting for Biodiversity Calculation Tool (received 20/10/2022); Biodiversity Net Gain Assessment (c) (prepared by RPS, received August 2022); L-DTL-8012 Rev. 02 (Bird and Bat Boxes - Elevations); Cover Letter (prepared by RPS, dated 21/06/2022); Design and Access Statement (dated 16/05/2022); Drainage Technical Note (prepared by RPS, dated 23/05/2022); Noise Impact Assessment (prepared by RPS, dated 04/01/2022); Planning Statement (prepared by RPS, dated 21/06/2022); Preliminary Ecological Appraisal Rev. B (prepared by RPS, dated March 2022); RPS Technical Response (dated 22/10/2022).

3 – Compliance	All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.	Development to date has been carried out in accordance with the requirements of this condition. There is no intention to seek to vary this condition through this revised submission.
4 – Prior to the first use	Prior to first use of the amenity space at Level 05 NE hereby permitted, a Landscape and Ecological Management Plan for the brown roofs at Levels 05 NE and for the 22sqm wildflower mounds at 06 SW shall be submitted to and approved in writing by the local planning authority. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.	Condition discharged via through the submission under ref. 2023/3322/P on 03.10.2023. It is intended that this LEMP will be carried forward into the new scheme. The amenity space has not yet been brought into use.
5 – Prior to the end of planting season	Prior to the end of the planting season immediately following the installation of the metal mesh platform at Level 05 NE hereby permitted, a plan and photographs showing the location and provision of at least 22sqm of wildflower mounds on the Level 06 SW Terrace shall be submitted to and approved in writing by the local planning authority.	The mesh platform was installed over the period July – September and the appropriate planting season “immediately following” the installation (rather than the one during installation) would be the Spring Season (March-May 2024). This submission seeks to review the approach to biodiversity mitigation associated with the proposals which includes the mitigation at Level 06 SW.

6 - Compliance and Prior to the end of planting season	<p>All hard and soft landscaping works shall be carried out in accordance with the approved landscape details by not later than the end of the planting season following completion of the development. Prior to the end of the planting season two years following the installation of the biodiversity measures for the terraces at Levels 05 NE and 06 SW hereby approved, a Biodiversity Audit shall be undertaken to ensure that these areas are performing as envisaged. Any trees or areas of planting which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced as soon as is reasonably possible and, in any case, by not later than the end of the following planting season, with others of similar size and species, unless the local planning authority gives written consent to any variation.</p>	<p>Although planting has occurred on the Level 05 NE terrace, this has not, as explained later in this Statement, been in accordance with the requirements of this condition.</p> <p>The Crick will address this matter through this submission. The non-compliant planting will be replaced as part of the works associated with this application (or otherwise, if necessary), and this will be supervised by the Consultant Landscape Architect supporting this application. The timeline for compliance has not however passed.</p> <p>The requirement to undertake a Biodiversity audit is to ensure that the relevant performance targets associated with the development have been achieved and due to the uncertainty of how the brown roof, which is included within those targets, would actually perform.</p> <p>Under this submission, the applicant is seeking to remove the uncertainty associated with the future performance of the brown roof under the platform of Level 05 NE and remove the need for a 2-year review commitment.</p> <p>Proposals include a new green roof over part of the Level 05 NE area and the installation of a new green wall. In addition, the proposals include planting of new wildflower mounds across the whole of Level 06 SW terrace. Whilst the brown roof will be retained under the new surface material, with the edges remaining open and the space accessible from the sides, it is likely to make a minor contribution to biodiversity, but for the purposes of this application this is not being taken into account in the overall assessment.</p>
--	--	--

- | | | |
|----------------|--|---|
| 7 – Compliance | Noise from the use of the proposed area LAeq should be controlled to at least 10dB below the background noise level LA90 without any activities present, in each octave band at the nearest noise sensitive location. | There is no intention to seek to vary this condition through this revised submission. |
| 8 – Compliance | <p>The roof terrace amenity space at Level 05 NE hereby permitted shall not be used other than within the following times:</p> <p>08:00 Hours to 22:00 Hours - Monday to Friday</p> <p>09:00 Hours to 20:00 Hours - Saturdays, Sundays, Bank Holidays and Public Holidays.</p> | There is no intention to seek to vary this condition through this revised submission. |
| 9 – Compliance | No music shall be played on the amenity space at Level 05 hereby permitted in such a way as to be audible within any adjoining premises or on the adjoining highway. | There is no intention to seek to vary this condition through this revised submission. |
-
- 1.5 The development approved under permission ref. 2022/2667/P has been partially implemented.
- 1.6 Phase 1, comprising the construction of the frame and the laying out of the deck, together with the installation of the planters to the front of the terrace has been completed. The space itself is now being utilised by staff, albeit on good weather days, between 10am-3pm for individual and team breakout and for quiet reflection purposes.
- 1.7 Further details of why this application has been submitted are set out in Section 4 of this Planning Statement. However, to summarise, this application is being brought forward for the following reasons:
- Completion of the platform has provided an opportunity to assess how the amenity area is operating and also to see how the brown roof is performing under the mesh. Whilst there has been some improvement generally, the Crick is concerned that it will not achieve the levels which were originally anticipated and in light of their recent publication of their corporate Sustainability Strategy, and the likely that further mitigation might be necessary (as envisaged through condition 6), the Crick wishes to mitigate now against the total loss whilst also maximising ecological and biodiversity opportunities within Levels 05 NE and 06 SW;
 - With the area now being used, Health and safety matters have been identified around the grill/mesh provided on the floor, and recommendations have been made to replace this with a heel-guard system;
 - The types and species of plants approved in the landscaping scheme have not been used by the sub-contractors and hence there is a need to rectify this; and
 - Staff feedback has asked that a sheltered/enclosed area on the roof to enable use in all weathers be provided.
- 1.8 In addition to the above, and as observed in the previous paragraph, the Crick has prepared and now published a wider Sustainability Strategy with a commitment to year-on-year improvements, including continuous phased improvements in terms of biodiversity and ecological enhancements.

Structure of this Planning Statement

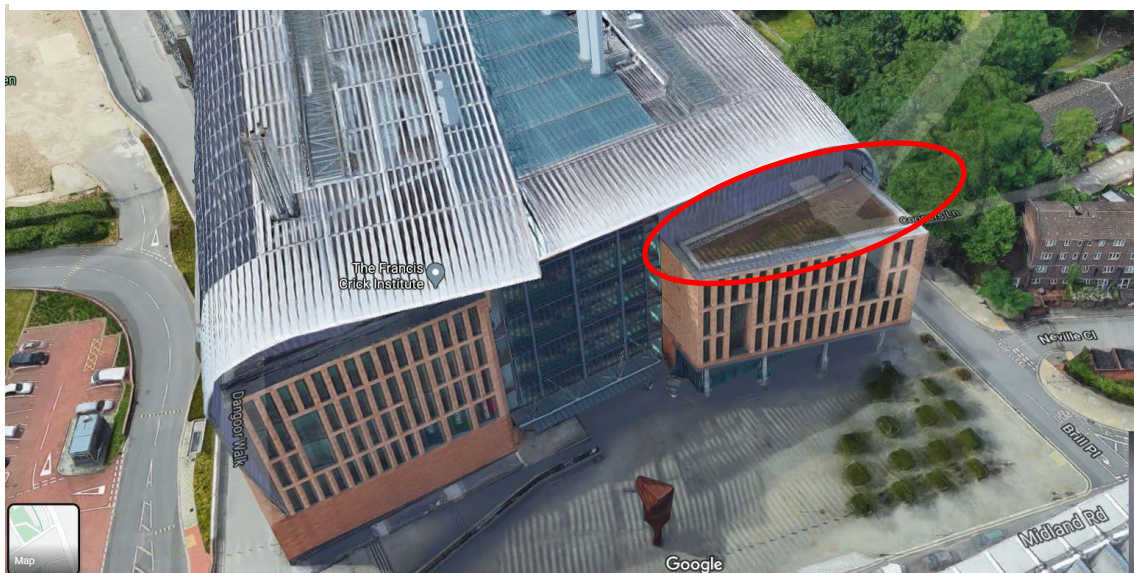
1.9 The remainder of this Planning Statement is set out as follows:

- Section 2: Site and Surrounding Context
- Section 3: Planning History
- Section 4: The Proposal
- Section 5: Planning Policy Context
- Section 6: Planning Assessment
- Section 7: Conclusion

2 SITE AND SURROUNDING CONTEXT

- 2.1 The Level 05 terrace, to which this application relates, forms part of the wider Francis Crick Institute, a biomedical research centre located within the administrative district of the London Borough of Camden. The Crick sits on a site of approximately 1.9 Hectares bound by Ossulston Street to the west, Brill Place to the north, Midland Road to the east and the British Library to the south.
- 2.2 The location of the Level 05 terrace is illustrated in Photo 1.
- 2.3 The site lies adjacent to the King's Cross Conservation Area, whose boundary extends to include a small part of the public realm at the north-eastern corner of the application site, at the junction of Brill Place/Midland Road. The Grade I listed St Pancras Station and former Midland Grand Hotel lie close to the site. None of these areas are impacted by the proposals.
- 2.4 To the northeast of the site is a small residential area accessed through Neville Close and a new tower block, Brill Place Tower, is being erected on the northern side of Brill Place, within part of the Purchase Street Open space. To the south is the British Library.
- 2.5 The site benefits from excellent public transport links and has a Public Transport Accessibility Level of 6b. St. Pancras International is approximately 50m to the east, King's Cross Station approximately 200m beyond and Euston Station is approximately 300m away to the west along Euston Road.
- 2.6 The building is some 91,000 sqm of which the Level 05 terrace comprises 219.5 sqm.

Photo 1: Level 05 Location



3 PLANNING HISTORY

- 3.1 There are a number of planning applications recorded for the Site on the Council's Public Access. This varies from advertisements consent to discharge of conditions application to amendments sought to the main planning permission (ref. 2010/4721/P "the original permission"). The relevant planning history is identified as follows:
- **2010/4721/P** - *Development to provide a biomedical research centre including laboratory and research space, lecturing and teaching space, exhibition space and a communal facility; landscape public open spaces; a new pedestrian route between Midland Road and Ossulston Street; a service entrance off Brill Place and a relocated vehicular access from Midland Road to serve the British Library. Approved 10.03.2011, subject to S106 Agreement.*
- 3.2 The permission included two brown roofs (at Level 05NE and Level 06 Terraces) with tree planting around the site, the creation of the Ossulston Street gardens (designed by local schools) and the inclusion of bird and bat boxes. No performance or other standards were proposed or conditioned.
- 3.3 Numerous conditions were attached to the main planning permission ref. 2010/4721/P, but Condition 5 related, and required that:
- "full details in respect of brown roofs proposed in the areas indicated on the approved roof plans including substrate and sections shall be submitted to and approved by the local planning authority before the relevant part of the development commences. The buildings shall not be occupied until the approved details have been implemented and these works shall be permanently retained and maintained thereafter."*
- 3.4 The implementation requirement of the condition was discharged on 26 September 2012 under permission ref. 2012/4034/P.
- **2012/4034/P** – *Details in relation to conditions 5 (brown roofs), 12 (details of CCTV cameras) and 22 (provision of bat/bird boxes) of planning permission dated 10/03/10 (Ref: 2010/4721/P) for development to provide a biomedical research centre including laboratory and research space, lecturing and teaching space, exhibition space and a community facility; landscaped public open spaces; a new pedestrian route between Midland Road and Ossulston Street; a service entrance off Brill Place and a relocated vehicular access from Midland Road to serve the British Library. Approved 26.09.2012.*
 - **2022/2667/P** - *The installation of a permeable deck above the existing brown roof on the eastern end level 05 terrace, together with a refreshment kiosk under the roof eaves, provision of perimeter planters and additional landscaping. Approved 25.11.2022.*
- 3.5 As highlighted in the "Introduction" chapter, a number of conditions were attached to permission ref. 2022/2667/P. The condition on Landscape and Ecology was discharged as follows:
- **2023/3322/P** - *Details of condition 4 (Landscape and Ecological Management Plan) of planning permission 2022/2667/P dated 25/11/2022 (for The installation of a permeable deck above the existing brown roof on the eastern end level 05 terrace, together with a refreshment kiosk under the roof eaves, provision of perimeter planters and additional landscaping). Approved 03.10.2023.*

4 THE PROPOSAL

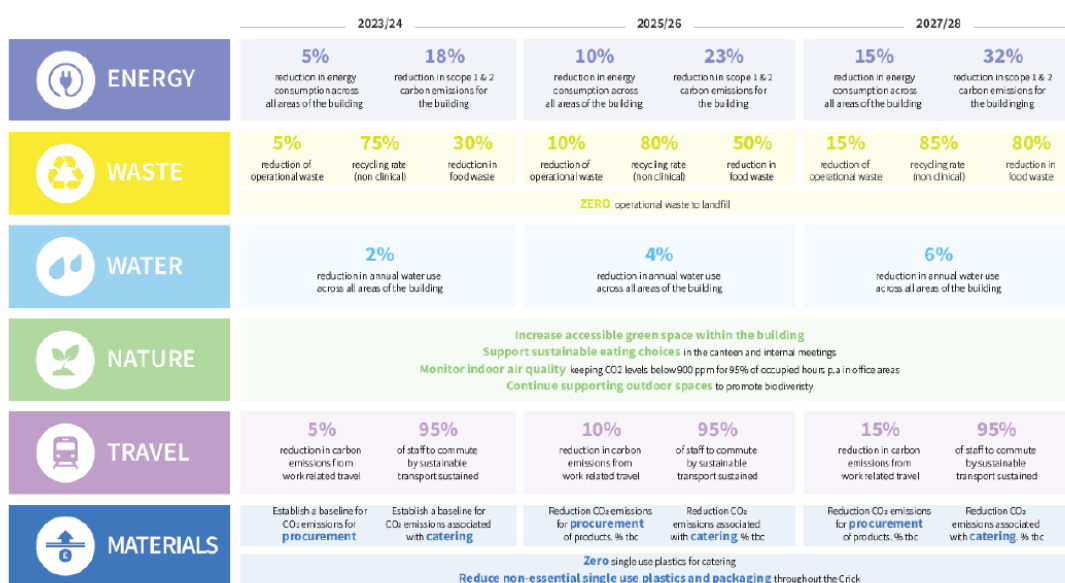
Context

- 4.1 Following the grant of planning permission under application reference 2022/2667/P and the feedback referred to earlier, Pilbrow & Partners (Architects) and RPS (Planning, Ecology, Landscape Architecture and Hydrology Teams) were briefed to provide options for a revised scheme for the Level 05 NE terrace, to include an enclosed kiosk, incorporating seating space along with mitigation measures and biodiversity and ecology enhancement on Level 05 NE Terrace at the Francis Crick Institute.
- 4.2 A series of options was presented by the team and it was agreed that plans for the provision of a parallel pavilion on the terrace should be developed which would replace the approved kiosk.
- 4.3 As part of the teams overall due diligence it was confirmed that the permission approved under reference 2022/2667/P had been implemented through the laying of the mesh deck and the installation of the planters at Level 05NE and that the pre-occupation conditions have been complied with.
- 4.4 However, having completed the main terrace area, and enabled it to be brought into use, the feedback received has identified a number of potential improvements that would make the space more accessible and address several concerns identified previously. The design team has considered these carefully and whilst the changes amount primarily to alterations and amendments to the underlying 2022 consent, it was considered that collectively Sections 73 and 96(a) would not apply in this case, and a fresh application was warranted.
- 4.5 The reasons giving rise to this decision are set out in paragraph 1.7.
- 4.6 In addition, the introduction of planting at both Level 05NE and Level 02SW drew attention to the importance of sustainability generally, and biodiversity specifically, and the Crick's Executive Board decided to prepare and publish a corporate Sustainability Strategy for the Crick.
- 4.7 This was approved on the 23 September 2023, and included targeted enhancements, objectives and commitments covering the period to 2030. Figure 1 is an extract from the Strategy setting the sustainability timeline.

Figure 1: Sustainability Timeline (FCI Corporate Sustainability Strategy, 23 Sep 2023)

6 Sustainability strategy timeline

Figure S—1 The Crick's sustainability timeline



Energy baseline: 19/20, Waste baseline: 19/20, Water baseline: 19/20, Nature baseline: 23/24, Travel: 23/24, Materials: 23/24

- 4.8 Collectively, these elements have enabled a different approach to be adopted in respect to biodiversity mitigation and gain, which can be incorporated into the current proposals.
- 4.9 This application reflects the response to the above, and the approach and considerations for the proposals are set out in the Planning Assessment of this Planning Statement and in the Design & Access and other supporting material.

The Proposed Development

- 4.10 Having regard to the above, this application seeks permission for:
“Replacement of the existing mesh material to the decking at Level 05 NE of the Francis Crick Institute, the erection of a glazed pavilion with green roof (and incorporating a retractable awning), and the installation of a green wall to the upper elevation of the NE quadrant fronting Midland Road together with biodiversity enhancements to the terrace at Level 06 SW.”
- 4.11 For the avoidance of doubt, this application would also amend the areas of brown roofs shown on the plans and referred to under Condition 5 to the main planning permission ref. 2010/4721/P.
- 4.12 The area breakdown for Level 05 NE is set out in Table 2.

Table 2 – Breakdown of floor areas

Component	Original (sqm)	2022/2667/P (sqm)	Proposed (sqm)
Total Area	219.5	161	219.5
Brown Roof	180	100 (retained) 19 (Enhanced areas/semi-intensive)	152.4
Terrace Level Planting	-	45.2	52.2
Green Wall	-	-	√
Green Roof	-	-	23.1
Pavilion Ext footprint	-	-	48.7
Level 06 SW Terrace Wildflower area	-	22.0	169.0

Pavilion / Enclosure

- 4.13 A 48.7 sqm area (external measurements) of a thermally glazed enclosure is proposed which will enable the amenity space to be utilised all year-round providing seating for around 20 people.
- 4.14 It has also been identified that there is a part of an internal area adjacent to the riser on Level 05 which is not utilised, and this will be incorporated into the proposals to provide a toilet for users of the amenity space and a preparation room.
- 4.15 The pavilion will comprise thermally efficient retractable glazed doors, which can be folded away to open the pavilion up to the wider space. It is expected that these glazed doors will be open for much of the time.
- 4.16 The roof above the enclosure/pavilion will incorporate an awning that can extend over the outside area as necessary (which will automatically retract if wind conditions hit a specified level) plus provide a modern green roof of circa 23.1 sqm. This will provide multiple biodiversity and enhancement opportunities.
- 4.17 This approach reflects the Crick's Sustainability Strategy and will contribute to improving the BNG on Site and the Crick's commitment of improvising long term bio-diversity levels across the Site in the long-term.

Green Wall

- 4.18 In addition to the green roof, a green wall is proposed on the eastern elevation of the Level 05 NE roof vault. For the purposes of the biodiversity net gain assessment only those areas receiving reasonable levels of sunlight (coloured yellow and orange on the plans in the Design & Access Statement) have been used, although the other areas would contribute to a lesser extent. This will provide further biodiversity gains.

Brown Roof and Decking

- 4.19 As highlighted earlier, whilst the improvements that have been incorporated to date show a general improvement in the biodiversity contribution of the brown roof, even at this stage the expectations on the roofs longer term performance is a concern and the likelihood of this was reflected in condition 6 of the 2022/2667/P consent.
- 4.20 With the mitigation and enhancements identified above, the proposals incorporated within this permission will result in a greater biodiversity contribution than that already approved. It is therefore intended that the underperforming brown roof will not be included within the overall mitigation assessment for biodiversity and that the proposals now submitted will meet the necessary requirements. However, the existing brown roof will be retained under the terrace, and the sides and access to the space maintained as originally proposed under the 2022 submission. As a consequence, the existing brown roof will contribute to a minor extent to the overall biodiversity contribution, but this has not been taken into account or included within the overall assessment.
- 4.21 The existing brown roof incorporates a SuDS scheme, and it is intended that this will make some contribution by enabling the reuse of some of the retained grey water to irrigate the terrace, and green roof, thereby reducing the reliance on the use of fresh water.
- 4.22 The existing mesh decking would be replaced with a new decking material. As set out earlier, the safety advice received has changed, and the existing mesh is no longer considered suitable for those who wear heels or those who require crutches as well as generally those whose balance will be affected by the grilled floor.
- 4.23 The new material proposed is Heel-guard decking to mitigate health and safety issues. This decking is also designed to enable water to pass through, rather than collect on the surface, and there will be no impact to water runoff into the brown roof or SUDs below.

Planters

- 4.24 A series of landscape enhancements have been proposed through the incorporation of a range of species of planters to maximise BNG on site.
- 4.25 In summary, the proposal incorporates the following:
- New level access door to the terrace;
 - New furniture on the terrace;
 - Retention of façade lighting;
 - Installation of a green wall;
 - Installation of a green roof on the pavilion;
 - Additional planters near the boundary of the terrace and adjacent to the access to the terrace.
- 4.26 Further, we have already highlighted that the planting to date has not been in accordance with the originally approved landscaping scheme and this will be addressed. The Landscape Architects appointment has been extended to include ensuring compliance with the landscape scheme, when approved.
- 4.27 As the Council is aware, the Crick has always been upfront in respect to its compliance with its planning obligations and commitments, and where issues have or might potentially arise. Accordingly, relevant officers will be invited to inspect the final scheme after completion of the works, should they wish to do so.

Level 06 SW

- 4.28 The proposal includes the creation of wildflower mounds across the whole of the Level 06 SW terrace of some 169 sqm. This will comprise the placement and seeding of small mounds of substrate suitable for supporting extensive wildflower species directly onto the brown roof currently in place.

Scope of this Application

- 4.29 The application is accompanied by the following supporting documents:
- Planning Application Forms
 - CIL Liability Forms
 - Planning Statement
 - Design & Access Statement (incorporating a micro-climate analysis)
 - Ecological Assessment and Biodiversity Net Gain Assessment
 - Noise Report
 - Drainage Note
 - Existing Elevations
 - Existing Plans
 - Proposed Elevations
 - Proposed Plans
 - Proposed Section
 - Landscaping and Planting Plans
 - CGI's of existing and proposed views along Midland Road
 - Copy of Decision Notice ref. 2022/2667/P
 - FCI Sustainability Strategy

5 PLANNING POLICY CONTEXT

- 5.1 This section provides an overview of the key national and local planning policies which are of relevance to the proposed development.

Legislative Background

- 5.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications should be determined in accordance with the Development Plan unless material considerations indicate otherwise.

- 5.3 The relevant Development Plan documents for the Site comprises of:

- The London Plan (2021);
- Camden Local Plan (2017);
- Camden Local Plan Policies Map

Material Considerations

- 5.4 Other Material Considerations include:

- The National Planning Policy Framework (NPPF) (2023);
- National Planning Practice Guidance (PPG);
- Camden Design Guide

Summary of Policies

- 5.5 Below is a summary of the relevant planning policies and material considerations.

National Planning Policy Framework (NPPF) (December 2023)

- 5.6 The NPPF sets out the economic, environmental and social planning policies for England. At the heart of the NPPF is a presumption in favour of sustainable development, and that development should be planned positively. In achieving sustainable development, three overarching objectives are identified for the planning system; economic, social and environmental (paragraph 8). The environmental objective includes *“...to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity...”*

- 5.7 Relevant sections of the NPPF include:

- Paragraph 11 states that plans and decisions should apply a presumption in favour of sustainable development. For decision-taking, this means (Paragraph 11c)) *“approving development proposals that accord with an up-to-date development plan without delay.”*
- Chapter 12 (Achieving well-designed and beautiful places) highlights within paragraph 131 that *“Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.”*
- Chapter 14 (Making the challenge of climate change, flooding and coastal change), highlights within paragraph 158 that *“Plans should take a proactive approach to mitigating and adapting to climate change, taking into account the long-term implications for...biodiversity and landscapes...”*
- Chapter 15 (Conserving and enhancing the natural environment), states at paragraph 180 that *“Planning policies and decisions should contribute to and enhance the natural and local environment by:...(d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures...e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability.”*
- Paragraph 191 states *“Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from*

the development. In doing so they should: a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life.”

- Chapter 16 (Conserving and enhancing the historic environment) seeks to conserve heritage assets. Paragraph 200 states *“In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary.”*

The London Plan (2021)

- 5.8 Policy GG3 (Creating a healthy city) states that those involved in planning and development must plan for improved access to and quality of green spaces, the provision of new green infrastructure and spaces for recreation.
- 5.9 Policy G5 (Urban Greening) encourages development proposals to contribute to the greening of London by including urban greening as a fundamental element of site and building design, and by incorporating measures such as high-quality landscaping.
- 5.10 Policy G6 (Biodiversity and access to nature) advises that development proposals should manage impacts on biodiversity and aim to secure net biodiversity gain. This should be informed by the best available ecological information and addressed from the start of the development process.
- 5.11 Policy D3 (Optimising site capacity through the design-led approach) states that all development must make the best use of land by following a design-led approach that optimises the capacity of sites. Policy D3 sets out that development proposals should:
- Enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to existing and emerging street hierarchy, building types, forms and proportions;
 - Deliver appropriate outlook, privacy and amenity;
 - Provide conveniently located green and open spaces for social interaction, play, relaxation and physical activity;
 - Be of high quality, with architecture that pays attention to detail, and gives thorough consideration to the practicality of use, flexibility, safety and building lifespan through appropriate construction methods and the use of attractive, robust materials which weather and mature well; and
 - Provide spaces and buildings that maximise opportunities for urban greening to create attractive resilient places that can also help the management of surface water.
- 5.12 Policy D5 (Inclusive Design) requires development proposals to achieve the highest standards of accessible and inclusive design by:
- Providing high quality people focused spaces that are designed to facilitate social interaction and inclusion;
 - Be convenient and welcoming with no disabling barriers, providing independent access without additional undue effort, separation or special treatment; and
 - Be able to be entered, used and exited safely, easily and with dignity for all.
- 5.13 Policy D14 (Noise) sets out a number of ways to ensure that development proposals manage noise. Of relevance, this includes by *“mitigating and minimising 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.”*
- 5.14 Policy S1 13 (Sustainable Drainage) states that development proposals should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible. There should also be a preference for green over grey features, in line with the following drainage hierarchy:

- 1) Rainwater use as a resource
- 2) Rainwater infiltration to ground at or close to source
- 3) Rainwater attenuation in green infrastructure features for gradual release (for example green roofs, rain gardens)
- 4) Rainwater discharge direct to a watercourse (unless not appropriate)
- 5) Controlled rainwater discharge to a surface water sewer or drain
- 6) Controlled rainwater discharge to a combined sewer

5.15 Development proposals for impermeable surfacing should normally be resisted unless they can be shown to be unavoidable, including on small surfaces such as front gardens and driveways.

5.16 Drainage should be designed and implemented in ways that promote multiple benefits including increased water use efficiency, improved water quality, and enhanced biodiversity, urban greening, amenity and recreation.

Camden Local Plan (2017)

5.17 Policy C6 (Access for all) seeks to promote fair access and remove the barriers that prevent everyone from accessing facilities and opportunities. The policy states that the Council will expect all buildings and places to meet the highest practicable standards of accessible and inclusive design so they can be used safely, easily and with dignity by all.

5.18 Policy A1 (Managing the impact of development) confirms that planning permission will not be granted for development that causes unacceptable harm to amenity. The Council will ensure that the amenity of communities, occupiers and neighbours is protected and take into consideration outlook, sunlight/daylight, artificial lighting levels, transport impacts, noise and odour.

5.19 Policy A2 (Open Space) encourages developments to seek opportunities for providing private amenity space. Further information on amenity space is provided in explanatory paragraph 6.49 where roof terraces are referenced and identified as being greatly valued.

5.20 Policy A3 (Biodiversity) states that the Council will assess developments against their ability to realise benefits for biodiversity through the layout, design and materials used in the built structure and landscaping elements of a proposed development. The Council will also seek to improve opportunities to experience nature, where such opportunities are lacking, and expect development proposals to incorporate additional trees and vegetation wherever possible.

5.21 Policy A4 (Noise and vibration) seeks to ensure that noise and vibration is controlled and managed. Planning permission will not be granted for developments which are: a) likely to generate unacceptable levels of noise and vibration and b) development sensitive to noise in locations which experience high levels of noise, unless appropriate attenuation measures can be provided and will not harm the continued operation of existing uses.

5.22 Policy D1 (Design) places great emphasis on high quality design in development. Camden Council will require that development:

- Respects local context and character;
- Is sustainable in design and construction, incorporating best practice in resource management and climate change mitigation and adaptation;
- Comprises details and materials that are of high quality and complement the local character;
- Is inclusive and accessible for all;
- Promotes health;
- Is secure and designed to minimise crime and antisocial behaviour;
- Incorporates high quality landscape design and maximises opportunities for greening (for example through planting of trees and other soft landscaping); and
- Carefully integrates building services equipment.

5.23 The Council will resist development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

- 5.24 Explanatory paragraph 7.23 emphasises that private outdoor amenity space, including roof terraces, can add significantly to one's quality of life and applicants are therefore encouraged to explore all options for the provision of new private outdoor space.
- 5.25 Policy D2 (Heritage) states that the Council will preserve and, where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas. The policy also states that in order to maintain the character of Camden's conservation areas, the Council will take account of conservation area statements, appraisals and management strategies when assessing applications within conservation areas.
- 5.26 Policy CC2 (Adapting to climate change) advises that all development should adopt appropriate climate change adaptation measures such as:
- Promoting new appropriate green infrastructure;
 - Not increasing, and wherever possible reducing, surface water runoff through increasing permeable surfaces and use of Sustainable Drainage Systems; and
 - Incorporating bio-diverse roofs, combination green and blue roofs (including SUDs) and green walls where appropriate.
- 5.27 Policy CC3 (Water and flooding) requires development to:
- Incorporate water efficiency measures;
 - Avoid harm to the water environment and improve water quality;
 - Consider the impact of development in areas at risk of flooding (including drainage); and
 - Utilise Sustainable Drainage Systems (SuDS) in line with the drainage hierarchy to achieve a greenfield run-off rate where feasible.

Camden Design Supplementary Planning Guidance (2021)

- 5.28 Camden is committed to excellence in design and the SPG advises that schemes should consider, amongst other criteria, the following:
- The context of a development and its surrounding area;
 - The design of the building itself;
 - The use and function of buildings;
 - Using good quality sustainable materials;
 - Creating well connected public spaces and good quality public realm;
 - Opportunities for promoting health and well-being; and,
 - Opportunities for improving the character and quality of an area.

6 PLANNING ASSESSMENT

6.1 The following matters are identified to be relevant for consideration of this planning application:

- Principle of development
- Ecology and Biodiversity
- Hydrology and SUDs
- Design Considerations
- Impact on Street Scene
- Impact on Historic Environment
- Impact on Neighbouring Amenity
- Delivery of the proposals and planning conditions

Principle of Development

6.2 The principle of development is considered on the basis that permission for the development at the Level 05 NE terrace has already been established through permission ref. 2022/2667/P in November 2022. That application was considered against the same framework of planning policies with the same set of planning issues.

6.3 The permission included installation of a platform deck, seating, planting and with a kiosk.

6.4 As such, it is considered that the principle of development on Level 05 NE has already been established and that, in this case, it is the relevant detail that needs to be addressed. Of these, ecology and biodiversity are the major issues.

Ecology and Biodiversity

6.5 With the change in flooring material to the new platform, the biodiversity contribution of the existing underperforming brown roof, even after the enhancements proposed, will not meet expected levels and although an alternative approach to the biodiversity was identified under that permission, in terms of further improvements to Level 06 SW, the Crick considers that an alternative approach would be more desirable and achieve a much greater overall contribution to biodiversity generally.

6.6 Firstly, it is important to mitigate the loss of the existing brown roof in its entirety, plus provide for the necessary net gain required by policy. This will be achieved by creating a new green roof above the proposed pavilion on Level 05 NE and the establishment of a green wall in addition to the Level 06 SW enhancements.

6.7 The accompanying Ecology and Biodiversity Report demonstrate that these will deliver:

- A net gain of **+18.99% for habitats**, compared to the 2022 proposals where the net gain was +7.87%
- **0.22 habitat units** post-development compared to 0.19 units pre-development.

6.8 Unlike the previous application, the landscape architect has already been retained to supervise the formal planting and replanting of the existing planter boxes at Level 05 NE, the green roof, the green wall and the Level 06 SW enhancements. That instruction includes responsibility for ensuring compliance with the approved specification and the landscape conditions associated with the delivery and commissioning of the landscaping scheme.

6.9 The Crick has recently published a far-reaching Sustainability Strategy, which is attached as part of this application for information only. This Strategy includes a commitment for year-on-year enhancement targets and the Crick has already appointed Consultants to advise on the setting of those targets, the underlying strategy and for the implementation and delivery of the enhancements themselves. Whilst this does not form part of this applications submission and is not required to satisfy the policy requirements associated with these proposals, the changes that are proposed, that will facilitate the wider plans, are a material consideration.

6.10 The Crick recognises that future Section 73 planning amendments may be necessary to achieve their objectives if changes to the original proposals for the building are protected by either condition

restrictions or Section 106 obligations. That being the case, then the Strategy will be directly linked to those submissions, as appropriate.

Hydrology and SUDs

- 6.11 Incorporated within the existing brown roof is a SuDS scheme designed to control water runoff from the roof to the attenuation tanks lower down in the building and then into the mains sewer system.
- 6.12 Water runoff will be no greater than before but the establishment of a green roof and wall on the terrace plus the intent to draw on retained water within the SuDS to irrigate planting at Level 05 NE will lead to some reduction in overall outflow and is consistent with planning policy and the corporate Sustainability Strategy.

Design Considerations

- 6.13 Other than the changes to the design of the decking material from mesh to Heel-guard, the key element to be considered under these proposals is the inclusion of an enlarged kiosk, to take the form of a pavilion, and the impact the proposals might have visually to the appearance of the building and within the street scene.

Pavilion

- 6.14 The proposed pavilion structure will be located adjacent to the access point to the terrace and set back from the northern elevation as opposed to being sited along the northern elevation as previously approved under permission ref. 2022/2667/P. The changes also include enlarging the floor area to respond to comments received from staff, which is to make the terrace suitable for use all year round.
- 6.15 In terms of materials, the proposed pavilion will comprise a predominantly glazed structure, with glazing panels that can be opened and stored on the terrace, without minimising amenity space. The roof will incorporate a retractable awning and will comprise a green roof, planted with species appropriate to the height and setting of the space under the roof overhang.
- 6.16 The Crick building is partly contemporary in design thanks to the areas of existing glazed windows and entrance doors on the northern and southern (Ossulston St) elevations and above the main entrance to Midland Road. The proposed glazed pavilion will comprise glass that will match the existing glazing found on the building, with supports and structures being the same colour as the elevation behind.
- 6.17 On the vertical plain the pavilion will be seen as part of the wider Crick building rather than a standalone enclosure on the terrace and from a distance it will not be discernible as an additional part of the structure.
- 6.18 The proposed awning will extend from the roof of the pavilion to the existing Level 05 NE planters. It will not go beyond the balustrades but will be slightly set back when fully open.

Decking

- 6.19 The proposed replacement material for the decking is Heel-guard, and this has been chosen for several reasons.
- 6.20 The first is that it will remove the existing utilitarian look that the mesh currently provides and is of a colour that complements the existing building and its materials. Importantly, it will overcome the concerns expressed by Health & Safety and ensure that access to the terrace is not restricted, so that it can be used by everyone having regard specifically to not discriminating against the prescribed characteristics of age, sex and disability under the Equalities Act.

Planting

- 6.21 In addition to the green roof, to the proposed pavilion, the proposals also include additional planters and a new green wall. These will significantly improve the appearance of the Level 05 terrace and complement the Francis Crick Institute as a whole for recognition as a research centre.

- 6.22 The proposals also include wildflower mounds across the entire of Level 06 SW terrace. This will involve the replacement and seeding of small mounds of substrate suitable for supporting extensive wildflower species directly onto the brown roof currently in place.

Policy Relationship

- 6.23 Design of the proposed pavilion has also had consideration to the character of the historic environment around the site and to ensuring that the setting of the King's Cross Conservation Area is unaffected. This is discussed further below.
- 6.24 It is considered that together with the glazed pavilion and inspiration of green wall, green roof, additional planters and new decking material, the existing utilitarian look of the Level 05 NE terrace will be addressed to provide a more welcoming space, appropriate to the building and the wider setting. Moreover, the improvements proposed, and enhancements to sustainability and biodiversity reflects the vision and purpose of The Francis Crick Institute as a world leading research centre, focussed on the wellbeing of people.
- 6.25 In light of the above, it is considered that the proposed development complies with paragraph 131 of the NPPF which states that good design is a key aspect to sustainable development. The development proposals seek to maximise the level of planters and ecology on site, contributing to sustainable development.
- 6.26 As such, the proposal also complies with London Plan policy D3 and Local Plan policy D1 as it maximises the opportunities of urban greening and optimises the use on the site, whilst respecting the local character and incorporating high quality materials, and in accordance with London Plan Policy D5 and Local Plan policy C6 as the new decking material is considered to be safe and friendly for all users.

Impact on Street Scene

- 6.27 The submitted Design & Access Statement incorporates a series of street views which demonstrates that the overall street scene will be unaffected by the proposed development.
- 6.28 It can be seen from the images that the proposed pavilion is of a modest form and scale and no more dominant than the existing approval.
- 6.29 This has been achieved by setting the pavilion back from the northern elevation, and also from the north-eastern elevation, which will reduce the impact it would have on the street scene.
- 6.30 From Brill Place, and the new Brill Tower, the pavilion will not be visible to residents at any level due to the main roof extension that already projects beyond the floor plate of the pavilion. The existing roof will screen views of the pavilion, and the elements that make up this application.
- 6.31 Whilst it is noted that parts of the development proposals will be partly visible from certain viewpoints, the pavilion is not at a scale which has potential to detract from the local character, impact the wider street scene or townscape, or the wider Francis Crick building.
- 6.32 It is considered that the proposal will respect the local context and character as it will not dominate the street scene or the Francis Crick building itself. The proposal is therefore considered to comply with Paragraph 126 of the NPPF, London Plan policy D3 and Local Plan policy D1.

Impact on Historic Environment

- 6.33 The north-eastern corner of the Crick site, comprising a small area of the public realm adjacent to Brill Place/Midland Road junction, is located within the King's Cross Conservation Area. However, the main building, and the Level 05 NE terrace lies outside the designated area.
- 6.34 That said, we have had regard to the relationship to and setting of the Conservation Area and the possible impacts that the proposals might have, particularly in respect to sub-area 2 which is the closest area to the site itself.
- 6.35 The Conservation Area Statement 22 – King's Cross (2003) highlights that *"This part of the King's Cross Conservation Area has experienced, and will continue to experience, the greatest degree of change between the passing of the CTRL Act and completion of CTRL works at the end of 2006. Some of the buildings and structures and hard landscaping that contributed to the urban grain between the stations have been dismantled or removed and the street layout has been in part altered. This has, in turn, opened up new views."*

- 6.36 The Conservation Area Statement was published in 2003, hence it does not include the Francis Crick Institute within the character appraisal. However, it does recognise the area “*will continue to experience, the greatest degree of change.*” It is considered that the change includes the development of the Francis Crick Institute. Hence, the continued development proposals on the Site and the surrounding area can be anticipated.
- 6.37 The proposed development is located within an existing building and part has already been consented for development as explained above. This shows that the impact on the conservation area as a result of the development in principle was considered acceptable.
- 6.38 While there are some material changes proposed under this proposal compared to the previously consented scheme, the proposed development has been designed in consideration of the conservation area and the historic character. This includes through the use of materials which are already present at the Site (glazed windows and doors, timber seating space and planters).
- 6.39 It is therefore considered that the proposed development will not impact on the setting of the conservation area and that it is therefore compliant with chapter 16 of the NPPF (2023) which seeks to conserve heritage assets and Local Plan policy D2, which states that conservation area statements will be taken into account when assessing planning applications within conservation areas.
- 6.40 Due to the scope of the proposed application, which is on an existing built development, and lies outside the designated Conservation Area in any event, it is considered that the assessment above is proportionate in assessing the proposals on the wider setting of the Conservation Area and for the reasons given, that the proposals accord with relevant policies.

Impact on Neighbouring Amenity

- 6.41 Conditions 7, 8 and 9 attached to permission ref. 2022/2667/P have regard to the permitted noise levels, hours of use and the use of music. As highlighted within Table 1, the applicant is not seeking to vary these.
- 6.42 The applicant accepts that these conditions are appropriate in the context of the proposals and invites the Council to transfer these to any new permission to ensure there is no impact on the neighbouring amenity.
- 6.43 The proposal will therefore not have any impact on the amenity of neighbouring occupiers and users. In light of this, the proposal is considered to be compliant with paragraph 185 of the NPPF which seeks to ensure that developments mitigate and reduce potential impacts resulting from noise; with London Plan policy D14, which highlights that noise should be mitigated and minimised without placing unreasonable restrictions on the existing noise generating uses. The conditions, requiring compliance with the permitted hours of use, permitted noise levels and the use of music are considered reasonable and acceptable to mitigate noise level while ensuring that the proposed development is not restricted. Finally, the proposal will comply with Local Plan policy A14 which requires noise and vibration to be controlled and managed.

Delivery of the Proposals and Planning Conditions

- 6.44 As the council will appreciate, this application seeks to amend/replace the approved scheme under reference 2022/2667/P approved in November 2022 and which has, in part, been implemented.
- 6.45 Accordingly, it is appropriate to set out how these proposals would be brought forward and what conditions, having regards to the earlier permission, might be appropriate in this case. This in no way seeks to restrict the council in imposing additional conditions, or for that matter considering that those set out below are not relevant or appropriate having regards to the relevant statutory tests.
- 6.46 Having regard to the Decision Notice and conditions imposed under permission reference 2022/2667/P dated 25 November 2022, the following are all considered appropriate and are welcomed:
- Condition 1 – Commencement – No change
 - Condition 2 – List of approved plans and documents – No change but updated to reflect this submission
 - Condition 3 – Materials – No change

- Condition 4 – Landscape and Ecological Management Plan in respect to the Level 06 SW roof area (not required under these proposals for Level 05 NE).
- Condition 7 – Noise – No change
- Condition 8 – Hours of use – No change
- Condition 9 – Restriction on music volume – No change

6.47 With respect to the Landscaping Conditions (Conditions 5 and 6), condition 5 is no longer required as it is intended as part of the proposals to plant wildflower mounds across the whole of the roof area. We would suggest that condition 6 should be amended to incorporate a compliance requirement in respect to this area and in respect to Level 05 NE as follows:

6. All hard and soft landscaping works to both Levels 05 NE and 06 SW shall be carried out in accordance with the approved landscape details by not later than the end of the planting season following first use of the Level 05 NE Terrace or in respect to the works on Level 05 NE only that part of the development where planting areas are completed in different planting seasons. Any trees or areas of planting which, within a period of 5 years from the completion of the development or completion of the final part of the development if planting occurs in a later planting season, die, are removed or become seriously damaged or diseased, shall be replaced as soon as is reasonably possible and, in any case, by not later than the end of the following planting season, with others of similar size and species, unless the local planning authority gives written consent to any variation.

6.48 This amendment would mean that the planting would be maintained for at least 5-years after completion of the final part of planting under the landscaping scheme. For example, it is likely that the last area to be planted would be the green roof to the pavilion. That would mean that if the planters on the terrace level are completed in 2024 and brought into use in advance of the construction of the pavilion and its green roof in, for example, 2025, then all planting would be maintained under this condition until 2030.

6.49 We would also propose that a condition along the following lines should be imposed to replace the requirement to undertake a biodiversity audit and to ensure compliance with the biodiversity and landscape strategy:

Written notification shall be made to the Council on completion of each phase of planting activity. The phase shall comprise the terrace level, green wall and green roof. Notification shall include confirmation of compliance with the specification of the landscaping scheme hereby approved including the plants and species stated, and the planting season in which the works were carried out.

Reason – To ensure compliance with the provisions of the Landscaping Scheme and the delivery of the Biodiversity benefits arising from these proposals in accordance with policies
.....

7 CONCLUSION

- 7.1 This application seeks permission for a new proposal in respect to the staff amenity area on the Level 05 roof, and will supersede that approved under permission ref. 2022/2667/P at the eastern end of the Francis Crick Institute, fronting Midland Road. The 2022 development has not been completed, and the space has not been brought in to use due to the following reasons:
- The types and species of plants approved had not been used by the sub-contractors and hence there is a need to rectify this;
 - An opportunity to assess how the brown roof was performing under the metal mesh;
 - The metal mesh decking is not considered to be accessible for all and raises health and safety issues which needs to be addressed;
 - Staff feedback was to provide a sheltered/enclosed area for multi-purpose and so it can be operational all year round.
- 7.2 This application is submitted to address the reasons for the suspension of works completed in respect to the 2022 permission. It includes an improvement to the Level 05 NE roof in terms of sustainability features and further ecological enhancements in form of a green roof, a green wall and additional planters of mix of species and the enhancement of the brown roof at Level 06 SW through the seeding of new mounds with wildflowers.
- 7.3 The proposals are supported by policies at all levels and to meet the goals of the Sustainability Strategy adopted by the Francis Crick in September 2023.
- 7.4 The proposals comprise of an enclosed area for social gatherings and maximises the opportunity to enhance the sustainability on site. Overall, the proposals see a net gain in the biodiversity level of the site through these enhancements to an existing area of landscaping.
- 7.5 The **biodiversity net gain** arising from these proposals is **+18.99%**, compared to +7.87% under the 2022 permission.
- 7.6 Consideration has also been given to the potential impacts of the development on the neighbouring amenity, the historic environment, and the impact on street. The proposals are compliant with the relevant policies which seek to protect these elements.
- 7.7 Overall, we would commend these proposals to you and highlight that the proposals are an improvement from permission ref. 2022/2667/P. The principle of the development has been established and meets the relevant planning policies. Hence, we consider that the proposals accord with the development plan and should be approved without delay in accordance with paragraph 11c of the NPPF (December 2023).