

Fox Court

Planning Statement

November 2023

DP9 Ltd

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Contents

1.	Introduction	3
2.	Site Context.....	5
3.	Planning History.....	6
4.	Pre-Application Discussions and Consultation	7
5.	Application Proposals	8
6.	Planning Policy Framework and Overview	11
7.	Planning Policy Assessment.....	13
8.	Planning Obligations and Section 106	24
9.	Conclusions	26



1. Introduction

- 1.1 This Planning Statement has been prepared by DP9 Ltd (hereafter referred to as 'DP9') on behalf of Clare Real Estate (14 Gray's Inn Road) Ltd ('the applicant'), in support of a full planning application for the development of Fox Court, 14 Gray's Inn Road, London WC1X 8HN ('the site'). The proposal has been the subject of extensive pre-engagement with the officers at the London Borough of Camden (LBC) and has been designed to respond to the comments received
- 1.2 This Planning Statement provides a general description and an evaluation of the proposed development against relevant national, strategic and local planning policy guidance. It should be read in conjunction with the following documents submitted as supporting material to the application:

Document Title	Prepared By
Existing and proposed drawings	Buckley Gray Yeoman
Design & Access Statement	Buckley Gray Yeoman
Access Statement	David Bonnett Associates
Landscape Design Statement and drawings	Grant Associates
Financial Viability Assessment	DS2
Heritage, Townscape and Visual Impact Assessment	The Townscape Consultancy
Environmental Noise Survey & Noise Impact Assessment Report	Quantum Acoustics
Air Quality Assessment	MTT
Archaeological Assessment	Hawk Heritage
Preliminary Ecological Appraisal	Aven Ecology
Biodiversity Report & Ecological Management Plan	Aven Ecology
Bat Survey Report	Aven Ecology
Transport Assessment	Waterman
Construction Management Plan Pro Forma	Waterman
Framework Travel Plan	Waterman
Delivery & Servicing Plan	Waterman



Operational Waste Management Strategy	Waterman
Preliminary Contamination Risk Assessment	GEA
Daylight, Sunlight & Shadow Report	Point2
Flood Risk Assessment	Elliott Wood
Drainage Strategy	Elliott Wood
Energy & Sustainability Statement	MTT
Whole Life-Cycle Carbon Assessment	MTT
Circular Economy Statement	MTT
Employment, Training and Regeneration Statement	AND
Statement of Community Involvement	Lowick
Fire Statement	The Fire Surgery



2. Site Context

The Site

- 2.1 Fox Court is located within the Holborn & Covent Garden Ward within the London Borough of Camden (LBC). It is a 9 storey purpose built office building (14,287 sqm GIA of Class E office floorspace), in a U-shape with an external courtyard space to the north of the building. The building is finished predominantly in red brick with glazing and cladding to the Gray's Inn Road frontage. It is of no architectural merit.
- 2.2 In terms of planning designations, the site lies within the Central Activities Zone (CAZ) / Camden's Central London Area, the London View Management Framework (LVMF) protected vista from Primrose Hill to St Paul's Cathedral and the background areas of the views from Blackheath Point and Greenwich Park.

Surrounding Area

- 2.3 To the south is the recently completed 150 High Holborn office and residential development. To the west, beyond Gray's Inn Road, is an 8 storey building with retail at ground floor and residential above that turns the corner onto High Holborn and the office buildings surrounding Gray's Inn South Square. To the north is a predominantly residential area comprising 6 storey buildings fronting Gray's Inn Road, a 4 storey building facing Brooke's Market and 2 storey buildings in Brookes Court, which also includes the Holborn Mosque. To the east, on the other side of Brooke Street, is the Waterhouse Square office complex.

Heritage Context

- 2.4 The site lies between two conservation areas, Bloomsbury Conservation Area on the west side of Gray's Inn Road and Hatton Garden Conservation Area to the east of Brook Street. Waterhouse Square (The Prudential Insurance Building) is Grade II* listed and Church of St Alban the Martyr (Grade II*) and its associated Clergy and Railings (Grade II) to the north of the site are listed. Within the Gray's Inn complex to the west are a number of listed buildings including The Hall (Grade I), The Chapel (Grade II) and Statue of Francis Bacon (Grade II), all set within the Grade II* Gray's Inn Registered Park and Garden.

Transport Context

- 2.5 The Site benefits from excellent public transport links. Chancery Lane Underground Station (Central Line) is 120m walk away and Farringdon Station (Circle, Hammersmith & City and Metropolitan Underground, Elizabeth Line and Thameslink Rail) is 600m walk away. Five bus routes operate within the vicinity of the Site, along with excellent cycle connections. The Site is located in an area with a Public Transport Accessibility Level (PTAL) rating of 6b, the highest achievable.



3. Planning History

3.1 This section summarises the key planning history for the Site and adjacent properties.

The Site

3.2 Planning permission was granted on 31st October 1975 (LBC ref. N16/20/A/18886) for the construction of a part 3, part 4 and part 8 storey building for use as a computer centre with ancillary offices. This is the planning permission relating to the original construction of the current building.

3.3 Planning permission was granted on 27th January 1995 (LBC ref. 9401522) for the refurbishment of the building including the demolition of a 4 storey computer block and the creation of a landscaped courtyard, the insertion of windows to the south and east elevations the recladding of the west elevation and the erection of small extensions at second third and fourth floor levels to provide new office accommodation. These are the works that have broadly led to the current condition of the building.

3.4 Planning permission was granted on 14th May 2013 (LBC ref. 2013/0786/P) for a 4 storey infill extension to the existing courtyard providing a retail unit on the ground floor and office floorspace on the upper floors, as well as refurbishment of the building including a new entrance, external alterations and rooftop plant. This permission was not implemented and has now lapsed.

Surrounding Area

3.5 The Waterhouse Square office complex is the subject of a current planning application (ref. 2023/3419/P) for the following description of development:

“Refurbishment and extension of existing office building to provide high quality commercial floorspace (Class E) and flexible commercial (Class E) and bar (sui generis) space at 2 Waterhouse Square including external alterations, reconfiguration of entrances and servicing arrangements, new hard and soft landscaping, provision of cycle parking and other ancillary works.”



4. Pre-Application Discussions and Consultation

- 4.1 The scheme has been the subject of extensive pre-application discussions with LBC officers over a 13 month period, including 7 pre-application meetings and a Design Review Panel (DRP). This engagement has covered a full range of topics, including design, land use (including the mixed use policy), viability, sustainability, heritage, transport and localised amenity impacts.
- 4.2 LBC officers have been supportive of the modernisation of Fox Court to create a 'best in class' office development for this part of Mid Town; and for the provision of affordable workspace. LBC officers also support retaining as much built fabric as possible. As part of pre-application discussions, LBC's appointed viability consultants, BPS, have also agreed that the application scheme is in deficit and that an option incorporating residential on-site is even less viable.
- 4.3 A detailed summary of pre-application consultation can be found in Section 4 of the Design and Access Statement.
- 4.4 The Applicant has also carried out community consultation in the form of an introductory newsletter and a public exhibition in June 2023. The exhibition was attended by two representatives of the Central District Alliance (CDA) and Hatton Garden Business Improvement District (BID), both of whom made supportive comments.
- 4.5 A detailed summary of community consultation can be found in the Statement of Community Involvement (SCI).



5. Application Proposals

Description of Development

5.1 The planning application seeks detailed planning permission for the following description of development:

“Demolition of existing facades, retaining existing reinforced concrete frame and basement structures; refurbishment and reconfiguration of the existing office (Use Class E) building for continued office use including extensions with new facades to the west elevation fronting Gray’s Inn Road (9 storeys), to the northern courtyard elevation facing Brookes Court (9 storeys), to the existing 5 storey north-east wing fronting Brook Street (3 storeys) and to the south elevation (8 storeys); external alterations, provision of rooftop amenity terraces, landscaping and associated works”

5.2 The proposed development falls within one red line area and specifically comprises of the following components:

- Retrofit and extension of the existing office building to provide additional office accommodation, with an uplift of 8,579sqm GIA (9,652sqm GEA).
- Existing reinforced concrete frame to be retained, along with ground floor slab and basement structure.
- Extensions to west, north and south sides of the building with new facades.
- Provision of a central atrium space between the existing structure and the northern extension for internal circulation and rooftop amenity spaces for tenants, including urban greening.
- Provision of cycle parking and servicing at basement level, provision of plant space at roof and basement levels.

5.3 Table 1 below summarises the overall quantum of development in the existing building and the proposal.

	Sqm GEA	Sqm GIA
Existing	15,319	14,287
Proposed	24,971	22,866
Change	+9,652	+8,579

Table 1: Existing and proposed Class E floorspace

Layout, Scale and Massing

5.4 Full details relating to the design of all elements of the proposed development are provided in the accompanying Design and Access Statement prepared by Buckley Gray Yeoman. A summary of the key elements of the proposed development is provided below.



- 5.5 The key objective of the project is to create a ‘best in class’ headquarters office building for the Midtown area, with a focus on sustainability and occupier amenity and wellbeing. One of the key design principles of the proposed development, established through early feasibility studies, is to retain as much built fabric as possible, whilst also enhancing the appearance of the building and improving its interaction with the surrounding streets.
- 5.6 The proposal retains the majority of the existing reinforced concrete frame, comprising the majority of the embodied carbon within the building. The massing of the building would be extended on all sides with new facades, predominantly of red brick and stone / reconstituted stone. Ground floor slab levels fronting Gray’s Inn Road would be reduced to street level to provide level access and an improved threshold with footway, removing the unsightly access ramp and balustrades.
- 5.7 Internally, the extended building would provide enlarged office floorplates and would create a central atrium space that can be accessed either from Gray’s Inn Road or from the enhanced Brook Street access that will enliven the eastern ground floor elevation and provide convenient access for occupiers arriving from Farringdon Station or the Hatton Garden area. On the upper levels, the massing steps back to create a series of amenity terraces and reduce the townscape and neighbourly impact.
- 5.8 The overall height of the building is not proposed to be increased in view of the potential impact on LVMF views. The existing rooftop plant area will however be rationalised to create additional office accommodation, on top of which will be a green roof and photovoltaic (PV) panels.

Landscaping

- 5.9 Landscaping proposals reflect the urban character of the Site and is embedded into the ambition to create a greener, more sustainable building, with a focus on occupier wellness. The Landscape Design Statement, prepared by Grant Associates, explains how the landscaping strategy will enhance the appearance of the development by greening the occupier amenity terraces throughout the building. Urban biodiversity would be enhanced through the inclusion of a green roof and new habitats, achieving a Biodiversity Net Gain of 122% and an Urban Greening Factor score of 0.305.

Access

- 5.10 The proposal would remove the existing 26 space car park and provide high quality end of journey facilities for cyclists, including policy-compliant cycle parking and showers. The existing basement ramp would be utilised to provide access, with an accessible route proposed through the building. Short stay cycle parking would be provided to the south of the building and within Brooke’s Market.



- 5.11 Pedestrian access would be provided from Gray's Inn Road and Brooke Street, with the building entrances enhanced, and accessible circulation provided throughout the building. The ground floor slab on the Gray's Inn Road frontage would be dropped to enable level access and the removal of the existing ramp and railings, which are not currently fully accessible for wheelchair users.

Deliveries, Servicing and Refuse Collection

- 5.12 Deliveries and refuse collection would be handled from the Brooke Street frontage where a dedicated loading bay and bin store is proposed. The loading bay will be able to handle the majority of delivery vehicles associated with the office use and the bin store has been sized to accommodate the necessary storage for the occupancy of the building. The Delivery & Servicing Plan and Operational Waste Management Strategy provide further details of the proposed servicing and waste management arrangements.



6. Planning Policy Framework and Overview

- 6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the Development Plan, unless material considerations indicate otherwise.
- 6.2 This Section sets out the main national, regional and local planning policy and guidance relevant to the determination of the proposed development. An assessment of the proposal in the context of relevant policies and guidance is provided at section 7 below.
- 6.3 The Development Plan for the Site comprises the following:
- The London Plan (March 2021)
 - Camden Local Plan (July 2017)
- 6.4 In addition to the Development Plan, the following planning policy and guidance documents are material considerations in the determination of the application.

National planning guidance

- National Planning Policy Framework (NPPF) (September 2023)
- National Planning Practice Guidance (NPPG)

London Plan Guidance

- Optimising Site Capacity: A Design-led Approach LPG (2023)
- Draft Fire Safety LPG (2022)
- London View Management Framework SPG (2012)
- Urban Greening Factor LPG (2023)
- Air Quality Neutral LPG (2023)
- Circular Economy Statements LPG (2022)
- Whole Life-cycle Carbon Assessments (2022)
- Control of Dust and Emissions SPG (2014)
- Energy Planning Guidance (2022)
- Sustainable Transport, Walking and Cycling LPG (2022)

Camden Planning Guidance (CPG) and other guidance

- Access for All CPG (2019)
- Air Quality CPG (2021)
- Amenity CPG (2021)
- Biodiversity CPG (2021)
- Design CPG (2021)
- Developer Contribution CPG (2019)



- Employment Sites and Business Premises CPG (2021)
- Transport CPG (2021)
- Water and Flooding CPG (2019)
- Affordable Workspace Strategy (2023)



7. Planning Policy Assessment

7.1 This section reviews all of the policies contained in the aforementioned documents which are relevant to the proposal and provides an assessment of how it complies with planning policy in respect of the following:

- Land Use;
- Design, Heritage, Townscape and Views;
- Transport and Servicing;
- Landscaping, Urban Greening and Ecology;
- Energy and Sustainability;
- Amenity Impacts;
- Environmental and Construction Impacts; and
- Public Benefits.

Land Use

7.2 The NPPF identifies three dimensions to sustainable development; economic, social and environmental. In order to fulfil an economic role, the planning system needs to contribute to building a “strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity.” Paragraph 81 states that “planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt”.

7.3 Policy E1 of the London Plan promotes development of business functions in the CAZ and also seeks to consolidate the diverse office markets across London, “focussing new development in town centres and other existing office clusters”. Table 6.1 identifies demand for office floorspace in the CAZ of 3.5 million sqm between 2016-2041. Part D of Policy E2 requires proposals for new business floorspace greater than 2,500sqm (GEA) to “consider the scope to provide a proportion of flexible workspace or smaller units suitable for micro, small and medium-sized enterprises”.

7.4 Policy E1 of the Camden Local Plan seeks to safeguard and intensify employment sites and premises in the borough; directing new office development to growth areas, Central London and town centres to meet a forecast demand of 695,000sqm of office floorspace between 2014 and 2031. Policy E2 seeks to increase, or at least maintain, floorspace on employment sites and promotes the inclusion of managed workspace for small and medium enterprises (SMEs). Further guidance is provided in the associated CPG.

7.5 The proposal to modernise and extend this large Central London office building to provide ‘best in class’ space with a floorspace uplift of 8,579sqm GIA responds positively to planning policy at all levels regarding the need for office floorspace. The uplift in job numbers is



expected to be 889 (based on 350 existing employees and 1,239 proposed). The Site is also an appropriate location for intensification of office use, in the CAZ and with excellent public transport access.

- 7.6 The scheme also provides affordable workspace at 10% of the GIA floorspace uplift on the ground and basement floors, which has been designed to be used by the jewellery industry that is prevalent in the nearby Hatton Garden area. This would provide a significant amount of jewellery workshop space for SMEs, along with associated ground floor flexible event space to address an identified local need and responds positively to Camden's recently published Affordable Workspace Strategy. Further detail is provided in the Employment, Training and Regeneration Statement, which also highlights the wider economic benefits the scheme will deliver.
- 7.7 Policy H2 of the Camden Local Plan promotes the inclusion of self-contained homes as part of a mix of uses, particularly where 1,000sqm (GIA) or more of additional commercial floorspace is proposed. Throughout pre-application discussions, 15 feasibility options for incorporating residential use on the Site, along with enhanced office floorspace, have been discussed with Camden officers. These are summarised in the Design & Access Statement, along with the challenges these present for achieving an efficient and deliverable office development, fire safety, residential quality and sustainability.
- 7.8 Furthermore, the Financial Viability Assessment, which has been reviewed by Camden officers and their independent advisors as part of pre-application engagement, concludes that there is a 'viability gap' of £7 million between an office-only scheme and a mixed-use scheme incorporating residential. The mixed-use scheme was tested on the basis of the most feasible option discussed with Camden officers, so represents the most realistic comparison.
- 7.9 As such it is not feasible or viable to provide housing or affordable housing on Site, in line with the criteria in Policy H2. The FVA also concludes that the application scheme is in deficit and cannot viably provide a payment in lieu (PIL) of affordable housing.
- 7.10 Notwithstanding the conclusions of the FVA, the applicant recognises the importance of affordable housing delivery in the borough and is committed to agreeing a PIL with Camden officers during the determination of the planning application, as part of the wider package of public benefits that this scheme will offer.

Design, Heritage, Townscape and Views

- 7.11 The NPPF states that "the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve".
- 7.12 NPPF paragraph 202 states that "where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use".



- 7.13 The London Plan contains a range of policies geared towards achieving a high standard of design and preserving heritage significance, including D3 (Optimising site capacity through the design-led approach); D5 (Inclusive design); D12 (Fire safety); HC1 (Heritage conservation and growth); HC3 and HC4 (Strategic and local views, London View Management Framework (LVMF)).
- 7.14 Policy D1 of the Camden Local Plan seeks to secure high quality design in development, that (amongst other things); respects local context and character (a and e); preserves and enhances the historic environment (b, also Policy D2); is sustainable in design and construction (c and d); integrates well with surrounding streets and spaces (f); is inclusive and accessible (g); incorporates high quality landscape design (k); preserves local and strategic views (m); and carefully integrates building services equipment (o).
- 7.15 The proposed development has been designed to a considerable level of detail and has responded to pre-application engagement and scrutiny by Camden’s Design Review Panel, which has resulted in a high quality of architecture and design. The quality of the proposed development is evident in the supporting material and will result in a significant enhancement of the existing architecturally poor building with high quality interesting and enriched architecture, better responding to the character of the local area, incorporating red brick masonry, stone and concrete treatments.
- 7.16 As demonstrated in the Design & Access Statement, the proposal significantly improves the relationship of the building to all Site edges, particularly on the Gray’s Inn Road and Brook Street frontages where active frontages are increased and accessibility to the building is enhanced.
- 7.17 The massing of the proposals has evolved through pre-application discussions with Camden officers and guidance from the DRP. The approach to massing manages the transition between the coarse grain office building to the south, 150 High Holborn, and the lower rise residential context to the north. The northern courtyard extensions steps down from nine storeys towards to the two storey properties at Brookes Court and the stepped frontage along Gray’s Inn Road is largely retained, reflecting the change in character along Gray’s Inn Road.
- 7.18 A key height and massing constraint underpinning the proposal is the LVMF Protected Vista from Primrose Hill to St Paul’s Cathedral (View 4A.1). The existing building breaches the threshold plane in this view, but the proposed development, whilst extending the building laterally, does not result in an overall height increase. As such there would be no additional impact on this view. The proposal would also not be visible in the background of LVMF Views 5A.1 or 6A.1. The Heritage, Townscape and Visual Impact Assessment (HTVIA) provides a detailed assessment of the impact on these strategic views.
- 7.19 In terms of the wider townscape and heritage setting, whilst the Site does not contain listed building and is not located within a conservation area, there are a number of heritage assets



in the vicinity. These are set out in detail in the HTVIA and include the Bloomsbury Conservation Area and Registered Park & Garden to the west, the Grade II* listed Church of St Alban the Martyr to the north and the wider Hatton Garden Conservation Area to the east.

- 7.20 As demonstrated in the HTVA, in view of the enclosed nature of much of the Site and separation distances to heritage assets, the townscape and heritage impact of the proposals are limited and would generally preserve the significance of heritage assets.
- 7.21 The Gray's Inn Road frontage of the building is currently visible in views from the Gray's Inn complex to the west, with the Bloomsbury Conservation Area. This is most apparent in views from South Square where the existing building is visible above the building line of the re-built post-war buildings fronting Gray's Inn Road, which are not listed. The proposal would increase the massing slightly, although the stepped approach is largely retained to maintain sky visibility. In response to pre-application discussions, the upper floors of the new façade treatments have been lightened to appear more recessive.
- 7.22 It is considered that the character and appearance of the Bloomsbury Conservation Area would be preserved, noting that this view only represents a small proportion of the conservation area and one that is characterised by buildings re-built post-war and not listed. The change to the setting is considered to be minor and would result in no harm to significance. Should harm be identified, this could only be at the very low end of less than substantial harm, which would be clearly and convincingly outweighed by the public benefits of the scheme, which are set out below.
- 7.23 London Plan Policy D12 requires a fire statement to be submitted with all applications for major development. The accompanying Fire Statement, prepared by The Fire Surgery, demonstrates that the proposals have considered fire safety at the earliest stage, and the further development of the fire strategy will be based upon these principles.

Transport and Servicing

- 7.24 The NPPF promotes the use of sustainable transport modes, seeks safe and suitable access and requires significant impacts on the transport network to be mitigated. Paragraph 111 states that "development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe".
- 7.25 The London Plan requires development proposals to demonstrate how they will deliver improvements that support the Healthy Streets Indicators, reduce the dominance of vehicles and not increase road danger. Policy T5 sets cycle parking standards for new development.
- 7.26 Policy T1 of the Camden Local Plan promotes sustainable transport by prioritising walking, cycling and public transport in the borough, by ensuring that developments (amongst other things); improve the pedestrian environment (a and b); provides for accessible, secure cycle



parking and changing facilities (h and i); and contributes to public transport enhancements where trips generated are likely to exceed capacity.

- 7.27 The proposals include the removal of all on-site car parking spaces, resulting in a car-free development, in accordance with Camden Local Plan Policy T2. The basement level would be re-purposed to provide high quality end-of-trip facilities for cyclists, including cycle parking in line with London Plan standards, plus 20% in accordance with Camden Planning Guidance requirements.
- 7.28 The proposals will extend the building's façade along Gray's Inn Road for floors one and above. Columns will be introduced within the Site's boundary, to support the extended façade. The existing ramp and steps providing access to the site will be removed. A Pedestrian Comfort Assessment (PCA) has been undertaken of the previous, existing and proposed site frontage, which confirms that there would be a net positive impact on the pedestrian environment along Gray's Inn Road.
- 7.29 The Healthy Streets Check for Designers toolkit indicates that proposed development would increase the overall Healthy Streets score of the Site's Gray's Inn Road frontage and an Active Travel Zone (ATZ) assessment concludes that the pedestrian and cycle environment is generally of a high quality, with the exception of existing deficiencies, temporary works and maintenance.
- 7.30 A multi-modal trip generation assessment of the existing and proposed Site has been undertaken. The results of the suggest that the proposed development could result in an uplift of 266 two-way total person trips in the AM peak, an uplift of 243 two-way total person trips in the PM peak and an uplift of 1,879 two-way total person trips across the duration of a day. The proposed development will remove the existing 26 space basement car park and result in a reduction of vehicle trips of 22 in the AM Peak, 19 in the PM peak and 149 throughout a day. The proposed development is therefore expected to have a positive impact on the surrounding highway network. Give the Sites excellent accessibility to public transport (PTAL 6b), the increase in walking, cycling and public transport trips are expected to have a negligible impact on the surrounding network.
- 7.31 A Delivery & Servicing Plan has been submitted to support the application. This concludes that an increase in servicing trips of 17 vehicles a day is expected, which can be accommodated within a dedicated loading bay accessed from Brooke Street. As outlined in the Operational Waste Management Strategy, sufficient refuse storage has also been provided in a dedicated store, that can be safely accessed from Brooke Street. It is therefore considered the proposed delivery and servicing strategy will have a negligible impact on the operation and safety of the surrounding highway network and on pedestrians, cyclists and vehicle users.



Landscaping, Urban Greening and Ecology

- 7.32 The Landscape Design Statement, prepared by Grant Associates, explains how the landscaping strategy will enhance the appearance of the development by greening the occupier amenity terraces throughout the building, achieving a high standard of landscaping design as required by Local Plan Policy D1.
- 7.33 Urban biodiversity would be enhanced through the inclusion of a green roof, native planting and new habitats. The submitted Preliminary Ecological Appraisal concludes a Biodiversity Net Gain (BNG) of 122%, which responds positively to London Plan Policy G6 and Camden Local Plan Policies A3 and CC2.
- 7.34 The Landscape Design Statement confirms that an Urban Greening Factor (UGF) score of 0.305 can be achieved, which exceeds the target score for commercial developments in London Plan Policy G5.

Energy and Sustainability

- 7.35 London Plan Policy S12 requires major development to be net zero-carbon in operation, by following the energy hierarchy:
- 1) be lean: use less energy and manage demand during operation
 - 2) be clean: exploit local energy resources (such as secondary heat) and supply energy efficiently and cleanly
 - 3) be green: maximise opportunities for renewable energy by producing, storing and using renewable energy on-site
 - 4) be seen: monitor, verify and report on energy performance.
- 7.36 A minimum on-site reduction of at least 35% beyond Building Regulations is required, with commercial development achieving 15% through energy efficiency measures alone. Where it is clearly demonstrated that the zero-carbon target cannot be fully achieved on-site, any shortfall should be provided through a payment in lieu to the borough's offset fund.
- 7.37 Camden Local Plan Policy CC1 requires all development to minimise the effects of climate change and encourage all developments to meet the highest feasible environmental standards. Policy CC2 requires non-domestic developments of 500sqm or more floorspace to achieve BREEAM "Excellent" and encourages zero-carbon in new development from 2019.
- 7.38 The submitted Energy & Sustainability Statement sets out how the proposal responds to these policies. The development would achieve the net-zero London Plan requirement in line with the energy hierarchy and subject to a carbon offset payment of £85,500 associated with the new build component. The regulated carbon dioxide savings on-site are 30.3% across the whole development. Whilst this falls short of the London Plan target of 35%, the GLA's Energy Assessment Guidance updates - Part L 2021 of building regulations' document (15th June



2022), states: “non-residential developments may find it more challenging to achieve significant on-site carbon reductions beyond Part L 2021 to meet both the energy efficiency target and the minimum 35 per cent improvement... However, planning applicants will still be expected to follow the energy hierarchy to maximise carbon savings before offsetting is considered”.

- 7.39 It is considered that all opportunities to reduce carbon dioxide emissions have been implemented and the overall carbon dioxide emissions reduction has been maximised.
- 7.40 The Energy & Sustainability Statement includes a BREEAM pre-assessment which confirms that “Excellent” can be achieved in line with the Camden Local Plan.
- 7.41 A Whole Life-cycle Carbon Assessment (WLCA) and Circular Economy Statement (CES) have also been submitted at the request of Camden officers. These documents have been prepared in accordance with London Plan policy requirements and guidance within the relevant London Plan Guidance documents.
- 7.42 The WLCA concludes that the total Global Warming Potential of the proposed development is approximately 11% lower than the GLA Aspirational Benchmark. The CES demonstrates a robust response to London Plan policy and guidance, and the design incorporates a number of initiatives to reduce materials used, increase recycling and limit waste sent to landfill.
- 7.43 Overall these reports underpin the chosen approach to retain as much of the existing structure of the building as possible, thereby minimising the loss of embodied carbon. The Module A1-A5 upfront embodied carbon for the scheme is estimated to be 9,171,072 kgCO₂e (or 402.74 kgCO₂e/m²). The scheme’s A1-A5 ‘cradle to practical completion’ carbon emissions are therefore approximately 33% lower than the GLA Aspirational WLC benchmark. It will be expected that future commitments will be secured by planning condition and further details provided following grant of planning permission, as the design progresses.

Amenity Impacts

- 7.44 Camden Local Plan Policy A1 seeks to protect the quality of life of occupiers and neighbours, including from impacts on privacy, outlook, sunlight, daylight, overshadowing, construction and noise.
- 7.45 The submitted Daylight, Sunlight and Shadow Report, prepared by Point2, analyses the impact on neighbouring residential properties in line with the BRE Guidance. The Report concludes that the majority of the surrounding properties will fully satisfy the BRE daylight and sunlight guidelines. The exceptions are:
 - i) 150 High Holborn: This is a recently constructed residential block close to the southern boundary of the Site and the design of the building includes features like recessed windows and balconies that inhibit sky visibility. As a result, 24 out of 49 windows will satisfy BRE Vertical Sky Component (VSC) daylight guidance, whilst 21 out of 26 rooms



will meet BRE No Sky Line (NSL) daylight guidance (with the majority of NSL breaches only being fractionally above the 20% permitted BRE change). All windows relevant to consideration of sunlight are BRE compliant. Whilst the southern extension proposed moves the massing closer to this property, the lighter external façade treatment will increase brightness by reflecting more sunlight. As a result, there is not expected to be a noticeable change to the light received by this property.

- ii) 24-28 Gray's Inn Road: This is a mixed-use building adjacent to the north-east corner of the Site, with residential on the upper floors. The rear elevation, facing the Site, contains 20 windows which serve 20 bedrooms. The outlook from these rooms is currently blocked by a heavy external fire escape stair serving the existing building on the Site. This will be removed as part of the proposed scheme and replaced with a repositioned external stair. As a result, 18 out of 20 windows will meet BRE VSC daylight guidance, 2 will exceed guidance (22% & 38% change compared to a BRE permitted 20%) and 8 windows improve, in some cases substantially (up to 131% increase). In terms of NSL daylight, 11 bedrooms will satisfy BRE guidance and 9 will exceed. As such, whilst there are alterations in the extent to which daylight can penetrate into the bedrooms, they are largely BRE compliant and the relocated staircase results in a material improvement, as well as improving the outlook from this properties (discussed in more detail below).
- iii) Brooke's Court: To the north of the site, there are a group of residential properties close to the Site boundary. All 136 windows within the estate will satisfy BRE VSC daylight guidance and 100 out of 101 rooms will satisfy BRE NSL daylight guidance. The exception being 1 kitchen which will have its NSL daylight altered by 31% compared to a BRE permitted 20%. The vast majority of windows and rooms throughout the estate will satisfy BRE daylight guidance. In terms of sunlight 94% of its total assessed rooms meeting BRE sunlight guidance. There are 3 rooms which exceed sunlight guidance, however retained sunlight levels are considered to be reasonable/good for the urban location.

7.46 There are 13 areas of outdoor amenity, both communal and private, which surround the Site and have been assessed for overshadowing impact in The Daylight, Sunlight and Shadow Report in line with BRE Guidance. On the 21st March, 3 of the total 13 amenity areas included for assessment exceed BRE Guidance in that sun on ground is reduced by more than 20%. Of the 3 areas of amenity space, 1 is a communal area, and 2 are private front gardens. However, by the 21st April the sunlight is largely restored or little changed from the former sunlight levels which would have been achieved prior to the proposed scheme's construction. By the 21st May almost all amenity spaces are unchanged from their current levels of sunlight exposure, or where there is modest change, it is to a BRE compliant degree. Any over-shadowing is therefore isolated in its location and short in its duration.

7.47 In terms of the privacy of neighbouring residents, the development has been designed to avoid new windows that directly face neighbouring buildings. The exception is the southern



elevation facing the new residential building at 150 High Holborn, however this building is already in close proximity to the existing building on the Site and overall it is considered that the level of overlooking experience by its occupants would not materially worsen.

- 7.48 The northern courtyard extension has been designed to step down to the residential context to the north, ensuring that there would be no unacceptable overlooking of neighbouring gardens in Brooke's Court, or loss of outlook. Improvements to the public realm in this area are also proposed which would benefit residents' outlook. Residents of 24-28 Gray's Inn Road would benefit from an improved outlook as a result of the relocated external staircase and proposed green wall to the flank elevation of the courtyard extension.
- 7.49 Noise and air quality impacts are discussed in the next section of this Planning Statement. In summary, when considered in the round the proposed development would have an acceptable impact on the amenity of neighbouring residents.

Environmental and Construction Impacts

- 7.50 London Plan Policy D14 seeks to mitigate and minimise noise impacts from new development. Policy SI1 requires development proposals to be Air Quality Neutral, with major development supported by an air quality assessment. Policy SI12 states that "Development proposals should ensure that flood risk is minimised and mitigated, and that residual risk is addressed". Policy SI13 aims to achieve greenfield runoff rates where possible through sustainable drainage measures, in line with the drainage hierarchy.
- 7.51 Camden Local Plan Policy A4 states that permission will not be granted for development that will generate unacceptable noise and vibration impacts from, for example, plant and machinery, and that disturbance from construction and deliveries will be minimised. Policy CC3 seeks to ensure development does not increase flood risk and incorporates sustainable drainage measures where feasible. Policy CC4 seeks to mitigate impacts on air quality associated with development.
- 7.52 The submitted Air Quality Assessment (AQA) identifies the potential for air quality impacts due to fugitive dust emissions during construction, however these are considered to be negligible subject to mitigation measures being put in place in line with the London Plan SPG. The AQA confirms that the Site is suitable for the proposed use, subject to the use of a Mechanical Ventilation and Heat Recovery (MVHR) system. The development would be air quality neutral in line with the requirements of London Plan Policy SI1 and the associated London Plan Guidance.
- 7.53 The submitted Environmental Noise Survey and Noise Impact Assessment Report sets out a recommendation for the plant noise criteria that will ensure an acceptable impact on neighbouring residents. It is expected that details of plant and machinery will be secured by condition and compliance with the criteria will be confirmed. Overall, the scheme is considered to have acceptable noise impacts, having been designed to minimise noise



transmission, for example by locating servicing and refuse storage away from residential properties.

- 7.54 The Site is in a Critical Drainage Area and as such a Flood Risk Assessment (FRA) has been submitted. The FRA demonstrates that the proposed development is at low risk of flooding and can be safely occupied for the intended use. The submitted Drainage Strategy outlines the sustainable drainage measures that will be incorporated into the development, including blue roofs and attenuation tanks. The total peak surface water discharge would be 23.2 l/s for all events up to and including the 1 in 100 year +40% climate change allowance event, without flooding. This represents the best possible outcome that can be achieved given the constraints of the development.
- 7.55 Given that the majority of the existing structure would be retained and will be able to support the majority of the proposed extensions, excavation to ground is limited to the foundations for the southern extension, part of the dropped slab level fronting Gray’s Inn Road and lift pits at the bottom of access cores, impact from groundworks would be very limited. Notwithstanding this, a Preliminary Contamination Risk Assessment and an Archaeological Desk-Based Assessment have been submitted, which confirm that the proposal would result in a low risk of contamination and would be unlikely to disturb archaeological remains.
- 7.56 A Construction Management Plan proforma has been submitted in line with Camden’s requirements. It will be expected that construction management provisions are secured by condition or S106 obligation.

Public Benefits

- 7.57 The below table sets out details of the public benefits that the proposal will deliver. This is a significant package of benefits that will deliver affordable housing in the borough, direct economic benefits to Camden, affordable workspace for SME’s in the jewellery industry and enhancements to the urban environment surrounding the Site in a highly sustainable building.

Housing	Payment of a financial contribution of towards off site affordable housing delivery.
Employment	10% of the uplift in floorspace as affordable jewellery space at a discount of 80% market rent.
	Once operational, the development would support 1,239 jobs – a 254% uplift relative to the existing site.
	London Living Wage promoted for all construction and operational employees
	Approximately £481,260 towards employment and training, as well as 10 apprenticeships



	<p>£119,486 in additional annual GVA as well as additional circa £4.3 million in business rate payments</p>
	<p>£4.5 million of spending in the local area in construction phase</p>
	<p>£3.9 million per annum from workers at the end use of development</p>
	<p>Reasonable endeavours to ensure that 20% of construction jobs go to LBC residents, equating to 65 job years</p>
Design	<p>Enhance the character of the application site and the townscape of Gray's Inn Road, Brooke's Court and Brook Street</p>
	<p>Alterations of outstanding architectural quality, revitalising this dated building into a 'best in class' workspace with amenity space at all levels</p>
	<p>87% of the existing structure will be retained, saving over 4,500 tonnes of carbon</p>
	<p>A fully accessible building</p>
	<p>Enhancements to the public realm in and around the site</p>
Sustainability	<p>BREEAM "Excellent" as a minimum (aspiring for "Outstanding"), aspiration for NABERS 5*, alignment with WELL Building Standard and maximise use of cross laminated timber to reduce embodied carbon</p>
	<p>A 30.3% on site improvement on 2013 Building Regulations</p>
	<p>Retaining as much of the existing buildings as possible, exceeding GLA Aspirational WLC benchmarks</p>
	<p>Significant greening, achieving a Biodiversity Net Gain of 122% and an Urban Greening Factor score of 0.305</p>

Table 2: Summary of public benefits the scheme will deliver



8. Planning Obligations and Community Infrastructure Levy

- 8.1 Section 106 of the Town and Country Planning Act 1990 allows the entering into of an obligation, by agreement or otherwise, between the local planning authority and any person interested in the land for the purposes of:
- restricting the development or use of the land in any specified way;
 - requiring specified operations or activities to be carried out in, on, under or over the land;
 - requiring the land to be used in any specified way; or
 - requiring a sum or sums to be paid to the authority (or, in a case where section 2E applies, to the Greater London Authority) on a specified date or dates or periodically.
- 8.2 Regulation 122 of the Community Infrastructure Levy Regulations (2010) states that planning obligations may only constitute a reason for granting planning permission for the development if the obligation is:
- necessary to make the development acceptable in planning terms;
 - directly related to the development; and
 - fairly and reasonably related in scale and kind to the development.
- 8.3 The setting of a London-wide Community Infrastructure Levy ('CIL') was a power given to the Mayor under the Planning Act 2008 designed to raise money for the infrastructure needed to develop an area. For office development schemes in the Central London Area of Camden, the Mayoral CIL is levied at £185 per sqm of uplift from existing to consented floorspace in lawful use.
- 8.4 Camden formally adopted their own CIL charging schedule in October 2020; office floorspace is levied at £110 per sqm.
- 8.5 LB Camden has adopted a Supplementary Planning Guidance (2019) on Developer Contributions, which seeks to secure obligations towards a whole range of items, depending on the type and size of development proposed.
- 8.6 Below is a list of expected planning obligations for this development. These will be subject to discussion with Camden officers during determination of the planning application.
- Payment in lieu towards affordable housing
 - Provision of on-site affordable workspace – 10% of the uplift in floorspace, secured for 10 years at a discount of 20% on market rate
 - Construction management plan
 - Travel plan
 - Off-site public realm improvement contribution
 - Open space contribution
 - Construction and end use job support
 - Other employment support initiatives to benefit borough residents



- Carbon offset contribution



9. Conclusions

- 9.1 This Planning Statement has been prepared to accompany a full planning application for the development of the Fox Court, 14 Gray's Inn Road. It has assessed the proposals against the provisions of the Development Plan, supplementary planning guidance and national planning policy.
- 9.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires development proposals to be determined in accordance with the Development Plan unless other material considerations indicate otherwise. It is considered that overall, the proposal accords in all material respects with the relevant policies.
- 9.3 There would be some limited daylight, sunlight and overshadowing impacts on neighbouring residential properties, however the scheme proposes mitigation measures and the residual impacts are considered reasonable for an urban location and when balanced against the benefits of the development.
- 9.4 The proposal will deliver a range of planning benefits, as detailed in Table 2, including a payment in lieu towards affordable housing delivery, on-site affordable workspace, a significant uplift in the number of jobs the Site can support and enhancements to the appearance of the Site, through a retrofitted, highly sustainable building.
- 9.5 It is considered that no heritage harm would arise as a result of the proposals. However, as noted above, should Camden officers consider that there would be harm caused to the significance of the Bloomsbury Conservation Area, this could only be considered at the lowest end of less than substantial. Any harm that is identified would be clearly and convincingly outweighed by the benefits of the scheme, in line with the NPPF.
- 9.6 In light of the above, the proposal is considered to accord with the development plan and therefore benefits from the presumption in s38(6) of the 1990 Act. Furthermore, it accords with the policies of the NPPF as a whole, and is deemed to be 'sustainable development'. Planning permission should therefore be granted.



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