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FAO: **Ms J Walsh**

Via Planning Portal Ref. **PP-12695151**

20 February 2024

Dear Jennifer,

**ST PANCRAS HOSPITAL, 4 ST PANCRAS WAY, LONDON NW1 0PE
TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)
SUBMISSION OF A SECTION 96A APPLICATION TO PLANNING PERMISSION REF: 2023/2246/P**

On behalf of our client, Bouygues UK ("the Applicant"), we write seeking a non-material amendment ("this / the Application") to planning permission ref. 2023/2246/P ("the Approved Scheme") granted on 29 November 2023 in relation to the site at St Pancras Hospital, 4 St Pancras Way, London, NW1 0PE ("the Site"). A site location plan identifying the site is submitted with this Application.

The description of development as listed on the decision notice states:

"Variation of condition 2 (approved drawings) of planning permission 2020/4825/P dated 05/08/22 (for the Partial redevelopment of the site, involving the demolition of seven existing buildings (Ash House, Bloomsbury Day Hospital, the Camley Centre, Jules Thorn Day Hospital, Kitchen and the Post Room & Former Mortuary) and construction of a part seven, part ten storey (plus roof plant) purpose-built eyecare, medical research and educational centre for Moorfields Eye Hospital, the UCL Institute of Ophthalmology and Moorfields Eye Charity. New building to comprise a mixture of clinical, research and education purposes, including eye care accident and emergency department, outpatients, operating theatres, research areas, education space, cafe and retail areas, admin space and plant space. Associated site relandscaping works including formation of patient drop off area to St Pancras way, new public realm and routes through the site, cycle parking and servicing ramp and cross over to Granary street) namely to include further basement depth and floorspace area, additional firefighting and escape stairs; consolidation of the wet systems; removal of oil storage tank and internal and external alterations to facilitate firefighting access. No changes to the building envelope above ground level are proposed."

The application seeks to amend Condition 2 of planning permission ref. 2023/2246/P which permits the development to be carried out in accordance with the drawings, documents and specifications listed on the decision notice. This application seeks approval for revised drawings which intend to supersede the currently approved drawings as listed in Schedule 1 (Drawing Schedule) which is submitted with the Application.

This submission follows pre-application discussions with planning officers at London Borough of Camden including the Council's Design Officer.

Power to Make Amendments Under S96A

Section 96a of the Town and Country Planning Act gives the power to the Local Planning Authority to "make change to any planning permission...if they are satisfied that the change is not material".

S.96A(2) states that:

"In deciding whether a change is material, a local planning authority must have regard to the effect of the change, together with any previous changes made under this section, on the planning permission as originally granted."

The National Planning Policy Practice Guidance (Reference 17a-002-20140306) also confirms that:

"There is no statutory definition of 'non-material'. This is because it will be dependent on the context of the overall scheme – an amendment that is non-material in one context may be material in another."

Proposed Amendments

The Application is seeking amendments to the planning permission ref. 2023/2246/P. The majority of the proposed amendments have been discussed with LB Camden officers including the design officer during a pre-application meeting held on 23 February 2023.

The proposed amendments are summarised as follows:

- Remove the timber fins on the ground floor, to be replaced with RAL 8001 aluminium with PPC finish;
- Relocate the timber seats to the external landscaping design;
- Relocate and amend the louvers on fourth, sixth, seventh, eighth and lower ground floor facade;
- Provide access from the façade to Dry Riser Outlets to adhere to fire safety regulations;
- Rotate the ductwork and create ventilation lightwell adjacent to the location of the façade louvers on the ground floor;
- Extend the rooftop plant room to provide a flat roof to replace pitched standing seam roof;
- Omit the gantry system and extend louver screen to shield rooftop plant room;
- Increase lift over-run level to achieve standardised height;
- Relocate the plant room doors and the louvered screens to the open plant area;
- Increase by 200mm the height between the top of the parapet and flat roof below to provide waterproofing details;
- Introduce a sixth floor stepped flat roof detail to remove 550mm wide flat roof and tie the facades 3a and 3b together with a unitized flashing detail;
- Undertake minor modifications to the alignment of the vertical fins within the top horizontal bands for level 6 and level 9;
- Provide a continued PPC aluminium soffit detail as opposed to the mix render board soffits;
- Increase the level 6 Terrace Balustrade in height up to 1.8m, by providing a 2 panel system, with 800mm high aluminium perforated infill panel, and 1000mm high toughened glass panel;

- Alter the level 6 roof terrace to create a maintenance access path, increase the height of the balustrade to 1800mm, amend planter locations to create an 800mm clearance and provide a fall arrest system;
- Introduce a balustrade and access door on level 6, to provide maintenance access only; and
- Raise the height of the level 6 rooftop plant pavilion to shield all of the plant and increase biodiversity.

Full details of the proposed amendments are provided within the Design and Access Statement prepared by IBI, which is submitted as part of this Application.

Discussion

Since granting planning permission, there have been a number of legislative and regulatory updates which have had implications on the materials and design that has been proposed. The building regulations Document B (Fire Safety) prohibits the use of combustible materials for external walls, as a result, the design has been amended to remove the timber fins and introduce anodised aluminium. The relocation of the timber sears to the external landscaping design also responds to Document B (Fire Safety) building regulation.

Additionally, an access from the Dry Riser Outlets has also been introduced to meet the fire safety requirements.

The proposed increase in height to the level 6 terrace balustrade responds to LB Camden's comments in the pre-application meeting by reducing the proposed balustrade height to 1.8m rather than 2m as originally proposed. The relocation and design amendments to the louvres are required to respond to internal alterations, as discussed further in the Design and Access Statement prepared by IBI. The resultant amendments will not impact the overall appearance of the building and will ensure the building functions effectively.

The proposed extension of the enclosed rooftop plant room will alter the roof design to introduce a flat roof instead of pitched. This will reduce the height of the plant room while providing a functional internal space. The plant design has also omitted the gantry system and extended the louvre screen to shield the rooftop plant. These alterations along with the increase in life over-run levels and relocation of plant room design are required following the technical design development and the better understanding of the plant requirements and functionality of the scheme.

An increase in height to the level 6 rooftop plant pavilion has been introduced to shield all the plant. This would not be visible from street level as it is significantly set back. Since this alteration cannot be seen from the street scene and only minimally increases the height to provide a betterment to the Approved Scheme, it will not impact on the overall mass, bulk, height or appearance of the approved scheme.

The proposed amendments are sought as a result of regulatory and design changes to the proposal as well as improvements to the functionality of the building once it has been built. The resultant amendments provide improvements to the elevational appearance, reduction in height of the roof plant flues and changes to the louvre, glazing and balustrade to create the optimum design of the building.

Area Schedule

Condition 5 attached to the planning permission requires that:

"The proportion and quantum of health care, research and education areas within the composite use shall, as a minimum, remain in accordance with the areas schedule hereby approved (ref. areas schedule 210312 Rev J.)."

Reason: To ensure that the strategic public benefits of the scheme are delivered and that the building does not adversely affect the adjoining premises/occupiers/immediate area by reason of an intensification via the use of a higher proportion of internal areas for activities (such as commercial) that generate higher trips numbers and employment density and therefore cause excessive pressure on the local open spaces, transport network and cycle parking provision in accordance with policies G1, C1, CC1, D1, A1, A2, TC1, T1, T3 and DM1 of the London Borough of Camden Local Plan 2017.”

This Application also seeks to amend Condition 5 to obtain approval for a revised area schedule to reflect minor changes in the proportion and quantum of various uses as a result of the minor internal alternations listed above.

Summary

The proposed amendments will enhance the design and functionality of the Application to ensure that an optimum scheme is delivered, without materially amending the scheme. The alterations ensure that the scheme is compliant with updated fire regulations, while responding to internal alterations and design changes to ensure the effective functionality of the scheme. It is considered that the effect of the proposed changes both singular and cumulatively are modest and do not materially alter the essence of the Approved Scheme.

Enclosed Documentation

Please find enclosed the following information, which has been submitted online via the Planning Portal:

1. Schedule of Required Information prepared by Montagu Evans;
2. Covering Letter including Planning Assessment (i.e. this letter) prepared by Montagu Evans;
3. Application Form and Ownership Certificate prepared by Montagu Evans;
4. Community Infrastructure Levy Form prepared by Montagu Evans;
5. Drawing Schedule prepared by Montagu Evans;
6. Site Location Plan prepared by AECOM;
7. Application Drawings (Approved & Proposed prepared IBI Architects;
8. Design and Access Statement Addendum prepared by IBI Architects;
9. Area Schedule; and
10. CGIs.

Application Procedure

The application has been submitted via the Planning Portal under reference PP-12695151.

The application fee of £293.00 plus service charge has been calculated in accordance with the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2023 (as amended). An electronic payment for this amount has been made at the time of submission, including the £64 admin fee.

We would be grateful if LB Camden could confirm that the application is complete, and we look forward to receiving confirmation of validation shortly. If you have any outstanding queries on this matter, please contact Emily Disken (07818 012 487 / emily.disken@montagu-evans.co.uk) or Guy Bransby (07709 331 014 / guy.bransby@montagu-evans.co.uk) or Phoebe Milner (phoebe.milner@montagu-evans.co.uk / 07836 711026) in the first instance.

Yours sincerely,

Montagu Evans



MONTAGU EVANS LLP

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