

# Former Elizabeth Garrett Anderson Hospital Site, Euston Road, NW1

On behalf of Unison

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## 1 Executive Summary

- 1.1 This Planning Statement seeks to explain and assess the proposed development at the former Elizabeth Garrett Anderson Hospital site, Euston Road.
- 1.2 The proposed development is for a commercially led mixed-use scheme to create the National Headquarters for Unison ("the applicant"), the Trade Unison for Public Services, together with private and affordable housing and retail uses.
- 1.3 Planning permission and listed building consent are sought for:
- “Partial demolition and redevelopment of the site to provide offices, housing and retail floorspace and associated car parking, access and landscaping works”.**
- 1.4 The site is located in a strategic location (within the Central Activities Zone (as defined in the London Plan and the London Borough of Camden Unitary Development Plan). The surrounding area is characterised by predominantly commercial uses along the Euston Road frontage and residential further north.
- 1.5 The proposed development concept has sought to deliver maximum levels of commercial/residential floorspace upon this long vacant sustainable brownfield site. It has, however, been significantly constrained by a number of factors including:
- The retention of the "first generation" Grade II listed buildings;
  - The setting of on site and adjacent listed buildings;
  - Technical considerations including the impact upon sunlight and daylight to the existing residential properties surrounding the site.
- 1.6 A series of detailed pre-application discussions have been held with London Borough of Camden and the Greater London Authority (GLA) with particular emphasis upon the land use mix, design, heritage and viability. UNISON have also consulted widely with the local community.
- 1.7 Since pre-application discussions commenced in April 2006 UNISON have significantly revised the proposals including reducing the quantum of commercial floorspace and increasing the residential component to address mixed-use policy objectives.
- 1.8 The viability report accompanying the application, based upon the GLA's Development Control Toolkit, demonstrates a significant negative residual value for the development to the extent that any normal commercial developer would not proceed. UNISON is, however, committed to deliver their UK headquarters facilities following an extensive search of potential sites over a 10 year period within the Euston area.
- 1.9 The levels of affordable housing and Section 106 provision which the scheme can deliver are subject to economic viability considerations. The potential levels of affordable housing indicated within the Squire and Partners drawings (ie: 19 affordable units representing 50% on a habitable room and floorspace basis) demonstrates that it is physically possible to

deliver this quantum of affordable housing upon the site subject to economic viability. The viability report identifies a number of alternative development scenarios for affordable housing and Section 106 contributions, and the proposed levels of both are subject to further discussion and agreement with the Local Authority and GLA based upon viability considerations.

- 1.10 The proposal involves an appropriate balance and mix of uses in accordance with Strategic and Local Development Plan policies. In particular the proposals are compliant with London Plan mixed-use policy 3B.4 and Camden UDP mixed-use policy SD3 and deliver 43% of the uplift in floorspace as housing. Furthermore the proposals will deliver the maximum reasonable achievable levels of affordable housing, subject to economic viability, in accordance with London Plan policy 3A.8 and Camden UDP policy H2.
- 1.11 The proposal is compliant with Development Plan policy and will deliver a range of planning, design and other benefits including:-
- The comprehensive redevelopment of a complex, long vacant strategic site within an identified regeneration area;
  - A high quality design solution including retained heritage and new contemporary buildings;
  - The restoration and refurbishment of the "first generation" listed buildings;
  - The provision of new UK headquarters for UNISON together with significant residential provision and local retail uses;
- 1.12 The scheme as currently proposed represents the maximum amount of development achievable on this site in both quantum and land use terms and will deliver a scheme of the highest design quality whilst respecting identified constraints.

## 2 Introduction

- 2.1 Unison (“the applicant”) is bringing forward development proposals for the regeneration of the former Elizabeth Garrett Anderson Hospital (“the site”). Located on the northern side of Euston Road adjacent to Euston’s public transport interchange the redevelopment of the long vacant 0.45 hectare site provides an excellent opportunity to regenerate this derelict former hospital site to create modern commercial floorspace for use by Unison as its National Headquarters and much needed residential accommodation. Furthermore, through the sensitive conversion of the Grade II original listed buildings upon the site linked to contemporary new buildings, the scheme will deliver heritage led regeneration.
- 2.2 The applicant will occupy all of the proposed commercial floorspace as its current headquarters building opposite the site on Mabledon Place is not suited to its modern operational requirements.
- 2.3 The Site is covered by a number of overlapping planning policy designations, at strategic and local level, namely:
- Within the defined Central London boundary, as detailed in the Town and Country Planning (Mayor of London) Order 2000;
  - Within the Central Activities Zone (CAZ) identified in the published London Plan 2004 and the Early Alterations to the London Plan 2006;
  - Within the Central London Area identified in the London Borough of Camden Replacement Unitary Development Plan 2006;
  - A mixed-use site capable of a large scale development opportunity identified in the Camden Replacement Unitary Development Plan Schedule of Land Use Proposals [site 11].
- 2.4 The application seeks full planning permission and listed building consent for:
- Redevelopment of the site including the retention and renovation/conversion of the existing “first generation” listed building to provide a mixed use development comprising:
- Class A1 retail unit of 49 sq m;
  - Class B1 offices of 10,523 sq m which includes 2,076 sq m of the existing listed building for use by Unison;
  - Class C3 (residential dwellings) of 3,775 sq m (a total of 47 residential units);
  - Car parking and cycle parking at basement level;
  - Demolition of all buildings with the exception of the “first generation” listed buildings.
- 2.5 A fuller explanation of the development proposals is contained within Section 8 of this Statement and in the Design and Access Statement.
- 2.6 A series of detailed pre-application discussions have been held over a 15 month period with the London Borough of Camden and the Greater London Authority (GLA). In addition a comprehensive programme of community involvement has taken place, which is described within the accompanying Statement of Community Involvement (contained within the Design and Access Statement prepared by Squire and Partners).
- 2.7 A financial viability assessment has been undertaken to analyse the proposal in terms of the implications of the levels of affordable housing and Section 106 contributions upon scheme viability. The assessment contains a number of scenarios, all of which demonstrate a negative residual value once land value has been considered. Although UNISON are committed to proceed with the delivery of their headquarters facilities the precise levels of affordable housing and any Section 106 contributions are subject to further discussion and agreement with the GLA and LB Camden.
- 2.8 The purpose of this Planning Statement is to provide an appraisal of the development proposals against relevant development plan policies and other material planning considerations. The Planning Statement is only one of a suite of supporting application documents; and as such should be read in conjunction with the:
- Design and Access Statement (including a number of other technical reports as agreed with the Local Authority);
  - Viability Assessment
  - Energy Statement (within the Design and Access Statement)
  - Transport Statement
  - Historic Buildings Report
  - Statement of Community Involvement (Within the Design and Access Statement)
  - Sunlight and daylight report
  - Other technical reports
- 2.9 Gerald Eve submitted a formal screening request to the Local Authority in accordance with the 1999 EIA Regulations. The Local Authority confirmed by letter dated 1 August 2006 that the proposed development did not constitute EIA development. A copy of the formal screening opinion is enclosed as **Appendix 1**.
- 2.10 The applications are referable to the Mayor of London under the Terms of the Town and Country Planning (Mayor of London) Order 2000 (SI no. 1493), as an application of “potential strategic importance” being a large scale development including the erection of buildings of more than 30m in height (Category 1C (c)).
- 2.11 Benefits inherent in the proposal can be summarised as follows:-
- Regeneration** - Of the “first generation” listed buildings and a strategic site as a whole which has been vacant for in excess of seven years. A Mixed use scheme which will deliver the regeneration of this strategic site between Euston and Kings Cross;

- **Design** - High quality design solution by leading architects Squire and Partners;
- **Heritage** - Comprehensive restoration and refurbishment of the “first generation” listed building which is currently on the English Heritage Buildings At Risk Register;
- **Mix of uses** – An appropriate mix of uses including offices, residential and retail;
- **Housing** – Delivery of 47 residential units including affordable housing.

### 3 Site and Surrounding Area

#### Strategic Location

- 3.1 The site is located on the north side of the Euston Road with King's Cross to the east, Marylebone and Regents Park to the west, Bloomsbury and Holborn to the south and Somers Town and Camden Town to the north
- 3.2 The site is situated within the defined boundary of Central London, as detailed in the Town and Country Planning (Mayor of London) Order 2000. The definition of Central London reflects the broad extent of the central area and the national and strategic functions that it serves.
- 3.3 The Site lies within the Boundary of the Central Activities Zone (CAZ) (as shown in the Key Diagram within Chapter Two of the London Plan) a zone considered to be capable of strategic growth through a mix of uses, complementary to the specific nature, activity and character of a capital city.
- 3.4 It is immediately adjacent to but outside the Euston Area for Intensification as set out in the Central London Sub Regional Development Framework. It is located to the west of the Kings Cross Opportunity Area boundary.
- 3.5 The site is allocated as a Land Use Proposal site as defined in the London Borough of Camden Replacement Unitary Development Plan June 2006 (RUDP 2006). This allocation reflects the aspiration to see this site redeveloped to provide a mix of uses.
- 3.6 The site is also located within the Central London Area as defined in the RUDP 2006.

#### The Site

- 3.7 The derelict site is approximately rectangular in shape and lies upon the Euston Road. The site comprises the Grade II listed former Elizabeth Garrett Anderson Hospital and a listing description of the hospital is attached at **Appendix 2**. This states clearly that only the "first generation" listed buildings are considered worthy of retention.
- 3.8 The derelict hospital site covers an area of 0.45 hectares and is bounded by Euston Road (A501), Churchway and Chalton Street. It is immediately adjacent to the Euston Transport Interchange (situated to the north west). The immediate environs of the site are dominated by the highway and public transport network.
- 3.9 The site occupies a prominent position upon the Euston Road with the "first generation" Grade II listed buildings occupying the south-west corner of the site and redundant, unsightly hospital buildings occupying the remainder of the site. The former nurses accommodation within a seven storey building along the Euston Road frontage is particularly unsightly and detracts from the setting of the "first generation" listed buildings.
- 3.10 The listed buildings are on English Heritage's Buildings at Risk Register and are designated as Priority Category A (Immediate risk of further rapid deterioration or loss of fabric; no solution agreed). Planning permission and listed building consent was recently granted on

16 May 2007 for emergency stabilisation works to the listed building to prevent their permanent decay.

- 3.11 The site has now been vacant for in excess of 7 years. The previous use of the site was as a hospital, Class C2 (residential institutions) and was vacated prior to University College London Hospital's (UCLH) sale of the site in 2001. A small amount of floorspace on the site (within the unattractive Euston Road Block) was used as nurses accommodation ancillary to the main use of the site as a hospital. From information received from UCLH, it is estimated that historically approximately 1,400sqm of the Euston Road block was used for accommodation for nurses.
- 3.12 However, UCLH has also confirmed that from 1985 onwards the amount of floorspace used for nurses accommodation reduced considerably. This was due to accommodation for student nurses being provided in halls of residence ancillary to Universities within the local area. Upon the hospital's closure in 2001 all of the remaining nurses accommodation was re-provided in Bonham Carter/Warwickshire House and John Astor House all within the vicinity and the London Borough of Camden. UCLH has confirmed this position and historic correspondence is attached as **Appendix 3**.
- 3.13 The table below sets out a breakdown of the existing floorspace on the site prior to UCLH vacation in 2001:

Hospital	Residential	TOTAL
7,308 sqm	1,400 sqm	<b>8,708 sqm</b>

#### Site History

- 3.14 The site was vacated prior to UCLH's decision to sell the site in 2001. UNISON acquired the site in 2005 to deliver an owner occupier brief for new headquarters facilities.

#### Surrounding Area

- 3.15 The surrounding area is characterised by predominantly high-rise commercial buildings along the Euston Road with lower rise residential buildings to the north and east behind the Euston Road frontage. This is described in detail in the accompanying Design and Access Statement prepared by Squire and Partners.
- 3.16 There are a number of statutory listed buildings surrounding the site including the Grade II listed Public House at 120 Euston Road and the Grade I listed Church on the opposite side of the Euston Road. The site does not fall within a Conservation Area but the boundary of the Bloomsbury Conservation Area is to the south of the site.
- 3.17 The site occupies a pivotal location between the Kings Cross Opportunity Area (one of the few remaining major development opportunities in inner London) which lies just to the east of the site and Euston Transport Interchange to the west, which is within the Euston Area for Intensification as defined within the London Plan.

3.18 Unison's existing headquarters is located almost opposite the site on the Euston Road at 1 Mabledon Place.

**Background to the development concept**

3.19 Unison's existing offices are no longer able to accommodate its specific occupier requirements. Additional floorspace is required to provide for Unison's expansion along with large floorplates to create a modern, open-plan office environment.

3.20 Unison has been actively searching for a suitably sized site to accommodate its expanding requirements, within close proximity of Euston Station, where most of its members travel through, for a period of over ten years.

3.21 The former Elizabeth Garrett Anderson site was the first site Unison found which fulfilled its specific occupier requirements.

## 4 Planning History and Pre-Application Discussions with Officers

- 4.1 The London Borough of Camden (Ref: PSX0005125) refused outline planning permission on 10 May 2001 for an application for the redevelopment of the former Elizabeth Garrett Anderson Hospital site to provide 2,250 sq m of residential floorspace and 19,600 sq m of office floorspace. The principal grounds for refusal of this outline application were:
- The scale of the proposed development which was considered to be excessive in relation to its immediate context. More particularly the height and bulk of the buildings would have an overpowering and dominant effect on the street-scene and surrounding buildings, including the neighbouring grade II listed public house, contrary to policies EN14 and EN38 of the London Borough of Camden Unitary Development Plan 2000.
  - The height and bulk of the buildings proposed was considered contrary to policies EN31 and EN37 of the London Borough of Camden Unitary Development Plan 2000. Cumulatively the proposals gave rise to a largely unbroken wall of high buildings along Euston Road which would be visible in wider views including views both from the Primrose Hill Conservation Area where it would be seen to the east of the strategic view of St Paul's Cathedral, and in views from Euston Road part of which is within the Bloomsbury Conservation Area. The proposal was considered detrimental to the character and appearance of these conservation areas
  - The proposed development would have a harmful impact on the amenities of the surrounding area, including the residential properties to the north, by way of loss of sunlight, daylight and outlook and possible adverse effects on the local microclimate, contrary to policies RE2, EN1 and EN19 of the London Borough of Camden Unitary Development Plan 2000.
  - The proposed development failed to make provision for a sufficient mix of uses on the site, particularly with regard to the inadequate proportion of residential use and the absence of community uses within the development. In this way the proposal was considered contrary to policies RE5, HG1, HG5 and SC1 of the London Borough of Camden Unitary Development Plan 2000.
  - The proposal as submitted fails to identify any elements of residential floorspace provision for affordable housing, or replacement hostel/key worker accommodation, for which there is a special need in the Borough, and as such was considered contrary to policies HG11, HG15, HG16 and HG21 of the London Borough of Camden Unitary Development Plan 2000.
- 4.2 The previous scheme proposed a tall building on the Euston Road frontage extending to 16 storeys and was not considered to provide sufficient residential floorspace in relation to the Borough's mixed-use policies.
- 4.3 Through extensive pre-application negotiations with the Local Authority and GLA, UNISON has sought to address the issues raised by the previous application and deliver an appropriate design solution and land use mix.

## Pre-Application Discussions

- 4.4 A number of pre-application meetings have been held with senior officers at the City Council to discuss the emerging mixed-use proposals for the redevelopment of the former Elizabeth Garrett Anderson Hospital site. In addition a joint meeting has also been held with the GLA as well as discussions on financial viability.
- 4.5 The pre-application meetings with the Local Authority concentrated on discussing the key issues including:-
- Mix of land uses including levels of commercial and residential,
  - Identified opportunities and constraints,
  - Affordable housing (including the replacement of the former nurses accommodation),
  - Viability in relation to the provision of affordable housing and Section 106 contributions,
  - Design and Sustainability
- 4.6 The proposals as now submitted represent the outcome of these extensive pre-application discussions with officers at the London Borough of Camden and the GLA. Since the original pre-application negotiations with London Borough of Camden the proposals have been revised considerably in order to address concerns and issues raised by officers. These revisions include:-
- A significant reduction in the quantum of proposed commercial floorspace through the removal of the proposed basement level conference centre and additional commercial floorspace on the upper floors;
  - Increase in the overall quantum of residential floorspace including the creation of additional residential floorspace upon the Euston Road frontage;
- 4.7 Whilst UNISON has sought to increase the proposed levels of residential use and affordable housing provision in accordance with Development Plan policy objectives, this is subject to economic viability. A detailed viability report has been submitted with the application which highlights the unviable nature of a scheme including 50% affordable housing provision on site. Although the Squire and Partners proposals show that this is physically possible within the scheme, the precise levels of affordable housing and Section 106 contributions that the development can accommodate are subject to further discussion and agreement.
- 4.8 Beyond these land use revisions to the original proposals the scheme as submitted represents the outcome of detailed design discussions to ensure the delivery of a high quality design solution.
- 4.9 In addition to the pre-application meetings with the Local Authority and GLA, UNISON has consulted widely with the local community as highlighted within the Statement of Community Involvement. Following these consultations the height of the residential building at the rear of the site has been reduced following strong objection from local residents and Ward Councillors.

4.10 The application proposals therefore reflect an extensive pre-application period during which time UNISON has sought to refine and revise their original brief to deliver a scheme which will achieve the objectives of all key stakeholders, including local residents.

## 5 Development Plan Policy

- 5.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 ("the Act") the development proposals have been considered in accordance with the "Development Plan" and other material considerations.
- 5.2 In addition to the statutory Development Plan the following documents have been given due regard as material planning considerations:
- The Government's Response to Kate Barker's Review of Housing supply
  - Planning for a Sustainable Future: White Paper (May 2007)
  - Heritage Protection for the 21<sup>st</sup> Century: White Paper (March 2007)
  - Meeting the Energy Challenge: White Paper (May 2007)
  - PPS1: Delivering Sustainable Development
  - PPS1 (supplement): Planning and Climate Change (Consultation Paper)
  - PPS3: Housing
  - PPG4: Industrial, commercial and small firms
  - PPS6: Retail
  - PPG13 Transport
  - PPG15 Planning and the Historic Environment
  - PPS22: Renewable Energy
  - PPS23: Planning and Pollution control
  - PPS24: Planning and Noise
  - Circular 05/05: Planning Obligations
  - Code for Sustainable Homes (December 2006)
  - London Plan - Central London Sub Regional Development Framework (May 2006)
  - London Plan - Supplementary Planning Guidance - Housing
  - London Plan – Supplementary Planning Guidance – Providing for Children and Young People's Play Informal Recreation
  - London Plan - Supplementary Planning Guidance - Sustainable Design and Construction (May 2006)

and best practice guidance including:-

- English Heritage/Commission for Architecture and the Built Environment (Guidance on Tall Buildings 2003 and draft 2007)
- Building Research Guidelines Handbook " Site Layout Planning for Daylight and Sunlight" (1991)

- 5.3 A detailed analysis of National, Strategic and Local Policies is contained within Appendices A, B and C in which individual aspects of the planning policy are considered in relation to the development proposals. The purpose of this section is to highlight the key themes of planning policy and guidance, which are material to the consideration of the development proposals for the site. Section six of this statement then examines each of the matters in detail and reflects on the conformity of the proposals with policy.

### National Planning Policy

#### A) Sustainability

- 5.4 Environmental Sustainability is at the heart of the planning system and reflected throughout Guidance and Development Plan Policy.

- 5.5 National aspirations for sustainable development are set out in **PPS 1 – Creating Sustainable Development**, which advises that:

**"Sustainable development is the core principle underpinning the planning system"**

and that

**"Planning should facilitate and promote sustainable and inclusive patterns of urban and rural development by:**

- **Making suitable land available for development in line with economic, social, and environmental objectives to improve peoples quality of life;**
- **Contributing to sustainable economic development;**
- **Protecting and enhancing the natural and historic environment, the quality and character of the countryside and existing communities;**
- **Ensuring high quality development through good and inclusive design; and the efficient use of resources; and**
- **Ensuring that development supports existing communities and contributes to the creation of safe, sustainable, liveable and mixed communities with good access to jobs and key services for all members of the community".**

- 5.6 The protection and enhancement of the environment continues to be an important element of national policy. Paragraph 18 stresses that:

**"The condition of our surroundings has a direct impact on quality of life and the conservation and improvement of the natural and built environment brings social and economic benefit for local communities..."**

5.7 With regard to integrating sustainable development, planning authorities should, amongst other things, seek to undertake the following (Paragraph 27):

**“(vi) Focus developments that attract a large number of people, especially retail, leisure and office development, in existing centres to promote their vitality and viability, social inclusion and more sustainable patterns of development.**

**“(viii) Promote the more efficient use of land through higher density, mixed use development and the use of suitably located previously developed land and buildings. Planning should seek actively to bring vacant and underused previously developed land and buildings back into beneficial use to achieve the targets the Government has set”.**

#### **B) Housing**

5.8 PPS3 sets out the Government's commitment to providing everyone with the opportunity of a decent home, which they can afford, in a community where they want to live.

5.9 PPS3 states that the planning system should deliver high quality housing that is well designed and built to a high standard, a mix of housing, both market and affordable and a sufficient quantity of housing taking into account need and demand.

5.10 Local Authorities should plan for a mix of housing on the basis of the different types of households that are likely to require housing over the plan period.

5.11 The development potential of brownfield sites should be optimised.

5.12 The themes of sustainable development is continued in PPG13 - Transport, with guidance directing significant trip generating activities to locations close to public transport (paragraph 3.4).

5.13 The Government has committed itself to a target of 60% of additional housing to be provided on previously developed land and through conversions of existing buildings by 2008 (PPG3, paragraph 23).

#### **c) Heritage**

5.14 The design of new buildings intended to stand alongside historic buildings needs very careful consideration. In general it is better that old buildings are not set apart, but are woven into the fabric of the living and working community.

5.15 New uses may often be the key to a building's or area's preservation and control over land use, density, plot ration, daylighting and other planning matters should be exercised sympathetically where this would enable a historic building or area to be given a new lease of life.

#### **d) Business**

5.16 The locational demands of businesses are a key input to the preparation of development plans and policies should take into account these needs and offer the opportunity to encourage new development in locations which minimise the length and number of trips and

encourage new development in locations which are served by more energy efficient modes of transport.

5.17 PPG4 states that the planning system should operate on the basis that applications for development should be allowed having regard to the development plan and all material considerations, unless the proposed development would cause demonstrable harm to interests of acknowledged importance.

5.18 The Planning White Paper states that a planning system that is responsive and efficient and which positively supports vital economic development and encourages greater investments is needed.

5.19 A new planning policy statement on Planning for Economic Development which reinforces the government's commitment to a strong, stable and productive economy is to be published later in 2007. The White Paper enhances the importance of sustainable economic development and proposes a presumption in favour of commercially led development.

## 6 Relevant Regional Planning Policy

6.1 The Development Plan comprises the published London Plan (2004), Early Alterations to the London Plan (2006) and the Adopted London Borough of Camden Replacement Unitary Development Plan June 2006 ("RUDP"). Together these constitute the Development Plan.

### The London Plan

6.2 The Greater London Authority (GLA) was established in 2000 is responsible for strategic planning in London.

6.3 The **London Plan**, published in February 2004, and now part of the development plan, provides the regional spatial development strategy for Greater London. It seeks to maximise the potential of sites in order to create a compact city (**Policy 4B.1**).

6.4 The Mayor will work with strategic partners to support and to develop London's economy as one of the three world cities. He will seek a range of premises of different types, sizes and costs to meet the needs of different sectors of the economy and firms of different types and sizes and to remove supply side blockages for key sectors (**Policy 3B.1**).

6.5 Given the dominance of the office-based business sector, the availability of suitable office accommodation is a critical issue. The financial and business services sector is forecast to grow by 463,000 net jobs by 2016. As a result based on these projections, London could require between 7 million and 9.2 million square metres more office floorspace by 2016. These figures should set the broad parameters for monitoring, managing and planning for substantial growth in the office-based economy.

6.6 The Plan also advocates a mix of uses and the integration of land use with public transport. Business development is encouraged in order to support London's economy. The Mayor will seek a significant increment to current stock through changes of use and development of vacant brownfield sites (**Policy 3B.2**).

6.7 The London Borough of Camden falls within the " Central London sub-region" and the CLSRDF states that "provision of an adequate supply of office space of a type, quality and cost necessary to meet the diverse needs of the range of occupiers is an essential concern of the London Plan".

6.8 The London Plan encourages mixed-use development and **Policy 3B.4** states that where increases in office floorspace are proposed they should provide for a mix of uses including housing. The policy does not specify a proportion of housing that should be provided as part of any proposal which should be subject to site specific consideration.

6.9 The Mayor will seek the maximum provision of additional housing in London. Unitary Development Plan Policies should address the suitability of housing development in terms of location, type of development and impact on the locality (**Policy 3A.1 and 3A.2**).

6.10 The London Plan also states that Boroughs should take steps to identify the full range of housing needs within the area and ensure that new developments offer a range of housing choices, in terms of the mix of housing sizes and types (**Policy 3A.4**).

6.11 In respect of affordable housing Borough should have regard to their affordable housing targets adopted in line with **policy 3A.7**, the need to encourage residential development and the individual circumstances of the site. Targets should be applied flexibly, taking account of individual site costs, the availability of public subsidy and other scheme requirements (**Policy 3A.8**).

6.12 The London Plan sets out a number of policies in respect of principles of design, promoting world class architecture and maximising the potential of sites.

6.13 Boroughs should seek to ensure that developments maximise the potential of sites, enhance the public realm, provide or enhance a mix of uses, are sustainable durable and adaptable, respect local context and respect London's Built Heritage (**Policy 4B.1**).

6.14 The Mayor will ensure that development proposals achieve the highest possible intensity of use compatible with local context (**Policy 4B.3**).

6.15 The Mayor will also ensure that future developments meet the highest standards of sustainable design and construction. This will include the re-use of land and buildings, the conservation of energy, materials, water and other resources, ensuring that designs make the most of natural systems within and around the building and the reduction of noise, pollution, flooding and micro-climatic impacts (**Policy 4B.6**).

6.16 With regard to heritage, the Mayor will work with strategic partners to protect and enhance London's historic environment and Boroughs should ensure that the protection and enhancement of historic assets in London are based on an understanding of their special character, and form part of the wider design and urban improvement agenda (**Policies 4B.10 and 4B.11**).

6.17 In relation to historic conservation-led regeneration **Policy 4B.12** states that the Mayor will and boroughs should support schemes that make use of historic assets and stimulate environmental, economic and community regeneration where they bring redundant or under-used buildings and spaces into appropriate use and secure the repair and re-use of Buildings at Risk.

6.18 With regard to the Mayor's energy requirements, the Mayor's Supplementary Planning Guidance entitled **Sustainable Design and Construction** states that major developments are required to show how they will generate a proportion of a scheme's energy demand from renewable energy sources, where technologies are feasible. The Mayor's Energy Strategy states that this proportion should be minimum of 10%.

6.19 In relation to energy efficiency and renewable energy **Policy 4A.7** states that boroughs should support the Mayor's Energy Strategy and its objectives of reducing carbon dioxide emissions, improving energy efficiency and increasing the proportion of energy used generated from renewable sources.

6.20 **Policy 4A.8** states that the Mayor will request an assessment of the energy demand of proposed major developments, which should also demonstrates the steps taken to apply the Mayor's energy hierarchy.

## 7 Relevant Local Planning Policy

7.1 Amongst the objectives which the Camden RUDP (2006) seeks to achieve are that:-

- Development meets our needs, now and in the future
- The housing needs of Camden's population are met
- An environmentally sustainable pattern of land use is produced which reduces the need to travel
- Amenity and Quality of life is improved and protected
- The Environment is protected and enhanced
- Facilities for all members of the community are provided
- Economic prosperity and diversity is improved
- Camden's town centre's are protected and improved
- The Needs of residents are balanced with the Borough's London-wide role.

7.2 The site is identified in the London Borough of Camden's Schedule of Land Use Proposals as a site suitable for a mixed-use development including residential floorspace. The site specific allocation states that proposals should include an active street frontage and will be expected to deliver affordable housing in accordance with **Policy H2** and supplementary guidance.

7.3 In respect of mixed-use developments, **Policy SD3** states that where an increase of more than 200 sqm of total gross floorspace is proposed the Council will seek a mix of uses in development, including a contribution to the supply of housing. The policy also states that:

" In the Central London Area, the Council will expect **a contribution** to the supply of housing and **where appropriate** will seek to negotiate **up to 50%** of **additional** gross floorspace as housing" (bold/underlining, our emphasis).

7.4 This policy states that when considering the mix of uses and the appropriate contribution to the supply of housing, the Council will have regard to:-

- a) The character, diversity and vitality of the surrounding areas
- b) The suitability of the site for mixed use development
- c) The need and potential for continuation of an existing use
- d) Whether the floorspace increase is needed for an existing user
- e) The need for an active street frontage and natural surveillance and
- f) Any over-dominance of a single use in an area, and the impact of the balance of uses proposed on the area's character, diversity and vitality.

7.5 The reasoned justification for **Policy SD3** also states that:

"Circumstances where a mix of uses may not be appropriate include the following:

- a) Where a floorspace increase is required to accommodate an existing user on a single site, for example to provide for expansion of a business
- b) Where a secondary use cannot be satisfactorily accommodated by the site or buildings owing to their scale, limited access to street frontage or heritage considerations".

7.6 The Inspectors' Report upon the draft Camden UDP, following the UDP Inquiry, specifically stated that the policy on mixed use should not be inflexible or overly prescriptive. The target figure in policy SD3 should be applied flexibly to ensure that this reflected the economics of provision and site circumstances and to ensure that development proposals come forward. Extracts from the Inspectors' Report are attached as **Appendix 4**.

7.7 In respect of Affordable Housing provision Policy H2 states that where residential developments have a capacity for 15 or more dwellings that the Council will expect a contribution to the supply of affordable housing. The policy states clearly that:-

"The Council will seek to negotiate on the basis of **a target** of 50% affordable housing in each development, taking into account factors which it considers to affect the suitability of the site. The Council will take into account:

- a) a guideline of 70% as the proportion of affordable housing sought as social housing for rent
- b) a guideline of 30% as the proportion of affordable housing sought as intermediate housing
- c) The proximity of local services and facilities, access to public transport and parking
- d) site size and the economics of provision
- e) any particular costs associated with the development of the site
- f) any other planning objectives which it considers to be a priority in the development of the site" (bold, our emphasis)

7.8 With regards to existing affordable housing provision, **Policy H4** states that:

"The Council will resist proposals that lead to a net loss of affordable housing floorspace, and will expect the retention or replacement of existing affordable housing floorspace in proposals for redevelopment or re-use of residential institutions for a different use".

7.9 In protecting affordable housing **Policy H4** states that the Council will resist proposals that lead to a net loss of affordable housing floorspace, and will expect the retention or replacement of existing affordable housing floorspace in proposals for redevelopment or re-use of residential institutions (within Use Class C2) for a different use.

- 7.10 In relation to planning obligations **Policy SD2** states that where existing and planned provision of infrastructure, facilities and services is not adequate to meet the needs generated by a proposal, the Council will use planning obligations to secure measures, directly related in scale or kind to the proposal, to meet those needs.
- 7.11 With regards to listed buildings, **Policy B6** seeks to preserve or enhance the character of listed buildings as buildings of special architectural or historic interest.

## 8 The Proposals

8.1 The applications seek full planning permission and listed building consent for an office led scheme to create a National Headquarters for Unison, the Trade Union for Public Services including the creation of 47 residential units to accommodate both private and affordable tenures and a retail unit. The total proposed floorspace equates to 14,293 sq m (GEA) including the retention and regeneration of the "first generation" Grade II listed buildings. The proposal comprises the following land uses:

- 10,523 sq m of commercial floorspace (Class B1) for occupation by Unison
- 3,775 sq m of residential floorspace (Class C3) to create 47 units
- 47 residential units including a mix of private and affordable tenures;
- 49 sq m of retail floorspace (Class A1)
- The retention and refurbishment of the 2,076 sqm Grade II listed " first generation" hospital buildings
- Car and cycle parking
- Servicing facilities
- Amenity spaces.

8.2 The table below sets out a breakdown of the proposed floorspace:-

Hospital	Residential	Offices	Retail	<b>TOTAL</b>
0 sqm	3,775 sqm	10,523 sqm	49 sqm	<b>14,347 sqm</b>

8.3 The proposed residential floorspace incorporates a range of dwelling sizes in accordance with the Council's requirements. All of the residential units will be built to Lifetime Homes Standards with 10% wheelchair accessible.

8.4 The design concept seeks to address the applicants brief for a office led mixed-use development of exceptionally high quality design which incorporates durable and sustainable materials and finishes. Sustainability is an integral feature within the proposed development including a range of energy efficient and renewable energy measures.

8.5 In respect of building heights, scale and massing, the maximum height of the Euston Road building is 69.560 AOD and the residential building towards the rear of the site is 50.605 AOD. The heights and scale all the buildings on the site have been carefully considered in order to respond the character and context of the surrounding area. The tallest building has been located on the Euston Road frontage which is considered to be the most appropriate location for a taller building. Lower rise buildings to the rear of the site respond to the more residential character of the buildings.

8.6 All the buildings have been designed to ensure that the amenity enjoyed by surrounding residents by way of sunlight and daylight is protected. The sunlight and daylight assessment contained within the design and access statement demonstrates compliance with the BRE Guide tests.

8.7 All the proposed buildings on the site have been designed to an appropriate scale and mass to ensure the protection of the setting of the listed building. In this way the scheme proposals optimise the development potential of the site whilst respecting identified constraints.

### **Economic Viability**

8.8 A financial viability report, using the GLA's Development Control Toolkit, has been undertaken by Gerald Eve and accompanies the application submission. The report contains an assessment of alternative scheme scenarios in relation to the proposed levels of affordable housing and Section 106 contributions.

8.9 Following detailed pre-application negotiations with the Local Authority and GLA, UNISON has sought to show how to maximise the levels of affordable housing provided within the scheme. The application drawings and design and access statement demonstrate that it is physically feasible to provide up to 50% affordable housing within the residential component (on a habitable room and floorspace basis) within the envelope of the proposed scheme.

8.10 However, the viability assessment demonstrates that the delivery of this level of affordable housing combined with on site planning benefits (£6.185 million associated with the conversion of the listed buildings and public realm enhancements) results in a significant negative residual value once land value has been included.

8.11 Although physically achievable a 50% level of affordable housing provision is therefore financially unviable even with no off site Section 106 contributions. Although UNISON is committed to the delivery of their national headquarters facilities upon the site the affordable housing levels shown are financially unviable and the precise levels of affordable housing and Section 106 contributions are, as a result, subject to further discussion and agreement with the GLA and Local Authority.

8.12 The viability report also assesses three alternative development scenarios including varying levels of affordable housing / Section 106 financial contributions. Although more positive than the 50% affordable housing proposals, all of the development scenarios produce an unviable schemes once land costs are taken in to consideration.

8.13 The proposals represent a unique commercial led scheme which results from an owner occupier with a specific occupational requirement. In most normal circumstances the scheme proposals would be unacceptable in relation to the significant negative residual value. UNISON is however prepared to deliver an office led mixed-use scheme subject to further scrutiny upon the levels of affordable housing and Section 106 offer that the scheme can viably deliver.

### **Public Realm and Landscaping**

- 8.14 The proposal includes a number of public realm and environmental enhancements including the provision of natural "York Stone" paving, replacement of lighting, balustrades, external furniture and lighting. These costs have been included within the package of on site planning benefits.

### **Energy and Sustainability**

- 8.15 Foreman Roberts has undertaken a feasibility study to investigate the most suitable and viable renewable energy options available for the proposed development.
- 8.16 This study concluded that two biomass boilers should be installed which will provide an on-site renewable energy carbon saving of 11.8%. These boilers would be used in conjunction with a variable refrigerant system. The accompanying report demonstrates the acceptability of the proposed energy efficient and renewable energy measures and why, following investigation it is not possible to incorporate CHP tri-generation.

### **Benefits of the development proposals**

- 8.17 There are a significant number of benefits inherent in the approach to the redevelopment of the site which include:-
- Regeneration of this prominent strategic site upon the Euston Road including heritage conversion and exemplar contemporary new buildings;
  - The restoration and retention of the "first generation" listed buildings to secure their long-term viable use at a cost of £4.855 million;
  - Redeveloping the existing vacant, derelict hospital site for a sustainable mix of uses including significant commercial and residential components;
  - Replacing the existing unattractive buildings with buildings of a high design quality which will significantly enhance the visual appearance of the surrounding area;
  - The provision of high-quality modern commercial floorspace to enable the retention of one of the principal employers within the Borough
  - The provision of much needed residential accommodation for both the affordable and private sectors in a wide range of dwelling sizes;
  - Free up a pivotal site on the opposite side of the Euston Road for potential future development;
  - An energy efficient development which incorporates on site renewable energy

## 9 Considerations of the Proposals

- 9.1 The proposals have been considered in accordance with development plan policies and other material considerations set out in Section five and schedules (Appendices A-C), specifically relating to the following key planning and other issues:
- Whether the proposals would meet national, regional and local aspirations for sustainable development;
  - Whether the proposals would meet national, regional and local aspirations for the protection of the historic environment;
  - Whether the proposed design of the replacement buildings is appropriate
  - Whether the proposed mix of uses on the site is appropriate in the context of the site constraints and opportunities;
  - Whether the proposed quantum of affordable housing is appropriate in the context of the viability assessments;
  - Whether the proposed quantum of Section 106 contributions is appropriate in the context of the viability assessments;
- A) Whether the proposals would meet national, regional and local aspirations for sustainable development:**
- 9.2 The development proposals accord with the aspirations for sustainable development at all policy levels.
- 9.3 In relation to the national, regional and local priorities as reflected in PPS 1, other policy statements and guidance, the London Plan and the Adopted replacement Camden UDP, the proposals provide the most effective use of natural resources through the efficient reuse of previously development land, a Site that has lain vacant for six years and is currently in a very poor state of repair with the “first generation buildings” on the English Heritage Buildings at Risk Register.
- 9.4 The design for a mix of uses has sought to maximise the capacity of the Site within the constraints identified whilst making optimum use of the development potential offered by this strategic and sustainable site in accordance with the objectives of London Plan policy 4B.3.
- 9.5 The design seeks to substantially improve the quality, character and appearance of area, with a high quality design of replacement buildings and the restoration of the existing “first generation” Grade II listed buildings whilst respecting the setting of the listed buildings.
- 9.6 The complementary mix of land uses proposed would strengthen the sense of place, add vitality and viability to the surrounding area. The proposals will deliver a genuine mixed-use scheme in accordance with the sustainability objectives of Government Guidance, London Plan policy 3B.4 and UDP policy SD3.

- 9.7 The inclusion of a substantial element of residential accommodation, including a mix of tenures, will assist the creation of a mixed and balanced residential community, strengthening the established residential community of this part of Camden.
- 9.8 The development proposals meet the objectives of reducing energy consumption, through the incorporation of a number of energy saving measures and the use of renewable sources. The development proposals would enhance the environmental quality of the area. The scheme will deliver 12% on site renewable energy provision.
- 9.9 The location of the development at a major public transport node would substantially reduce the need for people to travel to and from the Site by private car and new pedestrian and cycle connections would enhance connectivity to other parts of the borough.
- 9.10 From a sustainability perspective the scheme is fully compliant with the objectives of Government Guidance, the London Plan and Camden UDP.
- B) Whether the proposals would meet national, regional and local aspirations for the protection of the historic environment:**
- 9.11 The proposal involves the retention and full restoration of the “first generation” Grade II listed hospital buildings in accordance with the provisions of PPG15 and Camden’s policies relating to conservation and historic environment.
- 9.12 The listed buildings are on English Heritage’s Building’s at Risk Register and are allocated as a Priority Category A building – those which are at immediate risk of further rapid deterioration or loss of fabric with no solution agreed. Listed building consent has recently been granted for emergency works to the listed building.
- 9.13 Due to the condition of the existing listed buildings, nearly five million pounds is required to restore and sensitively convert the first generation buildings.
- 9.14 The replacement buildings on the site have been carefully designed in order to protect the setting of the “first generation” listed buildings and the listed buildings which surround the site.
- 9.15 The proposal will secure the long-term viable use of the site and the retained existing buildings. A report prepared by Donald Insall Associates is enclosed as part of the application documentation which emphasises the heritage benefits of the scheme proposals.
- 9.16 The scheme proposals will deliver a genuinely heritage led regeneration project in full accordance with PPG15, policy 4B.12 of the London Plan and Policy B6 of the Camden UDP. The listed buildings will be retained and converted as an integral part of the design solution.
- C) Whether the proposed design of the replacement buildings is appropriate**
- 9.17 The proposed design of the replacement buildings has been carefully considered by Squire and Partners Architects to provide buildings of an exceptional design quality which respond appropriately to the context of the surrounding area and the setting of the on-site listed buildings and those which surround the site.

9.18 The proposed design is of the highest quality optimising the development potential of the site, in accordance with London Plan policy 4B.3 whilst respecting identified constraints. The solution incorporates and integrates the contemporary new buildings and converted heritage buildings. The taller new UNISON building upon the Euston Road frontage has been designed to respect its setting and that of the listed building and to comply with the CABE/EH guidance.

9.19 The scale and heights of the proposed replacement buildings have been carefully considered to respond to the daylight and sunlight analysis undertaken by Drivers Jonas.

9.20 The proposals will deliver an exemplar design in accordance with the objectives of PPS1, London Plan and Camden UDP policies.

**D) Whether the proposed mix of uses on the site is appropriate in the context of the site constraints:**

9.21 This section considers the appropriateness of the proposals in the context of the London Plan and LB Camden mixed use policies 3B.4 and SD3 as well as the site specific allocation.

9.22 UDP policy states that “the Council will expect a contribution to the supply of housing and, where appropriate, will seek to negotiate up to 50% of additional gross floorspace as housing”

9.23 The proposals which provide 43% of the additional gross floorspace as residential accommodation, clearly comply with the wording and criteria of Policies 3B.4 and SD3. The objective of both policies is to seek to achieve the maximum provision of residential quantum within a mixed-use scheme subject to a range of criteria based upon site circumstances.

9.24 UDP policy SD3 does not require 50%, provision but states that this is an objective which needs to be considered in relation to a number of criteria, which are considered below.

**(i) The suitability of the site for mixed-use development**

9.25 In overall terms, the scale of the development in terms of size is large enough in principle to accommodate a number of uses on the site, including a significant amount of residential use. The site is suitable in principle for mixed-use development.

9.26 The site is located on the Euston Road which is a commercial location and an inhospitable environment for residential uses. In addition it is an extremely accessible location in terms of public transport which suggests employment use as a priority.

9.27 Squire and Partners have undertaken studies into pre-dominant zones of uses. The area to the rear of the site has been identified as more suitable for residential use given that this part of the site is set back from the Euston Road and surrounded by the residential uses in Sommers Town. The proposed scheme involves the creation of 47 residential units to the rear of the site.

9.28 Paragraph 1.24 of the RUDP emphasises the Borough’s desire to create a balanced mix of uses but paragraph 1.27 states that:-

**“ the precise mix and proportion appropriate will vary in different locations and will be a matter for negotiation being in mind the area’s character, diversity and vitality”.**

9.29 Section 8 set out the factors that have influenced the quantum and location of housing provided within the site’s overall capacity, notably the retention of the listed building and the desire to protect its setting and the setting of surrounding listed buildings, the desire to maintain the levels of sunlight and daylight enjoyed by residents around the site which has had a significant impact of on floorplates and heights. The proposed quantum of residential provision has been maximised within these constraints.

9.30 The Unison team has striven to address all key policy aspirations for the site to produce a unique development in central London which incorporates both historic buildings and new high quality modern buildings, provides a mix of uses in an accessible central location through the significant revision of the Unison brief and increase in the proposed quantum of residential accommodation. The quantum of residential accommodation as currently proposed represents the maximum achievable on the site.

**(ii) The character, diversity and vitality of the surrounding area**

9.31 The location is currently characterised by predominantly commercial uses and the public transport and highway network being located on the Euston Road and between Euston and King’s Cross Transport Interchanges. The creation of a successful mixed-use development at the former Elizabeth Garrett Anderson Hospital will regenerate the immediate locality and bring vitality to an area that is currently inhospitable and uninviting.

9.32 These aspirations have influenced the disposition of a range of uses on the site in an attempt to create a successful commercial headquarters for UNISON and maximise housing provision in an appropriate location to the rear of the site. Furthermore the retention of the listed building, which represents a constraint upon the quantum of floorspace which is achievable, is an integral element of the character of the local area.

**(iii) The need and potential for continuation of an existing use**

9.33 Although the site has been empty since prior to the vacation of the building by UCLH in 2001, the previous hospital use has been re-provided at the new hospital at the Elizabeth Garrett Anderson Hospital and Obstetrics on Huntley Street and any existing nurses accommodation has been re-provided by UCLH at in Bonham Carter/Warwickshire House and John Astor House all within the London Borough of Camden in accordance with Policy H4.

9.34 Evidence from UCLH demonstrates both that the former nurses accommodation has been re-provided elsewhere within the Borough and that the nurses accommodation has been disused for a significant period (ie: in excess of 7 years). UDP Policy H4 is not therefore considered to be applicable.

9.35 Notwithstanding this, the levels of affordable housing provision (including any replacement nurses accommodation) need to be considered in light of economic viability and other site specific considerations in accordance with London Plan and UDP policy.

**(iv) Whether the floorspace increase is needed for an existing user**

- 9.36 UNISON is redeveloping the site at the former Elizabeth Garrett Anderson Hospital for its national Headquarters. UNISON currently occupies its existing headquarters building across the Euston Road at 1 Mabledon Place.
- 9.37 This existing building is not suitable for UNISON's modern operational requirements and the former Elizabeth Garrett Anderson Hospital presents an ideal opportunity to regenerate an existing strategic vacant site, within the vicinity of its existing site and enables UNISON, as one of the largest employers, to remain within the London Borough of Camden.
- 9.38 It is considered that although, Unison is not an existing user on the site, as it is an existing user within the vicinity of the site that is relocating in order to accommodate its expanding operational requirements in accordance with the objectives of policy SD3.

**(v) The need for an active street frontage and natural surveillance**

- 9.39 The proposal includes the creation of a retail unit at ground floor level of the Euston Road and the proposed office entrance on the Euston Road will create a more active frontage than as existing.
- 9.40 Any over-dominance of a single use in the area, and the impact of the balance of uses proposed on the area's character, diversity and vitality.
- 9.41 Although it is recognised that the area surrounding the site is not characterised by one particular use, it is considered that the area to the front of the site is characterised by commercial uses whilst the rear of the site is surrounded by predominantly residential uses.
- 9.42 To this end, the location of the proposed mix of uses on the site has been dictated to a large extent by the location of surrounding land uses. It is considered that the front of the site is not suitable for residential uses. The layout of the site has been carefully considered to ensure that the proposed layout of uses compliments the area's character, diversity and vitality.

**(vi) Summary**

- 9.43 In addition to the policy criteria assessed above, the supporting text to policy SD3 indicates circumstances where it will not be possible to deliver as high a proportion of residential provision. Criterion B states that heritage considerations represent one such circumstance and the retained listed building represents a constraint in terms of the protection of the building (and opportunity cost associated with higher density development if redevelopment were possible) and its setting.
- 9.44 For the reasons set out the proposed levels of residential use, representing 43% of the uplift in floorspace are considered entirely in accordance with London Plan policy 3B.4 and Camden UDP policy SD3 having specific regard to the site specific circumstances and constraints upon increasing this proportion.
- 9.45 It is evident that the proposals are Development Plan compliant having regard to site specific circumstances.

**E) Whether the proposed quantum of affordable housing is appropriate in the context of the viability assessments;**

- 9.46 As set out within Section 5 a viability report has been submitted with the application based upon the GLA's Development Control Toolkit. Following extensive pre-application negotiations the Squire and Partners scheme proposals demonstrate that it is physically feasible to deliver a total of 19 affordable housing units, representing 50% on a floorspace and habitable room basis and 40% on a unit basis.
- 9.47 However, the viability assessment demonstrates that a scheme based upon this level of affordable housing together with on-site benefits (equating to a total of £6.185 million) is financially unviable once notional land costs (representing one third of UNISON's site acquisition costs) are included.
- 9.48 The viability assessment also considers other development alternatives with varying levels of affordable housing and Section 106 contributions. Again once land costs are included, all of the alternatives result in a negative residual value and are therefore considered unviable.
- 9.49 As previously stated, the situation is, however, unique in that UNISON is committed to providing dedicated owner occupied national headquarters facilities upon the site. In any normal circumstances development would not proceed upon this basis.
- 9.50 UNISON is however prepared to proceed with the delivery of a mixed-use scheme including affordable housing. The levels of affordable housing and Section 106 contributions need to have regard to the economics of provision as reflected within London Plan policy 3A.8 and UDP policy H2.
- 9.51 Whilst UNISON is committed to the provision of housing as part of a sustainable mixed-use scheme, the levels of affordable and private provision are subject to further detailed discussion and agreement with the GLA and London Borough of Camden against the background of the submitted viability assessment.
- 9.52 In accordance with the objectives of PPS3, London Plan policy 3A.8 and UDP policy H2 the proposals will deliver the reasonable maximum achievable levels of affordable housing provision subject to the financial economics of provision including levels of both affordable housing and Section 106 contributions.

**F) Whether the proposed quantum of Section 106 contributions is appropriate in the context of the viability assessments;**

- 9.53 As demonstrated in the financial viability assessment, the proposals contain a substantial package of planning benefits as set out in the table below:-.

Item	£
<b>Heritage Enhancement</b> – Retention and Refurbishment of the Listed Buildings	4,855,000
<b>Public Realm/ Environmental Enhancements</b> – Including allowance for natural “York Stone” paving, replacement of Local Authority lighting, balustrades, external furniture and lighting, among others	1,110,000
<b>Landscaping</b> – Including allowance for semi mature specimen trees, and external works for landscaping	220,000
Total	6,185,000

- 9.54 The viability assessment identifies exceptional and abnormal cost items including works to the listed building. The proposed levels of planning benefits and works to deliver heritage and public realm enhancements are well in excess of the levels that would normally be sought under the Council’s SPG upon planning obligations in relation to policy SD2 and represent a significant public benefit.
- 9.55 The viability assessment demonstrates that it is not viable for the scheme to accommodate any additional Section 106 contributions. Beyond this level of provision the overall Section 106 and affordable housing offer should always be considered together in relation to scheme viability and the benefits that the scheme is able to accommodate.

## 10 Conclusions

- 10.1 The proposal provides an excellent opportunity to redevelop this vacant and derelict site to create modern commercial floorspace in a high quality building designed by Squire and Partners for occupation by Unison (a major existing Camden employer) and much needed residential accommodation whilst undertaking a comprehensive restoration of the existing “first generation” listed buildings at a cost of £4.9 million.
- 10.2 The provision of modern commercial floorspace in this location accords with the Central Area policies contained within both the London Plan and the Camden UDP.
- 10.3 As a result of pre-application discussions with both Camden and the GLA, UNISON has significantly revised the commercial led brief considerably since April 2006 including omitting the conferencing facility at basement level, reducing the quantum of commercial floorspace and increasing the residential component in order to comply with London Plan and London Borough of Camden mixed-use policy objectives. The proposed levels of residential provision have been demonstrated to comply with Development Plan policy and will deliver a genuine mixed-use regeneration scheme.
- 10.4 The redevelopment of this site and the restoration of the “first generation” listed buildings will significantly enhance the visual appearance of site and the surrounding area and improve the setting of the on and off site listed buildings.
- 10.5 Benefits inherent in the scheme can be summarised as follows:-
- Comprehensive restoration of the derelict “first generation” listed buildings which are listed on the Buildings at Risk Register as part of a heritage led regeneration scheme;
  - Regeneration of this long vacant strategic site between Euston and Kings Cross;
  - Removal of the unsightly hospital buildings on the site and their replacement with new contemporary buildings of an exceptional design quality which significantly enhance the visual appearance of the site and surroundings;
  - The creation of modern commercial floorspace for occupation by UNISON as its new national headquarters ensuring the retention of a major employer in the Borough;
  - The creation of much needed residential accommodation including a total of 47 residential units and a mix of unit sizes;
  - The creation of a retail unit at ground floor level on the Euston Road to enhance the vitality of this street frontage;
  - Significant on site planning benefit works to sensitively convert the listed building and other environmental enhancements;
  - Sustainability benefits with energy efficiency and renewable energy measures;
- 10.6 In addition to the exhaustive list of benefits UNISON are committed to providing housing as part of a mixed-use scheme. The precise level of affordable housing provision will be subject to further discussion and agreement in relation to the submitted viability assessment and the levels of provision which the scheme is able to accommodate.
- 10.7 The scheme proposals will deliver a genuine heritage led mixed-use scheme which will regenerate this strategically important long-vacant site between Euston and Kings Cross. The application has been demonstrated to be Development Plan compliant in land use, affordable housing, design, heritage and sustainability terms and will also deliver a comprehensive range of planning benefits.

**Appendices A, B and C**

Schedule of Relevant Planning Policy

Appendices

Schedule of Relevant Planning Policy

A National Planning Policy and Guidance

	Theme	Application Response
	<b>Approach and Key Principles</b>	
	<p>National planning policy is set out in Planning Policy Guidance Notes, emerging Planning Policy Statements and Ministerial Statements.</p> <p>Planning Policy Statement 1 (Delivering Sustainable Development) sets out the five themes that should underpin Planning – Making suitable land available for development in line with economic, social and environmental objectives to improve people's quality of life;</p> <ul style="list-style-type: none"> <li>• Contributing to sustainable economic development;</li> <li>• Protecting and enhancing the natural and historic environment, the quality and character of the countryside, and existing communities;</li> <li>• Ensuring high quality development through good and inclusive design, and the efficient use of resources; and</li> <li>• Ensuring that development supports existing communities and contributes to the creation of safe, sustainable, liveable and mixed communities with good access to jobs and key services for all members of the community.</li> </ul>	<p>The planning application accords with the themes set out within Planning Policy Guidance and Planning Policy Statements.</p>
	<p>PPS 1 states that the following key principles should be applied in decisions taken on planning applications:</p> <ul style="list-style-type: none"> <li>• Sustainable development should be pursued in an integrated manner;</li> <li>• A spatial approach to planning should be taken;</li> <li>• High quality, inclusive design should be promoted;</li> <li>• A comprehensive and inclusive approach to access should be taken; and</li> <li>• Community involvement should be followed.</li> </ul>	<p>The planning application makes the most beneficial use of previously developed land, at one of the most highly accessible locations in Central London. A comprehensive approach to development has been adopted as detailed within the Planning Statement, Design Statement and Environmental Statement. The approach to community involvement has embraced the approach set out within PPS1 and the Government's Objectives for Community Involvement in Planning.</p> <p>The development accords with national policy.</p>
	<b>Sustainable Development</b>	
	<p>National aspirations for sustainable development are set out in PPS 1 – Creating Sustainable Development, which advises that:</p> <p>"Sustainable development is the core principle underpinning the planning system" and that</p> <p>"Planning should facilitate and promote sustainable and inclusive patterns of urban and rural development by:</p> <ul style="list-style-type: none"> <li>- Making suitable land available for development in line with economic, social, and environmental objectives to improve peoples quality of life;</li> <li>- Contributing to sustainable economic development;</li> <li>- Protecting and enhancing the natural and historic environment, the quality and character of the countryside and existing communities;</li> <li>- Ensuring high quality development through good and inclusive design; and the efficient use of resources; and</li> <li>- Ensuring that development supports existing communities and contributes to the creation of safe, sustainable, liveable and mixed communities with good access to jobs and key services for all members of the community". <p>The protection and enhancement of the environment continues to be an important element of national policy. Paragraph 18 stresses that:</p> <p>"The condition of our surroundings has a direct impact on quality of life and the conservation and improvement of the natural and built environment brings social and economic benefit for local communities..."</p> <p>With regard to integrating sustainable development, planning authorities should, amongst other things, seek to undertake the following (Paragraph 27):</p> </li></ul>	<p>The sustainability and energy section of the Design and Access Statement demonstrates that sustainability is the core principle underlying the proposed development.</p> <p>The development accords with national policy.</p>

	<p>“(vi) Focus developments that attract a large number of people, especially retail, leisure and office development, in existing centres to promote their vitality and viability, social inclusion and more sustainable patterns of development.</p> <p>“(viii) Promote the more efficient use of land through higher density, mixed use development and the use of suitably located previously developed land and buildings. Planning should seek actively to bring vacant and underused previously developed land and buildings back into beneficial use to achieve the targets the Government has set”.</p>	
	<p><b>Design</b></p>	
	<p>PPS1 states that good design ensures attractive usable, durable and adaptable places and is a key element in achieving sustainable development. Good design is indivisible from good planning.</p> <p>PPG3 expands on this and considers that developers should think imaginatively about designs and layouts that make more efficient use of land without the compromising the quality of the environment.</p> <p>By Design reinforces the call in the Urban Task Force report towards an urban renaissance through better informed attention to urban design.</p> <p>By Design indicates that urban design is the art of making places for people including the way places work and matters such as community safety. Good design can help create lively places with a distinct character, streets and public spaces that are safe, accessible, pleasant to use and in a human scale. Thus, moving away from the negative reliance on standards towards a more positive emphasis on performance criteria (By Design: Chapter 1).</p> <p>The positive features of a place and its people can contribute to its special character and sense of identity. Where there are no significant local traditions, the challenge to create a distinctive place will be greater (By Design: Section 2).</p> <p>One of the design elements, which can create a successful urban space is the design of the public realm including paving, planting, lighting, orientation, shelter, signage and street furniture. Works of art and well-designed street fronts give identity and enhance the sense of place (By Design: Chapter 2).</p> <p>Urban Design Frameworks enable complex urban environments to be dealt with in a comprehensive and connected way (By Design: Chapter 3).</p>	<p>The proposal has been developed with consideration of the site in the context of its surroundings, and enhancing the permeability and connectivity of the wider area.</p> <p>The proposed development will make effective and efficient use of land, whilst improving the quality of the built environment. The built form is a result of comprehensive design analysis of scale, form, massing, proportion, silhouette and specific relationship with other buildings.</p> <p>The development accords with national policy.</p>
	<p><b>Housing</b></p>	
	<p>PPS3 sets out the Government's commitment to providing everyone with the opportunity of a decent home, which they can afford, in a community where they want to live.</p> <p>PPS3 states that the planning system should deliver high quality housing that is well designed and built to a high standard, a mix of housing, both market and affordable and a sufficient quantity of housing taking into account need and demand.</p> <p>Local Authorities should plan for a mix of housing on the basis of the different types of households that are likely to require housing over the plan period.</p> <p>The development potential of brownfield sites should be optimised.</p> <p>The themes of sustainable development is continued in PPG13 - Transport, with guidance directing significant trip generating activities to locations close to public transport (paragraph 3.4).</p> <p>Planning Policy Statement 3 confirms the Government's objectives, including widening housing opportunity and choice, maintaining a supply of housing and creating sustainable residential environments.</p> <p>Housing requirements of the whole community need to be met and more efficient use of land, and especially re-using previously developed land within urban areas, are emphasised.</p> <p><b>The Government's Urban Task Force</b></p> <p>The Urban Task Force's 'Towards an Urban Renaissance' has as its Mission Statement:</p> <p><b>“The Urban Task Force will identify causes of urban decline in England</b></p>	<p>The proposals make optimum beneficial use of the site for housing.</p> <p>It is an historic and vacant hospital site that would be more appropriately used for housing.</p> <p>The proposals seek to secure both the maximum amount of housing, in order to take account of housing need.</p> <p>The development accords with national policy.</p>

	<p><b>and recommend practical solutions to bring people back into our cities, towns and urban neighbourhoods. It will establish a new vision for urban regeneration founded on the principles of design excellence, social well being and environmental responsibility within a viable, economic and legislative framework.”</b></p> <p>Urban neighbourhoods should be attractive places to live. This can be achieved by improving the quality of design and movement, creating compact developments, with a mix of uses, better public transport and a density that supports local services and fosters a strong sense of community and public safety.</p> <p><b>The Egan Review: Skills for Sustainable Communities</b></p> <p>The Egan Review report defines a sustainable community as:</p> <p><b>“Sustainable communities meet the diverse needs of existing and future residents, their children and other users, contribute to a high quality of life and provide opportunity and choice. They achieve this in ways that make effective use of natural resources, enhance the environment, promote social cohesion and inclusion and strengthen economic prosperity.”</b></p> <p>The report identifies seven key components of a sustainable community. It is considered that it is essential that all components are addressed if the Government is to plan, deliver and maintain sustainable communities – there is no hierarchy. Depending on local circumstances, there might be a trade off in the short term in the priority given to different components, but in the longer term, all are essential to make a place sustainable.</p> <p>Social and Cultural – Vibrant, harmonious and inclusive communities:</p> <ul style="list-style-type: none"> <li>• Governance – Effective and inclusive participation, representation and leadership;</li> <li>• Environmental – Providing places for people to live in an environmentally friendly way;</li> <li>• Housing and the Built Environment – A quality built and natural environment;</li> <li>• Transport and Connectivity – Good transport services and communication linking people to jobs, schools, health and other services;</li> <li>• Economy – A flourishing and diverse local economy; and</li> <li>• Services – A full range of appropriate, accessible public, private, community and voluntary services.</li> </ul> <p>A common subcomponent across all components is for the provision and or activity to be high quality, well designed and maintained, safe, accessible, adaptable, environmentally and cost effectively provided.</p>	
	<p><b>Business</b></p>	
	<p>The locational demands of businesses are a key input to the preparation of development plans and policies should take into account these needs and offer the opportunity to encourage new development in locations which minimise the length and number of trips and encourage new development in locations which are served by more energy efficient modes of transport.</p> <p>PPG4 states that the planning system should operate on the basis that applications for development should be allowed having regard to the development plan and all material considerations, unless the proposed development would cause demonstrable harm to interests of acknowledged importance.</p> <p>The Planning White Paper states that a planning system that is responsive and efficient and which positively supports vital economic development and encourages greater investments is needed.</p> <p>A new planning policy statement on Planning for Economic Development which reinforces the government’s commitment to a strong, stable and productive economy is to be published later in 2007. The White Paper enhances the importance of sustainable economic development and proposes a presumption in favour of commercially led development.</p>	<p>The commercial element of the proposal will comply with the Government’s aims to encourage a strong, stable and productive economy.</p>

	<p><b>Town Centre and Retail Developments</b></p>	
	<p>Planning Policy Statement 6 emphasises the importance of a Plan-led approach to promoting developments in town centres. It adopts a sequential approach to selecting sites for development, for retail, employment, leisure and other key town centre uses, starting with sites in the town centre or other centres.</p> <p>The Government's objectives are:</p> <ul style="list-style-type: none"> <li>• To sustain and enhance the vitality and viability of town centres;</li> <li>• To focus development, especially retail development, in locations where the proximity of businesses facilitate competition from which all consumers are able to benefit and maximises the opportunity to use means of transport other than the car;</li> <li>• To maintain an efficient, competitive and innovative retail sector;</li> <li>• To ensure the availability of a wide range of shops, employment, services and facilities to which people have easy access by a choice of means of transport.</li> </ul>	<p>The planning application sets out a comprehensive approach to the site and its relationship with the area. Employment and retail floorspace is proposed to support a sustainable pattern of development in close proximity to a key transport node.</p> <p>The proposed main town centre uses are of a modest scale to meet the needs of the development and accord with development plan policy and are evidently therefore sequentially preferable.</p> <p>The development accords with national policy.</p>
	<p><b>Movement – Planning and Transport</b></p>	
	<p>Planning Policy Guidance Note 13 provides the Government's policies in respect of transport. The objectives are to integrate planning and transport at the national, regional, strategic and local level to:</p> <ul style="list-style-type: none"> <li>• promote more sustainable transport choices for both people and for moving freight;</li> <li>• promote accessibility to jobs, shopping, leisure facilities and services by public transport, walking and cycling;</li> <li>• reduce the need to travel especially by car.</li> </ul> <p>PPG13 promotes active management of the pattern of urban growth to make the fullest use of public transport and focus major generators of travel demand on town centres and near to major public transport interchanges. Reference is made to accommodating housing and planning for increased intensity of development in locations which are highly accessible and ensuring that developments comprising jobs, shopping, leisure and services offers a realistic choice of access by public transport.</p> <p>The note refers to key sites within which Local Authorities should seek to make maximum use of the most accessible sites, including those which are close to major transport interchanges. These opportunities are scarce. Authorities should be proactive in promoting intensive development of these areas and on such sites, having developed a clear vision for development of these areas, including preparing site briefs.</p>	<p>The proposals' character reflects its direct relationship with a transport node of exceptional accessibility in Central London to all modes of public transport.</p> <p>The planning application proposes a comprehensive approach to transport and accessibility in accordance with national planning policy and guidance.</p> <p>The development accords with national policy.</p>
	<p><b>Historic Buildings</b></p>	
	<p>Planning Policy Statement 15 provides a full statement of Government policies for the identification and protection of historic buildings, conservation areas and other elements of the historic environment.</p> <p>The design of new buildings intended to stand alongside historic buildings needs very careful consideration. In general it is better that old buildings are not set apart, but are woven into the fabric of the living and working community.</p> <p>The Statement recognises that new uses may often be the key to a building's or area's preservation and control over land use, density, plot ration, daylighting and other planning matters should be exercised sympathetically where this would enable a historic building or area to be given a new lease of life.</p>	<p>The proposal involves the comprehensive restoration of the "first generation" listed buildings which are currently on the English Heritage building's at risk register.</p> <p>The "first generation" listed buildings will be restored and refurbished to secure their long term viable future.</p>
	<p><b>Renewable Energy</b></p>	
	<p>Planning Policy Statement 22 notes that renewable energy resources offer the hope of increasing diversity and security of supply, and of reducing harmful emissions to the environment.</p> <p>The Statement recognises that renewable energy is not the only solution to limiting emissions of greenhouse gases. On the demand side, energy efficiency can make a</p>	<p>A comprehensive Energy Strategy has been put in place, which has informed the design process from the outset.</p> <p>The positive use of renewables is explained in the Sustainability and Energy section of the Design and</p>

	substantial impact on reducing our demand for energy.	Access Statement. The development accords with national policy.
	<b>Noise</b>	
	<p>Planning Policy Guidance Note 24 provides guidance on the use of their planning powers to minimise the adverse impacts on noise.</p> <p>PPG24 outlines the considerations to be taken into account in determining planning applications, both from noise sensitive developments and for those activities that will, or are likely to, generate noise.</p> <p>PPG24 introduces the concept of noise exposure categories for residential development, encourages their use and recommends appropriate levels for exposure to different sources of noise.</p> <p>It advises on the use of conditions to minimise the impact of noise.</p> <p>Annex 3 to PPG24 sets out detailed guidance on the assessment of noise from differing sources. The interrelationship between commercial development and residential development needs to be carefully considered.</p>	<p>The detailed design of the proposed development has ensured that, the issue of noise is fully resolved.</p> <p>The issues of noise and vibration have been assessed in the Acoustic Report prepared by ADD.</p> <p>The proposed development therefore accords with national planning policy.</p>
	<b>Development and Flood Risk – Not applicable to Euston Road</b>	
	<p>Planning Policy Guidance Note 25 explains how flood risk should be considered at all stages of the planning and development process in order to reduce future damage to property and loss of lives.</p> <p>Those proposing particular developments are responsible for:</p> <p>Providing an assessment of whether any proposed development is likely to be affected by flooding and whether it will increase the flood risk elsewhere and of the measures proposed to deal with those effects and risks;</p> <p>Satisfying the Local Planning Authority that any flood risk to the development or additional risk arising from the proposal will be successfully managed with the minimum environmental effect to ensure that the site can be developed and occupied safely (Paragraph 20).</p>	

**B Strategic Planning Policy - The London Plan (2004)**

	Policy /Para Nos.	Application Response
	<p>Areas of London that have not benefited from recent development - should be prioritised for future development.</p> <p>To accommodate London's growth within its boundaries without encroaching on open spaces. (xvi, Objective 1).</p>	<p>The proposed development will assist in the accommodation of growth within London's boundary and prioritising development within Central London.</p> <p>The proposed development will meet the strategic aspirations of strategic policy.</p>
	<p>When considering applications referred to him, the Mayor will consider against (amongst others) optimising the use of previously developed land and vacant or under-used buildings, using a design-led approach to optimise the potential of sites, taking account of physical constraints and the suitability of sites for mixed-use development (Policy 2A.1).</p>	<p>The proposed development makes the most appropriate use of previously developed land. The design team consider that the potential of the site has been maximised, taking account of the physical constraints of the site. The development will help contribute to a more balanced mix of uses within the surrounding area.</p> <p>The proposed development therefore accords with the strategic aims of Policy 2A.1.</p>
	<p>UDP policies should, amongst other matters, seek to sustain and enhance the vitality and viability of town centres, including maximising housing provision through high density, mixed-use development and environmental improvement (Policy 2A.5).</p>	<p>The proposal involves the maximum possible provision of residential accommodation that the site can accommodate within the constraints of the site.</p>
	<p>The Mayor will see the maximum provision of additional housing in London towards achieving an output of 30,000 additional homes per year from all sources. The Mayor will promote policies that seek to achieve and to exceed this target (Policy 3A.1).</p>	<p>The proposed development will yield a substantial quantum of new housing. Accordingly, it will contribute to the annual supply of housing within both Camden and London as a whole.</p> <p>The proposed development will assist in achieving current and proposed targets for new housing.</p>
	<p>UDP policies should see to exceed targets and address the suitability of housing development in terms of location, type of development and impact on the locality. They should identify new sources of supply having particular regard to change of use of unneeded industrial/employment land to residential or mixed-use development (Policy 3A.2, Table 3A.1).</p>	<p>The proposed development will make an appropriate contribution to the housing supply within the Borough having due regard to the impact on the locality in respect of size and mix of units. The proposed development will make the best use of scarce land that is not required solely for employment purposes.</p>
	<p>Boroughs should encourage proposals for large residential developments in areas of high public transport accessibility, including the provision of suitable non-residential uses within such schemes (Policy 3A.5).</p>	<p>The proposals fully meet this strategic aim.</p>
	<p>UDP policies should ensure that new affordable housing provision seeks to meet the full spectrum of housing need and the UDP policies should set an overall target for the amount of affordable housing provision over the plan period in the area. (Policies 3A.6 and 3A.7).</p>	<p>The proposal will include affordable housing.</p>
	<p>On individual private residential and mixed-use sites, the Mayor will expect boroughs to use development appraisals in order reasonably to maximise the amount of affordable housing provision (Paragraph 3.38).</p> <p>Boroughs should seek the maximum reasonable amount of affordable housing when negotiating on individual private residential and mixed-use schemes, having regard to affordable housing targets and need to encourage rather than restrain residential development (Policy 3A.8).</p>	<p>In establishing an appropriate quantum of affordable housing, the matter of economic viability should be taken into account and the Mayor will seek to ensure the most effective use of private and public investment. The London Plan acknowledges the desire to secure the maximum potential for affordable housing.</p> <p>The application drawings show the provision of 19 affordable housing units (50% on a habitable rooms and floorspace basis) but the submitted viability reports demonstrate that the scheme is financially unviable on this basis.</p> <p>The proposed quantum of affordable housing is subject to further discussion and agreement with the London Borough of Camden.</p>

	The Mayor and boroughs should seek to rejuvenate office-based activities in the Central Activities Zone (CAZ) (Policy 3B.3).	The proposed development seeks to introduce appropriate employment generation opportunities into the area.  The proposed development therefore accords with Policy 3B.3.
	Within the CAZ, wherever increases in office floorspace are proposed, they should provide for a mix of uses including housing, unless such a mix would demonstrably conflict with other policies in this plan (Policy 3B.4).	The proposed development will provide a mix of land uses that will strengthen the sense of place and add vitality to the local area.  The proposed development therefore accords with Policy 3B.4.
	Boroughs, the private sector and other relevant agencies should ensure that new residential and commercial developments are e-enabled in terms of ducts to existing or proposed fibre cables, multiple duct nests for individual buildings, and internal ducting or appropriate alternative provision (Policy 3B.7).	The proposed development incorporates electronic infrastructure.  The proposed development is therefore e-enabled and accords with Policy 3B.7.
	The Mayor will work with partners to integrate transport and development (Policy 3C.1).	The proposals directly reflect, and accord with, this strategic aim.
	The Mayor will, and boroughs should, consider proposals for development in terms of existing transport capacity, both at a corridor and local level. Developments with significant transport implications should include a Transport Assessment and Travel Plan as part of planning applications (Policy 3C.2).	The development is located in very close proximity to a significant transport node. The application documentation includes a Transport Statement that provides further details.  The proposed development therefore accords with Policy 3C.2.
	The Mayor will seek to ensure that on-site car parking at new developments is the minimum necessary and that there is no over-provision that could undermine the use of more sustainable non-car modes. UDP Policies and transport Local Implementation Plans should adopt the maximum parking standards set out in Annex 4 where appropriate; reduce the amount of existing private, non-residential parking, as opportunities arise, take account of the needs of business for delivery and servicing movements, recognise the needs of disabled people and provide adequate parking for them (Policy 3C.22).	Careful consideration has been given to the level of car parking proposed. The site is well connected to the immediate and wider area by frequent and reliable public transport and has a PTAL rating of 6.  Accordingly, car parking has been kept to a minimum.  The proposed development therefore accords with Policy 3C.22.
	In the most accessible locations, restraint on parking provision should sometimes extend to car-free developments. The CAZ is particularly well served by public transport and is densely developed, such that additional car parking, other than for residential use, is unlikely to be accommodated (Paragraph 3.206).	Although the proposed development located in close proximity to a significant transport node, there is still a need to provide a low level of car parking, particularly in respect of parking for those with disabilities.  Further detail is provided within the Transport Statement, in relation to how the development proposals achieve this policy objective.
	The Mayor will, and boroughs should, enhance access to goods and services and strengthen the wider role of town centres, including UDP policies to encourage retail, leisure and other related uses in town centres and discourage them outside the town centres (Policy 3D.1).	The proposal includes the provision of retail floorspace along the Euston Road frontage to enhance the vitality and viability of the area.
	Boroughs should provide a policy framework for maintaining, managing and enhancing local and neighbourhood shopping facilities and where appropriate for the provision of further such facilities in accessible locations (Policy 3D.3).	See response to policy 3D.2 above.
	UDP policies should ensure that the principles of Best Practical Environmental Option are applied; require the provision of suitable waste and recycling storage facilities in all new developments (Policy 4A.2).	The proposed development embraces the principles of the Best Practical Environmental Option, which has been applied to all appropriate aspects of the development. The Design and Access Statement provides further detail on the application of BPEO throughout the proposed development.  The Design and Access Statement provides full details of the waste and recycling strategy to be applied across the entirety of the application site.  The proposed development accords with Policy 4A.2.
	The Mayor will, and boroughs should, support the Mayor's Energy Strategy and its	The application has a central theme of sustainability.

	<p>objectives by requiring the inclusion of energy efficient and renewable energy technology and design, including passive solar design, natural ventilation, borehole cooling, CHP, community heating, photovoltaics, solar water heating, wind, fuel cells, biomass fuelled electricity and heat generating plant in new developments wherever feasible (Policy 4A.7).</p>	<p>This approach is outlined within the Renewable Energy Strategy Section of the Design and Access Statement.</p> <p>A full assessment of Energy demand has been undertaken and a strategy to demonstrate the steps taken to meet the energy hierarchy is provided.</p> <p>The Renewable Energy Strategy provides further detail on the energy efficiency and the proposals for renewable energy, in order to substantially reduce carbon emissions arising from fossil fuel use.</p> <p>The proposals for on site renewable energy will reduce carbon dioxide emissions by around 11.8% The reductions will be achieved by the installation of biomass boilers.</p> <p>The proposed development therefore accords with Policy 4A.7 and related draft Supplementary Planning Guidance on Sustainable Design and Construction.</p>
	<p>The Mayor will and boroughs should request an assessment of the energy demand of proposed major developments, which should also demonstrate the steps taken to apply the Mayor's energy hierarchy (Policy 4A.8).</p>	<p>See response to Policy 4A.7.</p>
	<p>The Mayor will and boroughs should require major developments to show how the development would generate a proportion of the site's electricity or heat needs from renewables, wherever feasible (Policy 4A.9).</p>	<p>See response to Policy 4A.7.</p>
	<p>The Mayor will and boroughs should reduce noise by:</p> <ul style="list-style-type: none"> <li>• minimising the existing and potential adverse impacts of noise on, from, within, or in the vicinity of, development proposals</li> <li>• separating new noise sensitive development from major noise sources wherever practicable</li> <li>• containing noise from late night entertainment and other 24-hour activities (Policy 4A.14).</li> </ul>	<p>The acoustic report prepared by ADD sets out details in respect of noise reduction methods.</p> <p>The proposed development accords with Policy 4A.14.</p>
	<p>The Mayor will, and boroughs should, seek to ensure that developments:</p> <ul style="list-style-type: none"> <li>• maximise the potential of sites;</li> <li>• create or enhance the public realm;</li> <li>• provide or enhance a mix of uses;</li> <li>• are accessible, usable and permeable for all users;</li> <li>• are sustainable, durable and adaptable;</li> <li>• are safe for occupants and passers-by;</li> <li>• respect local context, character and communities;</li> <li>• are practical and legible;</li> <li>• are attractive to look at and, where appropriate, inspire, excite and delight;</li> <li>• respect the natural environment;</li> <li>• respect London's built heritage (Policy 4B.1).</li> </ul>	<p>The intention and approach to the proposal has been to secure the comprehensive and appropriate development of previously developed land within a key Central London location.</p> <p>The site is well suited to a mixed-use development. The Design and Access Statement provides details on the way in which the proposal has developed and responds to the core aims of the London Plan.</p> <p>The proposed development accords with Policy 4B.1.</p>
	<p>The Mayor will seek to promote world-class design (Policy 4B.2).</p>	<p>The proposed development is considered to be of the highest architectural standard, and therefore accords with Policy 4B.2.</p>
	<p>New developments should create or enhance a mix of uses within large buildings, within the development and/or between the development and its surroundings. Use of open space as well as buildings should be taken into account (paragraph 4.39).</p>	<p>The Design and Access Statement details the relationship of the proposed development with its surroundings. Careful consideration has been given to the relationship with the existing and proposed developments within the Euston Area.</p>
	<p>Developments should be safe and secure, taking into account the objectives of 'Secured by Design', 'Designing out Crime' and DOE Circular 5/94 'Planning out Crime' (Paragraph 4.40).</p>	<p>The design for the site has sought to meet the objectives of creating a safe environment for workers, visitors and residents with the intention of reducing</p>

		opportunities for anti social behaviour and criminal activity.
	The Mayor will, and boroughs should, ensure that development proposals achieve the highest possible intensity of use compatible with local context, the design principles of Policy 4B.1 and with public transport capacity (Policy 4B.3).	The potential of the site has been maximised and the transport effects fully assessed in the Transport and Highways Report  The proposals accord with Policy 4B.3.
	The Mayor will, and boroughs should, work to ensure the public realm is accessible, and usable for all. Planning applications will be assessed in terms of their contribution to the enhancement of the public realm (Policy 4B.4).	The public realm is proposed to be accessible and useable for all within an attractive, vital and landscape environment.  The proposed development therefore accords with Policy 4B.4.
	Boroughs should require development proposals to include an Access Statement showing how the principles of inclusive design, including the specific needs of disabled people, have been integrated into the proposed development, and how inclusion will be maintained and managed (Policy 4B.5).	Safety, security and appropriate access for all, are key principles behind the design rationale for the development proposed as detailed within the Design and Access Statement.  The proposed development accords with Policy 4B.5.
	The Mayor will, and boroughs should, ensure future developments meet the highest standards of sustainable design and construction.  These will include measures to: <ul style="list-style-type: none"> <li>• conserve energy, materials, water and other resources;</li> <li>• ensure designs make the most of natural systems both within and around the building;</li> <li>• reduce the impacts of noise, pollution, flooding and micro-climatic effects;</li> <li>• ensure developments are comfortable and secure for users.</li> </ul> Applications for strategic developments should include a statement showing how sustainability principles will be met in terms of demolition, construction and long-term management (Policy 4B.6).	The proposed development will achieve excellence ratings both for the Code for Sustainable Homes and Breeam.  The sustainability chapter of the Design and Access Statement provide details of how the proposed development will accord with principles of sustainability in perpetuity.
	The Mayor will, and boroughs should, work with local communities to recognise and manage local distinctiveness ensuring proposed developments preserve or enhance local social, physical, cultural, historical, environmental and economic characteristics (Policy 4B.7).	The proposals involve the preservation and enhancement of the local environment and the enhancement of the historic environment through the restoration of the "first generation" listed buildings.  The proposed development therefore accords with policy 4B.7
	Boroughs should ensure that the protection and enhancement of historic assets in London are based on an understanding of their special character, and form part of the wider design and urban improvement agenda, and that policies recognise the multi-cultural nature of heritage issues (Policy 4B.11).	The proposed development involves the protection and restoration of the "first generation" listed buildings.  The setting of nearby listed buildings have also been considered and the anticipated effects of the development on their setting has been assessed. It therefore accords with Policy 4B.11.
	The Mayor will, and boroughs should, give careful consideration to the relationship between new development and the historic environment, including listed buildings and archaeological areas (Policy 4C.10).	The design has evolved to provide an appropriate solution that has full regard to the historic environment including the setting of both on site and off site listed buildings.  The proposed development therefore accords with Policy 4C.10.
	The strategic priorities for Central London include identifying capacity for jobs and housing opportunities, which is especially important in the CAZ and Opportunity Areas (Policy 5B.1).	The application site is within the CAZ.  The proposals accord fully with the strategic priorities of Policy 5B.1.
	Development in the CAZ should be maximised, taking account of amenity, mix and transport capacity (Policy 5B.2).	The proposals accord fully with Policy 5B.2.
	Development in the Central London Opportunity Areas should maximise residential and non-residential densities. (Policy 5B.4).	This proposal accords with Policy 5B.4, through the provision of a high density development.
	Scope for intensification and increased housing and commercial capacity is identified, combined with effective pedestrian linkages. The degraded environment	The proposal seeks to make reasonable intensive use of the available site. The public realm strategy

	should be improved and perceptual and physical links with the rest of Central London strengthened (Paragraph 5.35).	would enhance the surrounding area.
	The Mayor will, and boroughs should, include appropriate strategic as well as local needs in their policies for planning obligations. The Mayor wishes to develop with boroughs a voluntary system of pooling for the provision of facilities related to proposed developments. Affordable housing and public transport improvements should generally be given the highest importance with priority also given to learning and skills and health facilities and services and childcare provisions (Policy 6A.4).	The Planning Statement and Viability Assessment set out the package of benefits included in the proposals which are considered to reflect development plan policy and Circular 05/2005.
	<p>Boroughs should set out a clear framework for negotiations on planning obligations in UDPs having regard to central government policy and guidance and local and strategic considerations to the effect that:</p> <ul style="list-style-type: none"> <li>• It will be a material consideration whether a development makes appropriate provision for, or contribution towards requirements that are made necessary by and are related to, the proposed development;</li> <li>• Negotiations should seek a contribution towards the full cost of all such provision that is fairly and reasonably related in scale and in kind to the proposed development and its impact on the wider area;</li> <li>• Boroughs should refer to planning obligations that will be sought in the relevant parts of the UDP (such as transport and housing policies) (Policy 6A.5).</li> </ul>	See response to Policy 6A.4.
	<p>Maximum residential car parking standards:</p> <p>Detached / semi detached – 2-1.5 spaces per unit</p> <p>Terraced houses / flats – 1.5-1 space per unit</p> <p>Mostly flats – 1 to less than 1 space per unit (Table A4.2).</p>	The car parking provision has been restrained as explained in the Transport & Highways Report to meet the reasonable needs of the development.

**C Local Planning Policy – Camden Replacement Unitary Development Plan (Adopted 2006)**

Policy / Para Nos.		
<b>Strategic Aims</b>		
	The Council wants development in the borough to be “sustainable”-that is, it should meet today’s social, economic and environmental needs in a way that does not harm our ability to meet our needs in the future.	The development proposals will assist in achieving this objective through the creation of a mixed and sustainable community and a high quality development in terms of architecture and public realm.
	Housing is the priority land use of the UDP. The plan seeks to increase the supply of housing in the Borough and secure more accommodation that is affordable to those on middle and low incomes.	The proposed development will assist in increasing the supply of housing in the borough and will provide housing that is affordable to those on middle and low incomes.
	The UDP aims to reduce the need to travel and in particular to reduce the number of journeys by car.	The proposals will help to achieve this through the development of a site in close proximity to two major transport nodes thus reducing the need for car travel.
	The UDP recognises the importance of protecting the amenity of Camden’s residents and visitors. It aims to secure a safe, pleasant and healthy environment by encouraging designs that reduce crime and by reducing all forms of pollution.	The proposals aim to create an environment which will protect the amenity of surrounding residents.
	The Council wants to provide for and protect a range of employment opportunities.	The proposed development will be used as the headquarters of one of the key public sector ...
<b>Strategic Policies</b>		
<i>Section 1 - Sustainable development</i>		
S1	The Council will seek to ensure that all development is sustainable with regard to social needs, the protection of the built and natural environment, the sensible use of resources and the maintenance of a viable economy.	The proposals will achieve this strategic objective, through the most effective use of the site and the nature and form of development proposed, particularly the energy initiatives as set out in the Energy and Sustainability Statements.
S2	The Council will seek to ensure that development promotes a high quality of life for all members of the community, contribute to sustainable land use patterns and does not harm local amenity.	The proposals have been carefully designed to contribute to sustainable land use patterns and protect local residential amenity.
S3	The Council will seek to ensure that development adequately considers resources, energy, waste and minerals, minimises their impacts and protects the environment and people from hazards.	The proposals have taken into account sustainability and renewable energy in order to comply with Strategic Policy S3.
<i>Section 2 - Housing</i>		
S4	The Council will seek to provide housing to meet strategic housing needs. It will seek to secure net additional to the housing stock wherever possible and retain existing permanent residential accommodation. Housing is the priority use of the UDP.	The development proposals will contribute 47 new homes, in part enabling the Borough to achieve its housing targets.
S5	The Council will seek the provision of affordable housing for those on low and middle incomes/	The proposals will facilitate the delivery of affordable housing. The precise quantum of the affordable housing offer will be determined during discussions with the Local Planning Authority
S6	The Council will seek to secure and protect a range of housing, in terms of size and type, to meet London-wide and local needs and seek housing designs that are accessible to all, including people with mobility difficulties.	The proposal involves the creation of a mix of unit sizes and types in order to meet both London and local needs.
<i>Section 3- Built environment</i>		
S7	The Council will seek to protect and enhance the Borough’s historic environment and ensure that all development is designed to the highest standard and protects and enhances its surroundings.	The proposals have been designed to protect and enhance the setting of the listed buildings on the site and those in the vicinity of the proposed development. The development also takes into account the character and appearance of the nearby Conservation Area.
<i>Section 5 - Transport</i>		
S9	The Council will seek to reduce the need to travel, manage and reduce the amount of traffic on Camden’s roads and encourage forms of travel that cause the minimum environmental harm.	The proposed development is located close to two key public transport nodes.

<i>Section 7 – Economic Activities</i>		
S14	The Council will seek to retain existing business sites and encourage expansion of business development in appropriate locations. The Council will seek to conserve and strengthen the strategic and international economic role of Central London in a manner compatible with the protection of local residential communities.	The proposal will accommodate the expansion of UNISON an existing business user within Camden. This will promote the economic role of Central London.
<b>Core Policies</b>		
<i>Section 1 – Sustainable Development</i>		
1.4	The aims of the sustainable development policies are: <ul style="list-style-type: none"> <li>To promote best practice and exemplary projects in sustainable development;</li> <li>To maximise quality of life for those who live in, work in and visit the Borough; and</li> <li>To improve and protect local amenity and enhance the environment, locally and globally.</li> </ul>	
1.5	<u>Environmental Impact Assessments</u> Environmental Impact Assessments enable the full range of potential impacts of a development to be considered in a systematic and methodical way. The Council will follow the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 as far as Schedule 1 and Schedule 2 developments are concerned.	The London Borough of Camden has confirmed that an Environmental Impact Assessment is not required to be submitted as part of the application documentation.
1.6	Where a development outside these Schedules is considered to have potentially significant environmental impacts due to its size, location or nature, the Council may also require an environmental impact assessment to be carried out into those impacts and how they might be reduced.	See response to 1.5.
SD1	<u>Quality of Life</u> A) Sustainable communities The Council will seek to ensure that development fosters sustainable communities. In determining applications for planning permission, the Council will therefore, take into consideration the special needs and characteristics of individual areas and communities. B) Regeneration The Council will seek to promote the regeneration of areas in need of environmental, physical, social or economic renewal. C) Access for all The Council expects all new development to meet the highest standards of access and inclusion. The Council will require development of public buildings and spaces that public may use, including changes of use and alterations where practicable and reasonable, to be designed to improve access and use for all. D) Community Safety The Council will require development to incorporate design, layout and access measures which address personal safety, including fear of crime, security and crime prevention.	The proposed development will regenerate a currently vacant site and will provide environmental, physical and economic benefits to the surrounding area.  The development will be accessible to all users, particularly those with disabilities. The location of the development adjacent to a strategic public transport hub ensures that the development is easily accessible to those without access to a car.
SD2	<u>Planning Obligations</u> Where existing and planned provision of infrastructure, facilities and services is not adequate to meet the needs generated by a proposal, the Council will use planning obligations to secure measures directly related in scale or kind to the proposal to meet those needs.	The applicant will review this matter with the Local Planning Authority following submission of the application.  The development proposals have taken account of the need to provide a reasonable proportion of affordable housing. A financial viability appraisal has been undertaken which demonstrates that the scheme set out in the planning application drawings which includes 19 affordable housing units is not viable.  The proposals accord with policy SD2.
SD3	<u>Mixed-use development</u>	

	<p>The Council will seek a mix of uses in development, including a contribution to the supply of housing, and will not grant planning permission for development that reduces the amount of floorspace in secondary uses, unless it considers that particular characteristics of the proposal, site or area would make development of housing or a mix of uses inappropriate. In the Central London Area where a proposal would increase the total gross floorspace by more than 200 sqm, the Council will expect a contribution to the supply of housing and will seek to negotiated 50% of the additional gross floorspace as housing, unless it considers that particular characteristics of the proposal, site or area would make development of housing or a mix of uses inappropriate.</p> <p>The Council may not seek introduction or retention of secondary uses where the sole or primary use proposed is housing. Where a secondary use is appropriate for the area and cannot be achieved on the site, the Council may accept a contribution to secondary uses directly related in scale and kind to the development proposed, either off-site or exceptionally a payment in lieu.</p> <p>Where mixed-use developments can accommodate 15 or more dwellings, affordable housing is required.</p>	<p>The proposed development incorporates a mix of uses including commercial and residential uses. The increase of total gross floorspace on the site is 5585 sqm and 3695 sqm of residential is provided.</p> <p>The proposals accord with policy SD3.</p> <p>The need for affordable housing in the borough is recognised by the applicant.</p>
1.22	The Council assesses mixed use schemes in terms of the "primary" use, which is the largest land-use by gross floorspace, and "secondary" uses, which are all uses with smaller floorspace.	The primary use in the proposed developed is commercial use and the secondary uses include residential and retail uses.
1.23	Where the primary use is not housing, the Council's priority for secondary use is permanent housing in Use Class C3.	
1.24	In the Central London area the Council will expect development schemes to provide a mix of uses and well seek to negotiate half of all additional floorspace as residential use.	The proposal involves a provision of 43% of the additional floorspace for residential uses.
1.25	The London Plan identifies three Areas for Intensification within the Central London Area at Holborn, Euston and Tottenham Court Road. These are areas where there is capacity for mixed use development including business and housing. The boundaries of these areas have not yet been defined.	The application site is in located on the Euston Road and within the vicinity of Euston Station. The proposed mixed use development will contribute towards the borough's and the Mayor's aims in respect of mixed-use development.
1.26	Residential accommodation provided in mixed use schemes should be independent of other uses and separately accessed at street level. Where appropriate, affordable housing in the social rented and intermediate sectors is required as part of the residential component in accordance with policy H2. Business uses should be capable of operating in residential areas without having an adverse impact on residential amenity.	<p>The residential accommodation is situated in independent blocks and is accessed separately from the commercial accommodation.</p> <p>The Design and Access Statement confirms that the commercial uses will not have any impact on residential amenity.</p>
1.30	It is anticipated that developments adding 1,000 sqm or more should provide for mixed use on-site unless the applicant provides clear evidence that off-site provision of secondary uses is more appropriate.	Residential accommodation is provided on-site in accordance with the Council's policies.
SD4	<p><u>Density of development</u></p> <p>The Council will grant planning permission for development that makes full use of the potential of a site and will nto grant planning permission for development that makes inefficient use of land. In assessing density, the Council will consider:</p> <ol style="list-style-type: none"> <li>the character, amenity and density of the surrounding area;</li> <li>the nature of the site;</li> <li>the quality of the desing;</li> <li>the type of development being provided;</li> <li>the availability of local facilities, services and open spaces;</li> <li>accessibility by public transport; and</li> <li>the potential impact on the local tranport network.</li> </ol>	The Euston Road is characterised by high density developments and it is considered that the proposed development makes full and efficient use of the land. The proposed development is of a high quality of design and the layout of the site is appropriate for the location.
SD5	<p><u>Location of development with significant travel demand</u></p> <p>The Council will apply a sequential test to the granting of planning permission for development that significantly increases travel demand in the following order of preference:</p>	The development is located within the Central London Area and is therefore consider to satisfy the Council's sequential test for location of developments creating additional travel demand.

	<p>a) King's Cross Opportunity Area, Central London Area, and Town Centres except for Hampstead</p> <p>b) Locations at the edge of Town Centres except for Hampstead;</p> <p>c) Locations outside areas a) and b) taking into account their accessibility by a choice of means of transport; their likely effect on overall travel patterns and car use; and the likely impact of the development on the vitality and viability of existing centres.</p>	
SD6	<p><u>Amenity for occupiers and neighbours</u></p> <p>The Council will not grant planning permission for development that it considers causes harm to the amenity of occupiers and neighbours. The factors the Council will consider include:</p> <p>a) visual privacy and overlooking;</p> <p>b) sunlight and daylight levels;</p> <p>c) artificial light levels;</p> <p>d) noise and vibration levels;</p> <p>e) odour, fumes and dust;</p> <p>f) the adequacy of facilities for storage, recycling and disposal of waste; and</p> <p>g) microclimate.</p>	<p>The development has considered the amenity needs of occupiers and neighbours and it will not have an adverse impact on these amenity needs.</p>
1.41	<p>Harmful effects to the amenity of existing and future occupiers on a development site and to nearby properties should be avoided. The design of development should give consideration to overlooking and potential effects on privacy and allow sufficient sunlight and daylight into buildings and land. Occupiers and neighbourhoods should also be protected from excessive artificial light, noise and vibration pollution and from odour, fumes and dust. Adequate provision should be made for waste facilities and the effect of the design of any development on the surrounding microclimate should also be taken into consideration.</p>	<p>The development will not cause the amenity of existing and future occupiers to be harmed.</p>
1.42	<p>Privacy and overlooking are very much a function of distance, vertical levels of onlooker and subject, as well as the horizontal angle of the view. Roof terraces and balconies should not result in unacceptable disturbance to the privacy of neighbouring habitable rooms. Overlooking from the public highway and from neighbouring private gardens and parking areas will also be considered. On sunlight and daylight, the Council will apply the standards recommended in the BRW's "Site Layout Planning for Daylight and Sunlight – A guide to good practice".</p>	<p>The development will not give rise to overlooking and the sunlight and daylight report confirms that the development accords with the standards set out in the BRE guidelines.</p>
SD7	<p><u>Light, noise and vibration pollution</u></p> <p>A) Light Pollution</p> <p>The Council will not grant planning permission for floodlighting, or other forms of lighting, if it creates light pollution.</p> <p>B) Noise/vibration Pollution</p> <p>Unless appropriate attenuation measures are included, the Council will not grant planning permission for :</p> <p>a) development likely to generate noise/vibration pollution: or</p> <p>b) development sensitive to noise/vibration in locations with noise/vibration pollution.</p> <p>The Council will not grant planning permission for development sensitive to noise/vibration in locations with unacceptable noise/vibration levels.</p>	<p>The development will not give rise to light, noise or vibration pollution.</p>
SD8	<p><u>Disturbance</u></p> <p>A) Disturbance from plant and machinery</p> <p>The Council will only grant planning permission for plant or machinery, including ventilation or air handling equipment, if it can be operated without causing a loss to local amenity and does not exceed the thresholds set out in Appendix 2.</p>	<p>The proposed plant does not increase ambient noise levels as confirmed in the environmental noise report.</p> <p>The applicant has taken into account the Council's guidance on noise and dust control from construction and demolition sites and is prepared to accept a condition to restrict hours of work and methods of demolition.</p>

	<p>B) Disturbance from demolition and construction</p> <p>The Council will seek to minimise the impact on local amenity from the demolition and construction phases of development, Where these phases are likely to cause harm, due to their duration, scale, location or complexity, planning conditions may be used to minimise the impact.</p>	
SD9	<p><u>Resources and energy</u></p> <p>The Council will seeks developments that conserve energy and resources through:</p> <ul style="list-style-type: none"> <li>a) designs for energy efficiency;</li> <li>b) renewable energy use;</li> <li>c) optimising energy supply; and</li> <li>d) the use of recycled and renewable building materials.</li> </ul> <p>The council will expect major developments to demonstrate the energy demand of their proposals and how they would generate a proportion of the sites electricity and heating needs from renewables wherever feasible.</p>	The Sustainability and Energy Section in the Design and Access Statement sets out the proposed renewable energy methods.
1.63	The Council particularly welcomes development that have low or zero emissions.	
1.64	The Council expects major developments of over 1000m2 or 10 housing units or more to incorporate renewable energy production equipment to provide at least 10% of predicted energy requirements.	The proposals involve the installation of biomass boilers in order to contribute to a carbon reduction of 11.8% over the VRV Carbon Emission Reduction.
SD12	<p><u>Development and construction waste</u></p> <p>a) Development and waste</p> <p>The Council will not grant planning permission for development that does not make adequate provision for the sorting and storage of waste materials. For major developments, the Council will use planning conditions to secure local waste management solutions.</p> <p>b) Reuse of construction waste</p> <p>The Council will seek to secure the re-use and recycling of construction waste on sites provided adverse impacts from noise, dust and transport are minimised,. On larger sites, the Council may require details of working methods and make conditions and agreements about how the work is carried out.</p>	The development will comply with the waste management strategy drawn up for the scheme.
<i>Section 2 - Housing</i>		
2.6	The London Plan sets a housing target for Camden of 16,940 homes between 1997 and 2016, and annual target of 850 dwellings per year. The Council will seek to secure new housing to meet this strategic demand.	The proposal involves the creation of 47 residential units, thereby helping the Council to meet the targets set by the London Plan.
H1	<p><u>New Housing</u></p> <p>The Council will grant planning permission for development that increases the amount of land and floorspace in residential use and provides additional residential accommodation, provided that the accommodation reaches acceptable standards. The Council will seek to secure the fullest possible residential use of vacant and underused sites and buildings, and may require suitable sites to be developed for primarily and wholly residential uses.</p>	The proposal involves a substantial increase in the amount of floorspace in residential use on the site
H2	<p><u>Affordable Housing</u></p> <p>The Council will expect all residential developments with capacity for 15 or more dwellings and residential development sites of 0.5 ha or more to make a contribution to the supply of affordable housing. The Council will seek to negotiate 50% affordable housing in each development, taking into account factors that it considers to affect the suitability of the site. The Council will consider:</p> <ul style="list-style-type: none"> <li>a) a guideline of 70% as the proportion of affordable housing sought as social housing for rent;</li> <li>b) a guideline of 30% as the proportion of affordable housing sought as intermediate housing for those on moderate incomes, including essential</li> </ul>	The proposed quantum of affordable housing to be included in the proposal is subject to further discussion and agreement with the London Borough of Camden based on the submitted Viability Assessment.

	<p>workers;</p> <p>c) proximity of local services and facilities, access to public transport and parking;</p> <p>d) site size, and the economics of provision;</p> <p>e) any particular costs associated with the development of the site; and</p> <p>f) any other planning objectives which it considers to be a priority in the development of the site, including comprehensive development of related sites and an appropriate mix of uses.</p> <p>Where the development is able to contribute to the supply of affordable housing but this demonstrably cannot practically be achieved on the site, the Council may accept the provision of affordable housing off-site or exceptionally a payment in lieu.</p>	
H4	<p><u>Protecting affordable housing</u></p> <p>The Council will resist proposals that lead to a net loss of affordable housing floorspace, and will expect the retention or replacement of existing affordable housing floorspace in proposals for redevelopment or re-use of residential institutions (within Use Class C2) for a different use. Where the development is able to contribute to the supply of affordable housing but this demonstrably cannot practically be achieved on the site, the Council may accept the provision of affordable housing off-site or exceptionally a payment in lieu. The Council will consider the form of any replacement affordable housing taking into account:-</p> <p>a) a guideline of 70% as the proportion of affordable housing sought as social housing for rent;</p> <p>b) a guideline of 30% as the proportion of affordable housing sought as intermediate housing for those on moderate incomes, including essential workers;</p> <p>c) any demonstrably need for a different mix to allow replacement of existing social housing or intermediate housing; and</p> <p>d) any other planning objectives which it considers to be a priority in development of the site.</p>	<p>It is understood that there was a small amount of floorspace on the site which was used as nurses accommodation ancillary to the main use of the site as a hospital. From the evidence available, this accommodation has been replaced elsewhere in the Borough.</p>
2.38	<p>In the Borough, many healthcare institutions within Use Class C2, such as hospitals, make an important contribution to the stock of affordable housing, particularly nurses' homes and housing for other essential health workers. Where affordable housing is replacement the new accommodation should be better quality and provide at least as much floorspace.</p>	<p>See the response to H4.</p>
H7	<p><u>Lifetime Homes</u></p> <p>The Council will encourage all new housing developments, including changes of use and conversion to be accessible to all. All new housing should be built to "Lifetime Homes" standards and ten per cent of new should be designed to be wheelchair accessible, or easily accessible for residents who are wheelchair users.</p>	<p>All the proposed residential units will be built to "Lifetime Homes" standards.</p>
2.56	<p>The Council wants the housing stock in the Borough to support balanced and sustainable residential communities. This requires a range of housing in terms of size and type to meet housing needs and to help maintain flexibility of movement within the housing stock.</p>	<p>The proposal involves an appropriate mix of units in terms of size and tenures.</p>
H8	<p><u>Mix of units</u></p> <p>The Council will only grant planning permission for residential development that provides an appropriate mix of unit sizes, including large and small units. The Council will consider the mix and sizes of units best suited to site conditions and the locality, and the requirements of special needs housing.</p>	<p>The proposal involves an appropriate mix of units in terms of size and tenures.</p>
B1	<p><u>General Design Principles</u></p> <p>The Council will grant planning permission for development that is designed to a high standard. Development should:</p> <p>a) respect its site and setting;</p> <p>b) be safe and accessible to all;</p>	<p>The proposed development is considered to be of the highest architectural standard and complies fully with Policy B1.</p>

	<p>c) Improve the spaces around and between buildings, particularly public areas;</p> <p>d) be sustainable by promoting energy efficiency and efficient use of resources;</p> <p>e) be easily adaptable to changing economic and social requirements;</p> <p>f) provide appropriate high quality landscaping and boundary treatments; and</p> <p>g) seek to improve the attractiveness of an area and not harm its appearance or amenity.</p> <p>In assessing how the design of a development has taken these principles into account, the council will consider:</p> <p>h) buildings lines and plot sizes in the surrounding area;</p> <p>i) the existing pattern of routes and spaces;</p> <p>j) the height, bulk and scale of neighbouring buildings;</p> <p>k) existing natural features, such as topography and trees;</p> <p>l) the design of neighbouring buildings;</p> <p>m) the quality and appropriateness of detailing and materials used;</p> <p>n) the provision of visually interesting frontages at street level; and</p> <p>o) the impact on views and skylines.</p> <p>In exceptional circumstances, to re-establish cohesive building grounds in areas of high design quality, the Council will only grant planning permission for new in-fill development that is designed as an authentic reconstruction of the missing building.</p> <p>Applicants should submit a design statement with proposals for large scale developments and for sites in prominent or sensitive locations.</p>	
B2	<p><u>Design and layout of developments large enough to change their context</u></p> <p>The Council will only grant planning permission for developments large enough to change their existing context or create a new context that:</p> <p>a) establish an appropriate pattern and size of blocks and streets that take account of the surrounding area; connect to existing street and create new pedestrian friendly links where appropriate;</p> <p>b) provide easy movement for all, into and through the site;</p> <p>c) include a mix of uses where appropriate;</p> <p>d) provide attractive, high quality public spaces;</p> <p>e) take account of local climatic conditions; and</p> <p>f) include sensitively designed parking and servicing, where necessary.</p>	<p>The proposals include an appropriate mix of uses and the provision of attractive high quality public spaces.</p> <p>The proposals fully accord with Policy B2.</p>
B6	<p><u>Listed buildings</u></p> <p>To preserve or enhance the character of listed buildings as buildings of special architectural or historic interest, the Council will only grant listed building consent for:</p> <p>a) the total or substantial demolition of a listed building where exceptional circumstances are shown that outweigh the case for retention; and for</p> <p>b) alterations and extensions to a listed building where it considers this would not cause harm to the special interest of the building.</p> <p>The Council will only grant planning permission for the change of use of a listed building where it considers this would not cause harm to its special architectural or historic interest. The Council will not grant planning permission for development that it considers would cause harm to the setting of a listed building.</p>	<p>The proposals involve the comprehensive redevelopment of the site including the restoration and refurbishment of the "first generation" listed buildings. The proposed replacement buildings on the site will respond to the setting of the on site listed buildings and those within the vicinity of the site.</p> <p>The proposals fully accord with Policy B6.</p>

**Appendix i**

London Borough of Camden Screening Letter

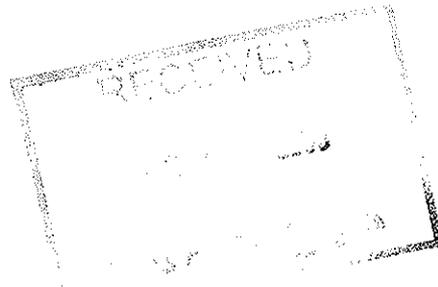


Development Control  
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Ian Blacker  
Gerald Eve  
7 Vere Street  
LONDON  
W1G 0JB



Our Ref: C&E/2006/2433/NEW  
Your Ref: IBS/FCS/J5198  
Contact: B C Bowie  
Telephone: 020 7974 2630

1 August 2006

Dear Mr Blacker

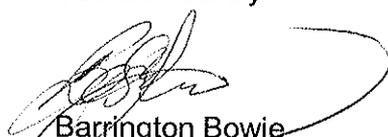
**TOWN AND COUNTRY PLANNING ACT 1990**  
**Screening opinion related to proposed redevelopment of former Elizabeth**  
**Garrett Anderson Hospital site**  
**126-144 Euston Road, NW1**

I refer to your letter and enclosures received on 8 June 2006 about the above.

Please find enclosed the Council's Screening Opinion for your attention.

Should you require any further information, please do not hesitate to contact me on the number given above.

Yours sincerely



Barrington Bowie  
Principal Planning Officer - Major Developments



**Town & Country Planning (Environmental Impact Assessment)(England  
& Wales) Regulations 1999**

**SCREENING OPINION – PRE APPLICATION**

<b><u>Application No: (if applicable):</u></b>	Pre-application – 2006/2433/NEW
<b><u>Site Address:</u></b>	Former Elizabeth Garrett Anderson Hospital, Hampstead Road, NW1
<b><u>Proposal:</u></b>	Demolition of majority of vacant former clinical/nurses' home buildings and retention of Grade II listed 1880 corner building (2,076sq m). Redevelopment of the site to provide: B1 offices (8,654sq m) within a 9-storey block at Euston Road and a 5-storey block at Churchway; and affordable/market housing (3,747sq m) within three (11, 4 and 2-storey) buildings arranged around a central podium area and accessed off Churchway.
<b><u>Applicant:</u></b>	Unison
<b><u>Commercial Agent:</u></b>	Gerald Eve, 7 Vere Street, London W1G 0JB
<b><u>Decision:</u></b>	An Environmental Impact Assessment is <b>not</b> required.

**Justification:**

**Schedule 1 Test:**

The proposed development does not fall within Schedule 1 of the Regulations.

**Schedule 2 Test:**

The proposed development does not fall within Category 10(b) of Schedule 2 of the Regulations, as it would be an urban development project on a site less than 0.5ha.

**Schedule 3 Considerations (Criteria for Screening Schedule 2 Development):**

1. Characteristics of development.
  - a) size of development – the proposals would result in *replacement* commercial floorspace of 8,654sq m but not a *net* increase in commercial

floorspace above the threshold identified in paragraph A19 of Annex A of Circular 02/99 – Environmental Impact Assessment.

- b) accumulation of development - the proposal is for the development of a discrete site and does not form part of a larger development site. However, there is another site in close proximity that is proposed for major development, requiring the consideration of future cumulative impact. The net increase in floorspace would not be significant.
- c) use of natural resources – the proposal would result in a development that has no significantly greater impact on resources than the existing use.
- d) the production of waste - the proposal would result in a development that has no significantly greater impact than the existing use.
- e) pollution and nuisance - the proposal would result in a development that has no significantly greater impact than the existing use.
- f) risk of accidents - the proposal would result in no greater risk of accident than the current use.

(points c-f above have been considered in light of the guidance in para A18 of Annex A of Circular 02/99 – Environmental Impact Assessment).

## 2. Location of development

The proposed development is unlikely to have a greater impact than the current use or regenerative capacity of the area and is not within any of the sensitive areas identified under sub para (c) (i) to (viii) Annex B of Circular 02/99, although it is acknowledged that development site lies partially within the Bloomsbury Conservation Area.

## 3. Characteristics of the potential impact

The proposed development would result in no significantly greater impact than the existing use.

## **Conclusion:**

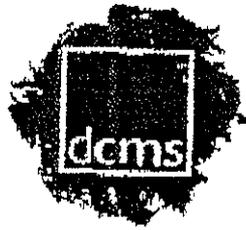
The size of the proposed development falls on the margins of Category 10(b) of Schedule 2 of the Regulations and is therefore a development, which may require an Environmental Impact Assessment.

Having carried out an assessment against the criteria within Schedule 3 of the Regulations, it is the Local Planning Authority view that the proposed development does not exceed the guidance thresholds contained within paras A18 and A19 of Annex A of Circular 02/99 - Environmental Impact Assessment.

It is the Local Planning Authority view that a formal Environmental Impact Assessment is not required.

**Appendix ii**

Listing Description



## SCHEDULE

The following building shall be added:-

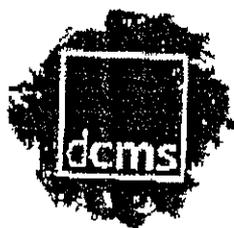
Euston Road, Camden  
London NW1<sup>6</sup>

798-1/0/10224

Elizabeth Garrett Anderson  
Hospital

II

Hospital for Women, 1889-90 by J.M. Brydon. Stock brick with red brick dressings in the Queen Anne style, timber cupola, tiled roof.  
 PLAN: rectangular front block parallel with the Euston Road, linked to administrative block along Churchway. Later additions to north and east of lesser interest.  
 EXTERIOR: Frontage block on Euston Road: three storeys and attic. Four-bay front with entrance to left, with projecting porch of red brick, with a moulded arched opening flanked by blocked pilasters. Central chimney stack (truncated), with a cut brick cartouche within a pedimented aedicular surround, reading FOUNDED 1866, at 2nd floor level, alongside a long framed inscription panel. Rusticated quoins of red brick. Segmental-arched windows, originally 6/6-pane sashes (now replaced with UPVC copies), with keystones over centre. Modillion cornice in brick. Mansard roof with a pair of windows within a brick surround abutting the chimney stack; lesser dormers to either side. To right, beyond a recessed link, is a single bay tower of three storeys, the former topped with a weatherboarded superstructure supporting an ogee roof; the ground floor is open, with an altered (formerly arched) opening; the first floor has a segmental-arched window, the second a 6/6-pane sash window within a rusticated, pediment-topped surround, and the third has a round window within a rusticated surround, flanked by pilasters. The west-facing return elevation of the frontage block has a two-storey canted bay to ground and first floors, with a segmental pediment enriched with cut brick decoration at the top. At second floor level is a Venetian window, set within a depressed relieving arch. Three small windows within the gable end.  
 EXTERIOR: former administrative block on Churchway: linked to frontage block with arched, infilled, balconies. Three-bay front with central canted bay to centre. Pallad windows to ground floor, tall, 9/9-pane sashes to first floor, 6/6-pane sashes to second. Modillion cornice. Attic storey with tall centrepiece, behind which was formerly a tall ornamental spirelet on an octagonal base. South-facing gable end with



truncated chimney stacks, formerly linked with an arch.

INTERIOR: much altered. Some memorial plaques over former bed positions remain in situ.

HISTORY: this hospital was opened in 1890 as the New Hospital for Women, and was the first purpose-built hospital devoted to women doctors, treating female patients. The foundation stone had been laid by the Princess of Wales in 1889; Brydon exhibited drawings of the building at the 1890 RA. Elizabeth Garrett Anderson (1836-1917), had led the movement for women doctors, and had founded a hospital ward at her dispensary in Marylebone in 1874. The Euston Road hospital combined teaching hospital provision (it initially had 42 beds) with premises for the Women's Medical Institute, situated on the ground floor of the frontage block. The lay-out of the hospital was originally distinguished by a circular ward block at the north end, and by open connecting balconies between the blocks (subsequently infilled), reflecting the direct involvement of Florence Nightingale and her nephew Sir Douglas Galton. The hospital subsequently expanded considerably, to north and east, in the 1920s, which replaced the circular ward block with a large rectangular block. Only the first generation buildings are included within this listing. Although somewhat altered externally and internally, they possess very considerable historic interest as the country's first proper hospital for women. The frontage block on Euston Road is of particular interest as it is architecturally the most impressive surviving part, and because it originally contained the Women's Medical Institute on the ground floor, with wards on the upper floors.

SOURCES: The Builder 5 April 1890, 5; Building News, 10 May 1890, 649-650; London Metropolitan Archives, Elizabeth Garrett Anderson Hospital papers (ref. H13/EGA); Deborah Cherry and Lynne Walker, 'Elizabeth Garrett Anderson: Image, identity and space in the modernization of 19th-century medicine'.

Dated:- 12<sup>th</sup> September 2003

Signed by authority of the  
Secretary of State

*Elaine Pearce*

ELAINE PEARCE  
Department for Culture, Media  
and Sport

## **Appendix iii**

Background information from UCLH regarding the nurses' accommodation

Capital Investment Directorate  
2<sup>nd</sup> Floor Maple House  
149 Tottenham Court Road  
London W1T 7NF

Telephone: 020 7380 9929  
Fax: 020 7380 9236  
Web-site: www.uclh.org

Mr Barrington Bowie  
Development Control Team  
Planning Services  
London Borough of Camden  
Town Hall, Argyle Street  
London WC1H 8ND

11 January, 2005

Dear Barrington,

**Re: Elizabeth Garrett Anderson Hospital ("EGA"), 126-144 Euston Road**

As you are aware, the Trust is in the process of disposing of the above site.

Camden Council has raised the issue of hostel accommodation on the site with the prospective purchaser which, unfortunately, is delaying the sale.

The issue appears to be that when the Trust closed the site some four years ago, it somehow failed to re-provide nurses accommodation on other sites as required by a S.106 Agreement. The Trust is certain that this is not the case and, we believe, that the S.106 Agreement is irrelevant to this property as, at Camden's insistence, it was excluded from any of the provisions in the agreement. In any case, the Trust ensured that upon closure of the site, the nurses' accommodation was provided on other Trust sites, namely Bonham Carter/Warwickshire House and John Astor House.

I can also confirm that the Trust has sufficient hostel accommodation on its other sites and would not wish to provide any further units on the EGA site.

To avoid confusion and further delay of the sale, I would be grateful if you could clarify Camden's position on the matter at your earliest convenience.

I look forward to hearing from you.

Yours sincerely,

**Peter Burroughs**  
**Director of Capital Investments**

c.c. Peter Bishop, Camden Council/ Andrew Simpson, Dron & Wright



UCL Hospitals is an NHS Trust incorporating the Eastman Dental Hospital, Elizabeth Garrett Anderson & Obstetric Hospital, The Heart Hospital, Hospital for Tropical Diseases, The Middlesex Hospital, National Hospital for Neurology & Neurosurgery, The Royal London Homoeopathic Hospital and University College Hospital.

# University College London Hospitals

NHS Foundation Trust

Capital Investment Directorate  
2<sup>nd</sup> Floor, Maple House  
149 Tottenham Court Road  
London W1P 9LL

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SJY/DPS1323

Peter Bishop, Esq  
Director of Planning  
Environment Department  
London Borough of Camden  
Town Hall  
Argyle Street  
London WC1H 8ND

9<sup>th</sup> February 2005

Dear Peter

## **ELIZABETH GARRETT ANDERSON HOSPITAL, EUSTON ROAD**

Further to my letter of 11<sup>th</sup> January, 2005 and our telephone conversation this morning, I write to provide further information regarding the former nurse's accommodation at the above site which may assist your understanding and further consideration of the site's development.

The nurse's accommodation was built specifically as a residential block for nurses and since construction, has been used to house nurses and other general medical staff working at the Hospital. The block contained 67 single rooms which were rarely fully occupied due to a surplus of accommodation in the Trust. At the time of closure, only 12 rooms were in use and the Trust ensured that these were relocated predominantly to Bonham Carter/Warwickshire House which remains close to the relocated EGA at Huntley Street and a smaller number to John Astor House. These were all surplus places which were readily available for occupation and, therefore, more than adequately replaced the accommodation at EGA. In the last two or three years of the use of the site, we were raising income to defray some of the operating costs by letting accommodation to American students connected to UCL. As you know, the Medical School built hostel accommodation on the Eastman Dental Hospital Car Park and, it is also worth mentioning that Great Ormond Street Children's Hospital, has provided accommodation for nurses in Guilford Street Georgian Terrace which they acquired from the Trust some 2/3 years ago.

At the time of closure we were also using the accommodation for storage of large quantities of medical records (which have subsequently been transferred off site to a specialist storage company) and administrative functions.



UCL Hospitals is an NHS Trust incorporating the Eastman Dental Hospital, Elizabeth Garrett Anderson & Obstetric Hospital, The Heart Hospital, Hospital for Tropical Diseases, The Middlesex Hospital, National Hospital for Neurology & Neurosurgery, The Royal London Homoeopathic Hospital and University College Hospital.

I have been made aware of your policy which prevents the loss of hostel accommodation and I hope the above information helps in providing evidence of the changes we, the Medical School and GOSH have made. Perhaps you would let me know what further information might be supplied to demonstrate that the replacement accommodation was adequate for our needs.

It should be noted that the general trend is for fewer nurses to seek this type of hospital provided accommodation. This is particularly prevalent in the London Borough of Camden following the closure of Bloomsbury School of Nursing and the move of student nurses to the University sector, for example, to South Bank University. Out of an intake of 194 student nurses doing their practical training at our hospitals, only a handful use hospital accommodation. Indeed, the number of nurses who qualified in the last 5 months, who were recruited permanently by the hospital, again all but a handful had addresses outside the hospitals.

I hope the above information is helpful to enable you to clarify the planning requirements with Development Securities as this issue is currently delaying our potential sale of the site.

When you have reviewed the above, if need be, I would be more than happy to take up your offer of an early meeting and to resolve any outstanding issues.

I look forward to hearing from you.

Yours sincerely

**Peter Burroughs**  
**Director of Capital Investment**

**Appendix iv**

Extracts from the Camden RUDP Inspector's Report

## 1.12 POLICY SD3: MIXED-USE DEVELOPMENT

### The Objections

SD3/12/12	College of Law
SD3/14/1	Cockpit Arts
SD3/17/2	Rail Property Ltd***
SD3/25/6	The Crown Estate***
SD3/35/3	Charlotte Street Association
SD3/35/4	Charlotte Street Association
SD3/35/R1002	Charlotte Street Association
SD3/38/1	United Bank of Switzerland***
SD3/46/31	GHP Group, International Properties, Kingstreet, Archer Hoblin, Europe
SD3/47/2	Dalton Warner Davis***
SD3/48/3	Wilmar Estates
SD3/53/6	Central School of Speech and Drama***
SD3/56/10	British Library***
SD3/56/R1003	British Library
SD3/58/1	Risetall Ltd
SD3/59/R1003	Government Office for London
SD3/60/1	Legal & General Investment Management Ltd
SD3/60/R1001	Legal & General Investment Management Ltd
SD3/63/5	Network Rail
SD3/65/2	University College London
SD3/65/R1007	University College London
SD3/67/22	Covent Garden Community Association
SD3/67/33	Covent Garden Community Association
SD3/68/2	Royal Mail Property Holdings***
SD3/69/3	Hammerson Properties UK***
SD3/70/2	Henderson Global Investors***
SD3/72/2	BPP (Hatton Garden) Ltd***
SD3/72/R1003	BPP (Hatton Garden) Ltd
SD3/74/2	Matchtrack
SD3/74/R1002	Matchtrack
SD3/75/3	British Land Company plc
SD3/75/R1002	British Land Company plc
SD3/76/5	Domaine Developments
SD3/77/14	University of London and Constituent Colleges
SD3/78/5	London Institute
SD3/83/3	Bedford Estates***
SD3/83/R1001	Bedford Estates
SD3/85/3	Network Rail***
SD3/87/3	Stables Market***
SD3/89/2	Cassis International***
SD3/90/3	Utopia Village
SD3/91/2	Sainsbury's Supermarkets Ltd
SD3/93/1	BT plc
SD3/95/2	Laing Homes North Thames
SD3/95/R1009	Laing Homes North Thames
SD3/96/2	Fairview New Homes Ltd
SD3/97/9	OEM plc
SD3/102/5	House Builders Federation
SD3/103/1	Adrian Salt & Pang Ltd***
SD3/109/29	Shaftesbury plc

SD3/210/1  
SD3/211/R1001

WHOSE 2  
Camden NHS Primary Care Trust

\*\*\* indicates objections which the Council has sought to meet by the changes made to the Revised Deposit Draft, and which I consider reduce the need for comment by me.

### The Issues

- i) Should policy SD3 be replaced with the recently adopted UDP Alteration No 2 policy RE5, which is materially different? Is SD3 less flexible, overly prescriptive and will it create uncertainty? Is the policy too prescriptive in expecting 50% of additional gross floorspace to be for housing? Does it enable an assessment of the level of housing contribution?
- ii) Should the threshold of 200sq m in the Revised Deposit Draft revert to 500 sq m? Is the 200 sq m threshold too high? Is the 1,000 sq m threshold (paragraph 1.31) too high? When secondary uses are sought off-site, should they be required to be within the locality of the proposal?
- iii) Should the University and the education sector be exempted from policy SD3? Should other institutional and community uses (e.g. hospital) be exempt from the policy?
- iv) Should the exception for existing users be removed?
- v) Should the policy allow for other benefits, such as contributions to transport infrastructure, to offset mixed-use benefits? Should the policy only apply to the uplift in office development? Should mixed-use sites be identified on the Proposals Map?
- vi) Should the policy recognise that areas as a whole provide for a viable mix of uses, and that therefore there may be cases where an individual proposal need not promote a mix of uses? Should a new policy be introduced which deals with the relocation of uses?
- vii) Should the policy provide for employment land to be released?
- viii) Where SPG provides an exemption, should the policy provide for this exemption?
- ix) Should the word 'inappropriate' be defined in the policy?
- x) Should interchanges between primary and secondary uses be allowed to ensure that viability and vitality is maintained or enhanced?
- xi) Should the reference to "an overriding need" be reinstated?
- xii) Should Cockpit Arts be treated in the same way as Hatton Garden?

### Inspector's Reasoning and Conclusions

1.12.1 On the question of whether the wording of policy RE5, in the recently adopted UDP Alteration No 2, should be retained rather than that of policy SD3, I begin by commenting that, in general terms, it is better to retain continuity in planning policies, because that assists in a consistency of approach and providing a 'level playing field', helps to achieve a wider public understanding of planning policy, and assists in monitoring policy effectiveness. In relation to the last of these points, policy RE5 has not been in operation for a sufficient length of time for monitoring to demonstrate its effectiveness and the degree to which it might be better achieving planning purposes than its predecessor policy. Nevertheless, the Council has decided that it wants a different policy wording to that adopted as recently as January 2004. It is for the Council to determine its planning policy, which should only be interfered with if it can be shown that it is materially lacking in some way, by reference to national guidance, consistency with the London Plan (in the case of London Borough plan making), its likely effectiveness, etc. I will therefore consider the main substance of objections on the basis of the extent to which criticisms of policy SD3 are well founded. I would add, however, that much of the argument is repetitious of that relating to Alteration

No 2, and that the reasoning and conclusions of my fellow Inspector (Mr Robert Parry) in his report into objections to Alteration No 2 remain generally relevant and sound. I will not generally rehearse matters where an objection seeks to re-visit arguments made in respect of Alteration No 2 or seeks to object to policy SD3 when the wording is effectively repeating that of RE5 in the Alteration.

1.12.2 Mr Parry concluded that the policy on mixed use should not be inflexible or overly prescriptive, and I agree. Nor should SD3 be drafted so that it is difficult to understand its meaning, or have elements of policy contained in the reasoned justification. The reasoned justification should explain the policy rather than add to it. I have concluded that these criticisms of policy SD3, of inflexibility and prescriptiveness, apparently not intended by the Council, and leaving some elements to be found in the reasoned justification, have some force. For example, "seek to negotiate 50%" does indicate an all or nothing approach to negotiation. Also, I am not convinced that the 'criteria' set out in the policy provide adequate guidance as to the parameters to be used in considering a development proposal. An example of what should be an element of policy, but which is to be found in the reasoned justification is the 1,000 sq m threshold mentioned in paragraph 1.31.

1.12.3 On behalf of the British Land Company PLC and Matchtrack Ltd, it was suggested that the text of current policy RE5 simply be inserted as the text of policy SD3. However, a revised form for the policy using the SD3 text as far as possible, was put forward on behalf of the objectors Legal and General Investment Management Ltd, which I prefer as being closer to the wishes of the Council, and because the form of policy SD3 is more compact and concise, with the first clause combining the general seeking of a mix of uses with the retention of existing mixes of uses. I will use this as my starting point for further consideration. The text of this is as follows:

***"SD3 - Mixed-use development***

*The Council will seek a mix of uses in development, including a contribution to the supply of housing, and will not grant planning permission for development that reduces the amount of floor space in secondary uses, unless it considers that particular characteristics of the proposal, site or area would make development of housing or a mix of uses inappropriate. In the Central London Area and the Town Centres of Camden Town, Swiss Cottage/Finchley Road and Kilburn High Road where a proposal would increase total gross floor space by more than 200 sq m, the Council will expect a contribution to the supply of housing, and where appropriate will seek to negotiate up to 50% of additional gross floor space as housing, except in the Hatton Garden area, where a smaller proportion may be accepted. In considering the mix of uses and the appropriate contribution to the supply of housing the Council will have regard to:*

- a) the scale and location of the proposed development;*
- b) the character, diversity and vitality of the surrounding area;*
- c) other planning objectives, and the suitability of the site for mixed use development;*
- d) the impact on sustainability.*

*The Council may not seek introduction or retention of secondary uses where the sole or primary use proposed is housing. Where a secondary use is appropriate for the area and cannot be achieved on the site, the Council may accept a contribution to secondary uses directly related in scale and kind to the development proposed, either off-site or exceptionally a payment in lieu.*

*Where mixed-use developments can accommodate 15 or more dwellings, affordable housing is required."*

1.12.4 This text differs from the Revised Deposit version of SD3 in the following ways:

- i) it adds "where appropriate" and "up to" in relation to the 50% of additional gross floor space as housing;
- ii) it re-introduces into the policy wording the exception in Hatton Garden to meet the Council's priority there;
- iii) it reduces the number of criteria, reverting to the four contained in policy RE5 for the consideration of the mix of uses and the appropriate supply of housing;
- iv) it deletes the part sentence which provides for an exception relating to the particular characteristics of the proposal, site or area

1.12.5 Looking at each of these in turn, I consider that i) overtly provides the necessary flexibility; ii) brings in the Hatton Garden exception into the main part of the policy, where I consider it should be; iii) needs to be considered further, which I do below; and iv) removes the duplication of this clause which already appears in the first part of the policy, which is borough-wide in its coverage and therefore will apply in the Central London Area and the Town Centres.

1.12.6 I am content with the removal of criteria a) and b) from SD3: in respect of a), if left in, "overriding" appears to pre-judge the issue, the policy is clear on the importance of housing in the mix of uses, and the reasoned justification can set out why this is – because it is the priority use of the UDP; in respect of b), the policy makes the distinction about Hatton Garden, and again the reasoned justification can add an explanation. As to the proposed criterion a), "the scale and location of the development", it seems to me that this is a duplication of "particular characteristics of the proposal, site or area" in the body of the policy, and therefore is not necessary. Criterion b) appears to me to be matters which should inform negotiations on any particular proposal, and therefore should be included. Criterion c) begins with "other planning objectives": these may not only be other policies of the plan, but whatever they are, they will be material considerations in any event, and I see no advantage in mentioning them. The second part of c), "the suitability of the site for mixed use development" covers very similar considerations to the criterion f) in the Council's version; but it has the advantage that it refers to "mixed use development", which can include more than one secondary use, whereas f) refers to "a secondary use" – therefore the proposed alternative is more indicative of a greater range of possibilities. I consider that the Objector's criterion d) "the impact on sustainability" is unnecessary since sustainability issues will be material considerations without the need to be set out as a separate criterion in an individual policy.

1.12.7 As to the Council's other missing criteria, c) and d) consider the particular needs of an existing use or user: here I am willing to be persuaded by the Council's experience of operating a mixed use policy in the development control situation – whilst I understand the concern expressed by the Charlotte Street Association about possible abuse, the example given of Centrepoin is one of hindsight, and I conclude that existing use and users are proper matters to be considered in applying the policy. The text of a policy can only set out the considerations – it cannot guarantee the adequacy of the judgements that are made in implementation, nor can it provide for the good faith of any party to negotiations. Criterion e) requires consideration of whether housing is compatible with other uses proposed on site, and criterion f) requires consideration of "the ability of the site or building to accommodate a secondary use satisfactorily", but these appear to me to duplicate the clause in the policy "...that particular characteristics of the proposal, site or area would make development of housing or a mix of uses inappropriate." and therefore is unnecessary. Both criteria g) and h) deal with relevant matters which are not covered elsewhere, and therefore should be retained.

- 1.12.8 The next consideration is that of thresholds. At the inquiry, the objections to the reduced threshold of 200 sq m had almost withered away, although there remained a complaint that the Council had not done a proper exercise to justify the change, and there are outstanding objections within the written representations. In my opinion the explanation provided on behalf of the Council, set out in paragraphs 5.4 to 5.7 of Topic Paper 5 – Mixed use Development (CD1.5) is adequate. As to the contention that the threshold should be lower, to say 100 sq m, the Objector seeks to justify this on the basis that most developments are small in scale, and the policies have not been successful in producing much housing in recent years. Whilst this lower figure could be justified on a similar basis to the Council's justification for 200 sq m – the opportunity to produce a dwelling in half of the added space, I am concerned that, if the policy sets this lower limit, refurbishment could be more attractive, with the loss of opportunity for housing gain. At the same time, I am attracted by the argument that a lower threshold would provide the possibility of much needed additional small dwellings. I have concluded that a qualification within the reasoned justification, similar to that contained in the Westminster plan would allow the Council flexibility to look at all possibilities, whilst not having the force of it being a requirement of policy. This qualification could come in paragraph 1.31.
- 1.12.9 Part of the objection brought by the Charlotte Street Association and the Covent Garden Community Association relates to the 1000 sq m threshold in paragraph 1.31. These objections do not appear to have registered with the Council separately from the objections concerning the 200 sq m threshold in policy SD3. I deal with the matter here because, as I have already noted above, I consider that any threshold should be in the policy itself, rather than in the justification, and because the objectors have linked the 1000 sq m as a concomitant of the reduction of the 200 sq m threshold. No clear separate arguments have been put forward as to the basis for reducing the figure to below 1,000 sq m, nor has there been a suggestion, with reasons, as to what any revised figure should be. I conclude that 1,000 sq m is reasonable as a figure at which mixed use will be expected on-site unless there is clear evidence that it is not appropriate. There is also a point about the need for any off-site provision of secondary uses needing to be made in the same locality as the development from which the requirement springs. I believe that this is the intention of the Council, and is logical. It would add clarity without extending the policy too much if a clause were added to this effect.
- 1.12.10 Turning to the objections made on behalf of London University and its constituent Colleges, and separately, University College London, it is clear that there is much support for sustaining and expanding higher education in government policy and in the London Plan. I accept that the higher education sector must modernise, rationalise and increase efficiency. To a very large extent, the universities are funded from the public purse, but, because of the limits on public funding, it is necessary for the sector to seek cross-funding and working in conjunction with commercial developers. This leads to two reservations about the wisdom of making any exemption for higher education: that it might allow commercial development to unreasonably escape the requirements of the policy, and it might lead to pressure for private educational undertakings to seek to benefit from the exemption.
- 1.12.11 In my judgement it would be wrong to seek to claw public benefit from development which is being financed purely from public funding. This would effectively be usurping public funding from one head of expenditure, and applying it to another: I doubt that the Treasury would be willing to countenance such a switch. As the policy stands, it appears that this may be what is sought in negotiations which take the policy wording at its face value. Whilst the Council may say that these factors will be taken into account, and the policy allows for that, I can see that the University is entitled to

expect something more certain in its outcome. Furthermore, such a change in the policy would be in conformity with the London Plan, where policy 3B.4 gives no hint that mixed use development should be sought from university development. As a result, I do not consider that the reference in paragraph 1.30 is adequate, and I conclude that there should be an additional criterion which would make this clear, and would deal with the cross-funding/partial commercial development possibilities which might emerge. The following wording should be considered: *"In considering whether the particular characteristics of the proposal would make development of housing or a mix of uses inappropriate, the Council will have regard to the extent to which the development is purely publicly funded, in for instance proposals for the university or hospital sectors, and may not seek a mix of uses in such cases."*

1.12.12 Turning to matters that can be dealt with more briefly, I am satisfied that it is not practicable to identify all sites where mixed use development will be sought, since these will often be unanticipated wind-fall sites. The question of whether the policy should only apply to the uplift in office floorspace was considered by the Inspector dealing with Alteration No 2, and I have no basis for reconsidering the matter. A separate policy is not needed to deal with land use swaps, since the policy and paragraphs 1.31 and 1.32 adequately deal with the provision on alternative sites. There is no justification, in my view, to add a provision relating to the release of employment land. There are policies in the Plan which deal with the release of employment sites (policies E2 and E3), and the judgement about any proposal raising this issue should be made in the context of those policies. I consider that the additional flexibility in the policy, including the recommendations I make for modifications, makes it unnecessary to explicitly deal with benefits arising from a development such as the provision of transport infrastructure. The mix of uses in an area can be taken into account within the terms of the policy, but I consider that the shortage of housing is such that it is unlikely that the general mix of an area will obviate the need for housing to be sought in a development proposal. I do not consider that it would be right to include in the policy matters which are provided for in SPG: SPG should follow from policy, not the other way around. I consider that paragraph 1.30 adequately sets out what is "inappropriate" (by illustrating what may not be appropriate) and that it would not be desirable to expand the policy in order to provide this definition. I consider that the flexibility within the policy provides for adequate consideration to be given to interchanges between primary and secondary uses. I do not consider that the reference to "an overriding need" should be reinstated, since the policy and reasoned justification is sufficiently flexible to take account of particular circumstances. This objection is raised with a concern for health provision, the importance of which is recognised elsewhere in the Plan.

1.12.13 Finally I turn to the objection concerning Cockpit Arts and its association with Hatton Garden. The only reference in policy SD3 to Hatton Garden is the qualification that a smaller proportion of housing may be accepted. I do not consider that it would be right to bring a single small site within the ambit of this part of the policy. It is more appropriate to deal with the merits of the implications of the precise nature of Cockpit Arts, later in this report, where I deal with Land Use Proposals.

1.12.14 The modifications to the policy, arising from the above considerations, which I am recommending require a number of changes to the reasoned justification. For the sake of completeness, I will deal with them here. In paragraph 1.23, the second sentence should have added, after the words "This reflects", the words "that housing is the priority use in the UDP because of", before continuing "the scale of housing need...". In paragraph 1.25, the final clause in the final sentence should read "and will seek to negotiate up to half of all additional floorspace as residential use (Class C3)." In paragraph 1.29, at the end of the first sentence, after "(see paragraph 7.27)"

there should be added ", hence the exception set out in the policy." In paragraph 1.31, a new sentence should be added between the first and second sentences, as follows: "Residential accommodation may be sought where a proposed increase in office floorspace is less than 200 sq m, where it appears clearly practical for such provision to be made."

## RECOMMENDATION 1.12

- i) Modify Policy SD3 as follows:

### **"SD3 - Mixed-use development**

*The Council will seek a mix of uses in development, including a contribution to the supply of housing, and will not grant planning permission for development that reduces the amount of floor space in secondary uses, unless it considers that particular characteristics of the proposal, site or area would make development of housing or a mix of uses inappropriate. In the Central London Area and the Town Centres of Camden Town, Swiss Cottage/Finchley Road and Kilburn High Road where a proposal would increase total gross floor space by more than 200 sq m, the Council will expect a contribution to the supply of housing, and where appropriate will seek to negotiate up to 50% of additional gross floor space as housing, except in the Hatton Garden area, where a smaller proportion may be accepted. In considering the mix of uses and the appropriate contribution to the supply of housing the Council will have regard to:*

- a) the character, diversity and vitality of the surrounding area;*
- b) the suitability of the site for mixed use development;*
- c) the need and potential for continuation of an existing use;*
- d) whether the floorspace increase is needed for an existing user;*
- e) the need for an active street frontage and natural surveillance; and*
- f) any over-dominance of a single use in the area, and the impact of the balance of uses proposed on the area's character, diversity and vitality.*

*In considering whether the particular characteristics of the proposal would make development of housing or a mix of uses inappropriate, the Council will have regard to the extent to which the development is purely publicly funded, in for instance proposals for the university or hospital sectors, and may not seek a mix of uses in such cases.*

*The Council may not seek introduction or retention of secondary uses where the sole or primary use proposed is housing. In developments adding less than 1,000 sq m of floorspace, where a secondary use is appropriate for the area but cannot be achieved on the site, the Council may accept a contribution to secondary uses directly related in scale and kind to the development proposed, either off-site or exceptionally a payment in lieu; in either case the expectation will be for the secondary use to be provided in the same locality as the primary use.*

*Where mixed-use developments can accommodate 15 or more dwellings, affordable housing is required."*

- ii) Modify the reasoned justification in accordance with the conclusion in paragraph 1.12.14 above.

## 1.13 PARAGRAPH 1.21

### The Objections

1.21/114/17 Camden LA21 Core Group