

Planning Department
London Borough of Camden
Town Hall
Judd Street
London
WC1H 8ND

My reference:

Your reference:

**For the attention of the Development Control
Committee**

17th February 2015

Dear Sirs,

**Town and Country Planning Act 1990
Planning Application: 2014/6845/P
Proposed New Institute of Immunology, Royal Free Hospital**

1. I am writing on behalf of the Hampstead Green Neighbourhood Group (HGNG), which continues to strongly oppose this application, especially with regard to adverse comments on technical aspects of the development and the possible catastrophic impact on St. Stephen's, Hampstead Hill Nursery and Pre-Preparatory School ("the School") and the local area (including two Conservation Areas). Therefore, we are extremely concerned by what appears to be Camden Council's obtuse and obdurate attitude to the concerns of so many local residents, professionals and heritage bodies to this proposal.
2. We still consider that this application fails to meet the appropriate policy tests, but we reserve the right to make any further comments prior to or at the Committee once we have had more of an opportunity to review in full the Committee Report.
3. In particular, the Basement Impact Assessment (BIA) prepared by the applicants is, even by the Council's own assessment (via its independent assessors), inadequate in its detail and certainty and fails to comply with the Council's policies in DP27 and CPG4 with regard to the impact of the works on the structural stability of neighbouring structures, adverse impact in respect of drainage and water-run off, and the cumulative impacts on structural stability and the water environment. It is a clear statement of Policy DP27 that developers are required to satisfy the Council on all of these points. Paragraph 27.11 under this policy further emphasises the importance of these issues where there may be the possibility of harm to listed buildings.
4. Notwithstanding the practical difficulties at this stage in undertaking some investigations prior to the formal grant of planning permission, this does not explain why there has been no physical investigation whatsoever into the foundations to St. Stephen's, the Grade II boundary wall or the unique and potentially unstable soil conditions affecting these structures. Therefore, there is still considerable concern that the proposed Basement Construction Plan would not provide an adequate safeguard against critical building failure to these nationally-important heritage assets.

DRK Planning Ltd

+44 (0)7711 672185 info@drkplanning.co.uk www.drkplanning.co.uk
215 Alfred Court 53 Fortune Green Road London NW6 1DF

Registered Address: 10-14 Accommodation Road, Golders Green, London NW11 8ED Registered in England and Wales No. 06987812

5. It is very likely that the church tower will be highly sensitive to ground movements, and has been recorded as being vulnerable to ground movement in the past. Furthermore, the proposed works would be likely to fall outside of the protection of the Party Wall Act, virtually stripping St. Stephen's of any meaningful future protection if planning permission is granted for these proposals.
6. At the very least (although we fear it might not be enough on its own), we would respectfully submit that Members require that the Basement Construction Plan (BCP) be agreed in writing with the St Stephen's Restoration and Preservation Trust and that St Stephen's Trust is also a party to the Section 106 Agreement in respect of the obligations imposed under the BCP via the Section 106 Agreement.
7. As such, in the absence of clearer and more certain evidence that the proposed basement works would not be likely to harm the building fabric to St. Stephen's or its boundary wall, the applicant cannot say that the works might not cause substantial harm to a Grade I listed tower and former church hall and Grade II listed wall.
8. Paragraph 133 of the NPPF notes that planning permission should be refused in cases where the proposal might lead to substantial harm to any designated heritage asset. None of the exceptions to this set out in the NPPF apply in this case. As this could affect a building of the "highest significance" (Grade I listed St. Stephen's), then any departure from this approach must be regarded as "wholly exceptional" (NPPF, paragraph 132). No such case has been made.
9. The applicant's agents seek to offer a number of 'public benefits' to be weighed against this harm. All of these are of very little weight, as St. Stephen's is already well-known and well-publicised to the community for use for weddings, concerts, meetings and social functions. In addition, there seems very little point in offering 'public benefits' to mitigate the impact of a development that might result in the loss of the very building in respect of which those benefits are offered! Therefore, this application should be refused at least on heritage grounds.
10. Lastly, we still consider that this application fails to meet the aims of Core Strategy Policy CS16 and paragraph 16.12 to this policy, in not having been based on a sufficiently rigorous assessment of the need for the magnitude of development proposed in this case compared to the capacity of alternative sites. Whilst paragraph 16.10 refers specifically to 'polyclinics, this is under a section headed "*Providing and protecting health facilities*", a title that does not limit itself to polyclinics, but goes on to also consider the supply and distribution of other medical facilities in the Borough such as general hospitals and specialist hospitals, which could include immunology and medical research facilities related to patient care. It is quite clear from paragraph 16.11 that the Council seeks a wide application of the policy in respect of different types of medical facility. Therefore, we find it very hard to reconcile the very restricted interpretation of this policy by officers to the very policy wording they are meant to be protecting.
11. In conclusion, HGNG remains gravely concerned and implores Members to refuse to grant planning permission for these proposals.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'David Kemp', written over a horizontal line.

David Kemp BSc(Hons) PGDL MRICS Barrister* Solicitor*
Director, DRK Planning Ltd
(*non-practising memberships)