

## **Supplementary agenda report- DCC 19.2.15**

### **Royal Free Hospital Pond Street NW3 2QG - 2014/6845/P (agenda item 7(3))**

#### **1. Consultation responses- update**

1.1 Para 4.13 of report: an additional objection regarding verified views from St Stephen's Trust was inadvertently omitted- the photos were taken in autumn when trees still have leaves whereas they should have been taken in winter when there is no cover to disguise new building. Many views are carefully chosen from far away to show how new building will have little or no impact which is deceitful. Detailed comments given on all verified views and show how they are irrelevant, misleading with only wireline outlines, or inaccurate by omitting school classrooms. Further letters received regarding BIA issue and information from engineers in past regarding stability of church.

Request to change date of Committee meeting as it falls within school half-term.

1.2 Para 4.15 of report: in response to the objection from HGNG about need for sequential analysis for any health facility proposed, officers consider that actually there is no policy requirement for this. The NPPG does not identify the proposed uses as Town Centre Uses requiring a sequential test. Furthermore it is noted that in cases where a sequential analysis is needed (such as for retail facilities), then such a need is specifically stated, such as Policy CS7 (regarding town centres and shops).

1.3 Paras 4.16 & 4.19 of report: Further responses have been received from individuals since the report was written, as follows- 4 objections, 24 supports (6 of whom are local residents).

#### **2. BIA issue**

2.1 The applicants are continuing to investigate the issues raised by the consultant engineers in paras 6.83-86 of the report. They confirm that it is not possible at this stage to have a detailed construction methodology and sequence in place before a decision is made. However further information has been provided by the applicants (in a 'Note on movements associated with excavation' by GCG dated January 2015), regarding possible mitigation strategies for construction to maintain neighbouring land stability, which indicate that a negligible movement would occur at 20m distance between the nearest wall and the church. They advise that they will impose stringent employer's requirements on the contractor which will include the detailed technical parameters within which they must operate and the monitoring and mitigation measures previously identified. It is not uncommon for this approach to be adopted

and they are confident that such information can be provided to satisfy the requirements by the engineers listed in para 6.85.

2.2 The applicants have also further demonstrated in an additional report ('Surface water runoff supplementary information' by BDP dated 6<sup>th</sup> February 2015) that the requirements of condition 16 relating to SUDS and surface water runoff can be achieved.

### **3. Additional visual information**

3.1 Updated verified view montages for 2 viewpoints (A and K, from Rowland Hill St junction and from Belsize Lane across the Green respectively) have been prepared to show true winter views, now that all trees on Hampstead Green have shed all of their leaves- these are attached in Appendix 1 here.

3.2 In addition, 2 more views have been prepared showing the building in the context of Hampstead Green landscape in summer- these are attached in Appendix 2.

3.3 The officers' report inadvertently omitted to include the following images which are now shown in Appendix 3: an aerial photo showing the site's context with the hospital and church; a photo and plan demonstrating how the new building's bulk and layout has been informed by a historical analysis of the previous development on this site, ie. the original pre-war hospital building here, referred to in paras 6.22 and 6.27 of the report; an overlay of the proposed building with the historic footprint of this hospital, referred to in para 6.28 of the report.

### **4. Transport update**

4.1 Para 6.113 of the report refers to the need for additional 10 cycle spaces for visitors. However it is now noted that 14 stands have been recently installed on the hospital forecourt near the proposed building thus this requirement has been met. The current proposal for 56 cycle spaces exceeds the policy requirement for 43. Therefore it is proposed to amend condition 14 to only refer to 56 spaces.

4.2 Para 6.125 relating to Legible London scheme- it is proposed that a few monoliths will be needed around the site, to guide pedestrian movements; the precise number has yet to be agreed. Para 6.126 relating to public realm improvements- the Council has draft plans for the junction at South End Green to improve both traffic and pedestrian safety here. It is considered that such works will also benefit pedestrian and public transport access to the hospital, including the Institute building further uphill, and thus some contribution to these works is justified here. Negotiations are continuing with the applicants regarding precise amounts of

financial contributions for both these schemes and the agreed amounts will be verbally reported to Committee.

4.3 Transport for London (TfL) have further commented in the light of updated and revised information provided by the applicant and confirm the following- the revised Travel Plan is now acceptable; a contribution of £15,000 for a Legible London totem sign is needed; a contribution to public realm improvements is necessary; a campus-wide parking strategy to reduce staff parking is supported; they wish to be consulted on the proposed park-and-ride plan, although its principle is still not supported as it is considered to encourage further private car trips.

## **5. Environmental Impact Assessment (EIA)- Screening Opinion**

5.1 The applicant has informed the Council that in fact the scheme requires an EIA Screening Opinion on account of its size exceeding 0.5ha (even though the increase in size to 0.59ha is marginal and includes a lot of hardstanding around the building).

5.2 This means that the scheme falls within Schedule 2 Part 10 (b) of urban development projects in the EIA Regulations with a site area exceeding 0.5ha. Regulation 7 (a) of the EIA Regulations requires the application to be screened for an EIA. When deciding whether Schedule 2 Development is 'EIA development', Regulation 4(6) requires account to be taken of the criteria at Schedule 3 of the Regulations. Although this assessment has been done in the Committee report, it is considered that the EIA Screening Opinion does need to be more formally and clearly identified and referenced, thus this has been done in the document attached in the Appendix 4 (which is also placed on the web). The Opinion concludes that the scheme is not 'EIA development' as it does not have 'significant effects' on the environment, by virtue of its nature, size and location, and that an EIA is not necessary and consequently an Environmental Statement is not required.

## **6. Changes in wording of decision and conditions**

6.1 The applicant has requested that all references to the hospital as 'Class D1' be omitted as this is confusing and probably inaccurate (the Use Classes Order 1987 actually refers to hospitals as Class C2). This is agreed as the Royal Free Hospital does not clearly fall within either Class C2 or D1 and indeed is probably Sui Generis. For the avoidance of doubt, it is proposed to remove references to use class from the decision notice and condition 21.

6.2 The applicant has also requested that condition 22 should not require the memorial garden to be accessible to the public as this is not enforceable. Although in practise the current garden is accessible to everybody, there are no legal rights of public access to this space and this informal arrangement of 24 hour open access

will continue with the proposed garden; however it is not possible or acceptable to introduce new formal rights of access via condition. This is agreed and condition 22 will be amended to delete the 2<sup>nd</sup> sentence.

## **7. Additional documents - to be listed in title page and/or decision notice**

Environmental Impact Assessment- Screening Opinion dated 16.2.15; updated energy calculations attached to email from Simon Myles on revised energy strategy dated 29.1.15; email from Simon Myles on BIA matters dated 12.2.15; Note on movements associated with excavation by GCG dated January 2015; Surface water runoff supplementary information by BDP dated 6th February 2015; calculations for storm sewer design by Micro Drainage dated 6.2.15; email from Rachel Yorke on TfL response dated 17.2.15.

## **8. Clarification in response to member comments made at Chair's Briefing**

8.1 Para 6.100- the Travel Plan is aimed at staff of the hospital and Institute only.

8.2 Para 6.61- the aim of point (b) was to encourage people to use St Stephens church for functions and meetings as opposed to other facilities elsewhere provided by rival operators (eg. the hotel at Belsize Park) in order to promote the continuing use of the Church building and secure its longterm financial future.

8.3 Paras 6.84-85 the proposed strategy of requiring a later submission of this additional detail on construction methodology by means of a Basement Construction Plan (BCP), secured by S106, is in line with proposed revised policy on basements in the consultation draft Local Plan. The additional information required as part of the BCP will be reviewed by the Council's independent engineering consultants and consequently deemed acceptable or otherwise on the basis of their advice.

8.4 The verified viewpoints showing wirelines only (on pages 162/163/164 of the agenda) have been chosen to show how much the scheme is visible or otherwise from further viewpoints. Wirelines were shown to demonstrate the outline and basic bulk of the scheme as it is cheaper and quicker to produce these rather than fully rendered elevational montages; in contrast the latter were considered more important to produce for the 3 key closer viewpoints (A, B and K), agreed in consultation with the Council, in order to show the full impact of the scheme in bulk and design terms.

**Appendix 1- updated verified view A (existing and proposed)**



updated verified view K (existing and proposed)

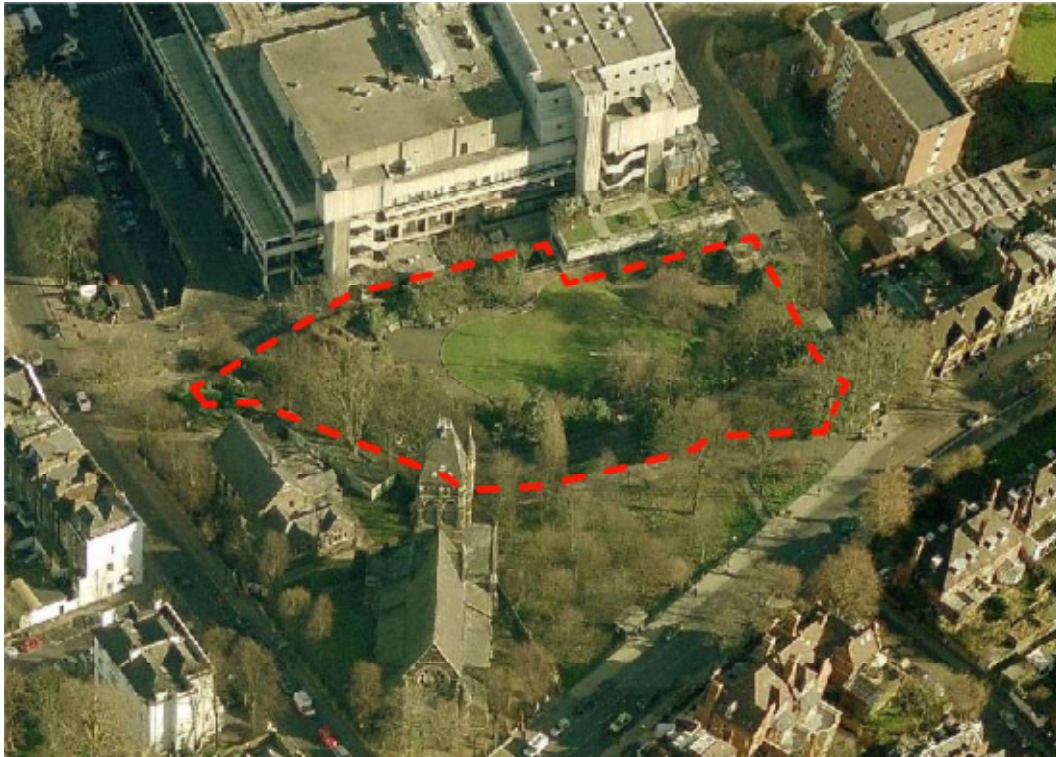


## Appendix 2- montages of scheme in relation to Hampstead Green



### Appendix 3-

aerial view of site-



## Photo and plan of previous pre-war hospital-

The historical development of the site has been influential in our thinking about the new Building, in particular how the General Hospital's form and massing helped to form a new "place" within this part of Hampstead.

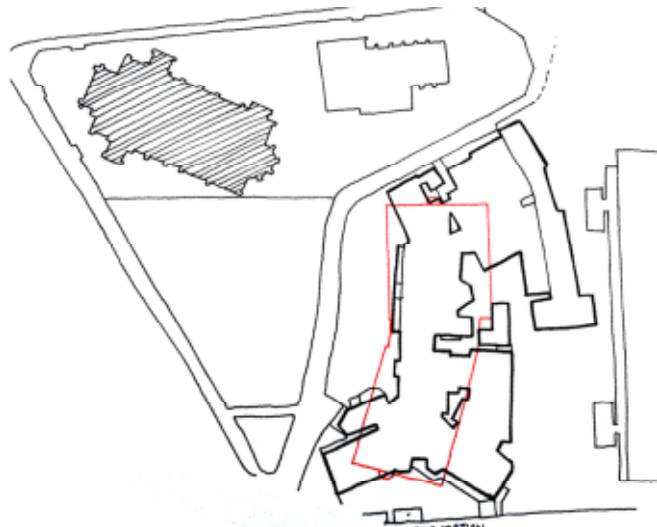


1907 Hampstead General Hospital from south



1930

Extract from Design and Access Statement design analysis (referred to in para 6.28 of report)-



## **Appendix 4- Environmental Impact Assessment (EIA)- Screening Opinion**

### **Schedule 1 Test:**

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

### **Schedule 2 Test:**

The proposed development falls within Category 10(b) of Schedule 2 of the Regulations, as it would be an urban development project with a site area exceeding the threshold of 0.5hectares. Therefore the local planning authority has to decide whether the development is EIA Development and must take into account the selection criteria set out in Schedule 3 of the Regulations.

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

Having regard to Schedule 3 of the Regulations and the advice contained in NPPG the following selection criteria must be taken into account

- Characteristics of the development;
- Location of development; and
- Characteristics of the potential impact of the development

Broadly, the considerations which weigh against an EIA being required in this case are as follows:

1. The site is not in a 'Sensitive Area', as defined by the EIA Regulations
2. The land use surrounding the site is predominantly residential with commercial uses along Pond Street and the medical uses at the Royal Free Hospital.
3. There are no SSSIs or designated ecological sites within close proximity to the site and ecological report demonstrates that there will be no significant adverse impact on biodiversity
4. No archaeological remains or heritage assets are likely to be significantly adversely affected as demonstrated by the archaeology and heritage reports submitted for the application. There is less than substantial harm to heritage assets but this is not considered to be significant harm
5. The proposal results in a reduction in car parking on site. This results in a slight reduction to traffic in the local area which will have a negligible impact on highway infrastructure as demonstrated by the report submitted for the application.
6. The proposal results in no significant loss of light to neighbouring properties or open spaces as demonstrated by the report submitted for the application.
7. The proposal will have no significant impact on air quality or noise from operations associated with the building as demonstrated by the reports submitted for the application.

8. There is no significant risk of contamination on site that could affect the environment as demonstrated by the report submitted with the application.

9. The proposal is not at risk of flooding and will not result in a significant impact on the potential for other areas to flood as it will reduce its run off in comparison to the existing site. The proposal will also not have a significant impact on local hydrogeology or the stability of neighbouring buildings with a negligible impact assessed on the Burland scale to surrounding buildings, as set out in the reports submitted with the application.

10. The site area of the scheme is less than 5 hectares. In this instance it is 0.59hectares. It provides less than 10,000sq.m of new floorspace. As such it does not exceed the indicative thresholds set out in the Annex to the NPPG (ref. 4-057-20140306)

11. The potential impact of the development alongside extant permissions is not considered to be significant. The growth in trips to A&E does not require planning permission. It has been taking place as part of the natural increase in use of the hospital and this scheme will not result in a reduction in patient and visitor car parking which is used by A&E patients. Trips associated with the planning application for the Bartram's site will not be significant given the quantum and type of use proposed. No details are currently available for the Lawn Road residential development. However, the impact of this will be considered at the time of the application. The visual impact of the Bartram's development has been considered by officers in conjunction with the consideration of this development.

To conclude, it is considered that the extent and severities of impacts from the development have been properly assessed as part of the reports that accompany the application and the Council's consideration of the proposals. It is the Council's view that a formal Environmental Impact Assessment is not required in this instance as the development will not give rise to significant effects on the environment, despite the 'less than substantial' harm to heritage assets.

Therefore, in accordance with the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011, the Council has conducted an Environmental Impact Assessment Screening Opinion. Taking account of the criteria in Schedule 3 of the Regulations and other relevant factors, the Council has formally determined that an EIA is not necessary and an Environmental Statement is not required.