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Delivered by email and post

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Dear David

**CENTRAL SOMERS TOWN APPLICATION REFENCE – 2015/2740/P
RESPONSE TO REPRESENTATIONS FROM THE FRANCIS CRICK INSTITUTE**

We are writing on behalf of the Applicant, the London Borough of Camden, to respond to the representations made by the Francis Crick Institute (FCI) in a letter to David Fowler dated 29th January 2016 relating to planning application reference 2015/2740/P.

The letter notes that the Institute is concerned about the impacts of one part of the proposed development, the 25 storey tower on Brill Place, on their operations. They set out four areas of concern, each of which is addressed in turn below:

- The impact of the construction of the tower, specifically the basement;
- Overlooking from the tower into the Institute;
- Air quality impacts of emissions from their operations on the neighbouring residents; and
- Public open space provision.

Construction

An updated Basement Impact Assessment has been submitted to the Council which includes further ground investigations analysis. This report concludes that the basement for the Brill Place tower will have a negligible impact on the Crick's basement wall.

The single storey basement will be formed by excavating inside a secant bored pile perimeter wall which will retain the ground outside and provide an excellent water cut off. As an alternative it would be possible to install a continuous piled wall with a membrane and a reinforced concrete liner wall. The risk of significant vibration would be reduced further if this approach were adopted, however this approach has a greater risk of water ingress and so has not been selected as the preferred method.

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The piled wall will be designed by a specialist piling contractor but it is anticipated that this will comprise 750mm diameter bored piles extending some 25-30m below the basement slab. The adoption of bored piles will be a 'quiet' method with minimal vibration. The main contractor will be required to carry out probing ahead of each pile set up to remove obstruction.

In order to provide further assurance it will be a condition that the developer will be required to appoint an acoustician or similar who would agree limiting vibration criteria (frequencies, accelerations etc) with the Institute. These criteria could then be included in the conditions placed on the eventual contractor that their construction activities must comply with the criteria set. The contractor would then be required to monitor vibrations throughout the construction process to ensure compliance.

Overlooking

We understand the Institute is concerned about the potential for residents of the tower to view into the inner laboratories in the building. The tower is located 16.5m from the external façade of the FCI and 18.5m from the internal glazed façade. This distance meets Camden Guidance relating to the minimum distance of two facing habitable rooms, and so it is not considered to result in harmful overlooking on to the site. It should be noted that Phoenix Court is just 12.5m from the outer façade of the FCI, which was obviously considered acceptable to the FCI at the time that the building was designed..

Notwithstanding the above, the tower has been designed to ensure the privacy of both residents and the users of the FCI is not compromised. A study has been prepared to demonstrate that sightlines into the Institute from the tower are generally limited to corridors/ circulation spaces. Any potential concerns regarding overlooking from the Institute could be overcome by installing slatted blinds to windows serving private areas. This option would maintain natural light to the write/up office space and the labs. This feature would address all forms of overlooking not only from Brill Place residents, but also the possibility of flying camera drones if anyone was particularly intent on seeing into the inner workings of the Institute.

Air Quality

Location and Height of Tower

The air quality assessment for the proposed development has predicted the likely impacts to air quality expected at the Tower and over the wider development arising from existing emissions sources including the FCI. Whilst the assessment concluded that the Tower would potentially introduce receptors into a location where air quality would exceed the annual mean nitrogen dioxide objective, suitable mitigation in the form of a filtered ventilation system, has been proposed to ensure that air quality within the residential units can be reduced to meet relevant air quality objectives. The introduction of new residential units in locations where air quality exceeds the annual mean objective is not exclusive to this development and it a regular occurrence throughout London. In the event that new residential development was not allowed where the annual mean air quality objective was exceeded, development would be excluded from much of central London.

The response from CBRE raises concerns that the location of the Brill Place Tower will be susceptible to increased air pollution as a result of rising background air quality levels and other proposed changes on the highway network, in particular Midland Road. Whilst air quality concentrations have not decreased to the extent predicted within the background pollution maps produced by the Department of Environment Food and Rural Affairs (Defra), there is no evidence to suggest that background air quality levels are actually rising. The results of recent monitoring data at the air quality monitoring sites closest to Somers Town and presented within our Air Quality Assessment indicate that there concentrations have remained fairly consistent over the last five years.

There are currently live consultations being run by Transport for London and LB Camden relating to the change of Midland Road from a one-way to a two-way street and the delivery of new segregated cycle lanes along Midland Road (respectively). While the proposals will allow two-way traffic along this route, the provision of new cycle lanes along with footpath widening will encourage sustainable transport choices in this location. It is understood that representatives from the FCI, HS1, the British Library and LB Camden met earlier this year to discuss proposals for Midland Road and the King's Cross Gyratory, with positive feedback given to LB Camden regarding the proposed changes to Midland Road itself.

Maintenance of Emergency Generators

The short term nitrogen dioxide objective and EU limit value is set at $200 \mu\text{g}/\text{m}^3$ as a one hour mean not to be exceeded for more than 18 hours per year. The allowable exceedances acknowledge that there may be occasions when there are infrequent high concentrations of pollutants either from road traffic or from intermittent industrial sources such as emergency generators.

Within the original air quality assessment for the Central Somers Town application the typical maintenance schedule of the emergency generators was modelled on the basis of information provided within the FCI Environmental Statement, where it was indicated that maintenance runs of the emergency generators were unlikely to exceed more than 48 hours per year.

New information has now been provided by the FCI indicating that the maintenance regime for the generators would require significantly more hours of operation with an estimate of between 152 and 248 hours of running each year.

To ensure that future residents within Brill Place Tower would not be exposed to high levels of pollutants as a result of this testing, additional air quality modelling has been undertaken, the full results of which are presented in Annex 1 to this note.

The increase in the hours the generators are likely to be run for maintenance purposes has resulted in an increase in the number of hours when residents may be exposed to high concentrations of pollutants on balconies and winter gardens without mitigation. As a result of this new information and modelling it is now proposed **that there would be no balconies on the 16th floor and above and that the winter gardens provided on these floors would be included within the ventilation strategy for these apartments and therefore supplied with filtered air.** Given that the potential for high concentrations would be limited to a relatively low number of hours it is not proposed to seal the winter gardens, but to provide residents with an alternative form of fresh air in the event of poor air quality.

On the 15th floor winter gardens with a filtered air supply would be provided for the apartment at the eastern corner, whilst either balconies or winter gardens without ventilation would be provided on the façade where predicted concentrations are lower.

At the 14th floor and below, air quality meets the relevant objectives and therefore for these locations open balconies are considered acceptable.

The amended plans taking account of the above changes are currently being prepared and will be submitted to the Council shortly.

Black Start Events

We acknowledge that the black start events can occur at any time, but consider this an unlikely event, a view which was shared by the FCI within its air quality assessment that was carried out as part of the Environmental Statement (ES) for the proposed development (Application Reference 2010/4721/P):

“The ‘black start’ situation is unlikely to occur except during complete power failure across this part of London, and it is therefore not anticipated that the generators would be operated in this manner for more than 3 hours in any given year.”

By their very nature, as high emitters of pollutants the operation of the FCI’s emergency generators would be limited to rare black start events and individual monthly maintenance checks as set out within the FCI ES. There is no evidence to suggest that the generators would be expected to be used with increasing frequency in the future as the National Grid is put under increasing pressure as suggested in the CBRE letter.

Odour

The air quality assessment carried out by Ramboll Environ predicted that there was the potential for an exceedance of the short term environmental assessment level and lower odour threshold in the event that a fumigation event occurred during the worst case meteorology for dispersion. The modelling was carried out assuming that the estimated odour release from a fumigation event occurred continuously throughout the year, an obvious over prediction of releases. As a result of this modelling it was predicted that at a maximum there could be 43 hours per year when meteorological concentrations persisted which would result in odour concentrations at the façade of the Brill Place Tower in excess of the guideline concentration for formaldehyde.

It should be noted that there is no statutory limit for formaldehyde concentrations in ambient air and that the 100 µg/m³ concentration is provided as a guideline.

Information contained within the FCI ES indicates:

“These BRF sources will comprise general animal odour (e.g. sweat, hay and food), as well as high concentrations of formaldehyde during fumigation events. The latter is anticipated to an infrequent event, likely to occur on a basis of less than once a year” [emphasis added].

Given the infrequency and short term nature of events, together with the marginal exceedance of the guideline concentration the need to further mitigate odour emissions from the FCI is not considered to be necessary.

Balconies and Winter Gardens

The annual mean NO₂ objective is applied at the façade of residential properties, but does not apply to gardens of residential properties, as residents are expected to spend less time in their gardens than in an apartment or house. Balconies and winter gardens would be classed as gardens to provide private outdoor recreational space. Whilst there is the potential for future residents to be exposed to air quality above relevant objectives when using these facilities, there will be significant periods when air quality is well within the objective. This is commonplace of many residential developments both existing and in the process of being constructed within London. It should be noted that the annual mean concentrations of NO₂ are broadly similar throughout the height of the tower and are not considerably higher than would occur at ground level.

Experience of proposed residential developments within other London boroughs has indicated that many Councils consider that the amenity benefits of a balcony or winter garden outweigh the possible negative impacts from occasional exposure to poor air quality. The approach has been to give the future residents the choice of whether to use a balcony or not, rather than requiring development to be built without such amenities. Information on periods of poor air quality is easily accessible and readily available to inform residents of when outdoor pollution levels would be expected to be elevated.

A similar argument is valid for sealed windows. Rather than sealing the windows it is proposed that each apartment would be provided with mechanical ventilation fitted with a filter to remove oxides of nitrogen and particulates from the incoming air. All new residents would be provided with a welcome pack, providing information on the filter system and how and where information on air quality can be obtained

Public Open Space

Camden planning policy (DC31) seeks an uplift in public open space as part of proposals for new residential development. Paragraph 31.5 does however state that in assessing the amount of public open space to be provided, the Council will take account of the development's contribution towards other policy aims and objectives. It is considered that the other community benefits associated with the scheme, namely, the new school, new community and play facilities and upgrades to the existing open space present special and extenuating circumstances that when weighed in the balance, outweigh the lack of additional public open space to be provided on site.

The proposal includes significant investment in improving the quality of the public open space that will enhance the experience of the space and improve its usability. There will be no net loss of public open space and the proposed enhancements to the open space include the provision of facilities that will be accessible by all.

All residential units will benefit from private amenity space and other forms of private open space are also provided as part of the development, including a new MUGA which will be available for general hire.

Taking all the above into account it is considered that the public open space provision will meet the needs of existing and future residents. It should also be noted that within the wider area there are a number of other open spaces that are easily accessible from the site, including St Pancras Gardens, Goldington Crescent, Oakley Square and Harrington Square Gardens.

Other Material Considerations

The FCI also notes the Mayor's support for MedCity, and makes reference to the recent Stage 1 Report relating to the proposed development on the Whitechapel Estate, between Varden Street and Ashfield Street (Reference PA/15/02959), which states:

"The proposal includes new residential in close proximity to existing (and potentially proposed) life science uses, many of which by their nature could give rise to amenity impacts on future residents of the scheme. Given the strategic priority to promote the life science cluster, the applicant should demonstrate that the proposed residential uses would be able to coexist with existing research and medical use in the surrounding area."

Camden is fully supportive of the location of a world leading medical institute in this location, and believes that it will have a long-term positive impact on the area. This case differs from the Whitechapel application referenced as the FCI was developed in an existing residential area, and as such, the proposal was required to include measures that were sympathetic to the needs of its residential neighbours. The

committee report for the application notes that the scheme responded well to the challenging brief and part of the reason for permitting the development was the appropriate response to integrating this scheme within a residential area.

It is considered that the FCI has successfully addressed any concerns relating to the coexistence of this facility with neighbouring residential use through the design of its facility. As such, we understand that the FCI will employ 'best practical means to abate or minimise a nuisance when it occurs'

We hope this letter adequately addresses all concerns raised by the FCI, however should you require any further information please do not hesitate to contact me or Claire Newbury at this office.

Yours sincerely

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