

Address:	Royal Free Hospital Pond Street London NW3 2QG		1
Application Number:	2014/6845/P	Officer: Charles Thuaire	
Ward:	Gospel Oak Hampstead Town		
Date Received:	28/10/2014		
Proposal: Demolition of existing carpark and ancillary structures and erection of new 7 storey building, located on Heath Strange Garden site facing west to Hampstead Green footpath and Rosslyn Hill, containing laboratory/research space for Institute for Immunity and Transplantation, a patient hotel, Royal Free Charity offices plus a replacement carpark of 58 spaces, replacement memorial garden, plant and landscaping, all ancillary to Royal Free Hospital (Class D1).			
Background Papers, Supporting Documents and Drawing Numbers- <i>See original Committee report attached in Appendix 2</i>			
RECOMMENDATION SUMMARY: Grant permission subject to S106			
Applicant:		Agent:	
Royal Free Charity Developments Ltd c/o agent		Savills 33 Margaret Street London W1G 0JD	

ANALYSIS INFORMATION

Land Use Details:			
	Use Class	Use Description	Floorspace
Existing		<i>Class D1 hospital carpark and plant</i>	2230m ²
Proposed		<i>Class D1 hospital offices, Institute, patient hotel, carpark, plant</i>	8558m ²

Parking Details:		
	Parking Spaces (General)	Parking Spaces (Disabled)
Existing	95	5
Proposed	52	6

‘Pears Institute’, Royal Free Hospital, Pond Street NW3- ref 2014/6845/P.

Report regarding further submissions by local group on draft S106 following Council’s resolution to grant planning permission

Background- first threat of Judicial Review

1. Members will recall that they considered a report on the Royal Free Hospital Immunology Institute (‘Pears Building’) at the Development Control Committee (DCC) on 19th February 2015 at which they resolved to grant planning permission subject to a S106 legal agreement. Negotiations about the S106 agreement have not been concluded and no formal decision has yet been issued.

2. In April 2015, the Council received a Pre-Action Protocol letter of claim from the Hampstead Green Neighbourhood Group (HGNG) in contemplation of a Judicial Review of the February 2015 decision taken at DCC. This group had objected to the application and were concerned that the issues raised by them were not properly or adequately considered in the officer’s committee report, in particular issues relating to heritage case law. They requested that, in view of the claimed failure to apply the statutory duty, the Council should have the matter re-considered by DCC; furthermore, in the event of the Council not doing so and instead proceeding to conclude the s106 and grant permission, the pre-action letter threatened that the decision would be challenged by judicial review.

3. Officers at that time sought a Counsel opinion on this. His view was that a decision to grant planning permission was vulnerable to a successful legal challenge on heritage grounds only and that the application should be taken back to DCC with an amended report which better reflected the weight which must be given to harm to the setting of the listed building (St Stephen’s church) and the conservation area. However he considered that none of the other points raised, such as those concerning basement excavation impact on church foundations and the loss of light to the adjoining school, were likely to result in a successful challenge to the Council’s decision. The Counsel’s opinion was that these matters were correctly and adequately considered and assessed by officers in both the main report and supplementary agenda report and that no further action needed to be taken on these points.

4. Consequently, officers referred the application (with the original DCC report and a new revised heritage section of it) to DCC on 6th August 2015. Members ratified their earlier decision to resolve to grant planning permission subject to conclusion of a S106. No formal decision has since been issued as negotiations continued for several months due to complexities of the S106, which was eventually agreed as a final draft in November 2015. The S106 has a standard clause requiring submission and approval of a Detailed Basement Construction Plan (DBCP).

New objections to S106

5. The HGNG and the St Stephen's Restoration and Preservation Trust ('the Objectors') advised the Council in early November 2015 that they wished to object to the finalising of the S106 and issuing a decision, due to new technical evidence that they had commissioned regarding the basement impact. Accordingly the Council made available to the Objectors the final draft of the S106 and allowed them to make any comments within one week; it also confirmed that the Council would take account of any further comments before issuing the decision. Consequently on 17th November 2015, the Objectors submitted a number of reports on basement and daylight matters. These reports had all been produced for the Objectors in November 2015 and none had previously been seen by Council officers.

6. Six technical documents were submitted on 17th November 2015 relating to the basement which essentially criticised the applicants' submitted Basement Impact Assessment (BIA). It was said the latter had not definitively demonstrated that the scheme would not cause structural damage to St Stephen's church and school and their new evidence on slope stability showed that the excavation would be unsuitable and potentially damaging. The Objectors were concerned that the BIA had failed to take account of the impact on the listed church and that the BIA was flawed as it was based on inadequate ground modelling studies and as further design studies for the basement construction and investigations on ground movements should have been carried out to the satisfaction of the Council before a decision was made. Accordingly it was said that the DCC had relied on a flawed BIA to make its decision and that it had not fulfilled its legal duty regarding the preservation of listed buildings which would be potentially harmed. Furthermore they criticised the draft S106 DBCP clause which referred to the need to take account of a Historic England report that was also flawed. They concluded that further work was required by all parties before the S106 was signed to ensure that no harm would be caused to the church and that the DBCP was truly 'fit for purpose', and that the scheme could not be remitted back to DCC until these studies had taken place to allow a proper balanced decision to be made.

7. The Heath and Hampstead Society have also written to support these objections and emphasise that the new evidence shows that more work needs to be done on the previous incomplete BIA, in view of the special circumstances arising from the proximity of the listed church, before any permission can be granted.

8. Finally a daylight consultant report was submitted which criticised some of the conclusions by both the applicants and officers on the impact of the scheme on daylight and sunlight to the church school and its playgrounds.

9. In response the Council commissioned independent consultant engineers (LBH) in December 2015 to review all of the new material submitted by the Objectors. LBH are the same consultant engineers who reviewed the first BIA initially in advance of the resolution to grant permission in February 2015. The LBH review was issued to the Council in January 2016. The Council also invited the applicants (Royal Free

Hospital) to comment on the daylight objections raised, as well as carrying out its own analysis. The 2 issues are discussed under separate subheadings below.

10. The Objectors subsequently submitted on 11 March 2016 yet more additional technical evidence in the form of 3 technical reports relating to the structural impacts of the scheme to support their earlier views set out above. This has now also been reviewed by LBH and incorporated into an updated review of theirs now dated March 2016. Effectively this evidence amplifies previous issues raised last year- one report is a fuller version of an incomplete report previously submitted, including discussions of historical movement of the church downslope and comments on adequacy of engineering measures in the draft S106; a 2nd report gives a detailed study of cracks in the church as further evidence of ground movement on site; a 3rd report adds weight to the conclusions of a previously submitted report.

Assessment- basement impact

Previous BIA review

11. By way of background, the original BIA for the application had previously been reviewed by LBH in January 2015 and revised following their criticisms and then again reviewed by them in February 2015. As stated in the officers' report to DCC in February 2015, this 2nd review acknowledged that the final BIA was incomplete in the absence of a definitive construction methodology and sequence and of a finalised temporary works design, and that therefore the BIA did not demonstrate sufficient detail and certainty to ensure accordance with policy DP27 on basement impacts. The previous BIA review concluded that in order to address these deficiencies, further information needed to be submitted and approved. However based on LBH's advice, the Council acknowledged and accepted the professionalism and standing of the applicant's engineering team and in the light of that were satisfied that these issues could be and would be satisfactorily addressed. As noted in the officer report to DCC in February 2015, the common problem with excavations of this sort is that current policy requires a degree of certainty that cannot readily be achieved until a contractor has been appointed and prepared the necessary temporary works scheme, which cannot take place until after permission has been granted to allow the applicants to progress onto the next design stage.

12. Consequently LBH suggested that the Council could rely on the assurances provided and allow for the outstanding issues to be addressed by conditions, requiring the submission of and approval of the following matters before any works commence on site-

- (a) ground movement analyses, including considerations of slope stability, to demonstrate acceptable impacts of excavation and basement works on the church and school;
- (b) a detailed construction methodology and sequence demonstrating how the stability of the surrounding buildings and ground is to be ensured at all stages of the

works;

(c) a detailed structural monitoring and contingency plan;

(d) surface water drainage calculations indicating how the risk of sewer flooding is to mitigated.

13. The officers' report to February DCC therefore concluded that the BIA was broadly acceptable but certain issues needed to be clarified and demonstrated in detail to give certainty on the scheme's impact on structural stability and drainage, and it proposed that the recommended matters in the above condition be secured by a S106 via submission of a Basement Construction Plan before works commence on site.

Current LBH review

14. LBH have reviewed all the Objectors' latest criticisms of the BIA contained within the additional material submitted in November 2015 and March 2016, and prepared their final report in March 2016.

15. LBH state that the new material presents new evidence concerning 6 issues-

a) Cracking and stretching of the church caused by downhill movement;

b) A possible old landslide;

c) A possible link between slope movement and the construction of the Royal Free Hospital;

d) A possible link between slope movement and the construction of the Heath Strange building;

e) A possible link between damage to the Church Hall school and the LINAC demolition;

f) The grade 2 listing of the boundary wall to the church estate.

16. LBH also acknowledge that the new material raises key valid deficiencies in the BIA concerning these matters: ground investigation, church movement, retaining walls, building damage assessment, slope stability, groundwater, monitoring, structural report on the church, cumulative impact, trees, dewatering, specific design, construction methodology and vibration.

17. However, LBH note that these valid criticisms are matters that had already been identified in their previous BIA review of February 2015.

18. In light of the new evidence presented by the Objectors, LBH now advise that it is essential that it is demonstrated, at some stage prior to construction, that the impact on the adjoining buildings of the proposed scheme has been fully assessed and that appropriate mitigation has been adopted. LBH had previously taken the view in their last BIA review of February 2015 that the Council could allow for the outstanding deficiencies to be addressed by condition following a planning approval. In this latest review, they continue to take this approach but emphasise that there must be a robust mechanism put in place to ensure that the present assessment deficiencies

are corrected and that appropriate design measures are implemented prior to any excavation and construction works commencing on site.

19. Accordingly LBH recommend a new set of expanded conditions based on the original 4 conditions reported to Committee (see para 12 above), requiring more studies to be done and submitted for approval. These suggested conditions have the same headings as before but are considerably more detailed now to cover all the issues raised by objectors. These expanded conditions identify significant further investigation and geotechnical assessment that will need to be undertaken before a contractor can proceed to the detailed design of mitigation measures. The wording of these conditions is shown in the attached Appendix 1. It is noted that LBH also state that the original draft S106 DBCP clause did not properly reflect the wording required by their previous review, thus it is important that any redrafted S106 does completely and correctly refer to the new conditions suggested by LBH.

20. LBH conclude that the new evidence submitted does not demonstrate that the BIA, and the officer report to DCC and S106 clauses based on this, are defective to the extent that the scheme will harm the church and neighbouring buildings. However this evidence, including the most recent reports submitted, heightens the uncertainty; the applicant is required to demonstrate by methodologies appropriate to the site that the scheme will maintain the structural stability of neighbouring properties and, as this has not yet been done, the submitted design proposals do not yet demonstrate adequate safeguards. The previous BIA was recognised as being incomplete and insufficient in the original officers' report but the latter proposed that the necessary further assessments and designs could be completed at a later stage, once a contractor had been appointed. LBH consider that the new evidence heightens the importance of these deficiencies and the need for the applicant to provide further evidence how the scheme will not harm the church and neighbouring buildings.

21. LBH's review recommends that further studies as part of a revised BIA will need to be produced for the Council's approval prior to any works commencing on site. Although this could be secured by a S106, it states that, given the new evidence and the weight of expert opinion expressed by the objectors, it is evident that significant further investigation and assessment will need to be undertaken before the detailed design. LBH thus strongly recommends that those studies that can be progressed now (such as ground movement analyses and identification of support and drainage measures) should be progressed as soon as possible.

Applicants' comments

22. The final LBH review report has been sent to the applicants (Royal Free Hospital) who have no objections to the conclusions reached and who fully accept the need for further studies. They have a full professional team of engineers and contractors waiting to start carrying out the studies required by LBH and satisfy the

the requirements of the proposed S106 DBCP clause in advance of the actual scheme's construction. RFH have now informed the Council that, in order to counteract the slippage caused by delays to the programme so far, Design & Build Contractors have now been appointed under a Pre-Construction Services Agreement to carry out the preliminary studies in advance of an Award of the Main Contract in June 2016 on the expectation of planning permission being issued. The applicants are concerned that the 12 months' delay so far in issuing a decision has costed them significant financial penalties and that the planning permission (and related S106) needs to be issued as soon as possible so that demolition and excavation works can commence on site in August 2016, following discharge of the DBCP clause, in order to ensure funding is not jeopardised and the new building is open in time for the scheduled academic year. They also acknowledge that in any case the main contract cannot start until 6 weeks after the date of planning permission to take account of a formal Judicial Review challenge period.

Conclusion

23. Officers consider that the proposed mechanism via a S106 clause suggested by LBH is sufficiently robust and comprehensive to allay and address concerns expressed by both Objectors and the Council's own consultants. The proposed conditions (see attached Appendix 1) will be incorporated in a revised S106 clause on the DBCP clause in the S106. This BCP will require submission and approval of all the required studies, as it did in the originally drafted S106, and will ensure that such matters are fully resolved and agreed, in conjunction with LBH, before any excavation and construction works take place on site. The legal agreement safeguards the Objectors' interests so that, if any details submitted are not deemed acceptable to the Council, the S106 DBCP clause cannot be fully discharged and therefore no excavation and construction works can start on site, thus effectively preventing implementation of the planning permission. It is thus in the applicants' own interests to ensure that detailed studies are carried out to demonstrate that their scheme does not harm the church and neighbouring structures.

24. It is concluded that the advice from the Council's engineering consultants remains effectively the same as before- no significantly new matters have been raised which require a different approach here from that previously reported to DCC, and there is no new material consideration which requires a fresh assessment and determination by the Council. The S106 has been redrafted so that the DBCP clause includes the entire and precise wording of conditions recommended by LBH; the revised S106 has been agreed by the applicants and can be concluded promptly in the event of DCC confirming its resolution to grant planning permission.

Assessment- daylight/sunlight impact

25. The officers' report to February DCC concluded that the scheme would not significantly harm the adjoining church School in terms of loss of daylight, sunlight or

privacy. It stated that, although there was significant loss of daylight to 4 out of 15 windows in the main school hall, this was considered relatively marginal; also, although no day/sunlight tests were undertaken to the temporary classrooms, these were dual-aspect with large north-facing windows unaffected.

26. The Objectors' daylight consultant continues to criticise the applicants' consultants' conclusions on a number of detailed points regarding methodology and analysis of light assessments. The consultant maintains that the Average Daylight Factor (ADF) results for the school are low and that no assessment has been made of sunlight loss to the garden classrooms and playground. The applicants' consultants have rebutted these criticisms in another letter dated 25.1.16 and their response is supported by officers.

27. The following points should be noted- the high level small windows on the south side of the garden classrooms are already partly blocked by storage and displays so any further reduction of light and sunshine would not be significant; ADF is not recommended by the BRE Daylight Guide as a test to measure impact of daylight loss on neighbouring windows; the No-Sky Line test results show that adequate daylight distribution will remain in the main hall classrooms; reference to a 40 degree rule for daylight tests is wrong nor is used here; a further overshadowing test has been carried out to cover the central playground between both buildings which shows that further overshadowing is insignificant and still complies with BRE guidance.

28. It is concluded that the criticisms are not valid, that the conclusions reached by officers in their original report are reasonable and appropriate to show that the school will continue to receive adequate levels of daylight and sunshine. No new matters have been raised, simply clarifications on points previously discussed, and there is no new material consideration which requires a fresh assessment and determination by the Council.

Conclusion

29. As stated in para 3 above, legal advice for the first claim in 2015 was that there were no grounds for a successful Judicial Review (JR) claim on the basement and daylight matters, on the basis that these technical issues were satisfactorily dealt with in the officers' reports and that there was no need to resubmit these matters to Committee for reconsideration. This opinion has not changed as the objections raised now relate to similar issues referred to in the 1st claim.

30. It is considered that the matters now raised by objectors do not raise new material considerations that the DCC were not aware of before, that they do not tip the balance of assessing such considerations so that the matter needs reporting back to DCC for an entirely new determination, and that they can be satisfactorily addressed by revised S106 clauses. However officers recognise the critical nature of the technical assessments to be carried out prior to implementation and are aware of

the extreme sensitivity of the case, the nature of objections raised with technical evidence produced by reputable professionals, and the need to reduce the risk of any further delays with financial penalties for an important publicly funded institution. Hence it is considered prudent to report the matter, with revised wording for a S106 clause, back to DCC to ensure elected members are fully apprised of the matter and to allow a discussion in the public arena.

31. For Members' information, the original officer report on this item to DCC on 19th February 2015 is appended here in Appendix 2, the written representations and deputation statements to this previous DCC agenda item are appended in Appendix 3, and the subsequent report with revised heritage section to DCC on 6th August 2015 is appended in Appendix 4

Recommendation

32. That Members ratify their earlier decisions taken on 19th February 2015 and 6th August 2015 to grant planning permission subject to conclusion of a S106 legal agreement, having regard to the original DCC report (attached in Appendix 2), the subsequent report to DCC with revised heritage section (attached in Appendix 4), and the proposed new revised wording for the DBCP clause in the S106 attached here in Appendix 1.

APPENDIX 1-

LBH proposed conditions for S106 clause on Detailed Basement Construction Plan

1. Ground movement analyses, including considerations of slope stability, to demonstrate acceptable impacts of excavation and basement works on the church and school. The analyses are to be informed by-

- i. Additional ground investigation to fully characterise the soil strength and groundwater regime both at the site and in the slopes above the site
- ii. A specific study of the history of ground movements affecting both the church and other structures on the church estate
- iii. Analysis of the stability of the existing slopes and historic excavations on the site with particular regard to evidence of any potential progressive movement.

2. A detailed construction methodology and sequence demonstrating how the stability of the surrounding buildings and ground is to be ensured at all stages of the works. This is to include-

- i. Detailed design of the temporary and permanent support measures that are to be provided to the excavation
 - i. Demonstrating the parameters adopted.
 - ii. Quantifying the extent of associated soil movements to be expected.
- ii. Detailed design of any drainage measures required to preserve or improve the stability of the slopes above the excavation
- iii. Consideration of the impacts of the removal of trees
- iv. Consideration of groundwater removal and the impacts of this.

3. A detailed structural monitoring and contingency plan for the works setting out

- i. Specific location monitoring points
- ii. Monitoring equipment to be used for movement and vibration
- iii. Frequency of monitoring
- iv. Responsibilities for implementation of the monitoring plan

- v. Criteria for assessment of monitoring data and comparison with predicted movements
- vi. Specific contingent actions to be taken in response to any exceedance of criteria
- vii. Communication of the monitoring data to interested parties
- viii. Responsibilities for implementation of the contingent actions
- ix. The resources required to enable implementation of the contingent actions
- x. The availability of the required resources.

4. Surface water drainage calculations indicating how the risk of sewer flooding is to be mitigated.

APPENDIX 2- original report to DCC 19.2.15

Address:	Royal Free Hospital Pond Street London NW3 2QG		3
Application Number:	2014/6845/P	Officer: Charles Thuaire	
Ward:	Gospel Oak Hampstead Town		
Date Received:	28/10/2014		
<p>Proposal: Demolition of existing carpark and ancillary structures and erection of new 7 storey building, located on Heath Strange Garden site facing west to Hampstead Green footpath and Rosslyn Hill, containing laboratory/research space for Institute for Immunity and Transplantation, a patient hotel, Royal Free Charity offices plus a replacement carpark of 58 spaces, replacement memorial garden, plant and landscaping, all ancillary to Royal Free Hospital (Class D1).</p>			
<p>Background Papers, Supporting Documents and Drawing Numbers- A-RFMR-0000C, 0001C, 0002B, 0003B, 0004B, 0005B, 0005B, 0006B, 0007B, 0008B, 0009A, 0050A, 2000E, 2001E, 2002E, 2003C, 2004C, 2005C, 2006C, 2007D, 2101F, 2102F, 2103F, 2104F, 2105E, 2200C, 2201C, 2202C, 2203C, 2150B, 2151B; (91)LP001A, 002A, LS101A, 102A; Accurate Visual Representations dated December 2014 (ref A-RFMR-9422-A); RFMR-SK-268, 269; 2 unnumbered additional montages viewed from Green. Planning Statement by Savills; Planning, Design and Access Statement by Hopkins Architects; Arboricultural Impact Assessment by Arbtech; Basement Impact Assessment by ESI; Analysis of Building Fume Exhausts by Censum; Construction Dust Risk Assessment by Temple; Daylight and Sunlight Report EB7; Archaeological Assessment by AOC; Outline Construction Management Plan by Elliott Logistics; Habitat Survey by Arbtech; Energy Statement by BDP; Flood Risk Assessment by ESI; Noise Impact Assessment by BDP; Heritage Statement by KM Heritage; Geo-environmental and Geotechnical site assessment by RSK; Sustainable Statement by BDP; Transport Assessment by Vectos; <i>(all above documents dated October 2014)</i>; BIA Land Stability report updated 30.1.15 by Soil Consultants. Draft Heritage Benefits Note by Savills dated 22.1.15; Response on TfL Comments from Vectos dated January 2015; Technical Response on Comments from Vectos dated January 2015; letter on daylight response from EB7 dated 16.1.15; letter on BIA review from BDP (plus Appendices 1-7) dated 27.1.15; Independent Review of BIA (Updated) by LBH Wembley dated February 2015; letters from Savills on: response to EH comments dated 10.12.14, minor amendments dated 22.12.14, amendments to roof dated 4.2.15, further views dated 29.1.15, BIA review response dated 28.1.15; emails from Simon Myles on: heritage benefits dated 22.1.15, revised energy strategy dated 29.1.15, impacts to School dated 21.1.15.</p>			
<p>RECOMMENDATION SUMMARY: Grant permission subject to conditions & S106</p>			
Applicant:		Agent:	
Royal Free Charity Developments Ltd c/o agent		Savills 33 Margaret Street London W1G 0JD	

ANALYSIS INFORMATION

Land Use Details:			
	Use Class	Use Description	Floorspace
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Proposed	<i>Class D1 hospital offices, Institute, patient hotel, carpark, plant</i>		<i>8558m²</i>

Parking Details:		
	Parking Spaces (General)	Parking Spaces (Disabled)
Existing	95	5
Proposed	52	6

OFFICERS' REPORT

This application is being reported to the Committee as it entails a Major development of more than 1000 sqm of non-residential floorspace (Clause 3i) and making of a Section 106 legal agreement (Clause 3vi).

1. SITE

- 1.1 The site is 0.59 hectares in size and located on the west side of the Royal Free Hospital main building facing Hampstead Green and Rosslyn Hill. It currently contains a 2 storey carpark with substation and plant on its northern part; because the site steeply slopes downhill to the north, the southern part only has a small basement plantroom on its eastern side. On its roof is the 'Heath Strange' memorial garden. On the west side is an internal one-way access road for hospital traffic linking Pond Street and Rowland Hill Street, while on the east side immediately next to the main podium block is an internal emergency accessway. The carpark contains 88 spaces and has 2 entrances, from the rear service road at lower ground level and from the front link road at upper ground level. The link road also contains a further 12 car spaces. The memorial garden is accessed from the link road and contains a central lawn with various small trees and shrubs, mainly on its perimeter, and memorial plaques and benches. Because of the sloping ground levels, only part of the carpark is visible and it has a simple utilitarian concrete design similar to the main hospital building.
- 1.2 The hospital behind the site contains a 4 storey podium with plant rooms above, plus a 9 storey high tower in its centre. The east side of the podium facing the application site has various plant rooms and 2 storey cabins above it, plus 2 large projecting service cores on its façade, giving it a messy and utilitarian appearance. The Hospital dates from the 1970's and is designed in a monolithic brutalist idiom with exposed concrete which is very prominent in long views. The main entrance to the Hospital for visitors and emergency vehicles is from Pond Street. The service road and access to staff carparks is via Rowland Hill Street to the south; adjoining this is the vacant Bartrams hostel, currently subject to a planning application for redevelopment for elderly housing.
- 1.3 The site faces west to Hampstead Green which is a triangular shaped meadow and designated as public open space; it is managed by the Council and enclosed by railings but not publicly accessible. It is protected by the London Squares Act 1931. There is a well-used public footpath running between this and the hospital link road to connect Pond Street with Rowland Hill Street and Rosslyn Hill. The path and Green has a verdant character bordered by numerous trees and shrubs, including a clump of mature trees at the junction with Rowland Hill Street and several mature trees within the Green and School site. The landscaped garden on the carpark site is a relatively recent situation, in that the site was originally occupied by the former hospital buildings (demolished in 1974) which, along with the Church, provided enclosure to Hampstead Green.

- 1.4 At the junction of Rosslyn Hill and Pond Street, at the NW corner of this Green, is St Stephen's Church and Hampstead Hill School. The church is massive Victorian gothic-style building with steepled tower, built in 1875 and now used for community purposes; it is a local landmark and Grade 1 listed. The churchyard gate and wall are also Grade 2 listed and to the west of the Green on Rosslyn Hill is a cabman's shelter listed Grade 2. The School is in the single storey former church hall, plus has various temporary classroom buildings and playground, all to the northeast of the church. The area to the north and east is characterised by residential properties; the houses at 5-23 Pond Street are listed.
- 1.5 The site is not within a conservation area but borders Hampstead conservation area to the north and west which includes the Green and Church. Further west across the road lies Fitzjohns/Netherhall conservation area and to the south on the west side of Haverstock Hill is Belsize conservation area. The site also lies within the South End Archaeological Priority Area. The site is near Belsize and Hampstead tube stations and Hampstead Heath overground station, is on several bus routes and within a CPZ.

2. THE PROPOSAL

Original

- 2.1 Demolition of existing carpark and ancillary structures and erection of new 7 storey building, located on Heath Strange Garden site facing west to Hampstead Green footpath and Rosslyn Hill, containing laboratory/research space for Institute for Immunity and Transplantation, a patient hotel, Royal Free Charity offices plus a replacement carpark of 58 spaces, replacement garden, plant and landscaping, all ancillary to Royal Free Hospital (Class D1).

Revised

- 2.2 Minor design changes to the building; verified view photomontages (key local groups and organisations consulted only).
- 2.3 Updates to BIA following consultant's review; revised sustainability strategy and additional PV panels on roof; additional viewpoint montages.

3. RELEVANT HISTORY

- 3.1 December 2008- planning permission granted for alterations to 2 storey decks facing Pond Street, its parking and access, plus new enclosures and canopies.
- 3.2 January 2013- planning permission granted for erection of 2 storey extension to west side of hospital adjoining Rowland Hill Street for additional operating theatres.
- 3.3 March 2014- planning permission granted for extensions and plant to the A&E Department at lower ground level facing Pond Street.

- 3.4 The above 3 decisions are the most significant and recent ones affecting the main hospital building on its north/west sides; however there have been numerous other permissions for various plant and structures at roof level and other minor alterations.

4. CONSULTATIONS

Statutory Consultees

4.1 English Heritage- comment

Site adjoins Grade 1 listed church which is a distinctive local landmark, Hampstead Green, footpath and cabman shelter (Grade 2 listed) which collectively act as important gateway to Hampstead village and heath. Refers to national policies in NPPF relating to heritage assets. Considers that scheme seeks to respond to historic environment following form of earlier hospital here, reflecting scale of church and developing appropriate landscaping scheme; height and scale respects its setting although this depends on delivery of detailed design and materials as originally intended; will provide high quality public face that is currently lacking here. However it will cause some harm to setting of heritage assets, ie. church and conservation area- church and green are important markers in transition between Belsize and Hampstead and a large scale modern hospital building with immediate street presence will detract from this character and cause some harm to this local landmark, compared to existing hospital which is set back from street and screened in views. Recognise public benefits are considerable but there needs to be assessment if the benefits could be provided elsewhere on the overall hospital site and if the hospital facilities can be delivered without the new research centre, to enable the Council to weigh benefits against harm. Urges Council to seek specific heritage benefits, secured by a S106, to bring benefit to the hospital, community and historic environment. Recommend that conditions are attached to protect historic fabric during construction.

Comment on applicant's subsequent 'draft heritage benefits note'- English Heritage's assessment and response to the proposed scheme remains unchanged as their view of the scheme is not based on delivering heritage benefits. However, they "warmly welcome the proposed S106 obligations and consider that these address the points we raised in earlier letters with respect to potential heritage benefits. These benefits would be a material consideration for the local planning authority in its assessment of all the public benefits of this scheme. We consider that these could deliver heritage benefits to the public and be of benefit to the hospital and the local community. We trust that these will form part of the finalised agreement".

4.2 English Heritage (GLAAS)- no objection

No significant effect on archaeological remains; although sited within Arch Priority Area, study shows that there is little potential for significant remains due to scale of modern ground disturbance.

Conservation Area Advisory Committee

- 4.3 **Hampstead CAAC**- no response.

Local Groups

- 4.4 **Heath and Hampstead Society**- comment

Would prefer to see such a large new building sited elsewhere and Hospital site has developed without a master plan and now grossly overdeveloped and congested, but accept that this hospital exists and that the Institute has been planned over some years and connected to the hospital.

Considers form and height, echoing old buildings here and creating screen to unsightly bulk of main hospital, is positive and will create elegant backdrop to Green. Listed church, due to its strong robust character, will continue to dominate streetscene and its setting will not be harmed by new building, 25m away and downhill.

School will be affected by overlooking from upper floors and from noise and smoke from people using terraces along path- better screening needed. Accept relocation of memorial garden, provided there is adequate depth of soil for tree planting.

Loss of public carparking is a major concern as site has poor transport links; existing carpark is far too small for existing demand, disabled space is deficient; proposed reduction is scandalous for a major hospital; many issues not addressed in travel report and more research is needed on public access and parking; parking must be redesigned so that existing total is reprovided with more for disabled.

BIA is disappointing and vague with little or no reference to subsoil protection to neighbouring buildings and no Burland Scale assessments; concern at impact on listed Church on Victorian-style brick foundations; this area of Pond Street is known for underground water and subsoil irregularity- more work needed.

CMP suggests construction traffic exiting site to Pond Street which will cause serious congestion at an already congested junction; other detailed queries.

- 4.5 **Belsize Residents Association**- comment

Recognise that the area is congested and any development will have environmental and social costs to residents as well as heritage impact on listed church. Plan has architectural merit in following form of earlier building here but consideration should be made of how scheme improves public realm; loss of green space especially community garden is regrettable; area is very congested with parking full during business hours- traffic assessment appears basic and optimistic and should be treated with more rigour.

- 4.6 **South End Green Association**- object

Agrees with English Heritage - harms setting of listed building and conservation area; no assurance that church will not be physically harmed; peripheral functions (hotel, offices) have no reason to be here

fronting a heritage site; research centre can be relocated elsewhere on hospital site. Camden has watertight case to reject application- if development harms heritage, there is no need to weigh up public benefits if building does not need to be there in first place.

4.7 **Downshire Hill Residents Association**- comment

Not pleased with scale of development and presence adjoining Green, but understand key role of RFH and life-saving technologies which require infrastructure in proximity to established medical facility; assume all options in reducing scale have been exhausted, thus Council must require all regulations to be complied with, to minimise construction nuisance and maintain church fabric and school safety.

Other bodies

4.8 **Victorian Society**- object

Open spaces of Hampstead Green and Heath Strange garden are vital in providing visual separation between St Stephens Church and Hospital which are both strong architectural statements that do not complement each other and allows church to be seen on its own terms. New scheme will lose this distinction between 2 structures and impinge on views of church thus harming its setting.

4.9 **Ancient Monuments Society**- object

Concern at visual and physical impact on church- any instability and cracking will be tragic reversal of a heroic rescue of previous Building at Risk; harmful effect on visual setting of church and green.

4.10 **Heritage Lottery Fund**- comment

Have invested over £2m in restoration of St Stephens; concur with EH views, share their concern that new building may harm setting of church and agree with their recommended condition to protect historic fabric during construction.

4.11 **Thames Water**- comment

Concern that development may lead to sewage flooding and that water supply infrastructure has insufficient capacity to meet its demands and thus request conditions on prior submission and approval of drainage strategy and impact study of existing water supply.

4.12 **Transport for London** - comment

Reduction in overall number of carparking spaces (with none allocated to staff) is welcome but concerned that strategy of 'park and ride' will work against benefits of claimed parking reduction and that shuttle buses will impact on public transport, thus does not support this idea; strategy should aim for site-wide reduction of large total of 415 spaces especially staff parking, thus campus-wide parking strategy is required;

cycle parking acceptable; heavy use of Rowland Hill St with substandard footways, and proposed new turning movements, thus should consider setting back building/wall to improve amenity and safety of pedestrians; may request funding for cycle accessibility improvements; supports SMP; considers that there will be a reduction of overall vehicle trips to hospital in peak hours with slightly more using Rowland Hill St junction but less using Pond St junction, but there are no capacity issues; no harmful impact on capacity of road and public transport network (notwithstanding impact from park and ride plans), but requests accessibility audit of nearest 2 bus stops in accordance with TfL guidance; contribution needed for Legible London wayfinding signage; draft Travel Plan has failed TfL's assessment but can be revised and secured by S106.

Adjoining Occupiers

	Original
<i>Number of Letters Sent</i>	215
<i>Number of responses Received</i>	369
<i>Number in Support</i>	76
<i>Number of Objections</i>	293

(numbers of responses counted at 5pm 6.2.15)
Plus 3 site notices and press advertisement.

4.13 St Stephens Restoration Trust (for St Stephen's Church) **object-**

Deficiencies with BIA- it does not recognise that the church has considerable water problems with waterlogging after heavy rain- this is due to a stream under the site and 1970's construction of the Royal Free which dammed water flows and resulted in tower movement; 1999 restoration works included dams and water pumps to address this problem; review of BIA by CGL engineers agree that BIA is deficient in not considering stability of listed church and school and possible future ground movements, in light of history of cracking and underpinning.

Damage to stability of Church and hall- tower moved and cracked when RHF was built, hall also cracked and needed underpinning; risk of further damage by another building closer to site.

Loss of day/sunlight to school- daylight report does not take account of impact on garden classrooms or on playgrounds between these and hall; missing info. Security of children- building results in windows overlooking school.

Size of building- too big for site, higher than church ridge, very close to school, blocks sightlines between Pond St and Haverstock Hill, overshadows and dominates Green, causes harm to setting of listed church and conservation area, loss of numerous trees and green space; endorse views by English Heritage, VicSoc, AMS objecting to harm caused to church and green; concern that 16 years of rescuing and restoring the church to active use will be wasted by it being dwarfed or damaged by the new building.

Traffic congestion- severe congestion already exists in area; after 10am drivers queue to find a parking space and traffic jams frequently occur due to servicing, buses, emergency vehicles; traffic consultant study

does not take account of traffic movements during 10am-4pm; will worsen with reduction of parking spaces on site and increase in A&E visits.

Construction damage and disruption.

Lack of master plan for Royal Free- no consideration given for using underused site at rear of campus which has less harmful townscape impact.

Cumulative impact- simultaneous construction with nearby developments at Bartrams and Lawn Rd will be intolerable.

Inadequate and insulting consultation with Trust.

4.14 **Hampstead Hill School- object**

Overwhelming size towers over school and green and changes character of this area; overlooks classrooms and playgrounds, loss of outlook; increases pollution and traffic congestion, contradicting Green Travel Plan that school has to produce annually; subsidence of listed buildings, construction nuisance; loss of trees; no proper consultation.

New photomontages demonstrate how damaging new building will be on landscape and light, and some of them try to conceal how monstrous it will be; appears to be a 'fait accompli' and deal already agreed between Council and Hospital; should be resited in several other areas to lessen impact.

4.15 **Hampstead Green Neighbourhood Group** (HGNG) (via consultants)- **object**

Need for new health facilities - supported by policy CS16 but this is aimed at local services such as polyclinics rather than everything including large new research facilities; policy implies that supply and distribution requires a sequential analysis to ensure all alternative sites have been examined; needs of centres of medical excellence have to be balanced against requirements of local community.

Traffic and parking impact - deficiencies in submitted travel report (eg. misrepresents public transport accessibility). Reduction of parking is totally inappropriate for a major London hospital. Extending basement to accommodate parking will harm stability and hydrology. Independent transport consultants' report submitted which concludes- 60% of travel to site not covered by Travel Plan; under-provision of parking for staff; inadequate information to properly assess impact of parking on site; lack of parking will lead to congestion and parking problems (queues entering and exiting public carpark, blue badge holders occupying resident parking spaces, impact on delivery vans etc and road safety to residents); underestimate of visitors to new Institute; underprovision of cycle spaces compared to London Plan standards; anticipated decrease in demand for parking is incompatible with doubling of capacity of A&E; draft Travel Plan only applies to hospital staff who generate less than 40% of traffic here; overall the report is vague and superficial and omits crucial data for the A&E expansion.

Cumulative impact- must take account of the nearby proposed developments at Bartrams and Lawn Rd which will result in traffic gridlock.

Future expansion plans- site has developed in piecemeal fashion with no clear masterplan. Hospital has spare capacity at Barnet and Chase Farm hospital sites and some departments can be sited there which would free up capacity and relieve pressure on local roads, thus need for siting and size of institute here is queried; proposed site is not most convenient or accessible to patients, no direct physical link of Institute with existing theatres in hospital or with other proposed elements here; no justification for new patient hotel here. No traffic assessment made of the impact in doubling A&E; indeed further expansion of A&E and other intensification could be unlawful without proper consultation and application procedures.

Construction impact- on highway and parking, harm to air quality and health of school children.

Harm to amenity- security of children, overshadowing of school.

Harm to heritage assets- English Heritage expresses concern that large scale building will detract from village character and cause some harm to setting of listed church; increase in height, scale and bulk erodes townscape character of the area, sense of encroachment and loss of greenery on edge of Green erodes quality of open space and setting of church; scale of new block competes with status and prominence of church and erodes character of conservation area and setting of church. Inadequate consideration by hospital of the concerns made by EH on why the facilities cannot be provided elsewhere to enable weighing public benefits against public harm.

Inadequate BIA- no detailed investigations of future stability of church which has brick foundations vulnerable to further ground movement and which lies on clay which is prone to expansion and shrinkage; water course under church and past hospital construction have already affected its stability and proposed basement foundations may create dam and damage church.

4.16 **Objections from 291 local residents** (neighbours and parents of school children) -

Size too big and tall for location- at 7 storeys it is as high as St Stephens and to edge of path, blocks sightlines along path; design, footprint, bulk etc harmful; overshadows area and blocks out local landmarks between Pond St and Haverstock Hill; existing Hospital is eyesore and too big and this will make it worse; agree with EH and VicSoc objections.

Negative impact on Hampstead Green and Church- last vestige of peaceful green enclave now dominated by huge building; overpowers Green, church and school and changes character of CA and gateway to Hampstead; impacts on meadow and ecology of Green, loss of screen to Hospital behind; loss of gap between Hospital, Hampstead and Belsize Park.

Loss of landscape- loss of memorial garden, community permaculture garden and trees; garden much needed and used by staff and residents, green oasis; loss of cobbled path; paths reduced to unsafe dark alleys.

Loss of parking for visitors- existing is too small; blue badge holders use residents parking bays (witnessed 34% on one day) and make it worse for residents and this will worsen; loss of parking for disabled.

Traffic congestion- already gridlock exists in area especially in rush hour

with traffic jams affecting hospital access and access to neighbours' houses; increase in A&E capacity will add to congestion, also closure of link road will worsen congestion in Pond St; impacts on future ambulance access and local bus services; will not decrease demand for parking by elderly and disabled visitors- park and ride won't work; Transport Assessment and Travel Plan deficient and optimistic.

Loss of amenity to School- loss of light, safety and privacy; noise and dust affecting children, road safety, impact on children health and education; no sunshine in classrooms or playgrounds; loss of school dropoff/pickup parking spaces.

Construction disruption and damage- basement excavation impact on listed Church and local houses; construction nuisance impact on school, residents and traffic.

Overdevelopment, lack of master plan- endless incremental overdevelopment of RFH site, irresponsible to propose another large building in absence of master plan; need one to guide future developments which includes other RFH sites in Enfield; RFH already dominates area as soulless eyesore and newer piecemeal additions no better; Hospital has total disregard for neighbours in its operation and plans.

Impact of other developments- need to take account of current Lawn Rd and Bartrams schemes in area.

No need for it here- Premier Inn can continue to provide hotel accommodation, other uses and Institute can take place elsewhere on campus or at other Hospitals (eg. Chase Farm); lack of justification for Institute or Hotel here which can be sited elsewhere on campus; no physical link between Phase 1 and new Institute so stated justification for siting it here to enable connected research is meaningless; query need for hotel for private patients.

Other issues-

- no permission or consultation on increase in A&E Dept and no assessment of traffic impact;
- need planning application now for A&E expansion;
- no proper assessment of risk to structural stability of St Stephens;
- no public benefit (those stated are questionable) to justify harm to townscape, landscape and traffic;
- no proper consultation, proposal rushed through, need more time to consider plans, no discussion with locals and church/school;
- smaller facility with less impact and better parking would be acceptable; support for Institute work but not right building nor site for it; it should not take green space or carpark; support only if carparking exceeds existing spaces by 50%;
- loss of quality of life in Camden; montages misleading as they don't show church;
- increased crime and buskers; loss of property values;
- loss of daylight and sunlight to houses on N.side of Pond St, no analysis of impact; light, air and noise pollution; overlooking from hotel rooms.

- 4.17 **Support (in general terms)** for new Institute from Prime Minister, Greg Clark MP (Minister for Science etc), Glenda Jackson MP, Mike Freer MP, Mayor of London.

- 4.18 **Support (in specific terms)** from UCL Provost and President - new Institute is fundamental to delivery of vision of providing world-leading research and clinical trials in a new centre; it is Phase 2 of the Institute that has already had Phase 1 implemented within Hospital in 2013 and both have to be located in close proximity as well as clinical specialist services within Hospital, and linked to UCLH, GOSH, Moorfields and Francis Crick Institute.
- 4.19 **Support from 70 residents and hospital staff** (including over 20 local residents, others elsewhere in Camden or London) -
-great benefit to area, London and medicine; institute vital to research and patients; RFH recognised centre of excellence for immunology and this new Institute is important in carrying out further life-saving research; hospital is asset to local community; Institute will benefit RFH research and patients and improve quality of life; research and patient clinical care need to be located together; hotel needs to be near Institute as patients are too ill to walk far for treatment; testimonies from former/current patients who had life-saving treatment here;
-benefits outweigh harm caused; advantage of blocking view of hospital, design matches others in Hampstead and reflects old Hospital here; should not cause damage to buildings; not harmful to listed building or conservation area, improves look of hospital, will have good design and sit harmoniously in space, will be asset to area and rejuvenate it; current space unattractive and underused; improves look and safety of path and garden especially at night; removes unsafe pedestrian routes and traffic junction;
-welcome additional facilities and jobs; supports local services and employment; patient hotel better than expensive private one; local residents should be lucky to have a conveniently placed hospital next to them; community should be proud of this and recognise benefits, not vilifying it like 'nimbies'; local leaflets are scaremongering.

5. POLICIES

Set out below are the LDF policies that the proposals have primarily been assessed against. However it should be noted that recommendations are based on assessment of the proposals against the development plan taken as a whole together with other material considerations.

5.1 LDF Core Strategy and Development Policies

- CS1 - Distribution of growth
- CS5 - Managing the impact of growth and development
- CS8 - Promoting a successful and inclusive Camden economy
- CS10 - Supporting community facilities and services
- CS11 - Promoting sustainable and efficient travel
- CS13 - Tackling climate change
- CS14 - Promoting high quality places and conserving our heritage
- CS15 - Protecting and improving open spaces & biodiversity
- CS16 - Improving Camden's health and well-being
- CS17 - Making Camden a safer place

CS18 - Dealing with waste
CS19 - Delivering and monitoring the Core Strategy

DP15 - Community and leisure uses
DP16 - Transport implications of development
DP17 - Walking, cycling and public transport
DP18 - Parking standards and the availability of car parking
DP19 - Managing the impact of parking
DP20 - Movement of goods and materials
DP21 - Development connecting to highway network
DP22 - Sustainable design and construction
DP23 - Water
DP24 - Securing high quality design
DP25 - Conserving Camden's heritage
DP26 - Managing impact of development on occupiers and neighbours
DP27 - Basements and lightwells
DP28 - Noise and vibration
DP29 - Improving access
DP31 - Provision of and improvements to public open space
DP32 - Air quality

Supplementary Planning Policies

5.2 Camden Planning Guidance

Other policies

5.3 National Planning Policy Framework (27.3.12) The London Plan (July 2011)

6. ASSESSMENT

- 6.1 The principal considerations material to the determination of this application are summarised as follows:
- compliance with landuse policy;
 - bulk, height, footprint and design of new building;
 - impact on listed buildings, open space and conservation area;
 - landscape and trees;
 - impact on neighbour amenities and ground/hydrology conditions;
 - impact on traffic and parking conditions;
 - sustainability issues.
- 6.2 As demonstrated by objections from local people and groups, summarised in the consultation section above, there appear to be 3 key concerns raised-
- need and location of new uses on this specific site;
 - impact of building on sensitive townscape, landscape and stability;
 - impact on congested traffic conditions.
- 6.3 The application is the result of extensive pre-application discussions and negotiations with the Royal Free Hospital since May 2014, and the scheme has evolved in response to officers' concerns and comments. As part of that process, the applicants held their own exhibition locally in

June 2014 and the Council held a Development Management Forum on 8th July to present the scheme to the public.

Proposal

- 6.4 The carpark and plant will be demolished and replaced by a new building and landscaping and servicing area on the whole site, comprising 4 separate elements all related to the Royal Free Hospital plus a new replacement memorial garden. The building will be known as the Pears Building. It will be a publicly funded scheme with the majority of funds raised by the Royal Free Charity plus significant contributions from the Higher Education Funding Council for England (HEFCE), UCL and Royal Free Trust.
- 6.5 The components include the following-
- a) a new 'UCL Institute for Immunity and Transplantation and the Centre for Regenerative Medicine', which will bring together world-leading research and clinical trials and provide space for scientists and researchers including laboratories, culture rooms, meeting rooms and offices (4184sqm);
 - b) a new patient hotel for Hospital patients undergoing clinical trials and treatments who need overnight accommodation, including 26 standard hotel rooms, 4 accessible rooms and 6 studio suites (1454sqm);
 - c) Royal Free Charity offices (341sqm) replacing existing offices at the main hospital entrance in Pond Street
 - d) a replacement carpark of 58 spaces (including 6 for disabled) over 2 levels with 2 accesses from the rear and south sides, plus cycle parking and new servicing yard alongside Rowland Hill St, plus plant (total 2578sqm);
 - e) new landscaped courtyards including a replacement memorial garden at the rear eastern side above existing plantroom.
- 6.6 The building has been designed to have a cranked footprint so that it is slightly angled to enclose the Green and moreover avoids touching the basement level Radiotherapy Centre plant room bunker (containing 'LinAc' machines) at the southern rear part of the site which cannot be built over as it is sensitive to vibration and needs radiation shielding. The building has 2 lower levels, which become basement levels at the southern end due the sloping ground, and 5 storeys above facing the Green. Thus although the building is overall 7 storeys high on the north side, it appears as a 5 storey block on its main western and southern elevations. The upper 2 floors are set back on all sides behind flat roof terraces (2m from the front edge and 7-10m from the flank sides), while the 2 service cores act as projecting bookends on the north and south elevations. The building is designed in a contemporary manner with brick and concrete facades, timber louvred panels, vertically proportioned glazing and flat roofs incorporating brown roofs.
- 6.7 The south part of the lower basement has plant and the northern part has the Charity offices facing a new triangular landscaped space on the northern elevation; the lower basement level carpark for 18 spaces plus cycle parking has access from the rear emergency road and the larger upper basement level carpark for 40 spaces has access via a ramp from

Rowland Hill Street and adjoins a new servicing loading bay and existing substation; the laboratory/research spaces will be on ground, 1st and 2nd floors facing the Green with a main reception/entrance on this west side; the patient hotel will be on the edges of the 3rd and 4th floors, with balconies on all 3 sides of the 3rd floor; the rear central part of these floors will have plant rooms with PV panels above on the roof. The revised sustainability strategy has now introduced more PV panels on the roofs of the front edge and 2 service cores. The west frontage will have a landscaped stepped embankment directly abutting the public footway, taking account of the sloping ground levels, and a retained tree screen where the footpath bends to the northeast; the rear will have a series of new publicly accessible landscaped courtyards, including the new Heath Strange memorial garden over the existing 'LinAc' plantroom adjoining Rowland Hill St.

Landuse

- 6.8 The existing carpark on the site is ancillary to the main hospital (Class D1). The new uses within the building and carpark will continue to operate as Class D1 ancillary accommodation. The fundamental driver behind the scheme is the new Institute which is the principle component of the development and is assessed below against landuse policy. The patient hotel is a new ancillary element which directly supports the role of the hospital. The carpark and memorial garden are replacements for the existing features on this site, while the charity offices replace and enhance those existing elsewhere in the hospital.

Policy

- 6.9 The Institute is supported by national, regional and local policy on healthcare. London Plan policy 3.17 strongly supports healthcare development as part of promoting London as a national and international centre of medical excellence and specialist facilities; policy 4.10 supports new research buildings and London's higher educational institutions. Camden LDF policy CS10 ensures community facilities (which include healthcare) are provided for Camden's communities. Policy CS16 specifically seeks to improve health and wellbeing in Camden and *inter alia* (c) supports the provision of new or improved health facilities and (d) supports the borough's concentration of centres of medical excellence and their contribution to health-related research, clinical expertise, employment and training provision. In its supporting para 16.13 , it further states that the borough contains an internationally important concentration of medical education, research and care institutions that make a significant contribution to the borough and nation by providing healthcare facilities, specialist research, employment and educational opportunities and by encouraging innovation. It states that Camden will seek to support them, including UCLH, Royal Free Hospital etc, and to balance their requirements with those of other sectors and the local community.
- 6.10 It is considered that the proposal is strongly supported and justified by this policy context and eminently satisfies its criteria- it involves a specifically-named existing centre of medical excellence (Royal Free

Hospital and UCL Trust) and it proposes a specialist health research facility which will give employment for new medical and ancillary staff and will encourage innovation in health services. It will facilitate the establishment of the Institute as a world leader and thus London's role as an international centre of medical excellence, as well as benefitting Royal Free's own health services and the local economy.

- 6.11 The Institute is a partnership between the Royal Free and UCL and aims to deliver a world class research organisation in the centre of London with linkages to local healthcare provision at this hospital to ensure local residents benefit directly. The applicants state that the public benefits are of such national importance that if the scheme does not proceed, it is unlikely that these benefits will accrue to Camden, London or the UK. The Institute will be the only global research facility outside the USA and one of only five in the whole world. Its clinical trials may also draw upon Royal Free patients to facilitate their effective delivery. It has 3 goals- to promote multi-disciplinary research, to translate this research into the first in-human clinical trials, and to provide outstanding research training to educate future scientists and academics. It seeks to attract 200 international research leaders, whereby Phase 2 will have 160 researchers in addition to the 40 of the existing Phase 1. It will serve as a major hub for UCL biomedical research.
- 6.12 Furthermore it will be closely linked to the existing Institute within the main hospital building which was established in 2013 and which has already made important advances in such research and clinical trials. It is anticipated that with the additional Institute building, the five-fold increase in researchers will yield even greater results in medical breakthroughs and attract more scientists leading to yet further collaboration and new ideas. The location at Royal Free will also enable research to be linked with clinical trials as part of the 'bench to bedside' pathway, which means local people will benefit from potentially lifesaving care (such as artificial coronary artery trials and immunodeficiency treatments).
- 6.13 The patient hotel will also support and enhance the role of the Royal Free in its healthcare provision. It will provide accommodation for outpatients who need an overnight stay (or in some cases over a week) to receive treatment, as well as some limited use by UCL for visiting scientists.
- 6.14 Finally the Institute and hotel, as well as relocated charity offices, will not only benefit the hospital's own health services but also generate more employment and support the local economy and services, thus contributing to other policy aims for economic regeneration.

Location

- 6.15 The location of the Institute and other uses here is justifiable. The Institute is Phase 2 of the first phase Institute on the west side of the main hospital building established on one floor in 2013. Although there will be no direct physical link between the 2 phases, the proximity of

researchers in both phases was a key consideration in selecting the location of this new building, as pioneering breakthroughs are aided by discussion and interaction between researchers. The Institute with its clinical facility has to be located next to an acute-care hospital rather than any other type (such as Chase Farm). Thus the applicants maintain that it is vital that both Phases of the Institute are in close proximity to each other and that this use cannot be located elsewhere in the hospital campus (such as at the rear alongside Lawn Rd) or indeed elsewhere on Royal Free's newly acquired other sites in London (such as Chase Farm and Barnet); the latter are in any case too far away from UCL's main campus in Bloomsbury. The carpark is the closest underused site to Phase 1 of the Institute to accommodate this new building so that researchers can easily move between buildings. There is insufficient space within the main hospital building (podium and tower) to convert for this Phase 2, as it is fully used and reserved for all its core medical facilities, wards, A&E departments, etc. The applicants have confirmed that the hospital's clinical strategy is to expand clinical services within the building to cater for existing residents and growth in local population. They also argue that if the Institute was not progressed here, then a significant amount of funding would be withdrawn which would jeopardise the delivery of the other elements of the scheme here.

- 6.16 The patient hotel is justified in economic and locational terms. Current external use of private hotels is not only expensive but potentially damaging to some patients' health if too far away, as patients need to be close to their treatment and are monitored daily (as noted by some responses in support of the scheme). Such accommodation is also more cost-effective and efficient than placing such patients in existing wards. Its location near the entrance and A&E means that they can have easy emergency access. The patient hotel here thus will provide an important facility for the hospital in its overall care of patients.
- 6.17 The Charity offices replace and enhance the existing offices and free up valuable space at the existing Hospital entrance. It is noted that the charity has been the largest single investor of UCL research at the Royal Free in the last decade and supports initiatives beyond scope of NHS funding, thus its retention at the Hospital is vital. The applicants argue that its new location within a landmark building and with a new public presence on its Pond St elevation will create a new identity, raise its profile and aid its ongoing fundraising initiatives. No objection is raised to its new location here.
- 6.18 The carpark has also been chosen as it is an underused and unattractive element in the context of the whole hospital campus and its relationship with Hampstead Green and conservation area. A new building here is considered to provide a new enhanced backdrop to the Green and the public footpath and to screen the unattractive western face of the hospital which has suffered from a variety of piecemeal additions and plant rooms. The opportunity has been taken to rationalise the access and parking arrangements of the existing carpark and to remove the link road at front. The location of the building is also informed by site history and constraints. The cranked footprint reflects the old pre-1970 hospital buildings that once stood here (as discussed

later) but moreover is a result of the need to avoid the LinAc bunker plantroom at the rear which is sensitive to vibration.

- 6.19 It is concluded that the scheme fully meets policy objectives on healthcare and medical research that assists in consolidating and furthering London's role as a centre of medical excellence. This has to be balanced with local community objectives of protecting amenity, townscape and transport conditions, which are further discussed further below.

Demolition

- 6.20 No objection is raised to the demolition of the carpark structure which is of no architectural or townscape significance.

Bulk/height/footprint

- 6.21 Development of the site is constrained by the existence of the 'LinAc' plantroom bunker beneath the gardens in the south western corner of the site. Building over the bunker is precluded by the sensitivities of the structure which requires radioactive shielding and is also sensitive to vibration.
- 6.22 The layout of the proposed building is informed by the site plan of the former Hampstead General and North West London Hospital and its relationship to Hampstead Green, the path between Rosslyn Hill and Pond St and St Stephens Church. The "cranked" form of the front elevation accentuates the relationship and sense of enclosure of the built form to Hampstead Green. The provision of roof gardens between the proposed building and the existing hospital has been designed to reinforce the separation of the building from the hospital and provide mitigation for the loss of the existing memorial garden area.
- 6.23 The building's new frontage onto the path and Hampstead Green is considered to re-establish a historic relationship with the existing townscape. The landscaped terraces between the building frontage and Hampstead Green mediate the change in level through the site and re-provide a green edge to the path and Hampstead Green. With an increased diversity of planting, the landscaped terraces are considered to be an enhancement over the existing green edge to the path in visual and biodiversity terms (see Landscape section below).
- 6.24 The proposed building appears as 3 storeys with a setback 2 storey roof element as viewed from the junction of Rosslyn Hill and Rowland Hill St. This height is maintained throughout the frontage facing towards Rosslyn Hill. However the terraced landscape increases in depth to an equivalent of 2 storeys at the northwestern-most corner of the building adjacent to the path as the ground level of the path drops away towards Pond St. Due to the change in levels between Rosslyn Hill and Pond St, the building appears as 5 storeys with 2 setback roof storeys in views from Pond St. In views from both Rosslyn Hill and Pond St, the mass of the building is clearly articulated through the distinct base, middle and top to the building.

- 6.25 The new development would be 26m away from the church at its closest point. The top of the development would be level with the roof ridge of the church. This would allow the steeple of the church to remain the dominant feature in the skyline, as it would extend approximately 17m higher than the top of the development.
- 6.26 In relation to the Royal Free Hospital building behind, the parapet of the 3 storey base of the proposed building is about 2m below the roofplant on the hospital podium; the height of the additional 2 storeys of patient hotel is about 4m above this plant but 2.5m above the southern roof cabins and 3m below the height of the prominent projecting service core on the southern side.
- 6.27 Historic photos show that the original hospital here was a substantial building form in its own right, with what appears from the photos as being 4 storey building with a prominent roofscape formed by tall chimney stacks. However it was set below the line of the existing path and as such would have felt much lower in height than the proposed development which is set above the path and has more generous floor-to-ceiling heights at the upper levels.
- 6.28 At its closest, the hospital building occupied a similar position to the proposed building in relation to St Stephen's Church. This is demonstrated by the overlay drawing of the proposed building with the historic footprint of the former hospital in the Design and Access Statement (which is shown attached to this report).
- 6.29 At its closest to St Stephens Church, the northwest corner of the proposed building has been pulled back from the building line. The patient hotel has also been pulled back to create a terrace on the upper northwest corner of the building. These cutbacks create a greater sense of space on the corner and between the proposed building and St Stephen's Church. Also tree planting on the terrace at this corner has been introduced to mimic the existing condition of trees on this corner and reinforce the separation of the proposed building and the church. The effect of these design features is to reduce the overall mass of the building in relation to the church.
- 6.30 In views northwards and southwards along the path and also in views from Pond St towards the roof terraces, the cranked form of the building aids in reducing the mass of the building as a long structure. The building is read as two masses rather than a single long mass.
- 6.31 On the northern and southern flanks of the building, the mass of the building is articulated at a more detailed level by 2 projecting semi-circular stair cores. These semi-circular forms provide an interesting articulated form to the building and are considered to reflect the character of St Stephen's Church with its curved tower element.
- 6.32 In order to reduce the visual impact of plant equipment on the roof of the building, the patient hotel at 3rd-4th floors wraps around the front edges thus screening the plant from views on Rosslyn Hill. Where the plant is visible at rear in views from Pond St, the plant is integrated into the

design of the setback roof storey (see below). PV panels on the upper roofs will be shallow and hidden behind the parapets.

Design

- 6.33 The predominant materials comprise brick, concrete and timber. Concrete is used to express the frame of the building and relates to the concrete structure of the Royal Free. The concrete frame also relates to the stone banding on St Stephens Church. Brickwork is used as the panelling between the glazing, the projecting stair, the flank walls and the projecting semi-circular stair cores and the setback roof storey. The colour and tone of the brickwork provides a correspondence with the colour and tone of St Stephens Church. The use of timber for the louvred sunscreen detail is considered to be resonant with the landscaped setting of the proposed building.
- 6.34 As stated above, the proposed building has a clear base, middle and top on the main west elevation facing Hampstead Green. The base is defined by the colonnade covering the terraced walkway to the main entrance marked by a series of concrete pillars along the terrace. The middle of the elevation is defined by the expressed concrete frame which provides a horizontal emphasis to the building. This horizontal emphasis is counterbalanced by bands of vertically-aligned full-height glazing and brick panels. Projecting timber louvres to the labs and research rooms provide a strong rhythm across the elevation, providing an additional layer of texture to the building.
- 6.35 The top is defined by a thicker dimension to the concrete frame, horizontally projecting timber louver and hedge along the edge of the balcony to the Patient Hotel. The rhythm of vertically-aligned bands of glazing and brick panels is extended to the two setback storeys. Double bands of vertically-aligned bricks between the first and second floors of the patient hotel and to the parapet provide horizontal expression and added texture.
- 6.36 In views from Pond St, the roof plant at the rear not screened by the Patient hotel is integrated into the design of the roof elevation with a louvred screen.
- 6.37 Overlooking by users of the building onto the existing footpath will provide a safer route between Rosslyn Hill and Pond St.
- 6.38 It is concluded that the proposals are considered to provide a high quality architectural design. The site layout re-establishes part of historic the townscape in relation to Hampstead Green and the path between Rosslyn Hill and Pond St. Both in form and materiality, the proposed building is considered to provide a positive response to the local context. Appropriate details of the elevational design and materials will be secured by condition. It is however recognised that the building will now create a new built form and backdrop to the Green where currently there is landscaped open space, thus changing the character and setting of the adjoining conservation area and listed church- this impact is further discussed in the Heritage section below.

Viewpoints

- 6.39 The applicant has submitted montages of the scheme from 8 verified viewpoints, specifically those from Pond Street, Rosslyn Hill and Rowland Hill St and across the Green, in order to clearly demonstrate the visual impact of the building on the townscape and heritage assets. Each view shows existing and proposed in winter months to demonstrate the proposed building at its most visible and thus the proposed views will have more screening by trees in summer months. These views are attached to the report.
- 6.40 View A - This view is taken from the south on Rosslyn Hill opposite the junction with Rowland Hill St. on the edge of Fitzjohn's/Netherhall Conservation Area. It shows the proposed building in relation to the George pub and Grade 1 listed St Stephen's Church. This view demonstrates the separation between the proposed building and the church. It also shows the correspondence in colour tones and materiality between the two buildings. The role of the proposed building providing enclosure to Hampstead Green and the path is also evident in this view.
- 6.41 View B - This view is taken from Pond St to the north of the site. This view is from the edge of the Hampstead Conservation Area. Listed properties on Pond St are visible to the right. The proposed building appears as a distinct entity in the townscape rather than being an extension to the hospital. It shows a clear separation between the proposed building and the listed St Stephen's Church. The view also shows the correspondence in colour tones and materiality between the two buildings and how the proposed building provides a positive response to the local context. The projecting circular stair tower is apparent, adding an interesting articulated form to the building, which is considered to reflect the character of the church.
- 6.42 View E - This view is taken from Haverstock Hill at the junction with Ornan Rd to the south of the site. It shows that the building is not visible from this point.
- 6.43 View F - This view is taken further south from View 3 from the junction of Haverstock Hill with Belsize Avenue on the edge of Belsize Conservation Area. The view shows that the proposed building, shown by wire-line, will be partially visible in the gap between buildings. To the extent that the proposed building would be visible, it can be read as part of the townscape.
- 6.44 View G - This view is taken from Rowland Hill St towards Rosslyn Hill. The wire-line shows the scale of the building and that the view to St Stephen's Church will be obscured. However this view is not considered to be a key view to the church as the route is principally used for servicing of the hospital.
- 6.45 View H- This view is taken from the north on Rosslyn Hill north of its junction with Lyndhurst Rd. The view is on the edge of Fitzjohn's/Netherhall Conservation Area. The proposed building is

partially visible in the background; however the listed St Stephen's Church remains dominant in the view.

- 6.46 View I - This view is taken from the northwest of the site from Rosslyn Hill across Hampstead Green. The view is on the edge of Fitzjohn's/Netherhall Conservation Area. The listed Cabman's Shelter is visible on the edge of Hampstead Green. The listed St Stephen's church remains dominant on the left in this view. The proposed building, shown by wire-line, is partially visible behind the trees on Hampstead Green.
- 6.47 View K - This view is taken looking eastwards across Hampstead Green from the junction of Rosslyn Hill and Belsize Lane. The view is taken from the edge of the Fitzjohn's/Netherhall Conservation Area. The listed Cabman's Shelter is visible on the edge of the Green. This view demonstrates the relationship of the proposed building with the listed St Stephen's Church. There is a clear separation with the building and the church remains the dominant feature in the townscape. The view also shows the correspondence in colour tones and materiality between the two buildings. The role of the proposed building providing enclosure to Hampstead Green and the path and screening elements of the hospital podium is also evident in this view.

Landscape

- 6.48 The landscape design proposals principally comprise a landscaped edge to the proposed development adjacent to the existing path between Rosslyn Hill and Pond St, and two roof garden areas between the proposed building and the existing hospital building.
- 6.49 The character of the edge treatment to the path is formed by (i) the landscaped terraces which mediate the height difference between the terraced walkway to the building entrance and (ii) the landscape treatment to the northern flank of the building and the entrance to the Royal Free Charity's offices facing Pond St.
- 6.50 The landscaped terraces are designed to mitigate the loss of the existing green edge to the path and to complement the meadow character of Hampstead Green. The proposed planting comprises groups of trees, structural planting to provide year round interest and planting to complement that found on Hampstead Green. The planting is considered to provide an enhancement both visually and in terms of biodiversity to the current condition. The terraced wall adjacent to the path and two banks of steps up to the raised walkway provide informal seating opportunities along the path.
- 6.51 The character of the path changes as it turns the corner and runs along the back of Hampstead School towards Pond St, on the northern flank of the building. The edge of the development would rise up concealing the basement. This corner would be finished in brick to provide a typical high brick boundary treatment found in the conservation area and would match the brick wall on the opposite side of the path. Tree planting on the terrace above is designed to mimic the existing enclosure and green character provided by trees and vegetation on this corner.

- 6.52 Except for the corner location, the existing trees along this stretch of the path are retained (see Tree section below), therefore preserving the avenue effect that the existing trees create along this stretch of the path. The proposed understorey planting to these trees, along with planted areas in front of the entrance to the Royal Free Charity offices, add to the green character of the path and aid in integrating the proposed building into its landscape setting in views from Pond St.
- 6.53 The roof gardens between the proposed building and the hospital also contribute to the landscape setting of the building. The roof gardens provide a series of hard and soft landscape spaces for use of the hospital staff, patients and the public. The southernmost garden makes provision for replacement memorial planting and artefacts from the existing Heath Strange memorial garden.
- 6.54 In conclusion, the proposals are considered to provide a high quality landscape design. Overall it is considered that the landscape design proposals provide an enhancement to the existing landscape condition both in terms of use, biodiversity and visual quality.

Heritage assets

Setting

- 6.55 St Stephen's Church was listed Grade I in 1974. It was constructed in 1869-71 by SS Teulon and is said to represent the climax of his career and life. The church was declared redundant in 1977. The building is positioned in a prominent location and, in common with other Anglican churches of that era, is positioned and designed to be seen as an architectural statement and a physical, religious and social landmark. St Stephens is of significance for its association with the growth of Hampstead, its relationship to the natural landscape of the area, its prominent position, its landmark quality and its relationship with nearby historic buildings which form part of its setting. It is also of interest for its intrinsic architectural and artistic interest. The application site, along with Hampstead Green, currently serves to enhance the setting of this heritage asset as the verdant nature of openness gives the church sufficient space and position for its landmark status to be appreciated and recognised.
- 6.56 Hampstead Conservation Area has an exceptional combination of characteristics that provide its distinct and special qualities. The variety of spaces, quality of the buildings, relationships between areas, all laid upon the dramatic setting of the steep slopes, are important. The contrast between the dense urban heart of Hampstead and the spaciousness of the outer areas is one of its major characteristics.
- 6.57 The application site is on the border of Sub-Area 3, as defined by the Hampstead Conservation Area Statement, which forms the southernmost section of the conservation area. The conservation area begins at the junction of Rosslyn Hill and Rowland Hill Street. Rosslyn Hill provides the main arterial route into the heart of the village from the

south. As such, the openness and church form the marker for the entrance to the conservation area.

- 6.58 The memorial garden and its planting, which is outside the conservation area, reinforces the open and verdant aspect of Hampstead Green. The two sites form a welcome break in built development. Their soft and natural characteristic signifies the entrance to verdant character of Hampstead village and the conservation area which starts at the junction of Rowland Hill St. The open space and soft landscaping also provides a buffer to the brutal architectural appearance of the hospital when viewed from the west, although it is recognised that the tree/shrub screen alongside the footpath is incomplete and that the hospital podium's western facade is visible across the garden and Green, especially in winter, thus providing an unattractive and unresolved backdrop to this landscaped area. This open landscaped separation is considered to nevertheless enhance the setting of the Hampstead conservation area.

Impact on listed church

- 6.59 The proposed development would encroach on the space currently surrounding the church by creating a new 5 storey built facade along the back edge of the footpath. It is considered that in heritage terms the scale, height and proximity of the development would compete with the dominance of the listed Church to the detriment of its significance. This view by officers echoes the concerns expressed by English Heritage that it would cause some harm to heritage assets (see consultation response section above). However officers consider that the height and massive scale of the church, along with its robust architectural expression, allows it to remain the dominant form in the immediate landscape. In this regard, 'less than substantial' harm is considered to be caused to the setting of the church.
- 6.60 NPPF states that "where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use." Public benefit is derived from the development of a new research centre which will have international and national significance and will deliver considerable national and local benefits to patients and healthcare. In response to English Heritage comments, it has been demonstrated above (in the Landuse-location section) that the Institute facility has to be located on a site adjoining the existing Phase 1 within the hospital and that the Charity offices and patient hotel likewise have to be located here in a publicly accessible position near existing medical facilities.
- 6.61 In the light of English Heritage's concerns expressed above about specific heritage benefits, the applicants have met with EH to discuss this further and have offered further specific heritage benefits to mitigate impacts on the church in the form of measures encouraging further use of the Church (contained in a draft Heritage Benefits Note dated 22.1.15) to be secured by a S106. These include:

- (a) To use reasonable endeavours to encourage use of the Church for meetings and events by the Institute and hospital where appropriate and where this cannot be accommodated within the Institute or hospital;
- (b) To use reasonable endeavours to agree a schedule of hire costs for St Stephens that are competitive with other local venues;
- (c) To nominate a project officer to oversee and facilitate liaison with a nominated representative of the Trustees of St Stephen's Church;
- (d) To submit a Promotional Plan for agreement with the Council prior to occupation that demonstrates how the hospital will encourage use of the Church and build awareness of its history and importance.

- 6.62 In response, English Heritage welcome the proposed S106 obligations and consider that these address the points raised by them earlier with respect to potential heritage benefits and that these could deliver heritage benefits to the public and be of benefit to the hospital and the local community. However it is recognised that these benefits will have limited value without the endorsement of the St Stephen's board of trustees which is the body set up to repair and restore the building and open it to the local community. Thus further discussions need to be held with the Trust to ensure that these benefits can be agreed and actually deliverable on the ground.
- 6.63 Nevertheless the offer to provide a mechanism for enhancing the use, appreciation and thus funding of the church is welcomed and it will help secure the financial long-term future of the church. It is considered that this will provide an additional local public benefit specifically related to preserving an adjoining heritage asset. This benefit, in addition to the wider local and national benefits of the development, is considered to be of significant weight when balanced against the 'less than significant' harm caused by the new scheme.

Impact on conservation area

- 6.64 The proposal is also considered to have some harmful impact on the character and appearance of Sub-Area 3 of the Hampstead Conservation Area. As outlined above, the church, the green and adjacent pathway collectively mark a change in character and appearance between the mid-late C19 urban development of Belsize Park and the earlier village at Hampstead Heath.
- 6.65 The removal of the landscaped screening that helps to contribute to the setting of the conservation area and listed buildings within it will also result in harm to the 'village' character and appearance of this part of Hampstead particularly as they collectively mark the transition between Belsize Park and Hampstead Heath. The development would result in the hospital further encroaching on the existing setting of the conservation area by creating a new substantial built form immediately alongside the Green, thus changing its character from a green to an urban edge. Whilst the existing 1970s hospital is large in scale, of little architectural merit and causes harm to some views through the conservation area, it is considerably set back from Rosslyn Hill and views are somewhat screened in summer by trees from both here and

Haverstock Hill which has helped to reduce its impact on its immediate vicinity.

- 6.66 The NPPF requires harm to be measured against the impact on the conservation area 'as a whole'. In this regard the scheme is considered to result in 'less than substantial' harm to the conservation area as a whole. It is recognised that the hospital's western façade is unattractive and still visible across the Green in winter months due to incomplete tree screening. Moreover, as discussed above in the design section, it is recognised that the proposed scheme will provide a high quality, modern public face to the hospital which is currently lacking, that it will provide an effective screen to the western façade of the hospital podium, that it would replace a former hospital building on the site which had a similar footprint and urban presence, and that its form, design and landscape reflect characteristics of the adjoining church and open space. Furthermore the scheme will deliver important public health benefits.

Conclusion

- 6.67 In this regard, it is considered on balance that the scheme's various benefits in urban design and landuse terms compensate for the 'less than substantial' harm caused to heritage assets here. The success of a scheme will depend on the delivery of a detailed design and palette of materials which reflect the original design intentions. Similarly, the quality of the landscaping scheme will be critical to the integration of the building into this sensitive location.

Trees/ecology

- 6.68 The site has several trees around the perimeter of the memorial garden plus a few small specimens with its centre; there are some trees, shrubs and a hedge between the link access road and the public footpath which provide in parts a shrubby landscaped screen between the hospital and pathway. All the trees within the garden will be removed to make way for the development, plus 5 on the road edge alongside the footpath; the others here, notably those on the northern stretch and the clump adjoining Rowland Hill St, will be retained.
- 6.69 The proposed tree removals are on balance considered to be acceptable. The only category A tree (in line with BS5837:2012 "Trees in relation to Design, Demolition and Construction") is to be retained. The trees which are considered to contribute most to this part of the conservation area are the row of trees that are situated either side of the pedestrian path that runs adjacent to Rowland Hill Street. These trees significantly contribute to semi-rural character of the area and are to be largely retained, except for five trees (elder and 4 sycamores, probably self-sown, all category B2 and C1/2) where the pathway bends and an isolated yew tree (category B1). The proposed tree loss at this part of the site is considered not to adversely affect the character of the pathway and therefore to be acceptable.

- 6.70 It is proposed that about 37 trees are to be removed (exact number unconfirmed due to the small scrub-like habit of some trees on site), at least 20 of which are considered to be of low quality, likely self-seeded trees with a limited safe useful life expectancy due to their congested nature, growing in close proximity to one another. It is considered that the replacement tree planting will sufficiently compensate for the loss of canopy cover currently provided by the other higher quality trees that are proposed to be removed. It is proposed that 26 replacement trees are to be planted, including 3 birches and 6 amelanchiers on the new front embankment according to the indicative landscape plan, which will help reinstate some tree cover alongside the footpath. Although overall the new planting is less than the 37 trees to be felled, it is considered to be a net gain in long-term canopy cover due to the poor quality and limited safe useful life expectancy of many of the existing trees.
- 6.71 The tree protection plan and arboricultural method statement are in line with BS5837:2012 "Trees in relation to Design, Demolition and Construction" and are considered to be sufficient to demonstrate that the trees to be retained on site will be adequately protected.
- 6.72 An ecology survey has shown that the ecological value of the site is low and there are no designated protected species to take account of. The site clearance will be timed to avoid the main nesting season of birds. The landscaping strategy will provide ecologically-diverse planting as well as brown roofs on the building to enhance habitats and bird/bat boxes and insect 'hotels'. The existing meadow at Hampstead Green will not be directly affected nor will it be significantly further overshadowed by the new building, according to the daylight impact study. Moreover the proposed landscaping along the new terraces adjoining the footpath will be designed to enhance and increase the meadow habitat here, both visually and ecologically.

Open Space

- 6.73 The development will result in changes of open space provision onsite in amount, location and nature. The existing memorial garden above the carpark will be replaced by a new rectangular-shaped one above the LinAc bunker behind the new building; there will also be 2 new landscaped courtyards (rectangular and triangular-shaped with trees, lawns and patios) to its north; in addition there will be a new open stepped embankment along the front facade bordering the public footpath. These will all provide new outdoor spaces for staff, patients and residents; they will be informally accessible to the public, as well as patients and staff, in the same way as the existing memorial garden is, but there will be no formal rights of public access to them. The existing Heath Strange Garden also has several memorials (2 stones, 4 trees, 11 benches) and these will be relocated in the new replacement garden as part of a submitted Memorial Relocation Strategy; this is acceptable and details will be secured by condition. This new garden is adequate in size, shape and location; its soil depth is adequate to support new trees.
- 6.74 An overshadowing test for the new garden has been undertaken in accordance with the Building Research Establishment (BRE)

recommendations. This shows that the open space will receive sunshine well in excess of the recommended minimum of 50% of its area (in this case, 78%) and thus will be adequately sunlit.

- 6.75 The existing memorial garden on site is 2563sqm in area; the proposed new open space, which will be usable by the public, staff and patients, is 1358sqm; this includes the 2 northern courtyards and a much smaller memorial garden of 562sqm. This results in an overall loss of 1205sqm. The proposed development will generate demand for open space usage by new staff and visitors and thus it is considered appropriate to require a public open space contribution in line with CPG formulae. The proposed open space actually exceeds that required by CPG for a development of this size. However, as the development is only providing 'amenity open space' in the form of formal lawn and patios and not 'natural green space' as required by CPG, it is considered appropriate to require a financial contribution to enhance the adjoining ecological meadow at Hampstead Green. This is calculated to be £5519 which is accepted by the applicant. The existing open space in Hampstead Green will remain inaccessible to the public, as at present, but the public open space contribution, to be secured by S106, will specifically relate to the management and enhancement of this space.

Basement excavation

- 6.76 The existing double level carpark covers half of the site whereas the new scheme will extend these levels laterally southwards to cover the entire site, by excavating 2 new basements plus a carpark access ramp on the south part of the site adjoining Rowland Hill St and the existing LinAc plantroom. This area would be approx. 30m x 30m and 8.5m deeper than ground levels on its southern edge.
- 6.77 A Flood Risk statement has been submitted which shows that the site is not in a Flood Zone thus at low risk of fluvial flooding, although it is at some risk of flooding from sewers (evidenced from events in 1975 and 2002) and from surface runoff. There is an increase in hard surfaces due to the entire site now covered by building. However it is recognised that the current memorial garden is partly above a carpark and other basement structures, so that the permeable areas are underlain by impermeable surfaces that direct runoff into the sewers. It thus recommends the use of a drainage strategy with Sustainable Urban Design Systems (SUDS) which will attenuate this runoff discharge into sewers and reduce it by 50% compared to the existing situation, resulting in a low flood risk.
- 6.78 A Basement Impact Assessment (BIA) has been submitted. Borehole tests show that the new building will have basement areas beneath the water table; however these results are probably due to localised sandy lenses within the predominant London Clay matrix and therefore there should be no overall disruption to groundwater flows. It also concludes that there is low risk of impact on ground stability. It recommends that piled foundations or a basement raft are the most appropriate basement construction solution; that the design needs to address risk of

deformation of the retaining wall; and that longterm monitoring of groundwater levels is needed.

- 6.79 The BIA has been independently reviewed by an engineering consultant (LBH) employed by the Council to ensure that the methodology, evidence and conclusions plus any mitigation measures proposed are appropriate, sound and robust in ensuring that the scheme meets the requirements of LDF policy DP27 by not harming hydrology and land stability conditions. LBH considered in its first review that further information and clarification was required on the construction design, impacts on neighbouring structures, proposed drainage system, mitigation measures, and any residual impacts to ground stability. Accordingly the BIA has been revised and updated by submission of appendices, notably as a result of the scheme's construction design being further developed by the engineers since the original BIA's publication.
- 6.80 Concerns have been raised by local people and groups about the impact on the stability of the listed St Stephens Church and its potential flooding. As indicated above, there is no consistent water table above the new basement level and its foundations and thus the scheme should not create a dam effect and cause water to back up toward the church which is to the north of the development site.
- 6.81 The additional information in response to the BIA review confirms that a significant amount of investigative work and modelling of ground movement has been undertaken. It shows that horizontal and vertical movements reduce to zero within a distance of 4 times the excavation depth from the line of the new wall. St Stephens at its nearest point is 24m away from the 4m deep excavation and over 40m from the 7m deep excavation, which are both well beyond the minimum specified distance. The report concludes that damage to the church should not exceed the Burland Scale damage category 0 (negligible) with hairline cracks of less than 0.1mm. This is in compliance with the recommendations of CPG4 on basements which shows that it is unlikely that the Church should be harmed by the development.
- 6.82 The applicants propose a method of construction to minimise any such impacts, and also propose mitigation and monitoring measures (such as vibration surveys during construction planned for the Church) to ensure the contractor is alerted in the unlikely event that any problems do arise so that appropriate remedial action can be undertaken.
- 6.83 This updated BIA has been consequently reviewed further by LBH consultant engineers. They are however concerned that detail on some remaining issues is lacking, notably a specific construction method statement, temporary works design, residual impacts, monitoring and mitigation measures, and a conclusive statement on the potential for affecting slope stability and ground stability of neighbouring structures, notably a sensitive listed church. This 2nd review concludes that the final BIA is incomplete in the absence of a definitive construction methodology and sequence and of a finalised temporary works design, and thus considers that the BIA does not demonstrate sufficient detail

and certainty to ensure accordance with policy DP27 on basement impacts.

- 6.84 Nevertheless they acknowledge the professionalism of the applicant's engineering team involved and that these issues can and will be satisfactorily addressed. The common problem is that current policy requires a degree of certainty that cannot readily be achieved until a contractor has been appointed and prepared the necessary temporary works scheme, which cannot take place until after permission has been granted to allow the applicants to progress onto the next design stage. Consequently LBH suggests that the Council could rely on the assurances provided and allow for the outstanding issues to be addressed by conditions.
- 6.85 Their suggested condition would require the submission of and approval of the following matters before any works commence on site-
- (a) ground movement analyses, including considerations of slope stability, to demonstrate acceptable impacts of excavation and basement works on the church and school;
 - (b) a detailed construction methodology and sequence demonstrating how the stability of the surrounding buildings and ground is to be ensured at all stages of the works;
 - (c) a detailed structural monitoring and contingency plan;
 - (d) surface water drainage calculations indicating how the risk of sewer flooding is to mitigated.
- 6.86 Any further information from the applicants and LBH in response to these outstanding issues will be reported later to Committee. In the meantime, it appears that the BIA is broadly acceptable but certain issues need to be clarified and demonstrated in detail to give certainty on the scheme's impact on structural stability and drainage. It is proposed that the recommended matters in the above condition be secured by a S106 via submission of a Basement Construction Plan before works commence on site. This will ensure that such matters are fully resolved and agreed, in conjunction with the Council's consultants LBH, before any further works take place.
- 6.87 GLAAS considers there are few if any archaeological remains to take account of, thus no conditions are required to protect such remains.
- 6.88 Thames Water has requested conditions to ensure that the applicants submit a drainage and water capacity strategy due to concerns on the capacity of the water and sewage infrastructure to cope with the new development.

Sustainability

- 6.89 The London Plan target for such developments is 40% reduction of CO2 emissions overall and the Camden target is 20% reduction from renewable technology. The application proposes air-source heat pumps and 157sqm of PV panels which, along with other efficiency measures, result in 27% reduction overall with 4.8% derived from renewables. Following comments by officers, the strategy has been revised and

enhanced to further meet these targets as far as possible within the budgetary constraints of this scheme which is publicly funded. The thermal efficiency of the scheme has been improved. The applicants confirm that the scheme cannot contain a CHP plant nor can it be connected to the existing one at the hospital for financial reasons- the former option would be disproportionately expensive for the limited benefits obtained and the latter option would attract considerable VAT expense which would make the scheme unviable. Nevertheless they acknowledge that CPG3 requires such schemes in proximity to existing CHP networks to make a financial contribution to establishing decentralised energy networks elsewhere. Accordingly they propose a contribution of £79,875 in compliance with CPG formulae based on floorspace.

- 6.90 The air-source heat pumps provide 100% of the space heating requirements and will provide a facility for future connection to the district heat network. The PV panels have been increased in area so that they are not only above the recessed plant room at the rear but also on the roofs of the front edge of the patient hotel and of the 2 projecting service cores. There are now 293sqm in total, angled at 10 degrees to minimise their visibility and maximise their yield efficiency. Their location is acceptable, bearing in mind the constraints of the scheme, and they will be hidden behind parapets and not visible in long or short views so as not to create a visually cluttered roofline.
- 6.91 The additional measures now result in 29.9% savings of emissions with 10.8% derived from renewables. This still represents a 10% shortfall from the above-mentioned 40% target, although not as much as originally proposed. However the applicants have demonstrated that they have maximised the building's onsite contribution to minimising carbon emissions without incurring disproportionate costs or affecting its visual impact. Accordingly the applicants have agreed to an offset contribution to CO2 reduction projects elsewhere and this is calculated to be £81,450.
- 6.92 The development will also meet BREEAM 'Excellent' target for commercial schemes. It will contain Sustainable Urban Drainage Systems (SUDS) with attenuation water storage tanks for storm runoff to compensate for the increase in hard surfaces. The overall scheme's approach to energy and sustainability is considered acceptable and meets CPG requirements. The post-construction review of BREEAM targets, implementation of renewable energy measures, and payment of offsite energy contributions will be secured by S106.

Transport

- 6.93 The site has a high PTAL rating (5- very good) and is within a CPZ which suffers from a significant level of parking stress. The site contains 100 carspaces for both staff and visitors, comprising 88 in the carpark and 12 on the link road, and is accessed from both Pond St directly and from this link road. The proposal involves reducing this to 58 carspaces, including 6 disabled ones, ie. a net loss of 42 spaces. The new carpark will be for patient/visitor use only and there will be no staff parking here

for either the main hospital or the new building's uses. Access to the carpark will now be shared between Pond Street and Rowland Hill St, with no connection between both roads due to the loss of the link road, plus new servicing off Rowland Hill St. 56 new cycle spaces will be provided.

- 6.94 A parking strategy is proposed which will redesignate parking that currently exists on the 3 carparks around the whole hospital campus (which currently contain 354 spaces- 190 for staff and 148 for visitors). It will ensure that there is no net loss of visitor parking but a reduction in staff parking. To manage this latter loss, a number of measures are proposed, such as a possible shuttle bus service for staff use operating from carparks elsewhere (such as Brent Cross or Morrisons at Chalk Farm), a tightening of criteria for allocating staff carpark permits, and implementation of an updated Travel Plan to promote more sustainable modes of transport. A Transport Statement and indicative Travel Plan are also submitted.

Trip Generation

- 6.95 The proposal would retain 58 car parking spaces within the site which represents a reduction of 42 spaces. As a result, the proposal would generate fewer trips by motor vehicle when compared to the existing situation. However, there would be an overall increase in trips made by other modes (bicycle, on foot, taxi, and public transport).
- 6.96 In comparison to the existing carpark use of the site, the proposal would result in a reduction of 42 trips in the AM peak and a reduction of 28 trips in the PM peak at the Pond Street junction. This would benefit the emergency access from Pond Street which is being retained. There would be an increase of 22 trips in the AM peak and 24 trips in the PM peak at the Haverstock Hill junction. Overall, this would represent an increase of 1 vehicle every 3 minutes, which would not be discernible from daily fluctuations. Assessment of the capacity of the junctions at Haverstock Hill and Pond Street indicates that both junctions would remain well within capacity.
- 6.97 Concern has been expressed about the cumulative impact of the scheme with the plans to expand A&E Department as well as nearby proposed developments. The A&E expansion is taking place within the hospital building and indeed could further happen in the future; such expansion and internal reorganisation of hospital functions within the building are beyond the control of the Council, as they do not require planning permission. The planning application for redevelopment of Bartrams in Rowland Hill St is still being assessed but is unlikely to affect traffic flows as its transport assessment predicts very low levels of trip generation.
- 6.98 The vast majority of trips to and from the site would be made by sustainable modes of transport (public transport, walking and cycling). The distribution of predicted trips to the various modes of transport indicates that the proposed development would not have a significant impact on the operation of the public transport network in the local area.

- 6.99 However, the level of additional walking trips associated with the proposal could have an impact on pedestrian comfort levels on pedestrian routes in the vicinity of the site. The Council wants to ensure that staff and visitors are encouraged to walk and cycle to and from the site as much as possible. It is therefore recommended that a financial contribution be secured via S106 to allow the Council to improve the public realm and provide Legible London signage on routes to the site.

Travel Planning

- 6.100 The existing hospital-wide Travel Plan has been updated as part of the planning application. This includes a review of the existing targets and measures that form part of the current Travel Plan. It also provides a comprehensive review of the existing parking strategy for the entire hospital site. This is welcomed as it will help to encourage a mode shift away from private motor vehicles towards more sustainable modes of transport such as cycling, walking and public transport.
- 6.101 Camden would require a strategic level Workplace Travel Plan for the entire hospital site to satisfy DP16 and CPG7 (Transport); this includes references to TfL and DfT guidance. The travel plan would need to be secured by a S106.
- 6.102 A financial contribution of £5,902 would need to be secured to cover the costs of monitoring and reviewing the travel plan over a 5 year period. This would also need to be secured by a S106.
- 6.103 Transport for London encourages developers to use the TRICS database (formerly TRAVL) for trip generation predictions. The Council will require the applicant to undertake a TRICS after study and provide TfL and Camden with the results on completion of the development. TfL would then be able to update the TRICS database with the trip generation results for the various use categories associated with this development. These after surveys and results will be secured by S106 as part of the Residential Travel Plan review and monitoring process.

Public Right of Way

- 6.104 The proposal would require the majority of the private link road between Pond Street and Rowland Hill Street to be stopped up. This currently provides a one-way short cut through the site between Pond Street and Rowland Hill Street (and Haverstock Hill). Its main function appears to be to provide 12 additional car parking spaces for visitors. It also provides a route through the site for pedestrians. A public footpath runs parallel to this road and is adopted and maintained by the Council. This provides a more attractive and safe pedestrian access to and past the site and no objection is raised to the loss of the link road.
- 6.105 It is possible that the footpath may have to be diverted or stopped up temporarily during the construction period. The applicant would need to submit an application to 'stop up' the relevant sections of the private and public roads to the Council under Section 257 of the Town and Country Planning Act 1990. It should be noted that any public utilities and/or

statutory undertakers infrastructure currently located underneath would need to be relocated at the applicant's expense prior to any works commencing on site.

Car Parking

- 6.106 On account of the site's location, any developments here should be car-free. The proposal would provide a car-free development with no additional parking spaces on the site. Indeed, the proposal would actually deliver a reduction of 42 parking spaces, both specifically from this site and overall from the entire hospital site, when compared with the existing situation.
- 6.107 The proposal to retain 58 car parking spaces within the site would consist of 52 standard spaces and 6 fully accessible spaces. It is worth noting that the existing car park structure accommodates at least 5 fully accessible spaces. These spaces are available to staff, patients and visitors of the existing hospital site and therefore need to be retained. The proposal would therefore provide 1 new fully accessible space for the new building. The London Plan (Table 6.2) suggests that 10% of all car parking spaces should be fully accessible for disabled drivers. A further 6 fully accessible spaces would be required in order to meet these policy requirements (ie. 10% of 58 spaces). It is proposed by the applicant that additional accessible spaces would be provided on the forecourt facing Pond St. This provision of at least 5 accessible spaces, as well as the retention of all spaces in the new carpark for visitors only, would be dealt with by means of a Car Parking Management Plan for the entire hospital site.
- 6.108 Policy 6.13 of the London Plan requires developments to ensure that 1 in 5 spaces (both active and passive) provide an electrical charging point to encourage the uptake of electric vehicles. However, it is acknowledged that pursuing this requirement may be onerous for non-residential uses.
- 6.109 It is noted that local residents have raised concerns about potential displacement of parking into the Belsize CPZ as a result of the loss of on-site car parking spaces. However it is concluded that displacement would not be a problem. The 58 spaces to be retained would be available for patients and patient visitors to the hospital rather than for staff of the hospital or Institute. It should be emphasised that overall across the site, there will be no net loss of visitor parking with all such parking provided either in the new carpark or the existing South carpark behind Rowland Hill St. Staff parking will be reduced overall and located only on the Lawn Rd and South carpark sites; staff will be encouraged to use more sustainable modes of travel such as cycling, walking and public transport.
- 6.110 This is welcomed and would help to minimise the impact of the development on the local road network. The proposed measures to reduce staff carparking onsite and facilitate their travel to work by free shuttle buses is welcomed, as it would actually reduce overall private vehicle trips in the Borough. Also a parking strategy will be developed

with an emphasis on providing car parking spaces for the most appropriate users (e.g. disabled parking bays, patient and visitor parking). Surveys undertaken by the applicant confirm that the on-site car parks experience the highest levels of occupancy during CPZ operating hours. It would not be possible for staff, patients or visitors to park in the CPZ during operating hours without a residents' parking permit or a blue badge (for disabled drivers).

- 6.111 It is proposed that a Parking Management Plan for the whole hospital campus be secured by means of a S106.

Cycle Parking

- 6.112 The proposal would provide a total of 56 covered, secure, and fully enclosed cycle parking spaces at lower basement level for use by staff and visitors of the Pears Building. The proposed level of provision exceeds the minimum requirements of the London Plan. In addition, showers, lockers and changing facilities would be located next to the cycle storage area.
- 6.113 It is noted that some existing cycle parking spaces are located in the vicinity of the proposed building and the proposed plans suggest that 5 Sheffield Stands would be located in the public realm opposite the northeast corner of the new building. These would provide an additional 10 cycle parking spaces for staff, patients and visitors for the entire hospital site.
- 6.114 The internal and external cycle parking proposals are welcomed as they would help to encourage cycling as a convenient, healthy and sustainable mode of transport for staff, patients and visitors.
- 6.115 The proposal lacks detail in terms of the type of cycle parking facilities to be provided (internal and external). Further details should be submitted by condition to ensure the 66 cycle parking facilities are designed in accordance with CPG7 standards.

Pedestrian Access

- 6.116 The proposal would allow pedestrian access from Pond Street, Haverstock Hill and Rosslyn Hill (via Rowland Hill Street) and the public footpath adjacent to Hampstead Green. The boundaries of this footpath are to be slightly tweaked in alignment on the southern part and its width made somewhat narrower in parts (to a minimum of 3m on its northern stretch) to allow for a grass verge. The footpath will be repaved, its existing lamp columns retained and supplemented by low level lighting on the embankments, and its boundary treatment of railings and benches replaced by the new landscaping of terraced embankments and low walls.
- 6.117 There is no footway on the north side of Rowland Hill St (which is private in the Hospitals' ownership) but a small pavement is proposed to link the junction with the entrance to the memorial garden next to the new access carpark access ramp and servicing yard. In the light of TfL's

comments, it is not considered possible or appropriate to create widened pavements here on account of the constraints by the building's size, location and servicing requirements, the retained clump of trees here and the existing lack of pedestrian route on this side further downhill to the main Hospital. However the applicant proposes highway improvements at the junction of Rowland Hill St with Rosslyn Hill, in the form of a raised shared surface with granite setts, to enable pedestrians to cross safely between both pavements as well as the new raised colonnade walkway to the Institute.

- 6.118 These improvements to the footpath, new pavement and road junction would improve conditions for pedestrians and are welcomed. The improvements could form part of the associated highway works to be delivered by the Council on completion of the development (discussed below) and will be secured via the S106.

Deliveries and Servicing

- 6.119 A detailed strategy for deliveries and servicing activity has been submitted in support of the planning application. A new servicing and loading bay for all such activities would be located at the south of the building adjoining Rowland Hill St. All vehicles would access and egress the site via the Haverstock Hill junction with Rowland Hill Street. The largest vehicle that would use the new loading bay would be an 8m/7.5 tonne rigid vehicle. Vehicles of this size would access and egress the servicing and loading area in a forward gear. If vehicles larger than 8m were to be required for one off deliveries a banks-man would be provided to assist the manoeuvre out of the servicing and loading area.
- 6.120 The information submitted in support of the planning application suggests that such activity could be undertaken without being detrimental to public safety, particularly for cyclists and pedestrians. This includes a commitment to provide a delivery and servicing management plan to coordinate deliveries and ensure that no more than one vehicle arrives at the site at any one time.
- 6.121 The proposed delivery and servicing arrangements are generally acceptable. However, a Delivery and Servicing Management Plan should be secured by a S106.

Construction Impact

- 6.122 The proposal would involve a significant amount of demolition, basement excavation, and construction works. This is likely to generate a large number of construction vehicle movements during the overall construction period. The primary concern is public safety but also the need to ensure construction traffic does not create (or add to existing) traffic congestion. The proposal is also likely to lead to a variety of amenity issues for local people (e.g. noise, vibration, air quality). The Council needs to ensure that the development can be implemented without being detrimental to amenity or the safe and efficient operation of the highway network in the local area. A Construction Management

Plan (CMP) must therefore be secured as a Section 106 planning obligation.

- 6.123 A draft CMP has been submitted in support of the planning application. This provides some useful information which suggests that the proposed works could be constructed without being detrimental to the safe and efficient operation of the highway network in the local area. However a far more detailed CMP would need to be approved by the Council prior to any works commencing on site, and it should in particular refer to the provision of alternative carparking arrangements, mitigation of cumulative impact with other developments nearby, avoidance of movements during school run periods, monitoring of air quality, and establishment of a Construction Working Group with local people. It is acknowledged that such detail would typically be provided once a Principal Contractor has been appointed. A more detailed CMP should be secured as a S106.

Highway and Public Realm Improvements

- 6.124 The proposed works would most probably lead to a significant level of damage to the vehicular accesses directly adjacent to the site on Haverstock Hill and Pond Street. In addition, the public footpath directly adjacent to Hampstead Green is likely to be damaged significantly as a direct result of the proposed works. Camden would need to undertake highway remedial and improvement works following completion of the proposed works, which would incorporate the proposed improvements by the applicants outlined above in the pedestrian access section. This would allow the proposed scheme to be tied into the surrounding public highway. A financial contribution for highway works should be secured as a S106. A cost estimate for highway works is being currently prepared for this.

Legible London Scheme

- 6.125 It is noted that TfL has recommended securing a financial contribution towards the Legible London Scheme if planning permission is granted. This recommendation is endorsed as it would allow wayfinding signage to be introduced on key walking routes to/from the Royal Free Hospital.

Public Realm Improvements

- 6.126 The Council has been investigating ways of encouraging walking and cycling as the primary modes of transport for trips to and from the site (including short distance trips to and from the nearest public transport interchanges). This includes making improvements to walking and cycling routes in the local area (eg. pedestrian routes between the site and the nearest public transport interchanges). A number of improvements have been identified which would improve the pedestrian experience on routes to the site. These include road safety and public realm improvements at South End Green (junction of Fleet Road with Pond Street). A financial contribution towards such improvements may therefore be sought, and the amount is yet to be determined.

Section 106 legal agreement

6.127 The proposals are thus generally acceptable in transport terms subject to S106 planning obligations to secure the following items:

(a) a fully car-free development (except for disabled parking requirements). It should be noted that staff will not be eligible to apply for on-street parking permits from the Council.

(b) a Construction Management Plan (CMP). The Section 106 agreement shall state that the CMP shall be approved prior to any works starting on site and the approved plan shall be followed, unless otherwise agreed with the Highway Authority.

(c) a Parking Management Plan (PMP) for the entire hospital site. This would need to provide at least 5 new disabled parking spaces located elsewhere within the Royal Free Hospital site (such as on the car park adjacent to Pond St. The Section 106 agreement shall state that the PMP shall be approved prior to any works starting on site and the approved plan shall be followed, unless otherwise agreed with the Highway Authority.

(d) a Delivery and Servicing Management Plan (SMP). The Section 106 agreement shall state that the SMP shall be approved prior to the first occupation of the site and the approved plan shall be followed, unless otherwise agreed with the Highway Authority.

(e) a Workplace Travel Plan (TP) for the entire hospital site. The Section 106 agreement shall state that the TP shall be approved prior to the first occupation of the site and the approved plan shall be followed, unless otherwise agreed with the Highway Authority. The Section 106 agreement shall require the applicant to undertake a TRICS after survey and to provide TfL and Camden with a copy of the results as part of the travel plan review and monitoring process.

(f) a financial contribution of £5,902 to cover the costs of monitoring and reviewing the Travel Plan for a period of 5 years.

(g) a financial contribution for highway works directly adjacent to the site, including improvements to the public footpath alongside Hampstead Green plus new pavement in Rowland Hill Street and its road junction with Rosslyn Hill. This S106 obligation would also require plans demonstrating interface levels between development thresholds and the Public Highway to be submitted to and approved by the Highway Authority prior to implementation. The Highway Authority reserves the right to construct the adjoining Public Highway (carriageway, footway and/or verge) to levels it considers appropriate. An estimate for the cost of the public highway and public realm improvement works will be calculated and provided separately once available.

(h) a financial contribution for Pedestrian, Cycling, Environmental and Public Realm Improvements in the local area; the precise amount is yet to be determined.

(i) a financial contribution towards the Legible London scheme as recommended by TfL; the precise amount is yet to be determined.

Refuse

- 6.128 The waste and recycling strategy for the site, involving a dedicated servicing bay off Rowland Hill Street, is considered acceptable by the Council's environmental services team.

Neighbour amenity

- 6.129 A daylight and sunlight impact study has been submitted. It shows that, according to BRE recommendations, there will be no significant loss of daylight to the George public house and Bartrams hostel to the south of Rowland Hill Street and there will be no impact on properties further away to the north and west in Pond Street and Rosslyn Hill. In terms of the School, there will be a more significant loss of daylight to 4 out of 15 windows of the main School hall; however this is considered relatively marginal (0.7 of the existing value instead of 0.8 as recommended by the Vertical Sky Component analysis), these windows only serve 2 rooms, and they all meet the other requirement of the No Sky Line test. Although no tests were undertaken of the temporary classrooms, these are dual-aspect with windows facing north and anyway are already overshadowed by large trees so it is unlikely that the scheme will have any serious impact on these rooms.
- 6.130 An overshadowing test for Hampstead Green and the School playground has been undertaken in accordance with the BRE recommendations. This shows that these open spaces will receive sunshine well in excess of the recommended minimum of 50% of their areas, ie. 99% and 82% respectively.
- 6.131 There will be no overlooking of adjoining properties, bearing in mind that 18m is the minimum distance required by CPG to maintain privacy. The pub to the south and residential properties to the west and north are all in excess of 20m away. The new building at its closest point is at least 21m away from the main school building and main playground and will only have a few corridor windows on its north flank wall; although it is closer to the temporary huts, these have obscure glazed windows. The residential windows of the patient hotel rooms on floors above these are even further set back from the edge. Moreover an analysis of views from their roof terraces (which are in any case 21-24m away from the school site and building as measured on a section) show that few if any views are possible due to the acute angles involved and screening by parapets and trees. It is thus concluded that there will be no impact on privacy or security of the school.
- 6.132 An acoustic report has measured the background noise levels and states what maximum noise levels the roof plant should adhere to (ie.

41dBA) to be in compliance with Council standards; a condition will be placed to ensure that these are not exceeded. It is considered that fume extracts will meet appropriate standards. The submitted air quality report states that the area has medium sensitivity to dust and thus proposes mitigation measures as part of the CMP.

- 6.133 A contaminated land assessment has been submitted. It shows that the hospital has been on the site since 1909 and the potential contamination on site is considered to be low risk. The soil analysis did not identify any significant risk of contamination to human health or end users of the site. It is thus considered appropriate to impose a monitoring condition in case any additional significant contamination is found on site.

Economic regeneration

- 6.134 The Economic Development team (EDT) note that the life sciences sector has been identified as a growth sector in Camden, not least because of the presence of world renowned institutions such as London BioScience Innovation Centre, UCL, Wellcome Trust and the Francis Crick. EDT therefore want to support growth in this sector where possible.
- 6.135 They would also seek to secure the following in order to maximise the opportunities to local residents and businesses afforded by the development-
- a) The applicant be required to work to a target of 20% local recruitment.
 - b) The applicant advertises all construction vacancies and work placement opportunities exclusively with the Kings Cross Construction Skills Centre for a period of 1 week before marketing more widely.
 - c) The applicant provide a specified number (to be agreed) of construction work placement opportunities of not less than 2 weeks each, to be undertaken over the course of the development, to be recruited through the Council's Kings Cross Construction Skills Centre, and/or a specified number of work experience placements at the Royal Free Hospital or the new Institute for Immunity and Transplantation following the completion of the building. EDT can facilitate the filling of construction and non-construction work experience placements.
 - d) The applicant must recruit 1 construction apprentice per £3million of build costs, and pay the Council a support fee of £1,500 per apprentice as per clause 8.17 of CPG8. Recruitment of construction apprentices should be conducted through the Council's Kings Cross Construction Skills Centre. EDT would also like to discuss the possible inclusion of end use apprenticeships, either at the Royal Free or the new Institute for Immunity and Transplantation.
 - e) If the value of the scheme exceeds £1million, the applicant must also sign up to the Camden Local Procurement Code, as per section 8.19 of CPG8.
 - f) The applicant provide a local employment, skills and local supply plan setting out their plan for delivering the above requirements in advance of commencing on site.
- 6.136 The applicants are agreeable to these terms, to be secured by a S106.

7. CONCLUSION

- 7.1 The development, involving a new Institute plus ancillary facilities for the hospital, complies with healthcare policy on supporting medical centres of excellence, specialist health research and innovation. Such a new centre creating a world-class research organisation in central London is to be welcomed. It will be of international importance and will benefit national and local healthcare, as well as local employment and services. Its location on this site is justified for practical reasons relating to the functional needs of the various elements.
- 7.2 The bulk, layout and design have been carefully developed to respect the history and character of the townscape, landscape and listed buildings and is considered acceptable in urban design terms. It is acknowledged that there will be 'less than substantial' harm caused to heritage assets, notably the adjoining Grade 1 listed church and conservation area around the Green, but on balance it is considered that this is outweighed by the public benefits of the new health facility as well as specific benefits offered by the applicant to the listed church. The landscape, tree planting and replacement gardens are acceptable and will enhance the existing visual and ecological conditions.
- 7.3 The basement impact has been analysed by independent engineers and considered broadly acceptable in terms of hydrology and land stability, subject to more details on ground movement analyses, construction methodology, surface water drainage and structural monitoring, to be secured by S106.
- 7.4 The traffic generation and access arrangements by the new scheme will have limited impact on the surroundings. A parking strategy to be developed for the whole campus will ensure that there is no loss of visitor parking but a reduction in staff parking with consequent reduction in traffic movements. Various measures to encourage and facilitate pedestrian movement and to control construction, servicing and travel impacts will be secured by S106.
- 7.5 The development will meet sustainability objectives with offsite contributions secured by S106. The building will not harm neighbouring amenity and will create adequate open space and landscaping to replace the existing memorial garden here.
- 7.6 Planning permission is recommended subject to conditions and a S106 Legal Agreement covering the following clauses-
1. Measures to promote further use of the listed St Stephen's Church (see para 6.61 above).
 2. public open space contribution of £5519 to enhance Hampstead Green (see para 6.75).
 3. Basement Construction Plan (see para 6.86).
 4. Sustainability matters (see para 6.92)-

- a) contribution of £79,875 to establishing decentralised energy networks elsewhere;
- b) contribution of £81,450 to CO2 reduction projects elsewhere;
- c) post-construction review of BREEAM targets;
- d) implementation of renewable energy measures.

5. Transport matters (see para 6.127)-

- a) car-free development;
- b) Construction Management Plan (CMP);
- c) Parking Management Plan (PMP) for the entire hospital site;
- d) Delivery and Servicing Management Plan (SMP);
- e) Workplace Travel Plan (TP) for the entire hospital site;
- f) contribution of £5,902 to monitor and review the Travel Plan;
- g) contribution for highway remedial and improvement works directly adjacent to the site (estimate awaited);
- h) contribution for Public Realm Improvements in the local area (amount to be determined);
- i) contribution towards the Legible London scheme (amount to be determined).

6. Regeneration matters (see para 6.135)-

- a) target of 20% local recruitment;
- b) advertise all construction vacancies and work placement opportunities exclusively with the Kings Cross Construction Skills Centre;
- c) provide specified number of construction work placement opportunities;
- d) recruit 1 construction apprentice per £3million of build costs, and pay the Council a support fee of £1,500 per apprentice;
- e) sign up to the Camden Local Procurement Code;
- f) provide a local employment, skills and local supply plan.

7.7 **LEGAL COMMENTS**

- 7.8 Members are referred to the note from the Legal Division at the start of the Agenda

8.0 **CONDITIONS & INFORMATIVES**

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 Detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority before the relevant part of the work is begun:
- a) Facing materials of all elevations
 - b) Details including sections at 1:10 of all windows and door frames.
 - c) Details of all louvres including samples of materials
 - d) Details including materials of all balconies and roof terraces.

The relevant part of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course of the works.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 of the London Borough of Camden Local Development Framework Development Policies.

- 3 A sample panel (of no less than 2mx2m) of the facing brickwork, demonstrating the proposed colour, texture, face-bond and pointing, shall be provided on site and approved in writing by the local planning authority before the relevant parts of the works are commenced and the development shall be carried out in accordance with the approval given. The approved panel shall be retained on site until the work has been completed.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 of the London Borough of Camden Local Development Framework Development Policies.

- 4 No lights, meter boxes, flues, vents or pipes, and no telecommunications equipment, alarm boxes, television aerials, satellite dishes or rooftop 'mansafe' rails shall be fixed or installed on the external face of the buildings, without the prior approval in writing of the local planning authority.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 of the London Borough of Camden Local Development Framework Development Policies.

- 5 No development shall take place until full details of hard and soft landscaping, lighting and means of enclosure of all un-built, open areas have been submitted to and approved by the local planning authority in writing. Such details shall include the proposed alterations of the adjoining public footpath, proposed replacement memorial garden and appropriate biodiversity enhancements including provision of forage for bats. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Reason: To ensure that the development achieves a high quality of landscaping and biodiversity which contributes to the visual amenity and ecology of the area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 of the London Borough of Camden Local Development Framework Development Policies.

- 6 All hard and soft landscaping works shall be carried out in accordance with the approved landscape details prior to the occupation for the permitted use of the development or any phase of the development, whichever is the sooner. Any trees or areas of planting which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced as soon as is reasonably possible and, in any case, by not later than the end of the following planting season, with others of similar size and species, unless the local planning authority gives written consent to any variation.

Reason: To ensure that the landscaping is carried out within a reasonable period and to maintain a high quality of visual amenity in the scheme in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 of the London Borough of Camden Local Development Framework Development Policies.

- 7 Prior to the commencement of any works on site, all trees on the site, or parts of trees growing from adjoining sites, unless shown on the permitted drawings as being removed, shall be retained and protected from damage in accordance with the recommendations of the approved tree protection plan and arboricultural method statement and with standards set out in BS5837:2012 "Trees in Relation to Construction".

Reason: To ensure that the development will not have an adverse effect on existing trees and in order to maintain the character and amenity of the area in accordance with the requirements of policy CS15 of the London Borough of Camden Local Development Framework Core Strategy.

- 8 Noise levels at a point 1 metre external to sensitive facades shall be at least 5dB(A) less than the existing background measurement (LA90), expressed in dB(A) when all plant/equipment (or any part of it) is in operation unless the plant/equipment hereby permitted will have a noise that has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or if there are distinct impulses (bangs, clicks, clatters, thumps), then the noise levels from that piece of plant/equipment at any sensitive façade shall be at least 10dB(A) below the LA90, expressed in dB(A).

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policies DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies.

- 9 Before the use commences, details of the roof plant and ductwork shall be submitted to and approved by the local planning authority.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 of the London Borough of Camden Local Development Framework Development Policies.

- 10 In the event that additional significant contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the local planning authority. An investigation and risk assessment must be undertaken in accordance with the requirements of the Environment Agency's Model Procedures for the Management of Contamination (CLR11), and where mitigation is necessary a scheme of remediation must be designed and implemented to the satisfaction of the local planning authority before any part of the development hereby permitted is occupied.

Reason: To protect future occupiers of the development from the possible presence of ground contamination arising in connection with the previous industrial/storage use of the site in accordance with policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 of the London Borough of Camden Local Development Framework Development Policies.

- 11 The waste storage and removal facilities hereby approved shall be provided prior to the first occupation of the building and permanently retained thereafter.

Reason: To ensure that sufficient provision for the storage and collection of waste has been made in accordance with the requirements of policy CS18 of the London Borough of Camden Local Development Framework Core Strategy and policies DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies.

- 12 The development shall not be occupied until the whole of the car parking provision, including 6 accessible spaces for disabled, shown on the approved drawings is provided. Thereafter the whole of the car parking provision shall be retained and used for no purpose other than for the parking of vehicles of the visitors and patients of the Royal Free Hospital.

Reason: To ensure that the use of the premises does not add to parking pressures in surrounding streets which would be contrary to policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 of the London Borough of Camden Local Development Framework Development Policies.

- 13 No loading or unloading of goods, including fuel, by vehicles arriving at or departing from the premises shall be carried out otherwise than within the curtilage of the building.

Reason: To avoid obstruction of the surrounding streets and to safeguard amenities of adjacent premises in accordance with the requirements of policy CS11 of the London Borough of Camden Local Development Framework Core Strategy and policy DP16 of the London Borough of Camden Local Development Framework Development Policies.

- 14 Before the development commences, details of a secure and covered cycle storage area for 56 cycles, plus 10 external cycle parking spaces for staff, patients and visitors, shall be submitted to and approved by the local planning authority. The approved facilities shall thereafter be provided in their entirety prior to the first occupation of the building and permanently retained thereafter.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy CS11 of the London Borough of Camden

- 15 Prior to first occupation of the buildings, detailed plans showing the location and extent of photovoltaic cells to be installed on the building shall have been submitted to and approved by the Local Planning Authority in writing. The measures shall include the installation of a meter to monitor the energy output from the approved renewable energy systems. The cells shall be installed in full accordance with the details approved by the Local Planning Authority and permanently retained and maintained thereafter.

Reason: To ensure the development provides adequate on-site renewable energy facilities in accordance with the requirements of policy CS13 of the London Borough of Camden Local Development Framework Core Strategy and policy DP22 of the London Borough of Camden Local Development Framework Development Policies.

- 16 Prior to commencement of development details of a sustainable urban drainage system shall be submitted to and approved in writing by the local planning authority. Such system shall be based on a 1:100 year event with 30% provision for climate change, demonstrating 50% attenuation of all runoff. The system shall be implemented as part of the development and thereafter retained and maintained.

Reason: To reduce the rate of surface water run-off from the buildings and limit the impact on the storm-water drainage system in accordance with policies CS13 and CS16 of the London Borough of Camden Local Development Framework Core Strategy and policies DP22, DP23 and DP32 of the London Borough of Camden Local Development Framework Development Policies.

- 17 Prior to the first occupation of the building, a plan showing details of the green/brown roof (including species, planting density, substrate and a section at scale 1:20 showing that adequate depth is available in terms of the construction and long term viability of the green/brown roof) and a programme for a scheme of maintenance shall be submitted to and approved in writing by the local planning authority. The green/brown roof shall be fully provided in accordance with the approved details prior to first occupation and thereafter retained and maintained in accordance with the approved scheme of maintenance.

Reason: To ensure that the green roof is suitably designed and maintained in accordance with the requirements of policies CS13, CS14, CS15 and CS16 of the London Borough of Camden Local Development Framework Core Strategy and policies DP22, DP23, DP24 and DP32 of the London Borough of Camden Local Development Framework Development Policies.

- 18 Prior to first occupation of the development, a plan showing details of bird and bat boxes and insect hotels on the building shall be submitted to and approved in writing by the local planning authority. The boxes shall be installed in accordance with the approved plans prior to the occupation of the development and thereafter retained.

Reason: In order to secure appropriate features to conserve and enhance wildlife

habitats and biodiversity measures within the development, in accordance with policy CS15 of the London Borough of Camden Local Development Framework Core Strategy.

- 19 Development shall not commence until a drainage strategy detailing any onsite and/or offsite drainage works has been submitted to and approved by the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.

Reason: To ensure that sufficient sewage capacity is made available to cope with the new development and to avoid adverse impact on the environment in accordance with policies CS13 and CS16 of the London Borough of Camden Local Development Framework Core Strategy and policies DP22 and DP23 of the London Borough of Camden Local Development Framework Development Policies.

- 20 Development shall not commence until impact studies of the existing water supply infrastructure have been submitted to and approved by the local planning authority in consultation with Thames Water. The studies should determine the magnitude of any new additional capacity required in the system and a suitable connection point.

Reason: To ensure that the water supply infrastructure has sufficient capacity to cope with the additional demand and to avoid adverse impact on the environment in accordance with policies CS13 and CS16 of the London Borough of Camden Local Development Framework Core Strategy and policies DP22 and DP23 of the London Borough of Camden Local Development Framework Development Policies.

- 21 Notwithstanding the provisions of Class D1 of the Schedule of the Town and Country Planning (Use Classes) Order, 1987, or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, the 'patient hotel' shall remain as ancillary accommodation to the hospital and shall not be used as a Class C1 hotel for the general public.

Reason: To ensure that the future occupation of the building does not adversely affect the immediate area by reason of traffic congestion and excessive on-street parking pressure etc, in accordance with policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policies DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies.

- 22 The proposed replacement memorial garden shall be implemented in accordance with the approved landscape details and shall be permanently retained and maintained as such thereafter. It shall be made accessible to the occupiers and visitors to the hospital and the general public.

Reason: To ensure that the development retains a replacement for the existing memorial garden which contributes to the visual amenity and open space of the area in accordance with the requirements of policy CS15 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 of the London Borough of Camden Local Development Framework Development Policies.

- 23 The development hereby permitted shall be carried out in accordance with the following approved plans-

A-RFMR-0000C, 0001C, 0002B, 0003B, 0004B, 0005B, 0005B, 0006B, 0007B, 0008B, 0009A, 0050A, 2000E, 2001E, 2002E, 2003C, 2004C, 2005C, 2006C, 2007D, 2101F, 2102F, 2103F, 2104F, 2105E, 2200C, 2201C, 2202C, 2203C, 2150B, 2151B; (91)LP001A, 002A, LS101A, 102A; Accurate Visual Representations dated December 2014 (ref A-RFMR-9422-A); RFMR-SK-268, 269; 2 unnumbered additional montages viewed from Green.

Planning, Design and Access Statement by Hopkins Architects; Arboricultural Impact Assessment by Arbtech; Basement Impact Assessment by ESI; Energy Statement by BDP; Flood Risk Assessment by ESI; Noise Impact Assessment by BDP; Geo-environmental and Geotechnical site assessment by RSK; Sustainable Statement by BDP; Transport Assessment by Vectos; (all above documents dated October 2014); BIA Land Stability report updated 30.1.15 by Soil Consultants; letter on BIA review from BDP (plus Appendices 1-7) dated 27.1.15; email from Simon Myles on revised energy strategy dated 29.1.15

Reason: For the avoidance of doubt and in the interest of proper planning.

Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Argyle Street WC1H 8EQ, (tel: 020-7974 6941).
- 2 Your attention is drawn to the need for compliance with the requirements of the Environmental Health regulations, Compliance and Enforcement team, [Regulatory Services] Camden Town Hall, Argyle Street, WC1H 8EQ, (tel: 020 7974 4444) particularly in respect of arrangements for ventilation and the extraction of cooking fumes and smells.
- 3 Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Noise and Licensing Enforcement Team, Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en> or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.
- 4 This permission is granted without prejudice to the necessity of obtaining consent under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007. Application forms may be obtained from the Council's website, www.camden.gov.uk/planning or the Camden Contact Centre on Tel: 020 7974 4444 or email env.devcon@camden.gov.uk.

- 5 If a revision to the postal address becomes necessary as a result of this development, application under Part 2 of the London Building Acts (Amendment) Act 1939 should be made to the Camden Contact Centre on Tel: 020 7974 4444 or Environment Department (Street Naming & Numbering) Camden Town Hall, Argyle Street, WC1H 8EQ.
- 6 Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which this permission is granted. Information/drawings relating to the discharge of matters covered by the Heads of Terms of the legal agreement should be marked for the attention of the Planning Obligations Officer, Sites Team, Camden Town Hall, Argyle Street, WC1H 8EQ.
- 7 The Council supports schemes for the recycling of bottles and cans and encourages all hotels, restaurants, wine bars and public houses to do so as well. Further information can be obtained by telephoning the Council's Environment Services (Recycling) on 0207 974 6914/5 or on the website <http://www.camden.gov.uk/ccm/content/environment/waste-and-recycling/twocolumn/new-recycling-rubbish-and-reuse-guide.en>.
- 8 In relation to conditions 19 and 20 above, you are advised to contact Thames Water further for more information on submission of details. You are also advised to contact Thames Water regarding development on this site affecting public sewers crossing or close to it, discharge of groundwater into public sewers, installation of fat traps for catering establishments, and connection points for water supply. Please contact Thames Water Developer Services (on 0800 009 3921, 020 8507 4890 and 0845 850 2777) to discuss these matters further.
- 9 You are advised that the Transport Strategy Team should be consulted regarding any works to, under, or over, the public highway and footpaths. You are also reminded that any temporary or permanent diversion or 'stopping up' of the public footpath alongside Hampstead Green will require the relevant application submitted to the Council under Section 257 of the Town and Country Planning Act 1990. It should be noted that any public utilities and/or statutory undertakers' infrastructure currently located underneath the section of footpath to be diverted and/or stopped up would need to be relocated at the applicant's expense prior to any works commencing on site.
- 1 Please note that any approval given by the Council does not give an exemption
0 from the requirements to comply with the Wildlife and Countryside Act 1981 (as amended), or any other Acts offering protection to wildlife. Of particular note is the protection offered to bats, birds and their nests from construction works. For further information contact Natural England on 0300 060 4911 or www.naturalengland.org.uk.

THE ROYAL FREE HOSPITAL, POND STREET, LONDON, NW3 2QG – INFORMATION ON SUPPLEMENTARY AGENDA, 19TH FEBRUARY 2015

Supplementary information to the report, written submissions and deputations were considered at the 19th February meeting and are reproduced here.

The written submission and deputation statements that were received are detailed below and are included for information only.

WRITTEN SUBMISSIONS

Written submissions, objecting to the application, were received from:

- Simon Davidson, local resident
- Karen Farquhar, local resident
- Richard Midda, local resident
- David Kemp, on behalf of Hampstead Green Neighbourhood Group
- Andrea Taylor, employee Hampstead Hill School
- Abi Naidu, local resident
- Phil Wilson, local resident
- Sarah Nicholl, local resident
- Sophie Melzack, local resident
- Alison Giroux, local resident
- Heather Pfeiffer, local resident
- Celia Anne Trenton Schrapira, local resident
- Tina Lewis, local resident
- Mihir Shah, local resident
- Hampstead Hill School, local school
- Alexa Greayer, local resident
- Lee Cory, local resident
- Vikki Warbey, local resident
- Jeffrey Gold, local resident
- Francine Cory, local resident
- David Joseph, local resident
- Tim Pigott-Smith, local resident
- Mr and Mrs Zobel, local residents
- Julia Burman, local resident
- Elaine Wheeler, local resident
- Anna Pearce, local resident
- Caroline Cooper, local resident
- Maya Cara, local resident
- Marion Wesel-Henrion, local resident
- Rosa Castro and John Ward, local residents
- Gauri Kasbekar, local resident
- G. S. King, local resident
- Donatella Soldi, local resident

- Jean-Baptiste Mayer, local resident
- Joyce Glasser, local resident
- Jane Lyons, parent of child at Hampstead Hill School and local resident
- Mr Brinkmann, local resident
- Alexandra, local resident
- Patrick Anthony, local resident
- Hannah Gilston, local resident
- Jessica Learmond-Criqui, local resident

A written submission was also received from Julio Grau, local resident, supporting the application

DEPUTATION REQUESTS

A deputation request objecting to the application was received from Michael Taylor, St. Stephen's Restoration and Preservation Trust.

A deputation request was received from David Sloman, the Chief Executive of the Royal Free NHS Foundation Trust, supporting the application.

Please note that any views expressed or statements made in these written submissions or deputation statements are personal to the maker of the representation and do not represent the views of the Council.

SUPPLEMENTARY INFORMATION

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 6th 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 2nd 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-

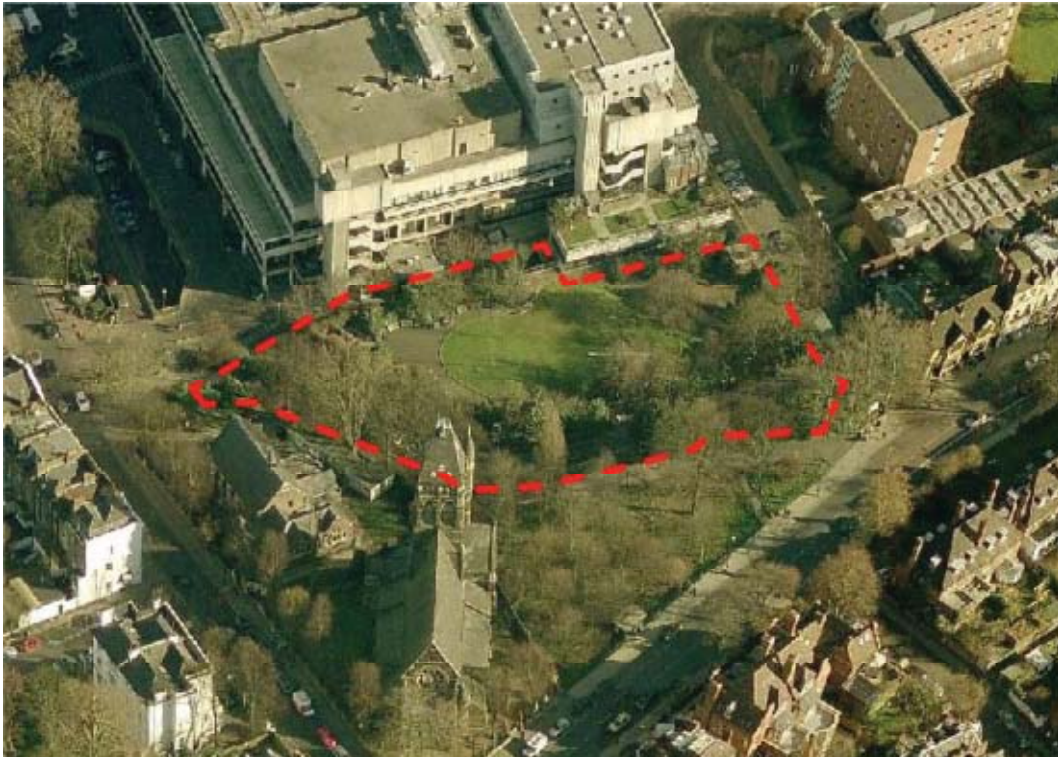
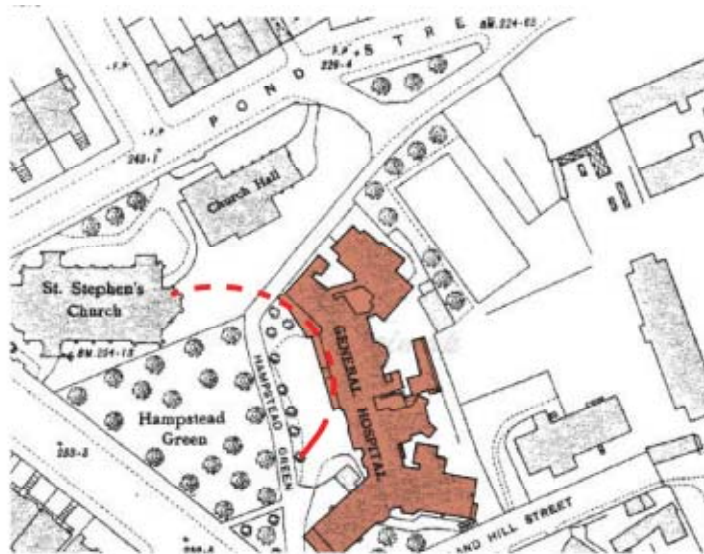


Photo and plan of previous pre-war hospital-

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.

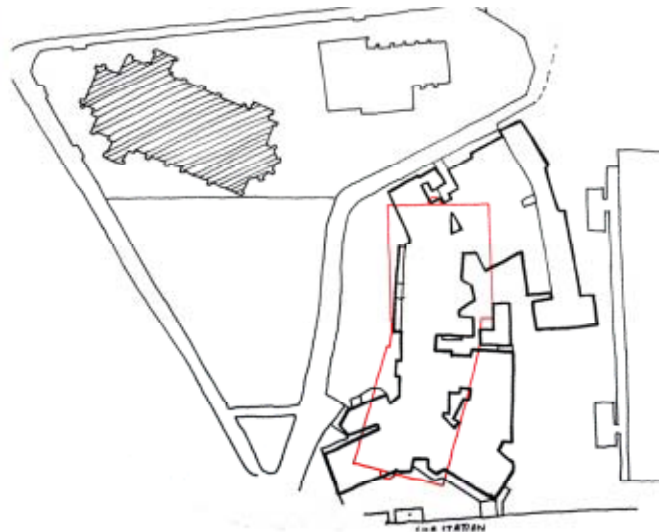
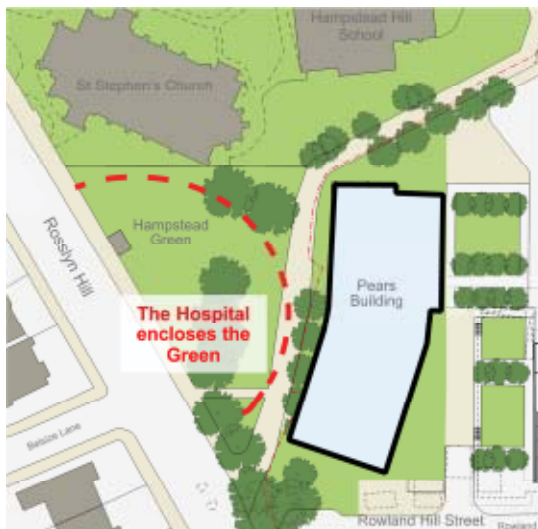


1907 Hampstead General Hospital from south



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.

WRITTEN SUBMISSIONS

██████ Haverstock Hill
Hampstead,
London.
NW3 ██████
████████████████████

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

17th February 2015

Dear Mr Thuairé

**Re: Planning Application: 2014/6845/P
Proposed New Institute of Immunology, Royal Free Hospital, Pond Street**

I am writing with regard to the proposed New Institute of Immunology. Having reviewed the report of the Planning Officer I remain very concerned about the impact of this building on the local environment.

I would strongly urge the Council not to grant planning permission but instead to encourage the Royal Free to engage with the local community about a smaller building. I am sure that we could have the benefits of the Institute of Immunology without such a huge building which will ruin St Stephens, simply by locating the peripheral components (car parking, offices, and hotel) elsewhere on the Royal Free site.

I am strongly in favour of the Royal Free Hospital; as an institution I think they provide an excellent service for the local community. I am also in favour of the medical research that is proposed at the new site, and indeed I have donated money on several occasions to the Royal Free charity in order that they can pursue such research. However, I am strongly opposed to such a large building which will ruin the character of the local neighbourhood.

Along with many other local residents, we feel that our concerns are not correctly reflected in the planning officers' report. Letters from nearly 300 local residents are condensed to a single paragraph! It is important to say that our main objections are:

(1) Such a large mass building will have a major impact on the attractiveness of the local area, in particular the conservation areas around the building, and on St Stephen's. This is particularly the case with the visual appeal of the Hampstead Green, which will feel much more 'urban' and less like a 'green space'. Whilst some of the trees are retained, the removal of the smaller bushes, and of the memorial garden, will remove valuable green space. Looking at the images in the report, this is very clear, particularly the view across Hampstead Green from Haverstock Hill.

(2) The report has not demonstrated that there will not be substantial harm to the physical building of St Stephen's. In particular the lack of a proper basement impact assessment indeed makes many residents (myself included) feel that we are risking St Stephens, which is a Grade I listed building and adds significantly to the character of the local area. To suggest that this should be dealt with post-approval by a Section 106 order is crazy.

(3) In my view, 7 storeys is far too large to be in-keeping with the area. If I asked to add four storeys onto the top of my house I would (quite rightly) be laughed at by the planning department! I object to the height, width and design of the building plans that have been submitted. As well as the visual impact of dominating Hampstead Green, it will ruin St

Stephens. To suggest that this can be adequately remedied by including a "board" displaying the history of St Stephen's within the new building is farcical.

(4) The impact on traffic will be material. In particular, Rowland Hill St is currently rarely used by cars, and as I understand the plans, there will be a significant increase in the number of vehicles using this road, both during construction and afterwards. I am particularly concerned about the increased number of vehicles turning right from Haverstock Hill down Rowland Hill St, which will cause large traffic jams on Haverstock Hill (exacerbating heavy traffic on an already busy road). This will also make life tougher for pedestrians, as there is no pedestrian crossing between the crossing point with Pond Street and Belsize Avenue.

(5) The hospital is already over-developed, i.e. there is far too much crammed into too little space, and there is no 'site masterplan' for the whole of the hospital. The lack of a site masterplan means that local residents cannot view developments in the context of overall development objectives for the Royal Free site. This makes me worry even more so for the future of Hampstead Green and the neighbouring conservation areas. The fact that one of the alleged "positives" of the new building is that it blocks out the eyesore of the old building tells us a lot about the ability of the Royal Free architects to blend in to the local area!

(6) It is not necessary to have two storeys on top of the building for a hotel, as this makes the building far too tall and therefore dominates St Stephens. Moreover there should be sufficient space elsewhere on the site for the offices and the car parking. Removing these elements would allow for a smaller building more in-keeping with the local conservation area, and reducing the impact on the views of the beautiful St Stephens building.

The planning report mentions *en passant* the hospital's view that there are no other suitable sites on the Royal Free estate but does not provide any evidence for this. We have submitted a Freedom of Information request as to the amount of space available elsewhere in the Royal Free site – which anecdotally appears to be a lot – but we have had no reply. I am sure that some of the facilities could be located elsewhere, and would urge the Council to insist that some time is spent looking at this option.

Please do not let the beautiful conservation areas neighbouring this building be ruined by such a huge building. It should not be beyond the resources of such a large organisation to find a solution which delivers the necessary scientific research but also preserves our beautiful neighbourhood. I am sure that we can secure the positive benefits of the Institute of Immunology without ruining Hampstead Green and St Stephens, with a little bit of thought.

We can have the scientific research, but also preserve the historic character of Hampstead. Local residents deserve to be listened to.

Yours sincerely



Simon Davidson

Hutter, Hannah

From: Karen Farquhar [REDACTED]
Sent: 16 February 2015 13:58
To: RSCDevelopmentControl
Subject: Official Notice ServedRe Planning Application/Royal Free

Follow Up Flag: Follow up
Flag Status: Completed

note: responded

To the public servants who are in office;

i; a woman; hereby give you notice;

that your proposed building plans will cause loss of light to St Stephens Hall and the School which will also cause loss to children, the build works will cause damage to the School, the loss of car parking spaces will cause more pollution to children via more traffic posed by the loss of car parking spaces.....there is another location on Fleet Road behind the Royal Free Hospital in the car park there ..you could build on that land instead....you have been now served notice or i shall be seeking remedy via common law jurisdiction...you are not allowed to cause loss to any living being...the land also belongs to the living beings as it is public, we therefore have a say in all matters relating to public land and what you propose to do with it..your plans can and will commit trespass by way of loss caused to St Stephens

i require/wish you do not go ahead with the proposed plans near to St Stephens...Thank you.

Please give this to your Lawyers

Perceval Avenue
Hampstead,
London.
NW3

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

17th February 2015

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I am strongly in favour of the Royal Free Hospital; as an institution I think they provide an excellent service for the local community. I am also in favour of the medical research that is proposed at the new site, and indeed I have donated money on several occasions to the Royal Free charity in order that they can pursue such research. However, I am strongly opposed to such a large building which will ruin the character of the local neighbourhood.

Along with many other local residents, we feel that our concerns are not correctly reflected in the planning officers' report. Letters from nearly 300 local residents are condensed to a single paragraph! It is important to say that our main objections are:

(1) Such a large mass building will have a major impact on the attractiveness of the local area, in particular the conservation areas around the building, and on St Stephen's. This is particularly the case with the visual appeal of the Hampstead Green, which will feel much more 'urban' and less like a 'green space'. Whilst some of the trees are retained, the removal of the smaller bushes, and of the memorial garden, will remove valuable green space. Looking at the images in the report, this is very clear, particularly the view across Hampstead Green from Haverstock Hill.

(2) The report has not demonstrated that there will not be substantial harm to the physical building of St Stephen's. In particular the lack of a proper basement impact assessment indeed makes many residents (myself included) feel that we are risking St Stephens, which is a Grade I listed building and adds significantly to the character of the local area. To suggest that this should be dealt with post-approval by a Section 106 order is crazy.

(3) In my view, 7 storeys is far too large to be in-keeping with the area. If I asked to add four storeys onto the top of my house I would (quite rightly) be laughed at by the planning department! I object to the height, width and design of the building plans that have been submitted. As well as the visual impact of dominating Hampstead Green, it will ruin St

Stephens. To suggest that this can be adequately remedied by including a “board” displaying the history of St Stephen’s within the new building is farcical.

(4) The impact on traffic will be material. In particular, Rowland Hill St is currently rarely used by cars, and as I understand the plans, there will be a significant increase in the number of vehicles using this road, both during construction and afterwards. I am particularly concerned about the increased number of vehicles turning right from Haverstock Hill down Rowland Hill St, which will cause large traffic jams on Haverstock Hill (exacerbating heavy traffic on an already busy road). This will also make life tougher for pedestrians, as there is no pedestrian crossing between the crossing point with Pond Street and Belsize Avenue.

(5) The hospital is already over-developed, i.e. there is far too much crammed into too little space, and there is no ‘site masterplan’ for the whole of the hospital. The lack of a site masterplan means that local residents cannot view developments in the context of overall development objectives for the Royal Free site. This makes me worry even more so for the future of Hampstead Green and the neighbouring conservation areas. The fact that one of the alleged “positives” of the new building is that it blocks out the eyesore of the old building tells us a lot about the ability of the Royal Free architects to blend in to the local area!

(6) It is not necessary to have two storeys on top of the building for a hotel, as this makes the building far too tall and therefore dominates St Stephens. Moreover there should be sufficient space elsewhere on the site for the offices and the car parking. Removing these elements would allow for a smaller building more in-keeping with the local conservation area, and reducing the impact on the views of the beautiful St Stephens building.

The planning report mentions *en passant* the hospital’s view that there are no other suitable sites on the Royal Free estate but does not provide any evidence for this. We have submitted a Freedom of Information request as to the amount of space available elsewhere in the Royal Free site – which anecdotally appears to be a lot – but we have had no reply. I am sure that some of the facilities could be located elsewhere, and would urge the Council to insist that some time is spent looking at this option.

Please do not let the beautiful conservation areas neighbouring this building be ruined by such a huge building. It should not be beyond the resources of such a large organisation to find a solution which delivers the necessary scientific research but also preserves our beautiful neighbourhood. I am sure that we can secure the positive benefits of the Institute of Immunology without ruining Hampstead Green and St Stephens, with a little bit of thought.

We can have the scientific research, but also preserve the historic character of Hampstead. Local residents deserve to be listened to.

Yours sincerely

Richard Midda

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

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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,


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

HAMPSTEAD HILL SCHOOL

**St. Stephen's and
St. Stephen's Hall
Pond St.
London NW3 ■■■**

Dear Mr. Thuaire,

17th February, 2015

Planning Application reference 2014/6845/P –
Proposed new Institute of Immunology Royal Free Hospital.

The Royal Free Hospital Pears Building Application comes before the Camden Council Development Control Committee this Thursday evening and we have now all had a chance to read the Report from the Planning Officer, which recommends approval of the scheme with some conditions. This is terrifying to us who occupy the adjoining site because there have been absolutely NO structural or other surveys undertaken AT ALL on this site.

How can the Planners recommend a scheme for approval before finding out whether or not there is a structural risk to the Grade I Listed St. Stephen's Building, its associated school hall and its Grade II Listed Boundary wall? How can the Planners recommend a scheme for approval before finding out what the Health and Safety risks are to the small children who occupy the adjoining site in Hampstead Hill School, of which I am the Head. Conditions attached to approval will not protect the buildings or the people. The Scheme has not addressed the potential impact of damage to the children, the school and the buildings, all of which should have been the Royal Free's first priority.

As we speak London Stone Conservation are working inside St. Stephen's to do more restoration work, their second big project of work in the last few months as the Trust use all the income they can spare to continue restoring this precious building. What are they trying so hard to do this for if Camden Planners then authorise the potential for the foundations to be damaged, the building fractured?

I was working at the school in the late 1960's and early 1970's when the Royal Free was being built so I actually physically watched the cracks appear and then widen in the school hall, the boundary wall start to move and then collapse - not surprising given the non-stop vibration and digging next door to our site. At that time St. Stephen's was still an open church so the school only used the lower garden - had it occupied the whole site then, as it does now, we would have had major injuries from slates that I watched come off the highest roof areas of St. Stephen's during the worst of the RFH building work. We are particularly concerned about the effects of piling on the huge St. Stephen's Tower, which is not underpinned. If that is affected by the piling there is no telling what might happen, what might fall, what catastrophic consequences could befall the public at large.

This school lost a beautiful two year old pupil when a brick wall down in Southampton Road collapsed on him as his nanny was taking him home - we still live haunted by his beautiful smile and his devastated family. Nobody should look for a repeat of this awful tragedy by neglecting the structural and safety aspects of what could happen if this Planning Application is approved at this stage.

As well as the enormous risk factor of injuries, these two buildings and the wall are already weakened and patched up. More of the same will inevitably kill the whole site, destroying an important Heritage building and its site and ruining the school business - a school that has faithfully served the community for over 65 years, open all year round for working parents, caring for and educating mainly under 5's.

One hundred and fifty years of history of St. Stephen's, sixty five years of history of Hampstead Hill School, nearly twenty years of dedicated restoration of St. Stephen's - all at risk at the stroke of a pen.

PLEASE Camden Planners think again and put this project on hold while proper structural and safety surveys are carried out, the absolute least that should be done to protect a Grade I Heritage Building and the lives of three hundred and fifty small children.

Thank you.
Andrea Taylor, Hampstead Hill School.

Hutter, Hannah

From: Abi Naidu [REDACTED]
Sent: 17 February 2015 13:47
To: RSCDevelopmentControl
Subject: Application 2014/6845P

Follow Up Flag: Follow up
Flag Status: Flagged

Mr. Thuaire, Planning Officer,

Re: Royal Free Application No. 2014/6845P

Objection to Planning Officer's recommendation that this application be approved.

I am concerned at the potential damage to listed buildings should the proposal go ahead. Damage was caused in the 1970s when the royal free was built and it is very possible damage to St Stephen's could occur again. Appropriate measures should be taken to ensure there is no risk to listed buildings.

I am also concerned about the effect on traffic. Pond street is already exceptionally congested and the new building will only worsen matters.

Please give consideration to these objections.

Kind regards

A. Naidu

Sent from my iPhone

Hutter, Hannah

From: Phil Wilson [REDACTED]
Sent: 17 February 2015 14:05
To: RSCDevelopmentControl
Subject: Planning Application 2014/6845P

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Sirs,

I write regarding the above planning application for the Pears Building extension at the Royal Free Hospital site.

Despite the planning officer's report, there are still several important reasons why I do not think the building should be allowed to progress.

1. The site has already been extensively excavated and piled as a result of the original hospital build, including work done below St Stephens Church.

The church is a Grade 1 listed building and an important asset to the community. It is likely to be seriously endangered by further nearby excavations for a 7-storey building. There is increasing independent technical and professional concern about this.

2. The applicants appear to have failed to carry out satisfactory basement assessment, hydrology or traffic impact reports.

3. The proposed building is too bulky, has no aesthetic appeal and is not well sited. It has no really value to the community, in a wider sense, and will impose itself unnecessarily on the local skyline, nearby green spaces and the townscape.

4. The applicants have failed to demonstrate that they have fully explored alternatives either on the Royal Free Hospital site or on other sites associated with the Trust.

5. The whole project is being rushed through in a most unseemly fashion. The applicants have made little or no attempt to consult the local community/residents and have provided only vague or evasive answers to legitimate questions about the building's necessity and siting.

In fact the conduct of this whole matter has been basically done in an undemocratic manner.

Yours,
Phil Wilson
[REDACTED] Tasker Rd
London NW3 [REDACTED]

Hutter, Hannah

From: Sarah Nicholl [REDACTED]
Sent: 17 February 2015 14:54
To: RSCDevelopmentControl
Subject: Objection - Planning Application ref: 2014/6845P - Royal Free Hospital

Importance: High

Dear Sir/Madam,

Planning Application Number: 2014/6845/P - Objection

I'm writing to object to the current proposal to erect a new **7 storey building** on the **site of the Heath Strange Garden at the Royal Free Hospital**.

Having seen the current drawings and plans for this proposed development I am very concerned about the many impacts this very large scale development will have.

My main concerns are:

- the very large scale of the development in an already incredibly densely built-up area - in particular the proposed height of the building.
- the impact of noise, dust and pollution from plant equipment on those living, studying and working in the neighbourhood.
- the impact on St Stephen's Church - in particular to it's foundations if such a huge scheme goes ahead so close by.
- the impact on the local School - both in terms of disturbance and potential loss of natural light into the school.
- the loss of a valued and historic communal green space, which is a green oasis in a heavily built-up area, much used and enjoyed by members of the local community, patients, staff and visitors to the hospital.
- the potential loss of mature trees and shrubs because of the development.
- that the current plans mention a possible 'replacement garden', however where and what this replacement would actually be is very unclear. I understand that it may not actually be sited at the hospital?

Since the end of 2011 I have been part of a local community gardening group organised by Transition Belsize, who along with young people from the Royal Free School and children from the Rosary Primary School have been actively involved in co-creating a community permaculture garden in one of the large beds sited in the Heath Strange Garden. Together we have created a beautiful space which has added greatly to the Heath Strange Garden and is much enjoyed by all who use the garden.

Yours sincerely,

Sarah Nicholl
[REDACTED] Lady Somerset Road, NW5 [REDACTED]

Hutter, Hannah

From: Sophie Melzack [REDACTED]
Sent: 17 February 2015 14:55
To: RSCDevelopmentControl
Subject: Royal Free Application No. 2014/6845P: Objection to Planning Officer's recommendation that this application be approved

To Mr Thuair, Planning Officer

I am writing to state my objection to your recommendation that the above listed planning application be approved.

- I urge you to take account of the inevitable and enormous disruption to the already congested traffic along Pond Street which will be created if the planning application is approved and the development of the site is undertaken. Disruption to the entrance of the Royal Free from building traffic and increased visitors once the development is completed would cause absolute chaos, impacting both on the junction at South End Green and the junction with Haverstock Hill. This will be exacerbated by the proposed reduction in Royal Free Hospital car parking spaces, when combined with increased traffic flow into the hospital. This could have a very serious impact, for example, on parents trying to drop children off at Hampstead Hill School and on the several bus routes which run along Pond Street.
- The scale of the proposed new building will totally dominate the Royal Free site and the surrounding building, including Listed St Stephens. Such a building will be totally out of place in Hampstead and will create a huge eyesore, spoiling the character of the South End Green area.
- Likewise, the building process itself, on such a cramped site, will cause noise and dust pollution and disruption both for users of the Royal Free and residents of the surrounding roads and for Hampstead Hill School, where children who suffer from asthma may find that their condition worsens due to the presence of building dust particles in the site which adjoins the school.

Yours faithfully

Sophie Melzack

Hutter, Hannah

From: Giroux Alison [REDACTED]
Sent: 17 February 2015 15:27
To: RSCDevelopmentControl
Subject: Royal free application no. 2014/6845P

Dear Mr. Thuairé,

Having previously submitted a formal objection to the Royal Free application no 2014/6845P, I would like to now make an objection to the Planning Officer's recommendation that this application be approved.

I'd like to state first that I believe the Royal Free is an excellent hospital and an integral part of the Belsize Park community. As a resident of this neighbourhood, I have used it many times myself, including for the delivery of my daughter three years ago. I commend their desire to expand their research facilities. However, I feel very strongly that the current scheme has not been well thought out.

The proposed building is not in keeping with the existing Royal Free site nor the surrounding neighbourhood. It will swallow up much needed public green space.

As a parent of a student at Hampstead Hill School, I am gravely concerned about the impact of two to three years of construction on the children of the school. I am also concerned about potential damage to the lovely, listed St. Stephen's Church. Once constructed, the proposed building will overshadow the school, including the gardens where the children play.

Please ask the Royal Free to revise their plans.

Yours sincerely,

Alison Giroux

Alison Giroux | Corporate Communications Manager



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Hutter, Hannah

From: Heather Pfeiffer [REDACTED]
Sent: 17 February 2015 15:37
To: RSCDevelopmentControl
Subject: RE: Royal Free Application No. 2014/6845P

Dear Mr. Thuairé,

As a resident of Belsize Park for the past 6 years I wanted to express my disapproval of the current scheme proposed by the Royal Free Hospital. The proposal to add a research center, hotel, etc. is actually something I am in full support of as the Royal Free Hospital needs a revamp of not only its internal services but also its outward appearance. However, there must be other alternatives to complete the addition of these services without blighting what is currently a beautiful nook, in a space that is growing increasingly congested.

Not only do we risk increasing traffic congestion, and consequently the danger to the numerous school children commuting each morning in the area, but we also risk damaging beautiful St. Stephen's church. Undoubtedly the construction would also bring significant disruption to the local schools which attract so many residents to the area.

In addition, with the Royal Free failing in key quality metrics and patient satisfaction for basic services like A&E and maternity care I would imagine that leadership focus, funds and talent would be shifted away from providing services that are vital to our LOCAL community and instead focus on services that will not primarily serve Camden residents.

Please consider not only the physical implications this planning approval would have on the community, but also the health service impact of basic services to our residents.

Sincerely,

Heather Pfeiffer

[REDACTED] Belsize Avenue, NW3 [REDACTED]

Hutter, Hannah

From: Celia Anne Trenton Schapira [REDACTED]
Sent: 17 February 2015 15:49
To: RSCDevelopmentControl
Subject: Re: RFH Application No. 2014/6845P < Objection to Planning Officer's recommendation that this application be approved.
Attachments: PlanApplObj2.docx

To: Mr. Thuair, Planning Officer,
Re: Royal Free Application No. 2014/6845P
Objection to Planning Officer's recommendation that this application be approved.
Date: 17 February 2015

I understand that the above Planning Application goes before the Planning Development Committee for approval this Thursday, 19th February. I have read the Planning Officer's Report and recommendations and, having lived in this area all my life, I wish to object to the said application for a proposed development adjacent to Hampstead Green, St Stephen's Rosslyn Hill and Hampstead Hill School.

This historic and gentle part of London is now under threat of being eroded by further expansion of an already unsightly and ungainly concrete carbuncle on our landscape. I certainly do not have a problem with the concept of a research centre into regenerative medicine, something many may benefit from, however the current extent and design of the proposed structure is far from ideal, particularly where management of the current RFH sites could be rationalized and many of the proposed units (e.g. the patient hotel and a myriad of administrative offices) housed elsewhere .

The RFH site dominates the locality: it is currently a soulless eyesore in what otherwise would be a picturesque area: any extension will further encroach onto the historic foundations of Belsize Park and Hampstead. Furthermore, the plans seem to indicate that green space, already at a premium in London, is to be decimated with the building on the Memorial Garden (something which has already begun even before planning permission for this project has been granted), potential felling of trees and a serious negative impact on Hampstead Green, currently a meadow where fauna and flora have been allowed to flourish.

St Stephen's is regarded as one of the few great surviving masterpieces of the Victorian architect Samuel Teulon: any new edifice not in keeping with the area will seriously damage its lasting heritage. It has been lovingly restored and, in part, paid for by local donors (whom I am sure would not wish to see their money or fundraising efforts crumble into a pile of rubble), English Heritage and Lottery Fund monies to the tune of over £6 million. It is open for use for the community – why destroy such an important building with something which could arguably be described as vanity building on the part of the Royal Free Hospital? The potential effects of such major building works on the tower of St Stephen's and the neighbouring Church Hall (used by Hampstead Hill School) could be catastrophic resulting in devastating structural damage (e.g. cracking, loosening of foundations and slippage) which occurred when the current Royal Free was erected. On top of which it seems that little notice has been taken of the health and safety impact, not only on the residents but also the young pupils of Hampstead Hill School: a school which, over the past 60 years, has educated many in the neighbourhood and consistently given to the community through its charitable works and is now likely to be further overshadowed by an unsightly construction - something that in this day and age is likely to cause concern to any parent – with direct vantage points into classrooms and play areas from the proposed hotel/office suites on the top two floors.

Little thought seems to have been given to the immediate local impact of such major building works. Parking and traffic is already a nightmare in the area: the closure of the link between Pond Street and Rowland Hill Street would cause even greater tailbacks down Pond Street and across South End Green with the potential that (a) ambulances would have increasingly limited manoeuvrability where services are already stretched and (b) greater air pollution. Perhaps note should have been taken of the recent Environmental Audit Committee statements regarding the dangers of car emissions within built up areas, particularly near to schools of which there are a number in the vicinity

Local government surely has a duty of care towards the community they are elected to serve — not ride roughshod over them in order to gratify some greater ego.

Faithfully,

Hutter, Hannah

From: Tina Lewis [REDACTED]
Sent: 17 February 2015 15:49
To: RSCDevelopmentControl
Subject: Royal Free Application - OBJECTION

To Mr Thuairé,

Re: Royal Free Application Number 2014/6845P

I am writing to object to the above application and its approval for recommendation.

I am a local Hampstead resident and I'm particularly concerned about the fact that no surveys have been carried out to estimate risks or safety with particular concern to the already dreadful traffic and parking problems existing in this area.

I fear that if the site is to be expanded further whilst there is already substantial traffic in the immediate area then increased traffic could cause risks to local residents and school children. Additionally, there is a risk traffic won't be able to move freely with grave risk that ambulances and fire engines etc. will be blocked and prevented from getting to those in need.

There is plenty of space in other areas of the Royal Free Hospital site and would strongly question why these existing areas cannot be used to house the proposed new unit.

Yours Sincerely,
Tina Lewis

Hutter, Hannah

From: Mihir Shah [REDACTED]
Sent: 17 February 2015 16:18
To: RSCDevelopmentControl
Subject: Royal Free Application No. 2014/6845P - Objection

Importance: High

Mr. Thuaire – Planning Officer

Re: Royal Free Application No. 2014/6845P - Objection to Planning Officer's recommendation that this application be approved.

I would like to strongly object to the Planning Officer's recommendation for the above Planning Application and trust this email of objection will be recorded as such.

My reasons for this objection are as follows:

1. Direct Impact on Our Children and Complete Disregard of Impact by the Applicant.

I strongly object based on the fact that a proper consultation has not been held between the applicants and Hampstead Hill School.

As a parent of a child currently attending the school, I am appalled that such an application can be considered without due consideration to the effect it will have on the children and staff of the school. Pollution, noise, environmental damage are just some of major concerns parents have. Agreeable discussions, outlining the Method Statements of the build, Safety Measures, Logistics, Timeframes etc. have not been outlined, with the applicant showing disregard to the community most likely to be affected.

A number of children who attend the school suffer from health issues and one of the reasons we do actually send them to this particular school is for the clean open spaces it provides.

The health of our children could be put at risk – and the applicant has not deemed it necessary to address such issues at all! The same can be said about the general community. This cannot be correct!

2. Probable damage to Listed St. Stephen's and immediate areas.

St Stephen's was damaged badly at the time of the last major works at the Royal Free site in the 1970's. In addition, damage also occurred to the School my son attends on the same site.

The current application has been submitted without having completed adequate surveys to determine the chances of this occurring again. Importantly, the lack of valuations in relation to the potential risk and safety to children and the general public are completely missing.

The applicants are aware of previous issues but have neglected to address these in the current application.

3. Traffic Chaos

The works do not address a key issue of traffic problems in the area.

The area "already" suffers very badly from traffic issues and this will be further compounded both during any build process, and subsequently in the longer term.

Please acknowledge receipt of this objection.

I would like to record my desire to be kept abreast of all issues in relation to this application, including the notification of any subsequent application meetings.

Yours sincerely
Mihir Shah

Mihir Shah



ROYAL FREE HOSPITAL APPLICATION (ref: 2014/6845/)
SUBMISSION ON BEHALF OF HAMPSTEAD HILL SCHOOL LIMITED

1. **Overview:** The Officers Report fails to advise on the correct legal test that should be applied to the heritage impact of these proposals. In consequence, inadequate scrutiny and analysis has been provided for Committee Members to be satisfied that they have been properly advised. Consequently, the recommendation should be rejected and planning permission refused.
2. **Legal Duties:** Because of the acknowledged adverse impact of the proposals on the setting of St Stephen's, a Grade I listed Building (and potentially its fabric) s.66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 is engaged. This requires special regard to the desirability of preserving the (listed) building or its setting or any features of special architectural or historic interest it possesses. Recent case law confirms that this statutory duty must be specifically considered. Furthermore, the strong presumption against planning permission being granted still has to be applied even if it is in tension with a relevant development plan policy (*Barnwell Manor Wind Energy Ltd v SSCLG and East Northamptonshire DC [2014] EWCA Civ 137*, as applied in e.g. *R (Forge Field Society) v Sevenoaks DC [2014] EWHC 1895 (Admin)*). Their outworking requires a specific exercise to be undertaken to consider whether the public benefit from a proposal outweighs the strong presumption against planning permission being granted.
3. **The NPPF:** The policies within the NPPF are an important material consideration but they do not override or remove specific reference to and application of the s.66 statutory duty. Accordingly, for the Report (paras. 6.59 to 6.67) simply to draw attention to the NPPF's application without any reference to the statutory duty, and, its application, provides an inadequate framework by which Members can make their own assessment. It also needs to be borne in mind that NPPF para. 132 reminds that the more important the asset the greater the weight that should be given to its conservation, and, that as heritage assets are irreplaceable, "*any harm or loss should require clear and convincing justification*". Para. 133 advises that where the proposed development will lead to substantial harm, local authorities should refuse consent unless it can be demonstrated that the substantial harm is necessary to achieve substantial public benefits that outweigh that harm or loss. Para. 134 advises that where a development proposal will lead to less than substantial harm to the significance of the asset this harm should be weighed against the public benefits of the proposal. Both paragraphs require a careful and reasoned exercise to be undertaken.
4. **The Officer views:** The Report (para. 6.59) finds that harm will be caused to the setting of St Stephen's but that it would be less than substantial harm. At para. 6.60 it refers to the public benefit that would be derived and concludes that, on balance, "*the scheme's various benefits compensate for the 'less than substantial harm' caused to heritage assets here*". However, the Report not only fails to mention the relevant statutory test but also applies the wrong weighting

to the necessary balancing exercise, namely, that the public benefit should outweigh rather than simply compensate. Whilst para. 7.2 concludes that it is outweighed by the public benefits of the new health facility as well as specific benefits offered by the applicant to the listed church no proper analysis has been undertaken of these benefits. Therefore, a simple and belated assertion still constitutes an inadequate discharge of the s.66(1) statutory duty.

5. **The Wrong Approach:** Having identified harm (and thereby that the proposal was contrary to the development plan (Core Strategy policy DP25) the Officers Report should have considered whether the Proposals are the least harmful to the setting of St Stephen's. In so doing, they should have sought further justification of each element of the Proposals and not simply accepted them at face value including the absence of alternative solutions (paras. 6.15; 6.60). It is further to be noted that the requirement to consider alternatives also arises under Core Strategy policy CS16 in respect of the need for new health and medical facilities which is not limited to polyclinics. Again, insufficient advice has been provided on the outworking of these requirements.
6. These shortcomings are reflected in the acceptance by the Officers at face value of the benefits offered to St Stephen's without any assessment as to whether material and substantial weight can be placed upon them. In fact, little weight can be attributed in view of the, already, well-publicised community use of its facilities.
7. **The Basement Impact Assessment (BIA):** This is another significant omission; for the contents of the Report do not identify whether the impact of the construction works has not taken into account in the Officers assessment of "substantial harm". In any event, as the Council's own assessment (via its independent assessors) of the BIA is that it is inadequate in its detail and certainty (para. 6.83), contrary to development plan policies DP27 and CPG4, it would be premature to make this overall judgment; for there still remains a significant level of uncertainty as to whether structural damage will be caused to the fabric of St Stephen's and/or to its boundary wall (Grade II). Furthermore, reliance upon planning conditions and s.106 obligations cannot provide the level of certainty required, at this stage, for this key element of the decision-making process. Accordingly, in the continuing absence of further material to remedy this important technical omission, Members are not able, properly, to make their own assessment as to whether the effects of the Proposals would have "less than substantial harm" on these heritage assets.
8. **Conclusion:** Due to the inadequacies identified above, it is strongly recommended that the application is refused by Members.

JOHN PUGH-SMITH

Barrister, 39 Essex Chambers, London WC2R 3AT
Email : john.pugh-smith@ 39essex.com; DDI : 0207 832 1109

17th February, 2015.

Dear Mr. Thuairé

Re Royal Free Hospital – Planning Application No
2014/6845P

Proposed new Institute of Immunology.

I would like to register my massive objection to the planning report recommending approval of the above application.

I have lived around Hampstead all my life and am an integral part of the Hampstead Hill family, my grandmother having founded the school in 1949 to help post war families in need of nursery care.

I have watched my grandmother and then my mother build the school into the wonderful centre it is today for the care and education of young children including many, many whose parents work at the Royal Free Hospital.

I also watched my parents give up fifteen years of their lives to tirelessly fundraise for over six million pounds to restore St. Stephen's. This was an incredible feat for two local people, recognised by an Angel Award from English Heritage and Lord Lloyd Webber, but apparently of no interest or relevance to Councillors who are supposedly elected to represent the people?

It would appear that said Councillors are happy to recommend approval to a project that has had no ground, structural or safety surveys carried out on St. Stephen's site which houses a Grade I Listed building, a Grade II Listed wall and three hundred and fifty small children. There is historic evidence of damage to both St. Stephen's buildings when the Royal Free was built in 1969 / 1974.- I myself was a young child then but I well remember the collapsed boundary wall in two areas and the large amount

of building work that had to be carried out on the school building during the 1970 and 1980's as the landlords, Diocese of London, tried to stop the cracks and damage from getting any worse.

Everyone who lives and works around here knows that there are huge areas on the Royal Free site where new-builds could take place. No-one who lives and works around here wants to see St. Stephen's damaged, trees destroyed, traffic at a standstill (which it nearly is already), small children suffer from more noise and pollution or the environment so massively altered .

There have been references to the old Hampstead General Hospital, a building which my family knew well until it was destroyed in the mid 1970's, and the fact that the proposed Pears Building is not much bigger. Let me put that right on behalf of my family and history..... the original centre block of the HGH was Rowland Hill's house, he of postage stamp fame! When he was gone the house was built onto on both sides to create the cottage hospital we knew and served us well. It was not as tall or as wide as the proposed Pears Building, nor did it have a great spread out the back or come as near St. Stephen's site.

That building has been gone for forty years so there is no justifiable reason for pretending to try and re-create it now – almost everyone who now knows and loves Belsize Park has no memory or knowledge of the old HG hospital so to all these people the suggested approval is suggested desecration of space, (actual and visual), light and the joy that goes with both. Hand in hand with that goes the possible destruction of a Listed building and potential danger to children and adults in the immediate vicinity.

Alexa Greayer.

Hampstead Hill School

Hutter, Hannah

From: Lee Cory [REDACTED]
Sent: 17 February 2015 16:57
To: RSCDevelopmentControl
Subject: Royal Free Application No. 2014/6845P Objection to Planning Officer's recommendation that this application be approved

Mr. Thuaire/Planning Officer

I write to object to the proposed above mentioned planning application.

I am concerned that the increase of traffic (ambulances, patients and their friends/families, doctors, employees etc.) in the area will have numerous negative causes:

1. Increased numbers of vehicles will increase air pollution causing damage to the environment. This will be compounded by the increase of diesel fuelled ambulances. There is a school next door to the hospital and there is a real possibility of the exposure to the children of toxic fumes causing serious health issues to the school children.
2. The Increased number of vehicles increases the risk of road traffic accidents and the personal injury to residents, school children and other pedestrians.
3. Traffic in the area is currently terrible, more vehicles will exacerbate the local traffic problem.

I am also concerned of the potential damage that the proposed building works will have on the local buildings especially the listed building St. Stephens building. Please could you confirm that proper safeguards are in place to protect historical local buildings. Have such buildings been surveyed in advance of such works so that if any damage is caused they can be remedied? Have the proposed developers put insurances in place to protect such buildings?

Is it really necessary to have a hotel on the proposed site? It seems preposterous given the potential for damage to the area.

Best regards

Lee Cory

Jago Capital

[REDACTED]

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Hutter, Hannah

From: Vikki Warbey [REDACTED]
Sent: 17 February 2015 18:02
To: RSCDevelopmentControl
Subject: 2014/6845P

Dear Mr Thuairé

Objection to Royal Free Planning Application 2014/6845P

I write to object to the above planning application.

As a member of the local community and a Doctor trained at the Royal Free I ask for the plans to be revised/moved to a new site.

Whilst I appreciate the development of an immunological research facility is valid, I question the need for private patient facilities and offices to be sited in the same enormous building, the scheme of which appears grossly out of context and proportion for its environs. The Royal Free has ample space both here in Hampstead and elsewhere following the recent merger with Barnet and Chase Farm Hospitals. Indeed, whilst a Consultant at the Hospital I recall the words of the chief executive, David Sloman, 'one of the great advantages of the Royal Free is that we have lots of space within our buildings'. With the planned move of Haematology to University College Hospital later on this year, surely this will create enough space for the requires private patient facilities and offices? The research facility could then be housed in a much smaller building or on another site within the Royal Free.

I also note that there is ongoing concern regarding the likelihood of damage to the Grade 1 listed St Stephens, a building that many local people have worked hard to rescue over many years.

Finally, but by no means least, please consider the impact on the local community, the surrounding schools and the horrendous traffic that will be generated during the building of the planned monstrosity.

With thanks for your time and consideration

Yours sincerely

Dr Victoria Warbey
NW3 [REDACTED]

From: [REDACTED]
Sent: 17 February 2015 18:42
To: RSCDevelopmentControl
Subject: planning application 2014/6845P. re Proposed New Institute of Immunology, Royal Free Hospital, Pond Street

For the attention of the Members of the Development Control Committee

Dear Sirs,

Now that the planning officer's report and recommendations to the Development Control Committee have been made public I would like to draw your attention to the following factors: -

1. The officer takes the view that the building will cause "less than substantial harm" to St Stephens and the other heritage assets. In my view it has not been demonstrated that "substantial harm" will not be caused as the potential for serious damage to St Stephens and its listed boundary wall remains. The report states that proposed new building is a certain distance from St Stephens but presumably the foundations would be much nearer thereby implying a higher possibility of damage that the report recognises

2. The case officer in his report feels effectively ignores the impact of the planned expansion in the capacity of the A & E Dept. as he says that planning consent was not needed for it. I do not accept that this is the case and would have objected to the prior planning application for which consent was granted had I been aware of this increase in capacity.

In any event it will give rise to an increase in visits by car (and other forms of transport) so even if planning consent for the capacity increase was not needed surely this increase in traffic that it will cause should be factored in when considering this application. We were assured at the public meeting convened by the planning dept. last June that it would be. The above planning application with its impact on local traffic and congestion will only make matters worse. Its impact must take account of the planned expansion of the A & E department.

There are already tailbacks from the hospital car park on a daily basis.

Furthermore, there is to be only one more blue badge space created so the impact of increasing numbers is going to make the local respark situation even worse.

3. The report takes no cognisance of the proposed closure of the access road between Pond Street and Rowland Hill Street in relation to its impact on traffic and congestion. As previously stated there are already daily tailbacks from the car parks. This closure will shut off a route by which cars and ambulances leave the site and will make matters worse within the Royal Free estate and will worsen conditions in Pond street too.

4. The report also effectively dismisses the "sequential test" argument
- he mentions en passant the hospital's view that there are no other suitable sites on the Hampstead Royal Free estate but in no way examines the argument that the matter should be tested by looking at all of the property / premises alternatives open to the hospital especially the issue of whether there could be a reallocation of operations over the three sites within the RF Trust so as to create room for the phase two facility within the Royal Free's main building close to phase 1 of the proposed research facility that is already operational on the 2nd floor. Nor does the report examine whether it may be possible for this research facility to be elsewhere on the Royal Free site by reallocating use of other space, for example by building a multi-storey car park on part of one of the existing car parks so as to retain the existing number of spaces to be able to build a new structure on part of an existing car park on land that would be freed up.

I have the strong sense that the planning dept. has been working in conjunction with the RF with whom there have been many meetings and against us. I requested a meeting with the case officer and followed it up but was ignored - some of the above issues would have been raised at such a meeting. In addition I made a freedom of information act request for further relevant information to the Royal Free Hospital Trust. They have not responded and by reference to their indication in their acknowledgement email, it is overdue.

Your faithfully

Jeffrey Gold

Neighbouring occupier of

[REDACTED]
[REDACTED], Pond Street,
Lond NW3 [REDACTED]

[REDACTED]

Hutter, Hannah

From: Frankie Cory [REDACTED]
Sent: 17 February 2015 18:42
To: RSCDevelopmentControl
Subject: Royal Free Application No. 2014/6845P

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Mr Thuaire

I am really concerned by the planning application made by the Royal Free Hospital.

Not only will this create additional traffic to an already over congested area where ambulances struggle to get past stationary traffic but I do not think due care and attention has been give to all the children at schools in the vicinity who will be impacted by increased pollution, limitations in their ability to play in their school playgrounds both during the build and after completion...with a 'hotel' directly overlooking the school playground.

I do not believe that sufficient investigation has been undertaken to ensure protection of the Hampstead Hill School and St Stephens where hundreds of children under the age of 7 attend daily.

Yours sincerely

Francine Cory

Hutter, Hannah

From: David Joseph [REDACTED]
Sent: 17 February 2015 19:31
To: RSCDevelopmentControl
Subject: 2014/6845P

Dear Sir/Madam,

I would strongly urge the Council not to grant planning permission to the Royal Free based on their current proposals.

This has nothing to do with supporting the Hospital in general - its just the plans have not been thought through properly in terms of St Stephens and the impact on the local community.

I'm very concerned about the school, the traffic, the lack of conservation space and think the plan needs reconsidering so urge you not to approve it at this stage.

With Kind regards,

David Joseph

Hutter, Hannah

From: tim pigott-smith [REDACTED]
Sent: 17 February 2015 20:10
To: RSCDevelopmentControl
Subject: planning application 2014/6845P

- Dear Camden Council
 - I am perturbed that you are pushing ahead with the planned expansion of the Royal Free Hospital in spite of objections from considerable numbers of concerned locals. These objections you dismiss without proper consultation. This is wrong. You are a Labour council with green policies, but your behaviour over this project is more characteristic of the present bull-nosed Tory/Coalition government who relaxed the planning laws. There are other ways in which such a building could be accommodated. You do not appear to have considered them.
 - The work of the Royal Free is remarkable - and of course a home must be found for the important work that would be done in the proposed expansion - but the planned building is unnecessarily oversized: at seven stories it is too high and the footprint is too large. It endangers green space, and a Grade One listed church. It will bring into the already congested area, huge numbers of cars for which there is inadequate provision. And is it really necessary for the building to contain such huge provision for private patients?
 - It is, frankly, amateur to consider starting this work without a proper survey of the impact on a valued old church. It is wrong of you to force this application through without having done this basic work. Apart from being against your own stated principles, it is irresponsible - given the history of the site, and it makes people suspect your motives. It is wrong.
 - Please observe due process, and people's democratic rights. Please listen to people who know and love the area. Please do not force this application through. Commission a proper survey of the impact on the church. If you are determined to do it, at least do it properly.
- yours in hope

tim pigott-smith
downshire hill

Hutter, Hannah

From: catherine lee [REDACTED]
Sent: 17 February 2015 20:27
To: RSCDevelopmentControl
Subject: Re: Royal Free Application No. 2014/6845P

Dear Mr. Thuaire,

Objection to Planning Officer's recommendation

The proposed building is far too large and overwhelming for the existing site in terms of scale and bulk.

We are also very concerned the increase in the local traffic problems if the road through the hospital is closed off which also create risks for emergency vehicles.

Therefore, we object the proposed scheme but we support and welcome amendments that address the material matters of concern.

Best,

Mr & Mrs Zobel

[REDACTED] South Hill Park, NW3 [REDACTED]

Hutter, Hannah

From: Julia Burman [REDACTED]
Sent: 17 February 2015 20:40
To: RSCDevelopmentControl
Subject: Re: Royal Free Application No. 2014/6845P / Objection to Planning Officer's recommendation that this application be approved

Dear Mr Thuaire,

I am writing to object vehemently against the Royal Free new unit planning proposal (application number listed above).

As the mother of a young son attending Hampstead Hill School, I strongly oppose the plans which will cause horrendous traffic blocks and parking problems for local residents, probable damage to Listed St. Stephen's Church (which happened when the Royal Free was originally built), school building and listed boundary wall. Not to mention the endless noise which will cause disruption to pupils over a long period of time whilst the unit is built.

In my opinion there is plenty of space in other areas of the Royal Free site to build the new unit and it is totally unnecessary to site the research, offices and hotel all in one building.

The scheme is monstrous for a heritage site, the children of Hampstead Hill School, local residents and indeed the environment.

I appreciate your attention in this matter.

Kind regards,
Julia Burman (Mrs)
[REDACTED]

Hutter, Hannah

From: Wheeler, Elaine [REDACTED]
Sent: 17 February 2015 21:28
To: RSCDevelopmentControl
Subject: Objection to Royal Free Planning Application 2014/6845P

For the attention of Mr Thuair, Planning Officer

I would like to object to the Royal Free's Planning Application. I am a local resident, living in Cressy Road NW3. The reasons for my objections are:

- Horrendous traffic jams and parking problems already in this area and Accident and Emergency is to be expanded – traffic then won't move, with grave risk that ambulances/fire engines etc. will be blocked.
- Probable damage to Listed St. Stephen's – know it happened in c1970 when Royal Free built. School building and Listed boundary wall also suffered 1969 to 1974 . No surveys have been done to estimate risks or safety.
- . Unnecessary to build new unit where suggested. Plenty of space in other areas of RFH site. Research, offices and hotel do not all need to be in one building.

Scheme is monstrous for a Heritage site, the children, the residents, and the environment.

Yours sincerely

Elaine Wheeler
Cressy Road Resident NW3

Elaine Wheeler

Business Lead - Product Lifecycle Management.
GM4
[REDACTED]

MARKSANDSPENCER.COM

Unless otherwise stated above:
Marks and Spencer plc
Registered Office:
Waterside House
35 North Wharf Road
London
W2 1NW

Hutter, Hannah

From: Anna Pearce [REDACTED]
Sent: 17 February 2015 21:46
To: RSCDevelopmentControl
Subject: Royal Free Application Number 2014/6845P

To Mr. Thuairé (Planning Officer)

Re. Royal Free Application No. 2014/6845P

Objection to Planning Officer's recommendation that this application be approved.

I am writing to object to this planning application on the following grounds:

The increase in traffic in the area during building and when the building is in use. The traffic on Fleet Street and Pond Street is already very heavy at times and I have seen ambulances stuck in traffic, unable to move for several minutes. This can only get worse if the building goes ahead.

Damage to buildings next to the proposed site. In particular the restored St Stephen's which now serves as a vital resource for the community.

Disruption to local area, including local primary schools.

I hope you will take my concerns into account.

Yours sincerely,

Anna Pearce

Hutter, Hannah

From: caroline cooper [REDACTED]
Sent: 17 February 2015 22:27
To: RSCDevelopmentControl
Subject: Royal Free Application No.2014/6845P

To Mr. Thuaire, Planning Officer,

Re: Royal Free Application No.2014/6845P

Dear Mr Thuaire,

I am writing to reiterate my objection to the approval of this planning application without due diligence in assessing the impact on the local community.

We have great concerns about the gross overdevelopment of this site in a conservation area.

The detrimental impact on the health and safety of local residents including the hundreds of children who go to school a few steps away needs to be considered and properly assessed.

We also have concerns about the proposed scale of underground excavation endangering the foundations and stability of St. Stephens Grade 1 listed site and other properties nearby.

The density of traffic in the area already leads to grid lock at peak times throughout the day preventing easy access for emergency vehicles. Gross Expansion of the site would further exacerbate the problem, putting lives at risk.

I urge you to reject the application as proposed and carefully review the issues raised by local Camden residents.

Yours sincerely,

Caroline Cooper

Hutter, Hannah

From: Maya Cara [REDACTED]
Sent: 17 February 2015 22:34
To: RSCDevelopmentControl
Subject: Objection Royal Free Application No. 2014/6845P

Dear Mr. Thuaire,

I am writing to you with regards to the Royal Free Application No. 2014/6845P in support of the objection to Planning Officer's recommendation that this application be approved.

First and foremost the scheme is disastrous for the residents and their children, the environment and many other people who come to this area for work or school. There are already parking problems in the area and the traffic often does not move at all.

Second, no surveys have been done to estimate risks or safety to the surrounding areas. There is a probability to damage listed St. Stephen's heritage site which also to be taken in consideration.

Third, I cannot help but wonder why to build new research unit, offices and hotel all in one where suggested when there is a plenty of space in other areas of RFH site.

I really hope you take my points in consideration when making your decision.

Kind regards,

Maya Cara

From: Marion Wesel [REDACTED]
Sent: 17 February 2015 22:37
To: RSCDevelopmentControl
Cc: Peter Davey; Norbert Blume; Bettina Blume; Iain & Monique Goalan
Subject: ref planning application 2014/6845P

Dear Sirs

ref: Royal Free immunology centre - PLANNING APPLICATION 2014/6845/P – ROYAL FREE HOSPITAL

Further to my email-letter, dated 10 December 2014, objecting to the planned Royal Free Immunology Centre, I like to add the following:

1. Catastrophic traffic problems to be expected

I envisage the most horrific traffic problems with all the additional people in the planned new building, whilst staff parking is being reduced drastically, not to talk of visitors and patients arriving or leaving the hospital, *already now not finding a parking place!*

We recently had a taster when (because of Brit. Gas work in Hampstead) many cars used Pond St als alternative, bringing traffic often to a complete halt, repeatedly blocking the A&E access for ambulances for quite a while.

At school run times it was even worse and nobody could leave their garages/premises as frustrated madly hooting cars did not want to give way in the street. Buses got repeatedly stuck. When I stepped out of my house I counted 8 simultaneous buses trying to get up or down Pond St. Taxis refused to take orders because of the traffic jams!

2. Missing technical confirmation

It seems that there is not sufficient technical test information available, prior to planning permission going to be granted, how St Stephens, grade 1 building, is going to be affected by the new basement work.

The last piling work for the A&E access some years ago caused various cracks in my property of 1721. When I went across the road to talk to the foreman, he told me that they were just told to stop *because expensive equipment in the RF Hospital was endangered!*

3. Residential street

A few years ago I was told by the Camden Planning Department that ***Pond Street*** was a residential street in a conservation area.

But I can't be being picked up at age 80 by a taxi outside my house, because of double yellow lines!

However wonderful the Royal Free is, for which we gave up a lot of amenities, our houses were all here long before the hospital was even thought of. Camden "Please let us not make life here really unpleasant for all the many residents!"

Yours sincerely

Marion Wesel

Marion Wesel-Henrion

█ Pond Street

London NW3 █

████████████████████
████████████████████

Hutter, Hannah

From: Rosa Castro [REDACTED]
Sent: 17 February 2015 23:11
To: RSCDevelopmentControl
Cc: John Ward
Subject: Royal Free Application No. 2014/6845P - Objection to Planning Officer's recommendation

London Borough of Camden, Planning Department

Attention: Mr. Thuair, Planning Officer,

Dear Sirs

Re: Objection to Planning Officer's recommendation that Royal Free Application No. 2014/6845P be approved (the "Application")

We have recently become aware of the Application and wish to object in the strongest possible terms on the following grounds:

1. The Application proposes a multi storey structure on the most elevated part of the Royal Free Hospital site and immediately adjacent to the beautiful Listed building St Stephens which, if the Application is approved, would be dominated into visual insignificance. I believe that the proposed structure would materially change the historic and dignified visual ambiance of the area and in the longer term condemn St Stephens to "death by 1000 cuts".
2. Previous development on the Royal Free site, adjacent to St Stephens, caused serious damage to St. Stephen's (We understand that this happened previously, around 1970 when Royal Free was being built). I understand that no surveys have been done to estimate risks or guarantee the safety of St Stephens or the occupants of the infant school which shares its site.
3. Traffic and the availability of parking in this area is already bad. It is hard to understand how the Application will result in anything other than a materially negative impacts on an already congested area. This would surely be a particular problem for Accident and Emergency vehicles that require access, something that can only be worse if the Royal Free A&E department is also to be expanded

In summary, the Development envisaged by the Application is the wrong way forward. The grandiose building proposed should be re-sited or at least scaled down with the research, offices and hotel (which do not appear to have anything fundamentally in common which would necessitate that they are co-located) spread around the wider Royal Free site reducing the visual, access, safety and other impacts of the development.

4. Si On this basis respectfully request that you reject the Application and ask Royal Free to undertake a proper consultation process before they seek approval for a revised scheme that properly accounts for the neighbouring St Stephens heritage children's school, the local residents, and the traffic.

If there is an opportunity to express our objections in person please let us know. In the meantime please do let us know if you need anything else.

Thank you in anticipation

Yours faithfully

Rosa Castro and John Ward

Hutter, Hannah

From: Gauri Ks [REDACTED]
Sent: 17 February 2015 23:59
To: RSCDevelopmentControl
Subject: Royal Free Application No. 2014/6845P Objection to Planning Officer's recommendation that this application be approved

Dear Mr. Thuairé

I am writing with respect to the above application and I would like to strongly object to the planning officers recommendations.

1. The application does not take into account any issues that will arise with respect to traffic congestion which is already a huge problem in this area with gridlocked streets. This will make it even harder for parents who to drop and pick up their children from the numerous schools in the Hampstead area. The bus already takes us over 40 minutes at peak time to get to our place in Finchley road and this will only get worse. The problem will also be more acute for ambulances and fire engines when there are real emergencies.

2. There are serious concerns to the foundations and stability of the grade 1 listed St Stephens church. These issues were manifested in the 1970s when the Royal Free was built. There is no reference to surveys done to show that there is no risk to the structure of the church. Also please note that the church is used by children for their lessons as part of the active school curriculum and can potentially risk the health and safety of these children. No surveys have been done for us to understand the magnitude of this risk and furthermore given the history we cannot afford to put the safety of children at risk.

3. I understand that the reason behind the expansion of the Royal Free (RFH) is to allow it to compete with the UCH trust which is of a much larger size. The Royal Free wants to stay open and differentiate itself and thus it is vanity, high ambitions and competitiveness that is driving this expansion with complete disregard for local residents and children. The Royal Free has the option of plenty of other less congested and intrusive sites which they can use for this expansion. Plenty of space in other areas of RFH sites.

4. The pollution, noise and dust from an expansion of this scale will potentially cause health issues for the school next door, including loss of privacy as the new building will overlook the school and its playground and disrupt learning for the pupils.

We implore you to hear these objections and pay heed to them. This is neither the best location nor the best facility for this area and goes against the ethos of the true purpose of a hospital which is to serve a community rather than to oppose it and potentially endanger lives or worsen them.

Kind regards

Gauri Kasbekar

Hutter, Hannah

From: e-mail gsking [REDACTED]
Sent: 18 February 2015 00:10
To: RSCDevelopmentControl
Subject: Royal Free Application No: 2014/6845P

Attn: Mr Thuaire, Planning Officer

Dear Sir,

I am extremely concerned about the above planning application.

This whole project is being rushed through without proper consultation with the residents and businesses in the area and without proper consideration to the damage the building works and building, once finished, will have on the local community.

There is already limited parking on the site, with cars queuing to get into the car park at all times of the day, with the increased traffic flow that the new facilities will generate and reduced parking, as proposed on the new site and the shutting of the existing exit road, I can only see more traffic/congestion/parking problems being created for those wishing to use the hospital and local residents.

A structure this big must need extensive and extremely deep foundations and this in turn means that Hampstead Hill School and the Grade 1 listed St. Stephen's Church could sustain damage, especially as this has happened before back in the 60s and 70s when work was carried out on the hospital site. What assessments/surveys have been carried out to ensure the structural safety of the buildings within the School and the Church?

Can't these new facilities be housed within the existing Royal Free buildings? If not does the proposed new building need to be so big?

I am looking to the council to reject this planning application at this time. Clearly there are still a lot of questions that the local residents/businesses have that need to be answered before such a huge building, that isn't in keeping with the local area, can be given the go ahead to be built.

Yours faithfully,

G S KING

Hutter, Hannah

From: donatella soldi [REDACTED]
Sent: 18 February 2015 00:19
To: RSCDevelopmentControl
Subject: Re: Planning Application 2014/6845P

Dear Sir/Madam

I am writing with regards to the above planning application for the Pears Building extension at the Royal Free Hospital site.

There are a number of reasons causing concern in spite of the planning officer's report.

1. The proposed building is not well sited, is very large and has no aesthetic appeal. It will cause negative impact local area, on the skyline and the nearby green spaces.
2. The proposal for laboratory/research space for the Institute of Immunity and Transplantation does not require this design, and could be considered elsewhere on the site or indeed on Chase Farm or Barnet sites, as could the charity offices. The need for a 'patient hotel' requires fuller investigation and assessment. Alternatives need to be fully explored and discussed.
3. The site has already been extensively excavated and piled as a result of the original hospital build, including work done below St Stephens Church. The church is a Grade 1 listed building and an important asset to the community. It is likely to be seriously endangered by further nearby excavations for a 7-storey building. There is increasing independent technical and professional concern about this.
4. It seems that satisfactory basement assessment, hydrology or traffic impact reports have not yet been performed.
5. The project is being rushed through with little attempt to consult the local community/residents and questions about the building's necessity and site need to be fully addressed.

Yours Sincerely

Donatella Soldi

Hutter, Hannah

From: Jean-Baptiste Mayer [REDACTED]
Sent: 18 February 2015 00:33
To: RSCDevelopmentControl
Subject: Re: Royal Free Application No. 2014/6845P

Re: Royal Free Application No. 2014/6845P Objection to Planning Officer's recommendation that this application be approved

Dear Sirs,

I would like to lodge an objection to the Planning Officer's recommendation. Many concerns have been voiced by residents, but have been somehow ignored from any conclusion.

The scheme will bring absolutely no benefit to the community or the borough (no patient care, only prestige offices), and is facing strong opposition by residents, whereas a similar scheme located on the RFH (Royal Free Hospital) parking on the corner of Fleet Road and Lawn Road or on Rowland Hill Street would have brought the same benefits to the RFH without the inconvenience to a listed neighbourhood or nearby schools.

I would have expected the planning officer to have a critical approach to the studies brought by the applicant. Local groups, including the St Stephens trust, raised important concerns on the ground stability studies which focused only on one half of the development site - whereas the other half is known by long term residents to be unstable and threatening to Grade I listed St Stephens. This grave concern is simply ignored by the report.

Best Regards,

Jean-Baptiste Mayer
[REDACTED] Rosslynn Park Mews

Hutter, Hannah

From: joyce [REDACTED]
Sent: 18 February 2015 08:55
To: RSCDevelopmentControl
Subject: FW: Royal Free Planning Application No. 2014/6845/P

There was a small but significant typographical error in the letter sent last night. Please accept this in its place. Thank you

Joyce Glasser

[REDACTED] Savernake Road
London NW3 [REDACTED]
[REDACTED]

Subject: Royal Free Planning Application No. 2014/6845/P

To Whom It May Concern:

I understand that despite all the well-founded objections and significant evidence of the negative impact of the proposed research centre/restaurant/hotel/shop complex on the crowded site of the Royal Free, your report recommends that the above inappropriate scheme be approved. I am writing as yet another concerned citizen to ask you to reconsider.

Lord Diplock in the GCHQ case, reminded us that there are three grounds for administrative review, and two of these three are relevant to your decision. The grounds he cited are: procedural impropriety, illegality and irrationality. Unless money changed hands, of which we have no proof, there is no legality issue that I am aware of. However, there is evidence of **procedural impropriety** and **irrationality** in your decision.

I. There is **procedural impropriety** in that the Committee have failed to give due consideration (if any) to:

- a) The opinion of English Heritage, specifically with regard to St Stephens, Grade I listed;
- b) The views of 300 local residents;
- c) A report from Nick Langdon, Director of Card Geotechnics Ltd. a highly qualified MSc DIC BEng CEng CEnv FICE FGS FCI MIoD), expert in the field. Inter alia, Mr Langdon states:

Specifically, with regard to the land stability section, the report gives no indication of having given consideration to the church which is Grade 1 Listed and therefore recognised to be of significant architectural merit or the adjacent church hall and should have done so.It is very likely that the church tower will be highly sensitive to ground movements such as those that can be caused by the construction of

a basement similar to the one proposed. Your comments to me have suggested that the tower is known to have moved in the past following previous development at the Royal Free Hospital. Since the drawings included in the report show the church in cross section and in relation to the basement it is surprising that the text (and therefore it suggests the report author) has not given consideration to possible future ground movements impacting this structure and it should have.

II. There is **irrationality** in that the Committee's decision is Wednesbury Unreasonable as per *Associated Provincial Picture Houses v Wednesbury Corporation*. In that case it was held that a decision could be invalidated if it were 'so unreasonable that no reasonable body could reach it.' It is a complete mystery why the Committee would approve a scheme that:

- a. Will increase traffic in a congested area and one where ambulances need rapid access
- b. Will increase pollution in a densely crowded neighbourhood near a hospital where patients need good air
- c. Will decrease available parking in a large hospital that is short of parking places, particularly when the new research lab and hotel will bring additional drivers into the area. The current plan is to build the research centre in place of the current hospital car park.
- d. Will decrease the amount of green space available to the patients and public, nature that is so essential to healing and so essential and a concrete jungle that is the Royal Free complex
- e. Is likely to cause irreversible damage to a Grade I Listed Church which has recently completed years of expensive restoration
- f. Ignores a report that points out the danger to the Church from the development and building
- g. Leads to the closure of a well-attended school
- h. Contributes to the haphazard and unplanned look of the Royal Free area that stretches from South End Green (with a relatively new block of flats blocking the view of patients in the hospital already) and to Haverstock Hill. The Royal Free is unable to submit any short or long term plan for controlled and architect/city-planner led development of the area.
- i. Ignores the suggestion that parts of the research centre do not need to be on the site and could be built elsewhere, thus decreasing the size of the building and its negative impact.

We are still reeling from the Planning Committee's decision to allow the Corporation of London permission to destroy Hampstead Heath, the Lung of North London entrusted to the negligent Corporation for safe keeping! It is, or was, arguably Camden's most valuable asset and for no reason other than hysteria and a remote chance of being sued, going to be ruined forever.

Now we have *this* misguided decision. We cannot afford a Judicial Review but it is your responsibility to act in an impartial manner with or without a judicial review. It is your duty to consider all points of view and facts, including the procedural impropriety and unreasonableness of the decision to allow this oversized building to disrupt thousands of residents and patients and then to blight the area and destroy its unique character.

Yours faithfully,

Joyce Glasser

■ Savernake Road
London ■
■

Daleham Gardens
London. NW3
Tuesday 17th February 2015

Committee Services
Camden Town Hall
Judd Street, London WC1H 9JE

Dear Sir or Madam

Re: Royal Free Hospital Application Ref 2014/6846/P

I have read the officer's report in full. I am shocked that the officer recommends granting permission, subject to conditions and a section 106 agreement, without a proper basement impact report.

Please refer to the attached letter from Nick Langdon (who is a Director at Card Geotechnics Limited, a specialist in this area). Here Mr Langdon clearly states that whilst '...it follows the structure to be expected of a BIA for the London Borough of Camden it appears to be deficient in its consideration of both St Stephen's Church and the school in the church hall.' Furthermore, '...with regard to the land stability section, the report gives no indication of having given consideration to the church which is Grade 1 listed and therefore recognised to be of significant architectural merit or the adjacent church hall and clearly should have done so.'

How can it be that one of our most important national heritage assets has not been considered? Substantial harm could be caused to this building yet parents and local residents are expected to just accept this? St Stephen's is Grade 1 listed and houses a fantastic family run school, which our three children have attended. What an earth happens to the children if this building work does in fact cause substantial harm, making the church tower move? Precisely this occurred when the Royal Free was constructed. This new building is far closer to St Stephen's than the existing building, and thus further damage seems highly likely. The consequences for the safety of the children and the operation of the school stand to be monumental.

St Stephen's is a key part of Hampstead's (and indeed Camden's) unique character and allowing such a huge building to be built so close to the green will ruin the sense of openness and setting of St Stephen's. There is an utter lack of planning cohesion, impacting on two conservation areas. Meanwhile, reducing the number of parking spaces has knock on effects with people being driven to park in resident parking spaces. Further, the loss of the access road will make an already desperately congested situation even worse. 145 years of history and a Grade 1 heritage asset must be respected and children's safety must not be ignored. In Nick Langdon's words, '...essential that these concerns are dealt with...before planning permission is granted.' There are other locations on this site and elsewhere that need to be explored.

Your Faithfully

Jane Lyons (parent of children at Hampstead Hill School & local resident)



26th January, 2015

4 Godalming Business Centre
Woolsack Way, Godalming
Surrey, GU7 1XW
Telephone: 01483 310600
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cgl@cgl-uk.com
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Mr M.L. Taylor BA (Hons) Arch
Chairman of the Trustees
St. Stephen's Restoration and Preservation Trust,
St. Stephen's Hall
Pond St.
London NW3 [REDACTED]

Your ref:

Our ref:

Please reply to: Nick Langdon

Dear Mr Taylor

Royal Free Planning Application No. 2014/6845/P

Further to several discussions with you, and at your request, I have briefly looked at the Basement Impact Assessment for this Planning Application and the geotechnical implications for St Stephens's Church and Hall. Part 2 of the impact assessment appears to have been done by Soil Consultants on behalf of one of the parties in the design team for the proposal. The report is dated October 2014 and although it follows the structure to be expected of a BIA for the London Borough of Camden it appears to be deficient in its considerations of both St Stephen's Church and the school in the church hall.

Specifically, with regard to the land stability section, the report gives no indication of having given consideration to the church which is Grade 1 Listed and therefore recognised to be of significant architectural merit or the adjacent church hall and should have done so. It is very likely that the church tower will be highly sensitive to ground movements such as those that can be caused by the construction of a basement similar to the one proposed. Your comments to me have suggested that the tower is known to have moved in the past following previous development at the Royal Free Hospital. Since the drawings included in the report show the church in cross section and in relation to the basement it is surprising that the text (and therefore it suggests the report author) has not given consideration to possible future ground movements impacting this structure and it should have.

From drawings you have provided to me I understand that elements of the church hall were substantially underpinned following the original basement construction at the hospital and it is understandable that you should have concerns for the safety of the church and hall and that the planning process for the new works should see these addressed. On this basis it would seem essential that these concerns are dealt with by appropriate revision of the BIA before planning permission is granted.

Yours sincerely

[REDACTED]

Nick Langdon, Director
Card Geotechnics Limited

Hutter, Hannah

From: Axel B [REDACTED]
Sent: 18 February 2015 08:57
To: RSCDevelopmentControl
Subject: Objection to Royal Free Application No. 2014/6845P

Dear Mr. Thuaire,

I object to the approval of the planning application of the above mentioned application number. It is very hard to believe that all of the function envisaged on the site need to be in the same location as I am sure there are sufficient grounds around the hospital to break up the uses and build new structures which will much better integrate into the current urban context and which don't massively interfere with a Heritage Site very close to listed St. Stephen's by building a monstrous building. I fear the new building will also create enormous traffic and road blockage in the area. A further risk I see is that St. Stephen's old / listed structure might be damaged - such risk, as far as I understand, has not been checked by a structural survey.

Mr. Brinkmann

Resident in Hampstead Hill Gardens

Hutter, Hannah

From: Alexandra [REDACTED]
Sent: 18 February 2015 08:57
To: RSCDevelopmentControl
Subject: Royal Free Application No. 2014/6845P

To Mr. Thuair, Planning Officer,

We live near royal free hospital and we are very worried about planning new construction of royal free.

We have already problems with traffic and parking in this area.

And we are very worried about environment. Plus just close to royal free there are two schools and new construction will be very bad for children and their health.

Sent from my iPhone

Hutter, Hannah

From: Patrick Anthony [REDACTED]
Sent: 18 February 2015 08:54
To: RSCDevelopmentControl
Subject: WRITTEN SUBMISSION to COMMITTEE CLERK re 2014/6845/P

Patrick Anthony - [REDACTED]

I write to object to the planning officer's recommendation that the application
Ref: 2014/6845/P
Royal Free Hospital
Pond Street London
NW3 2QG

I have been intimately associated with St Stephen's Rosslyn Hill as a patron
of the St Stephen's Restoration Trust since its creation in 1998 and my association
has continued to the present day by the provision of management services to the Trust.

I am acutely aware of the importance of St Stephen's to the Hampstead community and
the possibility of damage to the building by the proposed works (such as occurred c1970
during the building of the Royal Free Hospital) fills me with grave concern especially as
I understand that no surveys have been undertaken to estimate this serious risk and potential
loss of what is clearly a vital Grade 1 listed facility the loss of which is immeasurable.

Please convey my concern to the planning officer and committee and notice of my objection.

Yours faithfully

Patrick Anthony

Hutter, Hannah

From: Hannah Russell [REDACTED]
Sent: 18 February 2015 08:59
To: RSCDevelopmentControl
Subject: Royal Free Planning Application No. 2014/6845P

Dear Mr. Thuair - Planning Officer,

I am writing to object to recommendation that this application be approved on the grounds of:-

1. Probable damage to Listed St. Stephen's – know it happened in c1970 when Royal Free built. School building and Listed boundary wall also suffered 1969 to 1974 . No surveys have been done to estimate risks or safety.
2. Horrendous traffic blocks and parking problems already in this area and Accident and Emergency is to be expanded – traffic then won't move, with grave risk that ambulances/fire engines etc. will be blocked.
- 3 Scheme is monstrous for a Heritage site, the children, the residents, and the environment

I would appreciate it if you can consider my points.

Kind regards
Hannag Gilston (Mrs)

**Redington Road,
London NW3**

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

BY EMAIL - dc@camden.gov.uk

17th February 2015

Dear Mr Thuaire

**Re: Planning Application: 2014/6845/P
Proposed New Institute of Immunology, Royal Free Hospital, Pond Street**

I remain very concerned about the impact of this building on the local environment. (Quotes below are from the Hampstead Conservation Area statement). The Royal Free will be a world class immunology centre with or without the 7 storey new building they wish to build – the Pears Building. I was fortunate to be shown around the current immunology facility on the second floor of the Royal Free and was enthralled by the work they are doing. Clearly we all root for them in finding a cure for diabetes or even cancer. Their current team are world class now and a new building by itself will not give them the technical ability to achieve their goals.

The Royal Free argue that they will lose £10m of public funding for the Pears Building if they do not start work before the end of March, 2015. Camden Council are the keepers of the public purse as well as guardians of the voice of the people. Should this £10m be used for this building or should it perhaps be put to better use by applying to the government to fill the £60m hole in Camden's finances?

When one looks at what the Pears Building will house, it is difficult to understand why the Royal Free is pressing yet another building into its already burgeoning estate portfolio. The Royal Free purchased Chase and Barnet Hospitals which have buildings which currently lie empty. I understand there are floors in the current hospital which also lie empty. With a bit of thought, they could use their real estate more effectively and save the public purse £10m which could be used elsewhere.

Putting aside the public purse arguments for a moment, the Pears building is a 100,000 sq foot monolith which fills in a pleasant green area next to St Stephens. 3 floors only will be used for the immunology centre and the rest for other purposes. The Royal Free is developing to a size which is unsustainable for the small area in which it is sited.

Why is Hampstead lovely and a sought after place to live? Because it is beautiful. Camden has a duty under the Planning (Listed Buildings and Conservation Areas) Act 1990 to designate as conservation areas any "areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance". Hampstead is considered to have a special character which is why it is a lovely area to live, work and to visit.

St Stephens (originally a church) was built around 1869 by the idiosyncratic architect SS Teulon and "provides an emphatic termination to the west of [Pond] street". Lying next to the Church is Hampstead Green, defined as a Public Open Space in the UDP. Hampstead Hill School, part of St Stephens, is considered notable because of its value as a local landmark and as a particularly good example of the local building tradition.

The conservation area statement accepts that there is a "steady erosion of many of the attributes of the character and appearance of the area" including by "new additions which show little respect to their historic context". I would suggest that the Pears building is such new edition imposing itself as it does,

next to St Stephens. Its 7 stories will have a negative impact on the streetscape of this part of Rosslyn Hill.

UDP Policy EN31 states “The Council will seek to ensure that development in conservation areas preserves or enhances their special character or appearance”. By any stretch of the imagination, how can this new building be said to enhance the special character and appearance of this area? Were it 4 storeys or even 5, as was originally mooted, perhaps the anxiety regarding its dominance and mass may have been reduced. 7 is just too much.

“New development should be seen as an opportunity to enhance the Conservation Area and should respect the built form and historic context of the area, local views as well as existing features such as building lines, roof lines, elevational design, and where appropriate, architectural characteristics, detailing, profile, and materials of adjoining buildings”. In my view, the new building does not do any of these things in relation to St Stephens or to Hampstead Hill School.

It is well recognised that Hampstead contains a range of land uses. In essence, this comprises its “high density core of Heath Street/High Street which has a mixed use character, and a lower density fringe made up of individual dwellings, gardens and open spaces. New development and changes of use should reflect the mixed use and residential character of these areas”. This new building will usher in a new age of higher density to this part of the conservation area which currently enjoys light and space and breaks up the grey bulky proportions of the Royal Free hospital.

Finally, the “topography of the area gives Hampstead a distinctive character and street pattern. It has created small building plots, a range of building forms, a dense built up urban character with only small amounts of associated open space. In contrast to this, the gentler slopes afford more space and more spacious layout. This contrast is a major characteristic and new development should respect it.” In my view, the new building does none of these things.

There is a sustained assault on the Hampstead conservation area with an increasing number of developments and applications for developments which are negatively impacting on the look and feel of Hampstead. Most recently, the decision of a planning inspector to overturn the unanimous decision of Camden Council’s development committee to refuse permission for a 3 basement development in New End next to 3 schools and Ye Ole White Bear is of great cause for concern – this is despite the voice of the community being raised in unison against this development.

I am particularly concerned about the effects of piling on the 2000 tonne tower which is not underpinned. If it is affected by the piling, there is no telling where it may fall, if it does fall, and if it falls on the school, the consequences can be catastrophic.

This scheme is ill thought out and does not address the potential impacts on St Stephens. That should have been the Royal Free’s first priority and they have failed to do so.

200 years of history of St Stephens, 60 years of work of building the school which is a centre of excellence in Camden, 350 children under five who won’t be able to concentrate for at least 2 years while this monstrous building is being built – all at risk with the vote of the Development Committee on Thursday.

I implore the development control committee in the vote on Thurs to turn down the application by the Royal Free – put it on hold if need be, pending proper structural and safety surveys being carried out. Had they spent more time on health and safety for the pupils of Hampstead Hill School, we would not be where we are today. Please protect the lives of the children and the Grade 1 Heritage Building which sits in its natural setting giving light and grace to this part of Hampstead and Belsize.

Yours sincerely,

Hutter, Hannah

From: Julio Grau [REDACTED]
Sent: 17 February 2015 17:50
To: RSCDevelopmentControl
Subject: Support of planning application 2014/6845P

Attention Charles Thuaire

Dear Mr Thuaire

I submitted my support for the project above online in December, but noticed that my comments are not listed in the documents that have been circulated.

This is disgraceful considering that the spurious allegations from some of my neighbours are very well documented. This lot has created a climate of intimidation around Belsize Park and Hampstead. I, for one, am not prepared to tolerate bullies.

In summary, I TOTALLY SUPPORT the new building at the Royal Free Hospital. I want to have the best treatment if I ever need it.

Yours sincerely.

Dr Julio Grau
[REDACTED] Hillfield Court
NW3 [REDACTED]

DEPUTATION REQUESTS

Hutter, Hannah

From: David Kemp [REDACTED]
Sent: 17 February 2015 10:27
To: Planning; Planning; RSCDevelopmentControl
Cc: Thuaire, Charles [REDACTED]
Michael Taylor; [REDACTED]
Subject: Application Reference: 2014/6845/P - Proposed New Institute of Immunology, Royal Free Hospital

Importance: High

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Sirs,

I write on behalf of Michael Taylor of the St. Stephen's Restoration and Preservation Trust.

Mr. Taylor wishes to speak against this application at the Development Control Committee on Thursday 19th February.

The issues that he wishes to raise concern the following:

1. Inadequacy of the Basement Impact Assessment and prospect of damage arising from construction activity.
2. Potential for more than substantial harm to designated heritage assets, including the Grade I listed St. Stephen's and two Conservation Areas.
3. Overdevelopment of the site.
4. Harm to the amenity of the School.
5. Lack of justification for this amount of development on this site.

This deputation will be made on behalf of the St. Stephen's Restoration and Preservation Trust against the application, which has objected already to this application.

Please copy in Michael and Andrea Taylor of Hampstead Hill School in all correspondence relating to this request. Telephone contact number is [REDACTED] mobile is [REDACTED] and email address is [REDACTED]

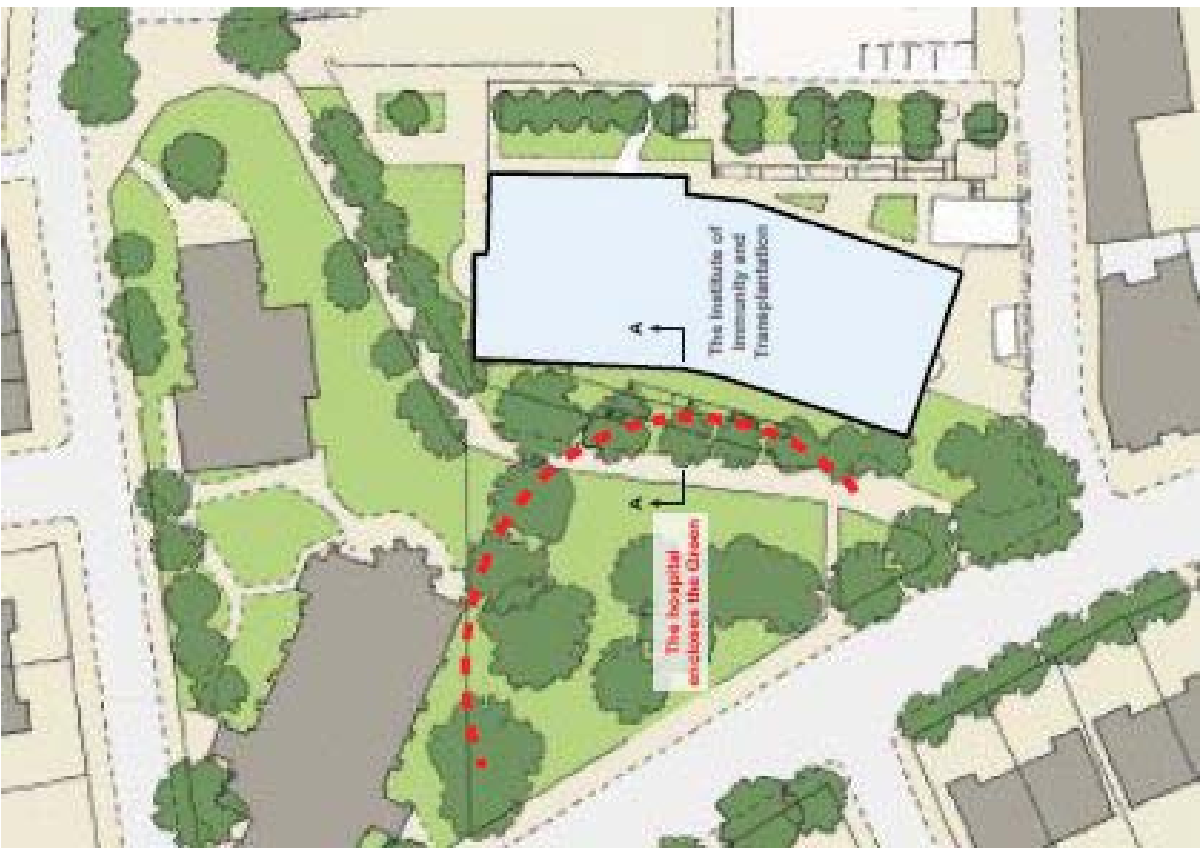
A power point presentation containing slides to which Michael Taylor will refer during his deputation will follow by separate email later today.

Yours faithfully,

David Kemp
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

 Before printing, think about the environment

CONFIDENTIALITY NOTICE: This transmission contains confidential information belonging to the sender which is legally privileged. The information is intended only for the use of the recipient(s) named above. If you have received this email in error please notify DRK Planning Ltd by telephone to arrange for the return









13 February 2015



Clerk to Development Control Committee
Committee Services
Town Hall
Judd Street
London
WC1H 9JE

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London W1G 0JD
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Dear Sir/Madam

**Deputation Request in Support (Agenda Item 6 (3) for Development Committee on 19 February 2015)
2014/6845/P: The Pears Building, Royal Free London Hospital, Hampstead, NW3 2QG**

I write on behalf of the applicant to make a deputation request in support of our planning application being heard at the above Development Committee. I understand that the right to address the committee is dependent upon whether the Council receives a Deputation request to speak against the proposals. We intend to cover a range of matters in our address to committee.

- Letters of support in general terms for the Institute have been issued by :
 - The Prime Minister,
 - Rt Hon Greg Clark MP Minister of State for Universities, Science & Cities
 - Glenda Jackson MP,
 - Mike Freer MP,
 - The Mayor of London.
- Planning policy supports the healthcare and medical research sector promoting the role of London as a centre of medical excellence. Our proposals facilitate this vital planning policy objective. The Institute is of global importance and it is in the national interest of the UK for it to be located at the Royal Free Hospital
- The Pears Building will house the UCL Institute of Immunity and Transplantation and Regenerative Medicine providing a world class research organisation at the heart of London. It will be one of only 5 such centres in the world and the only one located outside the USA.
- The range of work undertaken at the Institute will be of international importance. If this facility cannot be located at the Royal Free it would likely be lost to the nation.
- The new Institute will bring together world class research and clinical patient trials at the Royal Free Hospital. It will draw on the Royal Free's patients and staff to speed the bench to bedside pathway translating cutting edge research into real life medicine for local patients. This linkage will attract the highest calibre of staff and leading doctors to work at the hospital creating real benefits for local residents.
- The patient accommodation is an important part of the scheme. It will provide a facility for patients who are undergoing clinical trials and treatments such as infusions but require an overnight stay. Their proximity to services in both the existing hospital and new Institute is of key importance.



- The building will also provide a high profile presence for the Royal Free Charity to support initiatives beyond the scope of NHS funding such as improving the patient experience and funding research.
- The design represents a carefully considered response to the site's setting. Its massing and layout have been informed by the scale of nearby buildings, such as St Stephen's Church. It has also responded to the urban grain of the area which derives from Hampstead Green and the old Hampstead General Hospital that was demolished to develop the current car park. The building will provide green terracing adjacent to Hampstead Green which will bring the spacious setting of the Green into the application site.
- We strongly believe that the Pears Building will serve to create a new and far superior context for the listed St Stephen's Church and adjoining conservation areas, as well as Hampstead Green and the wider townscape.
- Approximately 200 new jobs will be created along with our commitment to offer apprenticeships during the construction process.
- Verified views showing the scheme have been appended to the application report. Images of the proposed development are attached at Appendix 1 to this letter. These show the high quality of the scheme, its landscaping and the respectful distance to St. Stephen's Church.

We also intend to respond to any objections raised by deputations in opposition to the scheme.

The deputation will be made by:

- David Sloman, the Chief Executive of the Royal Free NHS Foundation Trust, supported by David Whittington, Planning Director at Savills.

In the event that Members of the Committee have questions they will be supported by Ernest Fasanya (Partner at Hopkins Architects) Ian Dix (Transport Planning Director at Vectos), Tim Taylor (Hydrologist at ESI), Hans Strauss, Tony Schapira and David Lomas (UCL); Chris Burghes and Simon Gwynne (Royal Free).

Should you have any queries, please do not hesitate to contact me as above.

Yours sincerely



Simon Myles
Associate

c.c.	M. Cooke	London Borough of Camden
	Cllr S. Hayward	London Borough of Camden
	E. Watson	London Borough of Camden
	F. Wheat	London Borough of Camden
	S. Minty	London Borough of Camden
	C. Thuair	London Borough of Camden
	E. Fasanya	Hopkins Architects
	C. Burghes	Royal Free Charity

APPENDIX 1

The Pears Building



The new building facing Hampstead Green

The Pears Building



View from Rosslyn Hill looking north

APPENDIX 4- 2nd report to DCC 6.8.15

Royal Free Hospital, Pond Street NW3- ref 2014/6845/P.

Report regarding threat of Judicial Review by local group of Council's resolution to grant planning permission

Background

1. Members will recall that they considered at the Development Control Committee (DCC) meeting on 19th February 2015 a report on the Royal Free Hospital Immunology Institute ('Pears Building') and that they resolved to grant planning permission subject to a s106 legal agreement. No formal decision has yet been issued as negotiations are continuing on this complex s106.

2. Since then, the Council has received a Pre-Action Protocol letter of claim from the Hampstead Green Neighbourhood Group (HGNG) in contemplation of a Judicial Review of the decision taken at DCC on 19th February 2015. This group had objected to the application and are now concerned that the issues raised by them were not properly or adequately considered in the officer's committee report. They claim in particular (amongst other things) that in light of recent case law on the matter, in resolving to grant permission, the Council did not apply the statutory duty under section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (relating to the need of the planning authority to have special regard to the desirability of preserving the listed building or its setting).

3. The pre-action letter requested that, in view of the claimed failure to apply the statutory duty, the Council should have the matter re-considered by DCC. In the event of the Council proceeding to conclude the s106 and grant permission without remitting the application to Committee, the pre-action letter threatens that the decision will in due course be challenged by judicial review.

4. Officers have sought a Counsel opinion on this (Giles Atkinson at 6 Pump Court). His view is that:

- at present, a decision to grant planning permission is vulnerable to a successful legal challenge in that the Council has not demonstrated that it gave considerable weight to the harm to the setting of the listed building and of the nearby conservation area that the proposed development would cause;
- the application should be taken back to DCC with an amended report which reflects the weight which must be given to harm to the setting of the listed building and the conservation area;

- none of the other points raised regarding non-heritage issues are likely to result in a successful challenge to the Council's decision.

Heritage issues

5. The issue of heritage assets and assessment of the scheme in terms of its impact on the listed church and conservation area were considered in paras 6.59 to 6.67 of the officer's report (copy attached in Appendix 2). The central criticism of the claimant, supported by Counsel opinion, is that the report does not make explicit reference to nor apply the statutory test at section 66(1) of the Listed Buildings Act.

6. Officers have therefore rewritten the report's 'Heritage Assets' section (in paras 6.59-6.67) to take account of these criticisms and the section is attached in Appendix 1 below.

Other issues

7. The claimant also raises other criticisms on the report, notably- Basement Impact Assessment (BIA), Environmental Impact Assessment (EIA), risk to church foundations, loss of light to the adjoining school, and failure to consider alternative schemes. The Counsel's opinion is that these matters were correctly and adequately considered and assessed by officers in both the main report and supplementary agenda report. Consequently he considers that these will not result in a successful challenge to the Council's decision and that no further action needs to be taken on these points.

8. For Members' information, the original officer report on this item is appended here in Appendix 2 and the written representations and deputation statements to this previous DCC agenda item are appended in Appendix 3.

Recommendation-

9. Members ratify their earlier decision on 19th February 2015 to grant planning permission subject to a S106 legal agreement, having regard to the original DCC report attached here in Appendix 2 and to the new revised heritage section of this report attached in Appendix 1.

APPENDIX 1

Revised section of report titled 'Heritage Assets'

Setting

6.55 - 6.58- these paragraphs remain unchanged

The Planning (Listed building and Conservation Area) Act 1990.

Impact on listed church

6.59 In considering developments that affect a listed building or its setting, Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that local authorities shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

6.60 In this case, the primary issue relates to preserving the setting of the adjoining Grade 1 listed St Stephen's church. The other listed buildings in the area (referred to in para 1.4 of the report) are not considered to be affected by the proposal. Officers consider that the proposed development would encroach on the space currently surrounding the church by creating a new 5 storey built facade along the back edge of the footpath (26m from the church at its closest point) and that this encroachment would result in harm to the open and natural setting of the church for which there is a desirability to preserve, to retain the appreciation of the church as the main focal point for the area. It is also considered that the scale, height and proximity of this development would compete with the dominance of the listed church.

6.61 In line with the above statutory duty and recent case law, considerable importance and weight has to be attached to the harm identified and it is recognised that this development will cause harm to the setting of the listed church. Thus a specific exercise has to be undertaken to consider whether this harm is outweighed by the benefits of the proposal.

6.62 Officers consider that this harm is outweighed in this case by the considerable benefits of the Institute. This balancing exercise of the scheme as a whole is set out in more detail below under the NPPF heading.

Impact on conservation areas

6.63 In considering developments affecting a conservation area, Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) requires that local authorities shall pay special attention to the desirability of preserving or enhancing the character or appearance of that area.

6.64 In this case, the issue relates to preserving the character of the immediately adjoining Hampstead conservation area. The setting of the other adjoining conservation areas is not considered to be affected by the proposal. Officers consider that the proposal would have a negative impact (that is, cause harm) to the setting of Sub-Area 3 of the Hampstead Conservation Area. As outlined above, the

church, the green and adjacent pathway collectively mark a change in character and appearance between the mid-late C19 urban development of Belsize Park and the earlier village at Hampstead Heath.

6.65 The removal of the landscaped screening that helps to contribute to the setting of the conservation area and listed buildings within it is considered to result in harm to the 'village' character and appearance of this part of Hampstead particularly as they collectively mark the transition between Belsize Park and Hampstead Heath. The development would result in the hospital further encroaching on the existing setting of the conservation area by creating a new substantial built form immediately alongside the Green, thus changing its character from a green to an urban edge.

6.66 Whilst the existing 1970s hospital is large in scale, of little architectural merit and causes harm to some views through the conservation area, it is considerably set back from Rosslyn Hill and views are somewhat screened in summer by trees from both here and Haverstock Hill which has helped to reduce its impact on its immediate vicinity.

6.67 The identified harm caused to the character and appearance of sub area 3 of the conservation area has been given considerable importance and weight in the officers' assessment of the scheme. Officers consider that this harm is outweighed in this case by the considerable benefits of the new building. This balancing exercise of the scheme as a whole is set out in more detail below under the NPPF heading.

The National Planning Policy Framework 2012

Impact on listed church

6.68 The National Planning Policy Framework (NPPF) in para 132 states-

'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of designated heritage assets of the highest significance, notably (inter alia) grade I listed buildings, should be wholly exceptional'.

6.69 It is considered that this scheme will not result in 'substantial' harm to the heritage asset. Camden officers consider that the height and massive scale of the church, along with its robust architectural expression, allows it to remain the dominant form in the immediate landscape. Moreover, officers have had regard to the previous building on the site and other development surrounding the church, and have taken account of the following factors: the distance from the church (26m at its closest point); the orientation of the new development with its flank facing the church and; the overall height of the development being equal with the ridge of the church roof and allowing the steeple to extend approximately 17m higher than the top of the development. In light of all this, it is considered that the development would result in 'less than substantial' harm being caused to the setting of the church.

6.70 This view by Council officers that limited harm will be caused echoes the view by English Heritage that it would cause some harm to heritage assets (see consultation response section above).

6.71 NPPF further states in para 134-

'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use'.

This test of balancing harm against benefit is relevant to this development.

6.72 As noted above, officers take the view that the harm to the setting of the listed building (the heritage asset) would be 'less than substantial'. Officers further consider however that significant public benefit is derived from the development of a new research centre which will have international and national significance and will deliver considerable national and local benefits to patients and healthcare. This is explained in more detail in paras 6.9- 6.14 above (of the Landuse-policy section). In response to English Heritage comments, it has been demonstrated in paras 6.15- 6.18 above (of the Landuse-location section) that the Institute facility has to be located on a site adjoining the existing Phase 1 within the hospital and that the Charity offices and patient hotel likewise have to be located here in a publicly accessible position near existing medical facilities.

6.73 In the light of English Heritage's concerns expressed above about specific heritage benefits, the applicants have met with EH to discuss this further and have offered further specific heritage benefits to mitigate impacts on the church in the form of measures encouraging further use of the Church (contained in a draft Heritage Benefits Note dated 22.1.15) to be secured by a S106. These include:

- (a) To use reasonable endeavours to encourage use of the Church for meetings and events by the Institute and hospital where appropriate and where this cannot be accommodated within the Institute or hospital;
- (b) To use reasonable endeavours to agree a schedule of hire costs for St Stephens that are competitive with other local venues;
- (c) To nominate a project officer to oversee and facilitate liaison with a nominated representative of the Trustees of St Stephen's Church;
- (d) To submit a Promotional Plan for agreement with the Council prior to occupation that demonstrates how the hospital will encourage use of the Church and build awareness of its history and importance.

6.74 In response, English Heritage welcome the proposed S106 obligations and consider that these address the points raised by them earlier with respect to potential heritage benefits and that these could deliver heritage benefits to the public and be of benefit to the hospital and the local community. However it is recognised that these benefits will have limited value without the endorsement of the St Stephen's board of trustees which is the body set up to repair and restore the building and open it to the local community. Thus further discussions need to be held with the Trust to ensure that these benefits can be agreed and actually deliverable on the ground.

6.75 Nevertheless the offer to provide a mechanism for enhancing the use, appreciation and thus funding of the church is welcomed and it will help secure the financial long-term future of the church. It is considered that this will provide an additional local public benefit specifically related to preserving an adjoining heritage asset.

6.76 It is considered that the combination of this specific direct benefit to the church and of the substantial wider local and national benefits of the development in health and economic terms is considered to be of significant weight when compared to the 'less than significant' harm caused by the new scheme, as part of the balancing exercise required by the NPPF.

Impact on conservation area

6.77 As outlined above the scheme is considered to result in harm to the character and appearance of the sub area 3 of the Hampstead Conservation Area.

6.78 The NPPF in para 138 requires harm to be measured against the 'contribution to the significance of the Conservation Area...as a whole' (officers emphasis). In this instance, the scheme is considered to result in harm to the setting of sub-area 3 of Hampstead conservation area and not directly to the significance of the conservation area as a whole.

6.79 In this regard however, officers consider that the harm caused will be 'less than substantial' and result in a limited negative impact on the character and appearance of the conservation area as a whole. NPPF para 134 states that:

Where development will lead to less than substantial harm to the significance of a designated heritage asset [the Hampstead CA], this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

6.80 The considerable public benefits have already been set out above. Importantly the optimum viable use of the site is the use proposed, in light of the ownership by, proximity to and relationship with the Royal Free Hospital and particularly in light of the original buildings and former hospital building on the site which had a similar footprint and presence to that of the proposed development. In addition, as noted in para 6.38 of the Design section above, the proposed scheme will provide a high quality, modern public face to the hospital which is currently lacking and the proposed planting scheme will provide an effective screen to the western façade of the hospital podium. These elements further reduce the impact on the significance of the conservation area and its setting.

Camden Development Plan

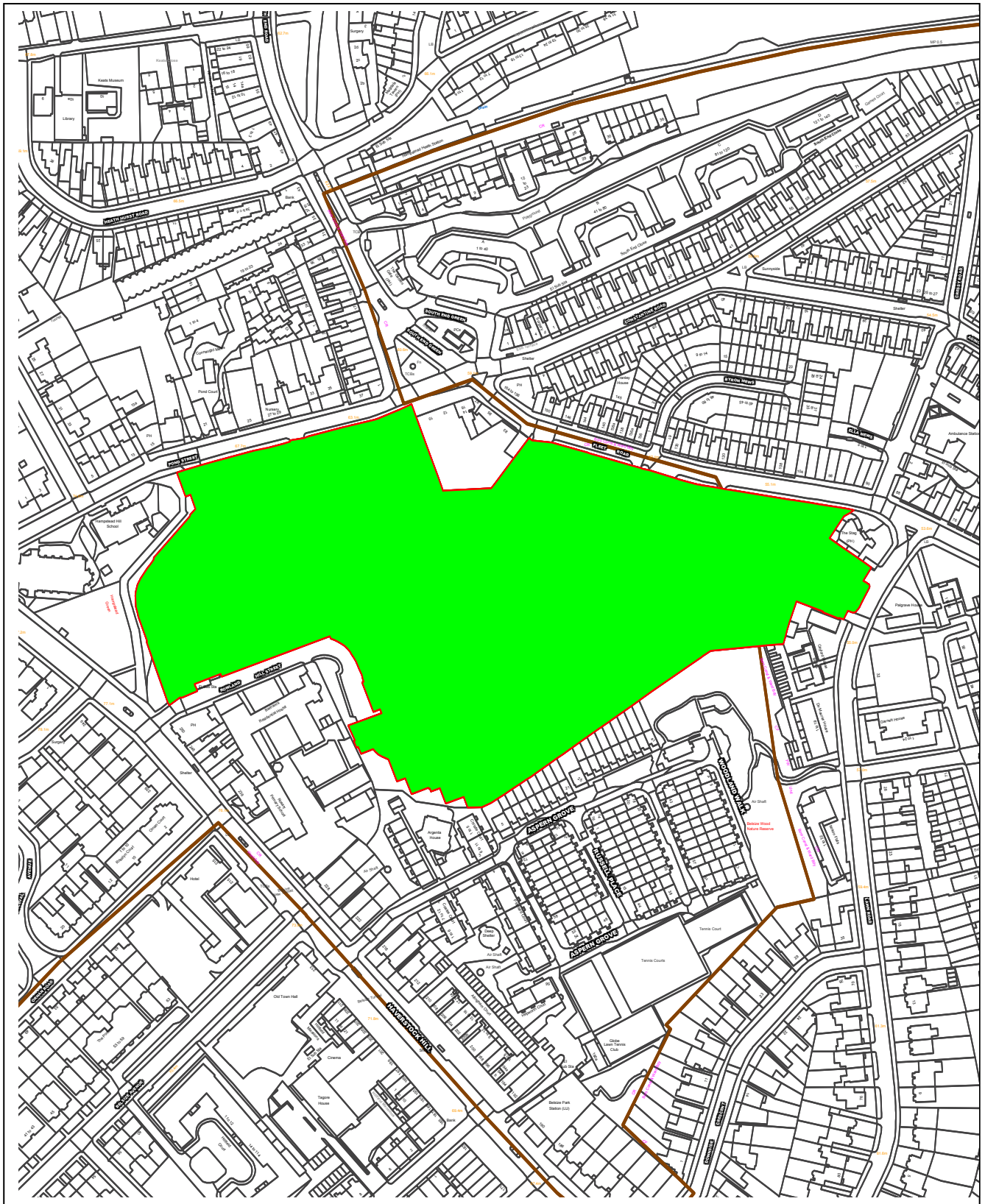
6.81 The relevant Camden Local Development Framework Core Strategy policy is CS14(b) 'Promoting high quality places and conserving our heritage' -which requires that the council will ensure that Camden's places and buildings are attractive, safe and easy to use by "preserving and enhancing Camden's rich and diverse heritage assets and their settings, including conservation areas."

6.82 The relevant Development Plan policy is DP25 'Conserving Camden's heritage' which provides more detailed guidance on the Council's approach to protecting and enriching the range of features that make up our built heritage. This seeks to maintain the character of Camden's conservation areas by (amongst other matters): a) take account of conservation area statements, appraisals and management plans when assessing applications within conservation areas; b) Only permit development within conservation areas that preserves and enhances the character and appearance of the area and; g) not permit development that it considers would cause harm to the setting of a listed building.

6.83 The scheme does not strictly comply with either policy CS14 or DP25. However for the reasons set out above an exception has been made in this instance because of the substantial public benefits of the scheme which are considered to override the limited harm caused to the heritage assets as part of the officers' assessment of the planning balance.

Conclusion

6.84 In applying the statutory duties, the NPPF tests and local policy, officers consider that the scheme will cause harm to the setting of the listed building and character of the conservation area. Considerable weight and importance has been given to this identified harm; however a thorough planning balance has been made which identifies the considerable benefits in urban design, heritage and land use terms, particularly public health benefits, deriving from the proposed scheme including the optimum viable use of the site. In officers' judgement, it is considered that these significant public benefits clearly outweigh the 'less than substantial' harm caused to heritage assets. The conclusion to both statutory test and planning balance exercises is that the scheme is considered acceptable.



Application No: 2014/6845/P

**Royal Free Hospital
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**Scale:
1:3096
Date:
24-Mar-16**



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