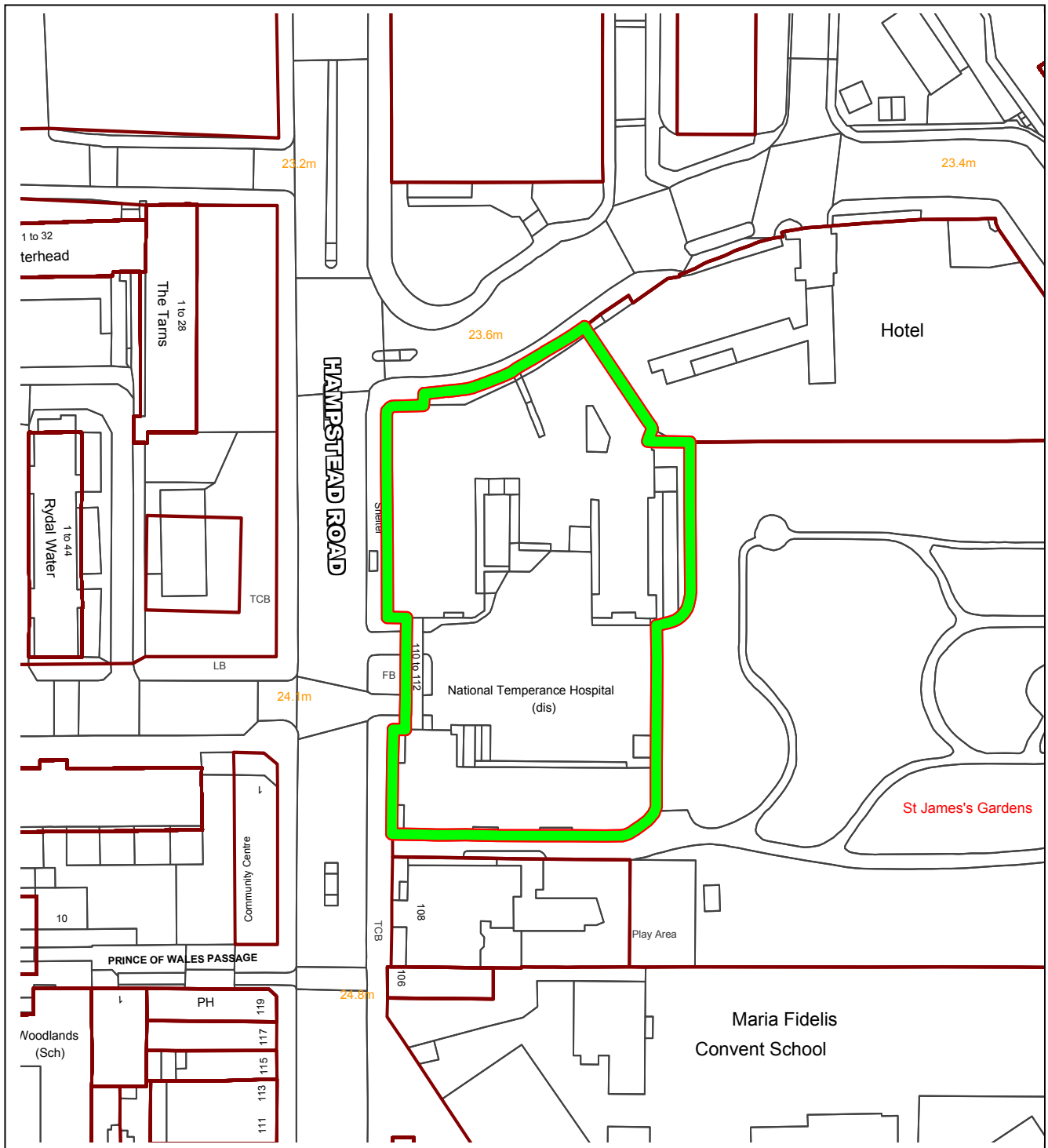


2016/3314/P 110-122 Hampstead Road



This material has been reproduced from Ordnance Survey digital map data with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright.

Site Photographs



1. West Entrance to St James' Gardens



3. Insull Wing (Hampstead Road Elevation)



2. East Elevation (Vezey Wing)



4. North Elevation (Vezey Wing) (view from Hampstead Road (A400))



5. West Elevation (Vezey Wing)

Delegated Report (Members' Briefing)		Analysis sheet N/A / attached	Expiry Date: 13/07/2016
			Consultation Expiry Date:
Officer		Application Number(s)	
David Glasgow		2016/3314/P	
Application Address		Drawing Numbers	
110-122 Hampstead Road London NW1 2LS		Refer Draft Decision Notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature
Proposal(s)			
Demolition of the former National Temperance Hospital at 110-122 Hampstead Road.			
Recommendation(s):	Grant Prior Approval		
Application Type:	GPDO Prior Approval of Demolition		

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	00	No. of responses	05	No. of objections	03
			No. electronic	00		
Summary of consultation responses:	<p>Under Paragraph B.2 (b) (ii) (iv) of Part 11 of the GPDO 2015 the applicant was required to display a site notice for 21 days. A site notice was displayed on Hampstead Road directly outside the site on 15/06/2016 for a period of 21 days.</p> <p>The occupiers of 89 Woodhall, Robert Street, Flat 71 30-40 Grafton Street and 32A Albert Street <u>objected</u> on the following grounds:</p> <ul style="list-style-type: none"> -Demolition should not be granted until a plan for what will finally replace it has been fully agreed and widely publicised. -Demolition should not be granted until objections to Hs2 have been heard by the House of Lords. -Do not want the National Temperance Hospital demolished it is a beautiful building and should be preserved. -National Temperance Hospital is a valued local Landmark development at the site should as a minimum preserve the façade. -If Hs2 does not go ahead the building would not need demolishing. The applicant should wait until the outcomes decided before allowing such a major disruption due to noise and pollutants. <p><u>Officer response:</u> <i>see section 3.0 below</i></p> <ul style="list-style-type: none"> -The legality of the proposed demolition in advance has been challenged and no work should commence before this is established. <p><u>Officer response:</u> <i>Neither the council nor HS2 Ltd are aware of a legal challenge to the prior approval process. This prior approval application is separate from and outside of the Hybrid Bill parliamentary process.</i></p> <ul style="list-style-type: none"> -The proposed reduction of lane width in Hampstead Road, together with Lorries turning right into the site opposite Robert Street, is likely to result in severe congestion along Hampstead Road, contribute to air pollution, and increase the risk of accidents at this junction. This would be further aggravated by construction traffic related to the two construction sites on Robert Street and two on Vardell Street. It is of particular concern that there is no intention to limit numbers of school children on Hampstead Road and Robert Street. <p><u>Officer response:</u> <i>As shown in the Submitted Construction Management</i></p>					

Plan (CMP) it is planned to locate the hoarding line for the demolition works approximately along the middle of the existing footway on A400 Hampstead Road. To maintain an operational footway it is planned to relocate the existing bus stop (bus stop K) south along the road in consultation with TfL. The lane width reduction at this location will not impact upon the flow of general traffic only the position of the bus stop. The central right turn into Robert Street, single southbound traffic lane and adjacent cycle facility will continue to operate as current conditions. Northbound lanes will continue to operate as existing.

A Community Working Group will be used to liaise with stakeholders and local residents. HS2 Ltd has committed to working with Lovell (the contractor for replacement social housing on Hampstead Road) to participate in any established working groups, to ensure coordinated approach to information sharing. TfL and Camden's Transport and Highways Network Management Team have been consulted on the submitted application and raised no objections on highways safety grounds

-The proposal would prevent access to St James Gardens for residents in West Euston for an extended period of time

Officer response: The CMP secures access to St James Gardens specifying a lit and protected path throughout phase two of the demolition when this access has the potential to be affected.

-It is proposed repairs and maintenance would be carried out on Saturday afternoons and all day on Sundays. This would give residents no respite from the works- repairs maintenance should be restricted to core hours.

Officer response: The CMP has been amended to restrict works on Sundays/bank holidays. Working hours as well as plant and predicted noise levels on site will be agreed with the council and set out in the required S61 prior consent application under the Control of Pollution Act 1974 which is entirely separate from this Prior Approval process. This process will set the hours during which noise can be generated as well as the measures in place to reduce noise on site.

-There is no mention of where AQ monitoring will take place. This needs to extend to local properties and along traffic routes. The dust check list states that a dust management plan is not necessary. This is essential; it also states that regular dust soiling checks of buildings within 100m of the site boundary if necessary will be carried out. This must be insisted on.

Officer response: Dust monitors to monitor particulates will be positioned on the site as agreed with the councils Air Quality Officer. Dust control measures have been incorporated in the CMP in Section 6 and 7 of the Environment Section. The CMP has been reviewed by the council's Environmental Health officers and is considered adequate to mitigate against dust nuisance and air quality impacts.

-Noise: Sensitive receptors are identified at The Tarns, Varndell Street and replacement housing, Robert Street. The Surma Centre and Woodhall are

likely to be equally affected and should be added for monitoring and mitigation.

Officer response: *The CMP Has been amended to include noise receptors at the Suma Centre and Woodhall. Additionally HS2 will seek a S61 consent under the Control of Pollution Act 1974 for the works from the council which will include more detailed predictions of noise likely to be generated as well as the working hours, monitoring and measures to be implemented to reduce noise.*

-Engagement: No further action is proposed re concerns raised at the event on 12/05/2016. These are real concerns which have not been addressed in the application and further action is necessary.

Officer response: *Comments provided at the engagement events have been considered during the drafting of the application. The engagement annex of the CMP acknowledges that further action is required to engage with the community / stakeholders and commitments are set out in the Community Liaison section of the CMP.*

2x comments were received from Flat 7, 1 Prince of Wales Road and Flat 71, 40-40 Grafton Way

-Unless the HS2 Hybrid Bill received Royal Assent permission to demolish the building should be refused.

-London Borough of Camden should obtain unequivocal Legal opinion of the legality of HS2 Limited proposed demolition ahead of Royal Assent.

Officer comment: *Officers have sought independent legal advice confirming that the proposal is Permitted Development requiring Prior Approval. The HS2 Hybrid bill is not a material consideration of this application.*

-The National Temperance Hospital is most probably filled with Asbestos which is highly dangerous to health. It has to be demolished with utmost care.

Officer comment: *The removal of asbestos is not development and does not require planning permission or prior approval, nevertheless an Asbestos demolition survey report was submitted with the application and the Demolition Method Statement confirms that asbestos will be removed prior to demolition in compliance with the Control of Asbestos Regulations 2012 Regulation 4.*

-The HS2's scheduled demolition of the national Temperance Hospital this September is unlawful and it is not prudent to enter into major demolition contracts when opponents are still objecting to the project at the House of Lords Select Committee.

-Please do not grant this planning application until we know HS2 is Euston is on the cards 100%

Officer comment: *The council has sought independent legal advice*

	<i>confirming that the proposed demolition is permitted development requiring Prior Approval. The HS2 Hybrid Bill is not a material consideration of the Prior Approval application. See also Section 3.0 below.</i>
CAAC/Local groups comments:	N/A

Site Description

This site is the former National Temperance Hospital, approximately 0.35 hectares in area and is bounded by Hampstead Road to the west, Cardington Street to the north, and St James' Gardens to the east with a narrow passageway to the south linking Hampstead Road to these gardens. There are two distinct clusters of building blocks on the site.. The northern half of the site is occupied by mainly four to five storey Victorian building of an institutional character, arranged with ridged roofs and turret features and is known as the Vezey wing. To the south there is a six storey interwar art-deco style building known as the Insull wing. Both buildings are linked by a wide colonnade serving as the main entrance to a large courtyard.

The site is not located in a conservation area nor in close proximity to any listed buildings or parks, however, St James Gardens does contain three listed tombs/statues. The Parliament Hill to Westminster Strategic Viewing Corridor traverses the western part of the site and the whole site is located in the background viewing area of the Strategic View from Greenwich to St. Pauls. The site is allocated as number 12 within the LDF Site Allocations DPD (Preferred Options) and is identified in the Euston Framework SPD.

The primary hospital use ceased in the 1980s and other healthcare / office uses ceased in the early 1990s, so that the building's community uses have been redundant for a significant number of years. The site is presently occupied by Camden Town Unlimited an affordable office/workspace provider which has temporary permission to occupy the Vezey Wing for 5 years from 08/12/2015 or until the building is demolished, whichever is sooner.

Relevant History

2016/0588/PRE - Demolition of all buildings of National Temperance Hospital.

Relevant policies

LDF Core Strategy and Development Policies

CS5 - Managing the impact of growth and development

CS11 - Promoting sustainable and efficient travel

CS14 – Promoting high quality places and conserving our heritage

CS16 - Improving Camden's health and well-being

DP20 – Movement of goods and materials

DP24 – Securing high quality design

DP26 - Managing the impact of development on occupiers and neighbours

DP28 - Noise and vibration

DP32 - Air quality and Camden's Clear Zone

Camden Planning Guidance 2015

Town and Country Planning (General Permitted Development) Order 2015

Assessment

1.0 Background

- 1.1 The HS2 Hybrid Bill is currently going through parliament with a projected date for royal assent of December 2016. The HS2 Supplementary Environmental Statement (2015), Volume 2, CFA1, paragraph 5.3.11 (page 77) identifies the National Temperance Hospital for demolition in 2017 to serve as the construction base for HS2 works in Euston.
- 1.2 The Hybrid Bill seeks powers for the construction of Euston Station including the demolition proposed in this application; however, for programme purposes HS2 proposes to demolish the site in advance of Royal Assent. Separate prior approval for demolition works is sought by HS2 in order to reduce the likely intensity of concurrent demolition work being undertaken to the west of Euston Station, and therefore reduce the risk of knock-on delays to other works at Euston for Hs2.
- 1.3 The application has been subject to lengthy pre application discussions with council officers. The council sought its own legal advice to confirm this approach was lawful.
- 1.4 The supporting information submitted with the prior approval application, namely Construction Management Plan, Demolition Plan and Method Statement were drafted in consultation with the council's Transport, Air Quality and Environmental Health officers in order to ensure the proposal would not result in harm to either highway safety or neighbouring amenity.

2.0 Proposal

- 2.1 The proposal involves the demolition of the National Temperance Hospital in two phases:
 - Phase 1 will comprise the demolition of the Vezey Wing and connecting footbridge of the former hospital, which is scheduled to commence in September 2016. Demolition works for Phase 1 are scheduled to be completed by March 2017.
 - Phase 2 will comprise the demolition of the Insull Wing, and is scheduled to commence in September 2017. Demolition is expected to be complete by March 2018.

3.0 Prior Approval Application

- 3.1 Demolition is classified as development under section 55 of the Town and Country Planning Act 1990. Permitted development rights are granted for demolition subject to the limitations and conditions set out in Schedule 2, Part 11 Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015.
- 3.2 Part 11 Class B provides that demolition is not permitted development (and therefore would require planning permission) if:
 - the building has been deliberately rendered unsafe or dangerous;
 - the demolition is 'relevant demolition' as defined in Section 196D of the Town and Country Planning Act 1995 (as amended) – meaning that non-listed buildings in a Conservation Area cannot be demolished under permitted development rights; or
 - the building is within Class A4 (drinking establishments) of the Use Classes order and that building is a community asset or has been nominated as one.
- 3.3 None of the limitations mentioned above apply to the proposed demolition of the National Temperance Hospital. The building is not statutorily listed. It does not appear on Camden's

adopted Local List (2015). It was described by English Heritage (as was – now Historic England) in its representations to the HS2 Phase One Bill Environmental Statement as ‘a non-designated asset with a low value’. A request for listing was turned down by English Heritage (as was) in 2009. The site does not fall within a Conservation Area. Therefore, the proposed development constitutes ‘permitted development’ under Part 11, Class B of the Town and Country Planning (General Permitted Development) Order 2015 (GPDO).

- 3.4 The council has obtained its own legal advice and confirmed that the proposed phased demolition constitutes permitted development under Part 11, Class B of the Town and Country Planning (General Permitted Development) Order 2015 (GPDO).
- 3.5 The prior approval process does not allow for the assessment of the architectural or townscape merits of the building to be demolished. The demolition is permitted development, subject only to an assessment of the methodology of demolition.
- 3.6 The submitted objections which relate to the architectural merit of the building, the desire to see an alternative development secured prior to demolition, or retention of the façade of the building are not material to the consideration of a prior approval application and no weight can be given to these matters.
- 3.7 The prior approval process requires the applicant to: ‘apply to the local planning authority for a determination as to whether the prior approval of the authority will be required *as to the method of demolition and any proposed restoration of the site*’. The purpose of this control is to give the local planning authority the opportunity to regulate the details of demolition in order to minimise the impact of that activity on local amenity.
- 3.8 The ‘Prior Approval’ application fully accords with the relevant conditions set out within Paragraph B.2 of Part 11, Class B of the GPDO. As required by Paragraph B.2, part (b) (iv) of the conditions, the applicant has submitted with the application, a copy of the site notice which has been displayed near to the site on Hampstead Road for a minimum period of 21 days since 15th June 2016.
- 3.9 The documents which have been submitted to assess the demolition works include the following:
- Drawings: Site Location Plan; Existing Plan; Restoration Site Plan – the Site Restoration Plan shows the site cleared and secured. A hoarding will be required and will be subject to approval of the appropriate hoarding licence from the Council, separately to the prior approval process.
 - Cover Letter and Application Statement
 - Construction Management Plan Version 2 the plan is based on the Council’s CMP Pro-forma and sets out mitigation measures to ensure that the demolition works can take place without harming amenity (e.g. noise, vibration and air quality) or the safe and efficient operation of the highway network in the local area.

The plan includes the following annexes:

- 1: Photographs of the site and surroundings
- 2: Demolition Program
3. Details of Community Engagement
- 4: Additional Contractor Information

5: Construction Noise and Vibration Assessment-This plan identifies the noise sensitive receptors, baseline noise levels and the predicted construction noise for phase one and two. The plan also details monitoring and was updated to address noise concerns from residents and Environmental Health Officers.

6. Noise Assessment Baseline

7. Demolition Plan- The Demolition Plan outlines the time frames of both phases of the proposed demolition, and includes elements of the demolition which do not fall under the works for which prior approval is being sought, such as mobilisation works, asbestos removal, soft strip activities and temporary cabin construction to give a full picture of the proposed works on site.

8. Dust Mitigation Checklist - Checklist of Highly Recommended and Desirable Measures for High Risk Sites as defined in the Control of Dust and Emissions during Construction and Demolition, Supplementary Planning Guidance, GLA, 2014. Although the Dust Mitigation Risk Assessment does not recommend the submission of a Dust Mitigation Plan, sufficient dust mitigation measures are included with the submitted Construction Management Plan and Demolition Method Statement. The councils Environmental Health Officer has assessed the documents related to dust and air quality and raised no objection to the proposals

9. Asbestos Surveys- The site surveys for the two interlinked buildings were undertaken separately with the report for the Insul Wing (Phase 1) completed on 16 March 2015 and the Vezey Wing (Phase 2) and completed on the 5th October 2015. The reports recommended that asbestos containing material should be removed prior to demolition works. The process for doing so is covered in the Demolition Method Statement.

- Demolition Method statement: 110-122 Hampstead Road – The Demolition Method Statement explains the process and mitigation measures proposed during the demolition phases of the development. It covers areas including deconstruction methodology (soft strip, hard demolition and demolition sequence), demolition logistics (traffic routes and flows, deliveries and storage, site accommodation, wheel wash facilities, on site fuel management, Bus Stop, hoardings, access, security and waste) Community (protection of tenants –CTU, party wall agreements rights of way, licences, considerate constructors scheme) plant and equipment, cranes, scaffolding, construction impacts) Environmental (asbestos removal, Lead paint, hazardous materials, contaminated material, dust, rodents and Vermin, Noise mitigation measures and vibration).

3.10 The above documents were drafted in consultation with Council's Transport, Air Quality and Environmental Health officers during the pre-application process and amended as necessary during the assessment period, in order to ensure the proposal would not result in harm to either highway safety or neighbouring amenity. Officers have reviewed the information and confirmed it is sufficient to ensure there will be no harm to amenity or to highway safety. The site will be left cleared and secured by hoardings which will be subject to the issue of the relevant licence by the council separate to the prior approval process.

3.11 Transport for London was consulted on the application and requested the following clauses be included in the CMP:

- *“main demolition works will not start until the bus stop on Hampstead Road has been relocated. Main demolition works do not include soft stripping, removing asbestos and any low level demolition within the courtyard.”*

- *“where required, the relevant agreements and licences will be sought for any works in the public highway”*
- *“safe access will be provided to the site for pedestrians and cyclists, and cycle parking will be available at the site during the works”*

These changes have been incorporated into the CMP and TfL have no objection to the proposal.

4.0 Assurances

- 4.1 The future use and development of the site does not relate to the matters requiring prior approval. However, the site is defined in the HS2 Bill (Additional Provision 3) as the one of the main construction compounds for the planned HS2 works at Euston. In the event that Royal Assent is delayed or the site is temporarily not used for construction, in accordance with assurances given by the Secretary of State to the council through the parliamentary process, HS2 Ltd will work with the council to take advantage of opportunities to create short-term uses.
- 4.2 Were this an application for Full Planning Permission the council would seek additional assurances for meanwhile uses and the redevelopment of the site, via a s106 agreement. However, HS2 are unable to provide these assurances through such an agreement and there is no legal requirement for such agreement in an application of this type.
- 4.3 Nevertheless, officers have negotiated with HS2 Ltd and The Director General of HS2 has provided an additional letter of assurance related specifically to the National Temperance Hospital site. The letter provides assurances that in the event that HS2 Ltd fails to obtain Royal Assent or is delayed, that HS2 will, in consultation with the council, take advantage of opportunities to create short term areas of open space and play space on the site.
- 4.4 Furthermore in the event that the site is not required, the Secretary of State will ensure that demolition works to the site are completed in accordance with the permission granted under this application. And that following demolition, the Secretary of State would seek to bring forward a planning application for the redevelopment of the site in consultation with the council or sell the land for redevelopment.
- 4.5 These assurances are welcomed and will ensure that in the event that the Hybrid Bill does not attain Royal Assent that best use will be made of the site and it will not sit empty to blight the area.

5.0 Conclusion

- 5.1 The proposed demolition of the National Temperance Hospital is permitted development under the Town and Country Planning (General Permitted Development) order 2015.
- 5.2 The ‘Prior Approval’ application fully accords with the relevant conditions set out within Paragraph B.2 of Part 11, Class B of the GPDO. As required by Paragraph B.2, part (b) (iv) of the conditions, the applicant has submitted with the application, a copy of the site notice which has been displayed near to the site on Hampstead Road for a minimum period of 21 days since 15th June 2016.
- 5.3 The documentation submitted with the application has been assessed by council officers and demonstrates that the proposed demolition will not harm either neighbouring amenity or highway safety and that the site will be restored and secured after demolition.

6.0 Recommendation: Grant Prior approval required under Part 11 of the Town and Country Planning (General Permitted Development Order) 2015.

DISCLAIMER

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 4th July 2016, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to www.camden.gov.uk and search for 'Members Briefing'.

Ove Arup and Partners Ltd.
13 Fitzroy Street
London
W1T 4BQ UK

Application Ref: **2016/3314/P**
Please ask for: **David Glasgow**
Telephone: 020 7974 **5562**

6 July 2016

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)
Prior Approval Required - Approval Given

Address:
110-122 Hampstead Road
London
NW1 2LS

DECISION

Proposal:
Demolition of the former National Temperance Hospital at 110-112 Hampstead Road.
Drawing Nos: Cover Letter Dated 15 June 2016; Application Statement; Copy of Site Notice; Site Location Plan; Existing Plan; Site Restoration Plan; Demolition Method Statement C220-ARP-PL-REP-01A-000001 May 2016; Construction Management Plan Version 2 July 2016 (inclusive of annexes 1-9); Letter from David Prout, Director General High Speed 2 Group Dated 1 July 2016;

The Council has considered your application for prior approval of siting and appearance in respect of the telecommunications equipment described above and hereby determines that prior approval is required and **gives approval**.

Condition(s) and Reason(s):

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans and supporting documents: Cover Letter Dated 15 June 2016; Application Statement; Copy of Site Notice; Site Location Plan; Existing Plan; Site Restoration Plan; Demolition Method Statement C220-ARP-PL-REP-01A-000001 May 2016; Construction Management Plan Version 2 July 2016 (inclusive

Executive Director Supporting Communities



of annexes 1-9) ; Letter from David Prout, Director General High Speed 2 Group
Dated 1 July 2016;

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

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

Yours faithfully

Executive Director Supporting Communities

DRAFT

DECISION