

10 October 2018

David Peres Da Costa  
Development Control  
London Borough of Camden  
5 Pancras Road  
London  
N1C 4AG

Dear David,

**2018/2316/P | LAND TO REAR OF 222 EUSTON ROAD**

I write in reference to the above planning application and the representation received on behalf of the immediate neighbour at 222 Euston Road. Thank you for passing on the various correspondence.

Set out below, I offer an initial commentary and supplementary information that has a bearing on the competent and relevant planning matters raised by this objection. We would reserve the right to add to this letter should the debate move on.

I have categorised the 'reasons for refusal' in Carter Jonas' letter (21<sup>st</sup> August 2018) as headings for this response. I have started with transport issues as I believe you had only specifically requested a response on the access rights across the site and the swept path analysis in Pell Frishmann's appended technical note.

I am also in receipt of your latest communication with Steve Cardno. I note Steve's comments on access to 222 Euston Road and trust this supplementary information provides the balance lacking in the objection letter. If it was felt that a meeting on site with Steve would prove useful, I am happy to facilitate. I also note Steve's confirmation that many of the matters raised are more appropriately dealt with through condition.

I trust you will be able to reflect on the overall content of our letter alongside the objection when formulating your recommendation to committee. In our considered view, none of the objections raised would lead you to a conclusion that the applicant's proposals could not be supported, subject to a legal agreement, the terms of which we have already been discussing.

***Transport Issues***

Robert West have produced a further informative technical note on the transportation and access issues raised by the objection and it is appended here and supplied via email. The following commentary should be read alongside that note:

***Maintaining access to 222 Euston Road***

The proposals have made reasonable and proportionate allowances for access, including designing in an existing right of access for 222 Euston Road.

A copy of the easement agreement is attached. The easement agreement is to retain access for a vehicle of 2 tonnes and 10 (laden or unladen) and no more, from Stephenson Way, through the site to 222 Euston Road.

Whether the owners or tenants at 222 Euston Road have ever breached this weight restriction, and by the commentary provided within this objection it seems that they have, is irrelevant. There are no accrued rights of access over private land, and their anecdotal enjoyment of servicing arrangements in breach of the easement agreement is immaterial to the determination of this planning application.

It is noted that whilst the site has been vacant, this may possibly have provided convenient access for a larger vehicle to access 222 Euston Road by using the car parking area within the site at the foot of the ramp. This area does not benefit from a right of access, is outside of the easement and is in breach of the agreement. Furthermore we are not aware of any planning permission that grants access for vehicles to access the rear of the site, and certainly none that exceed the restrictions as set out in the easement agreement. Robert West's note explores the safety risks associated.

Under the circumstances, it is only reasonable for the applicant to have demonstrated that the current easement agreement can continue to operate post development and no more. This information has been provided. Attached to the Robert West technical note are additional swept path analyses and an appraisal of the situation.

The transport assessment submitted in support of the application shows vehicle tracking for a large car, which itself is close to the weight restriction, successfully accessing the 222 Euston Road site via the ramp. There are no exact contemporary equivalent vehicles to the stated weight restrictions contained within the easement agreement. We have, nevertheless, demonstrated under normal circumstances how two additional types of vehicles to that included within the Transport Assessment can successfully access 222 Euston Road, including manoeuvres to ensure the vehicle can turn around and exit in a forward gear. The attached technical note includes a detailed assessment.

**It is therefore demonstrably evident that the proposal retains servicing access for the neighbouring site, under cover of the existing easement agreement, and as set out within the planning application.**

#### *Student residential and hotel uses in operation*

This will be a managed facility, with round the clock staff presence. Every aspect of the site's operation will be closely controlled and in accordance with a site management plan and the protocols contained within.

Set out clearly in the submitted Student Management Plan (page 6) is the following description for managing movement during the 'peak' times of the PBSA use:

#### **Moving In Process**

Every student must complete an 'on line' booking process during which the applicant confirms he or she will be attending a specified University and or Higher Educational Institute, the enquiry form seek pertinent referenced codes and these are cross referenced to the course and institute.

The move in weekend for students at the beginning of every academic year will be spread over 3 or 4 days. All students after reserving their room and completing their tenancy agreement will be

advised of the date and time for arrival to take up occupancy of their room. It is made clear to students that the allocation of time slots is to ensure a smooth and trouble free move in and minimize any localized disruption in terms of vehicular movements. All room allocations for move in are spread throughout the building to minimize pressure on the lift and stairwell. If students and parents choose to ignore these timings we reserve the right to refuse access until the site is able to accept them.

Additional staffing support is provided on move in weekends. The staff are on hand to assist in unloading from cars or provide assistance from cabs or those using public transport. Where assistance is provided all personal goods are stored in a secure location on the ground floor. This enables those with cars to unload quickly and move the vehicle to long-term parking. Details of public transport and parking locations in the general area are provided in a student move in pack

A Meet & Greet induction evenings will be held throughout the first few weeks, often themed around a social event. These will be held in the café / reception area. As part of these meetings, wherever possible, we involve the local Police and Fire Services. Each gives a short presentation as to life in accommodation blocks and what issues to look out for. This opportunity reinforces the need to be a good neighbour both inside and outside the block, and lets the fire service make a presentation as to fire risks and how to avoid them. This meeting delivers a strong message regarding acceptable behaviour and how students should live within the community.

#### **Move Out Process**

Our guests leave at different times throughout the year. USL operate a flexible booking policy, so when your course finishes our guests can leave, rather than being bound by fixed agreements. In our experience students move out over an extended period of time at the end of the academic year.

All students will be advised prior to the end of their tenancy period of the move out procedure and dates on which they would be expected to finally vacate.

Given the long term use of the student residences and the temporary and partial nature of the hotel use, the scoping exercise for the Transport Assessment based on full occupancy of the building by students was considered to be the 'worst case scenario'. Steve Cardno's comments endorse this approach.

The high level of accessibility by public transport, including the proximity of Euston Station, makes the site accessible on foot. Stephenson Way, being a relatively quiet street, is capable of accommodating waiting taxis too. Immediately to the west of the site is a traditional hotel which operates, as far as the applicant is aware, without undue stress on the highway or footpath network.

#### *Width of the footways*

The site does not include the public highway in Stephenson Way. There is no proposal to alter the footway in the application. The current footway width is a product of history and the distinctive former industrial nature of the street as it has evolved over time. Being a quiet street, pedestrians often use the carriageway without there being significant conflict with vehicles. We had assessed this as being part of the street character that needs to be protected.

The Euston Area Plan identifies Stephenson Way as an area where public realm improvement works are expected to occur in relation to the arrival of HS2. I would suggest that a comprehensive appraisal of the

street environment is not far off and any tokenistic gesture in relation to these proposals would be premature. However, this is an item for discussion under cover of a legal agreement where, as you have indicated, the securing of a contribution to public realm improvements from the development, over and above CIL, might be appropriate and supported by TfL.

*Provision for disabled car parking.*

It has been your consistent advice throughout pre-application discussion that this development come forward as car free in accordance with Policy T2 of the Local Plan and we have reflected that in our proposals. Sufficient space in close proximity is currently available within the street. I note Steve Cardno's endorsement of this approach.

*Cycle parking policy requirements of the Draft New London Plan.*

Cycle storage is shown that meets existing adopted standards. The standards in the Draft London Plan are just that – draft, ie not adopted. It is wholly appropriate to provide cycle storage in line with current policy. I note Steve Cardno's endorsement of this approach.

*Refuse collection*

All buildings fronting Euston Road with access onto Stephenson Way utilise bin collection from Stephenson Way / North Gower Street. The proposal fits into this established principle. Bins will be transported up the ramp onto Stephenson way / North Gower street for collection. Robert West explore this in more detail within their note. A servicing management plan agreed by condition would be an appropriate way to deal with this.

*Construction methodology statements and environmental management plans*

Construction impacts are not normally considered material to the principle of development, but we would expect you to require these by condition prior to commencement of development.

***Supply of student housing in Camden undermining the ability of the Council to meet its market, family, and affordable housing targets***

You will no doubt have well rehearsed approaches to the interpretation of policy in this area that I will not attempt to spell out, other than to refer you to the Planning Statement submitted in support of the application. I would offer the following commentary on the content of the objection as it relates to planning policy interpretation.

The objection, taken to its ultimate conclusion, reads as if every development site not proposing self-contained housing should be viewed as negatively impacting on the ability to deliver against the Plan target. This is a partial and misleading reading of policy. Adequate safeguards already exist in policy protecting the aspirations of the Plan.

The objection fails to acknowledge that, whilst a Plan priority, the delivery of self-contained housing has to be in balance with competing demands for a range of uses, including purpose built student residential accommodation (PBSA). Part of the test for the suitability of a site for any given use relates to a reading of the overall plan, including those policies relating to location, amenity, access and design. That includes appropriate weight being given to Policy H9 – the primary policy of relevance to the determination of applications for PBSA.

The site is within the Euston Area Plan boundary, which recognises this area as an appropriate location for student housing given access to Bloomsbury university campuses. The location of the site does make

it suitable for its proposed use by reason of proximity, in an area where, according to policy, a range of uses can be supported. The proposed use is a perfectly valid one in these terms.

As pointed out in pre-application advice from yourselves, student housing proposed in accordance with policy H9 of the Local Plan is considered to be residential floorspace. Therefore, the requirements of policy H2 do not apply. The Council will not seek the inclusion of self-contained housing in such a proposal unless the site has been identified for self-contained housing through a current planning permission or a development plan document.

Development of the site for PBSA will not deprive the Borough of an identified self-contained residential opportunity site. The site does not have the benefit of an extant permission for self-contained residential accommodation. The Local Plan identifies a supply of land for residential development over the Plan period and the application site is not identified as contributing to the Plan's target. The objection reference to policies relating to self contained housing therefore fall away.

Returning to the relevant Policy H9:

- It states that the Council "will seek a supply of student housing to **meet or exceed** Camden's target of 160 additional places in student housing per year and will support the development of student housing..."
- It contains no reference to a 'gate keeper' role for the local planning authority under policy whereby every proposal submitted after the annual target is reached is resisted
- It also seeks to **prevent** the loss of PBSA, recognising its important role in providing accommodation for a significant resident student population within the Borough
- It does not identify an area within the Borough where a 'harmful concentration' currently occurs

The objector is obviously not aware of the applicant's commitment to provide 33% of the units as affordable on site, to be secured by legal agreement. Under Policy H9 and the Mayor's Housing SPG, the requirement to provide evidence that a recognised higher education provider will adopt nomination rights for the accommodation also falls away.

The objector equates meeting or exceeding targets for PBSA development with oversupply. PBSA is part of the solution to London's housing crisis, and an acknowledgement of current trends in demand and provision in the sector and the recognised supportive interaction between the provision of PBSA and the protection of existing self-contained housing presents a more balanced view.

I refer you to the recent reports by JLL (2017) and Knight Frank (2018) attached to this letter and submitted via email. In summary:

- Demand for places at top ranked universities has strengthened (including places at institutions closest to this site)
- Demand for places at UK universities from students currently resident outside the UK has also increased, with the highest rates of increase from non-EU residents
- Demand for PBSA from UK resident students is also up. The number of undergraduates studying away from their home region has increased by more than 30% over the last ten years
- More than 210,000 full-time students were unable to access the (PBSA) sector in London in 2017, despite the number of beds available increasing

- The supply of PBSA is not keeping pace with the growth in demand for university places within the capital, The development pipeline has fallen by 41% in the last three years and is falling away still further – “At this rate, the targets established in the London plan will be challenging to meet...” (JLL 2017 p11)

It is self evident that demand for housing from students close to top ranked universities is going to be high and percentages of student residents in wards in and around Bloomsbury above the Borough average of 11.4% is not surprising. Pressure on the existing housing stock, in particular, the private rented sector provided in the form of HMOs, is correspondingly high. In these circumstances, close proximity PBSA helps reduce the stress on the existing housing market whereas I fail to see how a continued undersupply of PBSA can contribute in any positive way.

### ***Daylight and sunlight of future occupiers of the development***

The premises of 222 Euston Road currently benefits from an open vacant site immediately to its rear (the application site) in an otherwise dense and mixed use central city area. The proposals will alter this relationship.

The key point here in relation to daylight and sunlight is that, by the objector's own admission, there are no windows serving habitable rooms within the vicinity of the site upon which to make an informed assessment under the relevant BRE guidelines, and, as the guidelines themselves state, they are purely advisory. Interpretation of policy historically has sought to protect and prioritise residential amenity in a different way to the amenity of non-residential building users.

This is a densely developed city centre location. Historic development has been laid out and has evolved over time without the benefit of daylight and sunlight guidelines, so many existing relationships are, by the content of the guidelines, less than optimal. In such a setting, it is for the local planning authority to assess whether proposed relationships will have a detrimental impact.

In the absence of fixed regulations, this places an emphasis on the layout, scale, height and massing of the proposals being appropriate to their setting, considering existing relationships between buildings, whilst making full use of the site. The acceptability or otherwise of proposals falls to professional judgement by the local planning authority.

In our view, appropriate separation between the proposed and existing buildings surrounding the site has been maintained, given the constrained nature of the urban structure it forms part of. The building line, depth of floorplate, frontage height and sculpted massing of the building, set back on upper floors, is both sensitive to context and appropriate in architectural form, whilst making full use of the site. Appropriate separation is maintained between the proposed building and the office currently occupying 222 Euston Road (see below).

Our proposals were developed in response to both your own and the Design Panel's advice and sought to resolve issues raised where reasonable, practical and non-conflicting. You will no doubt refer to the Panel's advice in your consideration of the proposals. Notwithstanding minor labelling errors in pre-application material, I believe you are clear on the whereabouts of the proposals, what they entail and the location of immediately adjacent neighbouring buildings, sufficient to make a professional judgement on the planning balance.

***Future development potential of 222 Euston Road for residential development***

The future development potential of 222 Euston Road will be determined according to the development plan and all other material considerations existing at the time of a proposal and not the presence or otherwise of a vacant site to the north currently. Speculation on whether or not 222 is a realistic future development site I will leave to others.

In broad terms, the site upon which the current building at 222 sits carries fewer constraints than the application site, has sufficient plot width and depth to achieve a variety of building layouts and thus accommodate a range of uses. The future development potential of 222 Euston Road will not in our view be compromised, with appropriate separation between currently proposed and potentially proposed future development capable of being achieved:

- The proposed narrowest window to window distance from the rear of the building to the existing office extension at 222 is 9 metres at the closest point (from where the office façade then curves away). It is 14 metres to the main office rear facade.
- Further mitigation has been provided on the proposed rear façade by way of angling the windows away from 222 Euston Road

If 222 were to become a more sensitive use, say residential, then these distances would be appropriate in a high density city centre location.

***Basement Impact Assessment***

The Campbell Reith Audit findings have been reviewed by our consultants CGL and our supplementary submission has been passed on to you for further review. This is standard procedure at this stage of the application determination. I look forward to your confirmation that this now fully accords with the independently assessed audit. I trust this will address this point.

If you would like any further information or commentary on the contents of this letter, then please do not hesitate to call me.

Yours sincerely



**PETER DAVIS**  
**Project Director**  
for **tp bennett**

Encl.