

Deloitte Real Estate
1 New Street Square
London
EC4A 3PA

Application Ref: **2018/5332/P**

04 January 2019

Dear Sir/Madam

FOR INFORMATION ONLY - THIS IS NOT A FORMAL DECISION
Town and Country Planning Act 1990 (as amended)

DECISION SUBJECT TO A SECTION 106 LEGAL AGREEMENT

Address:

**UCL New Student Centre
(Land between 26 Gordon Square and 15 Gordon Street)
Gordon Street
London
WC1H 0AH**

Proposal: Removal of condition 18 (restricted hours of use) of planning permission 2015/3302/P (dated 18/11/2015) for the 'Erection of part 4, part 5 storey (with two storey basement) Student Centre to provide learning space and student support (Use Class D1) following demolition of theatre staircase and plantroom' to enable student's centre to be operated 24 hours per day 7 days a week.

Drawing Nos: Drawings: 689-NHA-PL-001, 689-NHA-PL-002, 689-NHA-PL-003, 689-NHA-PL-004, 689-NHA-PL-007, 689-NHA-PL-008, 689-NHA-PL-009, 689-NHA-PL-010, 689-NHA-PL-011, 689-NHA-PL-012, 689-NHA-PL-013, 689-NHA-PL-014, 689-NHA-PL-015, 689-NHA-PL-016, 689-NHA-PL-101, 689-NHA-PL-102, 689-NHA-PL-103, 689-NHA-PL-104, 689-NHA-PL-111, 689-NHA-PL-112, 689-NHA-PL-113, 689-NHA-PL-114, 689-NHA-PL-115, 689-NHA-PL-200, 689-NHA-PL-201, 689-NHA-PL-210 and 689-NHA-PL-211.

Supporting Document: Transport Statement dated June 2015 by iceni projects, Basement Impact Assessment dated 11th March 2015 by Curtins, Air Quality Assessment dated 3rd June 2015 by Air Quality Consultants, Energy Strategy dated 01 June 2015 by Expedition and Sustainability Statement dated 01 June 2015 by Expedition.

The Council has considered your application and decided to grant permission subject to the conditions and informatives (if applicable) listed below **AND** subject to the successful conclusion of a Section 106 Legal Agreement.

The matter has been referred to the Council's Legal Department and you will be contacted shortly. If you wish to discuss the matter please contact **Aidan Brookes** in the Legal Department on **020 7 974 1947**.

Once the Legal Agreement has been concluded, the formal decision letter will be sent to you.

Condition(s) and Reason(s):

- 1 This condition is intentionally left blank as the permission has already been implemented within three years of the date of the previous permission (2015/3302/P (dated 18/11/2015).

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans and supporting documents:

Drawings: 689-NHA-PL-001, 689-NHA-PL-002, 689-NHA-PL-003, 689-NHA-PL004, 689-NHA-PL-007, 689-NHA-PL-008, 689-NHA-PL-009, 689-NHA-PL-010, 689-NHA-PL-011, 689-NHA-PL-012, 689-NHA-PL-013, 689-NHA-PL-014, 689NHA-PL-015, 689-NHA-PL-016, 689-NHA-PL-101, 689-NHA-PL-102, 689-NHAPL-103, 689-NHA-PL-104, 689-NHA-PL-111, 689-NHA-PL-112, 689-NHA-PL-113, 689-NHA-PL-114, 689-NHA-PL-115, 689-NHA-PL-200, 689-NHA-PL-201, 689NHA-PL-210 and 689-NHA-PL-211.

Supporting Document: Transport Statement dated June 2015 by iceni projects, Basement Impact Assessment dated 11th March 2015 by Curtins, Air Quality Assessment dated 3rd June 2015 by Air Quality Consultants, Energy Strategy dated 01 June 2015 by Expedition and Sustainability Statement dated 01 June 2015 by Expedition.

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

- 3 The design of windows, ventilation grilles, external doors and gates (a); louvres (b); and facing materials (c), shall be carried out in strict accordance with the details approved under application ref 2017/6581/P dated 19/01/2018 (A-C) or other details which have been submitted to and approved in writing by the local planning authority prior to the commencement of relevant works. Such resubmitted details must include plans, sections and elevations at 1:10 (a/b) or samples and manufacturers specifications (c).

The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policies D1 and D2 of the London Borough of Camden Local Plan 2017.

- 4 The detailed design of facing brickwork (a), metal cladding (b) and paving for vehicular ramp (c) shall be carried out in strict accordance with the details approved under applications 2017/1352/P dated 20/03/2017 (a&b) and 2018/4890/P dated 23/10/2018 (c) or other details which have been submitted to and approved in writing by the local planning authority prior to the commencement of relevant works. Such resubmitted details must include 2m by 2m panels for facing brickwork (a) and metal cladding (b) as well as a paving sample (c).

The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policies D1 and D2 of the London Borough of Camden Local Plan 2017.

- 5 The scheme of hard and soft landscaping, shall be carried out in strict accordance with the details approved under application ref. 2018/2075/P dated 21/06/2018 or other details which have been submitted to and approved in writing by the local planning authority prior to the commencement of the relevant part of the works. Such resubmitted details must include full details of hard and soft landscaping and means of enclosure of all un-built, open areas including details of proposals for the enhancement of biodiversity, with particular reference to the nearby Gordon Square SINC

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 which contributes to the visual amenity and character of the area as well as local biodiversity in accordance with the requirements of policies A2, A3, A5, D1 and D2 of the London Borough of Camden Local Plan 2017.

- 6 All hard and soft landscaping works shall be carried out in accordance with the approved landscape details by not later than the end of the planting season following completion 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 policies A2, A3, D1 and D2 of the London Borough of Camden Local Plan 2017

- 7 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 policies G1, CC1, D1, A1 and A4 of the London Borough of Camden Local Plan 2017.

- 8 The scheme of cycle parking, shall be carried out in strict accordance with the details approved under application ref 2015/6974/P dated 15/02/2016 for other details which have been submitted to and approved in writing by the local planning authority prior to the commencement of works. Such resubmitted details must include details of secure and covered cycle storage area for 54 cycles.

The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy T1 of the London Borough of Camden Local Plan 2017.

- 9 The biodiverse roof shall be carried out in strict accordance with the details approved under application ref 2018/2583/P dated 27/09/2018 or other details which have been submitted to and approved in writing by the local planning authority prior to the commencement of the relevant part of works.

Any such resubmitted details must include development a plan showing details of the biodiverse 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 biodiverse roof, and a programme for a scheme of maintenance.

The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved and shall be permanently retained and maintained thereafter in accordance with the approved scheme of maintenance.

Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies G1, CC1, CC2, CC3, CC4, D1, D2 and A3 of the London Borough of Camden Local Plan 2017.

- 10 No loading or unloading of goods, including fuel, or collection of refuse, recycling or waste associated with the building, 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 policies A1 and T4 of the London Borough of Camden Local Plan 2017.

- 11 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 policies D1 and D2 of the London Borough of Camden Local Plan 2017.

- 12 Photovoltaic cells shall be installed on the building, carried out in strict accordance with the details approved under application ref 2018/2583/P dated 27/09/2018 or other details which have been submitted to and approved in writing by the local planning authority prior to the commencement of relevant works.

Any such resubmitted details must include detailed plans showing the location and extent of photovoltaic cells as well as details of meters to monitor energy output.

The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved and shall be permanently retained and maintained thereafter.

Reason: To ensure the development provides adequate on-site renewable energy facilities in accordance with the requirements of Policy G1, CC1 and CC2 of the London Borough of Camden Local Plan 2017.

- 13 Bird and bat boxes shall be installed on the building, carried out in strict accordance with the details approved under application 2018/2583/P dated 27/09/2018 or other details which have been submitted to and approved in writing by the local planning authority prior to the commencement of works. Any such resubmitted details must include details of the locations and types of boxes and an indication of species to be accommodated.

The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved and shall be permanently retained and maintained thereafter.

Reason: In order to secure appropriate features to conserve and enhance wildlife habitats and biodiversity measures within the development, in accordance with the requirements of Policy G1 and A3 of the London Borough of Camden Local Plan 2017

- 14 The sustainable urban drainage system shall be carried out in strict accordance with the details approved under application ref 2015/6914/P dated 10/02/2016 or other details which have been submitted to and approved in writing by the local planning authority prior to the commencement of relevant works.

Any such resubmitted details must include a lifetime maintenance plan and shall demonstrate that the system can accommodate all storms up to and including a 1:100 year storm with a 30% provision for climate change, and shall demonstrate a 50% reduction in run off rate.

The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved and shall be permanently retained and maintained thereafter in accordance with the approved maintenance plan.

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 CC1, CC2, CC3 of the London Borough of Camden Local Plan 2017.

- 15 The levels at the interface of the Development, the boundary of the Property and the Public Highway shall remain in strict accordance with the details approved under application ref 2015/6973/P dated 02/03/2016 or other details which have been submitted to and approved in writing by the local planning authority prior to the commencement of relevant works.

Reason: To ensure that the safety and efficiency and quality of the road network is maintained in accordance with policy A1, T1 T3 and T4 of the London Borough of Camden Local Plan 2017.

- 16 All removal of trees, hedgerows, shrubs, scrub or tall herbaceous vegetation shall be undertaken between September and February inclusive. If this is not possible then a suitably qualified ecologist shall check the areas concerned immediately prior to the clearance works to ensure that no nesting or nest-building birds are present. If any nesting birds are present then the vegetation shall not be removed until the fledglings have left the nest.

Reason: All wild birds, their nests and young are protected during the nesting period under The Wildlife and Countryside Act 1981 (as amended).

- 17 This condition is intentionally left blank as post completion SuDS installation confirmation has been agreed under application ref 2018/5833/P dated 20/12/2018.

Informative(s):

- 1 Permission is sought to remove condition 18 (hours of use) from planning permission 2015/3302/P dated 18/11/2015. No other changes to the approved scheme are sought. The substantive permission assessed the full impacts of the development. This 'parent' application was approved and all subsequent conditions needing details to be submitted have now been discharged. Under the scope of this application, the only planning considerations are therefore whether the removal of condition 18 would safeguard the amenities of the adjoining premises and the area generally.

Submitted alongside the application are details of the proposed operation of the building outside of normal working hours. The new student's centre has been designed to facilitate private and group working for students and the merits of allowing 24hr access are acknowledged from this perspective. The site is very well connected via public transport, including numerous local night bus services and only a short walk to multiple stations served by 'night tubes' - a service expected to be expanded to encourage a '24hr city'. Given the type of use, coming and going in and out of the building are unlikely to generate significant levels of breakout noise or disruption. Notwithstanding this there are very few residential units in the local area, which is characterised by institutional buildings. Some initial concerns had been raised by the Designing Out Crime Officer in relation to how access into the building would be managed out of hours. However, the provision of additional confirmation has demonstrated that the building would remain accessible via staff/student passes only after hours, and that the main entrance and building would also be staffed 24/7 to act as an extra safeguard.

As no other alterations are proposed to the scheme, these recommendations are subject to all other obligations and outstanding conditions being carried across to the new permission.

In light of the above, the proposed removal of condition 18 is not considered to result in any harm to the amenities of the adjoining premises and the area generally and so is considered acceptable in line with policy A1, A4 and C5 of the Camden Borough Local Plan (2017). The development would also accord with the London Plan (2016) and the NPPF (2018). The removal of the condition would require a deed of variation to the s106 legal agreement.

- 2 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.
- 3 This approval under Section 73 of the 1990 Act effectively varying the relevant condition of the previous planning permission is subject otherwise to the same terms, drawings, conditions (and obligations where applicable) as attached to the previous planning permission. This includes condition 1 providing for a 3 year time period for implementation which for the avoidance of doubt commences with the date of the original decision (and not this variation).

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

Supporting Communities Directorate

Executive Director Supporting Communities

DRAFT

DECISION