

Address:	Land fronting Stephenson Way (to the rear of 222 Euston Road adjacent to 210 Euston Road) London NW1 2DA		1
Application Number:	2018/2316/P	Officer: David Peres Da Costa	
Ward:	Regent's Park		
Date Received:	18/05/2018		
Proposal: Erection of a 7-storey building plus basement for student accommodation use with 78 rooms of accommodation on the upper floors including shared amenity space at ground and sixth floor level and terrace at 6th floor level fronting Stephenson Way (Sui Generis). Retention of the vehicular easement from Stephenson Way to the rear of 222 Euston Road.			
Background Papers, Supporting Documents and Drawing Numbers:			
Existing drawings: D 0000 D1; D 0001 D1; D 0002 D1; D 0200 D1; D 0225 D1			
Proposed drawings: D 0011 D1; D 0010 D2; D 0099 D4; D 0100 D3; D 0101 D4; D 0102 D3; D 0103 D3; D 0104 D3; D 0105 D5; D 0106 D4; D 0107 D6; D 0600 D1; D0210 D5; D0211 D6; D0230 D6; D0231 D6; D0205 D4; D 0610 D1			
Supporting documents: BIA Phase 1 - Screening and Scoping Report prepared by CGL dated May 2018; Basement Impact Assessment prepared by CGL dated April 2019; Rapid Health Impact Assessment Matrix dated April 2017; Preliminary Ecological Appraisal prepared by PJC dated 29 March 2018; Noise Assessment Report prepared by Equus dated March 2018; Urban Student Life Management Statement dated April 2018; Energy Strategy prepared by Thornley & Lumb (third issue) dated 21.02.18; Design and Access Statement prepared by TP Bennett dated May 2018; Air Quality Assessment prepared by Hoare Lea dated 25 February 2019; Transport Assessment prepared by Robert West dated April 2018; Planning Statement prepared by TP Bennett dated May 2018; Archaeological Desk Based Assessment prepared by CGMS dated March 2018; Drainage Strategy prepared by Lanmor dated November 2018; Accommodation and Area Schedule prepared by TP Bennett; Phase 1 Contamination Assessment prepared by MLM dated 25/04/18; Secured By Design Statement V2 prepared by TP Bennett; Arboricultural Survey prepared by PJC dated 10th October 2018; Response to Objection prepared by Robert West dated 09/10/2018; Letter prepared by TP Bennett dated 10 October 2018; The Oakwood Deed of Grant of Right of Way and Variation of Lease dated 1991; UK Student Housing Update prepared by Knight Frank; London Student Housing report dated 2017; BREEAM Pre Assessment Report dated 20/04/18; Daylight and Sunlight Amenity prepared by Malcolm Hollis dated 07 December 2018			
RECOMMENDATION SUMMARY: Grant conditional planning permission subject to a Section106 legal agreement			
Applicant: Churchgate Ltd			Agent: TP Bennett

c/o agent	1 America Street London SE1 0NE
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1 ANALYSIS INFORMATION

Land Use Details:			
	Use Class	Use Description	Floorspace
Existing		<i>Vacant site</i>	<i>406m²</i>
Proposed		<i>Sui Generis Student Accommodation</i>	<i>2170m² (GIA) 2453m² (GEA)</i>

OFFICERS' REPORT

Reason for Referral to Committee: Major development where this involves the construction, extension or conversion of floorspace for more than 1000 sqm of non-residential floorspace.

Executive Summary

The site contains a vacant, gap site of 406sqm which currently provides vehicular access to number 222 Euston Road (down an existing ramp).

The site is bounded to the west by a part 4 part 5 storey building (Euston Square Hotel, 152-156 North Gower St). To the east is an 8-storey building in office use currently undergoing refurbishment with extension (210 Euston Road) which fronts Euston Road and extends to Stephenson Way. To the south of the site is a 6-storey building in education use (210 Euston Road). On the opposite side of Stephenson Way (to the north of the site) are 5-storey buildings in office and academic use. The site is located in the area covered by the Euston Area Plan (EAP) and close to the terminus for HS2. This will raise the profile of Stephenson Way.

The development proposed is for the erection of a 7-storey building (plus basement) to provide student accommodation (Sui Generis) with 78 rooms of accommodation and shared amenity space including a terrace at 6th floor level. The vehicular access from Stephenson Way to the rear of 222 Euston Road would be retained. The student accommodation would provide a mix of self-contained (80.8%) and shared facility living (19.2%) which would be used for student occupation during university term times and visitor occupation outside these times.

The student accommodation would be in a highly accessible Central London location and would provide 33% affordable student rooms. The student housing would meet the relevant criteria in Policy H9 and so the principle of student housing on this gap site would be supported. The use would be controlled via planning obligations.

The Design Review Panel have reviewed the scheme and consider that the development presents a good opportunity to fill an unsightly gap in the street frontage in Stephenson Way. The development would provide an appropriate scale to the frontage to Stephenson Way and would have a simple architectural expression employing high quality materials and detailing. It successfully responds to the surrounding context and would be a quieter but nevertheless confident new addition to the streetscape.

An objection was received from the owner of 222 Euston Road raising concerns regarding their rights of access (servicing) and loss of daylight to their property. The servicing of 222 Euston Road is from a ramp on Stephenson Way which leads to their service yard. The proposed development would reduce the ramp dimensions. The owners of this site have a legal agreement which grants a right of way for vehicles not exceeding 2.5 tons. The Council's transport officer has reviewed the concerns raised and has confirmed the proposal would not have a detrimental impact on the use of the servicing yard. There is room for small vehicles (i.e. under 3.5T) to perform a 3 point turn within the servicing yard.

The development would secure the following significant contributions: £81,900 towards Pedestrian, Cycling and Environmental Improvements £11.451 towards Employment and Training and £189,540 towards Open Space (other contributions and obligations are set out in the report).

1. SITE

- 1.1. The site contains a vacant, gap site of 406sqm. The site currently provides vehicular access to number 222 Euston Road down the existing ramp with six car parking spaces. The site was previously occupied in part by 43-55 Stephenson Way. These buildings were demolished in the 1990s (see planning history).
- 1.2. The site is located in the Central London Area and within the area covered by the Euston Area Plan (EAP). As the terminus for HS2, there are comprehensive plans for extending Euston Station westwards. Streets immediately east and north of Stephenson Way will be transformed to create a new setting for the station along with western entrances. This will raise the profile of Stephenson Way and associated improvements to the public realm in the vicinity are expected to follow. The site falls within the Drummond Street and Hampstead Road character area of the EAP. Stephenson Way is designated in the EAP for public realm enhancements and enhanced walking and cycling routes.
- 1.3. The site is located in the Euston Growth Area.
- 1.4. The site is not located within a Conservation Area but the Bloomsbury Conservation Area is located just to the east of the site (34m away) and to the south of the Euston Road. There are also two locally listed buildings on the opposite side of Stephenson Way, which are late Victorian-era warehouse and manufacturing buildings (18-20 and 22 Stephenson Way). The Granite setted carriageway of Stephenson Way is also locally listed.
- 1.5. The site is located within the Background Assessment Area of a London View Management Corridor (Greenwich Park Wolfe statue to St Paul's Cathedral).
- 1.6. The site is bounded to the west by a part 4 part 5 storey building (Euston Square Hotel) at 152-156 North Gower St. To the east is an 8-storey building in office use currently undergoing refurbishment with extension (210 Euston Road) which fronts Euston Road and extends to Stephenson Way. Further to the east is a 7-storey student accommodation building (Bentley House, 200 Euston Road - IQ Bloomsbury), incorporating a retained façade on Euston Road and secondary frontage to Stephenson Way. To the south of the site is a 6-storey building in education use, part of UCL – the Farr Institute of Health Informatics Research (210 Euston Road). To the north of the site are 5-storey buildings in office and academic use. Immediately to the north (opposite the site) is the Institute of Family Therapy at 24-32 Stephenson Way. Also to the north are offices at 158-160 North Gower Street and offices at 22 Stephenson Way.

2. THE PROPOSAL

- 2.1. Erection of a 7-storey building (plus basement) to provide student accommodation (Sui Generis) with 78 rooms of accommodation on the upper floors and shared amenity space at ground (study) and sixth floor level (32.7sqm club room) and including a terrace at 6th floor level fronting Stephenson Way. The vehicular access from Stephenson Way to the rear of 222 Euston Road would be retained.
- 2.2. A staffed reception area and a laundry room would be provided at ground floor with a dedicated music room and practice room in the basement.
- 2.3. The student accommodation would provide a mix of self-contained (80.8%) and shared facility living (19.2%) which would be used for student occupation during university term times and visitor occupation outside these times. The unit sizes vary, with micro studio, standard studio, wheelchair accessible studio all with a private bathroom and sink, WC and shower unit. A 'threedio' has three bedrooms but incorporates a shared kitchen, WC and shower rather than an en-suite for each bedroom. Outside of term time the development would be used as visitor accommodation.
- 2.4. Revision
- 2.5. The application was revised to change the proposed use set out in the description. Originally the applicant had applied for 'dual student accommodation (C2) and hotel (C1) use'. This description was not supported and the description of the proposed use was therefore revised to student accommodation (Sui Generis). Outside of term time, the property would be used as visitor accommodation.
- 2.6. The application was also revised to amend the floor plans and rear elevation to ensure that all the rooms would meet HMO standards and to address overlooking issues of the neighbouring site (222 Euston Road). The rear façade was altered in order to create additional floorspace so that all rooms would meet the minimum floorspace requirement (14.2 sqm). In addition, the finish of the upper 2 storeys on the Stephenson Way elevation was amended to brick (from render). The roof top plant was also relocated during the course of the application.

3. RELEVANT HISTORY

The application site (Stephenson Way)

- 3.1. An earlier version of the scheme was reviewed by the Council's Design Review Panel (DRP) 10/11/17 prior to submission of the application. A summary of the DRP's comments can be found in the design section of the report below.

210 Euston Road

- 3.2. Planning permission granted 20/11/1969 for erection of an additional storey (seventh floor) for office use at No. 210, Euston Road (ref 7763)
- 3.3. Planning permission was granted on appeal 24/4/1989 for the redevelopment of the site by the erection of a seven storey building for B1 use at 210 Euston Road and a six storey residential building at 43-55 Stephenson Way (ref 8800548)
- 3.4. 8900410: Approval of details of design and external appearance (excluding facing materials) and means of access pursuant to condition 1(a) of the Department of the Environment permission dated 24th April 1989 for the construction of new development comprising business use (Class B1) and residential premises. Granted 10/01/1990
- 3.5. 9000350: Planning permission was granted 02/07/1991 for the demolition of existing buildings and construction of a new development comprising business use (B1) and residential premises for which detailed consent was given on 10th January 1990 (Reg.No.PL/8900410). Maintain existing right of way through 210 site to access 222 site.
- 3.6. 2018/3309/P: Erection of single storey roof extension to the existing office building (Class B1) and the provision of flexible retail and leisure floorspace (Classes A1/D2) on the ground and lower floors, with associated refurbishment, elevational alterations at ground and first floor, replacement windows, installation of plant, cycle facilities and storage. Granted Subject to a Section 106 Legal Agreement 04/01/2019

222 Euston Road

- 3.7. Outline planning permission was granted on 01/07/1993 for the redevelopment of the site by the erection of a building consisting of 6 500 square metres of office accommodation and 2 100 square metres of residential flats (ref 9200646)
- 3.8. Outline permission was granted on 13/12/1990 for the erection of a basement ground and six storey building to be used for purposes defined by Class B1 of the Town and Country Planning (Use Classes) Order 1987
- 3.9. Planning permission was granted on 03/12/2013 for the change of use of lower ground to fourth floor from offices (Class B1) to dual use education (Class D1) and office (Class B1) for a temporary period of 10 years (ref 2013/5523/P)
- 3.10. Bentley House, 200 Euston Road
- 3.11. **2010/3449/P**: Change of use of commercial building from storage (Class B8) to provide 184 bedspaces of student accommodation (sui generis) in a mix of unit sizes and layouts, and remodelling of building as part 4 - part 6 storey (plus plant room) behind retained façade to Euston Road, following substantial demolition of the building. Refused 10/01/2011 Appeal allowed 09/01/2012

- 3.12. Reasons for refusal
- 3.13. Reason 1: The redevelopment of site for entirely student accommodation units without contributing to the provision of permanent housing (Class C3) would be contrary to key aims of the Council's core strategy which identifies housing as a priority use.
- 3.14. Reason 2: In the absence of sufficient evidence to justify why the site is not suitable for retention of employment uses the proposed development would result in the unacceptable loss of a site where there may be potential for employment use to continue.
- 3.15. Reason 3: In the absence of sufficient evidence to demonstrate that the habitable rooms at basement and at ground floor fronting the west lightwell would receive an acceptable level of access to natural light, the development is likely to fail to provide acceptable living conditions for its occupants.
- 3.16. There were a further 11 reasons for refusal, all of which related to the absence of a legal agreement securing policy requirements.
- 3.17. **2012/3835/P**: Non-material amendments to planning permission granted on appeal on 09/01/12 (ref: 2010/3449/P) for change of use of commercial building from storage (Class B8) to provide 184 bedspaces of student accommodation (sui generis), namely for a changed mix of student bedspace accommodation by reducing bedspaces from 184 to 171, alterations to window on internal courtyard elevations, alterations to cycle store and number of spaces. Granted 17/08/2012
- 3.18. *Other nearby planning permissions involving student accommodation:*
- 3.19. Euston House, 81-103 Euston Street
- 3.20. PS9604196: Change of use from offices (Class B1), and works of conversion plus the erection of roof extensions and glazed canopy to enclose the courtyard, to provide a 155 bed student hostel with associated uses (worship centre, café and conference/meeting facilities). Granted 21/03/1997
- 3.21. Schafer House, 168-182 Drummond Street
- 3.22. **9400232**: Redevelopment by the erection of a student hostel housing 371 students. Granted 08/05/2003

4. CONSULTATIONS

Statutory Consultees

- 4.1. Thames Water
- 4.2. Waste Comments

- 4.3. With regard to surface water drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required.
- 4.4. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: *“A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water’s Risk Management Team by telephoning 02035779483 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality”*.
- 4.5. The proposed development is located within 15m of our underground waste water assets and as such we would like the following informative attached to any approval granted. *“The proposed development is located within 15m of Thames Waters underground assets, as such the development could cause the assets to fail if appropriate measures are not taken. Please read our guide ‘working near our assets’ to ensure your workings are in line with the necessary processes you need to follow if you’re considering working above or near our pipes or other structures.<https://developers.thameswater.co.uk/Developing-a-large-site/Planningyour-development/Working-near-or-diverting-our-pipes>. Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB”*
- 4.6. Thames Water would advise that with regard to waste water network and waste water process infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.
- 4.7. Water Comments
- 4.8. On the basis of information provided, Thames Water would advise that with regard to water network infrastructure capacity, we would not have any objection to the above planning application. Thames Water recommend the following informative be attached to this planning permission. *“Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.”*
- 4.9. Adjoining Occupiers

<i>Total number of responses received</i>	2
<i>Number in support</i>	0
<i>Number of objections</i>	2

- 4.10. A site notice was displayed from 20/6/18 to 14/07/18 and the application was advertised in the local paper on 21/6/18. Two objections were received.
- 4.11. The occupier of 40 Hampstead Road objected on the following grounds:
- 4.12. *There has been no discussion with resident who has the Dedicated Disabled Bay (136) in Stephenson Way not a normal disabled bay. This would have to be moved from the site and placed in another street which can take up to 1 year from application to completion which is how long this took to be placed in Stephenson way. This would be detrimental to me as I have a severe disability. I would like a notification from the planning department on if they have discussed this with the dedicated disabled bay team about moving the bay if this planning application is successful.*
- 4.13. The occupier of 40 Hampstead Road has been contacted by the Council's transport officers. This matter is dealt with in the transport section of the report (paragraph 6.131).
- 4.14. An objection was also received from a planning consultant acting on behalf of the owner of 222 Euston Road (Thurston Corporation). Thurston Corporation is the freeholder 222 Euston Road, with the property currently leased to UCL. 222 Euston Road benefits from a right of access through the application site. This agreement grants a permanent vehicular and pedestrian right of access to Thurston Corporation and all persons authorised by them to and from Stephenson Way. Our client is concerned that the development as proposed would not allow for this right of access to be maintained in full, and therefore that the proposed development will have a material impact on the ability to continue operation and servicing of 222 Euston Road.
- 4.15. The deed of easement does refer specifically to vehicles not exceeding 2 tonnes and 10. However, the deed makes no mention of width. As detailed in the technical note, the ramp is currently approximately 4.9m wide around the curve and – in the absence of any narrower definition in the deed – the rights of access exercised by 222 Euston Road correspond with physical dimensions of the existing ramp. This is a defined area. The applicant's proposals will result in a reduction to approximately 3.7m, which is unacceptable and will compromise the ability of the owners and occupiers of 222 Euston Road to exercise their rights of access.
- 4.16. In addition, we note that the existing rights of access to and from the rear of 222 Euston Road have been used for a number of years by not only cars, but also larger vehicles (including 4.6 ton vans, cement mixers and 7.5 ton vans) for a variety of purposes including deliveries, loading/unloading and servicing. As a result of this long use, 222 Euston Road benefits from rights of access for heavy vehicles over and above the rights set out in the deed of easement. The technical note showing vehicle tracking for a 4.6 ton vehicle is therefore very relevant, and it

reflects the day to day use of 222 Euston Road which will be severely impacted by the proposals.

4.17. Furthermore, with respect to the information submitted with the application it is important to note that whilst tracking has been provided within the Transport Assessment (TA) for a large car, it fails to show the car being able to manoeuvre from entering to exiting the site. It also demonstrates that the manoeuvre is extremely tight and in practical terms could not be expected to be used regularly without incurring damage to the user's vehicle. In simple terms, any vehicle accessing the site via the ramp proposed in the application would be required to drive in and reverse out, or vice versa, as there is no provision made for a turning manoeuvre, which can be performed with the existing layout.

4.18. The following issues were raised:

Planning

- The recorded saturation of the student housing market in Camden and its undermining of the ability of the Council to meet its market, family, and affordable housing targets;
- Insufficient evidence to confirm the amenity of future occupiers in the development will be achieved in terms of daylight sunlight standards;
- The failure to consider the future development potential of 222 Euston Road, undermining its ability to achieve any residential based development;
- Insufficient evidence within the Basement Impact Assessment to demonstrate the proposed development would not cause harm to the amenity of neighbours, affect the stability of buildings, cause drainage or flooding problems, or damage the character of areas and the natural environment;
- A failure of the submitted Transport Assessment to consider the specific impact for the proposed hotel use outside of term times;
- No consideration for the impact of traffic flows at peak times (in relation to student uses); at the start and end of terms;
- The failure to provide any blue badge holder car parking spaces;
- Insufficient cycle parking spaces to meet the new London Plan standards;
- No details of how refuse collection can be secured without impeding access and movement on Stephenson Way; and
- The proposed development would reduce the size of the access ramp, which Thurston Corporation holds a legal access right over, compromising the ability of larger vehicles to enter and exit the site. This would undermine the future operation of 222 Euston Road.

Transport – Technical

- The trip generation study considers only the student accommodation use and does not include any consideration of the proposed visitor accommodation (outside term-time);
- The width of the footways could be considered inadequate following the construction of the proposed development;

- No information is provided on how moving in and out of the accommodation will be managed and accommodated on-street;
- The proposed development does not include any provision for disabled car parking;
- The site does not currently comply with cycle parking policy requirements of the Draft New London Plan;
- It is not clear in the TA how refuse collection could be undertaken without impeding access and movement on Stephenson Way;
- Information should be provided on how the construction impact will be mitigated, and confirmation is required;
- The ramp dimensions appear to have been reduced as a result of the proposed development from that currently provided;
- The swept path analysis appended to this Note demonstrates that proposed redevelopment of the site would clearly impede and preclude the continued servicing and access of the client's adjacent site; and
- A Delivery and Service Plan and Construction Logistics Plan have not been provided and are considered to be required at application stage.
- The proposed built form above the access ramp introduces a limit to the height of vehicles entering and exiting the site. The submitted documents and drawing appear to show a clear height of 2.35m at the access gate. This would act as a further restriction on the height of vehicles able to access 222 Euston Road via the access ramp. For clarity, the height of a Long Wheel Base transit (similar to that used to service 222 Euston Road) is either 2.43m or 2.78m in height.

4.19. The planning consultant for 222 Euston Road submitted a daylight and sunlight report prepared by GL Hearn. The main issues raised were as follows:

Impact on 222 Euston Road

We have inspected the Property to confirm the use and internal arrangements of the rooms with windows facing the Proposed Scheme. At lower ground floor there are three teaching rooms and at ground floor a seminar room and public engagement space. On the upper floors are offices and break out areas used by UCL staff. It was evident from our inspection that the Property does contain habitable rooms with windows facing the Site and a daylight and sunlight report should have been submitted. It was further evident that the occupants and visitors of 222 Euston Road have a reasonable expectation of daylight.

Starting with the VSC test, 39 of the 49 windows assessed would not meet the BRE guidelines. Indeed, the majority of windows experience reductions significantly beyond the guidance values. To give an example, a classroom on the ground floor (Ref: R5) is served by two windows (W5 and W6) which currently receive VSC values of 20.14% and 21.78% respectively. These values would be reduced to 3.64% and 4.70%, approximately 0.2 times their current value. In other words, the windows experience 80% reductions in the amount of visible sky.

In terms of Daylight Distribution (No Sky Line), 13 of the 19 rooms assessed would not meet the BRE guidelines with most rooms experiencing a reduction of at least 50%. Again, using the ground floor classroom as an example, currently 60% of the working plane receives direct sky visibility and this would be reduced to 23%,

0.39 times its current value. Included at Appendix 3 are contour plots which show the reduction in direct sky visibility to each habitable room, illustrated by yellow hatching.

There would be a significant loss of daylight to 222 Euston Road, well in excess of the BRE guidelines. In our opinion, loss could adversely affect the current and potential future use of the building.

Light within proposed micro studios

In terms of daylight, the BRE Report suggests that ADF is used as the measure of general illumination from skylight and that values of at least 1% in bedrooms, 1.5% in living rooms and 2% in kitchens are recommended, even if a predominantly daylight appearance is not required. The micro studios contain all three of these uses.

All but one of the rooms on first to third floor achieve ADF values between 1% and 2% with five rooms achieving a value between 1% and 1.5%.

In terms of sunlight, it is recommended that interiors in which the occupants have a reasonable expectation of direct sunlight should receive at least 25% of probable sunlight hours with at least 5% received during the winter months. As can be seen from the APSH results under Appendix 5, only one window on the first floor would meet the recommended minimum value for annual or winter sun. On the floors above, where there is greater access to sunlight, there would be greater compliance with the BRE Report guidelines.

Analysis of the light to the rooms within the Proposed Scheme highlights that the extremely narrow gap between the Site and the Property would result in low levels of daylight and sunlight to the proposed single aspect rooms on the lower floors.

5. POLICIES

5.1. National and regional policy

NPPF 2018

The London Plan March 2016, consolidated with alterations since 2011

5.2. Local Plan

G1 – Delivery and location of growth

H1 – Maximising housing supply;

H2 – Maximising the supply of self-contained housing from mixed-use schemes

H4 – Maximising the supply of affordable housing

H6 – Housing choice and mix

H7 – Large and small homes

H9 – Student housing

C1 – Health and wellbeing

C5 – Safety and security

C6 – Access for all

A1 – Managing the impact of development

A2 – Open space

A3 – Biodiversity
A4 – Noise and vibration
A5 – Basements
D1 – Design;
CC1 – Climate change mitigation
CC2 – Adapting to climate change
CC3 – Water and flooding
CC4 – Air quality
CC5 – Waste
DM1 – Delivery and monitoring
T1 – Prioritising walking, cycling and public transport
T2 – Car-free development and limiting the availability of parking

5.3. **Euston Area Plan**

Strategic Principle EAP 1
Strategic Principle EAP 2: Design
Strategic Principle EAP 3: Transport
Strategic Principle EAP 4: Environment and open space
Development Principle EAP 4: Drummond Street & Hampstead Road

5.4. **Supplementary Planning Policies**

Camden Planning Guidance

CPG Housing (March 2018)
CPG Amenity (March 2018)
CPG Basements (March 2018)
CPG Employment sites and business premises (March 2018)
CPG Planning for health and wellbeing (March 2018)
CPG Public Open Space (March 2018)
CPG Access for all (March 2019)
CPG Air quality (March 2019)
CPG Design (March 2019)
CPG Developer contributions (March 2019)
CPG Energy efficiency and adaptation (March 2019)
CPG Student housing (March 2019)
CPG Transport (March 2019)
CPG Water and flooding (March 2019)

6. ASSESSMENT

6.1. The main considerations subject to the assessment of this planning application are:

- Land use
- Student Housing quality
- Design and appearance
- Neighbouring Amenity
- Transport
- Sustainability
- Planning obligations
- CIL

6.2. Land Use

- 6.3. The site contains a vacant, gap site of 406sqm. The site currently provides vehicular access to number 222 Euston Road down the existing ramp with six car parking spaces.
- 6.4. The site was at one time occupied by an office building connected by a footbridge to a building on 210 Euston Road and the cleared site of former residential tenements at 53 and 55 Stephenson Way. Planning permission was subsequently granted on appeal 30/03/1989 for the redevelopment of the site (210 Euston road & 43-55 Stephenson Way) by the erection of a seven storey building for B1 use at 210 Euston Road and a six storey residential building at 43-55 Stephenson Way (ref 8800548). Planning permission for '*Demolition of existing buildings and construction of a new development comprising business use (B1) and residential premises for which detailed consent was given on 10th January 1990 (Reg.No.PL/8900410). Maintain existing right of way through 210 site to access 222 site*' was granted 02/07/1991.
- 6.5. It is reasonable to assume that the above planning permission granted 30/03/1989 at 210 Euston road & 43-55 Stephenson Way (planning ref: 8800548) was only ever part implemented and the residential block was never built out.

6.6. Student Housing

- 6.7. The Local Plan includes Policy H9 Student Housing and aims to ensure that there is a supply of student housing available at costs to meet the needs of students from a variety of backgrounds in order to support the growth of higher education institutions in Camden and London's international academic reputation. 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 provided that the development meets certain criteria.
- a. will not involve the net loss of 2 or more self-contained homes;
 - b. will not prejudice the Council's ability to meet the target of 742 additional self-contained homes per year;
 - c. will not involve a site identified for self-contained housing through a current planning permission or a development plan document unless it is shown that the site is no longer developable for self-contained housing;
 - d. complies with any relevant standards for houses in multiple occupation (HMOs);
 - e. serves higher education institutions that are accessible from it;
 - f. includes a range of flat layouts including flats with shared facilities wherever practical and appropriate;
 - g. has an undertaking in place to provide housing for students at one or more specific education institutions, or otherwise provide a range of accommodation that is affordable to the student body as a whole;
 - h. will be accessible to public transport, workplaces, shops, services, and community facilities;
 - i. contributes to creating a mixed, inclusive and sustainable community; and

- j. does not create a harmful concentration of such a use in the local area or cause harm to nearby residential amenity.

- 6.8. The student accommodation (comprising 78 rooms) would provide a mix of self-contained (80.8%) and shared facility living (19.2%) (criteria f). The Student Housing CPG was adopted in March 2019. To address concerns with the cost of student accommodation, it seeks the adoption of lower cost layouts across student housing developments. It requires 50% of bedspaces to be provided in cluster flats and no more than half of the bedspaces to be provided in studio flats. As the application was submitted in May 2018, the mix of the rooms was designed in accordance with the previous Student Housing CPG and it would therefore not accord with the recently adopted requirements. It is considered unreasonable to expect the scheme to be revised to meet the percentage of cluster flats set out in the latest guidance as this would require the whole scheme to be redesigned. Therefore in this instance, the mix of accommodation is considered acceptable and would accord with Policy H9 (criteria f).
- 6.9. The unit sizes vary, with micro studio, standard studio, wheelchair accessible studio all with a private bathroom and sink, WC and shower unit. A 'threedio' has three bedrooms but incorporates a shared kitchen, WC and shower rather than an en-suite for each bedroom. The mix of self-contained rooms alongside clustered bedrooms sharing communal facilities (threedio) provides a choice of lifestyle and budget. The inclusion of some shared facilities and communal space within the building would avoid isolation of the individual residents.
- 6.10. In order to meet HMO standards, the minimum size for a single room with kitchen is 12sqm. Bathrooms must be a minimum of 2.2sqm. Therefore the minimum size of single rooms with en-suite bathrooms would be 14.2sqm. The majority of the rooms would meet or exceed this minimum requirement (criteria d). Five rooms at 5th floor level would fall slightly under the minimum required (13.5sqm). These rooms are located where the fifth floor steps back. Therefore the small shortfall in floorspace is considered acceptable in this instance as on balance it would reduce the appearance of bulk and height of the building when viewed from Stephenson Way.
- 6.11. The Student Housing CPG was adopted in March 2019 and sets out minimum room sizes which go beyond what was previously expected. Additional space is now factored in which results in the minimum floorspace for a studio with kitchen facilities and shower, WC and wash basin of 15.5sqm. As the application was submitted in May 2018, the size of the rooms was amended during the course of the application to ensure they would meet the previous Student Housing CPG which specified HMO standards. The size of the rooms would therefore not meet the increased size benchmark (15.5sqm) in the latest guidance. As set out previously, it is considered unreasonable to expect the scheme to be revised at such a late stage to meet the new benchmark for size of rooms as this would require the whole scheme to be redesigned. Therefore, in this instance, the standard of accommodation is considered acceptable and would accord with Policy H9 (criteria d).
- 6.12. The proposed student accommodation would be in the Central London Area and would therefore be located in a highly accessible location in terms of public

transport, shops, services, and community facilities (criteria h). The site has excellent access to public transport (PTAL rating of 6b (best)).

- 6.13. The Council requires the applicant to commit to signing a nominations agreement for the affordable student rooms prior to occupation (criteria g). The applicant has agreed to provide 33% affordable student rooms and to commit to a nomination agreement for the affordable rooms prior to occupation.
- 6.14. Mayor's Housing SPG (as updated in Annual Monitoring Reports) provides guidance on the cost of affordable student housing. The latest Annual Monitoring Report states the annual rental cost for affordable purpose built student accommodation (PBSA) equates to 55% of the maximum student maintenance loan for living costs available to a UK full-time student in London living away from home for that academic year. For the academic year 2017/18 the annual rental cost for affordable PBSA must not exceed £6,051. The figure will be different for 2018/19.
- 6.15. Sites in the Euston area also have potential to deliver student housing up to a limit of 25% of all the area's new housing, as indicated by the Euston Area Plan (at least 75% of new housing should be provided as permanent self-contained homes).
- 6.16. The Council will consider the impact and appropriateness of student housing proposals on a case by case basis, taking into account the specific characteristics of the proposed development and the area in which it is proposed. Camden Planning Guidance 'Student Housing' provides thresholds to guide student housing towards areas where the mix, inclusiveness and sustainability of the community is least likely to be harmed, however a planning application would not necessarily be refused where it exceeds these thresholds (paragraph 3.12).
- 6.17. On the basis of past appeal decisions, the Council consider that proposals for student housing are most likely to intensify an existing concentration in a way that has an unacceptable impact on the mix, inclusiveness and sustainability of the community where one or both of the following thresholds are exceeded (but exceeding the thresholds will not necessarily lead to rejection of a proposal):
 - resident students represent over 25% of usual residents in the ward; and/ or
 - the proposal would lead to over 800 beds of student housing being located within a radius of 300 metres from the proposal site.
- 6.18. According to the 2011 Census, the Regent's Park ward had a 19.8% share of usual residents as term time resident FT students (aged 18 or over). This ward is 3rd in the rank order in 2011 (one being the highest). The Higher Education Statistics Authority provides a more recent percentage share for 2017/18. It states that a 17.5% share of the GLA 2016 based population projection for 2018 for this ward are registered resident HE students (part time and full time). This ward is 4th in the rank order in 2018. The proposed student accommodation would not breach the 25% of residents' threshold and would only marginally increase the percentage share of students in the ward. In addition, the proposal would not result in more than 800 beds of student housing being located within a radius of 300 metres from the proposal site. It is also noted that the CPG states that exceeding the thresholds set out in CPG will not necessarily lead to a rejection of a proposal. This is because

each case has to be decided on its own merits taking into consideration all other factors in the planning balance.

- 6.19. The Council will require the following S106 planning obligations to ensure that the proposed student housing development meets genuine student needs. The obligations will require that:
- term time occupiers are students registered on courses at publicly funded higher education institutions in Camden or the adjoining London Boroughs;
 - the development is occupied exclusively by these students during term-time;
 - the housing is let to each student for the full duration of all terms in the academic year (generally not less than 38 weeks), and not less than an academic term;
 - the development is managed as a single planning unit and individual rooms or flats are not disposed of as independent self-contained homes;
 - the development will be used as student housing on a permanent basis;
- 6.20. These obligations are collectively referred to as 'student housing meets genuine student needs' obligation in the summary of planning obligations at the end of the report.
- 6.21. Visitor accommodation use
- 6.22. The submission states the applicant wishes to use the student rooms as visitor accommodation outside of term time. CPG 'Student Housing' notes that many students do not require accommodation in the borough for the full academic year, and that alternative uses of student housing outside term time can reduce the cost of accommodation to students by reducing the length of a student's lease and generating an additional source of income for the provider. This is consistent with the advice of the Mayor's Housing SPG 2016 about delivery of affordable student housing.
- 6.23. Where alternative uses are proposed outside term time, the Council will use planning obligations to ensure that student housing is not let to non-students for more than 14 weeks (98 days) in any academic year. The obligations set out below are collectively referred to as 'control of non-student housing outside term time' and 'Non-student Management Plan' in the summary of planning obligations at the end of the report.
- to ensure that student housing is not let to non-students for more than 14 weeks in any academic year;
 - to specify the alternative uses of the student housing that are permitted outside term time;
 - to ensure that student housing is available to students who wish to let their place for the full academic year (or 51 weeks where one week is designated for cleaning, maintenance and decoration);
 - where the duration of a student lease is shorter than a full academic year, to ensure that the weekly rent is equivalent to the weekly rent for a student lease of 52 weeks (or 51 weeks where one week is designated for cleaning, maintenance and decoration)

- to submit a Non-student Management Plan to the satisfaction of the Council prior to occupation of any part of the development;
- to ensure that the occupation of the development by non-students is managed in accordance with the Non-student Management Plan at all times;

6.24. **Quality of student accommodation**

6.25. Sound insulation

6.26. A noise report has been submitted which illustrates the building fabric should provide sufficient sound insulation from external environmental noise (comprising plant noise from adjacent buildings and road traffic noise from Euston Road) so that internal noise levels would comply with the internal noise levels specified by BS 8233: 2014 for habitable rooms. However noise levels would increase when windows are opened and therefore to reduce the need to do this a Mechanical Heat Ventilation Recovery system would be used to provide an alternative means of ventilation.

6.27. The report also confirmed the following ambient noise levels 60dB LAeq day time 56dB LAeq night time. The day time level marginally exceeds the red effect level (SOAEL) >55dB LAeq, 16 hr for outdoor living space of Policy A4/Appendix 3 of the Camden Local Plan 2017.

6.28. Daylight/Sunlight

6.29. A daylight and sunlight report assessing the internal light levels was not submitted with the application. The Council's Local Area Requirements states that a daylight and sunlight report is required for applications for 10 or more new residential units. As this is student housing rather than permanent residential accommodation, the application was considered valid without a daylight and sunlight report. Nevertheless, a daylight and sunlight report has been submitted by an objector's consultant which assesses the light within the 30 proposed micro studios at the rear of the development (which are designed to take their light from over 222 Euston Road).

6.30. In terms of daylight, the BRE Report suggests that ADF is used as the measure of general illumination from skylight and that values of at least 1% in bedrooms, 1.5% in living rooms and 2% in kitchens are recommended, even if a predominantly daylight appearance is not required. The micro studios contain all three of these uses.

6.31. Thirteen of the 30 rooms assessed achieve an ADF of 2% or greater. Twelve of the 30 rooms achieved an ADF between 1.5% and 2% and five rooms achieved a value between 1% and 1.5%. Three of these five rooms are on the first floor and achieve ADF values of 1.2%, 1.44% and 1.49%, one of these rooms is on the second floor and achieves an ADF value of 1.31% and one of these rooms is on the third floor and achieves an ADF value of 1.48%. The daylight levels are considered acceptable for the proposed student accommodation as 25 of the 30 rooms assessed would have an ADF of 1.5% or greater.

6.32. Waste Storage

A dedicated covered and secure waste storage area (17sqm) has been incorporated into the basement of the building. This shows the capacity for 4 x 1,100 litre 'Eurobins'. Access internally is via the central lift and stair core.

Removal of the bins on collection from site is via the existing ramped and gate controlled access shared with 222 Euston Road. A platform lift in the storage area allows full Eurobins to negotiate a small difference in floor height between building and ramped access. On collection days, the Eurobins would be taken by the building management team from basement to street level for collection.

6.33. **Access**

6.34. The London Plan requires the highest level of accessibility (LP policy 7.2) and references the BS8300 as that appropriate standard. In accordance with the London Plan, the Council requires the development to meet the British Standard (BS8300) and the scheme was revised so that it would meet this requirement. The building regulations include a requirement for at least 5% of bedrooms to be wheelchair accessible. The development provides 78 bedrooms in total. Four of the 78 (identified on the plans as DS01 and DS02) would be delivered as wheelchair-accessible (5.1%). A further wheelchair accessible bedroom located at the first floor would be designed to accommodate, and be fitted with a hoist (identified as DS03). This bedroom would include an adjoining door to the adjacent standard bedroom.

6.35. An additional drawing has been submitted (Drawing A11261D0600) which demonstrates the ability to easily convert up to 5 pairs of bedrooms to wheelchair accessible bedrooms, where needs are identified through the intake process. If converted this would equate to a further 6.8% (of 73 bedrooms) provision. In total this would equal 10 of 73 bedrooms (13.6%) with accessible provision.

6.36. The London Plan requirements for the proposed summer lettings is different from the British Standard requirement for Student Accommodation. In order to meet these requirements the scheme has been amended so that 6 bedrooms would accommodate an ambulant en-suite. When considered collectively this would provide an accessible provision for the summer use of 14.1%.

6.37. The access officer has reviewed the proposals and confirmed that they meet the policy requirements. A planning obligation in the legal agreement would ensure both the accessible and the adaptable rooms would be provided.

6.38. In addition the reception desk would have a high and low section to accommodate both seated and standing visitors and would have an induction loop for the benefit of hearing impaired visitors.

6.39. **Design**

6.40. The scale of the proposed building is appropriate given its setting and current site status as a gap in the perimeter of the urban block within which it is located. The height of the building responds to the immediate neighbouring buildings, stepping up to the significantly taller and bulkier 210 Euston Road to the east and stepping

down to the Euston Square Hotel to the west. In terms of the street, this continues the tightly enclosed feel currently found in Stephenson Way, a strong characteristic of the area.

- 6.41. The street façade is visually anchored by the use of brick, giving a solidity to its appearance. This has a strong base at ground floor level, marked with a soldier course at its top and set-back 5th and 6th floor. The apparent massing as perceived at street level is therefore, of a five storey building with recessed roof accommodation that is barely visible close to the building and appears only in views from a distance.
- 6.42. A simple, robust, brick based aesthetic is the primary driver behind the look of the building. This is inspired by the historic industrial feel of the existing street and the previous mixed-use character of the area. The proposed building responds to the surrounding context and would be a quieter but nevertheless confident new addition to the streetscape. A completion of a continuous line of buildings enclosing Stephenson Way, crafted to pick up a vertical pattern of aligned window openings to create, with its neighbours, a syncopated rhythm to the street. The 'street side' is proposed to be finished in a mid toned lighter 'London stock' for floor 1 and lighter 'London stock' for floors 2 to 5, with recessed openings for windows and doors, a slim, elegant aluminium framing finished in an off white colour. At the rear, the façade would be finished in an off white coloured render which would create a surface reflective of daylight and maintain a brighter feel to the courtyard space being created behind 222 Euston Road. The full details of the materials (including a sample panel of the brickwork) and windows / doors would be secured by condition.
- 6.43. The scheme was revised so that white cement render on the front elevation was replaced by brick on the 6th and 7th set back storeys. White render is not considered to be a material of sufficient quality for this building, in this location, especially given the visual prominence of the set- back storeys at the entry to Stephenson Way on North Gower St. Following this revision, the scheme is considered acceptable. There is no objection to the use of white render at the rear, where it is not visible from the public realm.

Design Review Panel

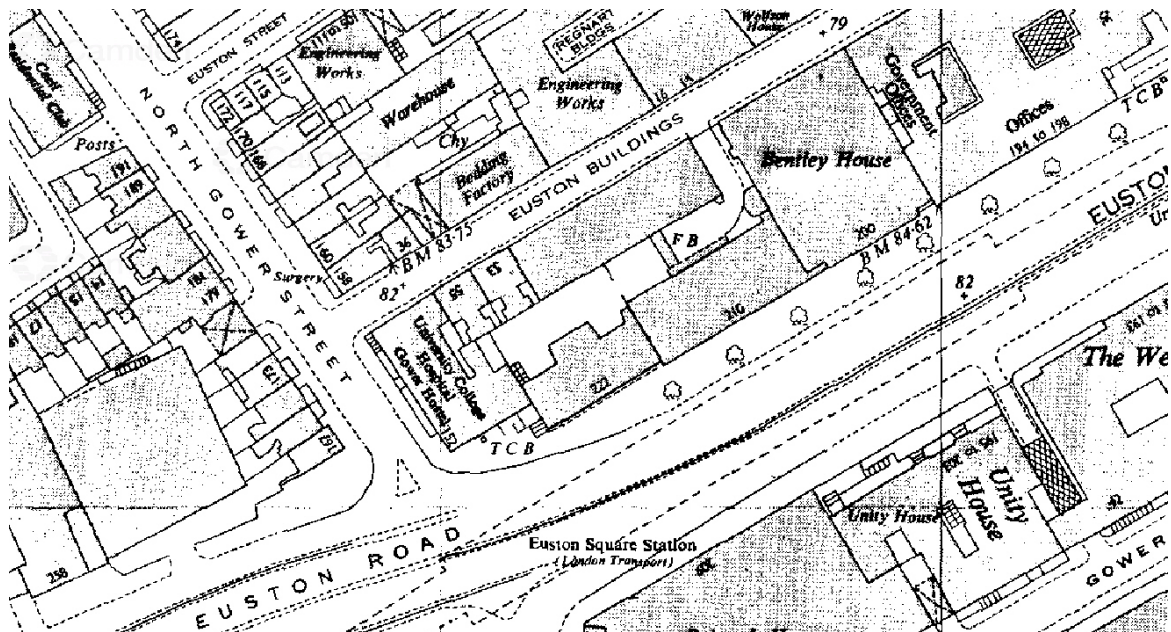
- 6.44. The proposed development was assessed by Camden's Design Review Panel on the 10th November 2017. In summary, The Design Review Panel considered that the development presented a good opportunity to fill an unsightly gap in the street frontage in Stephenson Way. The current proposals provide an appropriate scale to the frontage to Stephenson Way and have a simple architectural expression that could be successful, so long as high quality materials and detailing are employed. However, the panel had significant concerns about the impact of the scheme on the building to the rear (222 Euston Road¹). Any redevelopment of the Stevenson Way site should allow for the future redevelopment of the Euston Road site, and the

¹ The Design Review Panel Briefing papers misidentified 222 Euston Road as 210 Euston Road. The effect of this mistake is that the commentary from the Design Review Panel that talks to the relationship between the site and 210 Euston Road should, as a matter of fact, refer instead to 222 Euston Road. The error in the DRP report has been corrected in the summary above.

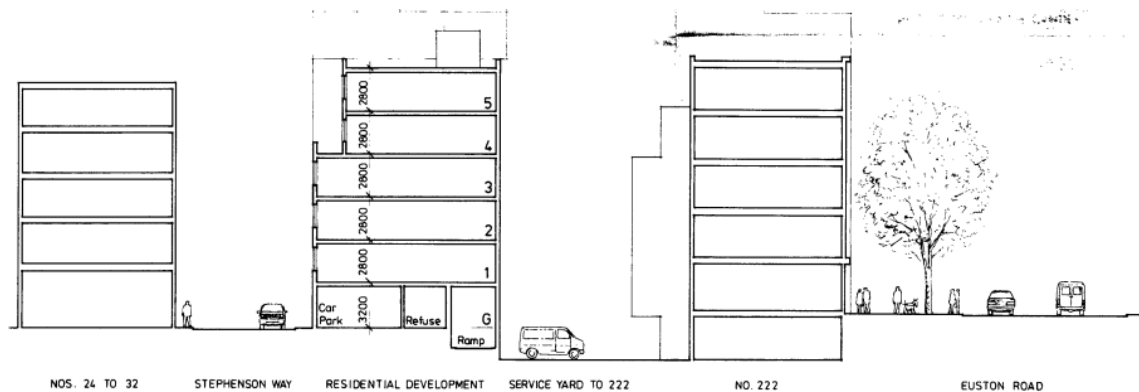
current plan, with single aspect rooms close to the rear site boundary, would severely restrict the future development potential of the adjoining site. In addition, the panel raised concerns about the quality of accommodation internally, and felt that there was significant scope for improvement and generosity within both the individual rooms and the communal spaces. It noted that bin and bike storage is located at the ground floor of the development, which offers limited scope to activate the street. In contrast, the communal lounge space was located in the basement. The panel encouraged relocation of the communal lounge.

- 6.45. The applicant has provided a response to the issues raised by DRP. The scheme seeks to maximise the development potential of the site and the proposed set back from the rear boundary protects the amenity of the office environment and future development potential of 222 Euston Road. The easement and vehicular access through the proposal site would remain (222 Euston Road would never be serviced from Euston road as it is a TFL red route). The rear service yard would therefore always be required. Furthermore, 222 Euston Road could achieve significant additional mass without the need to extend to the rear, given the building heights along Euston Road and the height of the neighbouring 210 Euston Road.
- 6.46. In response to the DRP's comments, the basement amenity space has been swapped with the ground floor storage uses creating a more active ground floor frontage and hub of shared communal spaces.
- 6.47. In response to the DRP's comment about the individual student rooms, all twodios have been swapped out for micro studios. With respect to size of the student rooms, the applicant has advised that the layout reflects current student accommodation demands and the more compact accommodation lends itself to a competitive price point in the market. Student housing has developed to reflect the needs of a changing market and the layouts proposed are efficient and successful examples of this. The compact studio is a successful typology as shown in the Nido Spitalfields and Nido Notting Hill schemes. "Threedios" are part of the Garden Halls (Camden) scheme, which received the Housing Design Award 2017 in relation to the overall development and the residential accommodation types.
- 6.48. The following revisions were made to the scheme in response to specific issues DRP raised. Windows have been added to the corridors on the western end of the building. These would provide natural daylight at first to fifth floor level. The layouts have been revised to include additional windows in the kitchen areas on the south façade at the western end of the building to provide natural daylight at first to fourth floor level.
- 6.49. Development potential of neighbouring site to the south (222 Euston Road)
- 6.50. Policy 7.6 (Architecture) of the London Plan states that buildings should optimise the potential of sites and should not prejudice the development opportunities of surrounding sites. The proposed development would have single aspect rooms close to the rear site boundary. There is a concern this could restrict the future development potential of the adjoining site. While it is unusual to have windows serving single aspect rooms less than 1m from the rear boundary, the historical layout of the site is such that the rear building line has always been on the rear

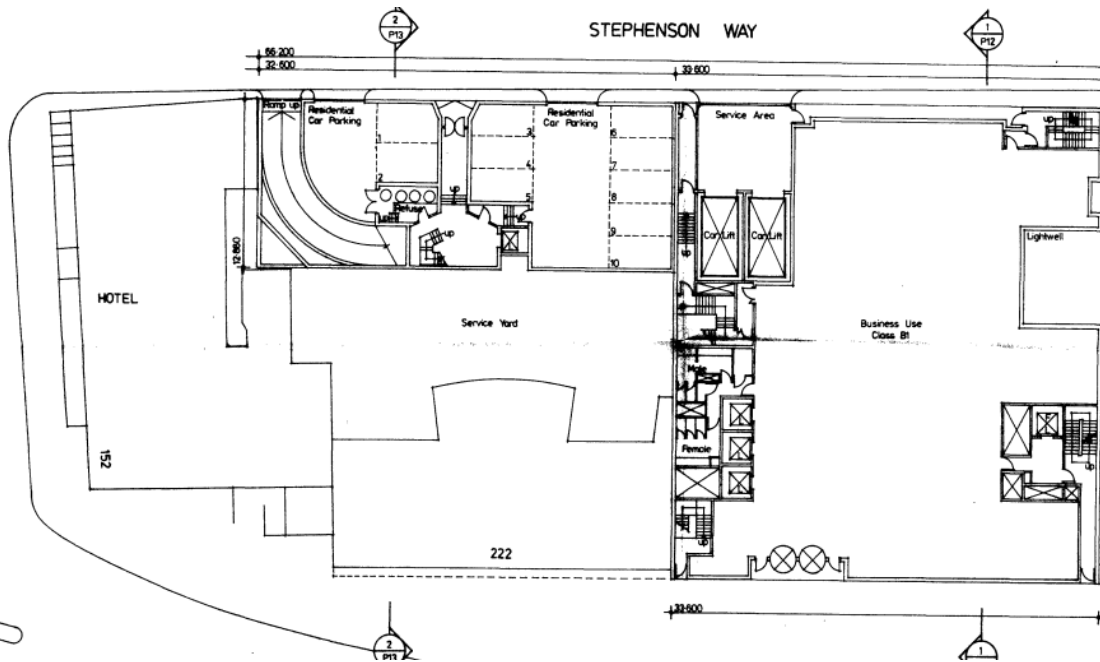
boundary. The ordnance survey map published in 1970 shows a plot layout and building line similar to the development proposed. At this time the site was occupied by an office building connected by a footbridge to a building on 210 Euston Road and the residential tenements at 53 and 55 Stephenson Way.



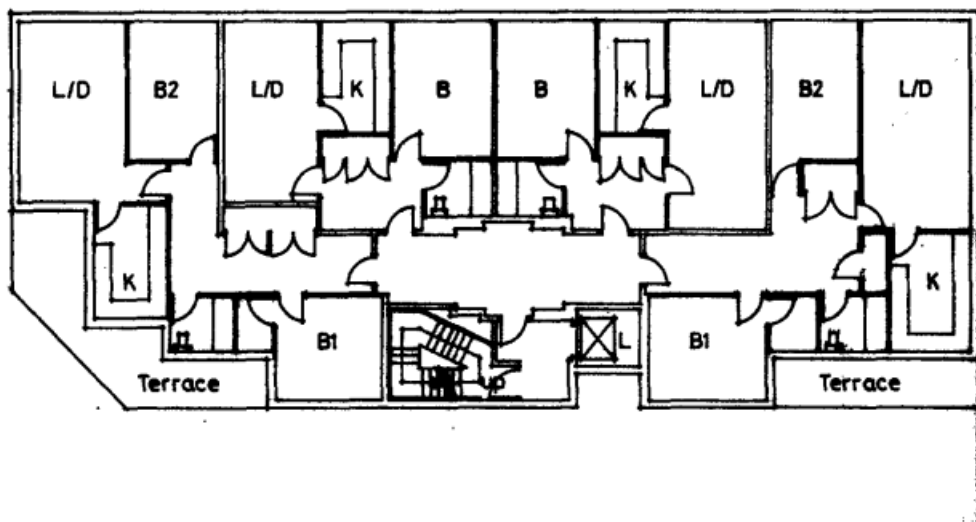
6.51. Planning permission was granted on appeal 24/4/1989 for the redevelopment of the site by the erection of a seven storey building for B1 use at 210 Euston Road and a six storey residential building at 43-55 Stephenson Way (ref 8800548). This scheme appears never to have been fully implemented but the approved drawings clearly show a residential development filling the entire site as shown in the drawing below.



6.52. The floor plans from this residential scheme show the rear elevation abutting the boundary. The ground floor plan is provided below.



6.53. The first floor plan shows bedroom windows facing towards 222 Euston Road on the rear boundary.



6.54. While the above scheme was never fully implemented leaving the site at Stephenson Way undeveloped, the historic pattern of development and previous approvals to develop the site nevertheless clearly show development up to the rear site boundary with windows in close proximity to the site boundary.

6.55. It is further acknowledged that should the redevelopment of 222 Euston Road come forward it could achieve significant additional mass without the need to extend to the rear, given the building heights along Euston Road and the height of the neighbouring 210 Euston Road. It is also noted that 222 Euston Road has an existing 3 storey element which projects two thirds of the way into the existing site thus optimising the development achieved on the site.



- 6.56. In this context, the current development proposal optimises the potential of the existing site and would not prejudice the development opportunities of 222 Euston Road unreasonably.
- 6.57. **Basement**
- 6.58. The proposed development involves the excavation of a single storey basement under the footprint of the building. Between approximately 2.5m to 4.0m of excavation is proposed. A basement impact assessment has been submitted which has been reviewed by the Council's independent auditor, Campbell Reith.
- 6.59. The BIA identifies construction methodology options but does not confirm which will be used. The land stability assessment is based on assumptions of the form of the retaining walls and temporary propping arrangements. A Basement Construction Plan (BCP) is therefore recommended to confirm that the assumptions made in the BIA are reasonable. The revised ground movement assessment (GMA) is considered reasonably conservative. The GMA presented is based on assumptions and the final scheme design should be confirmed within the BCP. An outline construction programme should be provided within the BCP. Notwithstanding the requirement for a BCP, Campbell Reith have confirmed the BIA meets the criteria of CPG Basements.
- 6.60. The BCP would be secured by legal agreement.
- 6.61. **Designing out crime**
- 6.62. Good urban design will significantly reduce opportunities for crime and anti-social behaviour. Security features should be considered early in the design process as it can be more difficult to incorporate features in a sensitive way at a later stage. Applicants are required to demonstrate that all impacts of their proposal on crime and community safety have been considered and addressed. A Secure by Design Statement has been submitted.

- 6.63. The proposed building is arranged with a staffed, active ground floor, with reception and study rooms overlooking Stephenson Way. The following security features would be included
- Fob controlled entry and exits
 - Staffed reception open 24 hours a day, 7 days a week
 - General manager, part time receptionist and night time security staff
 - Common areas covered by CCTV (internal)
 - All rooms will have laptop size mini safes
- 6.64. Following comments from the Designing-Out Crime Officer (DOCO), the secondary exit at the bottom of the main stair core would be a fire exit only and would be alarmed to prevent accidental use or misuse, so staff at reception can then address any possible breaches in security.
- 6.65. The main entrance comes of Stephenson Way and would force users to turn a right angle to face the reception desk. This is positive as the surveillance from the reception desk will be at its greatest and therefore the risk of tailgating will be reduced. The area adjacent to the main entrance would be an 'air lock' lobby with encrypted FOB access control for residents and video/audio control for non-residents.
- 6.66. The entrance to the basement would have fob controlled vehicle access and a separate fob pedestrian gate. Servicing access would be retained for 222 Euston Road. The secured fob entry / telecom system currently in place would be retained.
- 6.67. The Designing-Out Crime Officer has reviewed the submission and has confirmed that the applicant has responded appropriately to their concerns.
- 6.68. **Amenity**
- 6.69. Policy A1 seeks to protect the quality of life of occupiers and neighbours.
- 6.70. Daylight / Sunlight
- 6.71. No daylight/sunlight report has been submitted. BRE Guidelines place greater emphasis on the daylight and sunlight enjoyment to residential properties over commercial properties, given the latter's reliance on artificial lighting. Consideration is therefore usually only given to surrounding residential properties. There are no residential properties near to the site which could be affected by the proposed development.
- 6.72. *222 Euston Road*

An objection has been received from the owner of 222 Euston Road. The objector has raised concerns regarding the reductions in light reaching the rear of their property. This property is in education use (UCL Farr Institute of Health Informatics Research). At lower ground floor there are three teaching rooms and at ground floor a seminar room and public engagement space. On the upper floors are offices and break out areas used by UCL staff.

- 6.73. The amount of skylight falling on a vertical window can be quantified as the Vertical Sky Component (VSC). If the VSC is greater than 27% then enough skylight should still be reaching the window of the existing building. If the VSC, with the new development in place, is both less than 27% and less than 0.8 times its former value, occupants of the existing building will notice the reduction in the amount of skylight. A daylight and sunlight report has been submitted on behalf of the objector. This report finds that 39 of the 49 windows assessed would not meet the BRE guidelines in terms of VSC. A number of reasons can be identified for this. The undeveloped nature of the existing site permits a largely unobstructed view of the sky dome from many of the rooms at the rear of 222 Euston Road. The relationship between the site and 222 Euston Road, which abut each other, means that any significant development of the site would inevitably result in BRE transgressions beyond the recommended 20%. It is also noted that the 37 windows which fail the VSC test would not receive enough skylight in the existing situation (that is to say the windows do not have a VSC of greater than 27% in the existing situation).
- 6.74. It is acknowledge that while the lower ground floor contains mainly teaching rooms, these would be continuously lit by task lighting and therefore the amenity from daylight would not be a particular requirement. The ground floor mainly comprises an auditorium/exhibition space, which will provide space for presentations and lectures etc. By the very nature of this type of usage, the room will not be making use of natural lighting and will mainly be lit using supplementary lighting and/or the room will be in darkness due to presentations that are being held in the lecture theatre. The requirement for natural lighting on the ground floor is not considered warranted nor necessary by the very nature of the use in this location. Regarding the first floor, it is expected that these rooms would be continuously lit with supplementary lighting throughout the day and it is likely that at no point will the rooms solely be lit by natural lighting in isolation. Similarly, the same room configuration is noted to the second floor and it is expected that the room would be continuously lit with supplementary lighting.
- 6.75. In addition, it is noted that the proposed scheme is of a similar height to 222 Euston Road. On that basis, it is not unreasonable to expect that where both properties are close to one another, they should be taking no more than their fair share of light. In particular, the BRE guide does make allowance for this in Appendix F where it states: to ensure that a new development matches the height and proportions of existing buildings, the VSC and APSH targets for these windows could be set to those for a "mirror-image" building of the same height and size, and equal distance away from the boundary".
- 6.76. Rights of light
- 6.77. The objector at 222 Euston Road has advised they have written to the applicant to raise the potential for private law actions to protect the rights in relation to access and rights to light.
- 6.78. The right to light is a legal right which one property may acquire over the land of another, for example if a building wall is erected which reduces the light in the obstructed property to below sufficient levels, then the right to light is infringed. A

right to light will come into existence if it has been enjoyed uninterrupted for 20 years or more, granted by deed, or registered under the Rights of Light Act 1959. Planning permission does not override a legal right to light, however where a right to light is claimed, this is a matter of property law, rather than planning law. The Council would have no role or interest in any private dispute arising and it will be for the owner or occupier affected to seek a legal remedy.

6.79. The concerns raised by 222 Euston Road relating to access rights are addressed in the transport section below.

6.80. Student Management Plan

6.81. An operational management plan has been submitted to support the application. The site will be managed 24/ hours a day, 7 days a week by an on site management team, including a General Manager, Receptionist / Concierge and Student Ambassadors. They will be responsible for dealing with noise and, any anti-social behaviour and respond to alarms and other difficulties so ensuring compliance with Planning Conditions and in the interests of good neighbourliness to other local occupiers. A code of conduct is detailed within the Student Tenancy Agreement which every student would be required to adhere to.

6.82. The Student Management Plan will be secured by Legal Agreement.

6.83. Noise

6.84. A noise report has been submitted with a background noise survey. Any plant would be required to be 10dB below the minimum background noise level when assessed at the nearest sensitive receptors. No details of any plant have been provided. Nevertheless, a condition would be included on the decision to ensure that this noise threshold was not breached and requiring details of any plant (including attenuation) to be provided before the use commences.

6.85. In order to prevent disturbance to neighbouring occupiers (for example the adjacent hotel), a condition controlling the hours of deliveries would be included on the decision.

6.86. **Health impact assessment**

6.87. Policy C1 Health and wellbeing states the Council will require proposals for major development schemes to include a Health Impact Assessment (HIA). The applicant has submitted a rapid HIA. The rapid HIA demonstrates that there would be no negative health impacts from the proposed development.

6.88. **Contaminated Land**

6.89. A phase 1 contaminated land assessment has been submitted. Potentially pollutant linkages have been identified on site due to historical land use activities. That is to say, Made Ground from previous construction and demolition (on site) and historical activities neighbouring the site.

- 6.90. A ground investigation is recommended to establish ground conditions and the presence of soil or groundwater contamination. Sample testing should include metals, PAHs, TPH, CWG and asbestos. Monitoring wells and an appropriate number of visits to confirm the presence or absence of ground gas. The report indicates the site lies in an area of medium to high risk of potential UXO, thus recommends a preliminary UXO assessment
- 6.91. In order to protect the health and well-being of local residents, workers and visitors, the Council expects proposals for the redevelopment of sites that have the potential to be contaminated, or are located in proximity to such sites to take appropriate remedial action to the Council's satisfaction. Details of a written programme of ground investigation for the presence of soil and groundwater contamination and landfill gas would be required before the development commences. Subsequently, a scheme of remediation measures may be required. These measures would be secured by condition.
- 6.92. **Air quality assessment**
- 6.93. All developments are expected to meet the Mayor's Air Quality Neutral requirements. The applicant has submitted an air quality assessment (AQA). The report reviews the existing air quality conditions in the vicinity of the proposed development site and the likely air quality impacts resulting from the proposed development.
- 6.94. The proposed development is located in the LBC Air Quality Management Area which is defined to cover the whole borough for annual mean NO₂ and daily average PM₁₀ concentrations.
- 6.95. The site is in a poor air quality area, exceeding the annual limit for NO₂. The front elevation is on a minor road and the rear is shielded from Euston Road by buildings. The application was revised to include zero emissions heating (via heat pumps) rather than low NO_x boilers.
- 6.96. Impacts of local air quality on occupants
- 6.97. The applicant has undertaken dispersion modelling. It is not accepted that this is not a poor air quality area and whether new residential receptors are exposed to concentrations greater than the air quality objective depends on the extent to which background concentrations reduce. All the new student rooms would therefore have mechanical ventilation as a precautionary measure. The intakes would be at roof level or as close to the roof and as far away from the potential nearby emissions sources as possible. Details of the mechanical ventilation would be secured by condition.
- 6.98. Construction impacts
- 6.99. The construction phase will have the potential to create dust. It will therefore be necessary to implement mitigation measures to minimise dust emission. The control of dust and emissions during construction and demolition would be secured

by a construction management plan (CMP). Air quality monitors would be secured by condition. While, a draft CMP has been submitted with the application, no specific details in relation to dust mitigation were set out in this document.

6.100. **Transport**

6.101. The site is located in the Central London Area and is easily accessible by public transport (PTAL rating is 6b). Various transport interchanges are located within a 5 minute walk of the site, including Euston Station (National Rail, London Overground and London Underground), Euston Square and Warren Street (both London Underground). In addition, bus stops serving various routes are located nearby on Euston Road.

6.102. The site is located in close proximity to Euston Road (A501) which forms part of the Strategic Road Network (SRN). Transport for London (TfL) is the highway authority for Euston Road as it is located on the Transport for London Road Network (TLRN). TfL has a duty under the Traffic Management Act 2004 to ensure that any development does not have an adverse impact on the SRN. However, it is acknowledged that the site would be accessed directly from Stephenson Way rather than Euston Road.

6.103. Cyclists and pedestrians make up a significant proportion of the traffic in the vicinity of the site, particularly during peak periods.

6.104. The site is also conveniently located near various cycle hire docking stations, which are bike hire schemes for short journeys. Residents, staff and visitors would be able to hire a bike for the price of £2 for 24hrs and the bike could be returned to any docking station in London.

6.105. Trip generation

6.106. The submitted Transport Assessment (TA) includes details of trip generation analysis for the proposed development. This is based on an acceptable and recognised methodology of using data from comparable developments to identify the net impact of the proposed development when compared to the existing situation.

6.107. The results predict an increase of 364 trips to and from the site on a daily basis (over a 12 hour period). Further analysis suggests the proposed development would generate 9 and 49 additional trips in the morning and evening peak hours respectively.

6.108. The assessment suggests the following modal share:

- 73% by public transport
- 15% walking
- 7% motor vehicles including taxis
- 5% cycling

6.109. The results of the assessment suggest that the proposed development would not have a severe impact on the surrounding transport network. However, the proposed increase in trips during the morning peak period is much lower than expected. There is also some concern that trips by bicycle have a predicted modal share of less than 10%. The predicted modal share of 5% for cycling is much lower than would be expected for a student residential development in the Central London Area. Likewise, the predicted modal share for walking is much lower than expected. The Council anticipates that higher modal shares for cycling and walking can be achieved via a travel plan and the implementation of public realm improvements in the local area to make cycling and walking more attractive to residents and staff.

6.110. Travel planning

6.111. A travel plan and associated monitoring fee of £6,432 would be secured as section 106 planning obligations if planning permission were granted. The Travel Plan would be targeted towards the residents and staff. The location of the site in Central London with excellent connections to the public transport network would help to reduce the need to travel by single occupancy private car and would encourage residents and staff to make walking, cycling and travel by public transport the natural choice for day-to-day trips.

6.112. External doors adjacent to the public highway

6.113. The applicant has revised the proposed ground floor plan so that the external door from the study would open inwards and no doors would open on to the public highway.

6.114. Car parking

6.115. The site is located within the Somers Town controlled parking zone (CPC CA-G). Parking controls are in place in resident bays, pay to park bays and single yellow lines from 0830 to 1830 on Monday to Friday.

6.116. The proposed development would not benefit from any on-site car parking spaces and would therefore essentially be car-free. This is acceptable from a general parking point of view. It is noted that the site is easily accessible by public transport and there may not be an essential need for staff or visitors to travel to and from the site by private motor vehicle. However, residents, staff and visitors in possession of a blue badge would be able to park on the public highway in the general vicinity of the site.

6.117. The proposal would retain the existing vehicular access to the neighbouring site at 222 Euston Road. This is acceptable. The proposal would also result in the removal of 6 on-site parking spaces. This is acceptable and in accordance with Local Plan Policy T2.

6.118. A car-free housing agreement would be secured as a section 106 planning obligation if planning permission were granted.

6.119. Cycle parking

6.120. The proposal would provide 39 covered, secure and fully enclosed cycle parking spaces at basement level for residents. This level of provision is in accordance with the London Plan requirements and is therefore in accordance with Local Plan Policy T1. The cycle parking facilities will be easily accessible via a ramp. The provision and ongoing retention of these cycle parking facilities would be secured by condition if planning permission is granted.

6.121. Highway works

6.122. The footway and carriageway directly adjacent to the site on Stephenson Way are likely to sustain significant damage because of the proposed construction works. The Council would need to undertake remedial works to repair any such damage following completion of the proposed development.

6.123. A highways contribution would need to be secured as a section 106 planning obligation if planning permission is granted. This would allow the Council to repave the footway and carriageway directly adjacent to the site on Stephenson Way. The highway works would be implemented by the Council's highways contractor on completion of the development. A cost estimate for the highway works (£68,750) has been provided by the Council's Transport Design Team.

6.124. The carriageway of Stephenson Way has granite sets which are locally listed. To ensure that the granite sets were protected during construction a planning obligation would be included.

6.125. Pedestrian, cycling and environmental improvements

6.126. The proposed development will generate a significant increase to and from the site on a daily basis. The Council's transport policies are geared towards encouraging and promoting active travel (i.e. walking and cycling). The Council would therefore seek to secure a Pedestrian, Cycling and Environmental (PC&E) improvements contribution of £81,900 as a section 106 planning obligation if planning permission is granted. The amount of the contribution was calculated with reference to the PC&E improvements contribution (£63,000) from a similar development at 99 Charlotte Street (Astor College). The development at Astor College provided 60 additional student rooms. The PC&E improvements contribution therefore equates to £1,050 per room. Applying this to the current application equates to a PC&E improvements contribution of £81,900. This would be utilised to improve cycling and walking routes within a 500 metre radius of the site. The Euston Town Business Improvement District have outlined aspirations for various public realm improvements in the general vicinity of the site which would help to support walking and cycling. Any such improvements would need to be compliant with Camden's Transport Strategy objectives and the Healthy Streets indicators.

6.127. Deliveries and other servicing activities

6.128. All deliveries, refuse and recycling collections and other servicing activity would be accommodated from the public highway in the general vicinity of the site. Such

activities are most likely to take place from the single yellow line directly adjacent to the site on Stephenson Way. However, such activity could also take place from parking bays or single yellow lines on North Gower Street. There is some concern that deliveries, refuse and recycling collections and other servicing could have a severe impact on neighbours if not sufficiently managed (e.g. when students move in or move out at the start and end of the academic year). A servicing management plan would be secured as a section 106 planning obligation if planning permission were granted.

6.129. Amendments to traffic management orders

6.130. Highways will look to make some amendments to existing traffic management orders if planning permission is granted in order to facilitate on-street servicing requirements (e.g. deliveries, refuse and recycling collections). This would include investigating the possibility of removing the dedicated disabled parking bay adjacent to the site if it is found to be redundant, or relocating the bay if a permit is issued against it. It would also include investigating the possibility of relocating the pay to park bays elsewhere on North Gower Street. Any such amendments would be subject to public consultation which would be undertaken by the Council if planning permission is granted.

6.131. An objection has been received from a resident of 40 Hampstead Road who has a dedicated disabled bay on Stephenson Way and was concerned about its relocation. Following telephone contact, it was confirmed the resident feels the disabled bay is too close to the existing vehicle access and is at risk of getting damaged by vehicles using the access ramp. Transport officers confirmed they could investigate moving the bay slightly to alleviate this and would look to relocate the disabled bay to North Gower Street as this would be nearer to his dwelling.

6.132. Managing and mitigating the impacts of construction

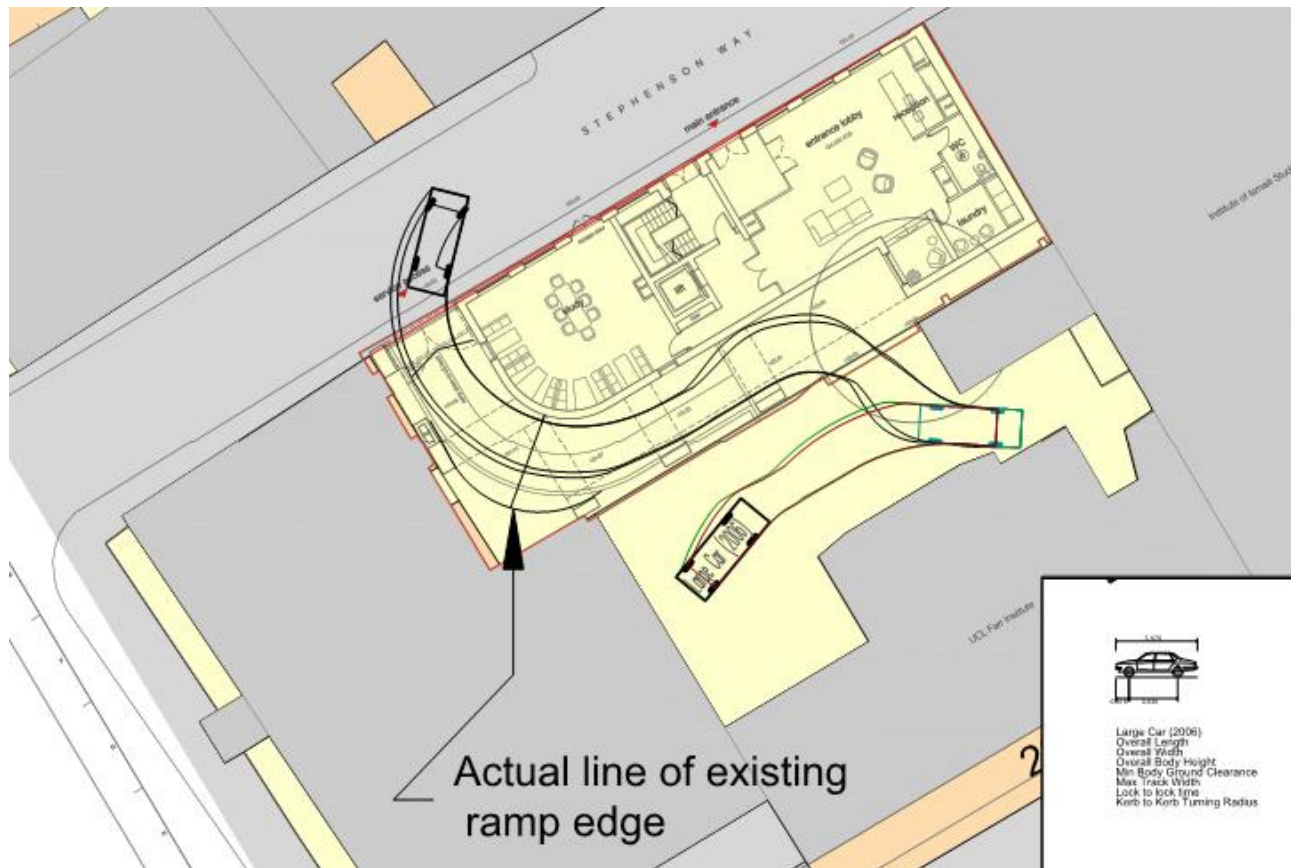
6.133. Construction management plans (CMPs) are used to demonstrate how developments will minimise impacts from the movement of goods and materials during the construction process (including any demolition works). A draft CMP using the Council's CMP pro-forma has been submitted in support of the planning application.

6.134. The site is located in the Central London Area. This part of the borough suffers from severe traffic congestion during peak periods. Our primary concern is public safety but we also need to ensure that construction traffic does not create (or add to existing) traffic congestion in the local area. The proposal is also likely to lead to a variety of amenity issues for local people (e.g. noise, vibration, air quality, temporary loss of parking, etc.). 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 CMP would therefore be secured via a Section 106 planning obligation if planning permission is granted.

6.135. The Council would expect construction vehicle movements to and from the site to be scheduled to avoid peak periods to minimise the impacts of construction on the transport network. The contractor would need to register the works with the

Considerate Constructors' Scheme. The contractor would also need to adhere to the CLOCS standard.

- 6.136. There are a number of significant developments in the general vicinity of the site that are currently under construction or have been approved (including HS2). This part of the borough already experiences significant traffic problems. The construction of various significant developments concurrently raises concerns about cumulative impacts on the transport network as well as amenity issues such as noise, dust, air quality and vibration. The developer and principal contractor, once appointed, will be required to work closely with other contractors working nearby with a view to minimising and mitigating the cumulative impacts of construction.
- 6.137. The development, if approved, would require significant input from officers. This would relate to the development and assessment of the CMP as well as ongoing monitoring and enforcement of the CMP during demolition and construction. A CMP implementation support contribution would be secured via a Section 106 planning obligation if planning permission were granted.
- 6.138. A further requirement to form a construction working group consisting of representatives from the local community would also be secured via a Section 106 planning obligation if planning permission were granted.
- 6.139. Basement Excavations Adjacent to the Public Highway
- 6.140. The proposal would involve basement excavations directly adjacent to the public highway on Stephenson Way. The Council has to ensure that the stability of the public highway adjacent to the site is not compromised by the proposed basement excavations.
- 6.141. The applicant would be required to submit an 'Approval in Principle' (AIP) report to our Highways Structures & Bridges Team within Engineering Services as a pre-commencement Section 106 planning obligation. The AIP report would need to include structural details and calculations to demonstrate that the proposed development would not affect the stability of the public highway adjacent to the site. The AIP would also need to include an explanation of any mitigation measures which might be required.
- 6.142. The AIP report and an associated assessment fee of £1,800 would need to be secured via Section 106 planning obligations if planning permission is granted.
- 6.143. **Servicing of 222 Euston Road**
- 6.144. The owner for 222 Euston Road has raised concerns that the development would harm the current servicing of this property. The servicing of 222 Euston Road is from a ramp on Stephenson Way which leads to their service yard. The proposed development would reduce the ramp dimensions and alter the location of the existing ramp edge (as shown below in the tracking diagram for a large car (length 5m) submitted by the transport consultant for 222 Euston Road).



6.145. The owners of this site have a legal agreement which grants a right of way for pedestrians and vehicles not exceeding two tons ten hundred weight. The Council's transport officer has reviewed these concerns and has confirmed the proposal would not have a detrimental impact on the use of the servicing yard to the rear of 222 Euston Road. There is room for small vehicles (i.e. under 3.5T) to perform a 3 point turn within the servicing yard. It is noted that some of the swept path diagrams submitted by the transport agent for 222 Euston Road are for a 4.6t light van and therefore appear to exceed the right of way provisions.

6.146. The objector at 222 Euston Road has advised they have written to the applicant to raise the potential for private law actions to protect the rights in relation to access. It is the Council's view that the servicing of 222 Euston Road would not be harmed by the proposed development and this issue would therefore be a private law matter.

6.147. Energy and Sustainability

6.148. Energy

6.149. Applicants must submit an energy statement showing how the development will meet the following policy requirements:

- Follow the hierarchy of energy efficiency, decentralised energy and renewable energy technologies set out in the London Plan (2016 Chapter 5 (particularly Policy 5.2) to secure a minimum 35% reduction in regulated CO2 emissions below the maximum threshold allowed under Part L 2013. GLA guidance on preparing energy assessments and CPG3 should be followed.

- Camden’s Local Plan (Chapter 8) requires all developments to achieve a 20% reduction in CO2 emissions through renewable technologies (the 3rd stage of the energy hierarchy) wherever feasible, and this should be demonstrated through the energy statement.
- The London Plan (Policy 5.5) requires developers to prioritise connection to existing or planned decentralised energy networks where feasible. Camden’s Local Plan Policy CC1) requires all major developments to assess the feasibility of connecting to an existing decentralised energy network, or where this is not possible establishing a new network.

6.150. The measures included low u-values with green roof, low air permeability, natural ventilation to studio bedrooms, low energy lighting and low energy bathroom ventilation. The ‘be green’ measures include air to water heat pump, high efficiency heat pump and solar PV to provide 9.75kW. Provision would be made for future connection to a heat network. The energy statement shows that the development would meet the minimum requirement of 35% reduction in regulated CO2 emissions below the maximum threshold allowed under Part L 2013. Future proofing for a district heating network would be provided.

6.151. The energy statement shows that the development would result in a 44.6% reduction in CO2. This exceeds the minimum reduction required. A breakdown of this reduction under each stage of the energy hierarchy is shown below.

Energy Statement	Commercial New-Build		
	Total tCO2	Stage reduction, tCO2	Stage reduction, %
Baseline	90.40	N/A	N/A
Be Lean	88.80	1.60	1.8%
Be Clean	88.80	0.00	0.0%
Be Green	50.10	38.70	43.6%
TOTAL	50.10	40.30	44.6%
<i>Target</i>	<i>58.76</i>	<i>31.64</i>	<i>35.0%</i>

6.152. The above reduction in CO2 emissions would be secured by a planning obligation in the legal agreement. Details of the solar PV would be secured by condition.

6.153. Sustainability

6.154. Applicants are also expected to submit a sustainability statement showing how the development will:

- Implement the sustainable design principles as noted in Policy CC2 and CC3
- Achieve a BREEAM ‘Excellent’ rating and minimum credit requirements under Energy (60%), Materials (40%) and Water (60%) as set out CPG3.

6.155. A BREEAM pre-assessment has been provided which shows the development would achieve BREEAM excellent.

6.156. **Surface water run-off**

6.157. The London Plan (policy 5.13) requires developments to achieve greenfield run-off rates wherever feasible (and as a minimum to achieve a 50% reduction in run off rates) and to ensure that surface water run-off is managed as close to its source as possible in line with the drainage hierarchy.

6.158. Sustainable Urban Drainage System (SuDS) would be implemented and the drainage system design hierarchy has been followed. Following comments from the Lead Local Flood Authority, the proposal was revised to include a green roof. A geocellular attenuation tank is proposed (below the proposed basement) with flows restricted into the existing combined sewer.

6.159. Drainage calculations have been undertaken to determine the necessary size of the attenuation tank needed to ensure no flooding occurs on the site for a 1 in 100-year event plus 40% allowance for climate change. The attenuation tank would have a volume of 14.4m³ and cater for all surface water runoff produced from the roof of the building and hardstanding areas. The surface water would be discharged from the tank via a pump which would have a restricted flow rate of 2.0 l/s. This rate has been selected to ensure the unit will function appropriately and to achieve self-cleansing velocity. This flow rate provides a 46% reduction in run-off which is considered acceptable. Full details of the sustainable drainage system would be secured by condition.

6.160. **Trees**

6.161. There are three trees on the site which would need to be removed to allow the development to proceed. An arboricultural report has been submitted which has been reviewed by the Council's tree officer.

6.162. T1 is a large tree of heaven (*Ailanthus altissima*) with a large spreading crown. The tree has grown through and out of the steel structure, and in places is supported and leaning on the structure. Tree of heaven is a fast-growing species with shallow surface roots which sucker readily. This species tends not to be an ideal choice in urban settings, as they can cause severe damage to built infrastructure if not properly managed. In this instance the tree roots have caused extensive damage to the surrounding tarmac and pavement. At its western extents T1 is coming into contact with the neighbouring building and will need to be reduced to avoid direct conflict, also to facilitate future renovation works occurring to the building. On the north side of the tree a large overextended limb is growing through the galvanised security fence, overhanging the pavement and parking areas. Due to its size and location, this tree presents the risk of further damage to the surrounding tarmac and pavement. It was likely never intended to be growing in its current location. Future pressures to remove the tree to prevent further damage to the surrounding infrastructure have resulted in the tree having a predicted useful life expectancy of less than 10 years and its categorisation as U.

6.163. T2 is a medium sized Italian alder (*Alnus cordata*) which exhibits a drawn-up growth habit. Its crown is slightly suppressed on its west side by the adjacent tree

of heaven. Significant damage has been caused to the tarmac surrounding the steel structure by this tree. Despite currently being of reasonable condition, it is anticipated that T2 will need to be removed within 10 years to avoid significant damage to the surrounding infrastructure. This has resulted in its categorisation as U.

- 6.164. T3 is a tree of heaven (*Ailanthus altissima*), located in the corner of the asphalt car park. Incremental root growth has damaged the surrounding tarmac surface. The stem and crown of T3 are encroaching and rendering unusable a single parking space. To the north and south, low hanging limbs partially inhibit access for larger vehicles. Despite currently being of reasonable condition, it is anticipated that T3 will need to be removed within 10 years to avoid significant damage to the surrounding infrastructure. This has resulted in its categorisation as U.
- 6.165. The area of Stephenson Way adjacent to the site is devoid of trees, and from the outside the trees within the site could be seen as an asset to the visual amenity of the street scene. However upon close inspection it is clear that these trees are not suitable in this location, as they are causing significant damage to their immediate surroundings.
- 6.166. The trees are poor quality and do not have a significant safe useful life expectancy. The trees appear to be self-sown which does not by default devalue the trees but has in this instance resulted in them growing in positions that are unsustainable in the long term due to their proximity to structures. Tree of Heaven is an incredibly invasive, non-native species which is able to quickly become established in less than favourable conditions. As such, it is considered that the three trees should not pose a constraint on development on site but replacement trees should be considered.
- 6.167. As the scheme does not allow for replacement trees a green roof around the PVs would be incorporated into the design.
- 6.168. **Biodiversity**
- 6.169. The Local Plan includes policy A3 biodiversity which seeks to incorporate biodiversity enhancing measures. A Preliminary Ecological Appraisal has been submitted which recommends ecological mitigation through the provision of bird boxes post development. The provision of bat boxes would also be sought. A condition requiring details of bird and bat boxes would be included on the decision.
- 6.170. **Planning obligations**
- 6.171. Open space
- 6.172. For student accommodation, the Council will seek 9sqm per single room and 18sqm per double room. However, this will be multiplied by a factor of 0.75 recognising that student accommodation is often not used for part of the year (paragraph 1.20 of Public Open Space CPG). In this case it is not appropriate to apply the 0.75 'discount' as the rooms are to be used out of term time as well.

6.173. Where applicants make a financial contribution in lieu of direct provision, the Council will expect a commuted sum for the maintenance of these facilities for a period of ten years. The contribution will, therefore, be calculated by adding the capital cost (£200 per sqm) to the maintenance cost (£7 per sqm). These costs are based on recent works undertaken by the Council to upgrade existing public open space in the Borough.

- 78 single room x 9m² = 702m²
- 702m² x £200 (per sqm rate for capital) = £140,400
- 702m² x £7 (per sqm rate for maintenance) x 10 years = £49,140
- Total sum required = £140,400 + £49,140 = £189,540

6.174. This contribution would be secured by legal agreement.

6.175. Economic Development

6.176. The scheme has the potential to benefit Camden residents both during the construction phase and through the provision of end use opportunities. We would seek to secure a strong package of employment and training-related opportunities.

6.177. Specifically, the Economic Development team would seek to secure the following to ensure that local residents benefit from the proposed scheme by securing the following obligations through the Section 106:

6.178. *Construction phase:*

- The applicant should work to CITB benchmarks for local employment when recruiting for construction-related jobs as per section 68 of the Employment sites and business premises CPG
- The applicant should advertise all construction vacancies and work placement opportunities exclusively with the King's Cross Construction Skills Centre for a period of 1 week before marketing more widely.
- The applicant should 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 King's Cross Construction Skills Centre, as per section 70 of the Employment sites and business premises CPG
- If the build costs of the scheme exceed £3 million the applicant must recruit 1 construction apprentice per £3million of build costs and pay the council a support fee of £1,700 per apprentice as per section 65 of the Employment sites and business premises CPG. Recruitment of construction apprentices should be conducted through the Council's King's Cross Construction Skills Centre. Recruitment of non-construction apprentices should be conducted through the Council's Economic Development team.
- If the value of the scheme exceeds £1 million, the applicant must also sign up to the Camden Local Procurement Code, as per section 71 of the Employment sites and business premises CPG; and
- 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, as per section 63 of the Employment sites and business premises CPG.

6.179. *End use phase:*

- As the end uses of the development is known, we would request provision of end use apprenticeships. The apprenticeships could be within a range of roles (examples include hospitality, business administration, finance, customer service, IT); and
- Where the end user of the development is known, the applicant should provide a specified number (to be agreed) of end use 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 Economic Development team, as per section 70 of the Employment sites and business premises CPG.

6.180. *Employment and training contribution*

6.181. Planning policy aims to ensure that the Council are able to train local residents in and around the development so that they are well-placed to access employment opportunities created. The types of employment opportunities created would be relevant to both student accommodation use and a hotel use (outside term time).

6.182. Based on the information provided, if the scheme was purely delivering a visitor accommodation use, the contribution would be as follows:

No of bedrooms x 0.5 [number of employees per bedroom] = 39 full time jobs created

Full time jobs created x 21% [% of Camden residents who work in Camden] x 35% [% of employees requiring training] x £3,995 [£ per employee requiring training] = £11.451

6.183. The applicant has committed to this contribution (£11.451) rather than a contribution based on the percentage of time that the premises would be in use as visitor accommodation. This is welcomed and would serve to benefit both Camden residents in enhancing their skills and any end user seeking a skilled, local workforce. If the applicant had opted for a pro-rata contribution the Council would have sought an enhanced package of employment and skills opportunities within the completed development. However given the applicant's commitment to the employment and training contribution, this would not be necessary.

6.184. **Mayor of London's Crossrail CIL and Camden's CIL**

6.185. The proposal would be liable for both the Mayor of London's CIL and Camden's CIL as the development involves the addition of more than 100sqm of commercial floorspace. The Mayoral CIL rate in Camden is £80 per sqm and Camden's CIL is £175 per sqm (Zone A – student housing). The CIL would be calculated on the uplift in floorspace. The CIL will be collected by Camden and an informative will be attached advising the applicant of the CIL requirement.

6.186. Contributions will be also sought in respect of developments in central London, which include a net increase of 500 sqm or more in the amount of office, retail and hotel floorspace. As the proposed development is student housing, a contribution towards Crossrail would not be triggered.

7. CONCLUSION

- 7.1. The development would contribute to the supply of student housing to meet Camden's target of 160 additional places in student housing per year. The student accommodation (comprising 78 rooms) would provide a mix of self-contained (80.8%) and shared facility living (19.2%) (criteria f of Policy H9). The proposed student accommodation would be in the Central London Area and would therefore be located in a highly accessible location in terms of public transport, shops, services, and community facilities (criteria h of Policy H9). The development would provide 33% affordable student rooms and the applicant has agreed to commit to a nomination agreements for the affordable rooms prior to occupation (criteria g of Policy H9). The student housing would meet the criteria in Policy H9 and so the principle of student housing on this gap site would be supported.
- 7.2. Five of the 78 rooms would be delivered as wheelchair-accessible (5.1%) and a further 5 pairs of rooms would be wheelchair adaptable.
- 7.3. The Design Review Panel have reviewed the scheme at pre-application stage and considered that the development presented a good opportunity to fill an unsightly gap in the street frontage in Stephenson Way. The proposal development would provide an appropriate scale to the frontage to Stephenson Way and would have a simple architectural expression employing high quality materials and detailing. The proposed building responds to the surrounding context and would be a quieter but nevertheless confident new addition to the streetscape. A green roof has been incorporated into the design, which would compensate for the loss of self-seeded trees. The development proposal optimises the potential of the existing site and is not considered to prejudice the development opportunities of 222 Euston Road unreasonably.
- 7.4. The concerns of the owner of 222 Euston Road have been assessed and officers consider that the impact on daylight would be acceptable and that the servicing of 222 Euston Road would not be harmed by the proposed development.
- 7.5. Planning Permission is recommended subject to a S106 Legal Agreement. The legal agreement would have the following heads of terms:
 - Highways contribution £68,750
 - Level plans
 - Pedestrian, Cycling and Environmental Improvements contribution of £81,900
 - Construction management plan (CMP) and CMP implementation support contribution of £22,816
 - Requirement to form a construction working group consisting of representatives from the local community
 - Car-free development
 - Servicing management plan
 - Travel plan and associated monitoring fee of £6,432
 - Approval in Principle (AIP) report and assessment fees of £1,800

- Training and Employment
- Local procurement
- Open space contribution £189,540
- Student Management Plan
- Affordable student accommodation
- Sustainability plan
- Energy plan
- Basement Construction Plan
- Protection of granite sets on Stephenson Way
- Student housing meets genuine student needs
- Control of non-student housing outside term time
- Non-student Management Plan
- Wheelchair accessible and adaptable rooms
- Employment and training contribution £11.451

8. LEGAL COMMENTS

8.1. Members are referred to the note from the Legal Division at the start of the Agenda.

Condition(s) and Reason(s):

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

Existing drawings: D 0000 D1; D 0001 D1; D 0002 D1; D 0200 D1; D 0225 D1

Proposed drawings: D 0011 D1; D 0010 D2; D 0099 D4; D 0100 D3; D 0101 D4; D 0102 D3; D 0103 D3; D 0104 D3; D 0105 D5; D 0106 D4; D 0107 D6; D 0600 D1; D0210 D5; D0211 D6; D0230 D6; D0231 D6; D0205 D4; D 0610 D1

Supporting documents: BIA Phase 1 - Screening and Scoping Report prepared by CGL dated May 2018; Basement Impact Assessment prepared by CGL dated April 2019; Rapid Health Impact Assessment Matrix dated April 2017; Preliminary Ecological Appraisal prepared by PJC dated 29 March 2018; Noise Assessment Report prepared by Equus dated March 2018; Urban Student Life Management Statement dated April 2018; Energy Strategy prepared by Thornley & Lumb (third issue) dated 21.02.18; Design and Access Statement prepared by TP Bennett dated May 2018; Air Quality Assessment prepared by Hoare Lea dated 25 February 2019; Transport Assessment prepared by Robert West dated April 2018; Planning Statement prepared by TP Bennett dated May 2018; Archaeological Desk Based

Assessment prepared by CGMS dated March 2018; Drainage Strategy prepared by Lanmor dated November 2018; Accommodation and Area Schedule prepared by TP Bennett; Phase 1 Contamination Assessment prepared by MLM dated 25/04/18; Secured By Design Statement V2 prepared by TP Bennett; Arboricultural Survey prepared by PJC dated 10th October 2018; Response to Objection prepared by Robert West dated 09/10/2018; Letter prepared by TP Bennett dated 10 October 2018; The Oakwood Deed of Grant of Right of Way and Variation of Lease dated 1991; UK Student Housing Update prepared by Knight Frank; London Student Housing report dated 2017; BREEAM Pre Assessment Report dated 20/04/18; Daylight and Sunlight Amenity prepared by Malcolm Hollis dated 07 December 2018

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

- 3 Before the relevant part of the work is begun, 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:

a) Details including sections at 1:10 of all windows (including jambs, head and cill), ventilation grills, external doors and gates;

b) Manufacturer's specification details of all facing materials (to be submitted to the Local Planning Authority) and samples of those materials (to be provided on site).

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 D1 of the London Borough of Camden Local Plan 2017.

- 4 Prior to the installation of fixtures to the external face of the buildings (including lights, meter boxes, flues, vents or pipes, telecommunications equipment, alarm boxes, television aerials, satellite dishes and rooftop 'mansafe' rails), detailed drawings including justification shall be submitted to and approved in writing by the local planning authority. The relevant part of the works shall be carried out 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 policy D1 of the London Borough of Camden Local Plan 2017.

- 5 Before the brickwork is commenced, a 2m by 2m sample panel 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. 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 D1 of the London

Borough of Camden Local Plan 2017.

- 6 Noise levels at a point 1 metre external to sensitive facades shall be at least 10dB(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 15dB(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 A1 and A4 of the London Borough of Camden Local Plan 2017.

- 7 The secure and covered cycle storage area for 39 cycles hereby approved shall be provided in its entirety prior to the first occupation of any of the new units, and permanently retained thereafter.

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.

- 8 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 policies G1, CC1 and CC2 of the London Borough of Camden Local Plan 2017.

- 9 Prior to commencement of the development, full details of the sustainable drainage system shall be submitted to and approved in writing by the local planning authority. Such a system should be designed to accommodate all storms up to and including a 1:100 year storm with a 40% provision for climate change such that flooding does not occur in any part of a building or in any utility plant susceptible to water, and shall demonstrate a reduction in run off rate to 2.0 litres/second for the site. Details shall include a detailed lifetime maintenance plan demonstrating how the sustainable drainage system shall be maintained, and shall thereafter be retained and maintained in accordance with the approved details.

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.

- 10 Prior to commencement of any impact piling, a piling method statement shall be submitted to and approved in writing by the local planning authority. The Method Statement shall be prepared in consultation with Thames Water or the relevant statutory undertaker, and shall detail the depth and type of piling to be undertaken and the methodology by which such piling will be carried out including measures to prevent and minimise the potential for damage to subsurface water infrastructure, and the programme for the works. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: To safeguard existing below ground public utility infrastructure and controlled waters in accordance with the requirements of Policy CC3 of the London Borough of Camden Local Plan 2017.

- 11 Air Quality Monitoring:

No development shall take place until full details of the air quality monitors have been submitted to and approved by the local planning authority in writing. Such details shall include the location, number and specification of the monitors, including evidence of the fact that they have been installed in line with guidance outlined in the GLA's Control of Dust and Emissions during Construction and Demolition Supplementary Planning Guidance and have been in place for 3 months prior to the proposed implementation date. The monitors shall be retained and maintained on site for the duration of the development in accordance with the details thus approved.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies G1, A1, D1 and CC4 of the London Borough of Camden Local Plan 2017.

- 12 All non-Road mobile Machinery (any mobile machine, item of transportable industrial equipment, or vehicle - with or without bodywork) of net power between 37kW and 560kW used on the site for the entirety of the construction phase of the development hereby approved shall be required to meet Stage IIIA of EU Directive 97/68/EC. The site shall be registered on the NRMM register for the construction phase of the development.

Reason: To safeguard the amenities of the adjoining occupiers, the area generally and contribution of developments to the air quality of the borough in accordance with the requirements of policies G1, A1, CC1 and CC4 of the London Borough of Camden Local Plan 2017.

- 13 Prior to commencement of development, full details in respect of the living roof in the area indicated on the approved roof plan shall be submitted to and approved by the local planning authority. The details shall include
- i. a detailed scheme of maintenance
 - ii. sections at a scale of 1:20 with manufacturers details demonstrating the construction and materials used and showing a variation of substrate depth with peaks and troughs
 - iii. full details of planting species and density

The living roofs 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.

Reason: To ensure that the green roof is suitably designed and maintained in accordance with the requirements of policies CC1, CC2, CC3, CC4, D1, and A3 of the London Borough of Camden Local Plan 2017.

14 Contaminated Land:

Prior to any development commencing:

(a) a written programme of ground investigation for the presence of soil and groundwater contamination and landfill gas shall be submitted to and approved by the local planning authority in writing; and

(b) following the approval detailed in paragraph (a) an investigation shall be carried out in accordance with the approved programme and the results and a scheme of remediation (if necessary) shall be submitted to and approved by the Local Planning Authority in writing the

The remediation measures shall be implemented strictly in accordance with the approved scheme and a verification report confirming remediation has been undertaken shall be submitted to and approved by the local planning authority in writing prior to occupation.

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 policies G1, D1, A1, and DM1 of the London Borough of Camden Local Plan 2017.

15 Mechanical Ventilation:

Prior to commencement of above ground works, full details of the mechanical ventilation system including air inlet locations shall be submitted to and approved by the local planning authority in writing. Air inlet locations should be located away from busy roads and the boiler stack and as close to roof level as possible, to protect internal air quality. The development shall thereafter be constructed and maintained in accordance with the approved details.

Reason: To protect the amenity of future occupiers and to safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies G1, A1 and A4 of the London Borough of Camden Local Plan 2017.

16 External plant:

Prior to the first use of the student accommodation, full details of any external plant including manufacturer's specifications, noise levels and attenuation, shall be submitted to and approved by the Local Planning Authority in writing. Any plant shall be provided with anti-vibration measures. The use shall not proceed other than in complete accordance with such scheme as has been approved. All such measures

shall be retained and maintained in accordance with the manufacturers' recommendations.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017

17 Servicing hours:

No delivery vehicle may arrive, depart, be loaded or unloaded within or outside of the site except between the hours of 08:00 and 18:00 hours Monday to Friday and 08:00 and 13:00 hours on Saturdays and at no time Sundays and Bank Holidays.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.

18 Prior to first occupation of the development a plan showing details of bird and bat box locations and types and indication of species to be accommodated 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 the requirements of the London Plan (2016) and Policies A3 and CC2 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that 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, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).
- 2 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, Judd St, Kings Cross, London NW1 2QS (Tel. No. 020 7974 4444 or search for 'environmental health' on the Camden website 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.
- 3 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website at <https://beta.camden.gov.uk/documents/20142/1269042/Camden+Minimum+Requi>

rements+%281%29.pdf/bb2cd0a2-88b1-aa6d-61f9-525ca0f71319

or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

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 must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

- 4 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.
- 5 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.
- 6 A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality
- 7 The proposed development is located within 15m of Thames Waters underground assets, as such the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. <https://developers.thameswater.co.uk/Developing-a-large-site/Planningyour-development/Working-near-or-diverting-our-pipes>. Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB
- 8 Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

- 9 This proposal may be liable for the Mayor of London's Community Infrastructure Levy (CIL) and the Camden CIL. Both CILs are collected by Camden Council after a liable scheme has started, and could be subject to surcharges for failure to assume liability or submit a commencement notice PRIOR to commencement. We issue formal CIL liability notices setting out how much you may have to pay once a liable party has been established. CIL payments will be subject to indexation in line with construction costs index. You can visit our planning website at www.camden.gov.uk/cil for more information, including guidance on your liability, charges, how to pay and who to contact for more advice.