

Our ref: T3828



**TEMPLE**

LEADERS IN ENVIRONMENT,  
PLANNING & SUSTAINABILITY.

Date: 12th December 2019

Development Management  
Camden Council  
5 Pancras Square  
London  
N1C 4AG

Dear Sir/Madam,

**MRI Clinic - Institute of Hepatology – 69-75 Chenies Mews London WC1E 6HX: Application to vary (condition 5) of Planning Permission 2017/5561/P – PP-08305772**

On behalf of our client, QS Enterprises Ltd, please find enclosed a planning application made pursuant to Section 73 of the Town and Country Planning Act 1990 (as amended) to vary condition 5 of planning permission 2017/5561/P to allow for extended operational hours of the existing MRI clinic at the above address.

Condition 5 of permission 2017/5561/P states:

*The MRI clinic use hereby permitted shall not be carried out outside the following times Mondays to Fridays 08:00 – 18:00 and not at all on Saturdays, Sundays and Bank or Public Holidays. The associated research and office use shall not be carried out outside the following times Mondays to Fridays 08:00 – 19:00, Saturdays 10:00 – 13:00 and not at all on Sundays Bank or Public 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.*

This Application

This application seeks to extend the permitted operational hours of the MRI clinic use, to enable it to treat more patients until 20:00 hours Mondays to Fridays (an extra 2 hours per day in the week) and 08:00 until 18:00 on Saturdays. No other changes are sought to the terms of the existing permission.

It is proposed that the amended condition will read as follows:

*The MRI clinic use hereby permitted shall not be carried out outside the following times Mondays to Fridays 08:00 – 20:00, 08:00 - 18:00 on Saturdays and not at all on Sundays and Bank or Public Holidays. The associated research and office use shall not be carried out outside the following times Mondays to Fridays 08:00 – 19:00, Saturdays 10:00 – 13:00 and not at all on Sundays Bank or Public Holidays.*

This planning application and letter is accompanied by the following supporting information and documentation:

- Planning application forms and certificate;
- Site Location Plan at 1:2500 scale; and
- Application fee of £234.

It should be noted that there are no changes to the approved drawings as part of this submission, but we note that a Deed of Variation to the current S016 would also be required in the grant of planning permission.

### **Background**

Full planning permission was originally granted in 2016 (2016/3701/P) for the “*Change of use from research and office use to mixed use medical and office use to provide MRI clinic and associated consultation rooms and offices together with rooftop plant and associated screening, alterations to ground floor rear extension and cycle storage*” at 69-75 Chenies Mews WC1E 6HX.

In 2017, planning permission was granted pursuant to Section 73 of the Town and Country Planning Act 1990 (as amended) to vary condition 3 (approved plans) of the original planning permission. The application included a deed of variation to the original S106 legal agreement and it is condition 5 of this permission that we seek to vary.

There have been no complaints of noise or disturbance, substantiated or otherwise, in relation to the existing operation.

### **Site/Development Context**

The need for the proposal has arisen following a recent review of the demand for the existing world-class MRI services provided by the applicant. There is a currently a high and unmet demand for MRI services in London. Extending the existing hours of the MRI clinic would allow the applicant to treat more patients each week, thereby addressing and meeting this demand. The Clinic use takes place on the ground floor of the building.

The application site is a four-storey building and contains a mix of medical and office uses. The medical use of the building includes the provision of MRI scanners and consultant rooms. The site is surrounded by a mixture of other buildings that are in a range of different uses including medical, office and residential.

The existing MRI clinic, to which this application relates, currently treats a maximum of between 30-35 patients a day on any typical day and the majority of these patients travel to the clinic via public transport due to its Central London location (PTAL 6b), or on foot because all patients are ambulant i.e., walking.

The applicant, QS Enterprises Ltd, is part of the University College London Hospitals Charity. They were the first health sector social enterprise in the United Kingdom of their kind, an independent organisation working for the direct benefit of the NHS. They are London based and have over 200 consultants and specialists covering fields such as neurological medicine and advanced neurosurgery. They provide cutting edge medical research and are renowned for providing world-class medical care to all their patients.

### **Relevant Planning Policies**

In accordance with Section 70(2) of the Town and Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004, planning applications should be determined in accordance with the relevant council's Development Plan unless material considerations indicate otherwise.

The development plan for the purposes of this assessment are as follows:

- **The London Plan (2016); and**
- **Camden Local Plan (2017).**

### **London Plan (2016)**

The following strategic policies of the London Plan are considered relevant to the proposal:

- *3.17 Health and Social Care Facilities*: says that development proposals which provide high quality health and social care facilities will be supported; and
- *7.15 Reducing and managing noise*: says that development proposals should seek to manage noise by avoiding significant adverse noise impacts on health and quality of life.

### **Camden Local Plan (2017)**

The following policies of the Camden Local Plan are relevant to the proposal:

- *Policy C2*: Community facilities;
- *Policy A1*: Managing the impact of development;
- *Policy A4*: Noise and vibration;
- *Policy T1*: Prioritising walking, cycling and public transport;
- *Policy T2*: Parking and car-free development; and
- *Policy T3*: Transport infrastructure.

*Policy C2* seeks to ensure that community facilities and services are developed and modernised to meet the changing needs of our community and reflect new approaches to the delivery of services. Part (e) states that the Council will support the investment plans of educational, health, scientific and research bodies to expand and enhance their operations, considering the social and economic benefits they generate for Camden, London and the UK.

*Policy A1* says that the Council will grant permission for development unless this causes unacceptable harm to amenity. The policy focuses broadly on managing the impacts of development. It states that the Council will seek to protect the quality of life of both occupiers and neighbours and ensure development contributes towards strong and successful communities. The Council will resist development that fails to adequately assess and address transport impacts.

*Policy A4* looks more specifically at noise and vibration impacts. In accordance with policy A4, Camden Council will not grant planning permission for any proposed development which will generate unacceptable noise and vibration impacts, nor will it permit development, sensitive to noise, in areas of high noise levels without appropriate attenuation. All development should be able to operate without causing harm to the amenity.

The relevant transport policies T1, T2 and T3 seek to prioritise sustainable transport such as walking, cycling and public transport and seek to minimise the use of motor vehicles.

### **Draft London Plan (consolidated changes) July 2019**

The following policies of the emerging draft London Plan are relevant to the proposal:

- *Policy S1*: Developing London's social infrastructure
- *Policy S2*: Health and Social Care Facilities

*Policy S1* says that development proposals that provide high quality, inclusive social infrastructure that addresses a local or strategic need should be supported.

*Policy S2* re-iterates the in-principle support set out by Policy S1 above and says that development proposals that support the provision of high-quality new and enhanced health and social care facilities to meet identified need and new models of care should be supported.

### **Assessment of the proposal**

From an analysis of the relevant planning policies detailed above, it is considered that planning policy at all levels supports the retention and development of community and health facilities, recognising the social and economic benefits they bring at the local, regional and national level.

A statement of the public benefits of the development was submitted to support planning permission 2017/5561/P. This stated that the proposal will replace an existing facility at Westmoreland Street in Marylebone (City of Westminster) and that UCLH needs additional MRI scanning and research resources near other UCLH buildings and research staff. Furthermore, the statement identified that the facility will undertake specialist cardiac, neuro and body scanning procedures for a variety of medical and research purposes and will collaborate with the adjacent UCLH facilities in important medical research.

### **Noise and Amenity**

The transport statement with the original application was based on the facility having a maximum of 30-35 ambulant patients per day together and included a mode of transport survey from a similar facility nearby. The survey showed that most patients (85%) would use public transport to travel to the site and no patients would arrive by ambulance. The survey identified that a small percentage

would park in local car parks (7.5%) and a small number of patients would park on local streets (5%) or arrive by taxi (2.5%).

It is anticipated that similar percentages of patients would use the various modes of transport detailed above in the mode of transport survey submitted with the original application and no patients would arrive by ambulance. All staff would continue to travel to work on public transport and the proposals do not include any new off-street parking facilities for staff or patients alike. We anticipate that a maximum additional 3 patients would be treated in the week and about 15, in total, on Saturdays.

The planning permission 2017/5561/P incorporated a deed of variation to the original s106 legal agreement, that included a commitment towards the provision of a Travel Plan, a Travel Plan co-ordinator as well as a highway contribution. It is anticipated that these commitments would be unchanged in a further deed of variation if planning permission is granted.

The site has mechanical plant on the roof, to aid the operation of the MRI scanners and other medical equipment within the building. Noise mitigation, by way of screening and silencing of exhausts, has been installed at the site to minimise the noise impact on the neighbouring properties.

An external noise survey was undertaken at the site, by Temple, in 2016, to support the previous planning application. The baseline of that survey is not anticipated to have changed and the lowest background noise level, recorded across the period in which the plant is proposed to operate **for this application** is 48 dB  $L_{AF90}$ , identical to the lowest background noise level measured for the current operating hours. The existing mechanical plant on the roof, combined with the appropriate screening and silencing of exhausts has led to no complaints, substantiated or otherwise, from occupiers of neighbouring buildings or other interested parties. It is therefore considered that the proposed operation of the MRI clinic would not cause harm to amenity and as such, would comply with Policies A1 and A4 of the Camden Local Plan.

## Conclusion

As has been explained above, the proposal to extend the hours of operation of the current MRI clinic by amending the wording of Condition 5 is appropriate and consistent with the relevant planning policies in relation to transport, residential amenity and noise.

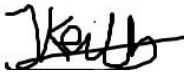
The applicant is committed to the obligations required by the existing planning permission (Travel Plan, a Travel Plan co-ordinator and a highways contribution) and would anticipate the same obligations in any Deed of Variation to the existing S106 Agreement. No changes are otherwise sought to the terms of the existing permission.

It is considered that the increase in the hours of operation of the MRI clinic represents a minor increase and would cause no harm to amenity. This is principally because there will be no additional impacts from the proposal when compared to the existing use and that any existing mitigation is working successfully.

The increase in the hours of use would have significant social and economic benefits and ensure the retention of the MRI clinic fully in accordance with the Development Plan and policies contained within both existing and emerging London Plan.

Should you have any queries, or require any additional information or hard copies, please do not hesitate to contact me using the details set out at the head of this letter. We look forward to hearing from you.

Yours sincerely



**Jennifer Keith**  
**Consultant**

Encl.