

MAYOR OF LONDON

Jonathan McClue
Regeneration and Planning Development
Management
London Borough of Camden
Town Hall
Judd Hall
London
WC1H 9JE

Our ref: GLA/4979a/02
Your ref: 2019/2879/P
Date: 24 February 2020

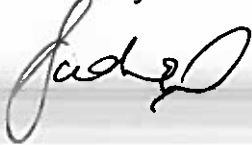
Dear Mr McClue

**Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008
Eastman Dental Hospital Site and Buildings (including the Former Royal Free Hospital the Eastman Dental Clinic and the Levy Wing), 256 Gray's Inn Road WC1X 8LD and
Frances Gardner House Wren Street WC1X 0HD
Local planning authority reference: 2019/2879/P**

I refer to your letter of 11 February informing me that Camden Council is minded to grant planning permission for the above planning application subject to planning conditions and conclusion of a Section 106 legal agreement.

Having now considered a report on this case (GLA/24979a/02, copy enclosed) I am content to allow Camden Council to determine the case itself, subject to any action that the Secretary of State may take, and do not therefore wish to direct refusal or to take over the application for my own determination.

Yours sincerely



Sadiq Khan
Mayor of London

cc Andrew Dismore, London Assembly Constituency Member
Andrew Boff, Chair of London Assembly Planning Committee
National Planning Casework Unit, DCLG
Lucinda Turner, TfL

Eastman Dental Hospital, 256 Grays Inn Road

in the London Borough of Camden

planning application no. 2019/2879/P

<p>Strategic planning application stage II referral</p> <p>Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008.</p>
<p>The proposal</p> <p>Partial redevelopment, extension and erection a five-storey building to provide a dementia and neurology research facility, alteration of Grade II listed building, erection of part four/part seven storey building to provide education space.</p>
<p>The applicant</p> <p>The applicant is University College London and the architect is Hawkins/Brown.</p>
<p>Key dates</p> <p>Stage I report: 5 August 2019 Committee meeting: 19 September 2019.</p>
<p>Strategic issues</p> <p>Principle of development: The principle of the increase of social infrastructure and community floor space, namely for uses by healthcare and education activities, is strongly supported in line with Central Activities Zone policies.</p> <p>Urban design and heritage: As stated at consultation stage, the proposal's form, massing and height were supported. A design matter was raised in relation to the architectural treatment of the southern elevation of Plot 3, as viewed by St Andrews Gardens. This has been addressed through an appropriate condition. A fire statement and inclusive design commitments have also been secured through condition. The proposed development would cause less than substantial harm to the listed building and its setting, the listed structure and the conservation area. The public benefits outweigh the less than substantial harm and the scheme accords with heritage policies.</p> <p>Transport: A number of issues were identified in relation to the Transport Assessment and trip generation calculations provided at Stage 1. The applicant worked with officers to provide a satisfactory assessment and a variety of mitigation measures have been secured relating to the relocation of a bus stop, bus service mitigation measures, and public realm. It is considered that the transport issues are resolved subject to compliance with conditions and obligations.</p> <p>Energy: At Stage 1, issues were identified in relation to the energy strategy submitted with the application. The applicant worked with GLA Officers to resolve the technical issues however a compromised solution is proposed due to heritage constraints and limited floorspace which is prioritised for the social infrastructure uses associated with the proposed medical research and healthcare facilities. On balance, the energy strategy is accepted, noting the proposed delivery of significant quantum of social infrastructure meeting a unique health and research need.</p> <p>Issues relating to sustainable drainage, water efficiency and urban greening are resolved and relevant conditions and Section 106 obligations secured.</p>
<p>The Council's decision</p> <p>In this instance, Camden Council has resolved to grant permission, subject to conditions and a section 106 agreement.</p>

Recommendation

That Camden Council be advised that the Mayor is content for it to determine the case itself, subject to any action that the Secretary of State may take and does not therefore wish to direct that he is to be the local planning authority.

Context

1 On 1 July 2019, the Mayor of London received documents from Camden Council notifying him of a planning application of potential strategic importance to develop the above site for the above uses. This was referred to the Mayor under Categories 1B and 1C of the Schedule to the Order 2008:

- Category 1B(b): “Development (other than development which only comprises the provision of houses, flats, or houses and flats) which comprises or includes in Central London (other than the City of London) and with a total floorspace of more than 20,000 square metres”.
- Category 1C(c) “Development which comprises or includes the erection of a building that is 30 metres high and is outside the City of London”.

2 On 5 August 2019, the Deputy Mayor for Planning, Regeneration and Skills, acting under delegated authority, considered planning report GLA/4979a/01, and subsequently advised Camden Council that the application did not yet comply with the London Plan, for the reasons set out in the above-mentioned report, but that possible remedies set out in the above-mentioned report could address these deficiencies.

3 A copy of the above-mentioned report is attached. The essentials of the case with regard to the proposal, the site, case history, strategic planning issues and relevant policies and guidance are as set out therein, unless otherwise stated in this report. Since then, further information has been provided in response to the Deputy Mayor’s concerns (see below). On 19 September 2019, Camden Council decided that it was minded to grant permission, subject to conditions and agreement of a section 106 agreement. Under the provisions of Article 5 of the Town & Country Planning (Mayor of London) Order 2008, the Mayor may allow the draft decision to proceed unchanged or issue a direction under Article 7 that he is to act as the local planning authority for the purpose of determining the application. The Mayor has until 24 February 2020 to notify the Council of his decision and to issue any direction.

Consultation stage issues summary

4 At consultation stage, Camden Council was advised that the application did not yet comply with the London Plan and the draft London Plan as set out below;

- **Principle of development:** The principle of the increase of social infrastructure and community floor space, namely for uses by healthcare and education activities, is strongly supported in line with Central Activities Zone policies.
- **Design:** The form, massing and height of the proposal are supported as it successfully responds to the context and character of the site. Further consideration should be given to the architectural treatment of the southern elevation of Plot 3, as viewed by St Andrews Gardens. The proposed development does not impact the Viewing Corridor from Parliament Hill summit to St Paul’s.

- **Heritage:** The proposed development, including movement of a listed fountain, alterations of a listed building and alteration and partial demolition of an undesignated heritage asset, would cause less than substantial harm to the listed building and its setting, the listed structure and the conservation area. The scheme will deliver social, educational, community and economic public benefits including through the provision of an expanded and modernised facility for both UCL's Institute of Neurology and the UK Dementia Research Institute Hub. The public benefits outweigh the less than substantial harm and the scheme accords with heritage policies.
- **Flood Risk and Sustainable Drainage:** The surface water drainage strategy for the proposed development does not comply with policies as it does not give appropriate regard to the greenfield runoff rate. Additional attenuation storage volume calculations should also be provided. A London Sustainable Drainage Proforma should be provided.
- **Water Efficiency and Urban Greening:** Further consideration should be given to water harvesting and reuse to reduce consumption of water across the development. Urban greening should be embedded as a fundamental element of site and building design. The proposed development's Urban Greening Factor should be calculated.
- **Energy:** Comprehensive comments were provided to Camden Council however in summary, various elements of the energy strategy are required to be addressed.
- **Transport:** Trip generation and mode share should be revised to consider the national catchment and specialist function of the proposal. Further engagement with TfL and LB Camden regarding the relocation of the bus stop is required. Financial contributions to mitigate the transport impacts of the development are required for bus capacity. Subject to the revised trip generation, further contributions towards public transport capacity and accessibility may be requested.

Update

5 Since consultation stage, GLA officers have engaged in discussions with the applicant, the Council and TfL officers with a view to addressing the above matters. Furthermore, as part of Camden Council's draft decision on the case, various planning conditions and obligations have been proposed to address the above concerns and ensure that the development is acceptable in planning terms.

Principle of development

6 The principle of the increase of social infrastructure and community floor space, namely for uses by healthcare and education activities, is strongly supported by London Plan and draft London Plan policies relating to the Central Activities Zone, the economy and health, education and social infrastructure. Specifically, the proposed medical research and development facility would make a positive contribution towards strategic policy objectives and London's wider MedCity cluster, which is strongly supported in accordance with London Plan Policies 2.13, 4.10, 3.16-3.17 and Policies SD1, E8 and S1-S2 of the draft London Plan. Furthermore, the provision higher education floorspace is strongly supported in accordance with Policy 3.18 of the London Plan and draft London Plan Policy S3.

Urban and inclusive design,

7 As stated at consultation stage, the form, massing and height of the proposal are supported as it successfully responds to the context and character of the site, and the proposed development does not impact the Viewing Corridor from Parliament Hill summit to St Paul's.

8 At Consultation Stage, a concern was raised in relation to the architectural detail to the south-eastern elevation of Plot 3, which was proposed as a relatively blank façade and it was requested that provision was made for activation and interest of this façade when viewed from St Andrew's Garden. The applicant explored a variety of options to create interest on the façade, which were provided for consideration by GLA and Camden Officers. A condition has been recommended by Camden Council on the draft decision notice requiring submission of details of this façade for approval prior to above ground works of the relevant plot. GLA Officers support this recommendation and are satisfied the recommendation allows for the detailed development of a suitable design solution.

9 As stated at Stage 1, the proposals have been informed by the surrounding context, including the listed building and the Bloomsbury Conservation Area. To ensure a high quality is delivered, as requested at Stage 1, the materiality has been secured by condition on the draft decision notice. Overall, GLA Officers are satisfied the design approach is well-conceived and the proposed building would be of a high architectural quality.

Inclusive design

10 As stated at State 1, the proposals take into account the requirements of Part M of the Building Regulations in accordance with London Plan Policy 7.2 and Policy D3 of the Mayor's intend to publish London Plan. As requested a Stage 1, a condition has been recommended by Camden Officers securing the commitments made in respect to accessibility and inclusive design, ensuring these commitments are carried through to detailed design stages and delivery.

Fire Safety

11 The submission of a fire statement, produced by an independent third party suitably qualified assessor, has been secured by Condition in accordance with Policy D12 of the Mayor's Intend to Publish London Plan.

Heritage

12 As set out at Stage 1, both the Eastman Dental Clinic building, and the Riddell Memorial Fountain are Grade II listed heritage assets, which alongside the former Royal Free Hospital, are located within the Bloomsbury Conservation Area. The former Royal Free Hospital (which is not a heritage asset in its own right) is identified as making a positive contribution to the Conservation Area.

13 Camden Planning officers and the Historic England considered that the harm resulting from the proposals on the conservation area comprises less than substantial harm; this aligns with the view made by GLA Officers at Stage 1.

14 At Stage 1, GLA Officers set out that the substantial public benefits being delivered through the proposed scheme outweigh the less than substantial harm arising from the proposed development. These public benefits were identified as including the provision of a significantly expanded and modernised facility for both UCL's Institute of Neurology and the UK Dementia Research Institute Hub, as well as additional academic floorspace, helping to achieve strategic policy objectives set out in the London Plan in relation to the CAZ and London's MedCity. Additionally, the proposed works were considered to contribute to the protection, re-use and enhancement of the listed building, and the conservation area.

15 Further to the above-described public benefits, it is noted that additional public benefits have been secured by Camden officers within the Section 106 agreement. These benefits includes £700,000.00 towards enhancement works at the Calthorpe Community Garden, the formation of a Calthorpe Partnership Plan to identify opportunities to work with the Calthorpe Community Garden to help those suffering with dementia and other neurological diseases, the adoption of a community outreach plan, the delivery of public realm within the scheme for year-round public use and the delivery of public art. GLA maintain the view at Stage 2 that the public benefits proposed outweigh the less than substantial harm resulting from the proposals.

16 Having regard to the statutory duties in respect of listed buildings and conservation areas in the Planning (Listed Buildings and Conservation Areas) Act 1990, the relevant paragraphs in the NPPF in relation to heritage assets and having given the finding of harm considerable importance and weight, GLA officers are satisfied that, for the reasons set out above, the proposal is acceptable and is accordance with Policy 7.8 of the London Plan and Policy HC1 of the Mayor's intend to Publish London Plan.

Sustainable Development

Energy

17 At Stage 1, the applicant is required to review their energy proposals to ensure compliance with the London Plan policies. It was noted that new build elements of the development are not meeting the 35% carbon emission reduction for SAP 10 calculated emissions and the applicant was asked to investigate further carbon reduction measures and energy efficiency measures. Further information in respect of PV panels was requested.

18 While the applicant worked with the applicant, a solution to the satisfaction of the GLA Energy Team was not found. The proposed strategy was however considered acceptable to the Camden energy and planning officers, and a number of measures focused on carbon reduction and energy efficiency have been secured. Notably, the draft section 106 agreement requires the submission of an energy efficiency and renewable energy plan comprises a range of package of measures in management of each phase with a view to reducing carbon energy measures. These measures include:

- Incorporation of the measures to achieve an overall 22% reduction in CO2 emissions beyond the Part L 2013 baseline;

- Further details of how carbon emissions will be reduced from renewable energy technologies a target reduction of at least 6% for Plot 1, and 19% in for Plot 3 in carbon emissions using low and zero carbon technologies;
- Separate metering of all low and zero carbon technologies to enable the monitoring of energy and carbon emissions and savings;
- A building management electronic system to monitor heating/cooling and the hours of use of plant;
- Measures to enable future connection to a local energy network;
- A pre-implementation design-stage review certifying that the measures incorporated in the Energy Efficiency and Renewable Energy Plan are achievable and satisfy the aims and objectives of the Council's strategic policies on carbon emissions reduction;
- Post construction review that the measures incorporated in the Energy Efficiency and Renewable Energy Plan have been achieved and will be maintainable in the future management and occupation; and
- Monitoring and reviewing.

19 In addition to the above, a range of measures have been secured in respect of energy. Conditions requiring further information in respect to the proposed photovoltaic panels, gas boilers, flue and generators have also been secured by Camden Council.

20 It is recognised that the application site has a number of heritage sites. Additionally, the scheme has been further constrained through the applicant's need to provide a substantive quantum of floorspace for medical research and healthcare activities, and these activities have been prioritised in the allocation of floorspace within the historic buildings. Noting the significant quantum of social infrastructure being proposed for a unique medical research and healthcare use providing substantive public benefits, it is considered that on-balance, the energy strategy proposed is acceptable.

Sustainable Drainage

21 At Stage 1, Camden Council was advised that the proposed development did not comply with London Plan Policy 5.13 and Policy SI.13 of the Mayor's intend to publish London Plan, as it does not give appropriate regard to the greenfield runoff rate and the applicant was asked to give further justification in respect of the proposed attenuation tank's volume.

22 While it would have been favourable for a reduction to greenfield rates over the full site, it is acknowledged there are constraints of this historic site and the surrounding built environment. The applicant revised the drainage strategy and provide attenuation to meet a total discharge rate of 48.2 l/s for the site; this is considered acceptable to GLA officers. As requested by GLA Officers, the Applicant must keep exploring surface attenuation options and this has been secured within conditions. Sustainable drainage issues have been resolved to the satisfaction of GLA Officers.

Water Efficiency

23 As recognised at Stage 1, the non-residential components of the development will target a minimum BREEAM rating of 'Excellent', and a reduction in water consumption in accordance with London Plan policy 5.15 and Policy SI.5 of the Mayor's Intend to Publish London Plan, which is strongly supported.

24 While the proposed development generally meets the requirements of London Plan policy 5.15 and draft New London Plan policy SI.5, the applicant was asked at Stage 1 to give further consideration water harvesting and reuse to reduce consumption of wholesome water across the entire development site. A condition has been imposed requiring details of rainwater recycling to be submitted to the Council for approval and constructed thereafter; this is supported by GLA Officers.

Urban Greening

25 At Stage the applicant was asked to consider additional urban greening features in accordance with London Plan Policy 5.10 and calculate the Urban Greening Factor, as set out in Policy G5 of the Mayor's intend to publish London Plan.

26 The scheme achieved a value of 0.15 which does not achieve the target of 0.3 for predominantly commercial developments as set out in Policy G5 of the Mayor's intend to publish London Plan. While this calculation reflects a very low level of urban greening within the development, a condition has been secured within the draft decision notice requiring the submission of a detailed landscape plan targeting a urban greening factor of 0.3. This is supported by GLA Officers in accordance with Policy G5 of the Mayor's intend to publish London Plan.

27 GLA Officers noted during Post Stage 1 discussions that St Andrews Gardens and the Calthorpe Community Garden Sites of Importance for Nature Conservation are located immediately adjacent to the site and that it is important that these sites remain protected throughout the design, implementation and operation of the development. GLA Officers considered that additional urban greening that should be incorporated to consider these designations and seek to complement the habitat characteristics.

28 A number of conditions have also been included on the draft decision notice which will incorporate additional urban greening and biodiversity enhancement/protection measures. These measures include landscaping, tree planting; biodiversity enhancements; bird and bat boxes, protection of trees, protection of bird nesting habitats, protection of on-site species during excavations; bat surveys, consideration of impact of lighting design on needs of wildlife and the incorporation of green roofs

29 On the basis of the above-described assessment, GLA Officers are satisfied with the urban greening and biodiversity proposals associate with this scheme.

Transport

30 To resolve the transport issues raised at Stage 1, the applicant revisited the trip generation assessment to address concerns. At Stage 1, concerns in regards to the capacity of the existing bus services to accommodate the likely increase in trips associated with the proposed development were raised. A contribution of £375,000

has been secured which will cover one additional journey during the AM peak period; this is welcomed.

31 A contribution for relocating a bus stop on Gray's Inn Road has been secured. The applicant will need to enter a S278 agreement with TfL to deliver this.

32 It is understood that Camden Council has proposals to introduce dedicated cycling facilities on Gray's Inn Road. The Council should continue to engage with TfL as this scheme progresses to ensure that the relocated bus stop successfully integrates with any new infrastructure introduced and supports achieving the Mayor's Vision Zero and Healthy Streets policy objectives. A contribution to support upgrading conditions for cycling on Gray's Inn Road has been secured.

33 Clarification on cycle parking provision has been provided, with the proposed quantum in accordance with the minimum standards identified in policy T5 of the Mayor's intend to publish London Plan. The provision of cycle parking has been secured through condition which is also welcomed.

34 At Stage 1, the Council were urged to secure public access to the routes through the site to improve permeability. This has been addressed through a community safety plan, secured within the S106 agreement, which will detail the opening and closing times of the various points to the site and identify how these will be monitored and reviewed. This plan is also required to provide details of the measures that are to be incorporated to manage the movement of pedestrians, cyclists and vehicles at the site.

35 A community safety plan has been secured within the S106 agreement which will detail the opening and closing times of the various points to the site and identify how these will be monitored and reviewed. The Plan is also required to provide details of the measures that are to be incorporated to manage the movement of pedestrians, cyclists and vehicles at the site.

36 A delivery and servicing management plan has been secured through condition. As part of this condition, measures will be identified to ensure pedestrian management and public safety during servicing of the proposed development. A construction management plan, demolition management plan and travel plan have been secured through the S106 agreement.

Response to consultation

37 In addition to inviting comments from statutory consultees and publishing all the relevant documents on the Council's planning register, Camden Council carried out a public consultation with local residents, local groups and businesses. The Council publicised the application by placing site notices and publishing a notice in the local press. A total of two representations were received, with reasons as summarised below:

- **Excessive height and bulk:** Unacceptably harmful to the conservation area, setting of listed buildings, setting of St Andrew's Gardens and adjacent designated heritage assets
- **Harm to the setting of listed building:** The looming and unattractive bulk is unacceptably harmful

- **Design:** Poor brutalist design and completely alien to the host building and the wider conservation area
- **Outlook and loss of light:** Unacceptable harm to outlook, privacy and loss of light, included to impacts on Trinity Court
- **Levy Wing/Plot 3 development:** Object to the proposed demolition of the Levy Wing (Plot 3) and its replacement with a much larger structure. No objection to the development of the site for the purpose of creating a dementia centre. The development of the Levy Wing is, however, nothing to do with that end but is to house an entirely unrelated research facility for maths and statistics students
- **Construction:** Lengthy period of development will cause substantial detriment to residents and gardens.
- **Impacts on St Andrew's Gardens:** Loss of light reaching the gardens. Creating an access into the site from the gardens would encourage the use of the gardens as a thoroughfare and development will greatly increase the footfall in the gardens;
- **Security concerns;** increase of anti-social behaviour within the public space;
- **New public spaces:** These will create security issues as well as exacerbate the crowding/footfall of the gardens
- Takeover of much of the Bloomsbury district by the London university colleges that local residents can easily be marginalised and their rights overridden by financially powerful institutions relentlessly pursuing their own ends
- Impacts on Calthorpe Community Garden and the residents of the New Calthorpe estate

38 The following organisations responded to consultation as summarised as follows:

- **Historic England Greater London Archaeological Advisory Service (GLAAS):** No objection.
- **Historic England:** An authorisation letter was provided for the Council to determine the listed building consent, submitted with the planning application, as seen fit (signed by Secretary of State on 09/07/2019). Historic England objected to the application as, in summary, they have significant concerns about the alterations to the (unlisted) former Royal Free Hospital and the new development behind. In a letter dated 1 July 2019, Historic England advised that the harm to the conservation area arising from the proposal amounts that less than substantial harm. A suite of conditions was recommended in relation to proposed works to the designated heritage assets including a phasing plan be provided to ensure the timely delivery of the refurbishment of the Eastman Dental Hospital and the reinstatement of the listed Riddell Memorial Fountain.
- **Natural England:** No objection.
- **Environment Agency:** No objection.
- **Sport England:** No objection.
- **London Fire Brigade:** No objection. Formal consultation required under Building Regulations procedure.
- **Thames Water:** No objection subject to conditions and informatives.

- **The Victorian Society:** Comments relate to heritage elements of proposal; Express concern regarding location of fountain and resulting harm but consider benefits of new public spaces which compensate for some loss.
- **Mount Pleasant Neighbourhood Forum:** Object on basis of concerns related to design, height of buildings, overshadowing from buildings. Suggest academic teaching facility is excluded allowing site to be redesigned with lower high and more linear mass.
- **Bloomsbury Residents Action Group:** Object proposal due to height and bulk and resulting townscape, character, sunlight/daylight and horticultural impacts, including impacts on the Calthorpe Community Garden and construction and pollution impacts.
- **Bloomsbury Conservation Area Advisory Committee:** Object, due to harm to the conservation area caused by the demolition of the courtyard and courtyard facades of the former Royal Free Hospital.
- **New Calthorpe Estate (NCE) Resident's Association:** Object in principle. Raise concern regarding impact of construction (noise, concern regarding damage to NCE communal boiler), impact of completed new buildings on visual and residential amenity (loss of outlook, overbearing, loss of light), crime and safety (due to and lack of direct benefit to existing residents).
- **Calthorpe Community Garden (CCG):** Object, on basis of refurbishment, demolition and construction activities resulting in adverse impacts including access and impact on Calthorpe Community Garden facilities, noise, vibration, disturbance, dust and air quality impacts. Concerns also raised in respect of daylight and lightspill impacts, loss of privacy, sense of overbearing, change in visual amenity and townscape, as well as robustness of assessments provided with application including historic environment assessment and town and visual impact assessment. Noise and pollution concerns raised in respect of proposed patient drop-off, and concern raised that no consideration was given in application as to how CCG and the development can work together in future to help research and treat the symptoms of dementia. Included a detailed assessment in respect of potential overlooking of Calthorpe Community Garden.
- **Rugby and Harpur Residents Association:** Object, on basis of height and resulting sunlight, ecological, pollution and noise impacts on Calthorpe Community Garden.
- **Medway Court Tenants and Residents Association:** Object, on basis of overcrowding and overlooking impacts on Calthorpe Community Garden and local residents, height and bulk within a conservation area, demolition and construction impacts.
- **Camden Intergeneration Network:** Noted the importance of the Calthorpe Project Community Garden plays for a diverse range of users; raised concern of construction, design and scale impacts on the functioning of the communal garden and it's users in relation to loss of light and privacy, impact of noise, vibration and dust; importance of access to green spaces and nature to people experiencing dementia;
- **Multiple Sclerosis Society:** Support on basis of healthcare and medical research benefits, restoration and employment benefits

- **Epilepsy Society:** Support on basis of national and international healthcare and medical research benefits.
- **Alzheimer's Society:** Support, on the basis of benefits to international medical research, economic and employment benefits and provision of social, educational and medical opportunities.
- **Garfield Weston Foundation:** Support for a new building for transformational neuroscience.
- **Iceland Foods Charitable Foundation:** Support on basis of healthcare and medical research benefits, restoration and employment benefits.
- **The Wolfson Foundation:** Support on basis of healthcare and medical research benefits, restoration and employment benefits.
- **Medical Research Council:** Support.
- **The Francis Crick Institute:** Support on basis of healthcare benefits, preservation benefits and employment benefits.
- **UK Research and Innovation:** Support on basis of healthcare and medical research benefits.
- **VIB (Centre for Brain and Disease):** Support, on basis of healthcare and medical research benefits.
- **ICM (Brain and Spine Institute):** Support, on basis of national and international benefits to healthcare, medical research and science.
- **UCSF Weill Institute for Neurosciences:** Support, on basis of local and international benefits to healthcare, medical research and science.
- **DZNE (German Centre for Neurodegenerative Diseases):** Support, on basis of local and international benefits to healthcare, medical research and science.

39 In addition, the Mayor of London also received a letter directly from the Bloomsbury Conservation Area (dated 8 January 2020) requesting the Mayor direct the London Borough of Camden reject the application on the basis of overdevelopment and heritage impacts on designated heritage assets. The letter also raised concerns with Camden Council planning officers' assessment of the application, specifically in relation to the assessment of the heritage impacts arising from the proposals.

40 Issues raised by objectors have been considered in this report, the Mayor's Stage 1 report, and the Council's committee report of 19 September 2019. The Council has proposed various planning obligations and conditions in response. Having had regard to these, GLA officers are satisfied that the statutory and non-statutory responses to the public consultation process do not raise any material planning issues of strategic importance that have not already been considered in this report, or consultation stage report GLA/4979a/01.

Draft Section 106 agreement

41 The draft section 106 agreement includes the following provisions:

- Housing Contribution of £723,266.25 towards the provision of housing and affordable housing within Camden;

- Implementation of a car free development specifically that Occupants (excluding disabled persons badge holders) will not be entitled to a business parking permit or to buy a contract to a park within any car park owned, controlled or licenced by the Council;
- Payment of a construction management bond of £96,000.00 to be used to remedy a breach of the Demolition and/or Construction Management Plan;
- Submission of a demolition management plan to the Council and payment of Demolition Management Plan Implementation Support Contribution of £53,500.00;
- Convene, liaise and meet with a Construction Working Group comprising interested groups, provide a telephone complaints service to local residents and take action reasonably necessary to deal with reasonable complaints;
- Submission of a Construction Management Plan and payment of a Construction Management Plan Implementation Support Contribution of £53,500.00;
- Highways contribution of £93,197.00 for works to public highway and associated measures;
- Pedestrian cycling and public realm contribution of £424,577.00
- Bus services mitigation contribution comprising two payments (£225,000.00 and £150,000.00, respectively) to be paid to and used by TfL to fund measures to mitigate the impacts on bus services on Gray's Inn Road;
- Payment of tree canopy management contribution of £10,000 towards mitigating and compensating for tree canopy impacts in respect of trees in St Andrew's Gardens;
- Two carbon offset contributions of £92,832.00 and £11,786.00, respectively to be used toward off-site carbon reduction measures.
- Payment of £700,000.00 contribution towards a scheme of enhancement works at the Calthorpe Community Garden;
- Submission of a phasing plan and thereafter compliance;
- Employment and training plan for each phase setting out package of measures to maximise employment opportunities;
- Commitment to work in partnership with the King's Cross Construction Skills Centre and take relevant measures during construction phase;
- Agreement and delivery of a programme during construction to provide opportunities for local businesses to tender for the provision of goods and service to the development in accordance with the Council's Local Procurement Code (and meet with the Council's Economic Development Local Procurement Team to agree the specific steps that will be taken to give effect to the Local Procurement Code);
- Provision of opportunities for local businesses to tender for the provision of facilities management services and other post construction supply of goods and services;
- Adoption of a travel plan with a view to inter alia reducing trips in motor vehicles to and from the Property and promoting the use of environmentally friendly transport incorporating and payment of a Travel Plan Monitoring Contribution of £9,618.00;
- Submission of a detailed basement construction plan to minimise impacts of basement construction (including engagement with residents of New Calthorpe Estate), and strict compliance thereafter. A post-completion review shall be carried out and the owner shall remedy any non-compliances;

- Energy efficiency and renewable energy plan comprises a package of measures in management of each phase with a view to reducing carbon energy measures.
- Submission, and management, of a sustainability plan for each phase incorporating BREEAM and sustainability measures; and the review of the sustainability plan by a qualified and independent professional;
- Submission of a public realm plan detailing delivery and management, ensuring that it is made available for year-round public use, and managed, cleaned and maintained to a high quality;
- Submission, and delivery, of a community safety plan outlining how the development would be designed to feel safe and welcoming by day and night;
- Adoption of a community outreach plan comprising a package of proposals with a view to engaging with the community including, engagement with STEAM commission, Institute of Neurology / Dementia Research Institute and other community organisations;
- Submission and delivery of boundary wall enhancement scheme for between the property and the New Calthorpe Estate and associated boundary and landscaping improvements;
- Submission of a Public Art Plan to the Council and delivery of public art for the lifetime of the development;
- Submission of a delivery and servicing management plan securing the minimisation of conflicts between service vehicles and car and pedestrian movements and the minimisation of damage to amenity from such servicing and deliveries;
- Submission of an interim landscape plan securing landscape measures during the period between occupation of Plot 1 and commencement of Plot 3 (if a contractor has not been appointed for the delivery of Plot 3);
- Payment of a bus shelter contribution of £20,000.00 to TfL and procurement for the delivery of the bus shelter on Gray's Inn Road prior to implementation of the development;
- Assist the Calthorpe Community Garden with the procurement and funding of independent advice to inform a Calthorpe Business Plan (funding to be capped to £20,000.00) to deliver a scheme of enhancements in accordance with its charitable objectives;
- Submission a Calthorpe Partnership Plan identifying opportunities to work with the Calthorpe Community Garden to help those suffering with dementia and other neurological diseases.

Article 7: Direction that the Mayor is to be the local planning authority

42 Under Article 7 of the Order, the Mayor could take over this application provided the tests set out in that Article are met. In this instance, the Council has resolved to grant permission with conditions and a planning obligation, which satisfactorily addresses the matters raised at consultation stage, therefore there is no sound planning reason for the Mayor to take over this application.

Legal considerations

43 Under the arrangements set out in Article 5 of the Town and Country Planning (Mayor of London) Order 2008, the Mayor has the power under Article 6 to direct the local planning authority to refuse permission for a planning application referred to him

under Article 4 of the Order. He also has the power to issue a direction under Article 7 that he is to act as the local planning authority for the purpose of determining the application. The Mayor may also leave the decision to the local authority. In deciding whether to direct refusal, the Mayor must have regard to the matters set out in Article 6(2) of the Order, including the principal purposes of the Greater London Authority, the effect on health and sustainable development, national policies and international obligations, regional planning guidance, and the use of the River Thames. The Mayor may direct refusal if he considers that to grant permission would be contrary to good strategic planning in Greater London. If he decides to direct refusal, the Mayor must set out his reasons, and the local planning authority must issue these with the refusal notice. In deciding whether to direct that the Mayor is to be the local planning authority, the Mayor must have regard to the matters set out in Article 7(3). If the Mayor issues a direction, he must set out his reasons in the direction.

Financial considerations

44 Should the Mayor direct refusal, he would be a principal party at any subsequent appeal hearing or public inquiry. National Planning Practice Guidance emphasises that parties usually pay their own expenses arising from an appeal.

45 Following an inquiry caused by a direction to refuse, costs may be awarded against the Mayor if he has either directed refusal unreasonably; handled a referral from a planning authority unreasonably; or behaved unreasonably during the appeal. A major factor in deciding whether the Mayor has acted unreasonably will be the extent to which he has taken account of established planning policy.

46 Should the Mayor take over the application he would be responsible for holding a representation hearing and negotiating any planning obligation.

Conclusion

47 The strategic issues raised at consultation stage regarding urban design, inclusive design, fire safety, sustainable drainage, water efficiency, urban greening and transport have been appropriately addressed, and conditions and section 106 obligations secured. While there are some outstanding concerns related to the energy strategy for the site, it is considered that on balance the application complies with the London Plan and the Mayor's intend to publish and there are no sound reasons for the Mayor to intervene in this case.

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