



GERALDEVE

Regeneration and Planning  
Development Management  
London Borough of Camden  
Town Hall  
Judd Street  
London  
WC1H 8ND

72 Welbeck Street London W1G 0AY  
Tel. 020 7493 3338  
[www.geraldeve.com](http://www.geraldeve.com)

For the attention of: Mr Jonathan McClue

16 December 2020

**Our ref:** LJW/CKE/SMAC/J10346.2

**Your ref:** 2018/0663/P

Dear Sir

**Stephenson House, 75 Hampstead Road, NW1 2PL (the 'Property')**

**Submission of an application for full planning permission**

We write on behalf of our client Lazari Properties 8 Ltd ("Lazari") in order to seek approval for planning permission, related to planning permission 2018/0663/P.

**Background**

Planning Permission (ref: 2017/3518/P) was granted on 8 March 2018 for:

**"Extensive internal and external refurbishment of Stephenson House to provide a ground plus 7 storey building containing 16,709sqm (GIA) of office (B1) floorspace, 904sqm (GIA) of flexible office/healthcare (B1/D1) floorspace, 857sqm (GIA) of retail (A1) floorspace, 118sqm (GIA) of café (A3) floorspace and 17 residential (C3) units (total 2,296.8sqm GIA), comprising 11 market units (1x1 bed, 6x2 bed, 4x3 bed) and 6 affordable units (3 x2 bed and 3x3 bed). The works include the removal of existing colonnade to Hampstead Road elevation, creation of double height entrance on Hampstead Road, multiple storey extensions and infills to the building, creation of three terraces to the rear, three integral pocket gardens to the Hampstead Road elevation and balconies facing Hampstead Road to all residential units. Addition of PV panels to the roof, 249 commercial cycle parking spaces, 33 residential cycle parking spaces, 4 disabled car parking spaces and associated landscaping and works."**

An application for minor material amendments (ref: 2018/0663/P) under Section 73 of the Town and Country Planning Act 1990 (as amended) to planning permission 2017/3518/P was approved on 2 July 2018 for:

**"Variation of condition 2 (approved plans) of 2017/3518/P dated 08/03/2018 (for extensive refurbishment of building and extensions to create 16,709sqm office, 904sqm flexible office/healthcare, 857sqm retail, 118sqm café and 17 residential units (including 6 affordable) and associated works (summary)) namely to demolish 60% of the existing primary structure (as opposed to 30%) and to increase the overall height of the building by 450mm."**

All pre-commencement conditions of planning permission 2018/0663/P have been discharged and the development permitted by that planning permission has been begun and is in the course of construction.

## **The Proposal**

This application seeks planning permission for the following:

*"Use of part of Stephenson House as flexible temporary sleeping accommodation (Sui Generis)/residential units in lieu of the permitted use as residential (C3) units"*

The part of Stephenson House which the application relates to is the 11 market residential units permitted by planning permission 2018/0663/P, as shown edged red on plans submitted with this application.

The proposed use of the 11 market residential units as flexible Sui Generis temporary sleeping accommodation or residential units is to provide for the units to be used as accommodation for the cancer patients (and their parents/carers) being treated at UCLH's new advanced Proton Beam Therapy Centre in Camden. A flexible use is proposed so as to allow for the units to also be used as residential units in the future.

In theory the proposals would not result in any loss of existing residential units within Use Class C3, as the residential units at Stephenson House have not yet been built and their use has not yet been instituted, and further, the ability to use the units for purposes within use Class C3 is retained by the proposed flexible use. Nonetheless, this planning application seeks to permit the use of the 11 approved market residential units (Use Class C3) as flexible temporary sleeping accommodation (Sui Generis) / residential units.

This application does not relate to the 6 approved residential units at Stephenson House which are to be used as affordable housing.

The proposal does not include any internal or external alterations to the previously approved building.

## **The urgent need for patient and carer accommodation for UCLH**

UCLH is currently constructing one of two national centres for proton beam treatment on behalf of NHS England. One centre will be located in Manchester. The other facility, which is currently under construction, is located within the UCLH Phase 4 development fronting Grafton Way, Huntley Street and Tottenham Court Road.

Proton Beam Therapy (PBT) is an advanced form of radiotherapy used for the treatment of complex cancers in children and adults. It directs the radiation treatment precisely where it is needed with minimal radiation dose to surrounding tissue. PBT treatment is therefore particularly suitable to treat complex childhood cancers, tumours in teenagers and young adults, and other hard to treat cancers in adults.

The UCLH London Proton Beam Therapy Centre will treat patients from across the South of England and will open shortly. The service will ramp up over a period of 2 years to treat up to 750 patients a year.

Given the distance that many patients will need to travel, and the need for daily out-patient attendance during the treatment period, UCLH are required to provide residential accommodation for patients who do not live within easy reach of the PBT Centre. It is estimated that at full ramp up, approximately 135 accommodation units will be required each day to house such patients whilst they come for 2-4 days of treatment planning, and for patients who are on treatment for 6-8 weeks.

The total requirement of 135 accommodation units separates into two groups:

- Accommodation requirement for 19 patients to be located within 10 minutes travel of the hospital; and
- Accommodation requirement for 116 patients to be located within 45 minutes travel distance of the hospital by public transport. The 45-minute travel distance is a maximum, and ideally accommodation would be located between 20-30 minutes away for patients undergoing daily chemotherapy at UCLH.

The reason that an estimated 19 patients require accommodation within 10 minutes travel of the PBT Centre is because they will require additional treatment, such as chemotherapy at UCLH, or a daily general anaesthetic before the first appointment time at 8am. These will be predominantly Paediatric patients and TYA (teenage and young adult) patients.

Given the length of consecutive treatment of 6-8 weeks, it is not considered acceptable to accommodate patients in hotel rooms as it is with some other patient groups where the UCLH use hotel accommodation including their patient hotel (The Cotton Rooms) and St Paul's House accommodation on Huntley Street, for Paediatric and TYA patients.

The requirement for the PBT Centre is instead to provide patients with a "home from home" environment where they and their carers can live in a normal family environment, necessitating self-contained accommodation. This requirement is of particular importance for Paediatric and TYA patients and builds on patient engagement events and the experience gained by UCLH from existing PBT programmes where patients have been treated overseas. It is also a requirement to cluster patients in the same building to allow patients and carers to share experience and pass knowledge.

### **Justification for the use sought at Stephenson House**

The current redevelopment of Stephenson House, just 0.2 miles from the new facility, provides a unique and rare opportunity to support UCLH's new PBT Centre and offer the urgent local patient accommodation required for this new facility.

The proposed use of the permitted market residential units at Stephenson House as temporary sleeping accommodation will:

- Provide the PBT Centre with 11 self-contained 1, 2 and 3 bedroom flats ideally suited to provide a "home from home" environment for the Paediatric and TYA PBT patient cohort;
- Provide 11 of the 19 units required within the locality (within 5 minutes' walk), where there is currently limited suitable accommodation;
- Enables patients of the PBT and their carers to be located together within a discreet building and within an acceptable walking distance from the PBT Centre;
- Enables patients of the PBT and their carers to be located together and with other patients to assist the transfer of knowledge and experience.

As part of UCLH's requirement to provide patients with suitable local accommodation, UCLH have undertaken a feasibility exercise to source and evaluate suitable and available accommodation options.

This exercise is principally aimed at exploring all available and suitable accommodation options within the UCLH estate; within the UCLH partners estate; and serviced residential apartments capable of providing

the required units via advanced booking arrangements. UCLH appointed CBRE to assist within this procurement exercise.

**Local requirement for 19 Units - within 10 minutes of PBT**

To identify potential sites required within the local area, UCLH have explored the following options:

- **Available accommodation within the UCLH Estate:**

- UCLH staff accommodation is provided by Notting Hill Genesis and comprises nomination rights to units in John Astor House (Foley Street) and Warwickshire/Bonham Carter Houses (Gower Street). These units comprise bedsit accommodation with shared kitchens and bathrooms/WCs and as such are not suitable for the PBT patient requirement. In addition, the lease of Warwickshire/Bonham Carter Houses expires in September 2022 and the landlord, University of London, has advised that they require the return of this accommodation for their own use. This accommodation is therefore neither suitable nor available.
- UCLH hold weekly tenancies of 5 residential flats from Camden Borough Council within Maple House. These tenancy agreements are however restricted to the use for staff residential accommodation only, and therefore these units are unavailable for the use of patient accommodation. UCLH would welcome discussions with Camden Council in respect of revisiting the tenancy agreements to allow some or all of these units to help meet some of the patient local accommodation needs of the PBT.
- UCLH Charity hold no residential accommodation suitable for the requirement.

- **Available accommodation within UCLH partners' estate:**

- Within UCLH partners' estate, the UCLH have an existing relationship with Paul's House in Huntley Street, which is used to accommodate patients and families. Pauls House accommodation comprises family bedrooms with shared facilities and is therefore not suitable for the patients of the PBT facility who require consecutive treatment for 6-8 weeks in self-contained accommodation. Furthermore, Pauls House is already fully utilised for the existing Paediatric and TYA patients undergoing cancer treatment and is therefore not available to provide additional accommodation for the patients of the PBT facility.
- UCL and other student housing providers do hold material accommodation however this too is fully utilised, with the exception of holiday periods. Partners' student housing accommodation is therefore unavailable and not considered suitable for the patients of the PBT facility.

- **Available accommodation within existing serviced residential apartments:**

- UCLH have undertaken an extensive search of available accommodation within existing local serviced apartments. Unfortunately, there is a shortage of suitable serviced residential apartments in the immediate locality.
- UCLH have assessed the serviced apartments available in the local area. A summary of this assessment is provided in their Analysis Summary Table of available Local

Residential Serviced Accommodation which has been submitted as part of this planning application.

- All the existing serviced apartments assessed fail to meet the need for a self-contained block of accommodation available solely for the use of the PBT patients. In addition, they also generally fail to meet one or more of the following UCLH requirements:
  - The accommodation is too small, comprising studios or one-bedroom apartments. For the local element of the PBT requirement, UCLH require accommodation capable of accommodating families, generally two and occasionally three bed units;
  - Most existing serviced accommodation buildings comprise few units, and in some cases as little as one available unit of accommodation only. Such accommodation is unsuitable given the need to group multiple patients and their families together. They may also fail to meet the UCLH's patient health needs, depending on the nature of furniture and fittings such as curtains instead of blinds; absence of support rails in bathrooms; room layout including inadequate room around beds; and access constraints, including lack of lift access; and
  - At least one of the properties exceeds the nightly cost allowance available to the UCLH.

UCLH maintain close links with major commercial landlords in the locality, such as Lazari. It is through these links that UCLH has identified the unique opportunity at Stephenson House in meeting the majority (11 out of the 19 patient accommodation units) of the units required within 10 minutes of the locality of the PBT Centre.

The accommodation options set out above are the only feasible options available to UCLH in meeting the local accommodation requirements for the new PBT Centre. Considering the conversion and change of use of non-residential properties is not a viable option for UCLH.

The required UCLH accommodation is to be provided to PBT patients free of charge because it is essential that they attend the hospital on a daily basis for treatment. Given this is only one of two national PBT facilities (the other being located in Manchester) the catchment for the facility, coupled with the daily required treatment and length of stay, means that few patients will live at an acceptable distance from the facility to be able to attend from home. As such, and given this project is of national importance, UCLH receive funding from NHS England to provide suitable accommodation for patients. The funding is revenue based, and there is no capital available to purchase and convert non-residential premises. Furthermore, there is insufficient time before the PBT facility becomes live to acquire a suitable property, secure full planning permission and undertake the conversion works and building operations required to provide this accommodation. In addition, Camden's recent Article 4 Direction (adopted in May 2019) seeks to preserve Class B1a uses by removing the permitted development rights to covert offices to residential uses within the Central Activities Zone of the London Borough of Camden, meaning that any conversion, if viable, would require full planning permission rather than benefiting from a permitted development route.

In light of the above and given the shortage of available and suitable accommodation with the immediate locality of the PBT Centre, Stephenson House offers the only suitable, viable and available option to provide the majority (11 units) of the local accommodation required for patients at the PBT Centre and their families.

It is anticipated that the remaining 8 local units required will need to be met by existing serviced residential apartments which meet the required criteria as closely as possible, albeit UCLH continues to search for available options within Camden. Unfortunately, given there is such a shortage of suitable serviced residential apartments in the immediate locality, UCLH may have to stretch their 10-minute search area a little wider. This only makes the Stephenson House units more critical to obtain for the PBT patients, and UCLH will ensure that this accommodation is offered to patients with greater mobility challenges.

## Planning Policy

### *Principle of the flexible use*

**Policy H1** of Camden's adopted Local Plan (2017) seeks to maximise housing supply and sets out that self-contained housing is the priority land-use of the Local Plan. Of particular relevance to our proposals is part C of Policy H1 which advises that the Council will resist alternative development of sites identified for housing through a current planning permission unless it is shown that the site is no longer developable for housing.

Supporting paragraph 3.28 of Policy H1 advises that if alternative development is proposed on a site identified for self-contained housing, the Council will consider whether there is a reasonable prospect of a viable development for self-contained housing coming forward within the Plan period, and any other relevant material considerations such as whether the alternative development will free up a replacement site in Camden for self-contained housing, **or provide an essential community facility or infrastructure that cannot be accommodated elsewhere** (our emphasis).

**Policy H3** of Camden's Local Plan seeks to protect existing residential floorspace (Class C3) by: resisting development that would involve a net loss of residential floorspace; protecting housing from permanent conversion to short-stay accommodation intended for occupation for periods of less than 90 days; and resisting development that would involve the net loss of two or more homes. Policy H3 advises that: **"Exceptionally, the Council may support development that involves a limited loss of residential floorspace where this is provided for the expansion of existing health premises to meet local needs."** Furthermore, supporting paragraph 3.81 advises that the Council may support the loss of residential floorspace in these circumstances provided that the need for expansion of the health premises is demonstrated, and the loss of floorspace is no greater than is necessary.

**Policy C2** of the Local Plan advises that the Council will ensure that community facilities and services are developed and modernised to meet the changing needs of the community and reflect new approaches to the delivery of services. Furthermore, Policy C2 states that the Council will support the investment plans of educational, health, scientific and research bodies to expand and enhance their operations, taking into account the social and economic benefits they generate for Camden, London and the UK.

## Policy Assessment

We acknowledge that contrary to the requirements of **Policy H1**, part C, the approved residential (Class C3) floorspace at the site could come forward and continue to be developed for housing as permitted. The proposed use under this planning application is not however being sought because the site is no longer developable for housing, but to utilise the unique opportunity identified to meet UCLH's urgent requirement for local patient and carer accommodation in order to support and enable the successful operation of UCLH's unique and life changing local PBT facility.

Given the shortage of available and suitable local accommodation, Stephenson House is ideally located to provide a "home from home" environment, just 0.2 miles and within a 5-minute walking distance from the PBT Centre. The use will provide 11 of the 19 required units; and offer the required mix of 1, 2 and 3

bedroom flats within a self-contained and secure building where patients and their families can be housed together.

In accordance with Policy H1, part C, we consider that the loss of the permitted Class C3 floorspace at Stephenson House is far outweighed by the wider social and economic benefits of supporting and enabling UCLH's life changing local PBT facility, as a project of national importance.

With regards to **Policy H3** which seeks to protect existing homes, we note that the Class C3 residential units at Stephenson house, while permitted, do not currently exist. Nonetheless, the policy does allow for the loss of residential floorspace where this is to accommodate the expansion of health premises to meet local needs. Whilst we acknowledge that it is not the treatment centre itself that will be located at the site, the proposals will support the expansion of UCLH's services and their new PBT facility to meet a specific need for this type of facility.

Furthermore, given the proposal seeks permission for the use of the 11 market residential units as flexible temporary sleeping accommodation (Sui Generis) / residential units use, the long-term future Class C3 use of these units will be preserved in so far as is possible in accordance with the need for a planning permission to authorise a material change of use and the provisions of Class V of Part 3 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015.

We would also highlight that the six approved affordable residential units will remain and are not subject to this application, in line with **Policy H5**, which seeks to protect existing affordable housing floorspace of all types.

### **Other considerations**

This application seeks to permit the use of the 11 permitted market residential units as flexible temporary sleeping accommodation (Sui Generis) / residential units only. The extant Stephenson House permission will otherwise be built out as permitted, and there will be no amendments to the internal or external alterations to the approved building.

We acknowledge that the residential block, as permitted, has a shared staircase, and a shared cycle parking area and bin store at the ground floor for the permitted market housing and affordable housing units, albeit the market and affordable units do have separate entrance lobbies and lifts. Lazari confirm that transferring the permitted market flats to patient/carer accommodation for UCLH will not have any adverse impact on the service charges for the permitted affordable units, or on the Registered Providers management of the affordable housing.

Note that this application seeks permission relating to the 11 permitted market residential units only. As such, the set of submitted plans which identify the residential units to be "Temporary Sleeping Accommodation/Residential Market", do not include any common parts of the residential block, which will continue to relate to the whole residential element of the building.

The conclusions of the Financial Viability Assessment which was submitted with the original application still stand, and the proposed use of the 11 permitted market units as flexible temporary sleeping accommodation (Sui Generis) / residential units will not provide any further scope for additional affordable housing, albeit, as set out previously, the 6 permitted affordable housing units will be unaffected by this amendment.



## Application Documentation

As part of this application the following documents have been submitted via the Planning Portal (Ref: PP-09353370):

- Planning Application Form;
- Covering Letter;
- Supporting Letter from UCLH, including their Analysis Summary Table of Available Local Residential Serviced Accommodation;
- Set of Red Line Plans (across all floors) of the part of the Property to which the application for planning permission relates.
- Set of proposed layout plans, showing the latest approved plans permitted for Stephenson House, which identify the permitted use of the 11 market residential units to be "Temporary Sleeping Accommodation/Residential Market".

The correct planning application fee of £462 for the application has already been paid as part of an earlier application that was withdrawn in agreement with officers in April 2020. Hence this application fee is exempt.

We have undertaken pre-submission engagement with Jonathan McClue in order to discuss the application for planning permission and its effect.

Should you have any queries please do not hesitate to contact Caroline Keane (0207 333 6245) or Shaun MacArthur (0203 486 3723) of this office.

Yours faithfully



**Gerald Eve LLP**

Encls.