

Application ref: 2020/2129/P
Contact: David Fowler
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Date: 20 November 2020

Development Management
Regeneration and Planning
London Borough of Camden
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WC1H 9JE

Phone: 020 7974 4444

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Savills
33 Margaret Street
London
W1G0JD

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Variation or Removal of Condition(s) Granted Subject to a Section 106 Legal Agreement

Address:

**Royal Free Hospital
Pond Street
London
NW3 2QG**

Proposal:

Variation to Condition 23 (plan numbers) to allow for alterations to the design and materials of the approved vertically hung and projecting louvered panels and the horizontal brise soleil at level 5 parapet height granted under reference 2014/6845/P dated 25/04/16 for demolition of existing carpark and ancillary structures and erection of new 7 storey building, located on Heath Strange Garden site facing west to Hampstead Green footpath and Rosslyn Hill, containing laboratory/research space for Institute for Immunity and Transplantation, a patient hotel, Royal Free Charity offices plus a replacement carpark of 58 spaces, replacement memorial garden, plant and landscaping, all ancillary to Royal Free Hospital.

Drawing Nos: Approved:

letter from Savills dated 30.5.18; Site plan 0000C; 1372-GA- 101-10, 103-08; 3340 PL(10) 00, 01, 06.2, 15, 16 (level 02- site plan, dated 24.5.18), 16 (west elevation-proposed, dated 9.10.19), 17; 3340-PL(00) 01, 02, 03A, 04, 05, 06, 08, 11, 13, 14, 15, 16, 17, 18A; A-RFMR-0000C, 0001C, 0002B, 0003B, 0004B, 0005B, 0006B, 0007B, 0008B, 0009A, 0050A, 2150B, 2151B; (91)LP001A, 002A; Accurate Visual Representations dated December 2014 and revised February 2015 (ref A-RFMR-9422-B); RFMR-SK-268, 269; 2 unnumbered additional montages viewed from Hampstead Green.

Planning, Design and Access Statement by Hopkins Architects dated October 2014; Design and Access Statement Addendum by bmj architects (update to Section 5.8 Landscaping (Rev B) of approved Design and Access Statement); Arboricultural Development Report by Arbtech dated 17 October 2014; Basement Impact Assessment (Surface Water and Groundwater) by ESI dated October 2014; Basement Impact Assessment Screening and Scoping Report 'Land Stability' by Soil Consultants dated 30th January 2015; Energy Statement for Planning by BDP dated 15th October 2014; Flood Risk Assessment by ESI dated October 2014; Noise Statement for Planning by BDP dated 20th October 2014; Geo-environmental and Geotechnical Site Assessment by RSK dated October 2014; Sustainability Statement by BDP dated 22nd October 2014; Transport Assessment by Vectos dated October 2014; letter on BIA review from BDP (plus Appendices 1-7) dated 27.1.15; updated energy calculations attached to email from Simon Myles on revised energy strategy dated 29.1.15; Note on movements associated with excavation by GCG dated January 2015; Surface water runoff supplementary information by BDP dated 6th February 2015; calculations for storm sewer design by Micro Drainage dated 6.2.15; emails from Simon Myles on revised energy strategy dated 29.1.15 and BIA matters dated 12.2.15.

Amended:

Design Statement A_RFMR_9424_A (Hopkins Architects) May 2020, PL(10)19 P2, PL(10)20 P2, PL(10)21 P2, PL(10)22 P2, PL(10)30 P2, CGI's (Hopkins Architects), 400B, 401B, 402B, 410B, 411B, 412B, 413A, 414A, 415A, 420B, 421B, 422A, 430B, 431B, 432A, 500C, 501C, 502C, 503B, 504C, 505C, 506F, 507C, 508A, 509D.

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 This entry is left intentionally blank.
- 2 Details of all samples/materials as appropriate, in respect of the following, shall all be carried out in accordance with the details approved by the LPA on 01/07/2020 under reference 2019/3820/P or any other such details approved.
 - a) Facing materials of all elevations
 - b) Details including sections at 1:10 of all windows and door frames.
 - c) This entry is left intentionally blank given details of the louvres are submitted under the current application 2020/2129/P.
 - d) Details including materials of all balconies and roof terraces.

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

- 3 The development shall be carried out in accordance with the details of the sample panel of brickwork approved by the LPA on 01/07/2020 under reference 2019/3820/P. 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 policies D1 and D2 of

the Camden Local Plan.

- 4 No lights, meter boxes, flues, vents or pipes, and no telecommunications equipment, alarm boxes, television aerials, satellite dishes or rooftop 'mansafe' rails shall be fixed or installed on the external face of the buildings, without the prior approval in writing of the local planning authority.

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

- 5 All hard and soft landscaping works shall be carried out in accordance with the details approved by the LPA on 10/09/2018 under reference 2018/2457/P. Any trees or areas of planting which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced as soon as is reasonably possible and, in any case, by not later than the end of the following planting season, with others of similar size and species, unless the local planning authority gives written consent to any variation.

Reason: To ensure that the landscaping is carried out within a reasonable period and to maintain a high quality of visual amenity in the scheme in accordance with the requirements of policies D1 and D2 of the Camden Local Plan.

- 6 All hard and soft landscaping works shall be carried out in accordance with the approved landscape details prior to the occupation for the permitted use of the development or any phase of the development, whichever is the sooner. Any trees or areas of planting which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced as soon as is reasonably possible and, in any case, by not later than the end of the following planting season, with others of similar size and species, unless the local planning authority gives written consent to any variation.

Reason: To ensure that the landscaping is carried out within a reasonable period and to maintain a high quality of visual amenity in the scheme in accordance with the requirements of policies D1 and D2 of the Camden Local Plan.

- 7 All trees on the site, or parts of trees growing from adjoining sites, unless shown on the permitted drawings as being removed, shall be retained and protected from damage in accordance with the details approved by the LPA on 26/09/2016 under reference 2016/2784/P.

Reason: To ensure that the development will not have an adverse effect on existing trees and in order to maintain the character and amenity of the area in accordance with the requirements of policy A3 of the Camden Local Plan.

- 8 Noise levels at a point 1 metre external to sensitive facades shall be at least 5dB(A) less than the existing background measurement (LA90), expressed in dB(A) when all plant/equipment (or any part of it) is in operation unless the

plant/equipment hereby permitted will have a noise that has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or if there are distinct impulses (bangs, clicks, clatters, thumps), then the noise levels from that piece of plant/equipment at any sensitive façade shall be at least 10dB(A) below the LA90, expressed in dB(A).

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policy A1 of the Camden Local Plan.

- 9 The roof plant and ductwork shall be installed in accordance with the details approved by the LPA on 09/08/2019 under reference 2019/1916/P

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy A1 of the Camden Local Plan.

- 10 In the event that additional significant contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the local planning authority. An investigation and risk assessment must be undertaken in accordance with the requirements of the Environment Agency's Model Procedures for the Management of Contamination (CLR11), and where mitigation is necessary a scheme of remediation must be submitted to and approved by the local planning authority and thereafter implemented in accordance with the approved details before any part of the development hereby permitted is occupied.

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 policy A1 of the Camden Local Plan.

- 11 The waste storage and removal facilities hereby approved shall be provided prior to the first occupation of the building and permanently retained thereafter.

Reason: To ensure that sufficient provision for the storage and collection of waste has been made in accordance with the requirements of policy A1 of the Camden Local Plan.

- 12 The development shall not be occupied until the whole of the car parking provision, including 6 accessible spaces for disabled, shown on the approved drawings is provided. Thereafter the whole of the car parking provision shall be retained and used for no purpose other than for the parking of vehicles of the visitors and patients of the Royal Free Hospital.

Reason: To ensure that the use of the premises does not add to parking pressures in surrounding streets which would be contrary to policy T1 of the Camden Local Plan.

- 13 No loading or unloading of goods, including fuel, by vehicles arriving at or departing from the premises shall be carried out otherwise than within the curtilage of the building, unless it is in accordance with the Delivery and Servicing Management Plan agreed under the Section 106 legal agreement for this development.

Reason: To avoid obstruction of the surrounding streets and to safeguard amenities of adjacent premises in accordance with the requirements of policy A1 of the Camden Local Plan.

- 14 The cycle storage facilities approved by the LPA on 26/09/2016 under reference 2016/2782/P shall be provided in their entirety prior to the first occupation of the building and permanently retained thereafter.

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

- 15 The PV panels shall be installed in full accordance with the details approved by the Local Planning Authority on 23/09/2019 under reference 2019/3619/P 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 CC1 and CC2 of the Camden Local Plan.

- 16 The sustainable urban drainage system shall be carried out in accordance with the details approved by the LPA on 26/09/2016 under reference 2016/2787/P submitted to and approved in writing by the local planning authority. Such system shall be based on a 1:100 year event with 30% provision for climate change, demonstrating 50% attenuation of all runoff. The system shall be implemented as part of the development and thereafter retained and maintained.

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 and CC2 of the Camden Local Plan.

- 17 Prior to first occupation of the building, a plan showing details of the brown roof (including species, planting density, substrate and a section at scale 1:20 showing that adequate depth is available in terms of the construction and long term viability of the brown roof) and a programme for a scheme of maintenance shall be submitted to and approved in writing by the local planning authority. The brown roof 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 of maintenance.

Reason: To ensure that the brown roof is suitably designed and maintained in accordance with the requirements of policies CC1 and CC2 of the Camden Local Plan.

- 18 Prior to first occupation of the development, a plan showing details of bird and bat boxes and insect hotels on the site 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 policy A3 of the Camden Local Plan.

- 19 With regards drainage strategy, the development shall be carried out in

accordance with the details approved by the LPA on 26/09/2016 under reference 2019/3820/P. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.

Reason: To ensure that sufficient sewage capacity is made available to cope with the new development and to avoid adverse impact on the environment in accordance with policy CC3 of the Camden Local Plan.

- 20 With regards water supply infrastructure, the development shall be carried out in accordance with the details approved by the LPA on 26/09/2016 under reference 2016/2993/P.

Reason: To ensure that the water supply infrastructure has sufficient capacity to cope with the additional demand and to avoid adverse impact on the environment in accordance with policy CC3 of the Camden Local Plan.

- 21 The 'patient hotel' hereby approved shall be only used as ancillary accommodation to the Royal Free Hospital and shall not be used as a Class C1 hotel for the general public.

Reason: To ensure that the future occupation of the building does not adversely affect the immediate area by reason of traffic congestion and excessive on-street parking pressure etc, in accordance with policies A1 and TT1 of the Camden Local Plan.

- 22 The proposed replacement memorial garden shall be implemented in its entirety in accordance with the approved landscape details and shall be permanently retained and maintained as such thereafter.

Reason: To ensure that the development retains a replacement for the existing memorial garden which contributes to the visual amenity and open space of the area in accordance with the requirements of policies D1, D2 and A1 of the Camden Local Plan.

- 23 The development hereby permitted shall be carried out in accordance with the following approved plans-
letter from Savills dated 30.5.18; Site plan 0000C; 1372-GA- 101-10, 103-08; 3340 PL(10) 00, 01, 06.2, 15, 16 (level 02- site plan, dated 24.5.18), 16 (west elevation- proposed, dated 9.10.19), 17; 3340-PL(00) 01, 02, 03A, 04, 05, 06, 08, 11, 13, 14, 15, 16, 17, 18A; A-RFMR-0000C, 0001C, 0002B, 0003B, 0004B, 0005B, 0006B, 0007B, 0008B, 0009A, 0050A, 2150B, 2151B; (91)LP001A, 002A; Accurate Visual Representations dated December 2014 and revised February 2015 (ref A-RFMR-9422-B); RFMR-SK-268, 269; 2 unnumbered additional montages viewed from Hampstead Green.

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2014; Design and Access Statement Addendum by bmj architects (update to Section 5.8 Landscaping (Rev B) of approved Design and Access Statement); Arboricultural Development Report by Arbtech dated 17 October 2014; Basement Impact Assessment (Surface Water and Groundwater) by ESI dated October 2014; Basement Impact Assessment Screening and Scoping Report 'Land Stability' by Soil Consultants dated 30th January 2015; Energy Statement for Planning by BDP dated 15th October 2014; Flood Risk Assessment by ESI dated October 2014; Noise Statement for Planning by BDP dated 20th October 2014; Geo-environmental and Geotechnical Site Assessment by RSK dated October 2014; Sustainability Statement by BDP dated 22nd October 2014; Transport Assessment by Vectos dated October 2014; letter on BIA review from BDP (plus Appendices 1-7) dated 27.1.15; updated energy calculations attached to email from Simon Myles on revised energy strategy dated 29.1.15; Note on movements associated with excavation by GCG dated January 2015; Surface water runoff supplementary information by BDP dated 6th February 2015; calculations for storm sewer design by Micro Drainage dated 6.2.15; emails from Simon Myles on revised energy strategy dated 29.1.15 and BIA matters dated 12.2.15.

Louvres:

Design Statement A_RFMR_9424_A (Hopkins Architects) May 2020, PL(10)19 P2, PL(10)20 P2, PL(10)21 P2, PL(10)22 P2, PL(10)30 P2, CGI's (Hopkins Architects), 400B, 401B, 402B, 410B, 411B, 412B, 413A, 414A, 415A, 420B, 421B, 422A, 430B, 431B, 432A, 500C, 501C, 502C, 503B, 504C, 505C, 506F, 507C, 508A, 509D.

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

Informative(s):

1 Reason for approval

The proposals are for the change of timber louvred to aluminium. Given the scope of the proposals, the only material planning consideration is considered to be the resulting design quality of the proposed building and impacts on the character and appearance of the surrounding area, and conservation area.

The proposed change of the horizontal members of the louvre panels across the building has been through extensive discussion and testing. Due to their prominence as projecting louvres, louvres to window frames and as brise-soleil, this change would materially change the appearance of the proposed building (hence the need for a minor-material amendment). The approved material palette of pre dominantly brick, concrete and timber was arrived at in response

to the material context of the proposed building with bricks correspondence to St Stephen's Church, concrete to the Royal Free Hospital and timber to the arboreal setting of Hampstead Green.

The approved louvre panels were formed by aluminium frames with horizontal timber members. As stated the timber members provided a correspondence to the arboreal setting of Hampstead Green and also provided a material warmth to the building in relation to its landscape setting. The Design Statement prepared by Hopkins Architects sets out a number of options that were tested as a best fit for the replacement of the horizontal timber louvres via a series of views. Their own conclusion was that the colour tone of a powder coated aluminium fin in RAL 1035 provided the best option which corresponds to the original intentions of the approved timber. Officers agree with this position.

The design quality of the building is still considered to be high and sufficiently responsive to the context within which it sits.

There is no increase in bulk/massing and therefore no amenity implications of this change.

Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under s.72 (CA's) of the planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.

All of the above amendments are considered minor material amendments to the original application.

2 Section 73

This approval under Section 73 of the 1990 Act effectively varying the relevant condition of the previous planning permission is subject otherwise to the same terms, drawings, conditions (and obligations where applicable) as attached to the previous planning permission.

3 Outstanding conditions

You are reminded that conditions 17 (brown roof) and 18 (bird/bat boxes) of planning permission ref 2014/6845/P dated 25 April 2016 are outstanding and require details to be submitted and approved.

4 Louvres

For the avoidance of doubt, the drawings submitted as part of this application relate solely to the details of the louvres.

5 Your attention is drawn to the need for compliance with the requirements of the Environmental Health regulations, Compliance and Enforcement team, [Regulatory Services] Camden Town Hall, Argyle Street, WC1H 8EQ, (tel: 020 7974 4444) particularly in respect of arrangements for ventilation and the extraction of cooking fumes and smells.

- 6 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, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en> 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.
- 7 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.
- 8 You are advised that the Transport Strategy Team should be consulted regarding any works to, under, or over, the public highway and footpaths. You are also reminded that any temporary or permanent diversion or 'stopping up' of the public footpath alongside Hampstead Green will require the relevant application submitted to the Council under Section 257 of the Town and Country Planning Act 1990. It should be noted that any public utilities and/or statutory undertakers' infrastructure currently located underneath the section of footpath to be diverted and/or stopped up would need to be relocated at the applicant's expense prior to any works commencing on site.
- 9 Please note that any approval given by the Council does not give an exemption from the requirements to comply with the Wildlife and Countryside Act 1981 (as amended), or any other Acts offering protection to wildlife. Of particular note is the protection offered to bats, birds and their nests from construction works. For further information contact Natural England on 0300 060 4911 or www.naturalengland.org.uk.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2019.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

A handwritten signature in black ink, appearing to read 'DPope', is positioned in the upper left quadrant of the page.

Daniel Pope
Chief Planning Officer