



Ugly Brown Building

# PLANNING STATEMENT

May 2021

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## 1. INTRODUCTION

1.1 This Planning Statement has been prepared on behalf of Reef Estates Limited (the “Applicant”) in support of the following application to London Borough of Camden Council (“LBC or the “Council”) for:

1.2 Detailed planning permission (the “Application”) for redevelopment of Plot B and C of The Ugly Brown Building, 2-6 St Pancras Way, London NW1 0TB (the “Site”). The proposed description of development is:

*‘Demolition of existing building, and redevelopment to provide a nine-storey building with two basement levels for flexible Class E and Sui Generis Use, a two-storey Pavilion for flexible Class E and Sui Generis Use, along with associated cycle parking, servicing, hard and soft landscaping, public realm, and other ancillary works, alongside amendments to Plot C within planning permission 2017/5497/P, namely increase of affordable housing provision’ (the “**Proposed Development**”).*

1.3 The Proposed Development encompasses the following key features:

- Enhanced and expanded office space, catering for office tenants in post-Covid-19 working requirements;
- Increase of affordable housing mix from 21 to 33, increasing the affordable housing ratio from 35.6% to 50.8%
- Architecture and materiality to respond to and enhance the surrounding townscape and conservation area;
- Exemplary standards in terms of sustainability, achieving the highest possible accreditations;
- Activated frontage on all aspects of the Site;
- Flexible floorplates, allowing the site to maximise its potential;
- London Plan 2021 compliant levels of cycle parking and facilities, for office and retail workers.

### Content of the Planning Application Submission

- 1.4 The following documents have been submitted in support of this application, in agreement with LBC Officers:

Ugly Brown Building- Application Documents
Covering letter
Application forms (including Certificate B Notices)
Site Location Plan
CIL Additional Questions Forms
Planning Statement
Design and Access Statement Addendum
Application Drawings
Townscape, Visual & Built Heritage Assessment Addendum
Energy Statement
Whole Life Carbon Assessment
BREEAM Stage 2 Pre-Assessment
Regeneration Statement
Health Impact Assessment
Daylight and Sunlight Report Addendum
Air Quality Report
Basement Impact Assessment (including Appendices and Flood Risk Assessment/SUDS)
Ecology Appraisal
Contaminated Land Assessment
Noise Assessment
Outline Construction Management Plan
Transport Assessment and Servicing Strategy
Archaeological Assessment
Arboricultural Impact Assessment
Pedestrian Level Wind Assessment
Preliminary UXO Risk Assessment
Statement of Community Involvement
Fire Strategy

- 1.5 The reminder of this Planning Statement comprises the following sections:

- Section 2.0: Site and Surrounding Area;
- Section 3.0: Planning History;

- Section 4.0: Pre-Application Engagement;
- Section 5.0: Application Proposal;
- Section 6.0: Planning Policy Framework Overview;
- Section 7.0: Planning Policy Assessment;
- Section 8.0: Conclusion.

## 2. SITE AND SURROUNDING AREA

2.1. This section describes the Site, the existing building and its surrounding area.

### Site Description

2.2. The 1.14 ha Site is located between Camden Town and Kings Cross and bounded by St Pancras Way, Granary Street and the Regent's Canal.

2.3. The Site is triangular, comprising a uniformly four-storey building with unbroken elevations. The total floor area of the existing building is 26,190sqm GIA or 30,836sqm GEA. The total floor area of the existing Plots B and C, the subject of this application, is 23835sqm GIA.

2.4. The existing single building is divided into three ownerships (Plot A, Plot B and Plot C).

- Plot A is located to the north of the Site and was previously occupied as office accommodation by British Airways Pension Fund. Demolition of the building commenced in November 2020.
- Plot B is located to the centre of the Site. It is owned by fashion brand Ted Baker Plc and has been their headquarters since 2000. The office space is supported by undercroft parking at ground level.
- Plot C lies to the south of the Site, fronting Granary Street, and is the largest of the three plots, containing a data centre operated by Verizon. The Plot is secured by a fence and there is no access to the canal-side.

2.5. The Site has a PTAL rating of 6B (excellent), with Mornington Crescent London Underground Station around approximately 650m from the Site.

2.6. The Site is located within the Regents Canal Conservation Area and has the following designations as identified on the LBC 2019 Policies Map:

- Adjacent to a Habitat Corridor (the Regents Canal);
- Adjacent to Open Space (the Regents Canal);
- Adjacent to Site of Nature Conservation Importance (the Regents Canal); and

- South East corner within the lateral assessment area of the designated viewing corridor for the protected vista from Parliament Hill to St Paul's Cathedral.

2.7. There are no statutorily listed buildings within the Site or in the immediate vicinity. The hospital buildings, to the south of the Site, benefit from Certificates of Immunity from Listing.

### 3. PLANNING HISTORY

- 3.1. The Site has a limited planning history. Most recently, application 2017/5497/P was granted full planning permission on the 17<sup>th</sup> March 2020 for the following development:

*'Demolition of the existing building (Class B1 and B8) and erection of 6 new buildings ranging in height from 2 storeys to 12 storeys in height above ground and 2 basement levels comprising a mixed use development of business floorspace (B1), 73 residential units (C3) (10xstudio, 29x1 bed, 27x2 bed 7x3 bed), hotel (C1), gym (D2), flexible retail (A1 - A4) and storage space (B8) development with associated landscaping work.'*

- 3.2. This permission grants consent for the use of Plot B as a nine-storey building with a single basement, which would be used as a hotel at lower levels, with office use above. The entire building was to be occupied by Ted Baker, who would operate the hotel and occupy the office space.
- 3.3. In the time since the permission was granted, changing economic circumstances and the Covid-19 pandemic mean that a hotel no longer represents the optimal use of the site. Furthermore, Ted Baker will no longer be retained as occupiers of the proposed building.
- 3.4. As a result, the applicant is now proposing a single application for the following works:
- A new proposal for the Plot B and Plot C4 element of the site, which will remove the hotel, and create a building comprising flexible commercial space, offices, and ancillary storage, along with design and landscaping revisions.
  - Amendments to the Plot C element of the site, comprising changes to the design, to align with the revised Plot B proposal, and changes to the affordable housing provision on Plot C2, increasing the provision of affordable housing to 50.8%.
- 3.5. A separate application was submitted in March 2021 for amendments to the Plot A element of the Site. Documents for this application have been prepared based on a cumulative scenario in which these amendments have been implemented.



- 3.6. A full planning history search for the Site has been undertaken using LBC's online search facility and prior to permission 2017/5497/P there have been no applications of relevance in relation to comprehensive redevelopment of the Site.

## 4. PRE-APPLICATION ENGAGEMENT

- 4.1. The Applicant has undertaken a thorough pre-application process and has made significant effort to engage with stakeholders. The Proposed Development has evolved in response to the consultation feedback, which has provided the applicant with a clear vision of what is expected of the scheme.
- 4.2. This section sets out the programme of engagement that has been undertaken, which can be broadly categorised within the following stakeholder groups:
- LBC Officer Engagement;
  - Public and Stakeholder Consultation;
- 4.3. Further details of the public consultation process are provided within the Statement of Community Involvement prepared by Kanda, which has been submitted in support of the application.

### **LBC Officer Engagement**

- 4.4. A series of pre-application meetings have been held with Camden Borough Council Planning and Design Officers, which has allowed the development to evolve in response to the feedback received.
- 4.5. Separate pre-application discussions have been held with LBC Planning Officers on:
- 19<sup>th</sup> October 2020;
  - 4<sup>th</sup> November 2020;
  - 10<sup>th</sup> December 2020.
  - 27<sup>th</sup> April 2021
- 4.6. Throughout these meetings, the design of the scheme has been refined in response to officer comments. A key area of concern from officers was that the original design of the building, which comprised a glazed colonnade at lower levels and glazing at upper levels, was felt to be overly corporate. In response to this, the design and materiality of the building has been reconfigured to a solid brick base, with punched windows, deep reveals, and single height openings, at lower

levels, and a lighter metallic materiality at upper levels, drawing from the historic canalside industrial character. Officers also expressed the need to minimise the plant enclosure and promote the route through the Site from St Pancras Way to the Canal. As a result, the plant enclosure has been reduced to the minimal possible size, and the landscaping of the Proposed Development has been carefully configured to promote access for all users and preserve visual links through the Site.

### **Chair's Review**

- 4.7. A Chair's Review was held on the 18<sup>th</sup> December, in which two members of the panel provided comments on the Proposed Development in design terms. The Chair's Review voiced strong support for the proposals, with particular praise of the materiality, and the use of metallic elements to correspond to the historical context of the Site and Conservation Area. The Chair's Review Panel requested additional variety in the landscaping and tree planting within the Site, which has been incorporated into the final design.

### **Public and Stakeholder Consultation**

- 4.8. On the 5<sup>th</sup> December 2020, a letter introducing the project team, and presenting the proposed amendments to the consented scheme was issued to 1,011 address in the vicinity of the site. A virtual presentation was then held on the 16<sup>th</sup> December 2020, to enable local stakeholders to better understand the proposals. Following this, a letter containing further consultation and contact details, including the project website, was issued to the same 1,011 addresses. Letters will be sent to all of the 1,011 addresses in May 2021, confirming the intended submission date.

## 5. PROPOSED DEVELOPMENT

- 5.1. This Planning Statement has been prepared on behalf of Reef Estates Limited (the “Applicant”) in support of the following application to London Borough of Camden Council (“LBC or the “Council”) for:
- 5.2. Detailed planning permission (the “Application”) for redevelopment of Plots B and C of The Ugly Brown Building, 2-6 St Pancras Way, London NW1 0TB (the “Site”). The proposed description of development is:
- ‘Demolition of existing building, and redevelopment to provide a nine-storey building with two basement levels for flexible Class E and Sui Generis Use, a two-storey Pavilion for flexible Class E and Sui Generis Use, along with associated cycle parking, servicing, hard and soft landscaping, public realm, and other ancillary works, alongside amendments to Plot C within planning permission 2017/5497/P, namely increase of affordable housing provision’ (the “Proposed Development”).*

### The Proposals

- 5.3. The proposals will demolish the existing buildings and redevelop the Site, to create Class E, Flexible Class E and B8, and Flexible Class E and Sui Generis floorspace, across a new Plot B, and Plot C4 Pavilion building. Separately to this, the proposals will reconfigure the affordable housing tenure split in the consented Plot C, increasing the number of affordable housing units to 33, and 50.8% of the total residential provision. The Proposed Development will also increase the provision of affordable workspace by 50%, increasing from 1,858sqm in the consented scheme to 2,787sqm.
- 5.4. The Proposed Development will create two new buildings, replacing those previously consented under permission 2017/5497/P:

**Plot B:** A nine-storey building, plus two basement levels, which will be occupied as flexible Class E and B8 Use at sub-basement level, flexible Class E and Sui Generis Use at basement and ground floor level, and Class E upper levels. The façade of the building will be composed of dark brickwork on base volume, with metal fins on the upper volume of the building. This building will

be located at the centre of the site and will be bound by Plot A to the north, St Pancras Way and the Regents Canal to the west and east, and Plot C and public realm to the south.

**Plot C4:** A two-storey pavilion building, which will be occupied as Class E/Sui Generis Use. The façade of the building will be comprised of serrated brickwork at ground level, matching the plot B base volume, and corrugated metal cladding at the upper levels. The building will also incorporate large corner windows and metal frames at the upper level. The building will be located to the south of Plot B, adjacent to St Pancras Way.

- 5.5. The changes from the consented scheme to this application can be summarised as follows:
- Plot B will now be used as flexible commercial space, offices, and ancillary storage, as opposed to the hotel use in the consented scheme.
  - The roof plant enclosure on Plot B has been increased in size.
  - The Plot C4 pavilion building has been redesigned.
  - The cladding to the base and upper volumes of Plot B has been redesigned, to adjust rhythm and regularity.
  - The landscape has been redesigned to optimise the pedestrian experience.
- 5.6. The scheme will provide on-site servicing yard at ground floor level, capable of accommodating 2-3 servicing vehicles simultaneously, with sufficient space for use by vehicles up to and including 7.5T box vans. Should deliveries be required by vehicles larger than a 7.5T Box Van, they will be able to utilise the consented loading bay to be provided on-street on St Pancras Way adjacent to the site, retained as part of the wider development.
- 5.7. Waste storage will be provided at basement level, as per the arrangement for the consented development. Upon waste collections, bins will be brought up to the servicing yard via lift, with site management ensuring waste bins are moved to within 10m of the retained loading bay to be provided on St Pancras Way as part of the development.
- 5.8. The proposed access arrangements for the revised Plot B development take a largely similar approach to pedestrian, cyclist and vehicle access to that of the consented development. The pedestrian entrance to the development will be taken from the southern frontage onto the central public realm area, in a similar location to the consented hotel entrance. Cyclist access will be achieved through a dedicated cycle access at the western frontage adjacent to St Pancras Way.

Cyclists are provided with a stairway featuring cycle channels, as well as a cycle suitable lift down to the basement level cycle store.

- 5.9. The following table summarises the proposed floorspace by land use (Table 5.1):

Floorspace	Use Class	Floorspace (sqm GIA)
<b>Plot B</b>		
Office	Class E	16,751
Flexible	Class E/Sui Generis/B8	549
Flexible	Class E/Sui Generis	532
Flexible	Class E/B8	1,864
<b>Total</b>		<b>19,695</b>
<b>Plot C4</b>		
Flexible	Class E/Sui Generis	793
<b>Total</b>		<b>793</b>
<b>Wider Plot C (Plots C1,2,3) (All GIAs are as consented under 2017/5497/P)</b>		
Office	Class E	30,535
Leisure	Class E	1,601
Flexible	Class E/Sui Generis/B8	1,042
Flexible	Class E/Sui Generis	2,986
Residential	Class C3	7,561
Storage	Class B8	6,011
<b>Total</b>		<b>49,736</b>

**Table 5.1 Plot B and C4 Proposed Development Floorspace Schedule**

- 5.10. No standard or blue badge car parking is proposed.
- 5.11. In line with London Plan 2021 requirements, the Proposed Development will include 330 long-stay cycle parking spaces, in a secure and sheltered cycle store located at basement level. The cycle spaces will be accessible via a cycle lift, and cycle channels built into a stairway. Short stay cycle parking will be retained from the consented development, with 55 Sheffield Stands (110 spaces) to be provided in the public realm.

### **Plot C Changes**

- 5.12. The affordable housing in Plot C2 will be increased by 12 units from that approved under permission 2017/5497/P, from 21 to 33 affordable units in total. This will increase the proportion of affordable housing from 35.6% to 50.8% by affordable unit. There will be no overall increase in residential floorspace.

Consented Scheme (2017/5497/P)					
	Social	Intermediate	Affordable Total	Private	Total
Apartments	10	11	21	52	73
Studio	0	0	0	10	10
1b2p	0	5	5	19	24
1b2p (wheelchair adaptable)	0	2	2	3	5
2b4p	2	4	6	18	24
2b4p (wheelchair accessible)	1	0	1	0	1
2b4p (wheelchair adaptable)	0	0	0	2	2
3b5p	7	0	7	0	7
Proposed Development					
	Social	Intermediate	Affordable Total	Private	Total
Apartments	16	17	33	40	73
Studio	0	3	3	7	10
1b2p	0	8	8	16	24
1b2p (wheelchair adaptable)	0	2	2	3	5
2b4p	8	4	12	12	24
2b4p (wheelchair accessible)	1	0	1	0	1
2b4p (wheelchair adaptable)	0	0	0	2	2
3b5p	7	0	7	0	7

**Table 5.2: Change to Affordable Housing Mix**

- 5.13. The change to the affordable housing mix is shown in table 5.2. All units meet the London Plan dwelling space standards and Lifetime Homes standards and will be compliant with the Building Regulations Approved Document 'M'.
- 5.14. Given that there will be no change to the overall number of residential units in Plot C, there will be no change to the cycle parking provision or energy strategy in this plot.

## 6. PLANNING POLICY

6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires development proposals to be determined in accordance with the Development Plan unless other material considerations indicate otherwise. The Development Plan is made up of the following documents:

- London Borough of Camden Local Plan (Adopted July 2017);
- The London Borough of Camden Policies Map (Adopted 2019);
- London Plan 2021 (Adopted March 2021).

6.2 This section assesses the relevant planning policy and guidance at national, regional and local levels, and specific topics relevant to the assessment of the Proposed Development in planning terms.

### Planning Policy Framework and Site Designations

6.3 In addition to the above, the wider planning policy framework for the Site has been taken into consideration. This includes the National Planning Policy Framework (NPPF) which carries material weight in decision making along with the relevant Planning Practice Guidance (PPG), the National Design Guide and Supplementary Planning Guidance (SPG).

6.4 This section sets out the planning policy framework and guidance of relevance to the Proposed Development and identifies planning designations that relate to the Site. References to specific policies and guidance are included where relevant in the Planning Policy Assessment of the Proposed Development in Section 7.

### National Planning Policy

6.5 The National Planning Policy Framework (last updated 19th June 2019) (NPPF) focuses on the delivery of sustainable development and requires that there is a presumption in favour of sustainable development. The core planning principles include, amongst others, to “drive and support development” and to “encourage” the effective use of land by reusing land that has been previously developed.



- 6.6 The NPPF notes that proposed development that accords with an up-to-date Development Plan should be approved without delay.
- 6.7 The NPPF is supplemented by an online suite of Planning Practice Guidance (PPG), which is updated periodically and the National Design Guide, which was published in October 2019.

### **Regional Planning Policy**

- 6.8 The London Plan 2021, adopted in March 2021, is the principal land use and planning guidance for London and forms part of the Camden Borough Council Development Plan. It sets out the spatial strategy and policy context for how and where growth should be accommodated across London. These objectives include:
- Optimising the development of previously developed land;
  - Promoting development in areas accessible by public transport; and
  - The potential of mixed-use development to strengthen communities and local economies.
- 6.9 The supporting documents submitted with the planning application also refer to the suite of published Mayor of London Supplementary Planning Guidance (SPG) documents which have helped to inform the composition of the Proposed Development.

### **Local Planning Policy**

- 6.10 The Camden Local Plan and Policies Map, adopted in July 2017 and 2019 respectively, are the key policy documents for determining planning applications in the borough.

## 7. PLANNING POLICY ASSESSMENT

- 7.1. This section reviews the Proposed Development against the policies of the Development Plan at national, regional and local level.

### Principle of Development

- 7.2. The principle of development is supported by policy at a local, regional and national level. The National Planning Policy Framework contains a presumption in favour of sustainable development, which supports policy compliant development and encourages growth. Through their respective plans, both the Greater London Authority and the London Borough of Camden encourage intensification of commercial space in order to consolidate growth, in particular in the Central Activities Zone (CAZ) where the Site lies.
- 7.3. London Plan 2021 policies SD4 and SD5 seek to sustain and promote the CAZ as an international centre of business, promoting new office and retail space, and ensuring that development proposals increase office floorspace and enhance retail capacity to meet strategic and local need.
- 7.4. The Proposed Development, with the provision of additional high-quality office and retail floorspace, represents the definition of ‘sustainable growth and change’ that intensifies use whilst maintaining strong principles of environmental and social sustainability. The Proposed Development will both intensify and enhance the use of the Site, providing high-quality, sustainable office space, whilst adapting the retail provision to meet the needs of the local populace. As such, the proposed development fully complies with national, regional and local policy in this respect.

### Land Use

- 7.5. Paragraph 117 of the NPPF supports the use of land for “objectively assessed needs, in a way that makes as much use as possible of previously-developed land”. The NPPF also encourages local authorities to seek multiple benefits from urban land through mixed use schemes, whilst taking opportunities to achieve net environmental gains (paragraph 118a).

- 7.6. London Plan 2021 Policy E1 supports improvements to quality, flexibility and adaptability of office space, and the increase of office stock in CAZ locations. Local Plan Policy E2 aligns with this, encouraging higher intensity redevelopment of premises or sites that are suitable for continued business use, if the level of employment is increased or maintained, if the redevelopment retains existing businesses on the site as far as possible, and if the development includes other priority uses such as housing and affordable housing. Local Plan Policy G1 promotes a strong local economy, and the delivery of additional office and employment floorspace within the borough. The proposal will deliver a minimum of 48,887sqm of Class E office floorspace, in full accordance with London and Local Plan Policy, and contributing significantly towards the economic targets of the borough.
- 7.7. Flexible retail is addressed by the London Plan 2021 Policy E9, which promotes a sustainable and diverse retail sector, and supports convenience retail in town centres. Local Plan Policy G1 sets out that LBC has an objectively assessed need to provide 30,000sqm of retail floorspace by 2031. The proposed scheme will provide 1,877 sqm of flexible commercial space at ground floor level across Plots B and C4, bringing vitality to the area and contributing towards Camden's retail floorspace targets.
- 7.8. Local Plan policy E1 and E3 sets out that Camden recognise the importance of visitor economy, however seek to direct tourism accommodation towards Central London. The site lies outside of the Central London locations, so strictly speaking would be deemed unsuitable for hotel use in policy terms. In the consented scheme, the hotel was to be occupied by Ted Baker, and the modest size of the hotel, and association with the existing occupier led to the presence of the hotel being supported in this location. However, given that Ted Baker no longer wish to occupy the building, the key factor that led to the support of the hotel is now no longer relevant. As such, the change from the consented hotel to the proposed office building should be supported by policy, given the much greater suitability of office premises in this location.
- 7.9. Local Plan Policy E1 sets out that LBC will maintain a stock of premises that are suitable for a variety of business activities. Policy E2 sets out that LBC will encourage the provision of employment premises and sites in the borough. The Proposed Development will provide 6,011sqm of B8 storage floorspace, providing diversity in respect of business and employment opportunities.

**Affordable Housing**

- 7.10. Local Plan Policy H4 sets out that LBC will aim to maximise the supply of affordable housing and exceed a borough wide strategic target of 5,300 additional affordable homes from 2016/17 - 2030/31, and aim for an appropriate mix of affordable housing types to meet the needs of households unable to access market housing. LBC seek to negotiate the maximum reasonable amount of affordable housing with an affordable housing target of 50% being applied to developments with capacity for 25 or more additional dwellings. For developments with capacity for 10 or more additional dwellings, the affordable housing should be provided on site.
- 7.11. In accordance with Policy H4, the Proposed Development will increase the provision of affordable housing from the amount consented in permission 2017/5497/P. Whilst the total number of residential units will remain the same, the number of affordable units will be increased by 12, bringing the overall mix to 50.8% affordable, in line with the requirements of Policy H4.

### **Design**

- 7.12. Paragraph 58 of the NPPF states that when making planning decisions, local authorities should require the following from developments:
- Function well and add to the overall quality of the area;
  - Are visually attractive as a result of good architecture, layout and landscaping;
  - Sympathetic to local character and history;
  - Establish a strong sense of place; and
  - Optimise site potential to sustain an appropriate mix of development.
- 7.13. Policy D3 of the London Plan 2021 requires buildings of the highest architectural quality to be provided and the use of details and materials that complement the local architectural character, encouraging optimal design in terms of layout, respect to heritage, and use of materials to complement the surrounding streetscape. Local Plan Policy D1 sets out that LBC will seek to secure high quality design in development and will require that development respects local and historic context, is sustainable in design and construction, integrates with the surrounding area, and incorporates high quality landscape design and amenity space.

- 7.14. The design of the building has evolved throughout pre-application meetings and consultation, seeking to embed the new buildings within the surrounding townscape, whilst incorporating a distinct quality. From its inception it has been underpinned by a vision to provide a development of the highest quality which creates a significant improvement for both occupants and local pedestrians, with a historically sensitive design and materiality aligning with the surrounding townscape.
- 7.15. The exterior of the Plot B building will incorporate mixed materiality of a dark grey brick base at lower levels, and double storey, stepped volumes of metal finned panels at higher levels. This materiality has been specifically selected to continue the approach of the masonry walls at lower levels and respect the historical industrial context through the use of a metallic material palette at upper levels. The Plot C4 pavilion will continue the metallic material palette, with profiled metal cladding with a patinated finish again responding to the industrial canalside context.
- 7.16. The main entrance to Plot B has been developed through discussions with LBC officers. The final design will incorporate a double height opening, clearly demarking the entrance from adjacent pedestrian routes, with a glazed central bay creating a visual connection from the internal lobby to the central public realm.
- 7.17. The design of the Proposed Development has been carefully curated to slot seamlessly into the surroundings of the Site, and achieves this through appropriate use of materiality, massing, and overall design. In terms of design, the Proposed Development represents a vast improvement on the existing and consented buildings and accords with planning policy at borough and regional level.

### **Townscape, Heritage, and Visual Impact**

- 7.18. Paragraph 127 of the NPPF states that developments should be “sympathetic to local character and history, including the surrounding built environment”, and the NPPF goes on to stress ‘great weight should be given to an asset’s conservation.’
- 7.19. Paragraphs 194-196 of the NPPF establish the criteria to be applied to development where harm would be caused to heritage assets:

*194. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:*

- a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;*
- b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.*

*195. Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:*

- a) the nature of the heritage asset prevents all reasonable uses of the site; and*
- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and*
- c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and*
- d) the harm or loss is outweighed by the benefit of bringing the site back into use.*

*196. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.*

- 7.20. This approach is echoed in London Plan 2021 Policy HC1, which seeks to ensure development does not result in harm to heritage assets or their surroundings. Likewise, London Plan 2021 Policies HC3 and HC4 seek to ensure that development does not cause any adverse impact to the views identified in the London View Management Framework.
- 7.21. Local Plan Policy D1 and D2 seek to preserve and enhance Camden's heritage, requiring development to sensitively respect the surrounding historic assets, and avoid causing harm to any heritage assets or Conservation Areas.
- 7.22. The proposed development lies within the Regent's Canal Conservation Area, and in close proximity to the King's Cross Conservation Area. The THVIA submitted in support of this

application concludes that the character and appearance of the Regent's Canal Conservation area would be enhanced by the high-quality proposed development, which would also preserve the character and appearance of the setting of the King's Cross Conservation Area. The THVIA concludes that the Proposed Development would not harm the heritage significance of the listed structures, the listed landscape of St Pancras Gardens or non-designated positive contributors to the Regent's Canal Conservation Area included in the assessment. As such the proposed development is in accordance with the NPPF, the London Plan Local Plan Policies D1 and D2 in respect of the impact of the proposed development on heritage.

### **Daylight/Sunlight**

- 7.23. NPPF paragraph 127, part F states that developments should maintain a high standard of amenity for existing and future users. London Plan 2021 Policy D6 provides further clarity, stating "the design of development should provide sufficient daylight and sunlight to new and surrounding housing that is appropriate for its context, whilst avoiding overheating, minimising overshadowing and maximising the usability of outside amenity space". Local Plan Policy A1(f) and paragraph 6.5 sets out that Camden will consider the impact on Daylight/Sunlight from proposed developments when deliberating whether to grant planning permission. Paragraph 6.5 establishes that Camden will use the most recent BRE guidance when making this consideration.
- 7.24. The Daylight and Sunlight Addendum submitted in support of this application has assessed the impact of the Proposed Development in terms of daylight and sunlight on surrounding windows, and sunlight in surrounding amenity spaces. The D/S Addendum concludes that the majority of surrounding properties will not experience any change in their D/S levels compared with the consented scheme, and any windows that do experience a reduction will mostly see a reduction of less than 10%, remaining reasonably well daylit considering the context. All surrounding amenity areas will retain sunlight levels well above target levels set out in BRE Guidelines. Despite minor transgressions from BRE Guidelines occurring in three of the surrounding windows, the Addendum finds that the D/S levels in the properties are satisfactory given the circumstances.

### **Transport**

- 7.25. Chapter 9 of the NPPF is dedicated to promoting sustainable transport. Within the chapter, the following requirements are established from development (paragraph 110):

- Give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;
- Address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
- Allow for the efficient delivery of goods, and access by service and emergency vehicles; and

7.26. Chapter 10 of the London Plan 2021 is dedicated to transport. London Plan 2021 Policy T1 establishes the main targets, which aim to ensure 80% of all trips in London are made by foot, cycle or public transport by 2041. In support of this London Plan 2021 Policy T4 requires development to reflect and be integrated with current and planned transport access, capacity and connectivity, which should be demonstrated through Transport Assessments.

7.27. London Plan 2021 Policy T2 establishes the ‘Healthy Streets Approach’ and requires development to demonstrate how they will improve health and reduce health inequalities; reduce car dominance, ownership and use, road danger, severance, vehicle emissions and noise; increase walking, cycling and public transport use; improve street safety, comfort, convenience and amenity; and support these outcomes through sensitively designed freight facilities.

7.28. London Plan 2021 Policy T5 establishes minimum requirements for cycle parking and requires cycle parking to be designed and laid out in accordance with London Cycling Design Standards. The relevant required standards are as follows:

Use Class		Long Stay	Short Stay
A1	Food retail above 100 sqm	1 space per 175 sqm gross external area (GEA)	first 750 sqm: 1 space per 20 sqm; thereafter: 1 space per 150 sqm (GEA)
A1	Non-food retail above 100 sqm	first 1000 sqm: 1 space per 250 sqm thereafter: 1 space per 1000 sqm (GEA)	first 1000 sqm: 1 space per 60 sqm; thereafter: 1 space per 500 sqm (GEA)



B1	Business offices	1 space per 75 sqm (GEA)	1 space per 500 sqm
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**Table 7.1: London Plan 2021 Cycle Parking Minimum Standards**

- 7.29. London Plan 2021 Policy T6 establishes that development should be car-free in the CAZ and Opportunity Areas, except for disabled parking spaces. This is reiterated in Policies T6.2 and T6.3, which apply to standard office parking and retail parking, and maintain that development should be car free.
- 7.30. London Plan 2021 Policy T6.5 states that non-residential elements of a development should provide at least one accessible on or off-street car parking bay designated for Blue Badge holders, even if no general parking is provided.
- 7.31. The 2017/5497/P permission originally included 27 car parking spaces, to be used for the retained office tenant (at that point intended to be retained), permitted under LBC planning policy as a necessary retention of car parking for an existing office tenant. During determination, TfL requested a parking management condition to ensure that should the existing retained tenant vacate the site, the parking spaces should be converted to other uses, bringing the scheme forward in the future with zero on-site car parking. Given that the tenant now no longer wishes to occupy the Site, the car parking spaces have been removed from the proposals, enabling the provision of enhanced basement end-of-trip user amenities, and a servicing area. Should future office tenants require disabled car parking, it is envisaged that disabled drivers will be able to use the numerous on-street parking bays located along St Pancras Way, adjacent to the development.
- 7.32. As shown in the Transport Assessment, the Site has a PTAL rating of 6b, which is the highest possible standard, demonstrating that the Site is well served by public transport, with close connections to Underground stations and bus stops. The Site is also well connected to the existing cycle network with excellent access to the strategic cycle network.
- 7.33. Delivery and Servicing is another key policy consideration at regional and local level. London Plan 2021 Policy T7 requires development proposals to facilitate safe, clean and efficient delivery and servicing, with adequate off-street loading bays to be provided where possible.
- 7.34. The Proposed Development provides a large, on-site servicing yard at ground floor level, capable of accommodating 2-3 servicing vehicles simultaneously, with sufficient space for use by vehicles up to and including 7.5T box vans. Should deliveries be required by vehicles larger than a 7.5T

Box Van, they will be able to utilise the consented loading bay to be provided on-street on St Pancras Way adjacent to the site, retained as part of the wider development.

- 7.35. Waste storage will be provided at basement level, as per the arrangement for the consented development. Upon waste collections, bins will be brought up to the servicing yard via lift, with site management ensuring waste bins are moved to within 10m of the retained loading bay to be provided on St Pancras Way as part of the development.
- 7.36. As shown by the above, the Proposed Development incorporates a considered, appropriate transport strategy, and should receive policy support on this basis.

### **Air Quality**

- 7.37. Air Quality is a material consideration for development at all spatial levels. In paragraph 170, the NPPF states that “Planning policies and decisions should contribute to and enhance the natural and local environment by: preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality”. This is echoed by London Plan 2021 policy SI1, which seeks for developments to be Air Quality Neutral, and states that “developments will minimise emissions of air pollution from both static and traffic generated sources”. Local Plan Policy CC4 sets out that LBC will ensure the impact of development on air quality is mitigated and ensure that exposure to poor air quality is reduced in the borough.
- 7.38. The Air Quality Assessment Addendum submitted in support of this application concludes that the overall impact on air quality, following proposed mitigation measures, will be insignificant, and as such the Proposed Development is in accordance with National, Regional and Local Policy in terms of air quality.

### **Energy/Sustainability**

- 7.39. Chapter 14 of the NPPF focusses on the need for new development to be sustainable and low carbon. Amongst other requirements, development is encouraged to reduce greenhouse gas emissions, such as through its location, orientation and design, and by drawing its energy supply from decentralised, renewable or low carbon energy supply systems.

- 7.40. This is further defined by London Plan 2021 Policy SI2, which establishes set emission targets for developments to meet. Policy SI2 contains a requirement for non-residential development to reduce CO2 emission by at least 35% below Building Regulations Part L 2013. London Plan 2021 Policy SI2 also requires development to follow an 'Energy Hierarchy' of methods used to reduce energy consumption, which comprise using less energy (Be Lean), supplying energy more efficiently (Be Clean), and using renewable energy (Be Green), listed in order of priority.
- 7.41. The Energy Statement submitted in support of the application demonstrates that the Plot B building has incorporated Be Lean, Be Green Measures to achieve a total saving of 40% CO2 emissions compared to Part L2A 2013 compliance, exceeding the 35% saving set out by policy guidance. Thermal insulation, high performance glazing, efficient mechanical ventilation and building service systems all contribute towards Be Lean savings, whilst Air Source Heat Pumps and 130sqm PV panels at roof level contribute toward Be Green savings. There is no District Heat Network currently in the vicinity of the development, however an on-site district energy network will be created to link all Plots with the UBB development site. The development will all contribute a carbon offset payment of £298,580, in line with GLA and Local Plan policy around Net Zero Carbon.
- 7.42. The strong performance of the Proposed Development underlines its sustainable credentials and demonstrate its alignment and exceedance of policy guidelines. Therefore, in terms of energy and sustainability, this application should be supported.

### **Noise/Vibration**

- 7.43. Paragraph 180 of the NPPF states that "new development should mitigate and reduce to a minimum potential adverse impact resulting from noise, and avoid noise giving rise to significant adverse impacts on health and quality of life". London Plan 2021 Policy D14 draw parallels with this, requiring development to avoid adverse noise impacts from new development and preserve the acoustic environment. Local Plan Policy A4 sets out that the Council will seek to ensure that noise and vibration is controlled and managed and LBC will not grant planning permission for developments likely to generate unacceptable noise and vibration impacts or development sensitive to noise in locations which experience high levels of noise, unless appropriate attenuation measures can be provided.

- 7.44. The Noise Assessment prepared by Waterman in support of this application demonstrates that noise levels can be sufficiently controlled during construction and operation of the development, so that a high-quality acoustic environment is maintained for all future occupants, and surrounding receptors. As such, the Proposed Development is in accordance with planning policy in respect of noise.

### **Nature Conservation and Biodiversity**

- 7.45. Local Plan Policy A3 sets out that LBC will grant permission for development unless it would directly or indirectly result in the loss or harm to a designated nature conservation site or adversely affect the status or population of priority habitats and species.
- 7.46. An Ecological Appraisal has been prepared by Aspect Ecology and accompanies the planning application submission. The appraisal sets out that the Site was surveyed in June 2016 to ascertain the general ecological value of the land contained within the boundaries of the Site and to identify the main habitats and ecological features present. The Ecological Appraisal concludes that the vast majority of the Site is dominated by the existing building, with the remaining areas occupied largely by hardstanding, whilst the interface with the adjacent canal corridor is similarly comprised of hardstanding. Vegetation within the Site is limited to small isolated areas of amenity planting and grassland, a small number of young standard trees and sparse colonising weeds, which are extremely unlikely to provide any significant ecological value even.
- 7.47. Subject to the implementation of proposed measures and safeguards, as set out in the Ecological Appraisal, it is considered unlikely that the Proposed Development would result in significant harm to sensitive ecological receptors. Furthermore, ecological enhancements are proposed in the form of new planting, biodiverse roofs and bird / bat boxes as part of the proposed development. As such the proposed development is in accordance with Local Plan Policy A3 in respect of nature conservation and biodiversity.

### **Health and Wellbeing**

- 7.48. Local Plan Policy C1 sets out that LBC will promote healthy communities with measures to help contribute to healthier communities to be incorporated in a development where appropriate. Local Plan Policy C1 requires proposals for major development proposals to include a Health Impact Assessment (HIA).

7.49. In accordance with the requirements of Policy C1, a Health Impact Assessment has been prepared by Regeneris Consulting and accompanies the planning application submission. The assessment concludes that no significant health impacts resulting from the development have been identified and that the proposed development will have a neutral or positive impact across all 11 categories set by the Healthy Urban Development Unit (“HUDU”). The Health Impact Assessment has also identified several positive health impacts that can be broadly summarised as follows:

- Increased provision of affordable housing;
- Improved access to open space and nature;
- Improved accessibility and travel;
- Access to work and training, and a positive contribution to construction and permanent employment opportunities.
- Contribution to social cohesion through improved street and space design;
- Positive response to climate change issues.

### **Basements**

7.50. Local Plan Policy A5 sets out that LBC will only permit basement development where it is demonstrated to its satisfaction that the proposal would not cause harm to neighbouring properties; the structural, ground, or water conditions of the area; the character and amenity of the area; the architectural character of the building; and the significance of heritage assets.

7.51. Policy A5 states that, in determining proposals for basements and other underground development, the Council will require an assessment of the development proposal’s impact on drainage, flooding, groundwater conditions and structural stability in the form of a Basement Impact Assessment.

7.52. The proposed development comprises a part one and part two- storey basement. The planning application is, in accordance with Policy A5, accompanied by a Basement Impact Assessment, prepared by GD Partnership Ltd. The Impact Assessment considers the relationship of the proposed basement with neighbouring properties, structural stability and impact on drainage, flooding and groundwater conditions.

7.53. The proposed basement is part of a comprehensively planned site. The basement is a fundamental requirement of the proposed development and it has been demonstrated in the accompanying

Basement Impact Assessment, and other supporting documentation, that the construction of it will not harm neighbouring properties or structural, ground or water conditions of the area. As such the proposed development is in accordance with Local Plan Policy A5 in respect of the proposed basement.

## 8. CONCLUSIONS

- 8.1 The Proposed Development will represent a substantial improvement to the consented development, providing design improvements to all of the buildings, a new and improved Plot B building with an enlarged quantum of quality office space, enhancements to the landscaping and pedestrian experience, and a substantial improvement in affordable housing. The Proposed Development represents an opportunity to maximise the utility of the Site in light of the Covid-19 outbreak, by removing the hotel use and replacing it with offices and providing flexible commercial space at ground floor level.
- 8.2 The Proposed Development fully accords with planning policy and will provide a wide range of planning benefits whilst causing minimal impact.
- 8.3 The design has been carefully considered to provide buildings which enhance the surrounding townscape, and achieve better synchrony with the neighbouring buildings, and the historical context of the Conservation Area. Active frontage will be enhanced on all aspects of the building, befitting the CAZ location and prominent location on a busy pedestrian route. The design has received strong support from both the Chair's Review and LBC Officers during pre-application.
- 8.4 The Proposed Development encompasses the following key features:
- Exemplary standards in terms of sustainability, achieving the highest possible accreditations;
  - Increase of affordable housing mix from 21 to 33, increasing the affordable housing ratio from 35.6% to 50.8%
  - Activated frontage on all aspects of the Site, including flexible commercial units at ground floor level;
  - Improved architecture and materiality of the Plot B and C4 buildings to better respond to and enhance the surrounding townscape and Conservation Area;
  - 12 additional affordable housing units, bringing the affordable housing ration to 50.8%;
  - Enhanced and expanded office space in a CAZ location;

- Flexible floorplates, allowing the site to maximise its potential;
- Policy compliant levels of cycle parking and facilities, for the buildings occupants.

8.5 In summary, the Proposed Development will provide a range of planning benefits and a better alignment with the local context than the existing and consented buildings. The design has been configured to minimise any impacts from the development and has been informed through productive engagement with LBC officers and the Camden Chair's Review Panel. In light of the above, planning permission should be granted for the Proposed Development.