



PLANNING SERVICES

TOWN & COUNTRY PLANNING (DETERMINATION BY INSPECTORS) (INQUIRIES PROCEDURE) (ENGLAND) RULES 2000

STATEMENT OF CASE London Borough of Camden

APPEAL SITE

17-37 William Road, London, NW1 3ER

APPELLANT

Euston One Limited

SUBJECT OF APPEAL

Appeal Statement in Support of the Council's decision to refuse Full Planning Permission application (ref: 2020/5473/P) on 1st of October 2021 for:

"Demolition (of No. 35-37) and redevelopment to provide a 15 storey (plus basement) building for use as student accommodation with affordable workspace (No. 17-33 Ground floor) and associated works."

COUNCIL REFERENCE: 2020/5473/P

PLANNING INSPECTORATE REFERENCE: APP/X5210/W/21/3284957

CONTENTS PAGE

Section	Page
1. Site and Surroundings	3
2. The Proposal the Subject of this Appeal	5
3. Relevant Planning History	6
4. Planning Policy Framework	7
5. Reasons for Refusal	14
6. The Council's Case	18
7. Public Benefits	47
8. Conclusion and Planning Balance	51
9. Appendices	52

1.0 SITE AND SURROUNDINGS

- 1.1 The 0.21 ha site comprises two adjoining buildings situated to the south of William Road and east of Stanhope Street, (35-37 William Road 'Plot A' and 17-33 William Road 'Plot B'). It is bound to the south by the rear of a UCL student accommodation building, known as Schafer House, and to the east by an adjoining office building at no. 11-15 William Road.
- 1.2 No. 35-37 ('Plot A') comprises a part two-storey, part six-storey (six-storey block on a two-storey plinth) 1960s office building with a basement level, on the corner of William Road and Stanhope Street.
- 1.3 No. 17-33 ('Plot B') adjoins Plot A to the east and comprises a seven-storey building, constructed in 2000-2001. The existing ground floor comprises office accommodation with a glazed frontage onto William Road. The ground floor of the building is currently vacant; however, the upper floors of the building are occupied in Class C3 residential use. The residential element is to be retained as existing and does not form part of the proposals.
- 1.4 The site currently provides 3,693 sqm GIA of office accommodation and ancillary storage space. Existing building accommodation:

Use	Use Class	Area (GIA)	Area (GEA)
Office	Class E(g)	2,266	2,470
Ancillary Storage	Class E(g)	1,427	1,582
Substation	Sui Generis	22	26
Ancillary Residential	Class C3	32	38
Total		3,747	4,116

- 1.5 Surrounding building heights are relatively consistent within the block, at present the highest are generally six or seven storeys while the lower buildings are generally four storeys. There is a mixed architectural style within the block, which includes three early 19th century grade II listed buildings on Stanhope Street, two early 20th century locally listed warehouse buildings and various later developments that have varying degrees of architectural integrity.
- 1.6 The wider area comprises a mixture of building types. To the south is Euston Tower and various other tall buildings creating a distinct commercial area near

Euston Road. North of Drummond Street, this character changes as buildings become much lower at four and five storeys and the street more domestic in scale. There are some high-rise social house blocks set away from the street edges and contained within their own plots. Further to the east is Euston Station, the British Library, St Pancras and King's Cross stations. Located to the west is the Regent's Park conservation area, which has both national and international importance as a unique piece of urban design by John Nash.

- 1.7 The site is not located within a conservation area and not statutorily listed. It is located within the setting of nearby listed buildings (48-52 Stanhope Street), in nearby proximity to the Regent's Park (West), Fitzroy Square (South) and Bloomsbury (South-east) Conservation Areas, and within the Euston Plan Area, Euston Growth Area (Local Plan), Euston Opportunity Area (London Plan), Central London Area (Local Plan), Central Activities Zone (CAZ – London Plan), Draft Site Allocations Local Plan 2020 (SALP) Knowledge Quarter and within London View Management Framework (LMVF) protected viewing corridors.

2.0 THE PROPOSAL THE SUBJECT OF THIS APPEAL

- 2.1 Plot A - It is proposed to demolish and replace the current building at No. 35-37 William Road (Plot A) with a 15-storey student accommodation building with basement level.
- 2.2 Plot B - Office accommodation would be retained at the ground floor level of No. 17-33 (Plot B) and provided as 'affordable' workspace with a small ancillary element in no. 35-37 (the affordability of this workspace is disputed, see section 6.0 – RfR 1). Alterations to the ground floor façade of no. 17-33 are also proposed, along with servicing, cycle storage, refuse storage and other ancillary and associated works.
- 2.2 A breakdown of proposed floorspace is provided in Table 1 (below) and a breakdown of proposed student accommodation unit mix is provided in Table 2 (below) – these figures in these tables are based on what has been submitted in the appellant's design and access statement and statement of common ground:

Table 1 – Proposed Land Uses & Floor Areas

Use	Use Class	GIA (sqm)	GEA (sqm)
Student Accommodation	Sui Generis	6,711	7,546
'Affordable' Workspace	Class E(g)	1,255	1,338
Residential Storage	Class C3	36	39
Substation	Sui Generis	32	34
Total	-	8,034	8,957

Table 2 - Proposed Student Accommodation

Unit Type	Number of Units	Number of Bedspaces
Studio	94	94
Accessible Studio	3	3
Twodio	71	142
Total	168	239

3.0 RELEVANT PLANNING HISTORY

17-37 William Road and 62-70 Stanhope Street

- 3.1 **TP79387/23003:** The erection of a part seven-storey (including basement), part single-storey building on the sites of Nos. 17-37 William Road and 62-70 Stanhope Street, St. Pancras, for use as garage, fibrous plaster workshop and workrooms. **Approved 24/07/1958.**
- 3.2 **7669:** Erection of a par seven-storey (including basement), par single-storey building on the above sites, for use as garage fibrous plaster work- shops and workrooms.. **Approved 03/07/1959.**
- 3.3 **TP79837/8929:** Erection of a seven and single storey building for use as garage, workshops and workrooms on the sites of 62-70 Stanhope Street and 17-37William Road. **Approved 22/07/1959.**
- 3.4 **AR/TP/79837/NW:** Use of the facing materials in connection with the erection of a garage and fibrous plaster workrooms in accordance with the planning permission of the Council dated 24 July 1958 (ref. TP79387/23003). **Approved 19/01/1960.**

17-35 William Road

- 3.5 **PS9804631:** Redevelopment of the site with the erection of a six-storey building with one light industrial unit (Class B1c) on the ground floor, with off street servicing provision and 46 flats (Class C3) on the upper floors, including 12 flats for flats (Class C3) on the upper floors, including 12 flats for social housing. **Refused – allowed on appeal 31/03/2000.**

17-33 William Road

- 3.6 **2003/1814/P:** Erection of a single storey extension at ground floor level, side elevation, to an existing B1c light industrial unit. **Approved 29/08/2003.**

- 3.7 **2003/2576/P:** The creation of a new door and window to existing kitchen, and an additional enclosed terrace to the east side of the building. **Approved 28/10/2003.**
- 3.8 **2015/5712/P:** Change of use from storage (Sui Generis) to office (Class B1a), including the installation of two air-conditioning units and replacement of the garage door by new office doors. **Approved 04/12/2015.**
- 3.9 **2018/2613/P:** A Certificate of Lawful Proposed Development confirming that the carrying out of the following works before 04/12/2018 would constitute lawful implementation of planning permission 2015/5721/P within the meaning of Section 56 of the Town and Country Planning Act 1990: The construction of the office frontage facing William Road, replacing recessed garage door, in accordance with the approved drawings (proposed). **Approved 25/07/2018.**
- 3.10 **2018/5596/P:** Implementation of planning permission 2015/5721/P dated 04/12/2015 for the change of use from storage (Sui Generis) to office (Class B1a), including the installation of two air-conditioning units and replacement of the garage door by new office doors. **Approved 11/12/2018.**

4.0 LEGISLATIVE AND PLANNING POLICY FRAMEWORK

- 4.1 In determining the planning application the Council had regard to the relevant legislation, government guidance, statutory development plans, supplementary planning guidance and the particular circumstances of the case.

National Planning Policy Framework (NPPF) 2021

- 4.2 The NPPF was first published on 27th March 2012. It provides a national planning policy framework against which all planning applications and decisions must be made. The NPPF was revised on 20th July 2021 and sets out the government's planning policies for England and how these are expected to be applied. The revised Framework replaced the original NPPF published in March 2012, revised in July 2018 and updated in February 2019. The policies contained in the NPPF 2021 are material considerations which should be taken into account in determining planning applications.

Development Plan

- 4.3 The current development plan in relation to the appeal site comprises the London Plan 2021 and the Camden Local Plan 2017, Euston Area Plan 2015, Draft Euston Planning Brief 2020, the Site Allocations Local Development Document 2013 and the Draft Site Allocations Local Plan 2020.

London Plan 2021

- 4.4 The London Plan 2021 is a strategic planning document in London. The Mayor produces the plan, which is applicable to all 32 London boroughs and the Corporation of the City of London. Boroughs' local development documents must be in general conformity with the London Plan, and it is legally part of the development plan that has to be taken into account during planning decisions. The most relevant policies and objectives are listed below:

Planning London's Future - Good Growth

- GG1 Building strong and inclusive communities
- GG2 Making the best use of land
- GG3 Creating a healthy city
- GG4 Delivering the homes Londoners need
- GG5 Growing a good economy
- GG6 Increasing efficiency and resilience

Spatial Development Patterns

- Policy SD1 Opportunity Areas
- Policy SD4 The Central Activities Zone (CAZ)
- Policy SD5 Offices, other strategic functions and residential development in the CAZ

Design

- Policy D1 London's form, character and capacity for growth
- Policy D2 Infrastructure requirements for sustainable densities
- Policy D3 Optimising site capacity through the design-led approach
- Policy D4 Delivering good design
- Policy D5 Inclusive design
- Policy D6 Housing quality and standards

- Policy D7 Accessible housing
- Policy D8 Public realm
- Policy D9 Tall buildings
- Policy D10 Basement development
- Policy D11 Safety, security and resilience to emergency
- Policy D12 Fire safety
- Policy D14 Noise

Housing

- Policy H1 Increasing housing supply
- Policy H15 Purpose-built student accommodation

Economy

- Policy E1 Offices
- Policy E2 Providing suitable business space
- Policy E3 Affordable workspace
- Policy E8 Sector growth opportunities and clusters
- Policy E11 Skills and opportunities for all

Heritage and Culture

- Policy HC1 Heritage conservation and growth
- Policy HC3 Strategic and Local Views
- Policy HC4 London View Management Framework

Green Infrastructure and Natural Environment

- Policy G4 Open space
- Policy G5 Urban greening

Sustainable Infrastructure

- Policy SI 1 Improving air quality
- Policy SI 2 Minimising greenhouse gas emissions
- Policy SI 4 Managing heat risk
- Policy SI 5 Water infrastructure
- Policy SI 7 Reducing waste and supporting the circular economy
- Policy SI 8 Waste capacity and net waste self-sufficiency
- Policy SI 12 Flood risk management

- Policy SI 13 Sustainable drainage

Transport

- Policy T1 Strategic approach to transport
- Policy T2 Healthy Streets
- Policy T3 Transport capacity, connectivity and safeguarding
- Policy T4 Assessing and mitigating transport impacts
- Policy T5 Cycling
- Policy T6 Car parking
- Policy T7 Deliveries, servicing and construction
- Policy T9 Funding transport infrastructure through planning

Funding the London Plan

- Policy DF1 Delivery of the Plan and Planning Obligations

Monitoring

- Policy M1 Monitoring

Camden Local Plan 2017

- 4.5 The Local Plan was adopted by the Council on 03/07/2017 and replaced the Core Strategy and Camden Development Policies documents as the basis for planning decisions. The most relevant policies to be considered as part of the appeal process are listed below:

Growth and Spatial Strategy

- G1 Delivery and location of growth

Meeting Housing Needs

- H1 Maximising housing supply
- H6 Housing choice and mix
- H9 Student Housing

Community, health and wellbeing

- C1 Health and wellbeing
- C5 Safety and security

- C6 Access for all

Economy and Jobs

- E1 Economic development
- E2 Employment premises and sites

Protecting Amenity

- A1 Managing the impact of development
- A2 Open space
- A3 Biodiversity
- A4 Noise and vibration
- A5 Basements

Design and Heritage

- D1 Design
- D2 Heritage

Sustainability and Climate Change

- CC1 Climate change mitigation
- CC2 Adapting to climate change
- CC3 Water and flooding
- CC4 Air quality
- CC5 Waste

Transport

- T1 Prioritising walking, cycling and public transport
- T2 Parking and car-free development
- T3 Transport infrastructure
- T4 Sustainable movement of goods and materials

Delivery and Monitoring

- DM1 Delivery and monitoring

Other Material Planning Considerations

Camden Planning Guidance (CPG)

4.6 The Camden Local Plan 2017 is supported by the Council's CPGs. These documents were created following extensive public consultation. The relevant documents are listed below:

- CPG Access for all
- CPG Air quality
- CPG Amenity
- CPG Biodiversity
- CPG Basements
- CPG Design
- CPG Developer contributions
- CPG Employment sites and business premises
- CPG Energy efficiency and adaptation
- CPG Planning for health and wellbeing
- CPG Public open space
- CPG Housing
- CPG Transport
- CPG Student housing
- CPG Water and flooding

Site Allocations Local Plan (SALP) 2020 – Draft

4.7 It is also considered that the draft Site Allocation Local Plan (SALP) 2020 is relevant. Following approval by Cabinet in November 2019, the Council consulted on the draft Site Allocations Local Plan document. The process for preparing Local Plans includes a number of statutory stages including at least two formal rounds of public consultation. The first formal consultation on the Site Allocations Local Plan was carried out between 13 February and 27 March 2020. The second round of formal consultation is yet to be carried out. The relevant section is listed below:

- KQ1 Knowledge Quarter

London Plan Guidance (LPG)

4.8 London Plan Guidance (LPG) provides further information about how the London Plan should be implemented. Below is a list of the most relevant documents:

- Accessible London SPG
- Housing SPG
- Fire Safety LPG (Draft, Pre-consultation)
- Character and Context SPG
- London View Management Framework SPG
- Air Quality Positive LPG (Draft)
- Be Seen Energy Monitoring LPG (Draft)
- Circular Economy Statements LPG (Draft)
- Energy Planning Guidance
- The Control of Dust and Emissions in Construction SPG
- Whole Life Carbon LPG (Draft)
- Air Quality Neutral LPG (Draft)
- Sustainable Transport, Walking and Cycling (Draft)
- Use of Planning Obligations in the Funding of Crossrail, and the Mayoral Community Infrastructure Levy SPG

5.0 REASONS FOR REFUSAL

5.1. The Council determined the planning application under delegated powers and, on 1st October 2021, refused planning permission for 18 reasons. The decision notice is attached as Appendix 2 which outlines all reasons for refusal (RfR). The reasons for refusal are also listed below:

- 1) The proposed development, due to the failure to provide adequate replacement employment space on the site, would fail to support growth in economic activity in Camden and result in the loss of employment opportunities within the borough contrary to Policies E1 (Economic development) and E2 (Employment premises and sites) of the London Borough of Camden Local Plan 2017.
- 2) The proposed development, by virtue of its height, mass, scale and footprint, would be detrimental to the streetscene, setting of the nearby listed buildings and the character and appearance of the wider area, contrary to policies D1 (Design) and D2 (Heritage) of the London Borough of Camden Local Plan 2017.
- 3) The proposed development, due to its height, massing, scale and location, would result in a material loss of light and outlook as well as having an overbearing impact and an increased sense of enclosure on the occupiers of Winchester Apartments and users of Netley Primary School's external amenity space, contrary to policy A1 (Managing the impact of development) of the London Borough of Camden Local Plan 2017.
- 4) A number of the student accommodation units within the proposed development, by reason of their poor levels of outlook, light, internal space, accessibility, external amenity space and ventilation, would fail to provide adequate internal living conditions for future occupiers, resulting in substandard accommodation contrary to policies D1 (Design), A1 (Managing the impact of development) H6 (Housing choice and mix) and H9 (student housing) of the London Borough of Camden Local Plan 2017.

- 5) The proposed development, in the absence of a whole life-cycle carbon assessment and circular economy statement, has failed to demonstrate that the proposed substantial demolition is justified or that the proposal would promote circular economy outcomes contrary to policy CC1 of the London Borough of Camden Local Plan 2017 and policies SI2 and SI7 of the London Plan 2021.
- 6) The proposed development, in the absence of a legal agreement to secure a carfree development, would be likely to contribute unacceptably to parking stress, environmental impacts and congestion in the surrounding area, contrary to policies T1 (Prioritising walking, cycling and public transport), T2 (Parking and car-free development), CC1 (Climate change mitigation) and DM1 (Delivery and monitoring) of the London Borough of Camden Local Plan 2017.
- 7) The proposed development, in the absence of a legal agreement to secure an appropriate financial contribution towards public highway works, would be likely to harm the Borough's transport and public realm infrastructure, contrary to policies T1 (Prioritising walking, cycling and public transport), T3 (Transport Infrastructure), A1 (Managing the impact of development) and DM1 (Delivery and monitoring) of London Borough of Camden Local Plan 2017.
- 8) The proposed development, in the absence of a legal agreement to secure financial contributions towards pedestrian, cyclist and environmental improvements in the area, would fail to mitigate the impact of the development created by increased trips, contrary to policies T1 (Prioritising walking, cycling and public transport), A1 (Managing the impact of development) and DM1 (Delivery and monitoring) of London Borough of Camden Local Plan 2017.
- 9) The proposed development, in the absence of a legal agreement securing an Approval in Principle Report and appropriate financial contribution towards an approval in principle would fail to mitigate the impact of the basement works on the adjacent public highway

contrary to policies T3 (Transport Infrastructure) and DM1 (Delivery and monitoring) of the London Borough of Camden Local Plan 2017.

- 10) The proposed development, in the absence of a legal agreement securing a Delivery and Servicing Management Plan for the commercial element, would likely give rise to conflicts with other road users and be detrimental to the amenities of the area generally, contrary to policies G1 (Delivery and location of growth), A1 (Managing the impact of development), T3 (Transport Infrastructure), T4 (Sustainable movement of goods and materials), DM1 (Delivery and monitoring), A4 (Noise and Vibration) and CC4 (Air quality) of the London Borough of Camden Local Plan 2017.
- 11) The proposed development, in the absence of a legal agreement for a Student Travel Plan, Strategic Level Travel Plan (student accommodation) and Local Level Travel Plan (affordable workspace) and financial contributions for the associated monitoring, would be likely to give rise to conflicts with other road users and be detrimental to the amenities of the area generally, contrary to policies G1 (Delivery and location of growth), A1 (Managing the impact of development), T3 (Transport Infrastructure), DM1 (Delivery and monitoring), A4 (Noise and Vibration) and CC4 (Air quality) of the London Borough of Camden Local Plan 2017.
- 12) The proposed development, in the absence of a legal agreement to secure a construction management plan, construction impact bond and a financial contribution for construction management plan monitoring, would be likely to give rise to conflicts with other road users and be detrimental to the amenities of the area generally, contrary to policies G1 (Delivery and location of growth), A1 (Managing the impact of development), T3 (Transport Infrastructure), T4 (Sustainable movement of goods and materials), DM1 (Delivery and monitoring), A4 (Noise and Vibration) and CC4 (Air quality) of the London Borough of Camden Local Plan 2017.

- 13) The proposed development, in the absence of a legal agreement securing a local employment and training package including an appropriate financial contribution, would be likely to lead to the exacerbation of local skill shortages and lack of training opportunities and would fail to contribute to the regeneration of the area, contrary to policies G1 (Delivery and location of growth), E1 (Economic development) and DM1 (Delivery and monitoring) of the London Borough of Camden Local Plan 2017.
- 14) The proposed development, in the absence of a legal agreement securing a carbon off-set contribution; an Energy Efficiency Plan and Renewable Energy Plan including the measures set out in the Energy Strategy; details regarding the feasibility of connecting to a decentralised energy network; and a Sustainability Plan including Design Stage and Post Construction stage BREEAM assessment reports and certificates, demonstrating compliance with targets, would fail to be sustainable in its use of resources, contrary to policies CC1 (Climate change mitigation), CC2 (Adapting to climate change), CC3 (Water and flooding), CC4 (Air quality), C1 (Health and wellbeing) and DM1 (Delivery and monitoring of the London Borough of the London Borough of Camden Local Plan 2017.
- 15) The proposed development, in the absence of a legal agreement to secure financial contributions towards public open space, would be likely to contribute to pressure and demand on the existing open space in this area contrary to policies A2 (Open Space) and DM1 (Delivery and monitoring) of the London Borough of Camden Local Plan 2017.
- 16) The proposed development, in the absence of a legal agreement securing a student management plan, would be likely to give rise to conflicts with other road users and be detrimental to the amenities of the area generally contrary to policies A1 (Managing the impact of development), T3 (Transport infrastructure) and DM1 (Delivery and monitoring) of the London Borough of Camden Local Plan 2017.

- 17) The proposed development, in the absence of a legal agreement restricting the term-time occupation of the student units to students in higher education at publicly funded education institutions that are accessible from the development, would fail to meet the identified need for student housing in sustainable locations, and fail to provide a range of affordable, accessible and adaptable dwellings appropriate to meet wider housing needs, contrary to policies H9 (Student Housing) of the London Borough of Camden Local Plan 2017 and policy H15 (Purpose-built student accommodation) of the London Plan 2021.
- 18) The proposed development, in the absence of a legal agreement securing 35% or the maximum viable proportion of the student accommodation as affordable and available to students nominated by a specified education institution as needing affordable accommodation, would fail to provide a range of accommodation affordable to the student body as a whole including those with state-funded living support and recognised as in need of affordable accommodation, contrary to policy H9 (Student Housing) of the London Borough of Camden Local Plan 2017 and policy H15 (Purpose-built student accommodation) of the London Plan 2021.

5.2 As per the informative on the decision notice, the Council considers that it would be possible to overcome reasons for refusal 6-18 by entering into a suitably worded section 106 legal agreement. The Council aims to work with the Appellant to conclude a legal agreement before the forthcoming public inquiry is closed. It may also be possible to overcome reason for refusal 5 through the provision of additional information. The Council will continue to engage proactively with the Appellant to narrow the issues of conflict with the appeal scheme and this will be set out in a Statement of Common Ground.

6.0 THE COUNCIL'S CASE

6.1 The proposal raises 18 issues of concern which are discussed in turn below. The Council's case is also set out within the officer's delegated report (Appendix 1) which details the proposal, site and surroundings, the site history, consultation responses and an assessment of the proposal.

- 6.2 As stated in para 5.2 (above), it would be possible to overcome some of the reasons for refusal by entering into a Section 106 legal agreement. Justification for why these matters must be secured via legal agreement is included below. The LPA will continue to work with the appellant where possible to overcome or narrow the reasons for refusal, and this will be set out in a Statement of Common Ground. The Council has a strong track record of working positively and proactively with developers. Approximately 95% of major developments assessed by Camden Council have been approved. The subject proposal is notably the only known Greater London Authority (GLA) referable scheme which has been refused under delegated authority. The Appellant was explicitly warned during the pre-application stage that the proposal was unacceptable. This view was reinforced by the Design Review Panel (report attached in Appendix 3) prior to the submission of the appeal proposal. The proposal was carefully considered at both pre-application and application stages and was found to be a form of unsustainable development and no minor amendments would have overcome the primary reasons for refusal in this instance.

RfR 1 – Loss of Employment Space

- 6.3 *“The proposed development, due to the failure to provide adequate replacement employment space on the site, would fail to support growth in economic activity in Camden and result in the loss of employment opportunities within the borough contrary to Policies E1 (Economic development) and E2 (Employment premises and sites) of the London Borough of Camden Local Plan 2017.”*
- 6.4 The Council will demonstrate that the proposed development, due to the failure to provide adequate replacement employment space on the site, would fail to support growth in economic activity in Camden and result in the loss of employment opportunities. The evidence will outline why those policies listed within this reason for refusal are applicable to the appeal assessment along with relevant London Plan policies and guidance (referenced in section 4.0).
- 6.5 The appeal site is considered to be in a suitable location for business uses within the Euston Growth Area, Central Activities Zone (CAZ) and Knowledge Quarter. It has not been satisfactorily demonstrated that it is not in a reasonable

condition to allow this use to continue; that it would not be possible to refurbish the building to make it more desirable for a range of employment uses; or re-provide the entirety of the office space within the new development given the substantial uplift in floorspace and major redevelopment (including a new building) which is proposed.

- 6.6 Policy E2 states that the Council will protect premises or sites that are suitable for continued business use, in particular premises that support the functioning of the Central Activities Zone (CAZ) or the local economy. The Council resists development of business premises and sites for non-business use unless:

- a) It can be demonstrated to the Council's satisfaction that a site or building is no longer suitable for its existing business use; and
- b) There is evidence that the possibility of retaining, reusing or redeveloping the site or building for similar or alternative business use has been fully explored over an appropriate period of time (*the proposal does not comply with criteria a) or b), see para 6.11 onwards*).

- 6.7 Policy E2 also states that the Council will consider higher intensity redevelopment of premises or sites that are suitable for continued business provided that:

- c) the level of employment floorspace is increased or at least maintained; (*the proposal does not comply with this criterion, see para 6.8 onwards*)
- d) the redevelopment retains existing businesses on the site as far as possible, and in particular industry, light industry, and warehouse/logistic uses that support the functioning of the CAZ or the local economy;
- e) it is demonstrated to the Council's satisfaction that any relocation of businesses supporting the CAZ or the local economy will not cause harm to CAZ functions or Camden's local economy and will be to a sustainable location;
- f) the proposed premises include floorspace suitable for start-ups, small and medium-sized enterprises, such as managed affordable workspace where viable;
- g) the scheme would increase employment opportunities for local residents, including training and apprenticeships;

h) the scheme includes other priority uses, such as housing, affordable housing and open space, where relevant, and where this would not prejudice the continued operation of businesses on the site; and

i) for larger employment sites, any redevelopment is part of a comprehensive scheme.

6.8 The proposal would result in the loss of approx. 2,438 sqm of office floorspace and ancillary storage space. It is considered that ancillary storage is a necessary asset which ensures the viability of an ongoing employment use. It has also not been demonstrated that this storage space could not be refurbished and brought into a more beneficial use. Therefore, the ancillary storage space should not be discounted when calculating the quantum of employment space lost.

6.9 The proposal would retain approx. 1,255 sqm GIA of office accommodation and provide it as an 'affordable' workspace (affordability disputed, see below,). Whilst it is encouraging that all the remaining workspace provided would be (on the Appellant's case) said to be 'affordable', the amount of office floorspace lost is significant and considered to be unjustified. With regards to the affordable workspace, the appellant initially offered it at 80% of market value and then reduced this to 65% of market value. Neither offer is considered to be a meaningful discount, particularly given the rental rates in the area (Euston). Assuming that this affordable workspace is provided as new, the "market rental" rate this discount is based on is likely to be higher than what this space has been marketed at currently. The Council expects discounts of 50% for affordable workspace as a baseline, as set out in the 2020 draft Site Allocations Local Plan (SALP) policy for the Knowledge Quarter (KQ1) and CPG Employment sites and business premises 2021. No viability assessment was provided by the appellant to justify not meeting the expected reduced rate of 50% of market value.

6.10 The Appellant has not included detailed information around the affordability and suitability of the space for start-ups or SMEs. The Council would expect details of an employment marketing strategy and employment space requirements, it is not clear how the space would be let or managed (i.e. letting to a single occupier, leasing to a workspace provider, or managing themselves as flexible workspace etc). Without this information the Local Planning Authority are

unable to determine the quality and suitability of the affordable workspace for small and medium size enterprises (SMEs) or whether the appeal proposal would support business growth, attract mid-and small-scale organisations, reduce inequality and help achieve the vision and objectives of the Camden Local Plan by providing for the jobs and training opportunities needed to support Camden's growing population. The Appellant has argued that there is an abundance of employment space available in the Euston Plan Area and that there is a lack of demand for this quantity of traditional office space. Flexible and affordable workspace may be desirable; however, it has not been demonstrated that the offered workspace would be truly 'affordable', flexible or suitable for SMEs. Additionally, whilst it is acknowledged that the Knowledge Quarter policy in the 2020 draft SALP has limited weight at this point in time as the policy is in the draft SALP, the expectation would be for any permitted use to specify knowledge economy occupiers – this has not been explored by the Appellant and references such as "flexible and adaptable to meet the needs of a range of potential tenants, including local small businesses and start-ups" (Appellant's statement of case, 4.6) is vague. The lack of evidence produced by the Appellant also raises concerns as to the suggested rent is not likely to be of a level that is attractive to a truly "affordable" SME, which raises concerns that the quality and suitability of the affordable workspace may be under threat, and the provision of the space for that purpose may not therefore be sustained over time. As such, the overall loss of employment space is not mitigated by the offer of 'affordable' workspace

- 6.11 Notwithstanding the affordable workspace offer, criteria a) and b) of Local Plan policy E2 have not been met. It has not been adequately demonstrated that the existing employment space is not fit for purpose and could not be redeveloped and re-provided within the new scheme. This should first be considered before relying on marketing evidence of an owner who is seeking to promote an alternative scheme and the provision of significantly less 'affordable' workspace to justify the substantial loss of employment space. The marketing evidence from the Marketing report of James Andrew International and the Grant Mills Wood Employment Statement is not considered to be adequate. Whilst it appears to meet the required timeframe, it lacks detail. It is not clear who viewed the office space or why precisely they rejected it. It lacks important particulars such as whether the office space could be split between a number of tenants over flexible time periods. It appears from the evidence submitted

that the office space was advertised as one very large space, only suited to a single tenant which significantly reduces the number of potential suiters/interested parties. This, along with the lack of an attempt to refurbish the existing office space, brings into question as to whether a reasonable attempt was made to let the space out. As such, it has not been demonstrated that the site is not suitable for continued business use.

- 6.12 The site is located inside of the Central Activities Zone (CAZ) and within both the Euston Plan Area and Knowledge Quarter and can be accessed via Hampstead Road, which is an A road which continues to Tottenham Court Road to the south and Camden High Street to the north. Additionally, the site also has a Public Transport Access Level (PTAL) rating of 6b (the highest possible rating). As such, its location is considered to be highly suitable for an alternative employment use as part of any development. The expectation under policy E2 parts a) and b) is that any redevelopment would realise the opportunity to incorporate replacement floorspace to address the identified shortcomings of the premises as existing. Given the uplift in overall floorspace proposed as part of the development, a reduction from 3,693sqm of employment space (with ancillary storage space) down to the 1,255 sqm as 'affordable' workspace is not considered to address this key policy requirement.
- 6.13 The Council does not consider that the loss of employment space is outweighed by the delivery of other priorities, including the proposed student accommodation provision. The loss of employment space, considered suitable for business use as part of a new development, would fail to support growth in economic activity in Camden and result in the loss of employment opportunities within the borough contrary to Policies E1 (Economic development) and E2 (Employment premises and sites).

RfR 2 – Design & Conservation

- 6.14 *“The proposed development, by virtue of its height, mass, scale and footprint, would be detrimental to the streetscene, setting of the nearby listed buildings and the character and appearance of the wider area, contrary to policies D1 (Design) and D2 (Heritage) of the London Borough of Camden Local Plan 2017.”*

- 6.15 During the course of the appeal the Council will demonstrate that the appeal proposal, by virtue of its height, mass, scale and footprint, would be detrimental to the streetscene, setting of the nearby listed buildings (see para. 6.28) and the character and appearance of the wider area. The evidence will outline why those policies listed within this reason for refusal are applicable to the appeal assessment, along with relevant London Plan policies and guidance (referenced in section 4.0).
- 6.16 The NPPF, the London Plan and Camden's Local Plan (policies D1 and D2) place great emphasis on conserving heritage assets in a manner appropriate to their significance, and emphasise the importance of good design. CPG Design seeks "excellence in design" in Camden. Policies at all levels require buildings, streets and spaces to respond in a manner which promotes inclusive and sustainable development and contributes positively to the relationship between urban and natural environments and the general character of the location.
- 6.17 According to Policy D1 in relation to tall buildings, 'All of Camden is considered sensitive to the development of tall buildings'. This means that each proposed tall building should be carefully scrutinised and go through detailed design assessments. This also includes:
- How the building relates to its surroundings, both in terms of how the base of the building fits in within the streetscape and how the top of a tall building affects the skyline
 - The historic context of the building's surroundings
 - The relationship between the building and hills and views
 - The degree to which the building overshadows public spaces, especially open spaces and watercourses
 - The contribution a building makes to pedestrian permeability and improved public accessibility
- 6.18 The proposed demolition of the existing building is not contested in terms of design and conservation (it is however contested on sustainability grounds), as the building is of neither good design/quality and does not make best use of the site. However, the demolition can only be supported if the replacement building

is suitable (and justified on sustainability grounds, see RfR 5 – Sustainability).

- 6.19 The appeal development presents a substantial increase in height within the existing perimeter block, being 15 storeys in height. The appeal proposal is considered too tall for its location, and does not sit comfortably within the immediate area, where height varies from four to eight storeys, with many of buildings around four storeys. Although there are some tall buildings in the wider area, the location of the site is not appropriate for accommodating a tall building as it is part of a perimeter block with relatively consistent (low) building heights where height varies from two to eight storeys, with many of the buildings of around four storeys. The Council notes the reliance placed by the Appellant on the residential towers in the Regents Park Estate to the west and the Euston Tower to the south (Appellant's Statement of Case, para 2.7), and its reference to the new commercial-led mixed use buildings to the south along Drummond Street, but the Council will show that the local street-scene and the local area in which this development will sit is relatively consistently (low) building heights and that these reference points are not appropriate and the development would appear incongruous.
- 6.20 It is not considered that the location of the block is appropriate to warrant a tall 'landmark' building. The site is on a 'secondary' street located away from the main roads and surrounded by back streets. The "landmark" building in this location causes also harm to local heritage assets (see below), whereas the current development, whilst of no architectural merit, is neutral to those assets.
- 6.21 Although there are tall buildings to the south of the site, there is a clear shift in character and scale north of Drummond Street. Buildings north of Drummond Street are of a more domestic scale, normally between four and seven storeys. The network of streets supports this scale with pavements and road widths responding to the heights of the buildings. A fifteen-storey building would have an incongruous relationship with the surrounding buildings and loom over streets having a negative impact on the pedestrian experience.
- 6.22 The site is not considered large enough, in area, to accommodate a building of this height, excessive mass and scale. The proposal for Plot A occupies the entire site footprint and is built directly on the back of a narrow pavement, contrary to some of the taller buildings and towers around the area which sit

back from the building line and have a less negative impact onto the public realm. Examples of this in the surrounding area are the Netley building opposite, partially 8 storeys high (mostly 6 storeys high) but with a generous setback for external amenity space and breathing space, or but in a different setting and local context, it can also be seen in the towers on the Regent Park Estate which are on a podium, setback from the street and are part of a wider masterplan with a series of open spaces and elements of varied density and scale. Several tall buildings on Euston Road also provide a similar building setting and have setbacks that increase the area of external public space.

- 6.23 The other mentioned developments give something back to the site they fall within and offer a range of public benefits, such as front verges and expansive public space. The pavement widths on William Street and Stanhope Street are 3.2m and 3.3m wide respectively, and the proposed building would rise sheer from these pavements to the full 15 storey height except at the chamfered corners, and with some relief attempted via a fake parapet line to break up the facade at the top of the sixth storey. It is not considered the proposed public realm improvements (referred to in the Appellant's statement of case at 4.15) are successful to break this up, and the additional of recessed ground floor entrances will not compensate for the overall tallness and bulk of the proposal.
- 6.24 The chamfered corner, the setbacks and recesses are attempts to reduce the visibility and impact of the building's mass onto its surroundings. The use of the brick façade is noted (and see below) but the variation of tonalities will also not be successful to break up the visibility and impact. These features are not considered sufficient to reduce the negative impacts of the appeal proposal, and the proposed block appears tall, wide and out of proportion in relation to the surrounding buildings. The Regent's Park Estate towers in comparison are slimmer and setback from the street.
- 6.25 The Council is also concerned as to how the height and density of the proposal would feel dominant onto the street and make it feel 'tight' or restricted in the surrounding public realm. In particular, having the building come all the way to the edge of the footway would create an overbearing feeling on the pedestrian experience, on a perimeter block.
- 6.26 An interior open courtyard at ground floor, and an open terrace and loggia at

floor 14 are proposed as areas for private amenity use, as well as ground floor openings for planters and benches. The proposed outdoor amenity space falls short of what the Council expect of a building of this size and density, and this is particularly crucial in pandemic and post-pandemic times where access to outdoor space should be maximised (this is re-emphasised in the assessment on the quality of accommodation (below)).

- 6.27 Although the detailed design of the ground floor and the façade studies in particular are of merit in isolation, and the reduction in height during the course of the scheme's evolution was welcome, this does not compensate the negative impact and harm caused by the proposed height, and the massing and scale of the scheme, which is completely inappropriate in this context.
- 6.28 The appeal site is in close proximity to three grade II listed buildings on Stanhope Street. No's 50 and 52 were both built circa. 1804, both are three storeys with basements, however no.50 has rendered upper storeys with timber weatherboarding at ground floor level, and no.52 is constructed from multi stock bricks. No. 48 is the Lord Nelson Public House built circa. 1899 and is four storeys.
- 6.29 It is noted that the GLA and Historic England have not identified any harm to heritage assets. The Council has carefully assessed this matter and the significance of the heritage assets and does not agree with this view. The Council will show that the height and scale of the building would cause less than substantial harm to the setting of the identified listed buildings on Stanhope Street. As stated, the buildings are between three and four storeys and are representative of the area's historic urban grain. The buildings would be dominated by a building of 15-storeys, with the eye drawn to the larger structure rather than the historic elements of the street. At present the listed buildings sit comfortably within the 'block' and although they are flanked by larger buildings, they can still be understood and appreciated. The proposed 15-storey building would disrupt the rhythm of the block, compromising the listed buildings' position within it. The modern and large buildings to the south should not be considered to set a precedent for a new building of the proposed scale in this location, as there is an entirely different context south of Drummond street with virtually no historic buildings remaining. Buildings are of a variety of ages within the block of the appeal site, all of which have a more

human scale. This is an important characteristic that should remain to protect the setting of the listed buildings and the Council will show that the proposal causes less than substantial harm.

- 6.30 The proposed tall building would be out of scale with the listed buildings, which have influenced the scale of emerging buildings over the last two centuries. The height of the proposed building would loom over the listed buildings when looking north along Stanhope Street detracting from their contribution to the street and causing material harm to their setting. Considerable importance and weight has been attached to the harm and special attention has been paid to the desirability of preserving or enhancing the character or appearance of the listed buildings including their settings, under section 66 of the Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013. The public benefits of the proposal have been considered and those relied upon by the Appellant are considered at more detail below, but these do not outweigh the harm. The proposal would fail to accord with policies D1 and D2 of the Camden Local Plan 2017 and Section 66 of the Listed Buildings and Conservation Area Act 1990.
- 6.31 The development would sit above both the LVMF 5A.2 and LVMF 2A.2 threshold line, although the Design and Access Statement states it will have 'no material effect on the LVMF' as most of the development would be obscured by other taller buildings. Notwithstanding whether this is the case, the concerns raised by both Camden officers and the DRP is that medium and short views would be significantly affected.
- 6.32 It is acknowledged that design work has been done to mitigate this impact at ground floor through the consideration of various building elements and datum lines to bring the scale down at ground level. However, the appeal proposal would have a detrimental impact on the immediate context, when approaching the site from various points and standing by the tower element. This is particularly evident in the view from Stanhope Street facing north, where there is a stark contrast between the Georgian terraces at the foreground and the proposed tower. The negative impact would also be visible in views closer to the appeal proposal, nearing the junction, where the building dominates and impacts the pedestrian experience.

- 6.33 The proposed appeal development, by virtue of its height, mass, scale and footprint, would be detrimental to the streetscene, setting of the nearby listed buildings and the character and appearance of the wider area, contrary to policies D1 (Design) and D2 (Heritage) of the Local Plan.

Design Review Panel (DRP)

- 6.34 Iterations of the proposal were reviewed by the DRP on 25th September 2020. The scheme originally involved a 21-storey student block which was reduced to a 15-storey block during the pre-app process. The proposed uses were largely student accommodation with affordable workspace at ground floor level underneath the existing residential block on William Road. Pre-application advice was also given stating that concerns remained regarding the height and massing of the proposed tower, the loss of office floorspace and the provision of student accommodation without an end user in place.
- 6.35 The panel's views were requested on: height and massing; whether this location is right for a landmark building; what impact this height might have on the pedestrian experience and viewing corridors. Officers asked the panel to comment on the level of communal amenity space provided for the prospective occupiers of the building, and the building's architecture and materiality.
- 6.36 The DRP reviewed different iterations of the proposed building prior to submission (at pre-app stage). All versions of the scheme were considered to be excessive in height and to not respond to the surrounding built environment. The DRP suggested rethinking the typology put forward, mentioning it could either be a podium building, with a much reduced mass, or the preferred option of a mansion block/perimeter typology, of much reduced height (around 8 storeys). The resulting appeal proposal has not responded to these comments and was submitted without significant amendments. The full DRP report can be found in Appendix 3 (below). The Appellant relies on extracts, out of context.
- 6.37 Extract from DRP's summary:

"...it (the panel) considers that the proposed brief is too challenging, forcing a scheme that results in significant overdevelopment of the site, one that puts viability before city making. It considers the proposals are over scaled in bulk

and height and mix two confused building typologies. The panel encourages careful thought around whether the building is a stand-alone tower in open space, or a piece of street in the form of a reimagined warehouse / mansion block. In either case, massing must be refined to ensure the scheme respects both the streetscape and the skyline. The panel commends the quality of architectural expression, particularly the sculpted entrance to the student accommodation on William Road. While the proposed student rooms appear to be high quality the panel would like to see a long term operator in place to ensure this quality is delivered. The use of a single stair requires careful consideration to ensure it is a sustainable approach that ensures the building is futureproofed. The panel is concerned with the lack of outdoor amenity space proposed and would like to see more of this provided. While internal amenity space is welcomed, the function and quality of this should be thoroughly scrutinised, and should contribute to the sense of community within the building.”

Greater London Authority

- 6.38 The GLA provided their stage 1 report 8th March 2021. Within the ‘urban design’ section of the GLA report it was stated that:

“...the site is not in a location that is identified as suitable for a tall building, as Camden’s Local Plan considers all parts of the borough as sensitive to the development of tall buildings. Therefore, whilst there are various characteristics of this site that offer material considerations for developing a tall building on the site, as noted above, this is a location that the local plan envisages as sensitive to tall buildings. Noting that London Plan Policy D9 states that tall buildings should only be developed in locations that are identified in development plans, it falls to officers to consider whether there might be material considerations that could justify a tall building at this site. Key to this exercise will be a robust assessment of the impact of the proposed tall building against the criteria within London Plan Policy D9, in conjunction with consideration of the public benefits of the proposal.”

“...the site is not located within an area identified for tall buildings and is therefore not in compliance with Policy D9. The applicant should engage closely with the Council on matters of neighbourhood amenity and local mitigation and

ensure that the matters raised in the urban design and sustainable development sections of this report are appropriately addressed.”

- 6.39 The Council has assessed the height and massing of the submitted application, giving close consideration to the above, and considers it to be unacceptable.

RfR 3 – Neighbouring Amenity Impact

- 6.40 *“The proposed development, due to its height, massing, scale and location, would result in a material loss of light and outlook as well as having an overbearing impact and an increased sense of enclosure on the occupiers of Winchester Apartments and users of Netley Primary School's external amenity space, contrary to policy A1 (Managing the impact of development) of the London Borough of Camden Local Plan 2017.”*
- 6.41 During the course of the appeal the Council will demonstrate that the appeal proposal would result in a material loss of light and outlook as well as having an overbearing impact and an increased sense of enclosure on the occupiers of Winchester Apartments and users of Netley Primary School's external amenity space. The evidence will outline why those policies listed within this reason for refusal are applicable to the appeal assessment, along with relevant London Plan policies and guidance (referenced in section 4.0).
- 6.42 The Appellant's Statement of Case lacks specificity to properly set out the Appellant's case on this important reason for refusal and identify and address the impacts on the most significantly impacted homes (Winchester apartments and 17-33 William Road) and the Netley primary school. The appeal proposal is supported by a Daylight and Sunlight Assessment dated 20th November 2020. The report is authored by Point 2 surveyors, who have based their study on the various numerical tests laid down in the Building Research Establishment (BRE) guide 'Site Layout Planning for Daylight and Sunlight: a guide to good practice, 2nd Edition' by P J Littlefair 2011. The Council will show that the considerations include but are not limited to the Daylight and Sunlight Assessment.
- 6.43 The submitted document claims that all neighbouring windows (that have a requirement for daylight or sunlight) pass the relevant BRE diffuse daylight and

direct sunlight tests, however the Appellant's statement of case itself refers to the "noticeable" changes (at paragraph 7.26) and the Appellant's statement of case does not properly identify the judgment which is then used to support the assertion that *"notwithstanding there are some noticeable changes, that should not be to "unacceptable" and importantly the retained levels of daylight are commensurate, and largely better than, a typical city centre location"* (emphasis added) . The Statement of Case then goes on to assert that the "footprint" is *"largely mirroring"* the existing building to ensure that residents *"continue to benefit from similar levels of outlook"* but without addressing the height and amenity impacts and perceived impacts. It also relies upon that the Site's location *"within a densely populated inner urban area"* to assert that the impacts are *"acceptable"* (See 7.28) but without considering those impacts for the residents most impacted and school children in the external amenity space at Netley Primary School. The Council will show that the areas where it is not *"largely better than"*, and where the reference to a *"typical city centre location"* is used to support the unacceptable worsening and without reference to this particular location, and will demonstrate the significant amenity impacts, such that this Reason for Refusal should be upheld.

- 6.44 The Council will show that with regards to the relevant Regent's Park estate properties and Stanhope Street properties, the assessment demonstrates that all changes in VSC (vertical sky component) and NSL (no-sky line) as a result of the Development to all windows and rooms in these properties are less than 20% their existing level and will be unnoticeable to the occupants. However more significant reductions in VSC and NSL are predicted for both Winchester apartments and 17-33 William Road.
- 6.45 Winchester Apartments comprises multiple balconies that cut skylight from the top part of the sky being received in the window below. With the balconies in place, of the 76 windows assessed, 33 experience unnoticeable changes in VSC, 18 windows between 20-30%, 18 windows between 30-40% and 7 windows greater than 40% loss. In terms of NSL, of the 44 rooms assessed 18 experience unnoticeable changes, 3 rooms between 20-30%, 5 between 30%-40% and 18 rooms greater than 40%.
- 6.46 The Council will show that however with the balconies removed, of the 76 windows assessed, 33 experience unnoticeable changes in VSC, 22 windows

between 20-30%, 20 windows between 30-40% and one window experiences a greater than 40% loss. In terms of NSL, of the 44 rooms assessed 18 experience unnoticeable changes, 3 rooms between 20-30%, 6 between 30%-40% and 17 rooms greater than 40%.

- 6.47 For over 40 windows, both the VSC is less than 27% and the proportional losses are over 20% (below 0.8 times its former value) which exceeds the BRE Guidance.
- 6.48 The Council will show that the 'without balconies' analysis reveals that there are still an extensive number of failures of the BRE guidelines with many habitable rooms (bedrooms, living/dining rooms and living/dining/kitchen rooms) reduced to approx. 0.7 and more below their current VSC values where the existing levels are currently acceptable to the margins of acceptability as described for inner urban areas and in some cases below. In most cases the 'no sky line' (NSL) test is similarly below acceptable target levels. This large amount of failures to windows (VSC) and rooms (NSL), both with and without the balconies, is a further indication of the excessive height of the proposal not being appropriate for this particular context.
- 6.49 East of the site and referenced '4' on the Plan, 17-33 William Road, is identified as containing residential accommodation. The analysis considers the effect on 53 windows serving 46 site facing rooms. Of the 53 windows, the proportional reduction of VSC to 45 windows is less than 20% and will be unnoticeable. Of the remaining 8 windows, both the VSC is less than 27% and the proportional losses are over 20% (below 0.8 times its former value) which exceeds default BRE Guidance.
- 6.50 The Council will also show that consideration has also not been given by the Appellant to the surrounding external amenity spaces in the area in the submitted daylight/sunlight assessment, and the Appellant's statement of case continues to not properly address the wider amenity issues. In particular, the Netley Primary School's amenity space would be cast in shadow for long periods of the daytime when it is most likely to be in use by the school.

- 6.51 The Council will show that the presence of the 15-storey tall tower, which is significantly taller and wider than the existing building, is considered to have material loss of outlook to occupiers of the south facing flats of the Winchester apartments (due north of the site). Currently occupiers of the south side of Winchester apartments have views out above 35-37 William Road, particularly over the 2-storey plinth, but also the 6-storey element for those occupying the top floors. Occupiers also currently have access to outlook either side of the 35-37 William Road, as there is a significant gap between Nos. 17-33 and Nos. 35-37 William Road.
- 6.52 The Council will show that the proposed building would not only be nearly double the height of the Winchester apartments but also infill the spaces which exist between the buildings on William Road which offer permeability and a sense of openness. This in combination with the lack of relief offered by the proposed building, with no open space surrounding the structure and only having an approx. 20m distance from the rear elevation of Winchester apartments, would result in a large and impermeable wall which would block a significant amount of the light and outlook as well as feel overbearing and overly dominant. The overbearing nature of the building would detrimentally impact Winchester apartments and be oppressive and cause an increased sense of enclosure on the surrounding buildings and external amenity spaces, such as the Netley Primary school garden adjoining Winchester apartments and the far south-western balconies of 17-33 William Road.
- 6.53 The reference to public benefits outweighing these harms at paragraph 7.28 of the Appellant's Statement of Case is noted. The Council does not agree and responds in more detail to the Appellant's "range of public benefits" in Section 7.0 Public Benefits.
- 6.54 Overall, the proposed development, due to its height, massing, scale and location, would result in a material loss of light and outlook as well as having an overbearing impact and an increased sense of enclosure on the occupiers of Winchester Apartments and users of Netley Primary School's external amenity space, contrary to policy A1 (Managing the impact of development) of the Local Plan.

RfR 4 – Quality of Accommodation

- 6.55 *“A number of the student accommodation units within the proposed development, by reason of their poor levels of outlook, light, internal space, accessibility, external amenity space and ventilation, would fail to provide adequate internal living conditions for future occupiers, resulting in substandard accommodation contrary to policies D1 (Design), A1 (Managing the impact of development) H6 (Housing choice and mix) and H9 (student housing) of the London Borough of Camden Local Plan 2017.”*
- 6.56 During the course of the appeal the Council will demonstrate that a number of the student accommodation units within the appeal proposal by reason of their poor levels of outlook, light, internal space, accessibility, external amenity space and ventilation, would fail to provide adequate internal living conditions for future occupiers, resulting in substandard accommodation. The evidence will outline why those policies listed within this reason for refusal are applicable to the appeal assessment, along with relevant London Plan policies and guidance (referenced in section 4.0).
- 6.57 Policy H9 criterion d) requires proposals for student accommodation to comply with any relevant standards for houses in multiple occupation (HMOs); the details of which are summarised in CPG student housing. The Council's current minimum HMO standards were adopted in 2020. They include space standards and requirements in relation to heating, power, fire detection and alarms, kitchen facilities (food preparation and storage, cooking, ventilation, sink and waste), baths/ showers, wash basins and toilets. Depending on the particular circumstances of the HMO, the minimum space standard for a sleeping room (excluding kitchen and personal hygiene facilities) varies from 7.1 sqm to 9 sqm.
- 6.58 Policy D1n. of the Local Plan requires a high standard of accommodation from development. Paragraph 7.32 of the supporting text requires all residential development to create high quality homes, which have good ceiling heights and room sizes, good natural light and ventilation and to be dual aspect except in exceptional circumstances. Local Plan Policy H6 also encourages design of all housing to provide functional, adaptable and accessible spaces.
- 6.59 The majority of the single bedrooms measure approx. 8.4sqm in the twodios (two single bedspaces sharing a kitchen and bathroom) and 9.7 sqm in the

sleeping areas of studios, with the exception of a small number of larger corner studios. Smaller studios also provide a kitchenette and WC, wash and shower room taking the total area to 16.3 sqm. Twodios also provide a shared kitchen-diner of approx. 8.6 sqm and a shared WC, wash and shower room of approx. 1.8 sqm. The areas do not meet the HMO standards set out in CPG student housing as the floor area for a shower, WC and wash basin should be 2.2 sqm. The floor to ceiling heights do not meet London Plan 2021 standards of 2.5m or greater. It is important to meet this standard due to the urban heat island effect which is experienced in this central London area (which is likely to worsen under current predicted climate change impacts), and particularly given the small room sizes, lack of open space and lack of ventilation which is proposed.

6.60 Policy H9 criterion f) requires that student accommodation includes a range of flat layouts including flats with shared facilities wherever practical and appropriate. CPG Student housing states that the Council will generally expect applications to satisfy the following guidelines:

- at least half the bedspaces should be provided in cluster flats providing a number of study-bedrooms with some shared facilities;
- no more than half of the bedspaces should be provided in studio flats that contain all basic amenities for exclusive use of the occupants (kitchen, bathroom, toilet);
- a proportion of the bedspaces should be in study-bedrooms and studio flats (where present) designed for single occupancy;
- a proportion of the bedspaces should be in study-bedrooms and studio flats (where present) designed for double occupancy, this should be the minority of bedspaces unless the scheme is specifically intended for occupation by postgraduates; and
- consideration should be given to inclusion of other lower cost accommodation, such as two study-bedrooms sharing a kitchen-diner and bathroom.

6.61 Cluster flats are defined as a group of study bedrooms sharing communal facilities. The cluster flat will generally provide all the basic needs for everyday life including a kitchen, bathroom and toilet. Typically, a cluster flat comprises 4

to 8 study bedrooms and a communal kitchen-diner (sometimes combined with a living room).

- 6.62 The proposed development offers only studios (97) and 'twodios' (71) (two single bedspaces sharing a kitchen and bathroom) and as such fails to meet the guidelines above. No cluster flats are provided, nor are there any living rooms/dining areas or shared communal space for occupiers to congregate in and interact with one another on their own floor. The only internal amenity spaces are located in the basement (approx. 82 sqm), and on the ground floor (approx. 182 sqm) and fourteenth floor (approx. 274 sqm) (i.e. at both extremes of the building). The proposed layout is not conducive to any convenient social interaction, particularly for those located on the middle floors. While the overall area of internal amenity space is consistent with the benchmark of 0.1 to 0.2 sqm per bedspace given in CPG student housing, there is a general lack of open space on other floors which would create a 'boxed-in' feeling. The corridors are tight and there is a single narrow stair core making the whole arrangement feel restricted and anti-social.
- 6.63 Concern is also raised with the proposal for a single stair core in a building which is significantly over 18 metres in height. Fire safety is an important issue and not only may designs be compromised by changes in regulations in the future, but the Council will show that from a current perspective it is also considered appropriate, in the particular circumstances of this case and its height, location, and the nature of its occupiers, to anticipate both further to changes to building regulations given the continual fire safety changes which have been introduced post-Grenfell and sensible practice given the same characteristics. The Council is concerned at the difficulty of securing design changes if this were to be attempted to be secured by condition. This would also need to be further reviewed in accordance with the relevant requirements and may result in the need for substantial internal layout changes.
- 6.64 A number of flats would be located directly below the fourteenth-floor internal amenity area. Concern is raised regarding noise and disturbance to future occupiers of these flats and the stacking of different room types.
- 6.65 CPG student housing indicates that students should be provided with adequate facilities to wash and dry clothes. The only provision evident in the scheme is

an area of approx 4.7 sqm on the fourteenth floor identified on the plans as a launderette, which would not seem convenient or sufficient for a block with potential occupancy of 239 students. It appears floor plans for floors 1-3 are missing from the proposal, the Council is unable to comment on the quality of these floors, a condition requiring detailed layouts of floors 1-3 is suggested as a recommended condition in the event the appeal is allowed.

- 6.66 With the exception of a small proportion of corner units, the majority of the studios and twodios are single aspect, many of which are solely north facing. Occupiers of the north facing twodios in particular would receive inadequate levels of light and outlook. The appellant has not submitted an internal daylight/sunlight assessment which demonstrates that these units would receive acceptable levels of light. Also, for all of the twodios, only the bedrooms contain a window, the shared kitchen and bathroom have no access to light or outlook. Only a small panel on each window can be opened with the majority being fixed shut. The occupiers of the south facing bedrooms in particular would experience uncomfortable levels of heat with such a small window opening, small room sizes and the inability to 'wedge' fire doors open.
- 6.67 Rooms within such student accommodation buildings can be occupied for a whole year and potentially a number of years by the same tenants and it is not considered that the 'short' term/transient nature of the occupancy justifies a substandard quality of living accommodation.
- 6.68 Minimal external amenity space is offered for a proposal which provides 239 student rooms. This is considered to have a detrimental impact on the quality of life of the prospective occupiers. A single small outdoor area on the ground floor and one loggia on fourteenth floor is not considered to be sufficient. A combination of small rooms, insufficient communal space and a lack of nearby public amenity space exacerbates the impacts of a lack of private external amenity space. Regent's Park is in any event not a substitute for external private amenity space for the 239 student rooms (and see below), but it is also not considered in the circumstances easily accessible, travel to the park would involve crossing multiple busy roads and navigating the relatively impermeable Regent's Park estate, there is no direct route.

- 6.69 Accessibility it not only about distance as the crow flies. It is important to note that students would live in a tall tower reliant on a single staircase or two small lifts to get down to the ground. It takes time to travel from a room on an upper floor to the ground, this is partially why existing residential towers in the area are immediately surrounded by open space (to compensate for this). It is also inconvenient to cross multiple busy roads, where students would have to wait at traffic lights or on islands on Albany Street and the Outer Circle before reaching the nearest side gate of Regent's Park. It should also be noted that some student occupiers may not be comfortable cutting through the neighbouring Council estates or Crown estate land to get access to Regent's Park.
- 6.70 Policy C6 of the Local Plan seeks to ensure that new development achieves the highest standards of accessible and inclusive design. Para 4.24 of CPG Student housing indicates that, based on Building Regulations, 5% of bedrooms should be accessible (which is 12 bedrooms out of 239). Building Regulations Part M1 (vol 2) page 42/ para 4.24 indicates 1 in 20 bedrooms should be wheelchair accessible. Three units within the development are proposed as accessible with a further nine provided as adaptable (meeting the numerical requirement for accessible rooms in student accommodation, but not satisfying the Building Regulation requirement for wheelchair accessibility at the time of completion). The appeal proposal fails to fully meet the above requirements.
- 6.71 The Council's Building Control service have advised that the inclusion of adaptable rooms may be accepted if it can be shown that the dimensions and layout are able to genuinely accommodate simple conversion to full accessibility. There do not appear to be any accessible or adaptable units shown on the plans submitted with the appeal proposal nor have the same been submitted with the appeal documentation. This element of the reasons for refusal could potentially be overcome if plans were submitted showing 12 wheelchair accessible bedrooms (potentially including a proportion of easily adaptable bedrooms) with suitable dimensions and layout for wheelchair users. The Council asks that the Appellant engage with the Council forthwith and provide such evidence to explore if this element of this RfR can be addressed.
- 6.72 A number of the student accommodation units within the proposed development, by reason of their poor levels of outlook, light, internal space,

accessibility, external amenity space and ventilation, would fail to provide adequate internal living conditions for prospective occupiers, resulting in substandard living accommodation that would be harmful to the amenities of future occupiers, contrary to policies D1 (Design) and A1 (Managing the impact of development) H6 (Housing choice and mix) and H9 (Student housing) of the London Borough of Camden Local Plan 2017. Some of the issues raised may be ameliorated through provision of detailed layout plans for levels 1-3.

RfR 5 - Sustainability & Resource Efficiency

- 6.73 *“The proposed development, in the absence of a whole life-cycle carbon assessment and circular economy statement, has failed to demonstrate that the proposed substantial demolition is justified or that the proposal would promote circular economy outcomes contrary to policy CC1 of the London Borough of Camden Local Plan 2017 and policies SI2 and SI7 of the London Plan 2021.”*
- 6.74 During the course of the appeal the Council will demonstrate that the appeal proposal would, in the absence of an adequate whole life-cycle carbon assessment and circular economy statement, has failed to demonstrate that the proposed substantial demolition is justified or that the appeal proposal would promote circular economy outcomes. The evidence will outline why those policies listed within this reason for refusal are applicable to the appeal assessment, along with relevant London Plan policies and guidance (referenced in section 4.0).
- 6.75 London Plan Policy SI2 states that development proposals referable to the Mayor should calculate whole life-cycle carbon emissions through a nationally recognised Whole Life-Cycle Carbon (WLC) Assessment and demonstrate actions taken to reduce life-cycle carbon emissions.
- 6.76 London Plan objective GG5 states that those involved in planning and development should recognise and promote the benefits of transition to a circular economy as part of the Mayor’s aim for London to be a zero-carbon city by 2050. Policy D3 of the London Plan further states that the principles of the circular economy should be taken into account in the design of development proposals in line with the circular economy hierarchy. Policy SI 7 states that

referable applications should promote circular economy outcomes and aim to be net zero-waste. A Circular Economy Statement should be submitted.

6.77 Policy CC1 criterion e) of the Local Plan requires all proposals that involve substantial demolition to demonstrate that it is not possible to retain and improve the existing building. Additionally, CPG Energy efficiency and adaption chapter 9 was updated and published January 2021 with specific guidance and messages on “We will expect creative and innovative solutions to repurposing existing buildings, and avoiding demolition where feasible;” “All development should seek to optimise resource efficiency and use circular economy principles”. The above is supported by paragraphs 8.15, 8.16 and 8.17 of the Local Plan 2017 which state the following:

- *Given the significant contribution existing buildings make to Camden’s CO2 emissions, the Council will support proposals that seek to sensitively improve the energy efficiency of existing buildings.*
- *The construction process and new materials employed in developing buildings are major consumers of resources and can produce large quantities of waste and carbon emissions. The possibility of sensitively altering or retrofitting buildings should always be strongly considered before demolition is proposed. Many historic buildings display qualities that are environmentally sustainable and have directly contributed to their survival, for example the use of durable, natural, locally sourced materials, ‘soft’ construction methods, good room proportions, natural light and ventilation and ease of alteration.*
- *All proposals for substantial demolition and reconstruction should be fully justified in terms of the optimisation of resources and energy use, in comparison with the existing building. Where the demolition of a building cannot be avoided, we will expect developments to divert 85% of waste from landfill and comply with the Institute for Civil Engineer’s Demolition Protocol and either reuse materials on-site or salvage appropriate materials to enable their reuse off-site. We will also require developments to consider the specification of materials and construction processes with low embodied carbon content. (Nb: this is*

superseded by 95% reuse/recycling/recovery of construction and demolition waste in Policy SI 7 of the London Plan 2021)

6.78 Contrary to the above, the Appellant has not carried out any condition or feasibility studies to test whether retaining and improving the existing building is feasible. This should first be considered before attempting to justify demolition and redevelopment through other means. The proposal fails to comply with the requirements set out in Policy CC1 and the supporting text. Further when proposing to demolish/reclaim and recycle no Whole Life Carbon assessment was submitted during the course of the application (which was requested by the Council during the course of the application).

6.79 The GLA at stage 1 consultation raised the following concerns with regards to Circular Economy and Whole Life-Cycle Carbon:

- *“London Plan objective GG5 states that those involved in planning and development should recognise and promote the benefits of transition to a circular economy as part of the Mayor’s aim for London to be a zero-carbon city by 2050. Policy D3 of the London Plan further states that the principles of the circular economy should be taken into account in the design of development proposals in line with the circular economy hierarchy.*
- *As such, and in line with London Plan Policy SI7, a Circular Economy Statement should be submitted to demonstrate how the proposals promote circular economy outcomes and aim to be net zero-waste. The pre-consultation draft of the Circular Economy Statements Guidance (March 2020) provides further information on how to prepare a Circular Economy Statement and is available on the GLA website.*
- *London Plan Policy SI2 states that development proposals referable to the Mayor should calculate whole life-cycle carbon emissions through a nationally recognised Whole Life-Cycle Carbon (WLC) Assessment and demonstrate actions taken to reduce life-cycle carbon emissions. A Whole Life-Cycle Carbon template (produced by the GLA) should be completed in accordance with the assessment guidance. The applicant*

should use these tools as the design progresses to calculate and reduce WLC emissions against the GLA's benchmarks provided in the guidance. The assessment guidance and template are available on the GLA website. The WLC Assessment must be provided prior to Stage 2."

- 6.80 A Whole Life-Cycle Carbon assessment and demonstration of actions taken to reduce life-cycle carbon emissions is required in line with policy SI2 of the London Plan 2021.
- 6.81 A Circular Economy Statement is required, in line with Policy SI7 of the London Plan 2021, to demonstrate how the proposals promote circular economy outcomes and to set out how the proposals will meet or exceed the targets for 95 per cent reuse/recycling/recovery of construction and demolition waste and ensure 95 per cent of excavation is put to beneficial use.
- 6.82 During the course of the application, the appellant failed to submit a Whole Life-Cycle Carbon (WLC) assessment or a circular economy statement, which are required by London Plan Policies SI2 and SI7 and Local Plan Policy CC1. The conclusions of these reports help inform good design and therefore the Council requires these to be provided at application stage (as opposed to being provided as a condition of approval). Therefore, as part of the application process, the Appellant failed to demonstrate that the proposed substantial demolition is justified or that the proposal would promote circular economy outcomes contrary to policy CC1 of the Local Plan 2017 and policies SI2 and SI7 of the London Plan 2021.
- 6.83 Since the application has been refused, the appellant has submitted a Whole Life-Cycle Carbon (WLC) assessment and a circular economy statement (CES) with their appeal documents, but no feasibility study. The recently submitted documents have been initially reviewed by the Council and are considered to be incomplete and inadequate. At the time of writing this statement, no response has been received by the appellant's team to the Council's comments. This position will be updated as the inquiry progresses.
- 6.84 For example, with regard to the WLC, demolition is stated as 'not applicable'. As 35-37 is being demolished and redeveloped demolition should be taken into

account. Work to the existing building is stated as 'not applicable'. Again, given 17-33 has proposed alterations to the ground floor façade, this should be included. Policy CC1 of the Local Plan states that "all proposals that involve substantial demolition to demonstrate that it is not possible to retain and improve the existing building". Paragraph 8.17 of the Local Plan states this should be justified in terms of optimisation of resources and energy use. CPG Energy Efficiency and Adaptation chapter 9 further states "As such a Whole Life Carbon assessment will be expected for all applications proposing substantial demolition." The WLC assessment should set out the whole life carbon impact of retaining and improving the existing building. There is a need to show that other development options have been explored in order to demonstrate that the proposed option is justified in terms of the optimisation of resources and energy use.

6.85 With regard to the submitted CES, there is no clear Method Statement (including key outcomes from workshops/meetings – as they are yet to be held). Circular economy aspirations are not explained in the context of the development and there are no unique goals for this project. There is no specific strategic approach to circular economy – reference is made to other sustainability aspects of the development. The above points are examples of the deficiencies of the submitted documents and will be expanded on at proof of evidence stage.

6.86 Given the above, the Council maintains its position that without a feasibility study demonstrating that retention of the existing building would not be possible; and without the submission of a complete and adequate WLC assessment and circular economy statement, it has not been demonstrated that the proposed substantial demolition is justified nor that the proposal would promote circular economy outcomes contrary to policy CC1 of the Local Plan 2017 and policies SI2 and SI7 of the London Plan 2021.

Section 106 Reasons for Refusal (Nos. 6-18)

6.87 The reasons for refusal referenced within the heading above are based on the failure of the Appellant to enter into a legal agreement. As stated within the informative of the decision notice, these matters could be overcome by entering into an appropriate legal agreement. The Council is willing to engage in this

process with the Appellant and will endeavour to, so that the matters in dispute relating to the appeal are refined.

6.88 The Council will provide evidence as part of the appeal to demonstrate that the requirements are justified against relevant planning policy and meet any relevant tests. This includes the tests laid out in the Community Infrastructure Levy (CIL) Regulations 2010, in particular Regulation 122(2), as well as national guidance and the National Planning Policy Framework.

6.89 The Council will demonstrate that the proposed development would be unacceptable unless the appellant agrees to undertake planning obligations to mitigate the impacts of the development. A draft list of heads of terms, seeking to overcome reasons for refusal 6 to 18 is set out below:

- Car-free development applying to all land uses.
- Delivery and Servicing Management Plan.
- Plan for managing student arrival and departure periods (at the start and end of term).
- Highways contribution of £63,765.
- Approval in Principle (AIP) and associated fee of £1,800 per report.
- Strategic Level Travel plan for the student accommodation and associated monitoring fee of £9,762.
- Local Level Travel plan for the affordable workspace and associated monitoring fee of £4,881.
- Construction/demolition management plan (CMP) and CMP implementation support contribution of £28,520.
- Construction Impact Bond of £30,000.
- Pedestrian, Cycling and Environmental Improvements contribution of £239,000.
- Level Plans.
- Student management plan.
- Securing term-time occupation by HE students at publicly funded education institutions in Camden or adjoining boroughs – or other specified publicly-funded education institutions agreed by the Council to be easily accessible from the development by foot, cycle or public transport.

- Ensuring accommodation is let to eligible students for the full duration of all terms in the academic year, and in any event not for less than a single term.
- Ensuring all accommodation is managed as a single planning unit and individual parts are not disposed of as independent self-contained homes
- Affordable student housing (35% or maximum viable if less than 35%), with nominations agreement with eligible education institution to be entered into prior to first occupation.
- Where non-student occupation is agreed outside term times, specification of the type and extent/ duration of non-student use, prevent non-student occupation at other times, and ensure that students are able to let either for the full year or for term-time only at equivalent weekly rents, and a non-student management plan.
- Employment and training contribution of £48,171.90.
- Employment plan including apprentices and a support fee.
- Carbon offset payment of £221,945.
- BREEAM 'Excellent' for the non-residential space (with minimum sub-targets for Energy, Water
- and Materials).
- Energy efficiency and renewable energy plan (including a Combined Heat and Power (CHP).
- Feasibility study for connecting a decentralised energy network (DEN).
- Public open space PIL of £310,350
- Retention of architects.

6.90 The Council will continue to work with the Appellant as part of agreeing a Statement of Common Ground to agree a list of conditions that are able to take into account the numerous discussions which are anticipated between the parties over the coming months. The Council would seek to be able to reduce the number of conditions required for a scheme of this size and nature via this dialogue, and if agreement is reached, it is anticipated this will be provided as an appendix to the Statement of Common Ground. Any remaining conditions where agreement cannot be reached (if applicable) would be included within the Council's full proof of evidence.

Witnesses

- 6.91 The Council notes that the Appellant intends to call five witnesses to support its case (paragraph 8.3 of the Appellant's Statement of Case). The Council will be supporting its case with expert professional evidence and will confirm the number and nature of its witnesses in due course.

7.0 PUBLIC BENEFITS

- 7.1 The Appellant's statement of case sets out a list of 8 bullet points at paragraph 9.6 of its conclusion, which the Appellant asserts are "significant public benefits which have to be weighed up positively in the planning balance against any perceived harmful impacts" (Appellant's Statement of Case, paragraph 9.6). Each is listed below with the Council's summary response following:

- *"Replacement of a vacant 1960s office building of poor quality with no architectural merit with a new building of exemplary architectural quality, which will enhance the existing streetscene and setting of the listed buildings on Stanhope Street."*
 - The Council will show that the proposed new building is considered to be harmful to the character and appearance of the streetscene and setting of the listed buildings on Stanhope Street, due to its height, massing and footprint, as stated in Reason for Refusal 2. No public benefit is identified (it is considered a source of harm).
- *"Provision of 239 much-needed purpose-built student bedspaces, including 84 affordable bedspaces, to be developed, owned and operated by iQ, one of the UK's leading providers of student accommodation with an excellent track record of both delivering and operating high-quality marketing leading student accommodation across London and the UK; serving students attending higher education institutions in the local area, whilst supporting the higher education sector by attracting further students to surrounding campuses and meeting an identified need in the borough."*
 - The Council will show that the in principle some weight is given the provision of student housing as it would contribute to the Council's student housing targets outlined in the Local Plan 2017, however, it should not come at a substantial loss of employment space.

Additionally, Class C3 housing is the priority land use and should be sought as a priority. Further the Council will show that the weight to be given to this factor is to be reduced by the poor levels of outlook, light, internal space, accessibility, external amenity space and ventilation, which fail to provide adequate internal living conditions for future occupiers, resulting in substandard accommodation.

- *“Contributing towards the borough’s Class C3 housing need by alleviating pressure from students on the existing private housing stock, notably larger family dwellings.”*
 - The Council will show that little weight is to be assigned to this factor. The proposal does not contribute towards the borough’s Class C3 housing need. There is no evidence to suggest that current Camden residents would occupy the proposed student accommodation units. Logically it would most likely be students who do not live in close proximity to the nearby higher education institutions which would occupy these units and not ones (in Camden) which already do. The assertion that it will contribute by freeing up other larger family dwellings within Camden which may be currently occupied by students in order for those other homes to be used towards the borough’s Class C3 housing need through alleviating pressure from students on the existing housing stock is an assertion that is not significantly supported or quantified by credible evidence to suggest it is a significant benefit.
- *“Provision of 1,255 sqm (GIA) of permanent, flexible, high-quality Grade A affordable workspace, designed to meet the needs of a range of small local businesses and start-ups including knowledge-based, innovative and creative uses, delivered alongside improvements to the existing ground floor frontage along William Road, that will provide activation and surveillance to the streetscene.”*
 - In principle, providing permanent, high-quality “affordable” workspace meeting the needs of small local businesses would be a public benefit of some weight, but the Council will show that the affordability, quality and suitability of the workspace for SMEs /knowledge quarter users has not been demonstrated as being adequate or that it would be

“affordable”, or that that it is likely to be taken up, or that the reduction in employment space is acceptable. Overall, the substantial loss of employment space is considered to be a worse outcome than retaining and refurbishing what currently exists. As such, it is not considered to be a public benefit. It is not clear why a similar quantum of employment space cannot be re-provided within the scheme at Grade A specifications with affordable workspace included.

- *“Delivery of up to 138 construction jobs per annum during the construction period and 110 jobs across the Site during operation.”*
 - This benefit is recognised, however limited weight is given to this benefit. It is temporary in nature and not necessarily specific to the appeal proposal. Another scheme, which is not harmful, could come forward and offer similar employment opportunities. There is also no mention in this statement whether these opportunities would be offered to local people in Camden. In the absence of a legal agreement securing a local employment and training package including an appropriate financial contribution, the appeal proposal would be likely to lead to the exacerbation of local skill shortages and lack of training opportunities and would fail to contribute to the regeneration of the area (see Appendix 2 - RfR 13).
- *“Provision of public realm improvements along William Road and Stanhope Street, providing an enhanced pedestrian experience through the addition of street trees, planters and improved footways.”*
 - Whilst substantial and significant public realm improvements can be a public benefit, the Council will show that these benefits (of some trees, some planters, and a new pavement surface) are of no or little value in this case and are so limited as to be of no real public benefit in circumstances where the footprint of the building and its height and massing and orientation in and towards that same pedestrian experience and public realm itself causes harm. A building of this height, massing and footprint has a negative impact on the public realm. The introduction of some street trees, planters and a new pavement surface does not compensate for this. The proposed tower occupies the

entire site footprint and is built directly on the back of a narrow pavement, contrary to some of the taller buildings and towers around the area which sit back from the building line and have a less negative impact onto the public realm. An example of this in the immediate area are the Netley building opposite, 8 storeys high but with a generous setback for external amenity space and breathing space (and see above in the evidence). The proposal, overall, would have a detrimental impact on the public realm.

- *“Indirect positive benefits, including increased local spend of users and occupiers of the Site, and enhanced vibrancy for the local area.”*
 - The Council will show that little or no weight can be placed on this benefit. This is not quantified nor proven. Whilst it is noted that the building is currently vacant, for the purposes of assessing this public benefit the vacant building is not considered the appropriate comparator. There is no evidence to suggest that the potential incoming student population would spend more money locally or bring more vibrancy locally than office workers which would occupy the site if the existing building was refurbished and let out (and not left vacant). Thus, no public benefit is identified. Further, even if the vacant building were the appropriate comparator, the Council will show that the weight to be placed on this factor not only lacks evidence but is in any event at a low level.
- *“Reduced and consolidated servicing and delivery demand.”*
 - The Council will show that little or no weight can be placed on this benefit. It has not been demonstrated that there are any existing issues with servicing and delivery demand on-site. Current arrangements appear to be acceptable and as such the proposed new arrangement would offer no significant public benefit. Further, it is likely that hundreds of student rooms in a 15-storey block are likely to have servicing and delivery demands and there is no evidence to support that such demands would be “reduced and consolidated”.

- 7.2 Some benefits are identified above however the less than substantial harm to the nearby listed buildings and other harmful impacts caused as a result of the development are not outweighed by these benefits (see further commentary below).

8.0 CONCLUSION AND PLANNING BALANCE

- 8.1 The appeal proposal significantly and substantially underachieves against a large number of national, regional and local policies (and guidance). Each of the reasons for refusal are considered to be sufficient to justify the refusal of the appeal proposal in their own right, and together represent an appeal scheme that would not represent sustainable development as defined within paragraphs 7 & 8 of the NPPF.
- 8.2 The merits of the appeal proposal are recognised and principally include as the three key benefits (1) the development of a site that is recognised as an opportunity for enhancement (but where the appeal proposal significantly and substantially underachieves, see above), and (2) that the development would create a number of student accommodation units (albeit the weight to be given to that benefit is reduced, because they are providing student accommodation units with a poor quality of living accommodation, and the importance of such amenity space has been increased, not decreased, by the pandemic experience) which ones of the objectives within the development plan and (3) It may also lead to the provision of 'affordable' workspace (although not at a level sought by the Council and in the context of a significant reduction of employment space, and without any identified user or viability assessment to support it there is a risk of its future loss). The other benefits and have been analysed above and whilst they are welcome, their weight in the planning balance is limited. However, the benefits of the scheme would not outweigh the harm caused through the loss of employment space; the visual harm to the streetscene, setting of the nearby listed buildings and the character and appearance of the wider area; the substandard quality of accommodation for prospective occupiers; the substandard living conditions of neighbouring occupiers/uses; and the failure to demonstrate that the proposed substantial demolition is justified or that the proposal would promote circular economy outcomes.

- 8.3 Regard has been given to the development plan, as required under Section 38(6) of the Planning and Compulsory Purchase Act (PCPA) 2004, and other material considerations. Paragraph 11 of the NPPF has a presumption in favour of sustainable development and the benefits of the scheme have been weighed against the economic, social and environmental dimensions as specified in paragraphs 7 & 8 of the NPPF. The appeal proposal does not accord with the development plan (for the reasons addressed within the Council's case) and there are no other material planning considerations that indicate that the appeal should be allowed.
- 8.4 The Inspector will respectfully be invited to dismiss the appeal against the refusal of planning permission 2020/5473/P.

9.0 APPENDICES

Appendix 1 – Delegated Report

Appendix 2 – Decision Notice

Appendix 3 – Design Review Panel Report

Appendix 1 – Delegated Report (ref: 2020/5473/P)

Delegated Report		Analysis sheet		Expiry Date:	23/02/2021
		N/A		Consultation Expiry Date:	15/09/2021
Officer			Application Number(s)		
Nathaniel Young			2020/5473/P		
Application Address			Drawing Numbers		
17-37 William Road London NW1 3ER			Refer to Decision Notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Demolition (of No. 35-37) and redevelopment to provide a 15 storey (plus basement) building for use as student accommodation with affordable workspace (No. 17-33 Ground floor) and associated works.					
Recommendation(s):		Refuse Permission			
Application Type:		Full Planning Permission			
Conditions or Reasons for Refusal:		Refer to Decision Notice			
Informatives:					
Consultations					
Adjoining Occupiers:		No. of responses	06	No. of objections	04
Summary of consultation responses:		<p>Site notices: 02/12/20 - 26/12/20</p> <p>Two neutral comments were received from the occupiers of Flat 24, 23 William Road and Flat 14, 27 William Road raising the following points:</p> <ol style="list-style-type: none"> 1. No objection - is the ground floor amenity space associated with the proposal necessary. 2. Overall supportive - however, questions given to developers were not answered appropriately. 3. No direct notification letter sent from Camden Council. 4. Public realm improvements welcomed – however, unclear who is responsible for maintenance of planters – potential for vandalism etc. 5. Unclear if external student amenity space accessible 24/7 – potential to cause noise/disturbance. 			

6. Other large developments and Covid-19 effects vehicle access to certain roads – should be factored into CMP/traffic management.

Officer response

1. *Ground floor amenity space is not considered to cause material harm to residential amenity. Amenity space is always encouraged in student schemes.*
2. *The Council does not control how the developer engages with stakeholders.*
3. *The application was advertised by multiple site notices posted on Stanhope Street, William Road, Prince of Wales Passage and Netley Street as well as within the Council's weekly list of applications. The Council does not send individual notification letters to residents. Residents are encouraged to opt-in to Camden's e-alert notification system for direct notification. The consultation process was conducted in compliance with Camden's Statement of Community Involvement (SCI). All comments submitted after the consultation end date have been accepted.*
4. *Such concerns would be addressed through a student accommodation management plan.*
5. *Such concerns would be addressed through a student accommodation management plan.*
6. *Noted. Such concerns were be considered in a construction management/traffic plan.*

Four objection comments were received from the occupants of 8 Netley Street, Flats 6, 27 William Road, 7 Pangbourne, and 236 Stanhope Street raising the following concerns:

1. Insufficient consultation (by developer and Council) – flyers do not mention 15 storey building.
2. Detrimental impact to liveability/character/appearance of surrounding area - sets negative precedent.
3. Loss of light/outlook and overbearing.
4. Increased social issues – student block and student population will be detrimental to community cohesion/local residents (mostly families).
5. Overpopulation/ too densely populated/ over studentification – limited space and facilities already over stressed/ overcrowded.
6. Additional cyclists (approx. 223 based on cycle spaces) would have detrimental impact on highways/traffic.
7. Air pollution as a result of construction works will have detrimental effect on health and welfare of local residents – already exacerbated by HS2 works nearby.

Officer response

1. *The Council does not control how the developer engages with stakeholders. The application was advertised by multiple site notices posted on Stanhope Street, William Road, Prince of Wales Passage and Netley Street as well as within the Council's weekly list of applications. The Council does not send individual notification letters to residents. Residents are encouraged to opt-in to Camden's e-alert notification system for direct notification. The consultation process was conducted in compliance with Camden's Statement of Community Involvement (SCI). All comments submitted after the consultation end date have been accepted.*
2. *See section 3.0 Design and Conservation.*

	<p>3. See section 4.0 Residential Amenity.</p> <p>4. See section 4.0 Residential Amenity.</p> <p>5. See section 4.0 Residential Amenity.</p> <p>6. See section 6.0 Transport.</p> <p>7. See section 12.0 Air Quality.</p>
Greater London Authority (GLA)	<p><u>Stage 1</u></p> <ul style="list-style-type: none"> • Principle of the mixed-use redevelopment of the site to provide student accommodation, and affordable workspace is acceptable in accordance with Policies E1, H15 and H16, subject to the proposed affordable workspace and student accommodation being appropriately secured. • 35% of the student bedrooms would be affordable, in line with the London Plan and Fast Track Route criteria, set out in Policy H15. A S106 obligation to enter into a nominations agreement with one or more registered higher education provider for all of the affordable student accommodation and the majority of the student accommodation should be secured. • The site is not located within an area identified for tall buildings and is therefore not in compliance with Policy D9. The applicant should engage closely with the Council on matters of neighbourhood amenity and local mitigation and ensure that the matters raised in the urban design and sustainable development sections of this report are appropriately addressed. No harm is identified to nearby heritage assets. • The combined heat and power system is not acceptable and the wider heating strategy should be revised. Further information in relation to energy efficiency, energy costs, minimising overheating risk, potential for connection to a DHN and the proposed Air Source Heat Pump system are required. The applicant should confirm the carbon shortfall in tonnes of CO₂ and the associated carbon offset payment that will be made to the borough. Further information is sought on flood risk. A Circular Economy Statement should be submitted to demonstrate how the proposals promote circular economy outcomes and aim to be net zero-waste. • The proposed development would be car-free, but arrangements for disabled persons car parking should be confirmed. The impact of the construction movements needs to be discussed further with to ensure road safety during construction. Appropriate mitigation for on street accessible cycle parking provision should be provided. • Camden Council be advised that, whilst the proposal is supported in principle, the application does not currently comply with the London Plan and Publication London Plan. <p><u>Stage 2</u></p> <ul style="list-style-type: none"> • The mayor is content for the local planning authority to determine the application. There is no sound planning reason for the mayor to intervene and act as the local planning authority.

	<ul style="list-style-type: none"> Initial fire safety concerns have now been overcome since previous consultation. The outstanding matters relating to land use principles, affordable student bedrooms, urban design, sustainable infrastructure and transport are addressed accordingly; and the conditions and legal obligations identified in the GLA stage 2 report ref: 2021/0304/S2, the report ref: GLA/6844/01 and the Council's officer report should be secured as part of any future planning permission. <p>GLA Stage 2 - Letter & Report (link)</p>
Thames Water	<p><u>Waste comments</u></p> <ul style="list-style-type: none"> No objection based on information provided Requests that the applicant should incorporate within their proposal, protection to the property to prevent sewage flooding, by installing a positive pumped device (or equivalent reflecting technological advances), on the assumption that the sewerage network may surcharge to ground level during storm conditions. If as part of the basement development there is a proposal to discharge ground water to the public network, this would require a Groundwater Risk Management Permit from Thames Water. The proposed development is located within 15 metres of Thames Waters underground assets and as such, the development could cause the assets to fail if appropriate measures are not taken. Recommends reading guide 'working near our assets'. Must notify Thames Water if planning on using mains water for construction purposes. With regard to water network and water treatment infrastructure capacity, no objections are raised. The developer should take account of this minimum pressure in the design of the proposed development (10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes).
Transport for London (TfL)	No comment.
Design out Crime (London Met police)	No objection in principle. See section 11.0 (Safety and security) for comments.
Regent's Park Estate Tenants and Residents Association (TRA):	<p>Objection:</p> <ol style="list-style-type: none"> Insufficient consultation. Does not relate/respond to nearby built environment. Excessive height. Loss of light (Winchester apartments). Loss of privacy.

	<ol style="list-style-type: none"> 6. Detrimental impact to character and appearance of nearby listed buildings. 7. Detrimental impact to LMVF viewing corridors. 8. No affordable housing provision. <p><u>Officer response</u></p> <ol style="list-style-type: none"> 1. <i>The Council does not control how the developer engages with stakeholders. The application was advertised by multiple site notices posted on Stanhope Street, William Road, Prince of Wales Passage and Netley Street as well as within the Council's weekly list of applications. The Council does not send individual notification letters to residents. Residents are encouraged to opt-in to Camden's e-alert notification system for direct notification. The consultation process was conducted in compliance with Camden's Statement of Community Involvement (SCI). All comments submitted after the consultation end date have been accepted.</i> 2. <i>See section 3.0 Design and Conservation.</i> 3. <i>See section 3.0 Design and Conservation.</i> 4. <i>See section 4.0 Residential Amenity.</i> 5. <i>See section 4.0 Residential Amenity.</i> 6. <i>See section 3.0 Design and Conservation.</i> 7. <i>See section 3.0 Design and Conservation.</i> 8. <i>Affordable housing provision is not a policy requirement for this type of development.</i>
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Site Description

The site is constituted by Plot A in 35-37 William Road and Plot B in 17-33 William Road. Plot A is a post-war office building, currently unoccupied, it comprises a 6 storey block above a 2 storey plinth. Plot B is a seven storey early 21st Century residential/mixed use building (commercial office use on ground floor level and residential use in upper floors).

The site is not located within a conservation area and not statutorily listed. It is located within the setting of nearby listed buildings (48-52 Stanhope Street), in nearby proximity to the Regent's Park (West), Fitzroy Square (South) and Bloomsbury (South-east) Conservation Areas, and within the Euston Plan Area, Euston Growth Area, Central Activities Zone (CAZ), Central London Area, SALP Knowledge Quarter and within LMVF protected viewing corridors.

Relevant History

17-37 William Road and 62-70 Stanhope Street

TP79387/23003: The erection of a partly seven-storey (including basement) and a partly single-storey building on the sites of Nos. 17-37 William Road and 62-70 Stanhope Street, St. Pancras, for use as garage, fibrous plaster workshop and workrooms. **Approved 24/07/1958.**

7669: Erection of a partly seven- storey building (including basement) and a partly single-storey building on the above sites, for use as garage fibrous plaster work- shops and workrooms, I am directed to inform you that the Council has decided to approve the details of the proposed roof structures and details of facing material as shown on such plans . No. 7669 (Your Nos. 634/29A,31, 32, 33, 34). **Approved 03/07/1959.**

TP79837/8929: Erection of a seven and single storey building for use as garage, workshops and workrooms on the sites of 62-70 Stanhope Street and 17-37William Road, as shown on drawings registered No.8929 your Nos. 634/29A and 634/30. **Approved 22/07/1959.**

AR/TP/79837/NW: Use of the facing materials as set out in your letter in connection with the erection of a garage and fibrous plaster workrooms in accordance with the planning permission of the Council dated 24 July 1958. **Approved 19/01/1960.**

17-35 William Road

PS9804631: Redevelopment of the site by the erection of a six storey building with one light industrial unit (Class B1c) on the ground floor, with off street servicing provision and 46 flats (Class C3) on the upper floors, including 12 flats for flats (Class C3) on the upper floors, including 12 flats for social housing. **Refused – allowed on appeal 31/03/2000.**

17-33 William Road

2003/1814/P: Erection of a single storey extension at ground floor level, side elevation, to an existing B1c light industrial unit. **Approved 29/08/2003.**

2003/2576/P: The creation of a new door and window to existing kitchen, and an additional enclosed terrace to the east side of the building. **Approved 28/10/2003.**

2015/5712/P: Change of use from storage (Sui Generis) to office (Class B1a), including the installation of two air-conditioning units and replacement of the garage door by new office doors. **Approved 04/12/2015.**

2018/2613/P: A Certificate of Lawful Proposed Development confirming that the carrying out of the following works before 04/12/2018 would constitute lawful implementation of planning permission 2015/5721/P within the meaning of Section 56 of the Town and Country Planning Act 1990: The construction of the office frontage facing William Road, replacing recessed garage door, in accordance with the approved drawings (proposed). **Approved 25/07/2018.**

2018/5596/P: Implementation of planning permission 2015/5721/P dated 04/12/2015 for the change of use from storage (Sui Generis) to office (Class B1a), including the installation of two air-conditioning units and replacement of the garage door by new office doors. **Approved 11/12/2018.**

Relevant policies

National Planning Policy Framework 2021

The London Plan 2021

Camden Local Plan 2017

Growth and Spatial Strategy

G1 Delivery and location of growth

Meeting Housing Needs

H1 Maximising housing supply

H6 Housing choice and mix

H9 Student Housing

Community, health and wellbeing

C1 Health and wellbeing

C5 Safety and security

C6 Access for all

Economy and Jobs

E1 Economic development

E2 Employment premises and sites

Protecting Amenity

A1 Managing the impact of development

A2 Open space

A3 Biodiversity

A4 Noise and vibration

A5 Basements

Design and Heritage

D1 Design

D2 Heritage

Sustainability and Climate Change

CC1 Climate change mitigation

CC2 Adapting to climate change

CC3 Water and flooding

CC4 Air quality

CC5 Waste

Transport

T1 Prioritising walking, cycling and public transport

T2 Parking and car-free development

T3 Transport infrastructure

T4 Sustainable movement of goods and materials

Delivery and Monitoring

DM1 Delivery and monitoring

Camden Planning Guidance 2019-2021

CPG Access for all

CPG Air quality

CPG Amenity

CPG Biodiversity

CPG Basements

CPG Design

CPG Developer contributions

CPG Employment sites and business premises

CPG Energy efficiency and adaptation

CPG Planning for health and wellbeing

CPG Public open space

CPG Housing

CPG Transport

CPG Student housing

CPG Water and flooding

Site Allocations Local Plan (SALP) 2020 - Draft

KQ1 Knowledge Quarter

Following approval by Cabinet in November 2019, the Council consulted on the draft Site Allocations Local Plan document. The process for preparing Local Plans includes a number of statutory stages including at least two

formal rounds of public consultation. The first formal consultation on the Site Allocations Local Plan was carried out between 13 February and 27 March 2020. The second round of formal consultation is yet to be carried out.

Report contents:

- 1. Background**
- 2. Land use**
- 3. Design and conservation**
- 4. Quality of accommodation**
- 5. Residential amenity**
- 6. Transport**
- 7. Basement**
- 8. Sustainability**
- 9. Flood risk and drainage**
- 10. Air quality**
- 11. Safety and security**
- 12. Land contamination**
- 13. Microclimate (wind)**
- 14. Employment and training**
- 15. Refuse and recycling**
- 16. S106 obligation**
- 17. CIL**
- 18. Conclusion**

Assessment

1.0 Background

Pre-application advice

1.1 Pre-application (pre-app) advice was sought prior to submission of the subject application. The proposals involved demolition of the existing office block on the corner of Stanhope Street and William Road and a new building with a student housing block and office space.

Pre-app meetings took place with Camden officers on:

- Pre-app 11/09/2019
- Pre-app 02/12/2019
- Pre-app 04/05/2020
- GLA meeting 05/05/2020
- Pre-app 13/08/2020

1.2 The scheme originally involved a 21 storey student block which was reduced to a 15 storey block during the pre-app process. The proposed uses were largely student accommodation with affordable workspace at ground floor level underneath the existing residential block on William Road.

1.3 Pre-app advice was given stating that outstanding concerns remained regarding the height and massing of the proposed tower, the loss of office floorspace and the provision of student accommodation without an end user in place.

Design Review Panel (DRP)

1.4 The proposal were reviewed by the DRP on 25th September 2020. The panel's views were requested on: height and massing; whether this location is right for a landmark building; what impact this height might have on the pedestrian experience and viewing corridors. Officers asked the panel to comment on the level of communal amenity space provided for the prospective occupiers of the building, and the building's architecture and materiality.

1.5 The DRP reviewed different iterations of the proposed building prior to submission (at pre-app stage). All versions of the scheme were considered to be excessive in height and to not respond to the surrounding built environment. The DRP suggested rethinking the typology put forward, mentioning it could either be a podium building, with a much reduced mass, or the preferred option of a mansion block/perimeter typology, of much reduced height (around 8 storeys). As outlined further in this report (below), the resulting application has not responded to these comments and was submitted without significant amendments. The full DRP report can be found in appendix 1 of this report.

1.6 Extract from DRP's summary:

"...it (the panel) considers that the proposed brief is too challenging, forcing a scheme that results in significant overdevelopment of the site, one that puts viability before city making. It considers the proposals are over scaled in bulk and height and mix two confused building typologies. The panel encourages careful thought around whether the building is a stand-alone tower in open space, or a piece of street in the form of a reimagined warehouse / mansion block. In either case, massing must be refined to ensure the scheme respects both the streetscape and the skyline. The panel commends the quality of architectural expression, particularly the sculpted entrance to the student accommodation on William Road. While the proposed student rooms appear to be high quality the panel would like to see a long term operator in place to ensure this quality is delivered. The use of a single stair requires careful consideration to ensure it is a sustainable approach that ensures the building is futureproofed. The panel is concerned with the lack of outdoor amenity space proposed and would like to see more of this provided. While internal amenity space is welcomed, the function and quality of this should be thoroughly scrutinised, and should contribute to the sense of community within the building."

Greater London Authority (GLA)

1.7 The GLA provided their stage 1 report 8th March 2021. The recommendation stated that:

"Camden Council be advised that, whilst the proposal is supported in principle, the application does not currently comply with the London Plan and Publication London Plan. for the reasons set out in paragraph 92 of this report."

1.8 Within the 'urban design' section of the GLA report it was stated that:

"...the site is not in a location that is identified as suitable for a tall building, as Camden's Local Plan considers all parts of the borough as sensitive to the development of tall buildings. Therefore, whilst there are various characteristics of this site that offer material considerations for developing a tall building on the site, as noted above, this is a location that the local plan envisages as sensitive to tall buildings. Noting that London Plan Policy D9 states that tall buildings should only be developed in locations that are identified in development plans, it falls to officers to consider whether there might be material considerations that could justify a tall building at this site. Key to this exercise will be a robust assessment of the impact of the proposed tall building against the criteria within London Plan Policy D9, in conjunction with consideration of the public benefits of the proposal."

"...the site is not located within an area identified for tall buildings and is therefore not in compliance with Policy D9. The applicant should engage closely with the Council on matters of neighbourhood amenity and local mitigation and ensure that the matters raised in the urban design and sustainable development sections of this report are appropriately addressed."

1.9 The Council have assessed the height and massing of the submitted application, giving the consideration to the above, and considers it to be unacceptable. See Section 3.0 (Design and conservation) for further comments.

2.0 Land Use

Existing situation

2.1 The 0.21 ha site comprises two adjoining buildings situated to the south of William Road and east of Stanhope Street. It is bound to the south by the rear of a UCL student accommodation building, known as Schafer House, and to the east by an adjoining office building at no. 11-15 William Road.

2.2 No. 35-37 ('Plot A') comprises a part two-storey, part six-storey 1960s office building with a basement level, on the corner of William Road and Stanhope Street. The building is of poor architectural quality and is currently vacant.

2.3 No. 17-33 ('Plot B') adjoins Plot A to the east and comprises a seven-storey building, constructed in 2000-2001. The existing ground floor comprises office accommodation with a glazed frontage onto William Road, and an extensive area of ancillary office storage space to the rear formerly used as a vehicle workshop. The ground floor of the building is currently vacant; however, the upper floors of the building are occupied in Class C3 residential use. The residential element is to be retained as existing and does not form part of the proposals.

2.4 The application site is located within the Euston Opportunity Area and Central London Area (CLA), both of which serve an important economic function in the future growth of Euston and London as a whole.

2.5 The application site currently provides 3,693 sqm GIA of office accommodation and ancillary storage space. Existing building accommodation:

-Total Office NIA: 3,017sqm/ 32,476sqf

-Site A NIA: 2,032sqm/ 21,873sqf

-Site B NIA: 985sqm/ 10,603sqf

Proposed development

2.6 It is proposed to demolish and replace the current building at 35-37 William Road with a PBSA building (Purpose Build Student Accommodation). The proposals include the redevelopment of no. 35-37 to provide a 15 storey building (with basement level) for use as student accommodation, with affordable workspace at ground floor level of no. 17-33, with a small ancillary element in no. 35-37, and improvements to ground floor façade of no. 17-33, together with public realm improvements, servicing, cycle storage and facilities, refuse storage and other ancillary and associated works.

2.7 A breakdown of proposed floorspace is provided in Table 1 (below) and a breakdown of proposed student accommodation unit mix is provided in Table 2 (below):

Table 1 – Proposed Land Uses & Floor Areas

Use	Use Class	Proposed (GIA sqm)	Proposed (GEA sqm)
Student Accommodation	Sui Generis	6,711	7,546
Affordable Workspace	Class E(g)	1,255	1,338
Residential Storage	Class C3	36	39
Substation	Sui Generis	32	34
Total	-	8,034	8,957

Table 2 - Proposed Student Accommodation

Unit Type	Number of Units	Number of Bedspaces
Studio	94	94
Accessible Studio	3	3
Twodio	71	142
Total	168	239

Loss of office space

2.8 Policy E2 states that the Council will protect premises or sites that are suitable for continued business use, in particular premises that support the functioning of the Central Activities Zone (CAZ) or the local economy. The Council resists development of business premises and sites for non-business use unless:

- a) It can be demonstrated to the Council's satisfaction that a site or building is no longer suitable for its existing business use; **and**
- b) There is evidence that the possibility of retaining, reusing or redeveloping the site or building for similar or alternative business use has been fully explored over an appropriate period of time.

2.9 Policy E2 also states that the Council will consider higher intensity redevelopment of premises or sites that are suitable for continued business provided that:

- c) the level of employment floorspace is increased or at least maintained;
- d) the redevelopment retains existing businesses on the site as far as possible, and in particular industry, light industry, and warehouse/logistic uses that support the functioning of the CAZ or the local economy;
- e) it is demonstrated to the Council's satisfaction that any relocation of businesses supporting the CAZ or the local economy will not cause harm to CAZ functions or Camden's local economy and will be to a sustainable location;
- f) the proposed premises include floorspace suitable for start-ups, small and medium-sized enterprises, such as managed affordable workspace where viable;
- g) the scheme would increase employment opportunities for local residents, including training and apprenticeships;
- h) the scheme includes other priority uses, such as housing, affordable housing and open space, where relevant, and where this would not prejudice the continued operation of businesses on the site; and
- i) for larger employment sites, any redevelopment is part of a comprehensive scheme.

2.10 The proposal would result in the loss of approx. **2,438** sqm of office accommodation and ancillary storage space. The proposal would retain approx. 1,255 sqm GIA of office accommodation and provide it as an affordable

workspace. Whilst it is encouraging that all the workspace provided would be affordable, the amount of office floorspace lost is significant and is considered to be unjustified.

2.11 With regards to the affordable workspace, the applicant initially offered it at 80% of market value and then reduced this to 65% of market value. Neither offer is considered to be a meaningful discount, particularly given the rental rates in this area (Euston). Assuming that this affordable workspace is provided as new, the “market rental” rate this discount is based on is likely to be higher than what this space has been marketed at currently. The Council expects discounts of 50% for affordable workspace as a baseline, as set out in the 2020 draft Site Allocations Local Plan (SALP) policy for the Knowledge Quarter (KQ1).

2.12 A lack of information has been submitted detailing how the space would be let or managed (i.e. letting to a single occupier, leasing to a workspace provider, or managing themselves as flexible workspace etc). Without this information officers are unable to determine the quality and suitability of the affordable workspace for small to medium size enterprises (SMEs). The applicant argues that there is an abundance of employment space available in the Euston Plan Area and that there is a lack of demand for this quantity of traditional office space. Flexible and affordable workspace may be more desirable; however, it has not been demonstrated that the offered workspace would be truly ‘affordable’, flexible or suitable for SMEs. Additionally, whilst it is acknowledged that the Knowledge Quarter policy in the 2020 draft SALP has limited weight at this point in time, the expectation would be for any permitted use to specify knowledge economy occupiers – this has not been explored by the applicant. As such, the overall loss of employment space is not mitigated by the offer of ‘affordable’ workspace.

2.13 Notwithstanding an affordable workspace offer, it is not considered that criteria a) and b) of local plan policy E2 have been met. Whilst marketing evidence has been submitted which appears to meet the required timeframe, it has not been adequately demonstrated that the existing employment space is not fit for purpose and could not be redeveloped and re-provided within the new scheme. This should first be considered before relying on marketing evidence and the provision of significantly less ‘affordable’ workspace to justify the substantial loss of employment space.

2.14 The site is located on the edge of the Central Activities Zone (CAZ) and within both the Euston Plan Area and Knowledge Quarter, and can be accessed via Hampstead Road. Its location is considered to be highly suitable for an alternative employment use as part of any development. The expectation under policy E2 parts a) and b) is that the redevelopment would realise the opportunity to incorporate replacement floorspace to address the identified shortcomings of the premises as existing. Given the uplift in overall floorspace proposed as part of the development, a reduction from 3,693sqm of accommodation (with ancillary storage space) down to the 1,255 sqm as affordable workspace is not considered to address this key policy requirement.

2.15 The loss of employment space, considered suitable for alternative business use as part of a new development, would fail to support growth in economic activity in Camden and result in the loss of employment opportunities within the borough contrary to Policies E1 (Economic development) and E2 (Employment premises and sites) and forms a reason for refusal.

Provision of student accommodation

2.16 Policy H9 (student housing) states that ‘The Council will aim to ensure that there is a supply of student housing available at costs to meet the needs of students from a variety of backgrounds in order to support the growth of higher education institutions in Camden and Camden’s international academic reputation. The Council will seek a supply of student housing to meet or exceed Camden’s target of 160 additional places in student housing per year and will support the development of student housing provided that the development’.

2.17 Policy H1 (Maximising housing supply) states that the Council will aim to secure a sufficient supply of homes to meet the needs of existing and future households by maximising the supply of housing and exceeding a target of 16,800 additional homes from 2016/17 - 2030/31, including 11,130 additional self-contained homes. It goes on to state that the Council seek to exceed the target for additional homes, particularly self-contained homes by regarding self-contained housing as the priority land-use of the Local Plan. The proposed development would not provide any Class C3 housing (the priority land use) when there is opportunity to do so.

The proposal would still however offer a form a housing which would contribute towards the Council's targets. The site has not been specifically identified for self-contained housing in site allocations and the proposal not considered to directly prejudice the provision of self-contained housing and there is no recent permission for self-contained housing.

2.18 Issues regarding criteria H9 d) (space standards) and f) (range of flat layouts) are assessed in section 4.0 (Quality of accommodation) of this report (below). In terms of the proposed student housing use, policy H9g of the Camden Local Plan states that student housing should “have an undertaking in place to provide housing for students at one or more specific education institutions, or otherwise provide a range of accommodation that is affordable to the student body as a whole.” It should also be ensured that student housing is let to eligible students for the full duration of all terms in the academic year, and in any event not for less than a single term; and that all accommodation is managed as a single planning unit and individual parts are not disposed of as independent self-contained homes. These terms would need to be secured by way of an S106 legal agreement. In the absence of a legal agreement to secure this affordable student accommodation and secure nominations to the majority of rooms for specific educational institutions, this would form a reason for refusal.

Affordable student accommodation

2.18 It is understood that the applicant would prefer to use the ‘affordable rent route’ as opposed to the ‘full nominations agreement route’ as detailed in CPG Student housing, if the scheme were to be acceptable. The proposed development would deliver 84 affordable student bedspaces, representing 35% of the total student accommodation provision. The proposed affordable units would be provided at a rental cost for the academic year equal to or below 55% of the maximum income that a new full-time student studying in London could receive from the Government’s maintenance loan for living costs, in line with Local Plan and London Plan requirements. In the absence of a legal agreement to secure this affordable student accommodation (or a full nominations agreement), this would form a reason for refusal.

Balanced and mixed communities - studentification

2.19 The Euston Area Plan 2015 currently envisages up to 25% of additional housing in the Plan area will be for students. The Local Plan 2017 has a target of 2,400 additional student rooms (Borough-wide) from 2016-2031, which is 160 per year. Based on the Euston Area Plan, it is anticipated that 1,000 student rooms will be delivered from the Euston Station and Tracks/ Camden Cutting area, but development will not commence until the first phase of the HS2 rail project completes, currently scheduled for 2029.

2.20 Local plan policy H9j seeks to ensure new student housing development “does not create a harmful concentration of such a use in the local area or cause harm to nearby residential amenity.” Student Housing CPG – para 3.12 (page 22) states that where students are more than 25% of ward residents, or there will be more than 800 student beds in a 300 metre radius then it is considered that there may be an over-concentration of students in the local community.

2.21 Student Housing CPG - Appendix B (page 62) table shows that students represent around 17.5% of the population in Regent's Park (2018 figures). Student Housing CPG - Appendix C (page 63) map, along with the Council's records of student accommodation, shows there are approximately 369 student rooms in this location (at Schafer House), and 50 beds to the west (Prankerd House, North Gower Street) (an existing student block of 184 rooms at 200 Euston Road and a permitted student block of 78 rooms at Stephenson Way are just outside the radius). As such, an additional 239 students here would not breach the para 3.12 threshold.

2.22 The site is considered to be an appropriate location, within walking distance of the main university of London campus (including UCL, SOAS, Birkbeck etc), University of Westminster and The University of the Arts (Central St Martins).

3.0 Design and Conservation

3.1 The NPPF, the London Plan and Camden's Local Plan (policies D1 and D2) place great emphasis on conserving heritage assets in a manner appropriate to their significance, and emphasise the importance of good design. CPG Design seeks "excellence in design" in Camden. Policies at all levels require buildings, streets and spaces to respond in a manner which promotes inclusive and sustainable development and contributes positively to the relationship between urban and natural environments and the general character of the location.

3.2 According to Policy D1 in relation to tall buildings, 'All of Camden is considered sensitive to the development of tall buildings'. This means that each proposed tall building should be carefully scrutinised and go through detailed design assessments. This also includes:

- How the building relates to its surroundings, both in terms of how the base of the building fits in within the streetscape and how the top of a tall building affects the skyline
- The historic context of the building's surroundings
- The relationship between the building and hills and views
- The degree to which the building overshadows public spaces, especially open spaces and watercourses
- The contribution a building makes to pedestrian permeability and improved public accessibility

Context and relationship with surroundings

3.2 The site sits on the corner of William Road and Stanhope Street and is part of a block that is enclosed by Drummond Street to the south and Hampstead Road to the east. Building heights are relatively consistent within the block, at present the highest is six storeys and some of the lower buildings are generally four storeys. There is a mixed architectural style within the block, which includes three early 19th century grade II listed buildings on Stanhope Street, two early 20th century locally listed warehouse buildings and various later developments that have varying degrees of architectural integrity.

3.3 The wider area comprises a mixture of buildings types. To the south is Euston Tower and various other tall buildings creating a distinct commercial area. North of Drummond Street, this character changes as buildings become much lower at four and five storeys and the street more domestic in scale. There are some high rise social house blocks set away from the street edges and contained within their own plot. To the east is Euston Station, the British Library, St Pancras and King's Cross stations. To the west is the Regent's Park conservation area which has both national and international importance as a unique piece of urban design by John Nash.

3.4 Development of the site is welcomed as the present building has little architectural merit and does not enhance the street scape. The two storey element also detracts from the consistency of height on the block creating an incoherent and visually unappealing corner. However, the proposed tall building is not considered appropriate for the site. There is a clearly established building height in the locality which ranges from four to eight storeys, a tall building would deviate from this creating an anomaly within the block and also the immediate and surrounding area. In addition, the corner site is not considered an appropriate location for a prominent building as it is flanked by two subsidiary streets, with predominantly residential buildings as neighbours, as a result, a tall building is not suitable.

Scale and massing

3.5 The proposed demolition of the existing building is not contested in terms of design and conservation, as the building is of neither good design/quality and does not make best use of the site. However, the demolition can only be supported if the replacement building is suitable. The submitted development presents a substantial increase in height within the existing perimeter block, being 15 storeys in height.

3.6 The proposed development is considered too tall for the location, and does not sit comfortably within the immediate area, where height varies from four to eight storeys, with a majority of buildings of around four storeys. Although there are some tall buildings in the area, the location of the site is not appropriate for accommodating a tall building as it is part of a perimeter block with relatively consistent (low) building heights where height varies from two to eight storeys, with a majority of buildings of around four storeys.

3.7 It is not considered that the location of the block is appropriate to warrant a tall 'landmark' building. The site is on a 'secondary' street located away from the main roads and surrounded by back streets.

3.8 As mentioned in the site appraisal, although there are tall buildings to the south of the site, there is a clear shift in character and scale north of Drummond Street. Buildings north of Drummond Street are of a more domestic scale, normally between four and seven storeys. The network of streets support this scale with pavements and road widths responding to the heights of the buildings. A fifteen storey building would have an incongruous relationship with the surrounding buildings and loom over streets having a negative impact on the pedestrian experience.

Overdevelopment

3.9 The site is not considered large enough to accommodate a building of this height, excessive mass and scale, and therefore it is considered that there is too much development. The proposal for Plot A occupies the entire site footprint and is built directly on the back of a narrow pavement, contrary to some of the taller buildings and towers around the area which sit back from the building line and have a less negative impact onto the public realm. Examples of this in the immediate area are the Netley building opposite, 8 storeys high but with a generous setback for external amenity space and breathing space, or the towers on the Regent Park Estate -which are on a podium, setback from the street and are part of a wider masterplan with a series of open spaces and elements of varied density and scale. Several tall buildings on Euston Road also provide a similar building setting and have setbacks that increase the area of external public space.

3.10 The other mentioned developments give something back to the site they fall within and offer a range of public benefits, such as front verges and expansive public space. The pavement widths on William Street and Stanhope Street are 3.2m and 3.3m wide respectively, and the proposed building would rise sheer from these pavements to the full 15 storey height except at the chamfered corners, and with some relief attempted via a fake parapet line to break up the facade at the top of the sixth storey.

3.11 The chamfered corner, the setbacks and recesses are attempts to reduce the visibility and impact of the building's mass onto its surroundings. These moves are not considered sufficient to reduce the negative impacts of the proposal, and the proposed block appears tall, wide and out of proportion in relation to the surrounding buildings. Even when comparing the proposed building to Regent's Park Estate towers, these are slimmer and setback from the street.

Impact on public realm

3.12 There are concerns on how the height and density of the proposal would feel dominant onto the street and make it feel 'tight' or restricted in the surrounding public realm. In particular, having the building come all the way to the edge of the footway would create an overbearing feeling on the pedestrian experience.

3.13 An interior open courtyard at ground floor, and an open terrace and loggia at floor 14 are proposed as areas for private amenity use, as well as ground floor openings for planters and benches. This proposed outdoor amenity space falls short of what officers would expect of a building of this size and density, and this is particularly crucial in pandemic and post-pandemic times where access to outdoor space should be maximised (this is re-emphasised in quality of accommodation section of this report (below)).

Design quality

3.14 Although officers acknowledge that the emerging architecture and detailed design of the proposal are of merit, in particular the design of the ground floor and the façade studies, it does not compensate the negative impact and harm caused by the height, massing and scale of the scheme.

Heritage

3.15 The site is in close proximity to three grade II listed buildings on Stanhope Street. No's 50 and 52 were both built circa. 1804, both are three storeys with basements, however no.50 has rendered upper storeys with timber weatherboarding at ground floor level, and no.52 is constructed from multi stock bricks. No. 48 is the Lord Nelson Public House built circa. 1899 and is four storeys.

3.16 Officers note that the GLA have not identified any harm to heritage assets. Officers however do not agree with this view. The height and scale of the building would impact the setting of the listed buildings on Stanhope Street. As stated, the buildings are between three and four storeys and are representative of the historic urban grain. The buildings would be dominated by a building of a proposed 15-storey scale, with the eye drawn to the larger rather than the historic elements of the street. At present the listed buildings sit comfortably within the 'block' and although they are flanked by larger buildings, can still be understood and appreciated. The proposed large 15-storey building would disrupt the rhythm of the block, compromising the listed building's position within it. The modern and large buildings to the south should not be considered to set a precedent for buildings of the proposed scale, as there is an entirely different context south of Drummond street with virtually no historic buildings remaining. Buildings are of a variety of ages within this block, all of which have a more human scale, this is an important characteristic that should remain to protect the setting of the listed buildings.

3.17 The proposed tall building would be out of scale with the listed buildings, which have dictated the scale of emerging buildings over the last two centuries. The height of the proposed building would loom over the listed buildings when looking north along Stanhope Street detracting from their contribution to the street and causing material harm to their setting. Considerable importance and weight has been attached to the harm and special attention has been paid to the desirability of preserving or enhancing the character or appearance of the listed buildings including their settings, under section 66 of the Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013. The proposal would fail to accord with policies D1 and D2 of the Camden Local Plan 2017 and Section 66 of the Listed Buildings and Conservation Area Act 1990.

Impact on views – long and short

3.18 The development would sit above both the LVMF 5A.2 and LVMF 2A.2 threshold line, although the Design and Access Statement states it will have 'no material effect on the LVMF' as most of the development would be obscured by other taller buildings. Although this might be correct, the concerns raised by both Camden officers and the DRP is that medium and short views would be significantly affected.

3.19 It is acknowledged that design work has been done to mitigate this impact at ground floor through the consideration of various building elements and datum lines to bring the scale down at ground level. However there is still concern the proposal is likely to have a detrimental impact in the immediate context, as approaching the site from various points and when standing by the tower element. This is particularly evident in the view from Stanhope Street facing north, where there is a stark contrast between the Georgian terraces at the foreground and the proposed tower. The negative impact is also visible in views closer to the development, nearing the junction, where the building dominates and impacts the pedestrian experience.

Open space

3.20 Camden's Local Plan identifies areas with an under-provision of public open space as well as areas deficient in public open space. In these areas, the priority is for the provision of public open space on site. Any development that would result in an increased demand for public open space are also expected to provide public open space on site

3.21 There is no significant public benefit to the public realm or open space as part of this application. Section 9 indicates tree species in the public highway that could enhance the public realm experience around the building, but these are outside of the demise of the development.

3.22 No Urban Greening Factor (UGF) score has been submitted as part of the submission. The maximum open space contribution would need to be sought to offset the considerable impact the new residents would bring to

the area via a financial contribution within S106 legal agreement. This investment would be available to all open spaces sites within the vicinity of then development. As planning permission is refused, the failure to secure a payment in lieu of public open space would form a further reason for refusal.

3.23 Public open space contribution calculation (details on how to calculate contribution can be found in CPG Public Open Space):

- 97 studios = 873 sqm
- 71 twodios = 1,278 sqm
- Total requirement = 2,151 sqm - 82 sqm (proposed external amenity) = 2,069 sqm
- 2,069 x 200 = £413,800
- **413,800 x 0.75 = £310,350**

Summary

3.24 The proposed development, by virtue of its height, mass, scale and footprint, would be detrimental to the streetscene, setting of the nearby listed buildings and the character and appearance of the wider area, contrary to policies D1 (Design) and D2 (Heritage) of the Local Plan.

4.0 Quality of Accommodation

Space standards

4.1 Policy H9 criterion d) requires proposals for student accommodation to comply with any relevant standards for houses in multiple occupation (HMOs); the details of which are summarised in CPG student housing. The Council's current minimum HMO standards were adopted in 2020. They include space standards and requirements in relation to heating, power, fire detection and alarms, kitchen facilities (food preparation and storage, cooking, ventilation, sink and waste), baths/ showers, wash basins and toilets. Depending on the particular circumstances of the HMO, the minimum space standard for a sleeping room (excluding kitchen and personal hygiene facilities) varies from 7.1 sqm to 9 sqm.

4.2 Policy D1n. of the Local Plan requires a high standard of accommodation from development. Paragraph 7.32 of the supporting text requires all residential development to create high quality homes, which have good ceiling heights and room sizes, good natural light and ventilation and to be dual aspect except in exceptional circumstances. Local Plan Policy H6 also encourages design of all housing to provide functional, adaptable and accessible spaces.

4.3 The majority of the single bedrooms measure approx. 8.4sqm in the twodios (two single bedspaces sharing a kitchen and bathroom) and 9.7 sqm in the sleeping areas of studios, with the exception of a small number of larger corner studios. Smaller studios also provide a kitchenette and WC, wash and shower room taking the total area to 16.3 sqm. Twodios also provide a shared kitchen-diner of approx. 8.6 sqm and a shared WC, wash and shower room of approx. 1.8 sqm. The areas do not meet the HMO standards set out in CPG student housing as the floor area for a shower, WC and wash basin should be 2.2 sqm. The floor to ceiling meets minimum standards but should ideally be 2.5m or greater due to the urban heat island effect which is experienced in this central London area, particularly given the small room sizes, lack of open space and lack of ventilation which is proposed.

Layout and unit mix

4.4 Policy H9 criterion f) requires that student accommodation includes a range of flat layouts including flats with shared facilities wherever practical and appropriate. CPG Student housing states that the Council will generally expect applications to satisfy the following guidelines:

- at least half the bedspaces should be provided in cluster flats providing a number of study-bedrooms with some shared facilities;

- no more than half of the bedspaces should be provided in studio flats that contain all basic amenities for exclusive use of the occupants (kitchen, bathroom, toilet);
- a proportion of the bedspaces should be in study-bedrooms and studio flats (where present) designed for single occupancy;
- a proportion of the bedspaces should be in study-bedrooms and studio flats (where present) designed for double occupancy, this should be the minority of bedspaces unless the scheme is specifically intended for occupation by postgraduates; and
- consideration should be given to inclusion of other lower cost accommodation, such as two study-bedrooms sharing a kitchen-diner and bathroom.

4.5 Cluster flats are defined as a group of study bedrooms sharing communal facilities. The cluster flat will generally provide all the basic needs for everyday life including a kitchen, bathroom and toilet. Typically, a cluster flat comprises 4 to 8 study bedrooms and a communal kitchen-diner (sometimes combined with a living room).

4.6 The proposed development offers only studios (97) and 'twodios' (71) (two single bedspaces sharing a kitchen and bathroom) and as such fails to meet the guidelines above. No cluster flats are provided, nor are there any living rooms/dining areas or shared communal space for occupiers to congregate in and interact with one another on their own floor. The only internal amenity spaces are located in the basement (approx. 82 sqm), and on the ground floor (approx. 182 sqm) and fourteenth floors (approx. 274 sqm) (i.e. and both extremes of the building). The proposed layout is not conducive to any convenient social interaction, particularly for those located on the middle floors. While the overall area of internal amenity space is consistent with the benchmark of 0.1 to 0.2 sqm per bedspace given in CPG student housing, there is a general lack of open space on other floors which would create a 'boxed-in' feeling. The corridors are tight and there is a single narrow stair core making the whole arrangement feel restricted and anti-social and raises concern regarding emergency escape.

4.7 As stated later in section 11 (safety and security) of this report, concern is raised with the proposal for a single stair core in a building which is significantly over 18 metres in height. Fire safety is an important issue and designs may be compromised by changes in regulations in the future. This has would need to be further reviewed in accordance with the relevant requirements and may result in the need for substantial internal layout changes.

4.8 A number of flats would be located directly below the fourteenth floor internal amenity area. Concern is raised regarding noise and disturbance to future occupiers of these flats and the stacking of different room types.

4.9 CPG student housing indicates that students should be provided with adequate facilities to wash and dry clothes. The only provision evident in the scheme is an area of approx 4.7 sqm on the fourteenth floor identified on the plans as a launderette, which would not seem convenient or sufficient for a block with potential occupancy of 239 students. It appears floor plans for floors 1-3 are missing from the proposal, the Council is unable to comment on the quality of these floors, a condition requiring detailed layouts of floors 1-3 would need to be submitted and approved if permission were to be granted.

Access to light and outlook and ventilation

4.10 Paragraph 7.32 of the Local Plan 2017 states that the Council will seek to ensure that residential development is dual aspect except in exceptional circumstances, has good natural light and ventilation. With the exception of a small proportion of corner units, the majority of the studios and twodios are single aspect, many of which are solely north facing. Occupiers of the north facing twodios in particular would receive inadequate levels of light and outlook. Also for all of the twodios, only the bedrooms contain a window, the shared kitchen and bathroom have no access to light or outlook. Only a small panel on each window can be opened with the majority being fixed shut. The occupiers of the south facing bedrooms in particular would experience uncomfortable levels of heat with such a small window opening, small room sizes and the inability to 'wedge' fire doors open.

4.11 Rooms within such student accommodation buildings can be occupied for a whole year and potentially a number of years by the same tenants and it is not considered that the 'short' term/transient nature of the occupancy justifies a substandard quality of living accommodation.

Privacy and overlooking

4.12 Future occupiers are unlikely to be overlooked by neighbouring buildings or other occupiers of the same building. Sufficient distance from neighbouring buildings (over 18m) is maintained and rooms arranged in a way which does not give opportunity to overlook other bedsits within proposed building.

Amenity space

4.13 Minimal external amenity space is offered for a proposal which provides 239 student rooms. This is considered to have a detrimental impact on the quality of life of the prospective occupiers. A single small outdoor area on the ground floor and one loggia on fourteenth floor is not considered to be sufficient. A combination of small rooms, insufficient communal space and a lack of nearby public amenity space exacerbates the impacts of a lack of private external amenity space. Regent's Park is not easily accessible, travel to the park would involve crossing multiple busy roads and navigating the relatively impermeable Regent's Park estate, there is no direct route.

Accessibility

4.14 Policy C6 of the Local Plan seeks to ensure that new development achieves the highest standards of accessible and inclusive design. Para 4.24 of CPG Student housing indicates that, based on Building Regulations, 5% of bedrooms should be accessible (which is 12 bedrooms out of 239). Building Regulations Part M1 (vol 2) page 42/ para 4.24 indicates 1 in 20 bedrooms should be wheelchair accessible. Three units within the development are proposed as accessible with a further nine provided as adaptable (meeting the numerical requirement for accessible rooms in student accommodation, but not satisfying the Building Regulation requirement for wheelchair accessibility at the time of completion). The proposal fails to meet the above requirements fully, and as such forms a reason for refusal.

4.15 The Council's Building Control service have advised that the inclusion of adaptable rooms may be accepted if it can be shown that the dimensions and layout are able to genuinely accommodate simple conversion to full accessibility. There do not appear to be any accessible or adaptable units shown on the plans submitted with the application. This element of the reasons for refusal could potentially be overcome if plans were submitted showing 12 wheelchair accessible bedrooms (potentially including a proportion of easily adaptable bedrooms) with suitable dimensions and layout for wheelchair users.

Summary

4.16 A number of the student accommodation units within the proposed development, by reason of their poor levels of outlook, light, internal space, accessibility, external amenity space and ventilation, would fail to provide adequate internal living conditions for prospective occupiers, resulting in substandard living accommodation that would be harmful to the amenities of future occupiers, contrary to policies D1 (Design) and A1 (Managing the impact of development) H6 (Housing choice and mix) and H9 (Student housing) of the London Borough of Camden Local Plan 2017. Some of the issues raised may be ameliorated through provision of detailed layout plans for levels 1-3.

5.0 Residential Amenity

Daylight/sunlight

5.1 The application is supported by a Daylight and Sunlight Assessment dated 20th November 2020. The report is authored by Point 2 surveyors, who have based their study on the various numerical tests laid down in the

Building Research Establishment (BRE) guide 'Site Layout Planning for Daylight and Sunlight: a guide to good practice, 2nd Edition' by P J Littlefair 2011.

5.2 In terms of impact on neighbouring occupiers, the report makes use of three standards in the assessment of existing versus proposed daylight and sunlight levels:

1. Vertical Sky Component (VSC) - A measure of the amount of sky visible at the centre of a window. *The BRE considers that daylight may be adversely affected if, after development, the VSC is both less than 27% and less than 0.8 times (i.e. a reduction of more than 20%) its former value.*
2. Daylight Distribution (DD), also known as No Sky Line (NSL) - The area at desk level inside a room that will have a direct view of the sky. *The DD figure can be reduced by up to 20% before the daylight loss is noticeable (i.e. retain 0.8 times its existing value).*
3. Annual Probable Sunlight Hour (APSH) - A measure of the amount of sunlight that windows within 90 degrees of due south receive and a measure of the number of hours that direct sunlight reaches unobstructed ground across the whole year and also as a measure over the winter period. *The BRE considers 25% to be acceptable APSH, including at least 5% during the winter months.*

5.3 In practice greater flexibility is usually afforded to VSC levels in urban environments, where a retained level of over 15% VSC can be considered consistent with comparable daylight levels at ground level and above in Central London traditional streetscapes -however it should be borne in mind that the setting of this site being a planned mid-20th century housing estate development with open spaces between blocks will mean an expectation of daylight levels somewhat above the central London norm.

5.4 The submitted document claims that all neighbouring windows (that have a requirement for daylight or sunlight) pass the relevant BRE diffuse daylight and direct sunlight tests. With regards to the relevant Regent's Park estate properties and Stanhope Street properties, the assessment demonstrates that all changes in VSC (vertical sky component) and NSL (no-sky line) as a result of the Development to all windows and rooms in these properties are less than 20% their existing level and will be unnoticeable to the occupants. However more significant reductions in VSC and NSL are predicted for both Winchester apartments and 17-33 William Road. These are assessed in further detail below.

Winchester Apartments

5.5 This property comprises multiple balconies that cut skylight from the top part of the sky being received in the window below. With the balconies in place, of the 76 windows assessed, 33 experience unnoticeable changes in VSC, 18 windows between 20-30%, 18 windows between 30-40% and 7 windows greater than 40% loss. In terms of NSL, of the 44 rooms assessed 18 experience unnoticeable changes, 3 rooms between 20-30%, 5 between 30%-40% and 18 rooms greater than 40%.

5.6 With the balconies removed, of the 76 windows assessed, 33 experience unnoticeable changes in VSC, 22 windows between 20-30%, 20 windows between 30-40% and one window experiences a greater than 40% loss. In terms of NSL, of the 44 rooms assessed 18 experience unnoticeable changes, 3 rooms between 20-30%, 6 between 30%-40% and 17 rooms greater than 40%.

5.7 For over 40 windows, both the VSC is less than 27% and the proportional losses are over 20% (below 0.8 times its former value) which exceeds the BRE Guidance.

5.8 The 'without balconies' analysis reveals that there are still an extensive number of failures of the BRE guidelines with many habitable rooms (bedrooms, living/dining rooms and living/dining/kitchen rooms) reduced to approx. 0.7 and more below their current VSC values where the existing levels are currently acceptable to the margins of acceptability as described for inner urban areas and in some cases below. In most cases the 'no sky

line' (NSL) test is similarly below acceptable target levels. This large amount of failures to windows (VSC) and rooms (NSL), both with and without the balconies, is a further indication of the excessive height of the proposal not being appropriate for this particular context.

5.9 In terms of sunlight, all rooms continue to receive acceptable levels of APSH with the development in place.

17-33 William Road

5.10 East of the site and referenced '4' on the Plan, this property is identified as containing residential accommodation. The analysis considers the effect on 53 windows serving 46 site facing rooms.

5.11 Of the 53 windows, the proportional reduction of VSC to 45 are less than 20% and will be unnoticeable. Of the remaining 8 windows, both the VSC is less than 27% and the proportional losses are over 20% (below 0.8 times its former value) which exceeds default BRE Guidance.

5.12 All rooms which have a window orientated within 90 degrees due south experience unnoticeable changes in APSH.

Netley Primary School Amenity Space

5.13 Consideration has not been given to the surrounding external amenity spaces in the area in the submitted daylight/sunlight assessment. In particular, the Netley Primary School's amenity space would be cast in shadow for long periods of the daytime when it is most likely to be in use by the school.

Outlook and overbearing

5.14 The presence of the 15 storey tall tower, which is both taller and wider than the existing building, is considered to have material loss of outlook to occupiers of the south facing flats of the Winchester apartments (due north of the site). Currently occupiers of the south side of Winchester apartments have views out above 35-37 William Road, particularly over the 2-storey plinth, but also the 6-storey element for those occupying the top floors. Occupiers also currently have access to outlook to either side of the 35-37 William Road, as there is a significant gap between Nos. 17-33 and Nos. 35-37 William Road.

5.15 The proposed building would not only be nearly double the height of the Winchester apartments but also infill the spaces which exist between the buildings on William Road which offer permeability and a sense of openness. This in combination with the lack of relief offered by the proposed building, with no open space surrounding the structure and only having an approx. 20m distance from the rear elevation Winchester apartments, would result in a large and impermeable wall which would both block a significant amount of the light and outlook but feel overbearing and overly dominant. The overbearing nature of the building would detrimentally impact Winchester apartments and be oppressive and cause an increased sense of enclosure on the surrounding buildings and external amenity spaces, such as the Netley Primary school garden adjoining Winchester apartments and the far south-western balconies of 17-33 William Road.

Overlooking and privacy

5.16 Sufficient distance is retained between the subject building and neighbouring buildings as to not result in an undue level of overlooking or loss of privacy. An approx. 20m separation would be retained between proposed tower and the Winchester Apartments opposite. The two buildings on the opposite side of Stanhope street (Pangbourne and the Samuel Lithgow Youth Centre) do not contain habitable windows on the elevations facing the proposed tower to be overlooked. Views towards the Regent's Park Estate building to the north-west of the site (diagonally opposite), would be oblique, not giving direct views into habitable rooms, and would be approx. 20m away.

Noise

5.17 The submitted noise related assessments have been reviewed the Council's environmental health officer who raises no objections (subject to conditions). The nearest residential receptors are located to the north and south of the proposed development. It is proposed that 2No. ASHPs, 2No. ACU-BG and 1No. ACU-14 are to be located on the roof along with a Mechanical Smoke Vent AHU (which is understood will operate in emergencies only). It is understood that all plant could be operational up to 24 hours. Appropriate noise guidelines have been followed within the report such as Noise Policy Statement for England, National Planning Policy Framework (NPPF), Planning Practice Guidance on Noise, Camden Council's Local Plan, version June 2017 and BS 4142:2014 etc. Plant noise emission criteria have been recommended based on the results of the noise survey and with reference to the Local Authority's requirements.

5.18 The assessment indicates that the proposed plant should be capable of achieving the proposed environmental noise criteria at the nearest noise sensitive residential windows and therefore acceptable in environmental health terms. Conditions could be attached restricting office operating hours, use of external amenity space by student occupiers, servicing hours and internal and external noise levels if the scheme were to be acceptable.

Summary

5.19 Overall, the proposed development, due to its height, massing, scale and location, would result in a material loss of light and outlook as well as having an overbearing impact and an increased sense of enclosure on the occupiers of Winchester Apartments and users of Netley Primary School's external amenity space, contrary to policy A1 (Managing the impact of development) of the Local Plan.

6.0 Transport

6.1 The site has the best possible Public Transport Accessibility Level (PTAL) of 6B (excellent) and is within a controlled parking zone, within 5 minutes' walk from Warren Street tube station and 6 minutes' walk from Euston mainline station and Euston tube station.

Trip Generation

6.2 A Transport Assessment (TA) has been submitted in support of this application. The submitted TA includes details of trip generation analysis from the TRICS trip generation software.

6.3 *Student Accommodation* - The results predict the proposed development would generate 23 trips (2 in, 21 out) in the AM peak and 32 trips (21 in, 11 out) in the PM peak.

6.4 *Office Accommodation* - The results predict the proposed development would generate 26 trips (24 in, 2 out) in the AM peak and 25 trips (2 in, 25 out) in the PM peak.

6.5 The total 12-hour trip generation was also calculated. It was concluded that the proposed development has the potential to generate around 10 additional trips, on average, over a 12-hour period.

6.6 The estimated increase in average 12-hour trip generation was considered negligible and would not have a significant effect on the operation of local transport facilities, including the operation of the local road network, public transport services, pedestrian networks and cycling networks. These conclusions were generally agreed upon with the Council's transport officer, however it is noted that the estimate for the existing office space's trip generation included 1427sqm of Ancillary Office Storage (which would have negligible trip generation), as such, the difference between the existing and proposed uses may be more than suggested (but not enough to warrant amendments or refusal in this instance).

Car Parking

6.7 Policy T2 of the Camden Local Plan states that the Council will limit the availability of parking and require all new developments in the borough to be car-free. This would prevent the occupants from adding to existing on-

street parking pressures, traffic congestion and air pollution, whilst encouraging the use of more sustainable modes of transport such as walking, cycling and public transport. To prevent the future occupants from obtaining on-street parking permits from the Council, any development would have to be subject to a car free agreement and this would be secured by means of a Section 106 Agreement if permission were to be granted. As planning permission is being refused, the failure to enter in a Section 106 agreement for a car-free development would form a further reason for refusal.

Cycle parking

6.8 The proposed cycle parking is detailed in Table 3.3 of the TA, reproduced below.

Table 3.3: Proposed Cycle Parking Provisions		
Use	Proposed Number of Spaces	Type and Location
Offices / Affordable Workspace (1,338sqm)	16 Standard Long-Stay Spaces	Two-Tier Racks at Ground Floor Level
	3 Long-Stay Fold Up Cycle Lockers	Ground Floor Level Cycle Store
	1 Long-Stay Accessible Space	Sheffield Stand in Recessed Entrance
	20 Long-Stay Spaces in Total	
	3 Standard Short-Stay Spaces	Sheffield Stands in Recessed Entrance
	3 Short-Stay Spaces in Total	
Student Accommodation (239 Bedspaces)	178 Standard Long-Stay Spaces	Two-Tier Racks at Basement Level accessed via Lift or Stair Ramp
	2 Long-Stay Accessible Spaces	Sheffield Stand in Courtyard at Ground Floor Level
	180 Long-Stay Spaces in Total	
	8 Standard Short-Stay Spaces	Sheffield Stands at Ground Floor Level in Recess Adjacent to Student Access
	8 Short-Stay Spaces in Total	

6.9 The above table gives 200 Long-Stay and 11 Short-Stay Spaces and includes the re-provision of 12 cycle spaces for existing residents. The proposed cycle provision for the uplift exceeds the London Plan standards and is accepted.

6.10 CPG Transport clause 8.11 requires: *Details of all cycle parking and associated facilities must be submitted at the pre-application stage and the full application stage in order for the Council to fully assess the transport implications of the proposals.* It is not clear from the drawings how these requirements are satisfied; however,

the applicant has subsequently provided acceptable details of the type and amount of cycle storage. Compliance with the submitted details could be secured by way of condition if permission were to be granted.

6.11 It should be noted that the dimensions of the proposed lifts fall short of the requirements of CPG Transport clause 8.16: *The route to cycle parking from street level must be step free. If level access is unachievable, the cycle parking must be accessible via a ramp or a lift that is adequate in size to accommodate a cycle and its user.*

6.12 The shafts would have internal dimensions of 1.7m x 2.5m. Whilst the internal dimensions of the lift car have not been confirmed they are expected to be at least 1.1m wide x 2.1m deep, which is wide enough and deep enough for a cyclist pushing a bicycle.

6.13 With regards to cycle parking for offices, the proposed office space would not be provided with access to the lifts. The lifts are to be provided as part of the student accommodation uses only. Users of the office space would have access to separate cycle parking facilities which would be located at ground floor level and that would be reserved for staff and visitors associated with the office space only.

6.14 In terms of potential arrival times, given that the students based at the scheme would have varying timetables for lectures and would likely be arriving from different destinations on one or more campuses, there would not be many cyclists arriving at the same time. This is demonstrated by the TRICS data contained within Appendix I of the TA which shows that the number of cycle trips would be low and spread out across the day.

6.15 In conclusion, it is considered that students based at the proposed scheme would be able to access the basement cycle parking facilities by lift. As such, while the 1.1m wide x 2.1m lift does not comply with guidance but is accepted in this instance.

Deliveries and other servicing activities

6.16 The TA has made an estimate of the number of deliveries that would be made on a typical day: 4 deliveries per day for the student accommodation and 2 to 3 deliveries per day for the affordable workspace, giving a total of 6 to 7 deliveries per day. Adjacent to the site, in William Road, there is a section of single yellow line road making about 38m in length. This should be sufficient to cater for the delivery demand of the proposal.

6.17 A draft Delivery and Servicing Plan (DSP) has been submitted with the application and this is welcomed. A DSP would need to be secured by a section 106 agreement if the application were to be approved. As planning permission is being refused, the failure to enter in a Section 106 agreement for a DSP would form a further reason for refusal.

Start and End of Term / Year - Student Accommodation

6.18 The TA refers to a procedure for managing student arrival and departure periods (at the start and end of term). Various measures are given, as quoted below.

“8.9 The move in process would be managed to ensure that not all students arrive at once; this would minimise the impact on the surrounding public highway network.

8.10 The move in process would be spread over two weekends each academic year in order to stagger arrivals. Each student would be advised of a date and time to take up occupancy of their room. Information packs relating to loading arrangements and relevant public transport routes, as well as room location would be distributed to students prior to the start of term.

8.11 During ‘move in’ days student resident management presence would be increased. Staff would seek to minimise disruption by directing students and associated persons to the relevant unloading locations and to the correct part of the building.

8.12 If students and associated persons choose to ignore these timings the on-site team would reserve the right to refuse access.

8.13 Each student would be required to provide their intended method of transport for move-in day, so that time slots can be allocated to minimise impact on both public transport services, as well as the local highway network.
8.14 The move-out process would be managed in a similar manner; students would be required to provide their intended mode of departure and be allocated a departure time slot. These time slots may be longer than on move-in arrangement as departures would naturally be more spread out with courses finishing at various times.
8.15 Overall, the potential effect of the proposed development at the start and end of term would be negligible / minimised."

6.19 A Student Management Plan has been submitted with the application; however, the measures for managing student arrival and departure are somewhat relaxed when compared to the measures quoted in the TA. The Student Management Plan would need to be amended in line with the TA and the document would need to be covered by a section 106 agreement if the application were to be approved. The applicant has indicated they would agree to amend the Student Management Plan as is necessary.

Highway works contribution

6.20 The carriageway and footway directly adjacent to the site on William Road and Stanhope Street is likely to sustain significant damage because of the proposed demolition and construction works required. The Council would need to undertake remedial works to repair any such damage following completion of the proposed development.

6.21 A highways contribution would need to be secured as a section 106 planning obligation if planning permission were to be granted. This would allow the Council to repave the carriageway adjacent to the site, provide new footways along the eastern and western frontage of the building and repair any other damage to the public highway in the general vicinity of the site. The highway works would be implemented by the Council's highways contractor on completion of the development. Unused monies would be returned to the applicant. A cost estimate for the highway works has been provided:

- Reinstating footway –(including 1 skylight) - £50,325
- Reinstating cross over – (including 2 skylights) - £13,310
- Burn off Keep Clear markings - £130
- Assumed new kerbs and ASP flags.

6.22 This is a non-negotiable fee and failure to agree to this obligation would form a further reason for refusal.

Excavation in close proximity to the public highway

6.23 The existing subsurface retaining walls would be reused but would require an appropriate temporary works strategy to ensure ground movements due to construction are within acceptable tolerances. We must ensure that the stability of the public highway adjacent to the site is not compromised by the proposed works. The applicant would be required to submit an 'Approval in Principle' (AiP) report to our Highways Structures & Bridges Team within Engineering Services as a pre-commencement obligation. The template for the AIP is found in the British Standard CG300. The AIP would need to include structural details and calculations to demonstrate that the proposed development would not affect the stability of the public highway adjacent to the site. The AIP would also need to include an explanation of any mitigation measures which might be required. The AIP and an associated assessment fee of £1584.01 + VAT would need to be secured as a section 106 planning obligation if planning permission were to be granted. As planning permission is being refused, the failure to enter in a Section 106 agreement for an AIP would form a further reason for refusal.

Travel planning

6.24 As detailed previously, there would be many predicted trips associated with the development. A Student Travel Plan and a Framework Commercial Travel Plan have been submitted in support of the planning

application. This is welcomed as it demonstrates a commitment to encouraging and promoting trips by sustainable modes of transport.

6.25 For the student accommodation, a strategic travel plan and associated monitoring and measures contribution of £9,762 should be secured as a section 106 planning obligation if planning permission were granted.

6.26 For the affordable workspace, a Local Level Travel Plan and associated monitoring and measures contribution of £4,881 should be secured as a section 106 planning obligation if planning permission were granted.

6.27 The Travel Plans would encourage students/staff to make walking, cycling and travel by public transport the natural choice for day-to-day trips.

6.28 The applicant has indicated that they do not agree/accept this obligation/fee. This is non-negotiable and failure to agree to this obligation would form a reason for refusal.

Managing and mitigating the impacts of construction

6.29 Construction management plans (CMPs) are used to demonstrate how developments will minimise impacts from the movement of goods and materials during the construction process (including any demolition works). The Council's primary concern is public safety, and also need to ensure that construction traffic does not create (or add to existing) traffic congestion in the local area. The proposal is also likely to lead to a variety of amenity issues for local people (e.g., noise, vibration, air quality, temporary loss of parking, etc.). The Council needs to ensure that the development can be implemented without being detrimental to amenity or the safe and efficient operation of the highway network in the local area.

6.30 A framework CMP has been submitted in support of the planning application. While the information provided in the draft is useful, a more detailed CMP would be required if planning permission were granted. The final CMP would require significant input from Council officers, Transport for London, local residents and other stakeholders before being approved. The Council would seek to secure a CMP, a CMP implementation support contribution of £28,520 and a Construction Impact Bond of £30,000 as section 106 planning obligations in accordance with Policy. This is non-negotiable and failure to agree to this obligation would form a reason for refusal.

Pedestrian, cycling and environmental improvements

6.31 The Council, through its policies and strategies aims to encourage active travel such as walking and cycling as the primary mode of transport for short journeys within the borough and is committed to improving cycling and pedestrian routes in the area, this is particularly relevant in the Euston Plan Area. The Council seeks to secure a Pedestrian, Cycling and Environmental (PC&E) improvements contribution as a section 106 planning obligation for permitted schemes that would have significant impacts and where there are public realm schemes to fund in the vicinity. PC&E contributions (secured from major developments, where relevant) are used by the Council to transform the public realm in the general vicinity of the site for the benefit of cyclists and pedestrians. Any focus in this instance would be on improving conditions for walking and cycling on routes between the site and key transport interchanges such as Euston where the area is undergoing significant upgrades with HS2, Crossrail 2 and the Euston station upgrades, as well as the wider aspirations with regeneration in the area.

6.32 The proposed development would introduce a significant new student population into the area (239 bedsits) in a central position within the Euston Plan area, in close proximity to Hampstead Road. The Euston Plan seeks to significantly improve the public realm, in particular improvement of east to west links (with William Road notably being a centrally positioned, lateral, east-west oriented road).

6.33 Given the wider strategic context of which the subject site forms part of, the Council would seek to secure an additional contribution for Pedestrian, Cycling and Environmental (PCE) improvements if planning permission

is granted. A preliminary estimate of this is £239,000. As planning permission is being refused, the failure to enter in a Section 106 agreement for a PCE contribution would form a further reason for refusal.

Summary and conclusions

Subject to satisfactory resolution of the preceding, the proposals are acceptable in transport terms and as long as the following obligations and conditions are met:

- Car-free development applying to all land uses.
- Delivery and Servicing Management Plan.
- Plan for managing student arrival and departure periods (at the start and end of term).
- Highways contribution (£63,765).
- Approval in Principle (AIP) and associated fee of £1,800 per report.
- Strategic Level Travel plan for the student accommodation and associated monitoring fee of £9,762.
- Local Level Travel plan for the affordable workspace and associated monitoring fee of £4,881.
- Construction management plan (CMP) and CMP implementation support contribution of £28,520.
- Construction Impact Bond of £30,000.
- Pedestrian, Cycling and Environmental Improvements contribution of £239,000.

7.0 Basement

7.1 The Council's Basement policy A5 includes a number of stipulations for proposed basement development within the Borough. These include upper limits to the acceptable proportions of proposed basement extensions in comparison to the original dwelling (paras.(f) – (m)), but also the express requirement for applicants to demonstrate that the excavations/works proposed would not result in harm to:

- a. neighbouring properties;
- b. the structural, ground, or water conditions of the area;
- c. the character and amenity of the area;
- d. the architectural character of the building; and
- e. the significance of heritage assets

7.2 Parts (n) – (u) of this policy continue to expand upon this requirement and together, set the parameters for the assessment of proposed basement development. These parameters are expanded upon with CPG Basements. The Council will only permit basement development where it has been satisfactorily demonstrated that the works would accord with these criterion.

7.3 In accordance with the requirements of policy A5, the applicant has submitted a Basement Impact Assessment (BIA) report which reviews the impacts of the proposed basement structure and construction methods in terms of its impact upon drainage, flooding, groundwater conditions and structural stability. A firm of consultants using individuals who possess suitable qualifications in line with CPG requirements produced the submitted BIA. Due to the complexities of development constraints for the site, these documents have undergone a full audit from the Council's third party auditors – Campbell Reith (CR). The submitted BIA has been prepared by Card Geotechnics Limited dated November 2020, the authors have the qualifications required by the Council.

7.4 Campbell Reith have assessed the information and issued their final audit of the applicant's submitted BIA and conclude that "The BIA complies with the requirements of Camden's Planning Guidance with respect to basements".

7.5 The BIA is based on desk study information which, considering the proposals, is adequate for impact assessment. Site specific intrusive investigation would be required for the design of the substructure. The BIA notes that the basement is not being extended horizontally or vertically and that the basement walls would be retained and reused. Existing and proposed basement slab levels have been provided and confirm the basement is not being deepened.

7.6 On the basis that the basement is not being deepened and the existing basement walls are being retained, the screening exercise identified no potential impacts to groundwater (including cumulative impacts), surface water and stability. This is accepted. The works would also be subject to control via Approvals in Principle and the Party Wall Act.

7.7 The basement is considered to be acceptable. Compliance with the submitted BIA could be secured by way of a condition if permission were to be granted.

8.0 Sustainability

8.1 The Council aims to tackle the causes of climate change in the borough by ensuring developments use less energy and through the use of decentralised energy and renewable energy technologies. Policy CC1 requires all development to minimise the effects of climate change and encourages all developments to meet the highest feasible environmental standards. It requires all developments to achieve a 20% reduction in CO2 emissions through renewable technologies (the 3rd stage of the energy hierarchy) wherever feasible. Policy CC2 requires development to be resilient to climate change by adopting climate change adaptation measures.

8.2 London Plan Policy SI2 of the London plan requires development to be designed in accordance with the energy hierarchy: be lean (use less energy), be clean (supply energy efficiently), be green (use renewable energy). In addition chapter 5 of the London Plan sets out the need for schemes to secure a minimum 35% reduction in regulated CO2 emissions below the maximum threshold allowed under Part L 2013.

8.3 Where the London Plan carbon reduction target cannot be met on-site policy allows for a carbon-offset financial contribution which will be used to secure the delivery of carbon reduction measures elsewhere in the borough.

8.4 London Plan Policy SI2 also states that development proposals referable to the Mayor should calculate whole life-cycle carbon emissions through a nationally recognised Whole Life-Cycle Carbon (WLC) Assessment and demonstrate actions taken to reduce life-cycle carbon emissions.

8.5 London Plan objective GG5 states that those involved in planning and development should recognise and promote the benefits of transition to a circular economy as part of the Mayor's aim for London to be a zero-carbon city by 2050. Policy D3 of the London Plan further states that the principles of the circular economy should be taken into account in the design of development proposals in line with the circular economy hierarchy.

8.6 Developments are also expected to implement the sustainable design principles as noted in policy CC2 by achieving a BREEAM 'Excellent' rating and minimum credit requirements under Energy (60%), Materials (40%) and Water (60%).

Energy

Carbon Reductions

8.7 The proposals meet most of the carbon reduction requirements using up to date SAP10 carbon factors.

8.8 The proposals would achieve an overall 61.9% reduction in carbon emission which exceeds the 35% minimum on site requirement but falls short of the zero carbon requirement and therefore a carbon offset payment of £221,945 would be required. The proposals provide a 46.2% reduction in carbon after all other savings through onsite renewable technology which exceeds the 20% requirement. The proposals achieve a 29.2% reduction in carbon through energy efficiency which exceeds the 15% target in the London Plan 2021.

Be Green/ Renewables

8.9 The GLA at stage 1 consultation raised the following concerns in relation to energy:

- *“The applicant should note that the London Plan (2021) includes a target of a minimum 15% improvement on 2013 Building Regulations from energy efficiency which applicants will be expected to meet. The applicant should therefore model additional energy efficiency measures to meet the energy efficiency target. The hot water demand is high, and the applicant should consider the potential for wastewater heat recovery.*
- *The applicant is proposing a Combined Heat and Power system; however, given the scale and nature of the development this is not acceptable, as set out in Policy SI3. Alternative low carbon heating methods should be investigated and the currently proposed strategy should be revised.*
- *The GLA expects all major development proposals to maximise on-site renewable energy generation, where feasible. The applicant is, therefore, required to reinvestigate the inclusion of PV and they should provide a detailed roof layout to demonstrate that PV has been maximised and demonstrate any constraints.*
- *Further information in relation to energy costs, minimising overheating risk, demonstrating potential for connection to a DHN and the proposed Air Source Heat Pump system are required. The applicant should confirm the carbon shortfall in tonnes CO2 and the associated carbon offset payment that will be made to the borough. Detailed comments in relation to the required additional information have been provided separately to the Council.”*

8.10 These concerns raised by the GLA above, are shared by the Council. It is acknowledged that the applicant has engaged in collaborative discussion to provide additional information and revisions in respect to; non-domestic carbon savings, energy efficiency, the proposed energy centre, photovoltaic panels, district heat networks and air source heat pumps, however concerns still remain and it is not considered that the issues raised have been fully addressed at application stage.

8.11 The proposals are for a well-insulated building with Air Source Heat Pumps for central hot water, VRF for heating and cooling amenity spaces, electric panel heaters and MVHR for ventilation. The direct electric heating has not been justified and is a cause for concern. The GLA Energy Assessment Guidance states “Direct electric heating will not be accepted in the majority of cases as it will not provide any on-site carbon savings in line with the energy hierarchy and it is likely to result in higher energy bills. Direct electric systems are also not compatible with connection to district heating networks.” Therefore whilst the hot water system would have potential to connect to a district heating network the heating would not. No information on the costs to the residents of the proposed direct electric heating system have been provided. There are no proposals for Solar PV to be combined with the proposed green roof areas. Full details of the PV panels and green roofs, including detailed roof plans and a scheme of maintenance would be secured by condition if the proposals were considered acceptable in all other regards.

Monitoring

8.12 Energy monitoring is required to meet Policy SI 2 of the London Plan. This could be secured by way of a condition if the proposal were to be acceptable. Draft wording is below:

- In the event that the in-use evidence submitted shows that the as-built performance estimates have not been or are not being met, the legal Owner should use reasonable endeavours to investigate and identify the causes of underperformance and the potential mitigation measures and set these out in the relevant comment box of the ‘be seen’ spreadsheet. Where measures are identified, which it would be reasonably practicable to implement, an action plan comprising such measures should be prepared and agreed with the Local Planning Authority. The measures approved by the Local Planning Authority should be implemented by the legal Owner as soon as reasonably practicable.

Resource Efficiency and Demolition

8.13 Policy CC1 criterion e) requires all proposals that involve substantial demolition to demonstrate that it is not possible to retain and improve the existing building. This is supported in the following paragraphs (8.15, 8.16 and 8.17 of the Local Plan 2017) which state the following:

- *Given the significant contribution existing buildings make to Camden's CO2 emissions, the Council will support proposals that seek to sensitively improve the energy efficiency of existing buildings.*
- *The construction process and new materials employed in developing buildings are major consumers of resources and can produce large quantities of waste and carbon emissions. The possibility of sensitively altering or retrofitting buildings should always be strongly considered before demolition is proposed. Many historic buildings display qualities that are environmentally sustainable and have directly contributed to their survival, for example the use of durable, natural, locally sourced materials, 'soft' construction methods, good room proportions, natural light and ventilation and ease of alteration.*
- *All proposals for substantial demolition and reconstruction should be fully justified in terms of the optimisation of resources and energy use, in comparison with the existing building. Where the demolition of a building cannot be avoided, we will expect developments to divert 85% of waste from landfill and comply with the Institute for Civil Engineer's Demolition Protocol and either reuse materials on-site or salvage appropriate materials to enable their reuse off-site. We will also require developments to consider the specification of materials and construction processes with low embodied carbon content.*

8.14 Contrary to the above, the applicant has not carried out a feasibility study to test whether retaining and improving the existing building is more sustainable than demolishing and rebuilding. This should first be considered before attempting to justify demolition and redevelopment through other means. The proposal fails to comply with the requirements set out in Policy CC1 and the supporting texts.

Whole Life-Cycle Carbon and Circular Economy

8.15 The GLA at stage 1 consultation raised the following concerns with regards to Circular Economy and Whole Life-Cycle Carbon:

- *"London Plan objective GG5 states that those involved in planning and development should recognise and promote the benefits of transition to a circular economy as part of the Mayor's aim for London to be a zero-carbon city by 2050. Policy D3 of the London Plan further states that the principles of the circular economy should be taken into account in the design of development proposals in line with the circular economy hierarchy.*
- *As such, and in line with London Plan Policy SI7, a Circular Economy Statement should be submitted to demonstrate how the proposals promote circular economy outcomes and aim to be net zero-waste. The pre-consultation draft of the Circular Economy Statements Guidance (March 2020) provides further information on how to prepare a Circular Economy Statement and is available on the GLA website.*
- *London Plan Policy SI2 states that development proposals referable to the Mayor should calculate whole life-cycle carbon emissions through a nationally recognised Whole Life-Cycle Carbon (WLC) Assessment and demonstrate actions taken to reduce life-cycle carbon emissions. A Whole Life-Cycle Carbon template (produced by the GLA) should be completed in accordance with the assessment guidance. The applicant should use these tools as the design progresses to calculate and reduce WLC emissions against the GLA's benchmarks provided in the guidance. The assessment guidance and template are available on the GLA website. The WLC Assessment must be provided prior to Stage 2."*

8.16 A Whole Life-Cycle Carbon assessment is required in line with policy SI2 of the London Plan 2021, to provide justification for substantial demolition.

8.17 A Circular Economy Statement is required, in line with Policy SI7 of the London Plan 2021, to demonstrate how the proposals promote circular economy outcomes and to set out how the proposals will meet or exceed the targets for 95 per cent reuse/recycling/recovery of construction and demolition waste and ensure 95 per cent of excavation is put to beneficial use.

8.18 The applicant has failed to submit a Whole Life-Cycle Carbon (WLC) assessment or a circular economy statement, which are required by London Plan Policies SI2 and SI7 and Local Plan Policy CC1. The conclusions of these reports help inform good design and therefore the Council would require these to be provided at application stage (as opposed to being provided as a condition of approval). Without the submission of this information, it has not been demonstrated that the proposed substantial demolition is justified or that the proposal would promote circular economy outcomes contrary to policy CC1 of the Local Plan 2017 and policies SI2 and SI7 of the London Plan 2021, and as such, forms a reason for refusal.

Sustainability

8.19 The BREEAM pre assessments indicate the proposals would achieve an overall rating of Excellent (82%) rating and 66% for Energy, 66% for Water and 50% for Materials which would meet the minimum unweighted credit section requirements of 60% for energy and water and 40% for materials.

Cooling

8.20 Overheating potential has been assessed the proposals are reported to meet the thermal comfort criteria for predominantly naturally ventilated buildings. As such no active cooling should be required.

Water Efficiency

8.21 The design is targeting 125l/p/d for water efficiency which does not meet the required target of 105l/p/d plus 5l/p/d for external use. Further as a high water use development greywater and rainwater harvesting should be included. A commitment has been made to undertake a rainwater/greywater recycling feasibility study prior to commencement. This could be secured by way of conditions if the proposal were to be acceptable.

Conclusion

8.22 Without a feasibility study demonstrating that retention of the existing building would not be possible; and without the submission of a WLC assessment and circular economy statement, it has not been demonstrated that the proposed substantial demolition is justified or that the proposal would promote circular economy outcomes contrary to policy CC1 of the Local Plan 2017 and policies SI2 and SI7 of the London Plan 2021, and as such, forms a reason for refusal.

8.13 It is considered that a section 106 legal agreement would be required to secure a carbon off-set contribution; an Energy Efficiency Plan and Renewable Energy Plan including the measures set out in the Energy Strategy; details regarding the feasibility of connecting to a decentralised energy network; and a Sustainability Plan including Design Stage and Post Construction stage BREEAM assessment reports and certificates, demonstrating compliance with targets. In this absence of a legal agreement, this forms a reason for refusal.

9.0 Flood Risk and Drainage

9.1 Policy CC3 states that the Council will seek to ensure that development does not increase flood risk and reduces the risk of flooding where possible. The Council will require development to:

- a. incorporate water efficiency measures;
- b. avoid harm to the water environment and improve water quality;
- c. consider the impact of development in areas at risk of flooding (including drainage);
- d. incorporate flood resilient measures in areas prone to flooding;

- e. utilise Sustainable Drainage Systems (SuDS) in line with the drainage hierarchy to achieve a greenfield run-off rate where feasible; and
- f. not locate vulnerable development in flood-prone areas.

Where an assessment of flood risk is required, developments should consider surface water flooding in detail and groundwater flooding where applicable.

9.2 The proposal is not situated in a Local Flood Risk Zone or a previously flooded street but are within a critical drainage area (group 3_003) . The proposed SuDs (sustainable drainage) measures include rainwater harvesting (3m³), 74m² of green roofs and 351m² of blue roof (providing 38m³ attenuation) plus 19m³ of attenuation tanks. This should provide adequate storage to achieve greenfield run off rates for up to 1:100 plus 40% for climate change and meet the policy requirements. If permission were to be granted a condition would be attached ensuring that the sustainable drainage systems are installed in accordance with the submitted details.

10.0 Air Quality

10.1 Policy CC4 requires the submission of air quality assessments for developments that could cause harm to air quality. Mitigation measures are expected in developments located in areas of poor air quality.

10.2 The proposal is situated in an area of poor air quality. The development is Air Quality Neutral and will generally not contribute to the poor air quality in the area. No emergency generators or gas boilers are proposed. Life safety power supply would be either by separate power connection or by uninterruptable power supply (a battery). The appropriate mitigation for a high risk construction dust site proposed. A condition could secure such measures if the proposal were acceptable.

10.3 The Air Quality Assessment which has been submitted does not model the air quality at the site in line with the requirements as set out in the CPG Air Quality. Specifically for DEFRA background or local measured background monitoring should be used (whichever is higher). The local measured background concentrations which have been used in the assessment are lower than DEFRA background figures. Regardless of this, the results using the local measured background modelling still indicate that standards, specifically WHO standards for Particulate Matter, are exceeded at units over first floor level. As such there are concerns about the impact of the local air quality on the occupants.

10.4 Whilst there are no residential units at ground floor level there are no other mitigating measures proposed. No information has been provided to respond to the issue raised of the need for further design solutions and provision to address local problems of air quality, as is required in the London Plan. Therefore, there is insufficient information to confirm that the proposals comply with the WHO standards or the requirements of London Plan Policy SI B 1) c) to not create an unacceptable risk of high levels of exposure to poor air quality. On this basis, in line with Policy SI B 2) b), the development proposals should use design solutions to prevent or minimise increased exposure to existing air pollution and make provision to address local problems of air pollution, or mitigation required. Occupiers should be advised of health risks from poor air quality at the site if the proposals are approved. Conditions and informatives could however be attached to overcome the above issues if the proposal were acceptable.

11.0 Safety and Security

Design out crime

11.1 The Metropolitan Police 'Designing Out Crime' Officer confirmed that they did not object to the development of the building, but had a number of recommendations to reduce crime and the fear of crime following meeting with the applicant.

- Main entrance – As the primary entry and exit into the building this will be required to have some kind of 'Access Control' for residents, preferably in the form of an encrypted FOB to prevent copying or cloning if either lost or stolen. They also assist with managing the location, with restricting access and movement

throughout the entire building to those who require it. A visitor should be able to call the reception desk and then be allowed to wait in the main communal area to be collected by a resident. The reception desk is positioned in a location which offers good natural surveillance of the main entrance. The accessible entrance should be managed exactly the same as the main primary entrance.

- The door leading off this communal area into the lift and stair core should also be fitted with 'Access Control', including access into the stair core itself and with destination control on the lifts to ensure if someone is unlawfully inside the building they will be restricted to limited areas if they are undetected. As the central core splits the residential units then there is an opportunity to control 'Access and Movement' into both the east and west wing of the residential area. This compartmentalisation of the building is essential and is recommended by 'Secured by Design' for any residential development which has over 25 units. It is recommended that this 'Access Control' system also have the ability to have 'Data Logging' so any misuse can be accurately recorded to identify individuals or assist with pinpointing times/dates with the proposed CCTV.
- All residential doors should have the following dimensions – Door rails, stiles and muntins should be at least 44mm thick. After rebating, frame components should retain at least 32mm of timber. Any panel within the door should be at least 15mm thick. The panel should be securely held in place, beading mechanically fixed and glue in position, the dimension of the panel height/width should be no more than 230mm or less. The use of either a multipoint locking system PAS 8621:2011 (non-key locking on the internal face) or an alternative would be to have BS 8621:2017 mortice lock positioned one third up the lock stile combined with a surface mounted rim lock conforming to the same standard. These primary door sets shall also be installed with hinge bolts or specialist interlocking hinges. A door chain or opening limiter meeting TS 003 must be installed to this door set to which a caller can be expected. A door viewer meeting TS 002 must be fitted also. It is suggested that on the units, which are shared by two occupants, the physical security locks are installed but there is no need for the limiters or door viewers.
- Cycle Storage –the main entrance into the cycle storage from ground level will be from William Road and this will also be an alternative entrance into the main building. This is where the 'Encrypted' FOB access will be beneficial as it is recommended that only residents who require this access can be given authority to use this entrance. The door to the cycle storage itself should be security rated to PAS24:2016 or STS 201 Issue 7:2015, LPS 1175 SR2 or B3, STS 202 Issue 6:2015 BR2 or LPS 2081 Issue 1.1:2016 Security Rating B. The cycle racks themselves should be secured to the ground with tamper proof fixings and also allow the cycle to be secured with three points of locking (both wheels and the frame). As these areas can be extremely vulnerable to theft it is recommended that both the external door and the cycle door have a minimum of two magnetic locks positioned one third from the top and bottom of the frame with a minimum pull weight of 600kg each.
- Postal Strategy – A central location within the main reception area and which can be accessed by residents or by a management strategy which allows all items to be safe and secure. If utilising post boxes then the letter plate should meet TS 008 to reduce theft of the mail or even identify theft.
- External Spaces on top floor – The ability to control when these spaces can be used should be considered to prevent any misuse during the hours of darkness for instance. Once again encrypted access control will be beneficial in conjunction with CCTV.
- Lighting/Landscaping – The planting of trees outside of the proposed building has been noted so consideration to how they will interact with any existing street lighting must be taken, they also should not impede the opportunity for natural surveillance and way finding. This is to ensure that any benefits this lighting provides is not lost with heavy tree canopies. Ideally they should be planted five metres or more away from any light column.
- Seating –concerns about the proposed seating in the recessed main entrance covered area. This may encourage loitering and anti-social behaviour from non-residents and will be difficult to manage. The

space is intended to be 'private', but by adding seats it will appear to be 'public' and therefore this ambiguity can lead to issues to staff wishing to challenge any loitering or ASB. It is recommended this is removed from this location.

- CCTV – In conjunction with physical
- Contact the 'Universities Liaison Team' for Camden once in operation as they will be able to provide help and support for students, advice on crime prevention and making them aware of the local area and the specific crime problems will ensure any new resident does not become a victim of crime.

11.2 No revised drawings or supporting documents were received addressing the above comments. It is however considered that a number of the recommended measures could be secured by way of conditions if the proposal were to be acceptable. As such, refusal on these grounds is not warranted.

Fire safety

11.3 In line with London Plan Policy D12, development proposals must achieve the highest standards of fire safety and demonstrate how they would achieve this including details of construction methods and materials, means of escape, fire safety features, and means of access for fire service personnel. Additionally, Policy D5 seeks to ensure that all developments provide for a safe and dignified emergency evacuation for all users. To this end, in all developments where lifts are installed at least one lift per core (or more subject to capacity assessments) should be a suitably sized fire evacuation lift to be used to evacuate people who require level access from buildings.

11.4 Concern is raised with the proposal for a single stair core in a building which is significantly over 18 metres in height. Fire safety is an important issue and designs may be compromised by changes in regulations in the future. This has yet to be reviewed by as part of the building control procedure and this process may result in the need for substantial internal layout changes.

11.5 A fire statement has been submitted which appears to meet the necessary requirements. Compliance with the submitted fire safety statement and review by the relevant consultees could be secured by way of condition if the proposal were to be acceptable.

12.0 Land Contamination

12.1 The site is identified as having the potential for ground contamination. A Desk Study Report has been submitted which has been assessed by the Council's Environmental Health Officer. The preliminary risk assessment established there are no significant sources of contamination due to historical land use activities at or neighbouring the site.

12.2 The Council's Environmental Health Officer identified some concerns regarding potential unexploded ordinance and radon exposure; however, overall there is no objection in principle to the development subject to conditions. If the development were to be approved, a condition would be added to secure a radon and vapour investigation (incorporating a detailed assessment of the risks to all receptors that may be affected) is undertaken and a ground gas and vapour assessment report (GVAR). It would also be recommended that an UXO assessment is undertaken and provided to the main contractor, along with a copy of the Desk Study so that the appropriate controls can be implemented to reduce human health risks to acceptable levels, as required by the Construction (Design & Management) Regs 2015.

13.0 Microclimate (wind)

13.1 Policy A1 states, with regard to Microclimate, that large developments can alter the local climate. Buildings can affect the flow of air and cause wind tunnels which can potentially affect the enjoyment of public spaces. A building's colour can affect how much heat it absorbs and therefore impact upon local air temperatures.

Developments should therefore consider local topography and the local microclimate in their design. Developments large enough to alter the local climate will be required to submit a statement demonstrating how the design has considered local conditions.

13.2 A wind assessment has been submitted prepared by Thornton Tomasetti, a qualified wind engineering firm. The result of the assessment are generally acceptable. Minor issues have been raised but could be potentially be overcome by way of conditions if the proposal were to be acceptable.

14.0 Employment and training opportunities

14.1 In spite of the offer around affordable workspace, the development would still result in a net loss of employment floorspace. In respect of this, the Council would expect to secure a strong package of employment and training opportunities through a s106 legal agreement to ensure that local people were able to benefit during the construction phase of the scheme, and from any affordable workspace provided. These include:

Construction Phase

- The applicant should work to CITB benchmarks for local employment when recruiting for construction-related jobs as per section 68 of the Employment sites and business premises CPG
- The applicant should advertise all construction vacancies and work placement opportunities exclusively with the King's Cross Construction Skills Centre for a period of 1 week before marketing more widely.
- The applicant should provide a specified number (to be agreed) of construction work placement opportunities of not less than 2 weeks each, to be undertaken over the course of the development, to be recruited through the Council's King's Cross Construction Skills Centre, as per section 70 of the Employment sites and business premises CPG.
- If the build costs of the scheme exceed £3 million the applicant must recruit 1 construction apprentice paid at least London Living Wage per £3million of build costs, and pay the council a support fee of £1,700 per apprentice as per section 65 of the Employment sites and business premises CPG. Recruitment of construction apprentices should be conducted through the Council's King's Cross Construction Skills Centre. Recruitment of non-construction apprentices should be conducted through the Council's Inclusive Economy team.
- If the value of the scheme exceeds £1 million, the applicant must also sign up to the Camden Local Procurement Code, as per section 71 of the Employment sites and business premises CPG; and
- The applicant provide a local employment, skills and local supply plan setting out their plan for delivering the above requirements in advance of commencing on site, as per section 63 of the Employment sites and business premises CPG.

End Use Phase

- Provision of 1x end use apprenticeships paying at least London Living Wage. The apprenticeships could be within a range of roles (examples include hospitality, business administration, finance, customer service, IT)

14.2 As the employment floorspace lost is more than 500 sq m, there would also be a requirement to provide an employment and training contribution, to support initiatives which create and promote employment and training opportunities and to support local procurement initiatives in Camden, in accordance with section 73 of the Employment sites and business premises CPG. Such a contribution would be secured by S106 legal agreement.

14.4 In the absence of an acceptable scheme (and hence no section 106 agreement securing an Employment and Training plan or contribution) this becomes a reason for refusal.

15.0 Refuse and Recycling

15.1 Camden Local Plan policy CC5 (Waste) and CPG (Design) are relevant with regards to waste and recycling storage and seek to ensure that appropriate storage for waste and recyclables is provided in all developments.

15.2 Large dedicated bin storage areas are proposed at ground floor level which are easily accessible for collection. It is considered that the areas proposed are sufficient for the intended use.

15.3 If the proposals were considered acceptable in all other regards, a condition would secure details of the waste management plan to ensure the waste is managed and brought onto street for collection and returned back to the allocated storage room.

16.0 S106 Obligations

16.1 If the proposal was considered to be acceptable it would be the subject of a S106 legal agreement. Many of the obligations required have been discussed above and are included as reasons for refusal. Below is a summary of the heads of terms that would be sought for a successful scheme:

- Car-free development applying to all land uses.
- Delivery and Servicing Management Plan.
- Plan for managing student arrival and departure periods (at the start and end of term).
- Highways contribution of £63,765).
- Approval in Principle (AIP) and associated fee of £1,800 per report.
- Strategic Level Travel plan for the student accommodation and associated monitoring fee of £9,762.
- Local Level Travel plan for the affordable workspace and associated monitoring fee of £4,881.
- Construction/demolition management plan (CMP) and CMP implementation support contribution of £28,520.
- Construction Impact Bond of £30,000.
- Pedestrian, Cycling and Environmental Improvements contribution of £239,000.
- Level Plans.
- Student management plan.
- Securing term-time occupation by HE students at publicly funded education institutions in Camden or adjoining boroughs – or other specified publicly-funded education institutions agreed by the Council to be easily accessible from the development by foot, cycle or public transport.
- Ensuring accommodation is let to eligible students for the full duration of all terms in the academic year, and in any event not for less than a single term.
- Ensuring all accommodation is managed as a single planning unit and individual parts are not disposed of as independent self-contained homes
- Affordable student housing (35% or maximum viable if less than 35%), with nominations agreement with eligible education institution to be entered into prior to first occupation.
- Where non-student occupation is agreed outside term times, specification of the type and extent/ duration of non-student use, prevent non-student occupation at other times, and ensure that students are able to let either for the full year or for term-time only at equivalent weekly rents, and a non-student management plan.
- Employment and training contribution of £48,171.90.
- Employment plan including apprentices and a support fee.
- Carbon offset payment of £221,945.
- BREEAM 'Excellent' for the non-residential space (with minimum sub-targets for Energy, Water and Materials).
- Energy efficiency and renewable energy plan (including a Combined Heat and Power (CHP).
- Feasibility study for connecting a decentralised energy network (DEN).
- Public open space PIL of £310,350
- Retention of architects.

17.0 Community Infrastructure Levy (CIL)

17.1 If the proposal was deemed acceptable it would be liable for both Mayoral and Camden CIL. The

CIL form submitted with the application indicates that the development would have an uplift of 4,287sqm GIA. Based on the Mayor's CIL2 and Camden's CIL charging schedules and the information submitted the charges would be approximately £2,753,968.

Mayor CIL2

Student accommodation - £80 sqm

Office - £180 sqm

Camden

Student accommodation - £225 sqm

Office - £110 sqm

- Borough CIL: £2,464,129.27
- Mayoral CIL: £289,838.92
- **Total CIL: £2,753,968.19**

17.2 The above is an estimate only and would be subject to the verification of the proposed floor area and calculations by the Council's CIL team.

18.0 Conclusion

18.1 In conclusion, the proposed development, due to the loss of employment space; excessive height, mass, scale and footprint; and provision of substandard accommodation would be detrimental to economic growth; the character and appearance of the surrounding area and setting of nearby listed buildings; and the amenities of neighbouring occupiers and future occupiers of the subject site.

18.2 As such, it is recommended the application is refused.

Appendix 2 – Decision Notice (ref: 2020/5473/P)

Application ref: 2020/5473/P
Contact: Nathaniel Young
Tel: 020 7974 3386
Email: Nathaniel.Young@camden.gov.uk
Date: 1 October 2021

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
Judd Street
London
WC1H 9JE
Phone: 020 7974 4444
planning@camden.gov.uk
www.camden.gov.uk/planning

DP9 Ltd
100 Pall Mall
London
SW1Y 5NQ

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Refused

Address:
17-37 William Road
London
NW1 3ER

Proposal:

Demolition (of No. 35-37) and redevelopment to provide a 15 storey (plus basement) building for use as student accommodation with affordable workspace (No. 17-33 Ground floor) and associated works.

Drawing Nos:

- MCO A 00210 REV P01 - EXISTING NORTH ELEVATION
- MCO A 00211 REV P01 - EXISTING WEST ELEVATION
- MCO A 00213 REV P01 - EXISTING EAST ELEVATION
- MCO A 00212 REV P01 - EXISTING SOUTH ELEVATION
- MCO A 00098 REV P01 - EXISTING BASEMENT PLAN
- MCO A 00100 REV P01 - EXISTING GROUND FLOOR PLAN - PLOT A
- MCO A 00101 REV P01 - EXISTING FIRST FLOOR PLAN
- MCO A 00102 REV P01 - EXISTING LEVEL 02-05 FLOOR PLAN
- MCO A 00099 REV P01 - EXISTING GROUND FLOOR - PLOT B
- MCO A 00010 REV P01 - PROPOSED SITE PLAN
- MCO A 00001 REV P01 - SITE LOCATION PLAN
- MCO A 01210 REV P01 - PROPOSED NORTH ELEVATION
- MCO A 01213 REV P01 - PROPOSED EAST ELEVATION
- MCO A 01212 REV P01 - PROPOSED SOUTH ELEVATION
- MCO A 01211 REV P01 - PROPOSED WEST ELEVATION
- MCO A 01098 REV P01 - PROPOSED BASEMENT PLAN

- MCO A 01100 REV P01 - PROPOSED GROUND FLOOR PLAN - PLOT A
- MCO A 01101 REV P01 - PROPOSED LEVEL 01-03 FLOOR PLAN
- MCO A 01104 REV P01 - PROPOSED LEVEL 04-05 FLOOR PLAN
- MCO A 01099 REV P01 - PROPOSED GROUND FLOOR PLAN - PLOT B
- MCO A 01108 REV P01 - PROPOSED LEVEL 08-13 FLOOR PLAN
- MCO A 01106 REV P01 - PROPOSED LEVEL 06-07 FLOOR PLAN
- MCO A 01114 REV P01 - PROPOSED LEVEL 14 FLOOR PLAN
- MCO A 01115 REV P01 - PROPOSED ROOF LEVEL PLAN
- Planning Application Form and Ownership Certificate, prepared by DP9 Ltd
- CIL Additional Information Form, prepared by DP9 Ltd
- Design and Access Statement, prepared by Morris + Company
- Planning Statement, prepared by DP9 Ltd
- Air Quality Assessment, prepared by Air Quality Consultants
- Statement of Community Involvement, prepared by Kanda
- Daylight and Sunlight Assessment, prepared by Point 2
- Energy and Sustainability Statement, prepared by Vitec
- Fire Strategy, prepared by JGA
- Phase 1 Geoenvironmental Report, prepared by IESIS Structures
- External Building Fabric Noise Assessment, prepared by Hann Tucker
- Environmental Noise Survey, prepared by Hann Tucker
- Plant Noise Assessment, prepared by Hann Tucker
- Townscape, Visual and Built Heritage Assessment, prepared by Tavernor Consultancy
- Student Travel Plan, prepared by Caneparo Associates
- Framework Commercial Travel Plan, prepared by Caneparo Associates
- Delivery and Servicing Management Plan, prepared by Caneparo Associates
- Construction Management Plan, prepared by Caneparo Associates
- Transport Assessment, prepared by Caneparo Associates
- Employment and Training Strategy, prepared by Storey Consulting
- Basement Impact Assessment, prepared by IESIS Structures
- Student Housing Management Plan, prepared by Homes for Students
- Flood Risk Assessment, Drainage Strategy and SuDS Assessment, prepared by IESIS Structures
- Health Impact Assessment, prepared by WSP
- BREEAM Pre Assessment, prepared by Vitec
- Wind Assessment, prepared by Thornton Tomasetti
- Employment Land Statement, prepared by Grant Mills Wood

The Council has considered your application and decided to **refuse** planning permission for the following reason(s):

Reason(s) for Refusal

- 1 The proposed development, due to the failure to provide adequate replacement employment space on the site, would fail to support growth in economic activity in Camden and result in the loss of employment opportunities within the borough contrary to Policies E1 (Economic development) and E2 (Employment premises and sites) of the London Borough of Camden Local Plan 2017.
- 2 The proposed development, by virtue of its height, mass, scale and footprint, would be detrimental to the streetscene, setting of the nearby listed buildings and the character and appearance of the wider area, contrary to policies D1 (Design) and D2 (Heritage) of the London Borough of Camden Local Plan 2017.

- 3 The proposed development, due to its height, massing, scale and location, would result in a material loss of light and outlook as well as having an overbearing impact and an increased sense of enclosure on the occupiers of Winchester Apartments and users of Netley Primary School's external amenity space, contrary to policy A1 (Managing the impact of development) of the London Borough of Camden Local Plan 2017.
- 4 A number of the student accommodation units within the proposed development, by reason of their poor levels of outlook, light, internal space, accessibility, external amenity space and ventilation, would fail to provide adequate internal living conditions for future occupiers, resulting in substandard accommodation contrary to policies D1 (Design), A1 (Managing the impact of development) H6 (Housing choice and mix) and H9 (student housing) of the London Borough of Camden Local Plan 2017.
- 5 The proposed development, in the absence of a whole life-cycle carbon assessment and circular economy statement, has failed to demonstrate that the proposed substantial demolition is justified or that the proposal would promote circular economy outcomes contrary to policy CC1 of the London Borough of Camden Local Plan 2017 and policies SI2 and SI7 of the London Plan 2021.
- 6 The proposed development, in the absence of a legal agreement to secure a car-free development, would be likely to contribute unacceptably to parking stress, environmental impacts and congestion in the surrounding area, contrary to policies T1 (Prioritising walking, cycling and public transport), T2 (Parking and car-free development), CC1 (Climate change mitigation) and DM1 (Delivery and monitoring) of the London Borough of Camden Local Plan 2017.
- 7 The proposed development, in the absence of a legal agreement to secure an appropriate financial contribution towards public highway works, would be likely to harm the Borough's transport and public realm infrastructure, contrary to policies T1 (Prioritising walking, cycling and public transport), T3 (Transport Infrastructure), A1 (Managing the impact of development) and DM1 (Delivery and monitoring) of London Borough of Camden Local Plan 2017.
- 8 The proposed development, in the absence of a legal agreement to secure financial contributions towards pedestrian, cyclist and environmental improvements in the area, would fail to mitigate the impact of the development created by increased trips, contrary to policies T1 (Prioritising walking, cycling and public transport), A1 (Managing the impact of development) and DM1 (Delivery and monitoring) of London Borough of Camden Local Plan 2017.
- 9 The proposed development, in the absence of a legal agreement securing an Approval in Principle Report and appropriate financial contribution towards an approval in principle would fail to mitigate the impact of the basement works on the adjacent public highway contrary to policies T3 (Transport Infrastructure) and DM1 (Delivery and monitoring) of the London Borough of Camden Local Plan 2017.
- 10 The proposed development, in the absence of a legal agreement securing a Delivery and Servicing Management Plan for the commercial element, would likely give rise to conflicts with other road users and be detrimental to the amenities of the area generally, contrary to policies G1 (Delivery and location of growth), A1 (Managing the impact of development), T3 (Transport Infrastructure), T4 (Sustainable movement of goods and materials), DM1 (Delivery and monitoring), A4 (Noise and Vibration) and CC4 (Air quality) of the London Borough of Camden Local Plan 2017.

- 11 The proposed development, in the absence of a legal agreement for a Student Travel Plan, Strategic Level Travel Plan (student accommodation) and Local Level Travel Plan (affordable workspace) and financial contributions for the associated monitoring, would be likely to give rise to conflicts with other road users and be detrimental to the amenities of the area generally, contrary to policies G1 (Delivery and location of growth), A1 (Managing the impact of development), T3 (Transport Infrastructure), DM1 (Delivery and monitoring), A4 (Noise and Vibration) and CC4 (Air quality) of the London Borough of Camden Local Plan 2017.
- 12 The proposed development, in the absence of a legal agreement to secure a construction management plan, construction impact bond and a financial contribution for construction management plan monitoring, would be likely to give rise to conflicts with other road users and be detrimental to the amenities of the area generally, contrary to policies G1 (Delivery and location of growth), A1 (Managing the impact of development), T3 (Transport Infrastructure), T4 (Sustainable movement of goods and materials), DM1 (Delivery and monitoring), A4 (Noise and Vibration) and CC4 (Air quality) of the London Borough of Camden Local Plan 2017.
- 13 The proposed development, in the absence of a legal agreement securing a local employment and training package including an appropriate financial contribution, would be likely to lead to the exacerbation of local skill shortages and lack of training opportunities and would fail to contribute to the regeneration of the area, contrary to policies G1 (Delivery and location of growth), E1 (Economic development) and DM1 (Delivery and monitoring) of the London Borough of Camden Local Plan 2017.
- 14 The proposed development, in the absence of a legal agreement securing a carbon off-set contribution; an Energy Efficiency Plan and Renewable Energy Plan including the measures set out in the Energy Strategy; details regarding the feasibility of connecting to a decentralised energy network; and a Sustainability Plan including Design Stage and Post Construction stage BREEAM assessment reports and certificates, demonstrating compliance with targets, would fail to be sustainable in its use of resources, contrary to policies CC1 (Climate change mitigation), CC2 (Adapting to climate change), CC3 (Water and flooding), CC4 (Air quality), C1 (Health and wellbeing) and DM1 (Delivery and monitoring) of the London Borough of the London Borough of Camden Local Plan 2017.
- 15 The proposed development, in the absence of a legal agreement to secure financial contributions towards public open space, would be likely to contribute to pressure and demand on the existing open space in this area contrary to policies A2 (Open Space) and DM1 (Delivery and monitoring) of the London Borough of Camden Local Plan 2017.
- 16 The proposed development, in the absence of a legal agreement securing a student management plan, would be likely to give rise to conflicts with other road users and be detrimental to the amenities of the area generally contrary to policies A1 (Managing the impact of development), T3 (Transport infrastructure) and DM1 (Delivery and monitoring) of the London Borough of Camden Local Plan 2017.
- 17 The proposed development, in the absence of a legal agreement restricting the term-time occupation of the student units to students in higher education at publicly-funded education institutions that are accessible from the development, would fail to meet the identified need for student housing in sustainable locations, and fail to provide a range of affordable, accessible and adaptable dwellings appropriate to meet wider housing needs, contrary to policies H9 (Student Housing) of the London Borough of Camden Local Plan 2017 and policy H15 (Purpose-built student accommodation) of the London Plan 2021.

- 18 The proposed development, in the absence of a legal agreement securing 35% or the maximum viable proportion of the student accommodation as affordable and available to students nominated by a specified education institution as needing affordable accommodation, would fail to provide a range of accommodation affordable to the student body as a whole including those with state-funded living support and recognised as in need of affordable accommodation, contrary to policy H9 (Student Housing) of the London Borough of Camden Local Plan 2017 and policy H15 (Purpose-built student accommodation) of the London Plan 2021.

Informative(s):

- 1 You are advised that reasons for refusal 6 - 18 could be overcome by entering into a Section 106 legal agreement.

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 2021.

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 written over a light blue rectangular stamp.

Daniel Pope
Chief Planning Officer

Appendix 3 – Design Review Panel Report



FRAME PROJECTS

London Borough of Camden Design Review Panel

Report of Formal Review Meeting: 17-37 William Road

Friday 25 September 2020

Video conference

Panel

Catherine Burd (chair)

Harriet Bourne

Ian Chalk

John McRae

Matthew Lloyd

Attendees

Kevin Fisher

London Borough of Camden

Ben Farrant

London Borough of Camden

Lavinia Scaletti

London Borough of Camden

Angela McIntyre

Frame Projects

Kiki Ageridou

Frame Projects

Apologies / report copied to

Bethany Cullen

London Borough of Camden

Richard Wilson

London Borough of Camden

Edward Jarvis

London Borough of Camden

Deborah Denner

Frame Projects

Confidentiality

This is a pre-application review, and therefore confidential. As a public organisation Camden Council is subject to the Freedom of Information Act (FOI), and in the case of an FOI request may be obliged to release project information submitted for review.

1. Project name and site address

William Road , 35-37 William Road and 17-33 William Road, London, NW1 3ER

2. Presenting team

Peter Moore	MBU Capital
Joe Morris	Morris + Company
Miranda MacLaren	Morris + Company
Tania Marques	Morris + Company
Ben Myres	Morris + Company
Jack McFarlane	Morris + Company
David Shiels	DP9
Oliver Sheppard	DP9
Louise Newman	Tavernor Consultancy

3. Planning authority briefing

The site is located on the corner of William Road and Stanhope Street and comprises of two parts – a seven storey block at 17-33 William Road (Plot B) and a part six, part two storey building at 35-37 William Road (Plot A). The building is linked at ground floor level to 17-33 William Road.

The area is predominantly residential in character. Buildings to the south of Drummond Street tend to be taller and more commercial in scale. However north of Drummond Street where this site is located, the street character changes and is more domestic. There is a mix of building heights in this area, varying from two to eight storeys, with the majority around four storeys.

The site is located in the central London area and within the Euston Area Plan area. It is also within two London View Management Framework viewing corridors.

Plot B is proposed to be refurbished with the introduction of affordable workspace to the ground floor and changes in the façade. Plot A involves the demolition of an existing office and construction of a student housing block.

The panel's views were requested on: height and massing; whether this location is right for a landmark building; what impact this height might have on the pedestrian experience and viewing corridors. Officers also asked the panel to comment on the level of communal amenity space provided for the occupants of the building, and the building's architecture and materiality.

4. Design Review Panel's views

Summary

The design review panel commends the analysis, generation of ideas and design quality coming forward as part of the proposals. However, it considers that the proposed brief is too challenging, forcing a scheme that results in significant overdevelopment of the site, one that puts viability before city making. It considers the proposals are over scaled in bulk and height and mix two confused building typologies. The panel encourages careful thought around whether the building is a stand-alone tower in open space, or a piece of street in the form of a reimagined warehouse / mansion block. In either case, massing must be refined to ensure the scheme respects both the streetscape and the skyline. The panel commends the quality of architectural expression, particularly the sculpted entrance to the student accommodation on William Road. While the proposed student rooms appear to be high quality the panel would like to see a long term operator in place to ensure this quality is delivered. The use of a single stair requires careful consideration to ensure it is a sustainable approach that ensures the building is futureproofed. The panel is concerned with the lack of outdoor amenity space proposed and would like to see more of this provided. While internal amenity space is welcomed, the function and quality of this should be thoroughly scrutinised, and should contribute to the sense of community within the building. These points are expanded below.

Scale and massing

- The panel finds the proposals to be over scaled for this location and site.
- It considers that the building's massing combines two confused typologies – the design team should carefully consider whether the building is a tower or a warehouse / mansion block.
- If the proposal is a continuation of street, expressed as a warehouse / mansion block, there is justification for its massing to spread to the edges of the site, but its height must be reduced to around eight stories to sit comfortably in its context.
- Alternatively, if the proposal is a tower, the panel suggest this should be much more slender with much more open space at ground level, set away from the corner of Stanhope Street and William Road.
- If a tower option is pursued (and the panel is not convinced this is necessarily the correct approach) it would be unacceptable for proposals to be any taller than currently proposed. Changes would need to be made to the building's proportions, with a significant reduction in mass elsewhere, for the proposed height to be potentially acceptable.
- The panel notes other towers referenced in the locality are much more slender in their proportions.
- The shoulder of the warehouse / mansion block sits above the datum created by the existing context, and careful thought is needed to resolve this relationship.

- The panel does not consider long views are the primary issue for this scheme:

it considers local 'streetscape' and 'skyscape' views to be more important. It encourages the design team to think carefully about the impact of the scheme's bulk on these views and the public realm.

- Proposed massing should be tested to establish the effect on factors such as daylight and sunlight and neighbouring buildings.
- While the panel enjoys the use of chamfering at the corner, this appears to exaggerate the building's width and bulk in some views.

Architectural expression

- The panel commends the quality of architectural expression proposed in a context where it is difficult to pin down a particular architectural style.
- The proposed materiality is well considered, and the panel feels assured that once the bulk and massing has been refined the proposals could be of an exemplary quality.
- The panel particularly enjoys the sculpted entrance to the student accommodation on William Road.
- It considers that the chamfer to the building's corner on Stanhope Street and

William Road should carry on through the proposal's ground floor.

Internal arrangement

- In principle the internal views shown of student accommodation appear of high quality. However, the panel questions how to ensure the quality aspiration is secured and delivered if a long term operator is not in place.
- The panel considers it unlikely that residents of the 'twodios' will leave the window between their bedroom and the kitchen unobscured, this will lead to loss of natural light in the shared kitchen space and have a negative effect on its quality.
- The panel is concerned with the proposal for a single stair core in a building which is significantly over 18 metres in height. Fire safety is an important issue and designs may be compromised by changes in regulations in the future.
- Futureproofing and sustainability should be carefully considered. For example, how feasible it may be to convert the building for another use.

- The panel would like a clearer understanding of how the building is serviced and how plant proposed as roof level is screened.

Amenity space

- In the panel's view the building gives very little back to the public realm at street level.
- It would like to see the inclusion of street trees along the wide pavements on Stanhope Street.
- The panel query the impact that this proposed increase in student population will have on the residential quality and amenities of the local area.
- The panel is concerned about the minimal quantity of external amenity space proposed for 239 student rooms, and the potential effect of this on student quality of life.
- It highlights that in the immediate surroundings of the site there is little amenity space for students to use, and so in its view the building must provide more outdoor space specifically for its residents.
- While the panel welcomes the inclusion of internal amenity space it would like to see this carefully scrutinised to ensure it will be successful.
- It emphasises the importance of having enjoyable shared social spaces which will give the building a social dynamic and sense of community, currently missing from proposals.
- Thought should be given to spaces for chance interactions and for residents to meet their neighbours.

Sustainability

- While the panel is encouraged that the building aims to achieve BREEAM excellent, it notes that a broader sustainability strategy should be set out in the planning submission.
- It would like to see careful consideration of embodied carbon, especially as an existing building is being replaced with a new build. Consideration should also be given to construction techniques proposed.

Next steps

The panel would welcome the opportunity to review proposals at a further review once revised in response to the comments above.

