

Address:	Stephenson House 75 Hampstead Road London NW1 2PL		6
Application Number(s):	2020/5851/P	Officer: Jonathan McClue	
Ward:	Regents Park		
Date Received:	16/12/2020		
<p>Proposal: Change of use of 11 market residential units (C3), as substantially implemented under 2018/0663/P dated 02/07/2018, to flexible temporary sleeping accommodation (Sui Generis)/residential units (C3) to be used as accommodation for the cancer patients (and their parents/carers) being treated at UCLH's Proton Beam Therapy Centre.</p>			
<p>Background Papers, Supporting Documents and Drawing Numbers:</p> <p>Drawings: A-0500-PL; A-0502-PL; A-0503-PL; A-0504-PL; A-0505-PL; A-0506-PL; A-0507-PL; A-0508-PL; A-0509-PL; A-0512-PL; A-0513-PL; A-0514-PL; A-0515-PL; A-0516-PL; A-0517-PL; A-0518-PL and A-0519-PL.</p> <p>Documents: UCLH Analysis Summary of Available Local Residential Serviced Accommodation; Letter from Director of Strategy of University of College London Hospital dated 14/01/2020 and Cover Letter (ref. LJW/CKE/SMAC/J10346.2) dated 16/12/2020.</p>			
<p>RECOMMENDATION SUMMARY: Grant Conditional Planning Permission Subject to a Section 106 Legal Agreement</p>			
Applicant:		Agent:	
Lazari Properties 2 Limited c/o Agent		Gerald Eve LLP 72 Welbeck Street London W1G 0AY United Kingdom	

ANALYSIS INFORMATION

Land Use Details:			
	Use Class	Use Description	Floorspace (GIA m ²)
Existing	C3 Dwelling House (market housing)		1488.2
	TOTAL		1488.2

Proposed	<i>Flexible Sui Generis (temporary accommodation for UCLH patients)/ C3 Dwelling House (market housing)</i>	1488.2
	TOTAL	1488.2

Residential/Temporary Accommodation Use Details:						
	Residential Type	No. of Bedrooms per Unit				
		1	2	3	4	Total
Flexible residential (Class C3)/Temporary Accommodation (SG)	Flats	1	6	4	0	11
TOTAL - All	Flats	1	6	4	0	11

OFFICERS' REPORT

Reason for Referral to Committee: This application is reported to the Planning Committee because it involves the conversion of more than 1,000m² of non-residential floorspace and/or creation of 10 or more residential units (Clause 3(i))

EXECUTIVE SUMMARY

The application site comprises a substantially completed 8 storey building consented in 2018. The office led development includes 17 residential units (11 market and 6 affordable). This application site relates specifically to the 11 market residential units only.

Planning permission is sought for the change of use of the 11 market residential units (Class C3) to provide flexible temporary sleeping accommodation (Sui Generis)/residential units (Class C3). The proposed temporary accommodation is for the cancer patients (and their parents/carers) being treated at UCLH's Proton Beam Therapy Centre located nearby. The accommodation is necessary given the distance many patients need to travel for treatment, and the need for daily out-patient attendance during the treatment period. It would provide a 'home from home' environment where patients and their carers can live in a normal family environment, necessitating self-contained accommodation. The proposed UCLH accommodation is to be provided to Proton Beam Therapy (PBT) patients free of charge. The flexibility (which would last for 10 years) to include permanent residential accommodation as well as the temporary accommodation would allow the applicant to revert to permanent residential if the need for temporary accommodation were to diminish over time.

The PBT is one of two national centres for proton beam treatment on behalf of National Health Service (NHS) England. One centre is located in Manchester and the other within the UCLH Phase 4 development fronting Grafton Way, Huntley Street and Tottenham Court Road. PBT is an advanced form of radiotherapy used

for the treatment of complex cancers in children and adults. It directs the radiation treatment precisely where it is needed with minimal radiation dose to surrounding tissue. PBT treatment is therefore particularly suitable to treat complex childhood cancers, tumours in teenagers and young adults, and other hard to treat cancers in adults. The UCLH London PBT Centre will treat patients from across the South of England and will open shortly. The service will ramp up over a period of 2 years to treat up to 750 patients a year.

Overall, officers recognise that the proposal represents some harm via the loss of 11 residential units; however, the proposal represents a unique opportunity identified to meet UCLH's urgent requirement for local patient and carer accommodation in order to support and enable the successful operation of the PBT facility. It is considered that, on balance, the proposed harm is outweighed by the wider social, health and economic benefits of supporting and enabling UCLH's lifesaving local PBT facility, as a project of national importance. The proposals would support the expansion of UCLH's services and their new PBT facility to meet a specific need for this type of facility.

It is noted that this application does not relate to the 6 residential units at Stephenson House which are to be used as affordable housing. These would remain and have been transferred to a Registered Provider (RP), Origin Housing. A management plan would be secured via Section 106 legal agreement to ensure their living conditions would not be materially harmed.

The change of use to allow the temporary accommodation does not raise any material transport considerations over and above the established residential use. This is subject to relevant planning conditions and obligations being secured to this permission including car-free development.

An affordable housing viability review would continue to be secured to any planning permission, with a deferred payment in lieu of on-site affordable housing/housing shortfall capped at £956,385.

In conclusion, the harm that would result from the loss of 11 self-contained residential units is considered to be outweighed via the public benefit associated with the proposed local patient and carer accommodation in order to support and enable the successful operation of UCLH's unique and life changing local facility. On this basis, planning permission is recommended subject to conditions and a section 106 legal agreement.

1 BACKGROUND

Application site

- 1.1 Planning permission was granted on under 2017/3518/P dated 08/03/2018 for extensive refurbishment of the site to create an 8 storey building with circa 16,709m² of office, 904m² flexible office/healthcare, 857m² retail, 118m² café and 17 residential units (11 market and 6 affordable). The permission has been varied by way of a minor material amendment (2018/0663/P dated

02/07/2018), to increase the amount of demolition of the original proposal and raise the overall height of the building by 450mm.

- 1.2 All of the pre-commencement planning conditions and obligations relating to the above permission have been discharged and officers consider that the permission was lawfully implemented and the development is now substantially completed.

University of College London Hospital (UCLH) Proton Beam Therapy

- 1.3 UCLH has two national centres for proton beam treatment on behalf of National Health Service (NHS) England. One centre is located in Manchester and the other within the UCLH Phase 4 development fronting Grafton Way, Huntley Street and Tottenham Court Road. Proton Beam Therapy (PBT) is an advanced form of radiotherapy used for the treatment of complex cancers in children and adults. It directs the radiation treatment precisely where it is needed with minimal radiation dose to surrounding tissue. PBT treatment is therefore particularly suitable to treat complex childhood cancers, tumours in teenagers and young adults, and other hard to treat cancers in adults. The UCLH London PBT Centre will treat patients from across the South of England and opened in December 2020. The service will ramp up over a period of 2 years to treat up to 750 patients a year.

- 1.4 The UCLH London PBT Centre was originally approved under 2013/8192/P dated 22/09/2014. The permission includes the PBT cancer treatment (in-patient) facility and day surgery (out-patient) facilities within a new building, with four levels of basement, ground floor retail and 7 above-ground storeys. Information about the UCLH London PBT Centre can be found here: <http://healthcare.wsp-pb.com/portfolio/uclh-proton-beam-therapy-centre/>

2 SITE

- 2.1 The application site lies with a substantially completed 8 storey building (consented under 2017/3518/P dated 08/03/2018 and 2018/0663/P dated 02/07/2018), which predominately fronts Hampstead Road (eastern side) taking up the entire frontage between Drummond Street and William Road (see Figure 1 below for the building the application site lies with). As stated above, the building is consented for an office led development with other uses, including 17 residential units. The application site as part of the subject application relates specifically to the 11 market residential units only, with the remainder of the building (and uses) not forming part of the application.

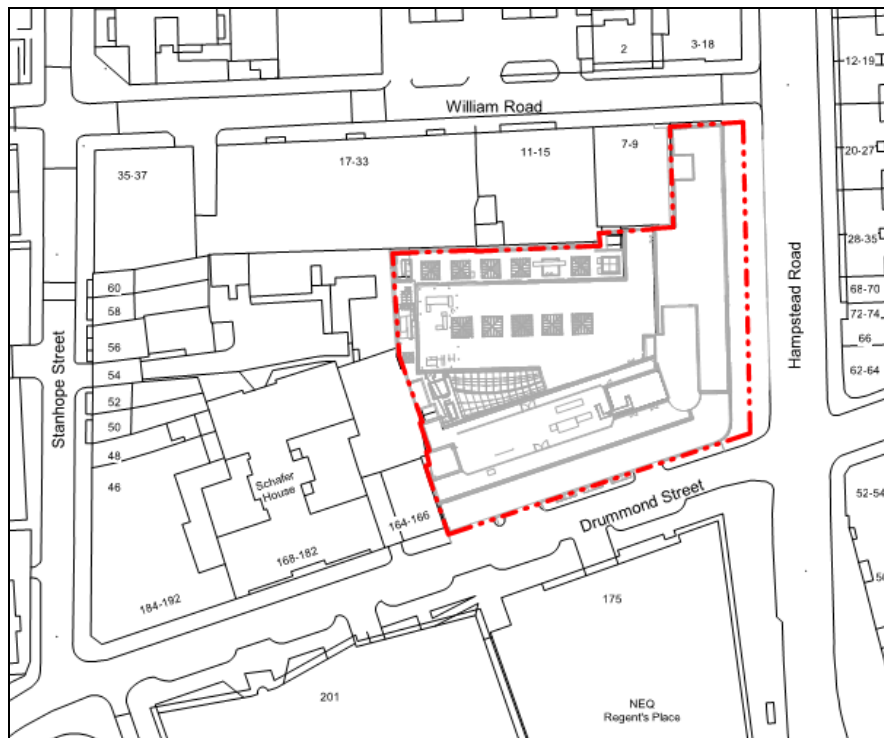


Figure 1 (above): The building the application site lies (outlined in red for context) and immediate surroundings

- 2.2 The market residential units are accessed from a lobby on Hampstead Road. There is a separate lobby for the affordable units. Each lobby has its own lift; however, the housing tenures share a stairwell. The application site includes market housing over floors 2-7, with a mix of unit sizes – 1 x 1 bed, 6 x 2 bed and 4 x 3 bed.
- 2.3 The local area is highly accessible via public transport, Warren Street London Underground Station is located approximately 200 metres to the south, with the site benefitting from a PTAL of 6b (highest possible). The site falls outside of any conservation areas (Westminster City Council conservation areas along with Camden's Regent's Park and Bloomsbury lie nearby) and there are no listed buildings on or immediately adjacent to the site. In close proximity to the site are two locally listed buildings on William Road including Hampstead House (diagonally opposite) and 7-15 William Road (adjacent). Both of these buildings contribute to the Architectural and Townscape Significance of the Borough.

3 PROPOSAL

- 3.1 Planning permission is sought for change of use of the 11 market residential units (C3), as substantially implemented under 2018/0663/P dated 02/07/2018, to flexible temporary sleeping accommodation (Sui Generis)/residential units (C3) to be used as accommodation for the cancer patients (and their parents/carers) being treated at UCLH's Proton Beam Therapy Centre.

- 3.2 The proposals do not relate to the 6 approved residential units at Stephenson House which are to be used as affordable housing, nor to any other part of the consented development. No internal or external alterations are proposed to the previously approved building (i.e. only a change of use is being applied for).
- 3.3 The accommodation is necessary given the distance many patients will need to travel, and the need for daily out-patient attendance during the treatment period. UCLH are required to provide residential accommodation for patients who do not live within easy reach of the PBT Centre. It is estimated that at full capacity, approximately 135 accommodation units will be required each day to house patients whilst they come for 2-4 days of treatment planning, and for patients who are on treatment for 6-8 weeks. UCLH require 19 patients to be located within 10 minutes travel of the hospital; and 116 patients to be located within 45 minutes travel distance of the hospital by public transport. The reason that an estimated 19 patients require accommodation within 10 minutes travel of the PBT Centre is because they will require additional treatment, such as chemotherapy or a daily general anaesthetic before the first appointment time at 8am. These will be predominantly Paediatric patients and TYA (teenage and young adult) patients.
- 3.4 The accommodation would provide a 'home from home' environment where patients and their carers can live in a normal family environment, necessitating self-contained accommodation. This requirement is of particular importance for Paediatric and TYA patients and builds on patient engagement events and the experience gained by UCLH from existing PBT programmes where patients have been treated overseas. It is also a requirement to cluster patients in the same building to allow patients and carers to share experience and pass knowledge. The proposed UCLH accommodation is to be provided to PBT patients free of charge.

4 RELEVANT HISTORY

- 4.1 The original building was constructed in the 1960s and was re-clad in the 1980s. A number of minor permissions were consented between 1987-2009 for various works and changes of use. These have not been summarised below.
- 4.2 **2017/3518/P:** dated 08/03/2018, planning permission for extensive refurbishment of the site to create an 8 storey building with circa 16,709m² of office, 904m² flexible office/healthcare, 857m² retail, 118m² café and 17 residential units (11 market and 6 affordable). The permission has been varied by way of a minor-material amendment (ref. 2018/0663/P) and a non-material amendment (ref. 2019/3232/P), both of which are detailed below. All of the pre-commencement planning conditions have been discharged and the permission lawfully implemented.
- 4.3 **2018/0663/P:** dated 02/07/2018, a minor-material amendment to 2017/3518/P to increase the amount of demolition of the original proposal and raise the overall height of the building by 450mm.

- 4.4 **2019/3232/P:** dated 12/09/2019, a non-material amendment to 2017/3518/P for the retention of western boundary wall of Stephenson House, setback at upper levels and omission of rear windows.

5 CONSULTATION SUMMARY

Statutory Consultees

Transport for London (TfL) dated 21/12/2020

- 5.1 Confirmed that they have no comments to make.

Thames Water dated 29/12/2020

- 5.2 Advised no comments regarding waste water network and sewage treatment works infrastructure capacity, nor on water treatment infrastructure capacity. An informative was advised to any planning permission stating that Thames Water will aim to provide customers with a minimum pressure of 10m head (approximately 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

Local Groups

- 5.3 No comments were received from local groups.

Adjoining Occupiers

<i>Number of letters sent</i>	0
<i>Total number of responses received</i>	0
<i>Number in support</i>	0
<i>Number of objections</i>	0

- 5.4 4 site notices were displayed from 23/12/2020 on the corners and frontages of the application site. An advert was published in the local press on 24/12/2020. No responses from adjoining occupiers were made.

6 POLICIES

- 6.1 The National Planning Policy Framework (NPPF) sets out the government's planning policies for England and how these are expected to be applied. It must be taken into account in preparing the Development Plan, and is a material consideration in planning decisions. The revised NPPF was published 24 July 2018 and updated on 19 February 2019, replacing the previous document published in March 2012.
- 6.2 The Camden 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 Site Allocations Plan (adopted

September 2013) also forms part of the Development Plan. A draft Site Allocation Local Plan is currently being prepared and has undertaken consultation, so has limited weight. Other local documents which are of relevance include the Proposals Map, the Euston Plan and Camden Planning Guidance (CPG).

6.3 The London Plan 2021, along with the Mayor's Supplementary Planning Guidance (SPG), are also important considerations as are sections 16, 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

6.4 In making any decisions as part of the planning process, account must be taken of all relevant statutory duties including section 38(6) of the Planning and Compulsory Purchase Act 2004. Section 149 of the Equality Act 2010 is also relevant to the determination of the applications. It sets out the Public Sector Equality Duty, which states that a public authority must have due regard to eliminate discrimination, harassment and victimisation; advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

6.5 The relevant Camden Local Plan 2017 policies are listed below:

- G1 (Delivery and location of growth)
- H1 (Maximising housing supply)
- H3 (Protecting existing homes)
- H4 (Maximising the supply of affordable housing)
- H5 (Protecting and improving affordable housing)
- C1 (Health and wellbeing)
- C2 (Community facilities)
- C3 (Cultural and leisure facilities)
- C5 (Safety and security)
- C6 (Access for all)
- A1 (Managing the impact of development)
- A2 (Open space)
- A4 (Noise and vibration)
- CC5 (Waste)
- T1 (Prioritising walking, cycling and public transport)
- T2 (Parking and car-free development)
- T3 Transport infrastructure)
- T4 (Sustainable movement of goods and materials)
- DM1 (Delivery and monitoring)

6.6 Relevant supplementary planning guidance is listed below:

Camden Planning Guidance (CPG):

CPG Access for all

CPG Amenity

CPG Community uses, leisure facilities and pubs

CPG Developer contributions

CPG Interim Housing
CPG Planning for health and wellbeing
CPG Transport
CPG Trees

6.7 Other documents:

Euston Area Plan

London Borough of Camden Housing Delivery Test - Action Plan August 2020

In accordance with the requirements of the Government's Housing Delivery Test, the Council has published a Housing Delivery Test Action Plan. This sets out a series of actions to ensure that Camden is able to meet its housing requirement in future years. The housing delivery plan has been produced as the data shows that housing completions in Camden in recent years have fallen below the borough's housing delivery target. Between 2017/18 and 2019/20, Camden had a target of 3,265 new homes and 2,568 were delivered. This equates to 79%. Under the 2019 rules if delivery falls below 95%, authorities must publish an action plan to explain how they intend to increase delivery in future years. The Council also need to have a 20% buffer on our five year land supply. This should be taken into account when the Council are making decisions on applications which if approved would enable the delivery of additional housing for the borough.

7 ASSESSMENT

The principal considerations material to the determination of this application are considered in the following sections of this report:

8	Scope of assessment and principal considerations
9	Land use
10	Neighbouring amenity
11	Transport and access
12	Section 106 Obligations
13	Community Infrastructure Levy (CIL)
14	Conclusion
15	Legal comments
16	Conditions
17	Informatives

8 Scope of assessment and principal considerations

- 8.1 This application relates to an approved use (residential – Class C3) within a substantially completed development under 2017/3518/P (as amended). The application site (i.e. the red line) is confined to the market residential housing (the 11 units and associated entrance, core and ancillary/communal area) and includes a change of use to allow for use as flexible temporary sleeping accommodation (Sui Generis) in association with the UCLH PBT Centre as well as permanent Class C3 residential. No physical changes are proposed. On this basis, officers consider that the principal considerations are related to the land use (including the loss of established residential units), neighbouring amenity (particularly the consented affordable housing units within the same building) and transport.

9 Land use

- 9.1 The proposal seeks a flexible use of temporary sleeping accommodation (Sui Generis)/residential units in lieu of the recently established/consented use as residential (C3) units. This includes 11 market residential units. The units would be used as accommodation for the cancer patients (and their parents/carers) being treated at UCLH's new advanced Proton Beam Therapy Centre in Camden. Whilst a flexible use is proposed so as to allow for the units to also be used as residential units in the future; officers consider that Policy H3 (Protecting existing homes) of the Local Plan applies. It is noted that whilst the market units have been substantially completed and are considered established, they have not been occupied (nor sold/rented).
- 9.2 Policy H3 seeks to protect self-contained flats. It resists development that would involve a net loss of residential floorspace and/or the net loss of two or more homes. Officers note that the proposals do not comply with this requirement; however, flexibility to retain the residential use would remain and the proposals would not prejudice this conversion taking place (i.e. the proposed temporary accommodation would involve no physical alterations to the units and a switch to permanent residential occupation would require minimal works. The proposal would permit a change of between these uses for a period of 10 years, at the end of which the flexibility would cease to existing and the lawful use from that date onwards would be the use in place at that time. The loss of residential units, which are a priority of the plan, needs to be balanced against the benefits of providing conveniently located accommodation for those being treated at the Proton Beam Therapy Centre (i.e. the development plan must be weighed up as a whole by balancing up conflicting policies). Whilst Camden's policies protect permanent housing and sites with approval for permanent housing, there are also policies aimed at supporting our institutions and health and well-being. There are a limited supply of suitable sites in the area, especially sites which are capable of being delivered to co-ordinate with the opening of the Proton Beam Therapy Centre.
- 9.3 Proton Beam Therapy (PBT) is an advanced form of radiotherapy used for the treatment of complex cancers in children and adults. It directs the radiation

treatment precisely where it is needed with minimal radiation dose to surrounding tissue. PBT treatment is therefore particularly suitable to treat complex childhood cancers, tumours in teenagers and young adults, and other hard to treat cancers in adults. The UCLH London Proton Beam Therapy Centre will treat patients from across the South of England, serving 750 patients a year. Given the distance that many patients will need to travel, and the need for daily out-patient attendance during the treatment period, UCLH are required to provide residential accommodation for patients who do not live within easy reach of the PBT Centre. It is estimated that at full ramp up, approximately 135 accommodation units will be required each day to house such patients whilst they come for 2-4 days of treatment planning, and for patients who are on treatment for 6-8 weeks.

- 9.4 The total requirement of 135 accommodation units separates into two groups:
- Accommodation requirement for 19 patients to be located within 10 minutes travel of the hospital; and
 - Accommodation requirement for 116 patients to be located within 45 minutes travel distance of the hospital by public transport. The 45-minute travel distance is a maximum, and ideally accommodation would be located between 20-30 minutes away for patients undergoing daily chemotherapy at UCLH.
- 9.5 The reason that an estimated 19 patients require accommodation within 10 minutes travel of the PBT Centre is because they will require additional treatment, such as chemotherapy at UCLH, or a daily general anaesthetic before the first appointment time at 8am. These will be predominantly Paediatric patients and TYA (teenage and young adult) patients. Given the length of consecutive treatment of 6-8 weeks, it is not considered acceptable to accommodate Paediatric and TYA patients in hotel rooms as it is with some other patient groups where UCLH use hotel accommodation including their patient hotel (The Cotton Rooms) and St Paul's House accommodation on Huntley Street. The requirement for the PBT Centre is instead to provide patients with a 'home from home' environment where they and their carers can live in a normal family environment, necessitating self-contained accommodation. This requirement is of particular importance for Paediatric and TYA patients and builds on patient engagement events and the experience gained by UCLH from existing PBT programmes where patients have been treated overseas. It is also a requirement to cluster patients in the same building to allow patients and carers to share experience and pass knowledge.
- 9.6 The application site (Stephenson House), is located circa 0.2 miles away from the PBT Centre. The proposal would provide 11 of the 19 units required within the locality (within 5 minutes' walk), where there is currently limited suitable accommodation. It would enable patients of the PBT and their carers to be located together within a discreet building, together with other patients (to assist transfer of knowledge and experience) and within an acceptable walking distance from the PBT Centre.

- 9.7 As part of this application, UCLH have undertaken a feasibility exercise to source and evaluate suitable and available accommodation options. They explored all available and suitable accommodation options within the UCLH estate; within the UCLH partners' estate; and serviced residential apartments capable of providing the required units via advanced booking arrangements. CBRE were appointed to assist with the feasibility/procurement exercise. A summary of the accommodation explored included:
- UCLH staff accommodation, which is still required for its current use;
 - UCLH tenancies with Camden Council, with the tenancy agreement restricting use for staff residential accommodation only;
 - UCLH Charity hold no suitable residential accommodation (officers note that Middlesex Hospital Annex was not considered as it is not yet completed);
 - UCLH partners' estate, which is already fully utilised and not suitable as it has shared facilities;
 - Extensive research of available local serviced apartments, of which there is a shortage in the locality. The ones available were considered unacceptable due to size, too few units, inadequate fixtures and fittings, too expensive; and
 - Discussions with major commercial landlords, including Lazari (which is how Stephenson House was selected).
- 9.8 Officers note that to facilitate the proposal UCLH would most likely need to convert existing (or recently approved) employment or residential space (if this were feasible). A conversion of either of these land uses would have planning policy implications. The proposal to convert a newly established yet unoccupied market residential development is challenging; however, any proposal of this nature on an alternative site would be as well.
- 9.9 The proposed UCLH accommodation would be provided to PBT patients free of charge because it is essential that they attend the hospital on a daily basis for treatment. Given this is only one of two national PBT facilities (the other being located in Manchester) the catchment for the facility, coupled with the daily required treatment and length of stay, means that few patients would live at an acceptable distance from the facility to be able to attend from home. As such, and given this project is of national importance, UCLH receive funding from NHS England to provide suitable accommodation for patients. The funding is revenue based, and there is no capital available to purchase and convert non-residential premises. Furthermore, there is insufficient time to acquire a suitable property, secure full planning permission and undertake the conversion works and building operations required to provide this accommodation. Overall, officers consider that given the shortage of available and suitable accommodation within the immediate locality of the PBT Centre, Stephenson House offers potentially the only suitable, viable and available option to provide the majority (11 units) of the local accommodation required for patients at the PBT Centre and their families.
- 9.10 The remaining required 8 local units would initially be met by existing serviced residential apartment which meet the required criteria as close as possible.

UCLH are continuing their search for available options to find a permanent solution.

- 9.11 Overall, officers recognise that the proposal represents some harm via the loss of 11 residential units that are suitable for permanent residential accommodation. The proposals however represent a unique opportunity identified to meet UCLH's urgent requirement for local patient and carer accommodation in order to support and enable the successful operation of UCLH's unique and life changing local PBT facility. It is considered that, on balance, the proposed harm is outweighed by the wider social, health and economic benefits. The proposals would support the expansion of UCLH's services and their new PBT facility to meet a specific need for this type of facility.
- 9.12 It is noted that this application does not relate to the 6 established residential units at Stephenson House which are to be used as affordable housing. These would remain and have been transferred to a Registered Provider (RP) – Origin. In terms of viability considerations, the conclusions of the Financial Viability Assessment which was submitted with the original application still stand, and the proposed use of the 11 permitted market units as flexible temporary sleeping accommodation (Sui Generis)/residential units would not provide any further scope for additional affordable housing. Officers consider that the UCLH unit values would not exceed private market residential values, meaning that there would not likely be any increase in revenue (i.e. a surplus) from this tenancy to provide scope for additional affordable housing.
- 9.13 As stated in paragraphs 3.65 (policy H2) and 3.124 (policy H4) of the Local Plan, the Council expects reappraisal of viability when a development is substantially completed. This is to capture an accurate estimate of the value of the development using current values and costs rather than forecasted ones. A subsequent viability review determines the extent of any top-up payments that can be secured towards the shortfall in provision against the Council's affordable housing target.
- 9.14 Given that the original scheme that this proposal relates to failed to meet the policy requirement in terms of the level of affordable housing, the planning permission was subject to a review mechanism provided within the S106 agreement. This obligation would be carried over and secured via legal agreement if planning permission were to be granted.

10 Neighbouring amenity

- 10.1 The proposal would allow for short-term visitors to stay in the units. They would typically have different behavioural patterns than permanent occupiers and thus would need to be managed effectively. Given the nature of the use and its purpose, it is not considered that a material level of harm to neighbouring occupiers would result subject to the temporary accommodation use being restricted to use by UCLH for its patients (by condition) and a management plan required by legal obligation.

- 10.2 The proposed use would have a shared staircase, cycle parking area and bin store at the ground floor with the affordable housing units. Both uses would continue to have separate entrance lobbies and lifts. The applicant has confirmed that transferring the permitted market flats to patient/carer accommodation for UCLH would not have any adverse impact on the service charges for the permitted affordable units, or on the Registered Providers management of the affordable housing. To protect the living conditions of the permanent occupiers within the building, a management plan would be secured by legal obligation.
- 10.3 A condition requiring details of any screening and privacy mitigation measures is recommended. These details are required prior to the occupation of the development to ensure overlooking does not occur between the residential units. These details remain outstanding on 2018/0663/P.

11 Transport and access

- 11.1 The change of use to allow the temporary accommodation does not raise any material planning considerations over and above the established residential use. This is subject to relevant planning conditions and obligations being secured to this permission.
- 11.2 The site is easily accessible by public transport with a public transport accessibility level (PTAL) rating of 6b (best). It is serviced by a number of buses (with major routes via Hampstead Road and Euston Road) and is within walking distance of a number of underground and rail stations including Regent's Park, Warren Street, Euston Square, Euston and Great Portland Street. Goodge Street, Russell Square and King's Cross & St Pancras International lie further afield. The site is located within the Somers Town (CA-G) Controlled Parking Zone (CPZ).

Car parking

- 11.3 Policy T2 of the Local Plan requires developments to be car free. The local area is highly stressed with 112 parking permits available for every 100 spaces within the CPZ. Therefore, the proposed development would need to be car free. No off-street car parking is proposed and the applicant is willing to restrict the ability of residents/visitors to apply for an on-street parking permit via legal obligation. Subject to a car-free development being secured as a S106 planning obligation, the proposal would be in accordance with policy T2.

Cycle parking

- 11.4 A separate dedicated cycle store for the units would be located at street level adjacent to the residential entrances on Hampstead Road. These would be secured by planning condition along with details of waste. It is noted that both cycle parking and waste details were secured under 2018/0663/P, and the details might need to be different depending on whether the use is permanent residential or temporary accommodation.

12 Section 106 Obligations

12.1 The 'Heads of Terms' embodied in the S106 legal agreement referred to above would include the following:

- **Car-free**
- **Management Plan** – for proposed temporary sleeping accommodation (Sui Generis) use to ensure the use does not harm the adjacent affordable housing tenants
- **Affordable housing viability review** - deferred payment in lieu of on-site affordable housing/housing shortfall capped at £956,385

13 Community Infrastructure Levy (CIL)

13.1 The proposal would not be liable for the Mayor of London's CIL nor Camden's CIL as there would be no increase in floorspace nor creation of residential units.

14 Conclusion

14.1 The proposed development proposes the change of use from established residential market housing into a flexible use to allow temporary sleeping accommodation (Sui Generis) or self-contained housing. Overall, it is considered that some harm would result from the loss of 11 self-contained residential units. On balance, this harm is outweighed via the public benefit associated with the proposed local patient and carer accommodation in order to support and enable the successful operation of UCLH's unique and life changing local facility the PBT Centre.

14.2 Planning Permission is recommended subject to a S106 Legal Agreement securing the clauses set out in paragraph 12.1 (above) and the planning conditions below (paragraph 15.1).

15 Legal comments

15.1 Members are referred to the note from the Legal Division at the start of the Agenda.

Condition(s) and Reason(s): **2020/5851/P**

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

Drawings: A-0500-PL; A-0502-PL; A-0503-PL; A-0504-PL; A-0505-PL; A-0506-PL; A-0507-PL; A-0508-PL; A-0509-PL; A-0512-PL; A-0513-PL; A-0514-PL; A-0515-PL; A-0516-PL; A-0517-PL; A-0518-PL and A-0519-PL.

Documents: UCLH Analysis Summary of Available Local Residential Serviced Accommodation; Letter from Director of Strategy of University of College London Hospital dated 14/01/2020 and Cover Letter (ref. LJW/CKE/SMAC/J10346.2) dated 16/12/2020.

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

- 3 Prior to the occupation of the development, full details of screening, balustrade treatment and other measures to reduce instances of overlooking and loss of privacy to neighbouring occupiers from the commercial and residential terraces and balconies within the development and details of the glazing (angles and opaque treatment) of the residential windows on the William Road elevation, shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the details thereby approved and permanently maintained thereafter.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policy A1 of the Camden Local Plan 2017.

- 4 The noise level in rooms at the development hereby approved shall meet the noise standard specified in BS8233:2014 for internal rooms and external amenity areas.

Reason: To safeguard the amenities of occupiers of the proposed use, adjoining premises and the area generally in accordance with the requirements of policies A1 and A4 of the Camden Local Plan 2017.

- 5 Prior to occupation of the hereby approved development, details of the location, design and method of waste storage and removal including recycled materials, for all uses on-site, shall be submitted to and approved by the local planning authority in writing. The facility as approved shall be provided prior to the first occupation of any of the new units and permanently retained thereafter.

Reason: To ensure that sufficient provision for the storage and collection of waste has been made in accordance with the requirements of policies A1 and CC5 of the Camden Local Plan 2017.

- 6 Prior to the occupation of the development, details of secure and covered cycle storage area for 33 cycles shall be submitted to and approved by the local planning authority. The approved facilities shall thereafter be provided in its entirety prior to the first occupation of any of the new units, and permanently retained thereafter.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy T1 of the London Borough of Camden Local Plan 2017.

- 7 The development hereby approved shall achieve a maximum internal water use of

105litres/person/day, allowing 5 litres/person/day for external water use. Prior to occupation, evidence demonstrating that this has been achieved shall be submitted and approved by the Local Planning Authority.

Reason: To ensure the development contributes to minimising the need for further water infrastructure in an area of water stress in accordance with policies CC1, CC2 and CC3 of the Camden Local Plan 2017.

- 8 All units hereby approved shall be designed and constructed in accordance with Building Regulations Part M4 (2) with at least 10% designed and constructed in accordance with Building Regulations Part M4 (3) adaptable.

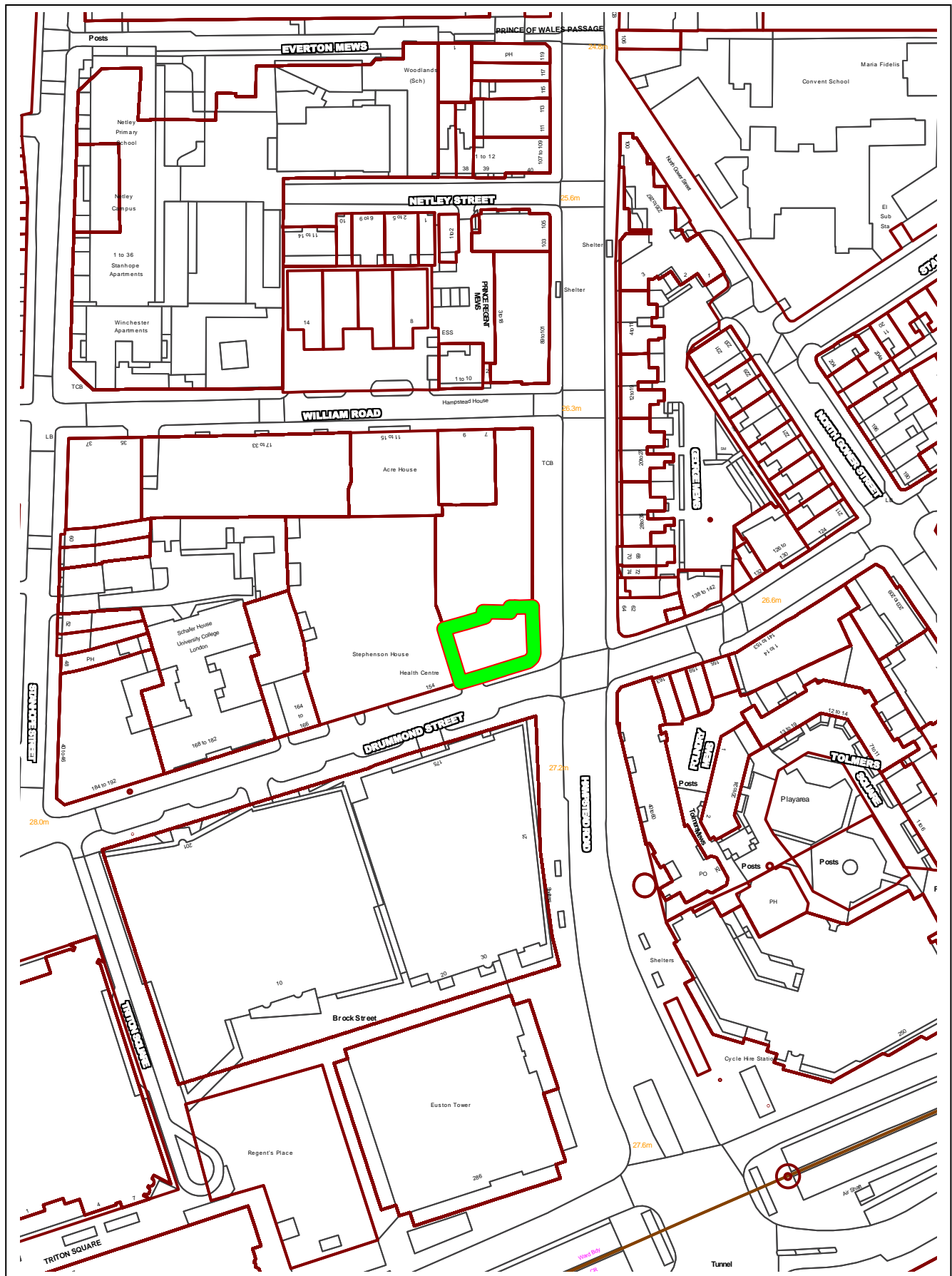
Reason: To ensure that the internal layout of the building provides flexibility for the accessibility of future occupiers and their changing needs over time, in accordance with the requirements of policy H6 of the Camden Local Plan 2017.

- 9 The proposed temporary sleeping accommodation (Sui Generis) is for the use as accommodation for the cancer patients (and their parents/carers) being treated at UCLH's Proton Beam Therapy Centre only.

Reason: To ensure that the public benefits associated with the intended use are retained and to prohibit use of the units as general short-term accommodation, which could also result in noise and disturbance for neighbouring occupiers, in accordance with the requirements of policies H3 and A1 of the Camden Local Plan 2017.

Informatives

A flexible planning permission allows occupiers to switch between specified planning uses without the need for multiple planning permissions. The right to switch lasts for ten years and the use in operation at the end of the ten-year period becomes the lawful use of the property from that date onwards.



Application No: 2020/5851/P

**Stephenson House
75 Hampstead Road
London, NW1 2PL**

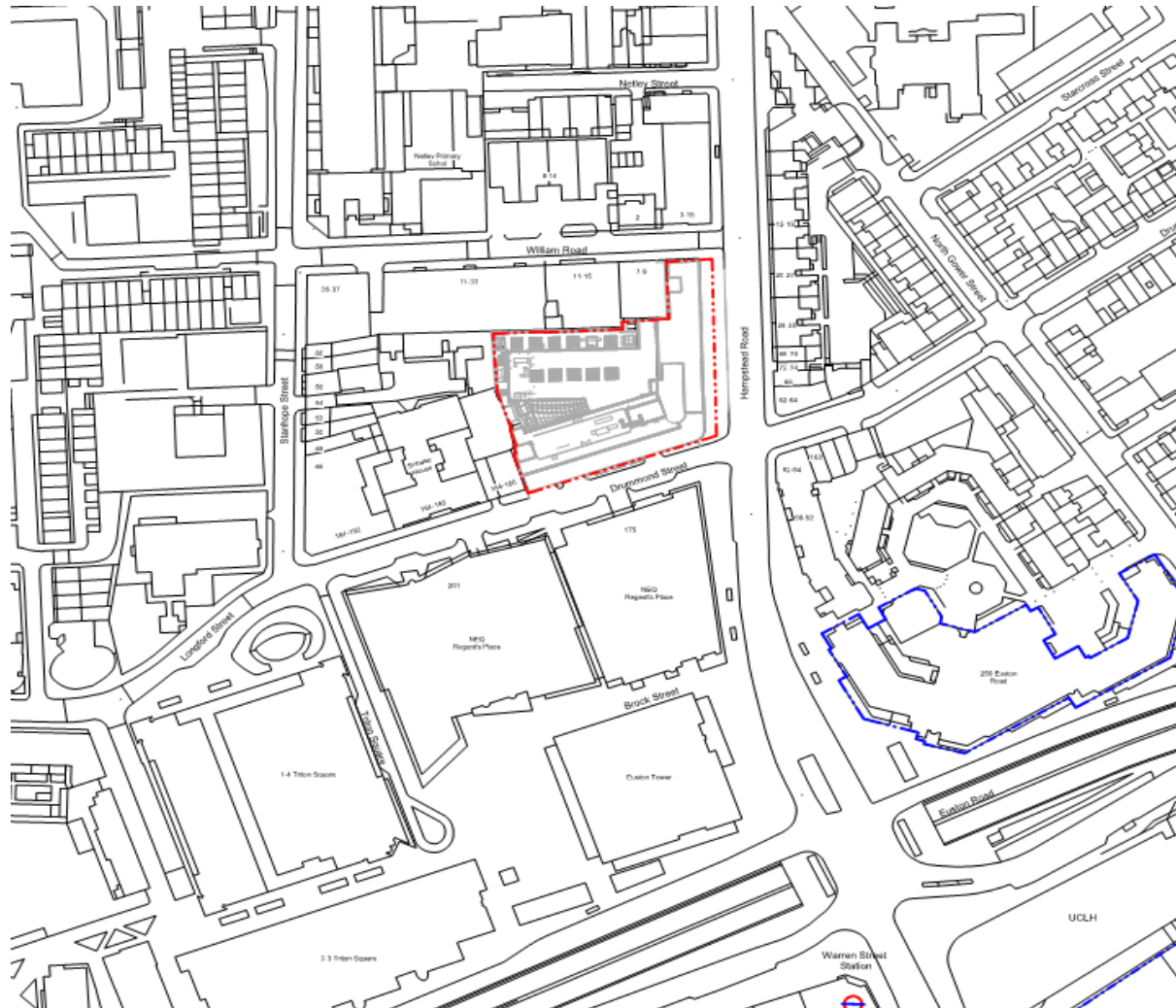
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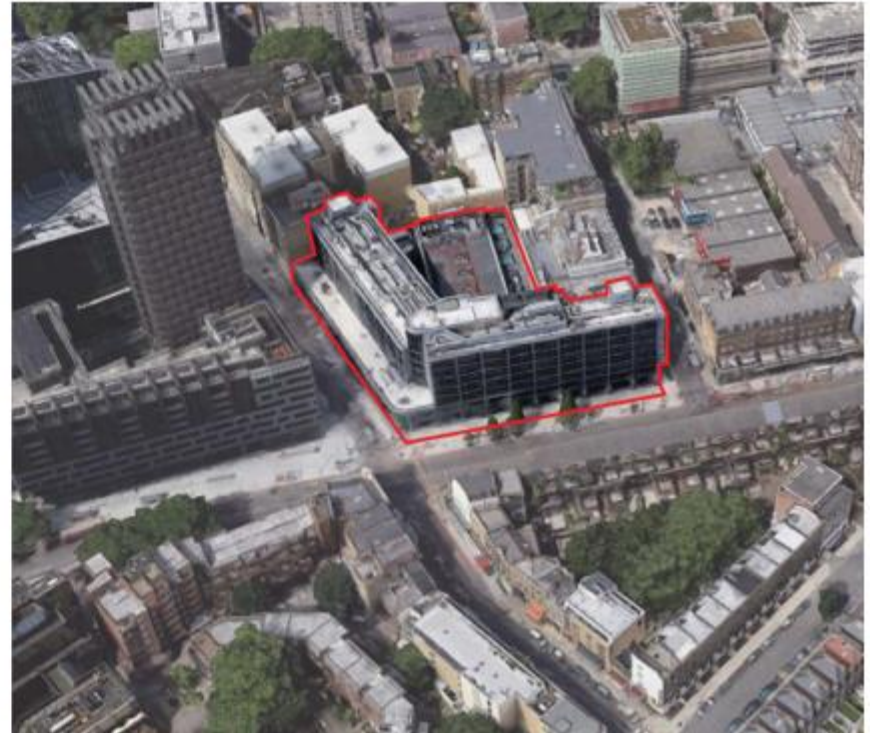
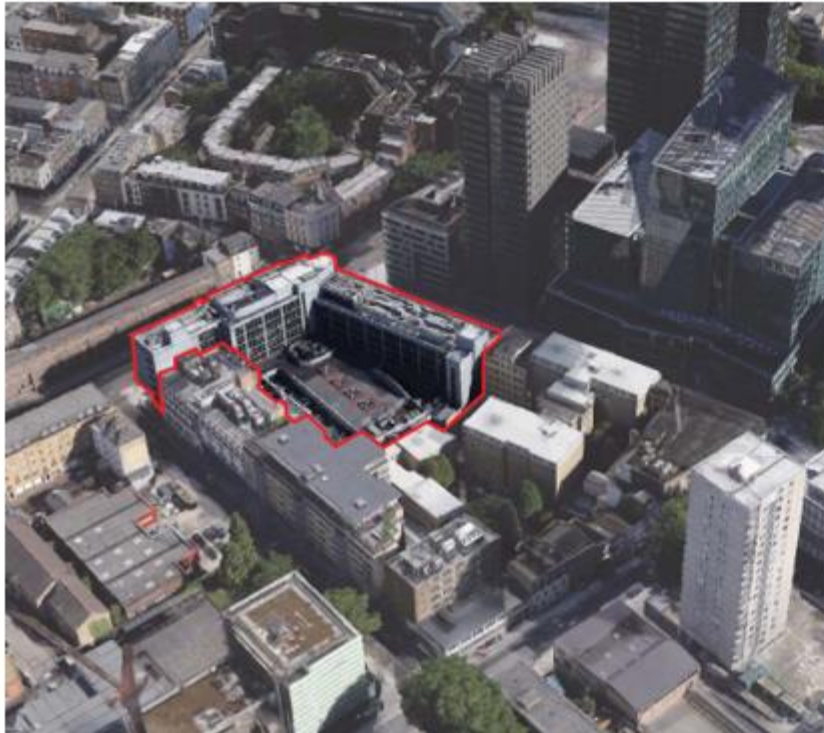


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Application site as per 2017/3518/P



Aerial views of Stephenson House, prior to implementation of 2017/3518/P



Coloured elevations of 2017/3518/P

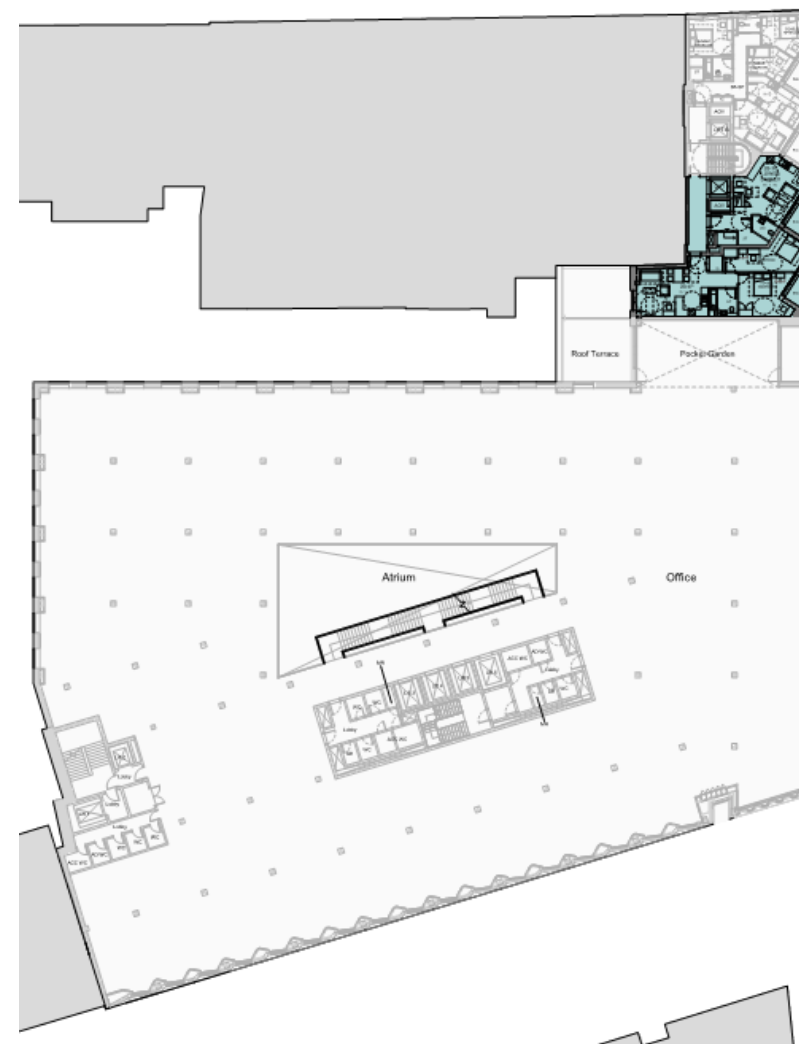


CGIs of 2017/3518/P

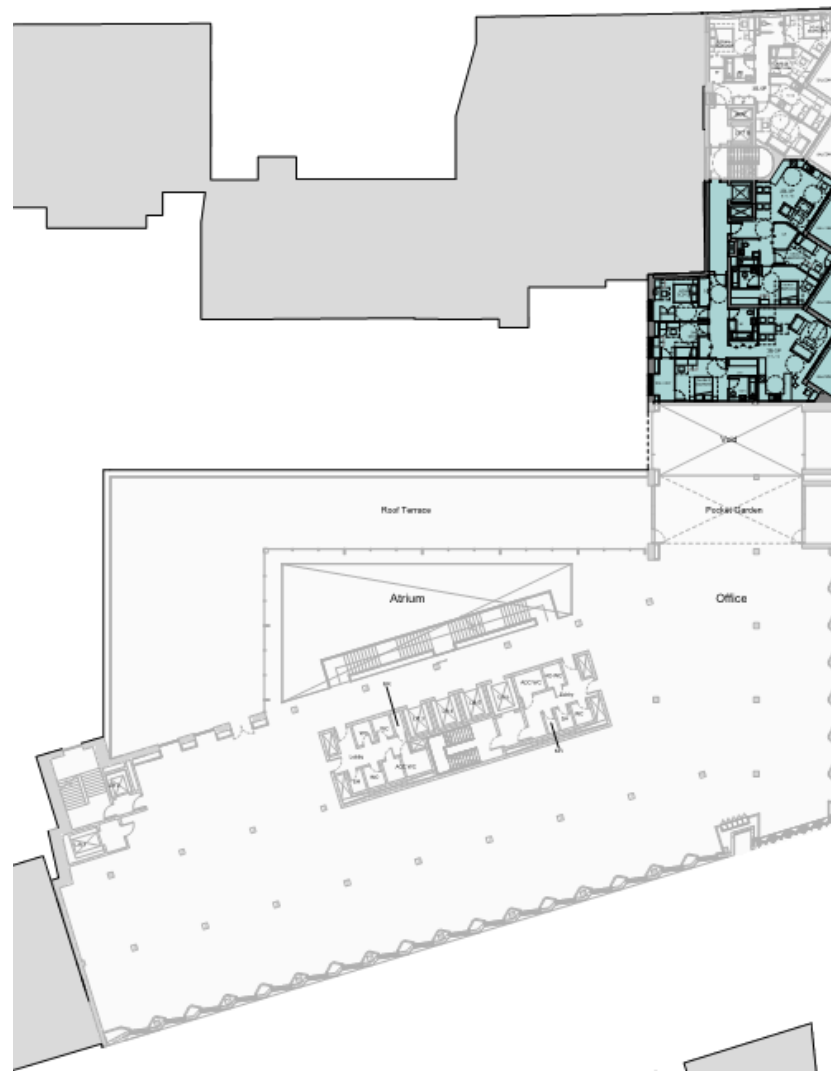
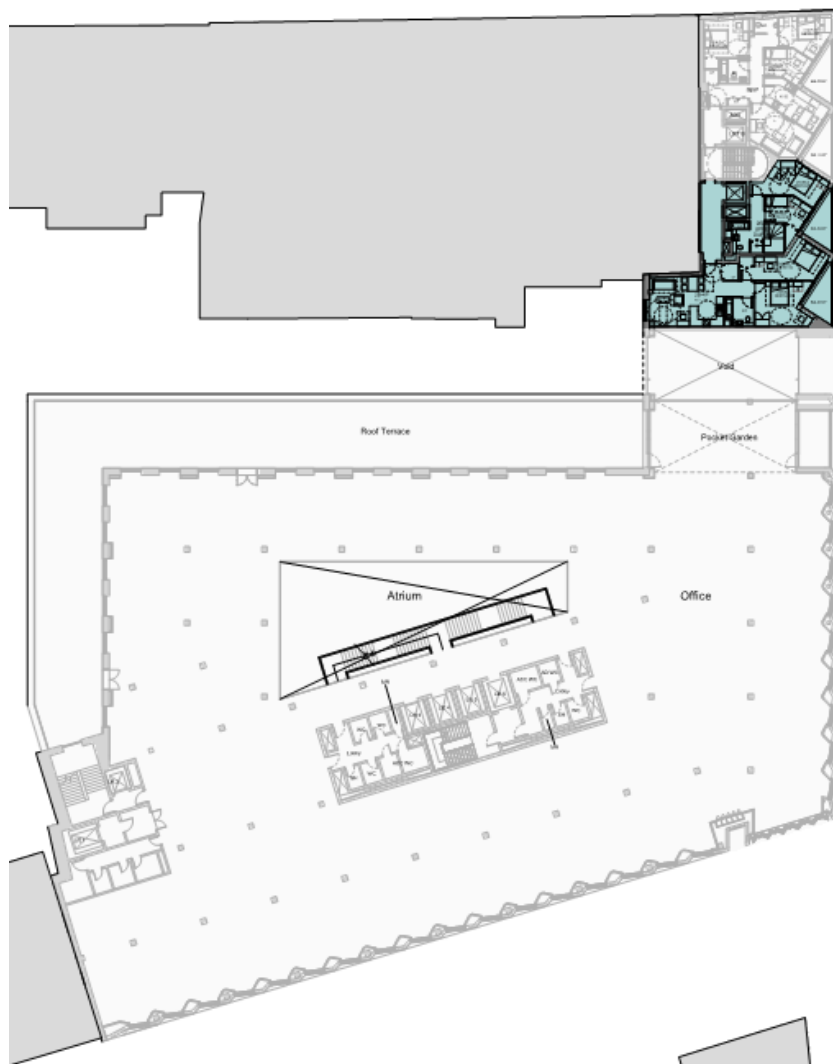


CGIs

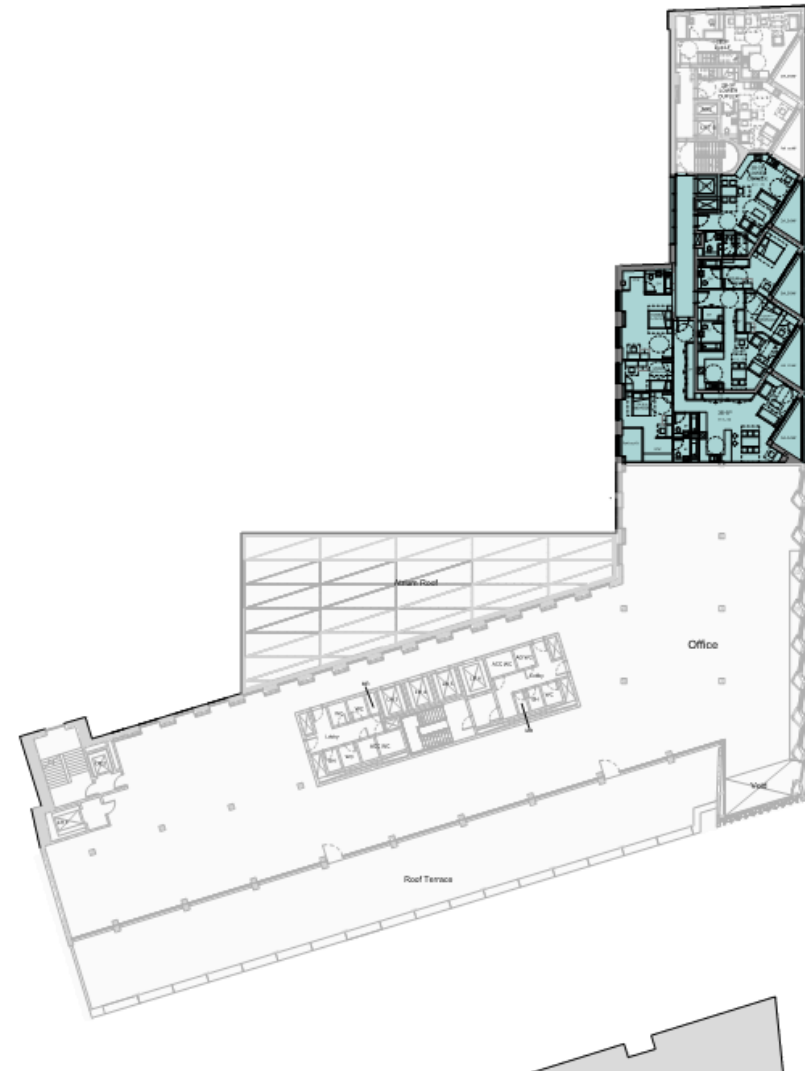
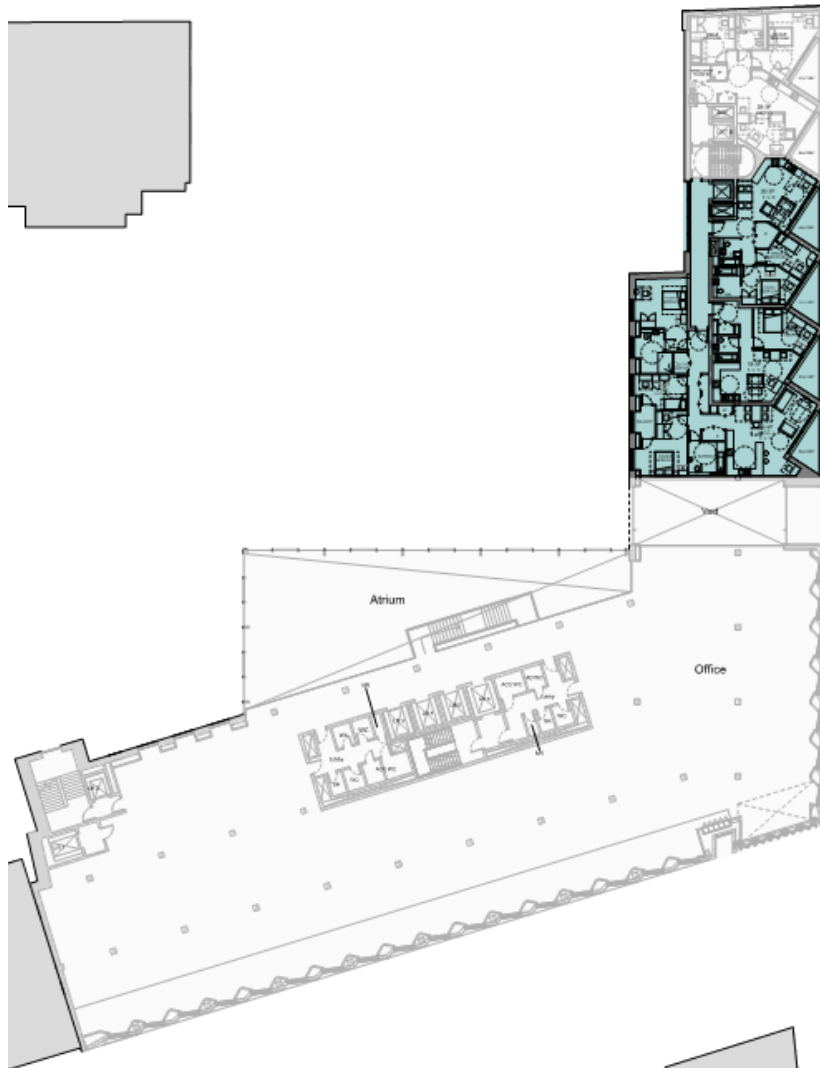
Proposed plans: ground (left) and second (right)



Proposed plans: third (left) and fourth (right)



Proposed plans: Fifth (left) and sixth (right)



Proposed plans: Seventh floor

