



GERALDEVE

**Town Planning Statement**  
105 – 121 Judd Street, WC1H 9NE

On behalf of 105 Judd Street Limited  
April 2022

LJW/U0016297

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# 1 Introduction

- 1.1 This Town Planning Statement ('Statement') has been prepared by Gerald Eve LLP on behalf of 105 Judd Street Limited (herein referred to as 'the Applicant'). It supports an application for full planning permission to refurbish and extend 105-121 Judd Street by retaining most of the existing building fabric and providing a two-storey extension to enable the delivery of workspace suitable for modern knowledge quarter users ('the Proposed Development').
- 1.2 Nos. 105-121 Judd Street ('the Site') is a basement, ground plus three storey building which has frontages on to Judd Street to the east, Hastings Street to the north and Thanet Street to the west. The Site was constructed as a purpose-built office in two phases, the first phase was an L-shape section on Thanet Street and Hastings Street which was constructed between 1900-1910, whilst the second phase completed the Judd Street elevation and was built between 1922-1939.
- 1.3 The occupant of the original building was the Salvation Army who continued to use it until 2000, when it was taken over by the Royal National Institute of Blind People ('RNIB'). The building is no longer suitable for the RNIB, and it is planning to move to a building nearby on Pentonville Road as part of its modernisation programme. The new premises will be of a more suitable size, more modern and fully accessible to meet the needs of the RNIB's customers and staff.
- 1.4 The long lease of the building has been acquired by Native Land and Ashby Capital. Its vision is to undertake a sensitive refurbishment and extension to deliver lab enabled commercial accommodation which is suitable for knowledge quarter users. Following the appointment of a design team, led by Stiff + Trevillion Architects, pre-application consultation with both officers and the local community began in summer 2021 and has continued up until the submission of the application. Two sessions have also been held with the Camden Design Review Panel.
- 1.5 The proposed scheme has benefited and evolved because of this consultation and full planning permission is now sought for the following:

**"Partial demolition and erection of extension at part third floor, fourth floor, fifth floor and rooftop plant in connection with the ongoing use of the building for commercial, business**

**and service uses (Class E); associated external alterations to the elevations, improvements to the public realm and replacement of the existing ramp; roof terraces at levels three, four and five; provision of cycle parking, waste/recycling storage and other services; associated external alterations.”**

- 1.6 This Town Planning Statement assesses the Proposed Development in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and the statutory duties found in Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 1.7 The Proposed Development will provide a wide range of public benefits which follows the Government’s ambition to reinforce the UK and London as a global centre for research and technological advancement. The scheme would also meet the London Borough of Camden’s (‘LBC’) ambitions for a successful Knowledge Quarter, whilst delivering high quality, environmentally sustainable Class E floorspace in the Central Activities Zone.
- 1.8 The public benefits arising from the scheme are explained throughout this Statement and summarised as follows:
  - The provision of high-quality, lab-enabled office floorspace to support knowledge quarter uses and job creation in both the CAZ and Knowledge Quarter and meet an identified local and London-wide need for such floorspace;
  - The delivery of a scheme providing a high-quality building and public realm design which will have a positive impact upon the character and appearance of the Bloomsbury Conservation Area and other nearby heritage assets;
  - The activation of the ground floor which would contribute to the vitality and vibrancy of this part of Judd Street as well as providing natural surveillance;
  - The provision of a publicly accessible café which is welcoming to all;
  - Promoting sustainable modes of travel with a focus on cycling and high-quality end of trip facilities;
  - Facilitating improvements to the sustainability performance of the existing building, delivering a commercial development that will achieve BREEAM ‘Excellent’ and contributing to reducing carbon emissions whilst adaptively reusing and extending the existing building;

- The provision of affordable workspace, Community Infrastructure Levy contributions and financial contributions to be secured through a Section 106 agreement;
- A dedicated waste room within the building to ensure that bins are no longer left out on Thanet Street; and
- Significant improvements in terms of urban greening and reduction of water runoff.

### Application Documentation

1.9 This Statement, which includes draft Section 106 Heads of Terms, should be read alongside the following supporting documentation:

- Planning Application Form, prepared by Gerald Eve LLP;
- CIL Form, prepared by Gerald Eve LLP;
- Site Location Plan, prepared by Stiff + Trevillion;
- Existing, Demolition and Proposed Plans, Sections and Elevations, prepared by Stiff + Trevillion;
- Design and Access Statement, prepared by Stiff + Trevillion;
- Townscape, Heritage and Visual Impact Assessment, prepared by KM Heritage;
- Energy Statement, prepared by NDY;
- Sustainability Statement, prepared by NDY;
- Whole Life Carbon Assessment, prepared by NDY;
- Circular Economy Statement, prepared by NDY;
- Air Quality Assessment, prepared by NDY;
- Fire Statement, prepared by NDY;
- Noise and Vibration Impact Assessment, prepared by NDY;
- Preliminary Ecology Report, prepared by Greengage;
- Biodiversity Impact Assessment, prepared by Greengage;
- Urban Greening Factor Assessment, prepared by Greengage;
- Employment and Training Strategy, prepared by 105 Judd Street Ltd;
- Daylight and Sunlight Assessment, prepared by GIA;
- Statement of Community Involvement, prepared by London Communications Agency;

- Structural Report, prepared by HTS;
- Flood Risk Assessment and Drainage Statement, prepared by HTS;
- Phase 1 Contamination Assessment, prepared by HTS;
- Operational Waste Management Strategy, prepared by Velocity; and
- Transport Statement (including Delivery and Servicing Plan, Travel Plan and Pro-forma CLP), prepared by Velocity.

## 2 Site and Surrounding Context

- 2.1 This section of the Statement describes the Site, its location, character and land uses in the context of the surrounding area. The full extent of the Site is shown within the red line boundary of the Site Plans, submitted with this application.
- 2.2 The Site is situated within the London Borough of Camden, measures 0.21 hectares and comprises the building 105–121 Judd Street and the surrounding public realm on Judd Street, Hastings Street and Thanet Street.
- 2.3 Nos. 105–121 Judd Street is a four-storey office building plus basement, which was used by the Salvation Army between 1911-2000 and is now partially occupied by the Royal National Institute of Blind People ('RNIB'). The building is no longer considered to be suitable for modern charity or office use and, as such, RNIB will shortly be moving to an alternative premises nearby on Pentonville Road.
- 2.4 The Site is in an area which was originally part of the Skinners' Company (Tonbridge) Estate, land owned by Sir Andrew Judd who, in the 17th century, vested it in the Skinners' Company as Trustees for the benefit of Tonbridge School in Kent.
- 2.5 The building was constructed in two phases. The first was the L-shape section on the north and west of the Site between 1900-1910 and the second, onto Judd Street, between 1922-1939. The two phases have a very similar design though there is a different stone treatment at the ground floor of the Judd Street frontage. Built in red brick, it is a decorative building featuring sandstone banding, large ornately framed windows at ground floor level and a turret on its north-eastern corner.
- 2.6 The Site is in the Central Activities Zone ('CAZ'); the globally iconic core of London described in the London Plan as 'one of the world's most attractive and competitive business locations'. Additionally, the Site is located within Camden's Central London Area described in policy terms at a local level as a major business and employment centre and the main focus of Camden's economy.
- 2.7 The Site is also within the Knowledge Quarter Innovation District which is home to a world-class cluster of scientific and knowledge-based institutions and companies that specialise in

areas such as life-sciences, data and technology and creative industries. In recent years, such institutions have started to cluster around the area surrounding King's Cross station owing to excellent transport links, existing institutions such as the Francis Crick and a highly skilled workforce. Demand is high for knowledge quarter uses but there is a lack of supply of suitable space.

- 2.8 The Site is situated within the Bloomsbury Conservation Area. The Bloomsbury Conservation Area Appraisal and Management Strategy ('BCAAMS') describes the Site as follows:

**"Nos 105-121 Judd Street are the offices of the Royal National Institute of Blind People (RNIB), a red brick Edwardian building featuring sandstone decoration and a turret at the junction with Hastings Street. This three-storey building is of a larger, commercial scale, occupying the depth of the Judd Street and Thanet Street block, and therefore has a strong relationship with former Telephone Exchange to its north."**

- 2.9 The townscape appraisals map which forms part of the BCAAMS identifies the Site as being a 'Bloomsbury Positive Building'.
- 2.10 The Site is not included in the statutory list of buildings of special architectural or historic interest. There are a number of heritage assets in close proximity to the Site, including Grade II listed buildings at 87-103 Judd Street, 8-17 Thanet Street, 2-9 Sandwich Street; and Camden Town Hall.
- 2.11 The Site is in a highly accessible location for travel by sustainable transport modes. It has a Public Transport Accessibility Level ('PTAL') of 6B, the highest attainable level. The Site is located within walking distance of Euston (c. 700m) and King's Cross St Pancras (c. 500m) Underground Stations which provide access to the Circle, Metropolitan, Piccadilly, Victoria, Northern and Hammersmith and City lines. Additionally, cross-country railway services are available from London Euston and King's Cross Railway Stations, and international travel is accessible from St Pancras International.
- 2.12 The area surrounding the Site is genuinely mixed-use. In addition to commercial premises, there are residential buildings close by including Thanet House to the west, townhouses on the terrace to the south (97-103 Judd Street and 14-17 Thanet Street) and to the east at Queen Alexandra Mansions and Jessel House.



2.13 The Site is subject to the following planning policy designations:

- Central Activities Zone (CAZ);
- LVMF Wider Setting Consultation Area of 6A.1 London Panorama: Blackheath Point (the Proposed Development is below the 53.54 AOD threshold height);
- Central London Area;
- Bloomsbury Conservation Area; and
- Knowledge Quarter Innovation District.

### 3 Planning History

- 3.1 This section of the Statement provides an overview of the recent planning history associated with the Site.
- 3.2 An examination of LBC's online Planning Register has been carried out to identify planning permissions which are of relevance to the history of the Site. Relevant planning history is detailed below, in reverse chronological order.
- 3.3 On 11 October 2021, planning permission (ref. 2021/3922/P) was granted for a temporary change of use of the second and third floors from offices (Class E) to education (Class F1) up until 31 January 2023. This application was submitted on behalf of University College London ('UCL') so that it could use these floors for a temporary period in advance of the proposed development of the Site. UCL has recently taken up occupation of these parts of the building to assist in providing teaching space for the Slade School of Fine Art due to the current temporary increase in student numbers and whilst works are undertaken to its existing building. The permission is clear that this permitted use is only temporary, with condition 3 appended to this permission worded as follows:
- "The use hereby permitted is for a temporary period only and shall cease on or before 31st January 2023, at which time the premises shall revert to their former lawful use which is offices (Class E)."**
- 3.4 Due to the long-term use of the building and as the education use is only temporary for a short period, the Class F1 use is not something which is considered further within this Statement.
- 3.5 In September 2018, advertisement consent (ref. 2018/3844/A) was granted to the RNIB for externally illuminated signage and in August 2018, planning permission (ref. 2017/4285/P) was granted for a replacement roller shutter and new entrance door.
- 3.6 On 18 August 2011, planning permission (ref. 2011/3277/P) was granted for an extension to the roof of the plant enclosure at roof level. This application set out that the lawful use of the building was as Class B1 offices. Other rooftop equipment, including a lift motor room and water tank housing, was permitted in June 1986 (refs. 8601047 & 8601048).

## 4 Consultation

- 4.1 This section of the Statement summarises the pre-application and consultation process and how the Proposed Development has responded to comments received. It should be read alongside the Statement of Community Involvement ('SCI') submitted with the application, prepared by LCA.
- 4.2 The Localism Act 2011 emphasises the need to involve and engage with the local community during the planning process.
- 4.3 Paragraph 39 of the National Planning Policy Framework (2021) emphasises that early engagement and good quality pre-application discussion enables better coordination between public and private resources and provides improved outcomes for the community.
- 4.4 Part A of Policy GG1 of the London Plan (2021) encourages early and inclusive engagement with stakeholders and local communities on the development of proposals.
- 4.5 At a local level, LBC adopted a Statement of Community Involvement ('SCI') in 2006 and this was last revised in 2011. The SCI sets out how LBC will involve local people, local businesses and other key organisations and stakeholders when they prepare planning policies and consider planning applications.
- 4.6 The SCI which forms part of this application demonstrates that a thorough and constructive consultation process has been undertaken in the preparation of the proposals which has culminated in the scheme submitted for planning. Feedback from the various consultees has been reviewed by the project team and fed into the design evolution of the Proposed Development ahead of the submission.

### Pre-application engagement with LBC

- 4.7 The Proposed Development has been subject to extensive discussions over an extended period with LBC Officers. Pre-application meetings have been held with Officers in respect of a range of matters including design, land use, public realm and servicing.

- 4.8 Pre-application meetings to discuss the Proposed Development took place on 29 July 2021, 30 September 2021, 29 November 2021, 24 January 2022 and 10 March 2022.
- 4.9 The design of the proposed extension has progressed significantly following Officer comments. The scheme has also responded to Officer comments by incorporating public realm improvements, particularly on Judd Street and Thanet Street.

#### Design Review Panel

- 4.10 The design team presented at two Design Review Panels on 8 October 2021 and 11 February 2022.
- 4.11 Feedback from the initial Design Review Panel confirmed that the principle of scale of a two storey plus plant extension was considered to be acceptable. Notwithstanding this, the panel requested that the southwest corner of the proposal be lowered, the northwest corner be reviewed, that the massing at the west side was too prominent and the proposed loggia was deemed unnecessary.
- 4.12 These comments were taken on-board by the design team and a revised proposal was presented to the panel on 11 February 2022. Written feedback dated 15 February 2022 set out that the panel agreed that the redesigned roofline with the distinctively shaped dormer windows, together with the screening detail and reduced bulk of the plant enclosure is a success.

#### Public Consultation

- 4.13 The proposal has been subject to comprehensive public engagement managed by LCA. The SCI which accompanies the application fully details the consultation exercise and a summary is provided below.
- 4.14 On 1 October 2021, a letter outlining the proposal including an invitation to a meeting with the project team was sent to key stakeholders including ward councillors and local community groups.
- 4.15 Meetings have taken place to discuss the proposals for the Site with:

- Bloomsbury Residents Action Group on 4 October 2021;
  - Bloomsbury Conservation Area Advisory Committee on 15 December 2021;
  - Councillor Jonathan Simpson on 15 December 2021;
  - Camden Branch of the London Cycling Campaign on 16 December 2021;
  - Knowledge Quarter on 17 January 2022;
  - Queen Alexandra Mansions on 17 January 2022;
  - Sandwich House and Thanet Street Residents' Association on 20 January 2022;
  - King's Cross Brunswick Neighbourhood Association on 26 January 2022; and
  - Residents of Thanet Street on 23 February 2022.
- 4.16 The wider consultation was launched on 13 January 2022, when letters were sent to various stakeholders, an advert was published in the Camden New Journal, and community flyers were distributed to 2,372 addresses in the local area. Further, an extensive social media campaign was launched on 18 January 2022 and ran until 10 February 2022.
- 4.17 An online webinar event took place on 20 January 2022 from 5:30pm to 6:30pm. The webinar was advertised via the community flyer, stakeholder letters, press advert and social media campaign to local residents and stakeholders and was attended by a total of 22 people.
- 4.18 While face-to-face consultation events were not held due to the COVID-19 restrictions, there were several opportunities for people to get in touch digitally and several meetings were held with stakeholders, both online and at the Site.
- 4.19 Feedback from the public consultation included support for the proposed landscaping and enhancements to the public realm, activation of the ground floor and the reinstatement of the original entrance point at the north-east corner of the Site. Queries and concerns were provided in relation to the potential users of the building, the height of the proposed extension, noise from plant equipment and outdoor terraces, impact on daylight / sunlight levels and disturbance caused by construction activities. We have sought to address these comments as part of this submission.

- 4.20 The Applicant intends to continue to communicate regularly and openly with all stakeholders throughout the planning process and, should planning permission be granted, subsequently during the construction and operational phases. At the webinar it was agreed, should planning permission be granted, that a Community Working Group would be set up by the Applicant during the construction stage.

## 5 Proposed Development

5.1 The key details of the Proposed Development are summarised in this section of the Statement. This section should be read in conjunction with the Design and Access Statement and application drawings prepared by Stiff + Trevillion, and the suite of technical documents submitted with the application.

5.2 Full planning permission is sought for:

**“Partial demolition and erection of extension at part third floor, fourth floor, fifth floor and rooftop plant in connection with the ongoing use of the building for commercial, business and service uses (Class E); associated external alterations to the elevations, improvements to the public realm and replacement of the existing ramp; roof terraces at levels three, four and five; provision of cycle parking, waste/recycling storage and other services; associated external alterations”**

5.3 The proposed development encompasses several elements of work which are summarised as follows:

- Partial demolition and erection of set-back extensions at third floor, fourth floor, fifth floor and rooftop plant in connection with the ongoing use of the building for commercial, business and service uses (Class E);
- Associated external alterations to the elevations, including replacement windows and brick repairs,
- Replacement of the existing ramp on Judd Street and public realm improvement on Judd Street and Thanet Street;
- Roof terraces at levels three, four and five for use by building tenants between 8am to 8pm Mondays to Fridays;
- Provision of cycle parking / end of trip facilities within the basement;
- Waste and recycling storage with the building;
- A green roof at the top of the building.

## Land Use

- 5.4 The predominant land use will remain within Office use (Class E), albeit the floorspace will be re-purposed to allow for lab-enabled knowledge quarter uses. To complement the lab-enabled office floorspace and provide street-level activation, a publicly accessible café is proposed at ground floor. The total uplift of the proposed development is 1,872sqm GIA. The existing and proposed land uses are detailed in Table 1, below.

Land Use	Existing GIA	Proposed GIA	Change GIA
<b>Office (Class E)</b>	7,026 sqm	8,744sqm	+1,718 sqm
<b>Café (Class E)</b>	0 sqm	154 sqm	+154 sqm
<b>Total</b>	7,026 sqm	8,898 sqm	+1,872sqm

*n.b above excludes temporary Class F1 use granted under Ref.2021/3922/P owing to the temporary nature of the permission*

**Table 1 Land Use Summary**

## Design and Massing

- 5.5 The design approach from the start of the project has been to retain and re-use much of the original fabric of the building. The proposal would see the existing building physically adapted to accommodate its re-use as a lab-enabled development through restoration, adaption and sensitive extension.
- 5.6 The two-storey extension with a plant enclosure above, consists of a modelled form which is set back on all sides of the host building. The materiality of the proposed extension comprises visually lightweight material with a metallic finish. External terraces are proposed at third, fourth and fifth floor as amenity spaces and soft landscape planting is proposed to the terrace areas.

## Public Realm Enhancements and Landscaping

- 5.7 The Proposed Development seeks to deliver a package of public realm enhancements alongside activating the ground floor frontages at all three sides of the building. A



replacement ramp and planting would be provided on Judd Street and more greening and replacement bike racks would be provided on Thanet Street.

#### Energy and Sustainability

- 5.8 Sustainability is a key aspect of the Proposed Development, not only in terms of BREEAM and life-time carbon reduction but in its operational phase in terms of health and wellbeing. The Proposed Development is highly sustainable. The energy strategy for the building proposes an all-electric solution, without gas or other fossil fuels supplied to the Site to minimise greenhouse gas emission. Low-zero carbon technologies are proposed in the form of Air Source Heat Pumps. The submitted Energy Statement sets out that the Proposed Development overall is set to achieve a 54% reduction in CO2 emissions over Part L 2013 Building Regulations as a result of these measures.

#### Access and Parking

- 5.9 The building's principal entrance is located off Judd Street where a replacement ramp would re-provide inclusive access to the ground floor. A secondary entrance from Thanet Street provides access to the south-west main service core including the goods lift. The entrance from Thanet Street also provides access to end of trip facilities. The original access point at the corner of Judd Street and Thanet Street would be re-instated.
- 5.10 The Proposed Development would be car free. It seeks to provide 153 long stay cycle spaces and 8 short stay spaces.

## 6 Planning Policy Context

- 6.1 This section of the Statement outlines the relevant national, regional and local planning policy and guidance documents against which the Proposed Development should be assessed against.
- 6.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the Statutory Development Plan unless material considerations indicate otherwise.
- 6.3 The adopted Statutory Development Plan for the purposes of this application comprises:
- The London Plan (2021);
  - The Camden Local Plan (2017); and
  - The Camden Site Allocations Plan (2013)
- 6.4 In addition, decisions must accord with relevant legislation. Section 66 of the 1990 Planning (Listed Buildings and Conservation Areas) Act 1990 provides that decision makers are required to have “special regard” to the desirability of preserving listed buildings and their settings.
- 6.5 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 sets out that local planning authorities should pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas when considering applications.

### National Guidance - National Planning Policy Framework (2021)

- 6.6 The National Planning Policy Framework (‘NPPF’) sets out the Government’s economic, environment and social planning policies for England and supersedes the vast majority of Planning Policy Guidance Notes (PPGs) and Planning Policy Statements (PPSs). It summarises in a single document all previous national planning policy advice. Taken together, these policies articulate the Government’s vision of sustainable development, which should be interpreted and applied locally to meet local aspirations.

National Guidance – Planning Practice Guidance (as updated to 2022)

- 6.7 In March 2014, the Government launched the web-based Planning Practice Guidance ('PPG'). This aims to provide guidance which is useable in an up-to-date and accessible manner.
- 6.8 The PPG outlines how government planning practice should be followed and interpreted in accordance with the principles of the NPPF. Regarding decision making, the guidelines set out in the PPG are a material consideration and accordingly should carry weight in the determination of planning applications.

Regional Planning Policy – The London Plan (2021)

- 6.9 The London Plan 2021 is the Spatial Development Strategy for Greater London. It sets out a framework for how London will develop over the next 20-25 years and the Mayor's vision for Good Growth. The London Plan forms the London-wide policy context within which the Boroughs set their local planning agendas, and forms part of the Statutory Development Plan.
- 6.10 The detailed objectives of the London Plan seek to ensure that London can meet the challenges of economic and population growth; be internationally competitive and successful, deliver diverse, strong, secure and accessible neighbourhoods; be world-leading in improving the environment; and be easy, safe and convenient for everyone to access, jobs, opportunities and facilities. The London Plan designates this Site as being within the CAZ.

Local Planning Policy – The Camden Local Plan (2017)

- 6.11 At the local level, LBC's Local Plan was adopted on 3 July 2017, replacing the Core Strategy and Development Policies documents. This, coupled with LBC's Site Allocations Plan (2013), forms the local tier of the Development Plan and is therefore central to planning decisions and the control of future developments in the Borough.

Emerging Local Planning Policy Context

- 6.12 LBC is in the process of preparing a new Site Allocations document. An initial formal consultation on the 'Site Allocations Local Plan' was carried out between 13 February and 27 March 2020. For a variety of reasons including the impacts of the Covid-19 pandemic, an

additional round of consultation took place in the early part of 2022 which focused upon policies for growth areas and sites; and climate action in Camden.

- 6.13 The draft plan identifies several key development sites and areas across the Borough, including the Knowledge Quarter (draft Policy KQ1), which this Site sits within.
- 6.14 A Publication Draft of the Site Allocations Local Plan is programmed to be published for consultation in 2022. Once updated and adopted this Development Plan Document will supersede the 2013 Site Allocations Plan.

#### Other Material Considerations

- 6.15 Supplementary Planning Guidance and Documents which are a material consideration in the determination of this application include the following:

- Mayor of London's 'Be Seen' Energy Monitoring Guidance (2021);
- Mayor of London's draft Energy Planning Guidance (updated 2020);
- Mayor of London's Accessible London SPG (2014);
- Mayor of London's Character and Context SPG (2014);
- Bloomsbury Conservation Area Appraisal and Management Strategy (2011);
- Camden Planning Guidance – Design (2021);
- Camden Planning Guidance – Access for All (2019);
- Camden Planning Guidance – Employment Sites & Business Premises (2021);
- Camden Planning Guidance – Energy Efficiency and Adaptation (2021);
- Camden Planning Guidance – Town Centres and Retail (2021);
- Camden Planning Guidance – Amenity (2021);
- Camden Planning Guidance – Public Open Space (2021);
- Camden Planning Guidance – Air Quality (2021);
- Camden Planning Guidance – Transport (2021);
- Camden Planning Guidance – Trees (2019);
- Camden Planning Guidance – Developer Contributions (2019); and
- Camden Planning Guidance – Water and Flooding (2019).

- 6.16 In addition to the guidance set out above, several draft guidance documents to support the London Plan (2021) have been reviewed and taken into consideration:

- Air Quality Neutral;
- Fire Safety;

- Sustainable Transport, Walking and Cycling; and
- Urban Greening Factor.

#### Key Planning Considerations

6.17 The key planning considerations affecting the Proposed Development are considered to include the following:

1. Land Use;
2. Design;
3. Townscape and Heritage;
4. Energy and Sustainability;
5. Transport and Servicing;
6. Amenity, including daylight / sunlight, noise and air quality.
7. Ecology and Biodiversity;
8. Other Technical Considerations, including fire safety and flood risk.

6.18 In the following section of the Planning Statement, we address each of the key planning considerations noted above having regard to the Development Plan as a whole, and any wider material considerations.

## 7 Land Use

- 7.1 This section of the Statement assesses the proposed land uses and their acceptability, in principle, in planning policy terms.
- 7.2 As set out in the planning history section of this Statement, we note that a temporary planning permission (ref.2021/3922/P) was granted for a change of use of the second and third floors from offices (Class E) to education (Class F1) up until 31 January 2023. As this is a temporary permission and Condition 3 of the permission is clear that the floorspace will revert back to its lawful use as Offices (Class E) on 31 January 2023, the loss of F1 floorspace has not been assessed.

### Commercial Office and Lab-Enabled Use (Class E) – Policy Context

- 7.3 The NPPF sets out the Government’s commitment to securing economic growth and advises that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Paragraph 81 specifies that significant weight should be placed on supporting economic growth and productivity, taking into account both local business needs and wider opportunities for development.
- 7.4 Policy SD5 of the London Plan states that offices and other CAZ strategic functions are to be given greater weight relative to new residential development at this location in the CAZ.
- 7.5 Paragraph 2.4.4 of the plan sets out that the strategic function of the CAZ includes uses connected with science, technology, media, communications and cultural sectors of regional, national and international importance.
- 7.6 At the local level, LBC Local Plan Policy E1 explains that the Council will secure a successful and inclusive economy by creating the conditions for economic growth and harnessing the benefits for local residents and businesses. To do so the policy says the Council will, among other things, support and promote the development of the Knowledge Quarter and direct office development to the Central London Area.
- 7.7 Policy E2 of the Local Plan sets the policy context for the provision of new employment premises in the Borough. More specifically the wording of the policy states that LBC will

consider a higher intensity redevelopment of sites that are considered suitable for continued business on the following conditions, among others:

- i. the level of employment floorspace is increased or at least maintained;
- ii. the proposed premises include floorspace suitable for start-ups, small and medium-sized enterprises, such as managed affordable workspace where viable;
- iii. the scheme would increase employment opportunities for local residents, including training and apprenticeships;
- iv. 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.

7.8 Regarding the emerging policy context, draft Policy KQ1 relates to the Knowledge Quarter, which this Site is within, sets out what major development proposals for additional employment, research and/or learning floorspace must achieve. Parts B and C require applications to be supported by evidence that the type of floorspace provided appropriately reflects current and emerging needs in the knowledge economy and that development should seek to prioritise the creation of suitable floorspace for priority growth sectors.

#### Commercial Office and Lab-Enabled Use (Class E) – Assessment

7.9 The Proposed Development would deliver an uplift of 1,718 sqm GIA of office floorspace (Class E) and the entire building would be fitted out so that it was suitable for knowledge quarter users.

7.10 The Site is located within the CAZ, Central London Area and Knowledge Quarter. As such, the delivery of employment space is supported by policy at all levels.

7.11 Furthermore, in accordance with Policy E1 of the London Plan and draft Policy KQ1 of the emerging Site Allocation Plan, the proposed floorplates and services provision have been designed and developed to ensure the space is flexible and future proofed. The Applicant has appointed Abell Nepp architects to work alongside Stiff + Trevillion in this regard.

#### Café Use (Class E) – Policy Context

- 7.12 Paragraph 86 of the NPPF seeks to support the role that the town centre plays at the heart of local communities, taking a positive approach to their growth, management and adaptation.
- 7.13 Policy SD6 of the London plan promotes the provision of a diverse range of uses to support the vitality and viability of town centres.
- 7.14 Policy TC4 of the Local Plan sets out that LBC support uses such as cafes in town centre locations subject to the impact that they would have on residential amenity.

#### Café Use (Class E) – Assessment

- 7.15 The Site is designated as being within the Central London Area, is located within a popular area for retail, restaurant and café operators and is also fully accessible by public transport, walking and cycling. The Site currently represents a dead frontage. The provision of a café use at the ground floor of the building on Judd Street will complement the surrounding retail uses by providing a further amenity and will allow for the improved activation. It will also allow public access into the building. The café would be open during daytime hours only and not into the late evening.
- 7.16 The provision of main town centre uses in this location complies with the aspirations for sites within the CAZ and Central London Area as set out within regional and local planning policy.

#### Mixed Use – Policy Context

- 7.17 Policy SD5 of the London Plan states that offices and other CAZ strategic functions are to be given greater weight relative to new residential development in the CAZ.
- 7.18 Policy H2 of the Camden Local Plan seeks to achieve commensurate levels of self-contained housing whenever non-residential development is proposed to ensure a balance of uses across the Borough.
- 7.19 In the Central London Area (in which the Site is located) and where more than 200sqm GIA of non-residential development is proposed, Policy H2 requires 50% of all additional



floorspace to be delivered as self-contained housing (subject to a set of criteria) with an appropriate mix, including affordable housing where relevant. The requirement to deliver affordable housing on Site is subject to a set of criteria which is set out at Policy H4 of the Local Plan and the Housing CPG.

#### Mixed Use – Assessment

- 7.20 The Proposed Development seeks to provide an uplift in non-residential floorspace of 1,872 sqm GIA thus generating a residential floorspace requirement of 936 sqm GIA under Local Plan Policy H2.
- 7.21 During the course of pre-application discussions with the LBC, the Applicant considered whether it would be possible to provide residential use on site as required under Policy H2. As part of this exercise, a detailed study was undertaken which assessed the implications of two scenarios – 50% of the uplift in floorspace being provided as residential floorspace (equating to six residential units) and 25% of the uplift in floorspace being provided as residential floorspace (equating to three residential units).
- 7.22 The study identified that the provision of residential uses on-site would result in the following outcomes:
- Significant compromise in the quality and quantity of lab enabled floorspace at a site at the centre of the Knowledge Quarter;
  - Provision of residential on the same floor slabs as lab enabled facilities, leading to potential issues such as contamination and vibration transfer;
  - The quality of the new housing would be poor; residential units would lack external space, have a poor outlook to the rear, receive low levels of light to the rear and have an unusual shape given the configuration of the building;
  - Owing to the quantum of uplift (below 1,898 sqm GIA) and the policy position, the new residential provided would be market housing only;
  - A greater loss of building fabric to provide a new core and potentially new slabs would reduce the sustainability credentials of the proposals;

- Significant impact upon the efficiency of a property which was one of the first purpose-built offices in London;
- The reduction of the commercial uplift to below 1,000 sqm GIA would mean that there would be no requirement for affordable workspace or local employment / training initiatives;
- The loss of the proposed café; and
- A reduction in the active frontage on Judd Street.

7.23 The Proposed Development is considered against the criteria within Policy H2 below and it is concluded that provision of residential use on-site should not be required.

7.24 **Part A, the character of the development, the site and the area** – in terms of character of the development, the proposal is seeking to be the one of the first knowledge quarter / lab enabled development in the Knowledge Quarter to be undertaken by way of the refurbishment of an existing building. The Site was one of the first purpose-built offices in London and it is sought to help retain this character by retaining a single commercial use at the building, with the addition of a small cafe. It is felt that this specialist commercial use would help reinforce the character of the area by providing lab-enabled facilities within the heart of the Knowledge Quarter.

7.25 **Part B, constraints on developing the site for a mix of uses** – as demonstrated in the Design and Access Statement and summarised above, providing any amount of residential within the building, would significantly impact on the ability to deliver quality lab enabled floorspace. It would reduce the size available for this use including at the part of the building which is most suitable to be lab enabled, provide a layout which would lead to poor connectivity between front of house lab spaces and back of house activities and generally interrupt a configuration where all functions surround a central core. The quality of any residential accommodation provided on site would be poor.

7.26 **Part D, whether housing would be compatible with the character and operational requirements of the proposed non-residential use** – any residential provision would need to be at the same level as lab enabled floors. Accordingly, there is the potential for cross-contamination across slabs from labs to residential units. This would not be the case in terms

of existing neighbouring residences given that they are at different levels and have a different structural slab. It is extremely rare for labs to share the same structural slab as self-contained housing.

**7.27 Part F, providing an active frontage** – if a residential entrance from Judd Street was required this would lead to the loss of the proposed cafe. This is a use which would provide an active frontage and a local amenity. In lieu of this, a residential entrance would be blank given the need to provide bike and waste rooms at ground floor level.

**7.28 Part H, the impact of a mix of uses on the efficiency and overall quantum of development** – the provision of residential use in this location would decrease the Knowledge Quarter use by either 936 sqm GIA or 468 sqm GIA were it practical to provide either 50% or 25% of the floorspace uplift as housing. A further core would be needed to facilitate this additional use and would mean that the overall gross to net efficiency of the overall floorspace would reduce. The residential layout would also be inefficient given that only one or two flats would be provided off the core at each level. The efficiency of the residential element would therefore also be low.

**7.29 Part J, whether an alternative approach could better meet the objectives of the Local Plan** – it is considered that a wholly commercial scheme would provide benefits when considered against the following policies:

- Policy E1 – the additional knowledge quarter uses would help the council meet its 2031 commercial growth target;
- Policy E2 – without residential, the commercial uplift would be above 1,000 sqm GIA so there would be a requirement from Camden for affordable workspace to be provided and for training & employment opportunities to be offered to local residents, something which the applicant is committed to.
- Policy CC1 – not providing an additional core would mean that demolition could be kept to a minimum which would have benefits in terms of embodied energy;
- Policy TC4 – a new café would be provided in lieu of a residential entrance.

**7.30** Based on this assessment, it is considered that in terms of this set of proposals, and in particular because of the ambitions to retain as much of the existing building fabric as

possible and to deliver the first refurbishment of an historic building for knowledge quarter uses in the Knowledge Quarter, that it is not practical to provide residential on-site and therefore that this should not be required in this instance.

- 7.31 The applicant does not have alternative landholdings close to the site, and so the delivery of housing off-site is not possible.
- 7.32 For the reasons identified above, it is considered that the Proposed Development represents an exceptional circumstance, and it is proposed that a payment in lieu of housing delivery is instead provided in accordance with the cascade at Local Plan Policy H2.

## 8 Design

- 8.1 This section of the Statement assesses the proposal against relevant design planning policies contained in national and local planning policy documents. Further details on the design can be found in the submitted Design and Access Statement, prepared by Stiff + Trevillion. The brief set by the Applicant has been to sensitively adapt, re-use and extend the existing building to create an office-led building of the highest specification that will retain and enhance the architectural merit of the existing building and its wider setting.

### Policy Context

- 8.2 The Government attaches great importance to the design of the built environment in the NPPF. Paragraph 126 states good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Paragraph 130 of the NPPF states that planning policies and decisions should ensure that developments will function well and add to the overall quality of the area, be visually attractive as a result of good architecture and effective landscaping, be sympathetic to local character and history, establish or maintain a strong sense of place, optimise the potential of the site and create safe places.
- 8.3 London Plan Policies D1 to D3 apply to the design and layout of the development and set out a range of urban design principles relating to the quality of the public realm, the provision of convenient, legible movement routes and the importance of designing out crime by maximising the provision of active frontages.
- 8.4 Policy D5 of the London Plan states that development proposals should achieve the highest standards of accessible and inclusive design and that proposals should deliver high quality people focused spaces, which are convenient and welcoming with no disabled barriers.
- 8.5 At a local level, Policy D1 of the Camden Local Plan seeks to secure high quality design in development and to ensure that new developments are attractive, safe and easy to use. The policy lists what characteristics LB Camden will expect to achieve this policy objective including requiring development to respect local context and character, preserves or enhances the historic environment and is of sustainable and durable construction.

- 8.6 LBC has also published a Planning Guidance CPG (January 2021) which establishes design principles to be used in the assessment of development proposals. The document reinforces or where necessary amplifies existing guidance and defines the Council's expectations for new buildings, as positive and enduring additions to this unique urban landscape.

#### Assessment

- 8.7 The Proposed Development would create a scheme of exceptional quality and sustainable design and has been designed by Stiff + Trevillion to be of enduring quality in accordance with Policy D1 of the Camden Local Plan.
- 8.8 The design of the proposal has been developed sensitively in the context of the Site and its surroundings. The intention is to retain and re-use as much of the existing structure and building envelope as possible. In terms of the existing building, windows would be replaced, and brickwork repairs would be undertaken where required.
- 8.9 The proposed roof extension has been set back on all sides to ensure that it is subservient to the host building. The proposed materiality of the roof extension is contemporary, and this provides a clear delineation from the existing building. In terms of height, the current building is 43.09m to the existing plant chimney and 43.72m to the top of the turret, the top of the proposed set-back plant enclosure would be 48.89m.
- 8.10 The extension incorporates different elements on each frontage to recognise the site context. At the northern and eastern frontages, which are more commercial in nature, there are projecting window bays at the fourth and fifth floors which create a crenelated roofline to reflect that of the existing dormer windows. To ensure that the proportions of the windows are reduced, they would incorporate cast metal spandrel panels. The massing would be chamfered at the northeast corner to ensure that the existing turret retains its prominence.
- 8.11 The western and southern sides of the extension have a closer relationship to residential buildings so have a less contemporary design. On the western side, the main element of the third floor would step back 1.5m from the frontage below and the fourth and fifth floors would each step back 1.2m. At this side of the building, the fourth and fifth floor extension would be clad in hung brick tiles. Following comments made during pre-application

consultation, the rooftop plant enclosure has been set back further from this side of the building. On this elevation, brick piers have been incorporated as a reference to the local townscape vernacular.

- 8.12 On the southern side, a simple mansard style roof is proposed and there is a 'notch' at the third to fifth floors to reduce the extent of massing.
  
- 8.13 Similar to the extension, the plant enclosure has been designed to have different faces as appropriate to the context at each side of the building. Decorative peaks are provided at the northern and eastern sides with a simpler screen provided at the western and southern sides. The plant has been positioned so that it is as far away from the west elevation whilst ensuring that it is not prominent in any street views.
  
- 8.14 In terms of the public realm, a replacement ramp will be provided on Judd Street as part of a greener and more welcoming entrance, planted areas will be provided on Thanet Street and the existing paving will be cleaned and replaced where required. It is also the aspiration to having outdoor seating in front of the café on Judd Street, though this is something which would need to be secured as part of a separate application.
  
- 8.15 Throughout the design process, accessibility of the final scheme has been a key consideration. Full details of how the scheme has incorporated inclusive design principles can be found in the submitted Access chapter of the Design and Access Statement. The scheme has sought to incorporate the principles of inclusive design wherever possible, with inclusive access to all parts of the proposed building via a DDA compliant lift which will provide access to all levels. Further, all doors and corridors will be designed for easy movement by wheelchair users and external amenity terraces areas are to be accessed via level thresholds. The Proposed Development is therefore considered to be in accordance with London Plan Policy D5.
  
- 8.16 In summary, the final design proposals will provide an inherently sustainable building of the highest architectural quality. In accordance with the NPPF, the London Plan and the Camden Local Plan, the design seeks to adaptively re-use the existing building sensitively by using innovative architecture to enhance and complement the Site's immediate and wider context whilst providing a space which is accessible and safe for all.

## 9 Townscape and Heritage

- 9.1 This section of the Statement assesses the Proposed Development within the context of its historic environment and the statutory duty to have special regard to the desirability of preserving or enhancing conservation areas.
- 9.2 A full analysis of the impact of the Proposed Development on designated heritage assets is included within the Townscape, Heritage and Visual Impact Assessment ('THVIA') prepared by KM Heritage and submitted as part of the application. KM Heritage has been engaged from early inception of the scheme to guide and advise on heritage matters.

### Legislative Context

- 9.3 Section 66 of the 1990 Planning (Listed Buildings and Conservation Areas) Act 1990 provides that decision makers are required to have "special regard" to the desirability of preserving listed buildings and their settings.
- 9.4 Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 sets out that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of conservation areas.

### Policy Context

- 9.5 The Government has attached great importance to conserving and enhancing the historic environment in the NPPF. The NPPF advises that decisions on applications with implications on designated heritage assets should be made based on the significance of the asset, and the harm (substantial or less than substantial) that the proposals would cause to the significance of the heritage asset.
- 9.6 Paragraph 194 of the NPPF states that planning applications should best describe the significance of any heritage assets affected, including any contribution made by their setting.



- 9.7 Paragraph 197 of the NPPF states that in determining planning applications, local planning authorities should take account of:
- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
  - the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
  - the desirability of new development making a positive contribution to local character and distinctiveness.
- 9.8 Paragraph 199 of the NPPF states that in assessing impact, the more important the asset, the greater the weight should be given to its conservation. It notes that significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting.
- 9.9 Paragraph 200 states that any harm, of loss of, the significance of a designated heritage asset should require clear and convincing justification and that substantial harm to, or loss of grade II listed buildings should be exceptional.
- 9.10 Paragraph 201 notes that where a Proposed Development will lead to substantial harm, local planning authorities should refuse consent unless it can be demonstrated that the substantial harm is necessary to achieve substantial public benefits.
- 9.11 In Paragraph 202, the NPPF states that where a development proposal will lead to 'less than substantial harm' to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, securing its optimum viable use.
- 9.12 London Plan Policy HC1 states that development proposals affecting heritage assets, and their settings should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings.
- 9.13 Camden Local Plan Policy D2 states that the Council will preserve and where appropriate enhance Camden's heritage assets and their settings. In relation to conservation areas, the

policy says that the Council will take into account of Conservation Area Statements, Appraisals and Management Strategies.

- 9.14 Regarding heritage, the Design CPG sets out that, *inter alia*, the Council will take account of the desirability of sustaining and enhancing heritage assets and putting them to viable uses consistent with their conservation.

#### Assessment

- 9.15 The significance of the designated heritage assets and the impact of the proposals upon the relevant heritage assets has been assessed in detail in the accompanying THVIA, in accordance with the relevant NPPF paragraphs, regional and local planning policies and statutory duties.
- 9.16 The THVIA considers 105-121 Judd Street to have some historical significance as the headquarters of the Salvation Army's trading operation during a key period of its development, though noting that the building retains no physical evidence of this past activity. The report goes on to consider an element of the townscape significance of the Site to be in its location at a key node of Judd Street. The report reflects that the Site makes a positive contribution to the setting of nearby designated and undesignated heritage assets. This aligns with LBC's allocation of the Site as a 'Bloomsbury Positive Building'.
- 9.17 The THVIA tests the visual impacts of the Proposed Development upon the Bloomsbury Conservation Area, adjacent listed buildings and adjacent positive contributors to the conservation area in a series of nine townscape views which were agreed with Officers at the pre-application stage.
- 9.18 The conclusion of this assessment is that the effect of the proposed scheme upon the character and appearance of the Bloomsbury Conservation Area and the setting of other nearby heritage assets will be positive and enhancing. The effect upon other built heritage assets further from the Site will be neutral owing to a lack of visibility and their heritage significance will therefore be maintained.
- 9.19 Regarding the Site's location within the 'LVMF Wider Setting Consultation Area of 6A.1 London Panorama: Blackheath Point', the THVIA concludes that the Proposed Development

is below this threshold plane and obscured by intervening built form and there is therefore no heritage or townscape effect.

- 9.20 Moving onto the consideration of harm, the NPPF categorises the impact of proposals on the significance of a designated heritage asset within three categories: those causing ‘substantial harm’, ‘less than substantial harm’, or no harm. The THVIA concludes that the Proposed Development is perceived to cause no harm. This is based on the change caused by the proposal preserving and enhancing the setting of nearby listed buildings and the character and appearance of the Bloomsbury Conservation Area.
- 9.21 Overall, the THVIA concludes that that the Proposed Development will have a positive effect upon townscape significance and quality, adding visual interest and reinforcing the area’s historical grain. It goes on to state that the effect of the proposed scheme upon the character and appearance of the Bloomsbury Conservation Area and the setting of other nearby heritage assets will be positive and enhancing. As such, the heritage significance of these would be safeguarded, sustained and enhanced. The character and appearance of the Bloomsbury Conservation Area would also be preserved and enhanced.
- 9.22 As well as satisfying relevant legislation and policies from the NPPF, and for the reasons set out above, the proposals are in compliance with London Plan Policies D3 and HC1, and Local Plan Policy D2 which requires the conservation or enhancement of heritage assets and their settings.

## 10 Energy and Sustainability

- 10.1 This section of the Statement assesses the proposed energy and sustainability strategy and its acceptability in planning policy terms.

### Energy and Sustainability – Policy Context

- 10.2 Section 14 and Paragraph 152 of the NPPF identify the role that planning plays in helping shape places to secure radical reductions in greenhouse emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure.
- 10.3 London Plan Policy SI 2 states that major developments should be net carbon zero with a minimum on-site reduction of at least 35 percent beyond Building Regulations. This means reducing greenhouse gas emissions in operation and minimising both annual and peak energy demand in accordance with the following energy hierarchy:
- Be lean: use less energy and manage demand during operation.
  - Be clean: exploit local energy resources and supply energy efficiently and cleanly.
  - Be green: maximise opportunities for renewable energy by producing, storing and using renewable energy on-site.
  - Be seen: monitor, verify and report on energy performance.
- 10.4 Policy SI 7 of the London Plan supports the promotion of a more circular economy that improves resource efficiency and innovation to keep products and materials at their highest use for as long as possible and sets a target of 95% of construction and demolition waste and material to be re-used, recycled or recovered.
- 10.5 At a local level, through Local Plan Policy CC1, LBC require all development to minimise the effects of climate change and encourages developments to meet the highest feasible environmental standards that are financially viable during construction and occupation. Moreover, all development is required to reduce carbon dioxide emissions in line with the targets set out within the London Plan.

- 10.6 In support of these objectives, LBC requires the location of development and mix of land uses to minimise the need for car travel, support energy efficiency improvements to existing buildings and the optimisation of energy efficiency.
- 10.7 In January 2021, LBC updated the CPG on Energy Efficiency and Adaptation to help ensure that the Council's commitment to reducing carbon emissions is achieved.

#### Energy and Sustainability – Assessment

- 10.8 The Proposed Development consists of alterations and an extension to an existing building, thereby ensuring that the embodied energy within the existing building is recycled, and the provision of a limited amount of newly built floorspace. In terms of this Site, this approach substantially reduces the overall carbon footprint of the building when compared with an entirely new building.
- 10.9 Sustainability has been a key aspect of the Proposed Development from the very early design stages. Environmentally sustainable measures have been fully integrated into the design and would be incorporated during the construction and operation of the Proposed Development.
- 10.10 The application is supported by an Energy Statement prepared by NDY which provides an assessment against the energy hierarchy set out in London Plan Policy SI 2.
- 10.11 In terms of 'Be Lean', the design has sought to reduce energy demand by incorporating measures including high performing windows and efficient fittings throughout. These measures would reduce carbon usage by 21.8% in the new build areas and 15% with regard the refurbished areas.
- 10.12 With regard 'Be Clean', the London Heat Map has been assessed which confirms that no existing district heating or cooling networks are near the Site.
- 10.13 In terms of 'Be Green', Air Source Heat Pumps (ASHPs) are proposed as part of the development to provide electrical heating and cooling. NDY has estimated that these will provide 69.8MWh per year of heating energy and 15.6MWh per year in terms of cooling load. The inclusion of ASHPs would reduce energy usage in the extended parts of the building by 14.9% and by 44% within the refurbished areas.

- 10.14 The Development will incorporate a detailed metering system to allow monitoring and reporting the annual energy performance of the building as per the GLA's Be Seen Energy Monitoring Guidance.
- 10.15 Following a review against the energy hierarchy, the Proposed Development would reduce on-site carbon emissions beyond 2013 Building Regulations by 54%, significantly more than the 35% minimum requirement in the London Plan.
- 10.16 As a result of the 67.5 tonne annual shortfall against net zero carbon, a carbon offset contribution of £192,470 is included as part of the draft Section 106 Heads of Terms.

#### Sustainability and BREEAM

- 10.17 The application is supported by a Sustainability Statement which details the sustainable design features of the Proposed Development and provides a summary of the BREEAM Pre-Assessment and credits which are being targeted. Overall, a BREEAM score of 74.6% is currently being targeted.
- 10.18 Furthermore, a Whole Life Cycle Carbon Assessment ('WLCA') of the Proposed Development has been undertaken by NDY and accompanies the planning submission. The assessment was carried out to evaluate the environmental impact of the proposed development during its life cycle and was undertaken in line with Policy SI 2 of the London Plan.
- 10.19 The assessment estimates the whole life cycle impact of the Proposed Development to amount to 9,577 tCO<sub>2</sub>e over a 60-year period. The assessment concludes that the Proposed Development is expected to have an embodied carbon impact which is 52.8% lower than the current GLA benchmark as set out in the draft GLA WLCCA Guidance (October 2020).
- 10.20 A detailed Circular Economy Statement has been produced for the Proposed Development in accordance with Policy SI 7 of the London Plan and the requirements of the GLA's Circular Economy Guidance. The key circular economy aspirations of the Proposed Development include re-use of most of the existing building, potential pre-fabrication of brick cladding, concrete slabs and building service components, emphasis on future flexibility and adaptability, design for durability and adaptability and the reduction of resources including energy and water.

- 10.21 It is concluded that the Proposed Development is in accordance with London Plan Policy SI 2, SI 7, Policies CC1 and CC2 of the Camden Local Plan and the aspirations of the Energy Efficiency and Adaptation CPG.

## 11 Transport and Servicing

- 11.1 This section of the Statement assesses the acceptability of the proposed transport, access, servicing, refuse and trip generation of the Proposed Development in planning policy terms.

### Transport and Highways – Policy Context

- 11.2 Chapter 9 of the NPPF outlines aims for a transport system balanced in favour of sustainable transport modes, to give people a real choice about how they travel and encourages solutions which support reductions in greenhouse gas emissions and reduce congestion.
- 11.3 Paragraph 111 of the NPPF is clear that development should only be refused on highways grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe.
- 11.4 Paragraph 112 of the NPPF requires development to give priority to pedestrians and cycle movements, address the needs of people with disabilities, create places that are safe, secure and attractive and allow for the efficient delivery of goods and access by service and emergency vehicles.
- 11.5 London Plan Policy T1 states all development should make the most effective use of land, reflecting its connectivity and accessibility by existing and future public transport, walking and cycling routes. The policy further states that development should ensure that any impacts on London's transport networks and supporting infrastructure are mitigated
- 11.6 Local Plan Policy T1 prioritises walking, cycling and public transport in the borough. In pursuance of this LB Camden will seek to ensure developments improve the pedestrian environments by supporting improvements to the pedestrian environment. The delivery of improved walkways, wide pavements and safe and permeable developments is supported.
- 11.7 Policy T1 (h) states that LB Camden will seek to ensure that development provides for accessible, secure cycle parking facilities exceeding minimum standards outlined within the London Plan (Table 6.3) and design requirements outlined within LB Camden's Transport CPG (2021).



- 11.8 LB Camden Local Plan Policy T2 states that the Council will limit the availability of parking and require new development in the borough to be car free.
- 11.9 In January 2021 LB Camden adopted their Transport CPG which provides information on all types of detailed transport issues within the borough.

#### Transport – Assessment

- 11.10 The Site has excellent public transport links, with a Public Transport Accessibility Level of 6B (the best).
- 11.11 A Transport Assessment prepared by Velocity , has been submitted as part of the application. The Transport Assessment assesses the likely transport implications arising from the Proposed Development and sets out the proposed parking, access and servicing arrangements.
- 11.12 Regarding highways impact, a multi-modal trip generation assessment has been undertaken. The assessment indicates that the Proposed Development is unlikely to generate significant parking pressures due to the car-free nature of the development. Furthermore, it is anticipated that most trips will be made by sustainable modes. The Proposed Development is therefore not anticipated to have a detrimental impact on the local highway network in terms of congestion or road safety.

#### Car and Cycle Parking – Policy

- 11.13 Policy T6 of the London Plan details the Mayor’s approach to the provision of car parking. Part B states that car-free development should be the starting point for all development proposals in places that are (or planned to be) well-connected by public transport.

- 11.14 Policy T5 of the London Plan requires development proposals to provide appropriate levels of cycle parking, which is fit for purpose, secure and well-located. Table 10.2 of the London Plan details minimum cycle parking standards. The minimum requirement for office, restaurant and café use is detailed below.

Use	Long-stay requirement	Short-stay requirement
Cafes and Restaurants	1 space per 175sqm (GEA)	1 space per 20 sqm (GEA)
Offices	1 space per 75sqm (GEA)	1 space per 500 sqm (GEA)

*Table 1 London Plan Cycle Parking Standards*

- 11.15 Camden Local Plan Policy T1 sets out that the Council expect developments to provide, as a minimum, the number of cycle parking spaces as set out in the London Plan. The Camden Transport CPG sets out that the Council that the Council will also seek an additional 20% of spaces over and above the London Plan standard to support the expected future growth of cycling.
- 11.16 Regarding car parking, Camden Local Plan Policy T2 sets out that all new non-residential developments (including the re-development and/or conversion of existing sites with new occupiers) are expected to be car-free. This is re-iterated in the Transport CPG.

#### Car and Cycle Parking – Assessment

- 11.17 In accordance with London Plan Policy T6 and the Camden Local Plan, the proposed development will be car free. Due to the car-free nature of the Proposed Development, visitors are therefore likely to travel sustainably using the wide range of public transport services available near to the site as well as walking or cycling in accordance with the London Plan, Mayor's Transport Strategy (2018) and the Mayor's Healthy Streets Agenda.
- 11.18 In addition to this, it is proposed to deliver public realm improvements on Thanet Street and as part of this remove the three on-street car parking spaces which were used by the building's previous occupier.

- 11.19 In accordance with London Plan Policy T6, Camden Local Plan Policy T1 and the Camden Transport CPG, the Proposed Development will provide 153 long stay cycle parking spaces. Additionally, the existing 8 short stay spaces along Thanet Street will be re-provided.

#### Delivery, Servicing, Waste and Refuse – Policy Context

- 11.20 Part G of London Plan Policy T7 states that development proposals should facilitate safe, clean, and efficient deliveries and servicing. Provision of adequate space for servicing, storage and deliveries should be made off-street, with on-street loading bays only used where this is not possible.
- 11.21 Local Plan Policy T4 states that the council will promote the sustainable movement of goods and materials and requires developments of over 2,500sqm to minimise the impact of freight movement via road by prioritising the use of the TfL road network or other major roads, accommodation goods vehicles on-site and providing Construction Management Plans, Delivery and Servicing Management Plans and Transport Assessments where appropriate.
- 11.22 Local Plan Policy CC5 outlines that the Council requires developments to include facilities for the storage and collection of waste and materials.

#### Delivery, Servicing, Waste and Refuse – Assessment

- 11.23 The application is supported by a Delivery and Servicing Plan (at Appendix E of the Transport Statement) and an Operational Waste Management Statement ('OWMS') as prepared by Velocity.
- 11.24 The Delivery and Servicing Plan has been prepared in the context of the London Plan and existing and LBC policy. The document details that as per the current situation, servicing vehicles will stop on Thanet Street adjacent to the Site under single yellow line restrictions which permit loading. The document provides a framework to ensure that servicing and freight activity is effective. It includes a range of tools and interventions aimed at reducing and retiming deliveries by refining building operations and ensuring that procurement activities account for vehicle movements and emissions.

- 11.25 The OWMS for the Site has been prepared in the context of the LBC Waste Storage and Arrangements for Residential and Commercial Units Guidance Document (2014). As detailed in the OWMS, the Proposed Development includes a shared commercial waste store at ground floor level. This represents a significant improvement to the current situation whereby bins are located on the street.
- 11.26 The Proposed Development will provide safe and efficient delivery and servicing and has been designed to provide a policy compliant level of waste storage. The Proposed Development is therefore in accordance with London Plan Policy T7 and Camden Local Plan Policy CC5.

## 12 Amenity

- 12.1 This section of the Statement assesses the Proposed Development against amenity considerations comprising daylight and sunlight, overlooking, noise and air quality. There are residential buildings close to the Site, including Thanet House to the west, townhouses on the terrace to the south (97-103 Judd Street and 14-17 Thanet Street) and to the east at Queen Alexandra Mansions and Jessel House.

### Daylight and Sunlight - Policy Context

- 12.2 At the national level, the Building Research Establishment ('BRE') Report 'Site Layout Planning for Daylight and Sunlight 2011' comprises tests to assess the impact that a new development will have on the light to neighbouring properties. The tests within the document are given as advice and are not mandatory. As such they are not planning policy.
- 12.3 The examples given with the BRE guide can generally be applied to any part of the UK, from urban to rural locations. The BRE Guidelines specify that the daylight and sunlight results be considered flexibly and in the context of the Site. Clearly there would be a higher expectation for daylight and sunlight in a rural or suburban environment than in a dense city centre location such as this in Bloomsbury. Therefore, the guide needs to be applied sensibly when assessing daylight and sunlight to allow for a more practical approach to central London urban design.
- 12.4 The BRE Report advises that daylight and sunlight levels should be assessed for the main habitable rooms of neighbouring residential properties. Habitable rooms in residential properties are defined as kitchens, living rooms and dining rooms.
- 12.5 Vertical Sky Component ('VSC') analyses the daylight provided at the centre of a window and is the most commonly used daylight testing method. The BRE guidance considers that if a development would lead to a neighbouring window having less than 80% of its former value then it may be adversely affected.
- 12.6 The daylight distribution method assesses the change in position of the No Sky Line ('NSL') between the existing and proposed situations.

- 12.7 The Annual Probable Sunlight Hours ('APSH') method is used to test the impact that a development would have on sunlight levels at existing southern facing residential windows. The BRE guidance recommends that the APSH received at a given window should be at least 25% of the total available, including 5% in winter.
- 12.8 London Plan Policy D6 states the design of development should provide sufficient daylight and sunlight to new and surrounding housing that is appropriate for its context, whilst avoiding overheating, minimising overshadowing, and maximising the usability of outside amenity space.
- 12.9 Policy A1 of the Local Plan sets out how the Council will manage the impact of development to protect the quality of life of occupiers and neighbours. The policy states that planning permission will be granted unless it causes unacceptable harm to residential amenity. To protect residential amenity, the Council will consider a variety of factors including sunlight, daylight and overshadowing.

#### Daylight and Sunlight – Assessment

- 12.10 A Daylight and Sunlight report has been prepared by GIA which has been submitted as part of the planning application. The daylight and sunlight analysis has been considered by reference to the criteria and methodology within the Building Research Establishment Guidelines (2011), which when published, recognised that it should not form a mandatory set of criteria, rather it should be used to help and inform design.
- 12.11 The assessment confirms that the following properties adhere to the numerical daylight values set out within the BRE Guidelines: 97, 99, 101, 103 and 114 Judd Street; 14-17 Thanet Street and Queen Alexandra Mansions. All properties are compliant in terms of sunlight levels. This means that there are only daylight breaches in terms of the BRE Guidance at flats within Thanet House and Jessel House.
- 12.12 Taking Jessel House first, 113 windows have been assessed which serve 80 rooms. In terms of daylight, all flats are fully compliant in terms of the VSC methodology. Fifteen rooms do not meet the NSL criteria. Of these, nine will experience an alteration between 20-30% and

six will experience an alteration between 30-40%. Within these rooms, respective retained NSL values would be between c. 47% and c. 80%.

12.13 With regard Thanet House, 231 windows serving 106 rooms have been assessed with regard daylight. Of the 231 windows assessed, 122 windows would adhere to BRE Guidelines for VSC, therefore continue to achieve 27% VSC or will experience less than a 20% change. Of the 109 windows that do not meet the BRE criteria, 103 will experience an alteration between 20-30%, which is typically considered to be minor adverse and six will experience an alteration between 30-40%, which is typically considered moderate adverse. However, the vast majority of windows will retain a mid-teen VSC value, which is considered to be good in a central London location. In instances where they do not, this is because existing light levels are particularly low. The contextual analysis set out within the GIA report demonstrates that the retained VSC values exceed or are commensurate with light levels found elsewhere in the immediate locality.

12.14 The Daylight and Sunlight assessment draws the following conclusions:

- Following the implementation of the Proposed Development, two surrounding properties will experience changes outside of the BRE recommendations for daylight (VSC and NSL). The scheme is considered fully compliant when considered against the BRE methodology to assess sunlight (APSH).
- Where transgressions of daylight guidance occur, GIA consider the retained values to be good in consideration of the urban location of the site and surrounding properties. Where lower retained values are noted, these are primarily due to the limited natural light received by these windows and rooms in the existing conditions;
- GIA's contextual analysis demonstrates that the retained daylight (VSC) values exceed or are commensurate with light levels found elsewhere in the immediate locality; and
- When considering the urban context of the Site, the impacts to the neighbouring buildings are, in GIA's opinion, considered to be within the intention and application of the BRE Guidelines and therefore may be found acceptable when taking into consideration an alternative mid-teen target value.

- 12.15 The Proposed Development is therefore considered to be in compliance with London Plan Policy D6 and Camden Local Plan Policy A1 by virtue of not causing unacceptable harm to residential amenity.

#### Overlooking

- 12.16 External terrace areas are proposed as office amenity spaces at levels three, four and five. The relationship between the terraces and neighbouring properties has been carefully considered. Section 7 of the Design and Access Statement details the separation distances between the proposed terraces and neighbouring properties and explains how strategic planting has been incorporated to both direct users of the terrace away from parapet walls and to mitigate overlooking.
- 12.17 In terms of overlooking, the Proposed Development is considered to be in accordance with Local Plan Policy A1 by virtue of ensuring that the amenity of communities, occupiers and neighbours is protected.

#### Noise - Policy Context

- 12.18 Paragraph 174 of the NPPF requires planning decisions to prevent new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by unacceptable levels of, among other things, noise.
- 12.19 London Plan Policy D14 details the ways in which development proposals should manage noise. The list includes avoiding significant adverse noise impacts, mitigating and minimising the existing and potential adverse impacts of noise without placing unreasonable restrictions on existing noise-generating uses, improving and enhancing the acoustic environment and separating new noise-sensitive development from major noise sources using distance, screening, layout, orientation, uses and materials.
- 12.20 Where it is not possible to achieve separation of noise-sensitive development and noise sources, Policy D14 allows for any potential adverse effects to be controlled and mitigated through applying good acoustic design principles.



- 12.21 At a local level, Camden Local Plan Policy A1 seeks to manage the impact of adverse effects from noise and vibration.
- 12.22 Policy A4 of the Local Plan sets out that noise and vibration in developments will be managed, and planning permission will only be granted for noise generating equipment (including plant and machinery) if it can be operated without causing harm to amenity. Detailed standards are set out in Appendix 3 of the Local Plan.

#### Noise - Assessment

- 12.23 The Application is supported by a Noise Assessment prepared by NDY. Regarding noise from plant equipment, an assessment has been undertaken to establish the maximum external noise levels from the proposed building services plant. The assessment compares the predicted worst-case breakout noise levels from potential plant with the representative background noise at the closest existing residential receptors.
- 12.24 In accordance with LBC guidance, maximum noise level limits have been set for building services plant which are predicted to result in a noise rating level which is at least 10db below the existing background noise level during the worst-case night-time period at the closest sensitive receptor locations. The survey undertaken shows that the background noise level at the nearest residential receptor is 44 decibels and that the plant equipment will be able to be mitigated so that noise levels do not exceed 34 decibels. Accordingly, building services plant is expected to have no adverse impact at the closest noise sensitive receptors.
- 12.25 The Applicant is committed to designing, constructing and operating the building in a way which is sensitive to preserving neighbouring amenity. The proposed hours of the roof terrace will be from 08:00 until 20:00 Mondays to Fridays and the Applicant is willing to secure this by way of suitably worded planning condition. Outside of these hours, occupiers would not be able to access the terrace areas except in case of an emergency and lighting would be tuned off. Furthermore, no live or amplified music would be permitted on the terrace.

- 12.26 In noise terms, it is concluded that the Proposed Development will protect neighbouring amenity and is therefore in compliance with Policies D13 and D14 of the London Plan and Policies A1 and A4 of the Camden Local Plan.

#### Air Quality – Policy Context

- 12.27 Paragraph 174 of the NPPF states that development should not contribute to or be put at unacceptable risk of, or be adversely affected by unacceptable levels of pollution, including air pollution.
- 12.28 London Plan Policy SI 1 requires that development proposals to not lead to further deterioration of existing poor air quality, create any new areas that exceed air quality limits and create unacceptable risk of high levels of exposure to poor air quality. To meet these requirements, development proposals must be at least Air Quality Neutral and design solutions should be used to prevent or minimise increased exposure to existing air pollution.
- 12.29 Camden Local Plan Policy CC4 seeks to ensure that the impact of development on air quality is mitigated and that exposure to poor air quality is reduced in the borough.

#### Air Quality – Assessment

- 12.30 The application is supported by an Air Quality Assessment as prepared by NDY. The Assessment has been undertaken to quantify the potential impacts on local air quality associated with both the construction and operation of the Proposed Development. The report concludes the following:
- Potential effects during the demolition and construction phases include dust emissions from site activities have been assessed and subject to site specific mitigation measures (as detailed in the assessment), the effects from the construction phase are not predicted to be significant.
  - Regarding the operational phase, detailed dispersion modelling of traffic pollutants has been undertaken to assess the Proposed Development. The long-term annual assessment of the effects associated with the Proposed Development with respect to Nitrogen Dioxide (NO<sub>2</sub>) is determined to be negligible. Likewise, with respect to

PM10 and PM2.3 exposure, the effect is determined to be negligible at all identified existing sensitive receptor locations.

- The Proposed Development will be air quality neutral.

12.31 The Assessment ultimately concludes that air quality would not pose a constraint to the redevelopment of the Site. The Proposed Development is therefore considered to be acceptable in terms of effects upon air quality in accordance with Policy SI 1 of the London Plan and Camden Local Plan Policy CC4.

## 13 Ecology and Biodiversity

- 13.1 This section of the Statement assesses the biodiversity credentials of the Proposed Development.
- 13.2 The NPPF at Paragraph 180 is clear that proposals should support conservation and enhancement of biodiversity, whilst encouraging opportunities to incorporate biodiversity improvements in and around developments, where this can secure measurable net gains for biodiversity.
- 13.3 London Plan Policy G5 states major development proposals should contribute to the greening of London by including urban greening as a fundamental element of site and building design, and by incorporating measures such as high-quality landscaping, green roofs, green walls and nature-based sustainable drainage.
- 13.4 Part B of Policy G5 sets out that boroughs should develop an Urban Greening Factor (UGF) to identify the appropriate amount of urban greening required in new developments. The Mayor recommends a target score of 0.3 for predominately commercial development.
- 13.5 Policy A3 of the Camden Local Plan sets out that the Council will, *inter alia*, safeguard protected and priority habitats and species, assess developments against their ability to realise benefits from biodiversity proportionate to the scale of development proposed and expect developments to incorporate additional trees and vegetation wherever possible.

### Ecology - Assessment

- 13.6 The application is supported by a Preliminary Ecology Assessment prepared by Greengage. Greengage undertook a site survey on 3 February 2022 to establish the ecological value of the Site and its potential to support notable and/or legally protected species. The survey identified that the Site has low potential to support nesting birds and negligible value for all other notable and protected species and habitats.
- 13.7 The report recommends a series of enhancements including biodiverse blue and green roofs with invertebrate enhancement features, wildlife friendly planting at the terraces and bird boxes. These are all measures which are incorporated into the Proposed Development and

will provide a significant improvement on the current position given that the building has a flat roof which incorporates no greening. In addition to the 744 sqm green roof, additional planting forms part of the Proposed Development on Judd Street and Thanet Street.

- 13.8 The application is supported by an Urban Greening Factor Assessment as prepared by Greengage. As a result of the green roofs, planters, and retention of street trees, the assessment sets out that the Proposed Development would result in an Urban Greening Factor score of 0.27.
- 13.9 Despite maximising the opportunity for greening on-site, the Proposed Development achieves a slight shortfall against the suggested target of 0.3 for commercial developments as set out in the London Plan. Whilst the proposals fall short of the target for commercial development, green infrastructure interventions have been maximised insofar as is feasible. Furthermore, whilst the urban greening factor assessment does not involve a comparison with pre-development conditions, the Proposed Development represents a significant improvement over the existing quantum of greening on-site.
- 13.10 The application is supported by a Biodiversity Net Gain Assessment as prepared by Greenage. The Proposed Development stands to result in a net gain of 0.1634 biodiversity units associated with area-based habitats compared with the pre-development value. This equates to a total net increase of 96% in ecological value, which is well above the 10% target set out in the Environmental Act (2021).
- 13.11 To conclude, the Proposed Development has maximised the opportunity for urban greening and biodiverse enhancements on-site and represents a significant improvement over the existing situation in accordance with London Plan Policy G5 and Policy A3 of the Camden Local Plan.

## 14 Other Technical Considerations

- 14.1 This section of the Statement assesses the Proposed Development against other technical considerations comprising fire safety, flood risk and drainage.

### Fire Safety

- 14.2 London Plan Policy D5 states development proposal should achieve the highest standards of accessible and inclusive design. They should be designed to incorporate safe and dignified emergency evacuation for all building users. In all developments where lifts are installed, as a minimum at least one lift per core (or more subject to capacity assessments) should be a suitably sized fire evacuation lift suitable to be used to evacuate people who require level access from the building.
- 14.3 London Plan Policy D12 promotes the highest standards of fire safety for all developments. The policy requires development to, *inter alia*, be designed to incorporate appropriate features which reduce risks from fire, constructed in a way to minimise the spread of fire and provide suitable means for escape. Supporting text at Paragraph 3.12.9 requires all major development to submit a Fire Statement.
- 14.4 The application is supported by a Fire Statement as prepared by NDY which defines the fire safety objectives and performance requirements of the development, and the methods by which these objectives will be achieved. The document has been prepared in the context of London Plan Policies D5 and D12 and relevant Building Regulations.

### Flood Risk and Drainage – Policy Context

- 14.5 Paragraph 167 of the NPPF states that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment.
- 14.6 Paragraph 169 of the NPPF states that major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate.

- 14.7 Policy SI 12 of the London Plan requires developments to ensure that flood risk is minimised and mitigated, and that residual risk is addressed. Policy SI 13 of the London Plan details that development proposals should aim to achieve greenfield run-off rates and that there should be a preference for green over grey features in line with the drainage hierarchy.
- 14.8 At a local level, Policy CC3 of the Local Plan seeks to reduce flood risk and maximise water efficiency through the use of Sustainable urban Drainage Systems (SuDS) to achieve greenfield runoff rates where feasible. Additionally, LB Camden Planning Guidance 'Water and Flooding' (March 2019) gives further guidance in respect of the water environment in LB Camden, water efficiency and flooding.

#### Flood Risk and Drainage - Assessment

- 14.9 The application is supported by a Flood Risk and Drainage Assessment as prepared by HTS. The assessment notes that the Site is within Flood Zone 1 and is at a low risk of flooding from all sources including fluvial and tidal sources and surface water.
- 14.10 Regarding drainage, the assessment details how the surface water drainage strategy has been prepared in accordance with regard to the drainage hierarchy detailed in London Plan Policy SI 13 including the incorporate of SuDS.
- 14.11 In summary, the Proposed Development will utilise a blue roof at the main roof level so to attenuate as close to greenfield rates as possible, these being partially covered by green roofs and planters. Remaining areas are proposed to discharge at an unrestricted rate as existing. Attenuating approximately 77% of the site area within blue roofs is anticipated to result in a significant reduction to the peak surface water run-off from the development, achieving a 73% betterment compared with existing unrestricted rates.
- 14.12 The Proposed Development is therefore considered to accord with Paragraphs 167 and 169 of the NPPF, London Plan Policies SI 12 and SI 13 of the London Plan, Camden Local Plan Policy CC3 and the aspirations of the Water and Flooding CPG.

## 15 Section 106 Obligations, CIL and Planning Conditions

- 15.1 Under Section 106 of the Town and Country Planning Act 1990 (as amended) local planning authorities have the power to enter into planning obligations with the Applicant and any persons with an interest in the land to be developed as a means of mitigating any impacts of a development proposal.
- 15.2 In accordance with Regulation 122(2) of the CIL Regulations (as amended), and paragraph 57 of the NPPF, planning obligations should only be sought where they meet all the following tests:
- Necessary to make the development acceptable in planning terms;
  - Directly related to the development; and
  - Fairly and reasonably related in scale and kind to the development.
- 15.3 Paragraph 55 of the NPPF supports that planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.
- 15.4 In terms of the Proposed Development, the potential Section 106 heads of terms are listed below to form the basis for discussions with Officers during the determination period:
- Payment in lieu of on-site residential;
  - Affordable workspace;
  - Employment and Training Strategy;
  - Employment and Training contribution;
  - Car-free development;
  - Construction Management Plan;
  - Construction Management Plan monitoring fee;
  - Financial contribution for proposed highway and pedestrian improvement works, which would be in lieu of a Pedestrian, Cycling and Environmental contribution.
  - Delivery and Servicing Management Plan;
  - Energy and Sustainability Plans;
  - BREEAM Excellent;



- Carbon offsetting contribution of £192,470 (based on annual shortfall against net zero of 67.5 tonnes of carbon dioxide, multiplied by £95 per tonne and by 30 years).

#### Community Infrastructure Levy

- 15.5 On 6 April 2010, the Community Infrastructure Levy Regulations 2010 came into force to fund the provision, improvement, replacement or maintenance of infrastructure required to support development, as set out within each Local Authority's Regulation 123 list (a 'living' document which provides a summary of the infrastructure which CIL receipts should fund).
- 15.6 In London, CIL is charged at both a regional level, by the Mayor, as well as at a local level, by LBC. In terms of Mayoral CIL, the revised Charging Schedule referred to as MCIL2 is now used and given that this Site is within the Band 1 and Central London charging zones, it is payable at the following rates:
- Offices - £185 per sqm GIA (plus indexation);
  - Retail (former Class A uses) - £165 per sqm GIA (plus indexation).
- 15.7 Camden adopted its revised CIL charging schedule on 30 October 2020. This Site is within Zone A (Central), where development is charged at the following rates:
- Office, Research and Development - £110 per sqm GIA (plus indexation);
  - Retail (including town centre uses) - £32 per sqm GIA (plus indexation).
- 15.8 A CIL Form has been submitted with this application.

#### Planning Conditions

- 15.9 Paragraph 56 of the NPPF states that planning conditions should only be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. It goes on to set out the pre-commencement conditions should be avoided unless there is clear justification. We will look to agree potential planning conditions with Officers during the determination period.

## 16 Summary and Conclusions

- 16.1 Section 38(6) of the Town and Country Planning Act 1990 requires applications for planning permission to be determined in accordance with the statutory development plan unless material considerations indicate otherwise.
- 16.2 Section 66 of the Planning (Listed Buildings and Conservation Area) Act 1990 also requires local planning authorities to have special regard to the desirability of preserving the setting of listed buildings in the exercise of all planning functions.
- 16.3 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 sets out that local planning authorities should pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas when considering applications.
- 16.4 This Statement has assessed the proposals within the legislative framework, having regard to the development plan and relevant guidance at national, regional and local level.
- 16.5 The Proposed Development will deliver the following benefits:
  - The provision of high-quality, lab-enabled office floorspace to support knowledge quarter uses and job creation in both the CAZ and Knowledge Quarter and meet an identified local and London-wide need for such floorspace;
  - The delivery of a scheme providing a high-quality building and public realm design which will have a positive impact upon the character and appearance of the Bloomsbury Conservation Area and other nearby heritage assets;
  - The activation of the ground floor which would contribute to the vitality and vibrancy of this part of Judd Street as well as providing natural surveillance;
  - The provision of a publicly accessible café which is welcoming to all;
  - Promoting sustainable modes of travel with a focus on cycling and high-quality end of trip facilities;
  - Facilitating improvements to the sustainability performance of the existing building, delivering a commercial development that will achieve BREEAM 'Excellent' and contributing to reducing carbon emissions whilst adaptively reusing and extending the existing building;

- The provision of affordable workspace, Community Infrastructure Levy contributions and financial contributions to be secured through a Section 106 agreement;
- A dedicated waste room within the building to ensure that bins are no longer left out on Thanet Street;
- Significant improvements in terms of urban greening and reduction of water run-off.

16.6 The Proposed Development accords with the provisions of the National Planning Policy Framework, the London Plan, and the Camden Local Plan, relevant emerging planning policy and the principles of the presumption in favour of sustainable development. From this Statement, it is concluded that there are no material considerations of sufficient weight to determine that this application is anything other than in accordance with the Development Plan, on this basis, planning permission should be granted accordingly.

