



**GERALDEVE**

## **Town Planning Statement**

The Former Royal National Throat Nose and Ear Hospital  
330 Gray's Inn Road  
Section 73 Application

On behalf of: 330 Gray's Inn Road Limited

Date: 28<sup>th</sup> February 2023

ANE/KHU/U0009551

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# 1 Executive Summary

1.1 This Town Planning Statement is submitted on behalf of 330 Gray's Inn Road Limited (the "Applicant") in support of an application under Section 73 of the Town and Country Planning Act 1990 for an amendment to planning permission ref. 2020/5593/P for the redevelopment of 330 Gray's Inn Road (the "Site").

1.2 Planning permission was granted on 20<sup>th</sup> July 2022 for:

**Redevelopment of the former Royal National Throat, Nose and Ear Hospital site, comprising: Retention of 330 Gray's Inn Road and a two storey extension above for use as hotel (5 above ground storeys in total), demolition of all other buildings, the erection of a part 13 part 9 storey building plus upper and lower ground floors (maximum height of 15 storeys) for use as a hotel (including a cafe and restaurant); covered courtyard; external terraces; erection of a 7 storey building plus upper and lower ground floors (maximum height of 9 storeys) for use as office together with terraces; erection of a 10 storey building plus upper and lower ground floors (maximum height of 12 storeys) for use as residential on Wicklow Street and office space at lower ground and basement floors; erection of a 5 storey building plus upper and lower ground floors (maximum height of 7 storeys) for use as residential on Swinton Street and associated residential amenity space; together with a gymnasium; new basement; rooftop and basement plant; servicing; cycle storage and facilities; refuse storage; landscaping and other ancillary and associated works.**

1.3 Following the grant of planning permission in July 2022 the Applicant has been in dialogue with the neighbouring University College London (UCL) Ear Institute about how to best mitigate any impact on their operation during the construction period of the development and particularly the construction period related to the new hotel part of the scheme.

1.4 The proposed solution is to sequence the construction in such a way so as to facilitate the temporary decant of the Ear Institute into new facilities within the basement levels below the landscaped garden at the eastern end of the site.

1.5 In terms of the sequencing, it is proposed that the eastern portion of the site will be demolished in preparation for construction with the UCL Ear Institute remaining in

occupation in their current facility at 332 Gray's Inn Road. The distance is deemed to be sufficiently separate to mitigate any adverse effects from noise and vibration.

- 1.6 The Eastern portion of the site will be constructed forming the basement levels, energy centre, commercial building and two residential buildings & garden, and the construction of the UCL temporary facility. The UCL Ear Institute will then temporarily relocate to the new facility.
- 1.7 With the UCL Ear Institute in their new temporary facility, the existing buildings to the Western end of the site will be demolished in preparation for the construction. The distance is deemed to be sufficiently separate to mitigate any adverse effects from noise and vibration.
- 1.8 The Western portion of the site will be constructed forming the hotel and affordable workspace buildings.
- 1.9 Once construction works have completed, the UCL Ear Institute will have the opportunity to return to their facility at 332 Gray's Inn Road.
- 1.10 The UCL Ear Institute, by virtue of their operation, are a highly sensitive use to noise and vibration and so the key driver for the amendments sought by this application is to facilitate their temporary relocation during the course of construction of the new hotel. The amendments accommodate the relocation strategy.
- 1.11 The Ear Institute have been consulted and have engaged positively in the design development of the new temporary spaces which has informed the proposals for which permission is sought.
- 1.12 Planning permission is therefore sought for:

**Variation of Condition 2, 18, 31, 41 and 54 of planning permission ref 2020/5593/P for the 'Redevelopment of the former Royal National Throat, Nose and Ear Hospital site, comprising: Retention of 330 Gray's Inn Road and a two storey extension above for use as hotel (5 above ground storeys in total), demolition of all other buildings, the erection of a part 13 part 9 storey building plus upper and lower ground floors (maximum height of 15 storeys) for use as a hotel (including a cafe and restaurant); covered courtyard; external**

terraces; erection of a 7 storey building plus upper and lower ground floors (maximum height of 9 storeys) for use as office together with terraces; erection of a 10 storey building plus upper and lower ground floors (maximum height of 12 storeys) for use as residential on Wicklow Street and office space at lower ground and basement floors; erection of a 5 storey building plus upper and lower ground floors (maximum height of 7 storeys) for use as residential on Swinton Street and associated residential amenity space; together with a gymnasium; new basement; rooftop and basement plant; servicing; cycle storage and facilities; refuse storage; landscaping and other ancillary and associated works.' NAMELY to enable amendments to the approved drawings list to enable an uplift in office/labs floorspace, a reduction in affordable workspace, amendments to the landscape design of the residential garden, revised entrances on Wicklow Street, the new loading bay on Wicklow Street, reconfiguration at basement level of the office/labs building, increased cycle parking provision, and additional basement levels, reconfiguration of the roof level plant and enclosures, the addition of flues in addition to other associated works.

- 1.13 The Proposed Development continues to present an opportunity to replace the existing buildings which are poor quality and piecemeal. Aside from the original building at 330 Gray's Inn Road which is being retained, the existing buildings interact poorly with the streetscape with no permeability from Gray's Inn Road to Wicklow Street or Swinton Street.
- 1.14 The Proposed Development will continue to provide highly sustainable new buildings with a mix of uses including a hotel, new homes, high-quality workspace and café/restaurant uses at ground floor and a publicly accessible open space.
- 1.15 The London Borough of Camden sets out its vision for the borough in its Camden 2025 Vision which includes a series of 'call to action' points that it seeks to deliver over the next 5 years. These include:
- Everyone in Camden should have a place they call home;
  - Growth in Camden should be strong and inclusive – everyone should be able to access the work that is right for them;
  - Camden should be safe, strong and open, and everyone should be able to contribute to their community;
  - Camden should be a clean, vibrant and sustainable place; and

- Everyone in Camden should be able to live a healthy, independent life.

1.16 The proposals align with Camden’s aspirations for Central London which is an identified area of growth at a local and regional level. In particular the development aids in working towards the Council’s vision for the Borough by 2025 by:-

- Delivering a truly mixed-use development in a central, well connected location providing homes and jobs;
- Building genuinely affordable homes in a purpose built block;
- Facilitating growth which is inclusive for local people;
- Creating a night-time economy, balancing the needs of visitors and businesses with those of local people;
- Helping to reduce carbon emissions in the borough by delivering a highly sustainable set of buildings which are flexible in their design to stand the test of time; and
- Creating a new publicly accessible space and improving the pedestrian experience through the creation of new routes through the site.

1.17 The key public benefits of the proposed development have been split in accordance with the following categories:

- Health and the Well Being of the Environment (Environmental)
- Strength of the Community (Social)
- Jobs and Economic Growth (Economic)

1.18 The amendments sought by this Section 73 application largely retain the same public benefits of the extant planning permission. These are listed as follows.

1.19 Environmental benefits

- Targeting BREEAM Outstanding with a minimum commitment to BREEAM Excellent
- WELL and LEED accreditations
- Mechanical ventilation to office with potential for mixed mode
- Natural planting incorporated into architecture promoting good mental health

- Roof mounted photovoltaics
- Green roof terraces with biodiversity measures
- Rainwater harvesting for irrigation
- Detailed embodied carbon assessment to reduce embodied carbon in construction materials
- Diversion of demolition and construction waste for reuse and recycling
- New pedestrian connections through to a new public realm on Wicklow Street from both Swinton Street and Gray's Inn Road;
- Creation of a new landscaped public space fully accessible to the general public
- Creation of a new landscaped private garden accessible to all residents of the new development
- 18 new trees
- Sustainable Urban Drainage
- The potential to engage with wildlife trusts and appropriate amenity societies to support their goals and initiatives
- Encourage sustainable transport options such as cycling and walking to reduce pollution from transport.
- Retention and refurbishment of historic building (330 Gray's Inn Road).

#### 1.20 Social Benefits:

- Redevelopment of a large vacant site in single ownership in the heart of the Knowledge Quarter
- Creation of a new mixed-use destination which would act as a catalyst to the wider regeneration of the area
- 72 new private and affordable homes
- 50% affordable housing (on habitable rooms)
- 32 new affordable homes
- 194 sqm of dedicated children's playspace
- 554 sqm of new, flexible affordable workspace
- 1,395sqm of temporary affordable workspace
- New 182 bed hotel to support the growing Knowledge Quarter and add to character and activity of this location

- New café spaces and a restaurant for use by the general public within the new hotel and office buildings
- Active publicly accessible and engaging ground floor facilities within the hotel and office buildings
- New active frontages generating increased natural surveillance and contributing to a reduction in anti-social behaviour.

#### 1.21 Economic Benefits

- An average of 330 construction jobs per annum during the construction period first targeted at Camden residents and then via Central London First
- Approximately £2-£3.3m spent by construction workers in the surrounding area during the construction period which equates to £5767k to £944k annually which would support surrounding local businesses
- Work placements and apprenticeships during the construction period.
- Over 1,080 gross direct on-site jobs during operation
- Apprenticeships made available each year in the completed development within a range of roles including (amongst others) business administration, finance, customer service and IT
- Work placements and apprenticeships made available in the hotel in connection with Westminster Kingsway College school of hospitality and culinary arts
- Promotion of the Camden STEAM Commission objectives amongst end users and occupiers
- Require living wage as a minimum salary for all local employees
- Maximise the opportunities for local businesses to supply goods and services at the construction and end user phases
- Potential to contribute towards the ongoing success and development of the Knowledge Quarter through provision of lab-enabled space.

1.22 A comprehensive townscape analysis undertaken by The Townscape Consultancy demonstrates that any revised massing owing to the reconfiguration of plant at roof level has been carefully considered and so that it does not materially impact the Site's surroundings and settings akin with the extant planning permission granted.



- 1.23 The submission of this planning application follows close consultation with planning, design, conservation, highways and energy officers and the London Borough of Camden.
- 1.24 Community engagement has taken place since January 2020 and is ongoing. The Applicant is committed to continuing their engagement with local residents and businesses during the determination period and in the future.
- 1.25 This Town Planning Statement provides an assessment of the Proposed Development in planning terms in line with Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) which requires planning applications to be determined in accordance with the Development Plan unless material considerations otherwise.
- 1.26 As demonstrated within this Planning Statement, it is considered that the Proposed Development fully complies with the development plan and meets the objectives and aspirations for Camden and the Applicant. On this basis, we consider that planning permission should be granted.

## 2 Introduction

- 2.1 This Statement sets out the planning case in support of the application. It summarises the planning history of the Site and assesses the Proposed Development in the context of relevant policies and guidance.
- 2.2 This Planning Statement should be read in conjunction with the Town Planning Statement prepared for the extant planning permission ref. 2020/5593/P.
- 2.3 This application is submitted under Section 73 of the Town and Country Planning Act 1990 and seeks a number of design amendments to accommodate the temporary relocation of the UCL Ear Institute to within the Site, for the duration of construction of the hotel and affordable workspace at the western end of the site. Following this, they may relocate back into their existing building which is located adjacent to the north of the Site. The extent of the amendments are concentrated to the basement and ground floor levels, with no change to the scheme above the first floor, with the exception of minor adjustment to plant requirements at roof level, the elevational changes to Wicklow Street and the changes to the landscaping of the residential gardens.
- 2.4 Planning Permission is sought for:

**Variation of Condition 2, 18, 31, 41 and 54 of planning permission ref 2020/5593/P for the 'Redevelopment of the former Royal National Throat, Nose and Ear Hospital site, comprising: Retention of 330 Gray's Inn Road and a two storey extension above for use as hotel (5 above ground storeys in total), demolition of all other buildings, the erection of a part 13 part 9 storey building plus upper and lower ground floors (maximum height of 15 storeys) for use as a hotel (including a cafe and restaurant); covered courtyard; external terraces; erection of a 7 storey building plus upper and lower ground floors (maximum height of 9 storeys) for use as office together with terraces; erection of a 10 storey building plus upper and lower ground floors (maximum height of 12 storeys) for use as residential on Wicklow Street and office space at lower ground and basement floors; erection of a 5 storey building plus upper and lower ground floors (maximum height of 7 storeys) for use as residential on Swinton Street and associated residential amenity space; together with a gymnasium; new basement; rooftop and basement plant;**

**servicing; cycle storage and facilities; refuse storage; landscaping and other ancillary and associated works.’ NAMELY to enable amendments to the approved drawings list to enable an uplift in office/labs floorspace, a reduction in affordable workspace, amendments to the landscape design of the residential garden, revised entrances on Wicklow Street, the new loading bay on Wicklow Street, reconfiguration at basement level of the office/labs building, increased cycle parking provision, and additional basement levels, reconfiguration of the roof level plant and enclosures, the addition of flues in addition to other associated works.**

2.5 The Proposed Amendments are described in greater detail in Section 6.0 of this report but in summary, the proposed development inclusive of the amendments sought consists of:

- 182-bedroom hotel
- 19,937sqm flexible lab/office floorspace
- 554sqm affordable workspace
- 72 new homes (including 50% affordable provision on a hab room basis)
- Restaurant/Café Uses
- A new public courtyard

2.6 The package of public benefits deliverable with this application remains to be substantial. The national planning framework and the very planning system itself is concerned with achieving the objectives of sustainable development, which is described in the National Planning Policy Framework (NPPF) (2019) as ‘meeting the needs of the present without compromising the ability of future generations to meet their own needs.’ It is explicitly stated that in order to achieve sustainable development, the planning system has three overarching objectives which are interdependent and need to be pursued in mutually supportive ways:

- a) An economic objective
- b) A social objective
- c) An environmental objective

2.7 The proposed scheme continues to provide an opportunity to deliver a number of key planning objectives both locally and regionally, namely:

- Mixed use development that maximises the development potential of this Central London site;
- Deliver an innovative, modern and flexible office space to attract new jobs and support small and medium sized businesses;
- Provide a mix of new homes including affordable homes, ranging in size and tenure, delivering a significant proportion of homes south of Euston Road;
- Potential to contribute towards the ongoing success and development of the Knowledge Quarter through provision of lab-enabled space;
- Improve permeability through the site, providing a direct pedestrian link between Wicklow Street, Swinton Street and Gray's Inn Road;
- A hotel and connected leisure uses, to activate the site and serve the area; and
- Significantly enhanced public realm and a new public courtyard.

2.8 The Statement is structured as follows:

- Section 3 – Site and Surroundings;
- Section 4 – Planning History;
- Section 5 – Development Proposals;
- Section 6 – Consultation; and
- Section 7 – Planning Policy Context.

2.9 The examination of policy and material planning considerations arising from the application proposals are then discussed in the following sections:

- Section 8 – Land Use;
- Section 9 – Design and Landscaping;
- Section 10 – Heritage, Townscape and Views;
- Section 11 – Landscape and Public Realm;
- Section 12 – Energy and Sustainability;
- Section 13 – Amenity;
- Section 14 – Transport, Waste and Servicing;
- Section 15 – Other Technical Considerations;
- Section 16 – Planning Obligations; and

- Section 17 – Summary and Conclusions.

2.10 This Statement should be read in conjunction with the accompanying plans and drawings submitted, as well as the following documents which are also submitted in support of this application (in addition to this Statement):

- Covering Letter, prepared by Gerald Eve LLP;
- Site Location Plan; prepared by AHMM
- Site Plan; prepared by AHMM
- Existing and Proposed General Arrangement Plans, Sections and Elevations, prepared by AHMM;
- Demolition plans, prepared by AHMM;
- Design and Access Statement, prepared by AHMM;
- Townscape, Heritage and Visual Impact Assessment, prepared by The Townscape Consultancy;
- Flood Risk Assessment, prepared by WSP
- Health Impact Assessment, prepared by XCO2
- Structural Report including Basement Impact Assessment, prepared by WSP
- Fire Statement, prepared by OFR;
- Sustainability Statement, prepared by XCO2;
- Energy Statement, prepared by XCO2;
- Circular Economy Statement, prepared by XCO2;
- Whole Lifecycle Assessment, prepared by XCO2;
- Transport Assessment, prepared by Steer Group;
- Draft Travel Plan, prepared by Steer Group
- Draft Construction Management Plan, prepared by Steer Group;
- Draft Servicing Management Plan, prepared by Steer Group;
- Waste Storage and Collection Plan, prepared by Steer Group;
- Noise and Vibration Assessment, including Acoustic Report, prepared by Hann Tucker
- Air Quality Assessment, prepared by AQ Consultants;
- Biodiversity Survey and Report, prepared by XCO2;
- Tree Survey / Arboricultural Statement, prepared by JL Denny;
- Archaeological Assessment, prepared by Pre-Construct;
- Daylight and Sunlight Assessment Addendum, prepared by Point2;

- Statement of Community Involvement, prepared by London Communications Agency;
  - Regeneration Statement/Economic Impact Assessment, prepared by Hatch Regeneris;
  - Contaminated Land Assessment, prepared by WSP;
  - Drainage Report including SuDs Strategy, prepared by WSP;
  - Affordable Housing Statement, prepared by Gerald Eve LLP; and
  - Financial Viability Assessment, prepared by Gerald Eve LLP.
- 2.11 Detailed pre-application consultations were held with the London Borough of Camden from September 2022 up to the submission of this application in February 2023.
- 2.12 The application proposals have evolved over the pre-application and consultation period and have been revised to accommodate advice and comments received.
- 2.13 This Planning Statement provides a comprehensive review of relevant national, regional and local planning policy in relation to the amendments to the proposed development. It sets out the planning justification for the Proposed Development and contains a detailed assessment in relation to relevant development plan policies and other material planning considerations and the statutory duties in respect of the historic environment.
- 2.14 The Statutory Development Plan for the purposes of Section 38 (6) of the Planning and Compulsory Purchase Act (2004), and therefore the development plan, against which development within the LB Camden must be assessed, includes the London Plan, being the Spatial Development Strategy for Greater London, published by the Mayor in 2021.
- 2.15 The Statutory Development Plan which consists of the Camden Local Plan and was adopted on the 3 July 2017, the Local Plan Policies Map (updated March 2019), the Camden Site Allocations Plan (September 2013), Neighbourhood Plans and supplementary Camden Planning Guidance ('CPG') documents.
- 2.16 The Council is updating its Site Allocations Local Plan (SALP). The emerging SALP builds on the Council's existing adopted policies and sets out how key development areas and sites should be developed in the future.
- 2.17 Production of the document was paused during the summer to consider the implications of the proposed Government reforms to the planning system set out in the Planning for the

Future White Paper and the changes to the Use Class Order. LBC are now restarting work with the intention of consulting on a pre-submission draft during 2021 (rather than first consulting on additional focused changes of the SALP as originally planned). This does not affect the proposals brought about by this Section 73 application.

- 2.18 Guidance within the National Planning Policy Framework (February 2019) is also a material consideration against which the proposals must be considered.

### 3 Site and Surroundings

- 3.1 This section describes the Site's location and context in greater detail. The full extent of the Site is shown within the red line boundary of the Site Plans, submitted with this application.

#### **The Site**

- 3.2 The 0.6 ha application site is located at 330 Gray's Inn Road in the London Borough of Camden ('LB Camden') within the ward of King's Cross. The full extent of the application site is shown within the red line boundary on the Site Plan (Ref) enclosed at Appendix A.
- 3.3 The Site is bound to the north in part by the UCL Ear Institute and in part by Wicklow Street and railway cuttings to the east; Swinton Street to the south and Gray's Inn Road runs along the Site's western boundary.
- 3.4 The Site is located in the Central Activities Zone; the vibrant heart and globally-iconic core of London described in the London Plan as 'one of the world's most attractive and competitive business locations.'
- 3.5 The Site is located within the Knowledge Quarter, which spans from Camden Town to Holborn and Covent Garden and 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 and Euston Stations and owing to excellent transportation links, a highly skilled workforce and the high-quality office and lab space in the vicinity.
- 3.6 The Site is over-sailed by the London View Management Framework (LVMF) London Panorama 2A.1 from the summit of Parliament Hill towards St Paul's Cathedral and the LVMF 3A.1 from Kenwood Gazebo towards St Paul's Cathedral.
- 3.7 The Site was formerly occupied by a number of buildings which made up the Royal National Throat, Nose and Ear (RNTNE) Hospital. The hospital comprised a number of departments occupying buildings of different scales and ages.



3.8 The hospital closed in September 2020 when the final services transferred to the new Royal National ENT and Eastman Dental Hospitals on Huntley Street, London, WC1E 6DG.

3.9 There are seven existing buildings located on Site:

- The Royal National Throat, Nose and Ear Hospital, Gray's Inn Road
- The Royal National Throat, Nose and Ear Hospital, Wicklow Street
- Building to the rear of the Original Hospital Building, Wicklow Street
- Nurses' Home, Wicklow Street
- Workshops to the rear of Nurses' Home, Wicklow Street
- Nuffield Hearing and Speech Centre, Swinton Street
- Audiology Centre, Swinton Street.

3.10 The hospital's original main frontage, 330 Gray's Inn Road, visible at first and second floor levels, with the hospital's original name spelt out below the parapet, was built in 1877, when the hospital relocated from Argyle Street. Through the 19th Century, this building was extended, and more wards built. The Site has developed in an organic way and has a distinctive grain and informality. Further detail on the history of the Site can be found in section 4 of this Planning Statement.

3.11 The Site does not contain any statutory listed buildings or locally listed buildings.

3.12 The Site sits within the King's Cross St Pancras Conservation Area (Sub Area 4) with the boundary to the Bloomsbury Conservation Area running along Swinton Street, to the south. The conservation area has a mixed townscape character.

3.13 The King's Cross Conservation Area Statement (2003) identifies 330 Gray's Inn Road, the Nurses' Home and the ground floor of the buildings at the rear to the Royal National Throat Nose and Ear Hospital (Wicklow Street) as 'positive contributors' to the conservation area.

3.14 The Site has an overall fragmented townscape character and its principal contribution to the conservation area is the street frontage to Gray's Inn Road, forming part of a group of buildings that are varied in age, use, architectural style and height.

### **Surrounding Context**

3.15 The Site is immediately adjoined by Swinton House and the Water Rats public house to the south on Gray's Inn Road. Beyond this, situated on the corner of Gray's Inn Road and Swinton Street is the seven-storey Point A Hotel (Swinton House). To the north is the UCL Centre for Auditory Research and 334-336 Gray's Inn Road.

3.16 There are a number of listed buildings located on streets that define the Site edges, in the surrounding area of the Site (all listed grade II):

3.17 A selection of mid-19th century terraced houses on Swinton Street:

- Nos.5-17 (Odd) and attached railings;
- Nos.29, 31 and 33 and attached railings;
- Nos.35-49 (Odd) and attached railings;
- Nos.51 and 53 and attached railings; and
- Nos. 55-67 (Odd) and attached railings including the former King's Head Public House (Nos. 61-63).
- Nos.4-26 (Even) and attached railings.
- Swinton Hotel (nos.22 and 24).
- Derby Lodge on Wicklow Street (east of the railway cutting), a development of flatted, philanthropic housing, c1865, by Sydney Waterlow's Improved Industrial Dwellings Company;
- Former Church School of St Jude's Church, No. 75 Wicklow Street.

3.18 King's Cross Station (Grade I) is located to the north of the Site.

- 3.19 Within the immediate vicinity the prevailing development is characterised by a mix of commercial, residential and hotel uses.
- 3.20 Swinton Street is occupied by offices, a hotel, institutional buildings and 19th Century terraced residential properties.
- 3.21 Wicklow Street is a quiet, narrow cobbled street, which provides the only north-south link within the area. There is a variety of architectural styles emphasising different uses, with light industrial buildings now redeveloped for modern day purposes constructed of stock brick. Terraced residential houses are located to the east of the road. A large student housing block is located on the northern side of the street, on a parcel of land between Wicklow and Britannia Street.

#### **Accessibility and Connectivity**

- 3.22 The Site has a Public Transport Accessibility Level (PTAL) of 6b, the highest level achievable. This is a result of a high quality, frequent and reliable provision of underground, national rail service and buses in the area.
- 3.23 The closest London Underground station is King's Cross, located 256m to the north-west with National rail services accessed some 50m further north from King's Cross railway station. St Pancras national/international railway station is located just to the west of King's Cross.
- 3.24 King's Cross/St Pancras Railway Station is a major rail hub and operates a high frequency of rail services and routes to destinations within London and across the UK. Eurostar services operate from St Pancras connecting to destinations in France, Holland and Belgium.
- 3.25 Access from the Site to King's Cross and St Pancras stations is currently via Gray's Inn Road.
- 3.26 Five bus routes run along Gray's Inn Road which features a north-bound bus lane and stop opposite the Site. The nearest southbound bus stop is 300m to the south-east on Kings Cross Road. There is a bus stand on Swinton Street across the road from the Site.

- 3.27 The Site is part of the City Road / Pentonville Road / Euston Road loop, with the southern and western edges of the Site bounded by the westerly vehicular route.
- 3.28 Vehicular access to the existing hospital is via Wicklow Street, a 20mph single carriageway road, which is one way in a westbound direction, bending towards Britannia Street to the north. To the south of the Site is Swinton Street which is a 30mph one-way road running westbound towards Gray's Inn Road with two lanes.
- 3.29 There is currently no pedestrian route through the Site between Wicklow Street and Swinton Street.

## 4 Planning History

4.1 The Town Planning Statement submitted with the extant planning permission ref. 2020/5593/P sets out a detailed planning history of the site.

4.2 Of relevance to this application is the planning permission which is sought to be amended by this application which granted permission on 20/07/2022 for:

**‘Redevelopment of the former Royal National Throat, Nose and Ear Hospital site, comprising: Retention of 330 Gray’s Inn Road and a two storey extension above for use as hotel (5 above ground storeys in total), demolition of all other buildings, the erection of a part 13 part 9 storey building plus upper and lower ground floors (maximum height of 15 storeys) for use as a hotel (including a cafe and restaurant); covered courtyard; external terraces; erection of a 7 storey building plus upper and lower ground floors (maximum height of 9 storeys) for use as office together with terraces; erection of a 10 storey building plus upper and lower ground floors (maximum height of 12 storeys) for use as residential on Wicklow Street and office space at lower ground and basement floors; erection of a 5 storey building plus upper and lower ground floors (maximum height of 7 storeys) for use as residential on Swinton Street and associated residential amenity space; together with a gymnasium; new basement; rooftop and basement plant; servicing; cycle storage and facilities; refuse storage; landscaping and other ancillary and associated works.’**

4.3 The Section 106 Agreement attached to this permission was completed on 20<sup>th</sup> July 2022 but the planning permission has not been implemented.

## 5 The Proposed Development

- 5.1 The key details of the Proposed Development are summarised in this section. Further detail of the individual elements are provided in sections 8-14.
- 5.2 This application is submitted under Section 73 of the Town and Country Planning Act 1990 and seeks a number of design amendments to accommodate the temporary relocation of the UCL Ear Institute to within the Site, for the duration of construction of the hotel and affordable workspace at the western end of the site. Following this, they may relocate back into their existing building which is located adjacent to the north of the Site. The extent of the amendments are concentrated to the basement and ground floor levels, with no change to the scheme above the first floor, with the exception of minor adjustment to plant requirements at roof level, the elevational changes to Wicklow Street and the changes to the landscaping of the residential gardens.
- 5.3 In order to accommodate the proposed relocation, a number of design amendments have been made. These constitute:
- xii Excavation of an additional basement level beneath the residential buildings to house UCL Ear Institute
  - xiii Amendment to the landscape design of the residential garden
  - xiv Increased Acoustic Isolation for lab-spaces
  - xv Installation of flues through the residential building
  - xvi Omission of the basement below the Wicklow Courtyard
  - xvii Relocation and reconfiguration of plant owing to the increased requirements arising from increased lab space
  - xviii Additional plant installation at roof level to accommodate additional lab floorspace
  - xix Internal reconfiguration and revised floor to floor heights to enable greater flexibility over lab-enabled floors

- xx The addition of a dedicated loading bay for UCL on Wicklow Street
  - xxi Revised cycle entrance and amendments to the office building elevational treatment to accommodate
  - xxii Increased cycle parking provision and associated facilities
  - xxiii Relocation of the affordable workspace to Gray's Inn Road
  - xxiv The Swinton Street Entrance will become the fire egress and plant replacement use
  - xxv Additional basement area to support the uplift in lab-enabled floorspace
- 5.4 The proposed amendments will continue to create an exemplary mixed-use development through the provision of high-quality architecture, public realm and landscaping, which encourage activity and permeability through the Site. The proposal also delivers a highly sustainable approach, in both the retention and re-use of the existing building as far as possible, and the energy and sustainability strategy for the future, operational building.
- 5.5 A full explanation of the Proposed Development is set out within the Design and Access Statement and depicted on the application drawings prepared by AHMM architects and submitted with this application.

#### **Land Use**

- 5.6 The proposed development now proposes 35,717sqm [GIA] of floorspace, an uplift of 22,906 sqm [GIA] over the existing as shown in Table 2. Table 1 sets out the approved areas from the extant planning permission to demonstrate the differences in floor area.
- 5.7 The Proposed Development is mixed use and now proposes 19,937sqm [GIA] of flexible office and laboratory floorspace as opposed to 14,107sqm [GIA] in the extant scheme. 554sqm [GIA] of that comprises affordable workspace [Class E], 8,328 sqm [GIA] of hotel floorspace [Class C1], 72 new homes [Class C1], the possibility of a gymnasium 2,890sqm [GIA] and ancillary flexible uses.

5.8 The relocated Ear Institute [3,945sqm GIA] is proposed under a flexible use class E or F to enable part of the floorspace to be used for teaching. This is captured within the 19,937 sqm referenced in the paragraph above. Similarly, the gymnasium is now proposed under a flexible use class E to enable the option of utilising the floorspace for further lab or office floorspace. An application for a non-material amendment will be submitted alongside the Section 73 application to formally amend the development description to introduce the new flexible Class E/Class F use.

5.9 Table 1 summarises the floor areas proposed alongside the existing areas and the extant planning permission:

*Table 1: Existing, Approved and Proposed Floor Areas by Land Use [sqm GIA]*

<b>Land Use</b>	<b>Existing Floorspace [sqm GIA]</b>	<b>Approved Floorspace [sqm GIA]</b>	<b>Proposed Floorspace [sqm GIA]</b>	<b>Uplift from Existing [sqm GIA]</b>
Hospital [Class E]	12,811	0	0	-12,811
Ear Institute [Class E/F]	0	0	3,945	+3,945
Office/Labs [Class E]	0	14,107	12,548 + 554 [Aff. W/S]	+13,102
Hotel [Class C1]	0	9,430	8,328	+8,328
Residential [Class C3] Market	0	4,433	4,269	+4,269
Residential [Class C3] Aff. Housing	0	3,572	3,183	+3,183



Office/Labs/Gym [Class E]	0	0	2,890	+2,890
Gym [Class E]	0	1,569	0	0
<b>Total</b>	<b>12,811</b>	<b>31,552</b>	<b>35,717</b>	<b>22,906</b>

### Affordable Workspace

- 5.10 The scheme proposes 554sqm (GIA) affordable workspace compared with 930sqm (GIA) in the extant scheme. The affordable workspace has been relocated to a more suitable and prominent part of the site in the original, historic, retained building fronting Gray's Inn Road. The affordable workspace equates to circa 2.75% of the total office/lab floorspace.

### Temporary Affordable Workspace

- 5.11 In addition to the permanent affordable workspace, it is proposed to make use of part of the existing buildings that sit on the site of the proposed hotel as affordable workspace whilst the new office and residential buildings are constructed. This is explained in further detail in the DAS but will provide 1,395 sqm of temporary affordable workspace offered at nil rent.

### Hotel Floor Area

- 5.12 Whilst there is a slight reduction of floorspace, the hotel proposes the same number of rooms. A breakdown of the room provision is located in the table below:

*Table 2: Provision of Hotel Rooms*

<b>Floor</b>	<b>Small Room &lt;16sqm</b>	<b>Medium Room c. 17-18sqm</b>	<b>Large Room &gt;20sqm</b>	<b>Rooms per floor</b>
First to Fourth	5	13	4	22

Fifth and Sixth	7	8	4	19
Seventh	7	6	3	16
Eighth	6	6	3	15
Ninth to Thirteenth	0	3	2	5
<b>Total</b>	<b>47</b>	<b>95</b>	<b>40</b>	<b>182</b>

### Housing

5.13 The application proposes the same number of units though a reduction in ancillary storage area originally proposed in the basement of the affordable housing block. The table below shows the total housing provision:

*Table 3: Total Housing Provision*

Unit Size	No. of units	Percentage
Studio	16	22
1 bed	19	26
2 bed	25	35
3 bed	12	17
<b>Total</b>	<b>72</b>	<b>100%</b>

### Swinton Street – Affordable Units

5.14 The table below shows the proposed mix for the residential building at Swinton Street:

*Table 4: Schedule of Accommodation - Swinton Street*

<b>Floor</b>	<b>Studio</b>	<b>1 Bed</b>	<b>2 Bed</b>	<b>3 bed</b>
Lower ground and ground floor duplex	0	0	1	6
First	0	0	2	2
Second	0	0	2	2
Third	0	5	1	0
Fourth	0	1	3	0
Fifth	0	2	1	0
<b>Total</b>	0	8	10	10
<b>Percentage</b>	0%	29%	36%	36%

#### **Wicklow Street – Market Units**

5.15 The proposed mix for the Wicklow Street residential building is set out in table 5

*Table 5: Schedule of Accommodation - Wicklow Street*

<b>Floor</b>	<b>Studio</b>	<b>1 Bed</b>	<b>2 Bed</b>	<b>3 bed</b>
Lower ground and ground floor duplex	3	0	2	0

First	2	1	2	0
Second	2	3	0	0
Third	3	1	1	0
Fourth	3	1	1	0
Fifth	3	1	1	0
Sixth	0	1	2	0
Seventh	0	1	2	0
Eighth	0	1	2	0
Ninth	0	1	2	0
Tenth	0	0	0	2
<b>Total</b>	16	11	15	2
<b>Percentage</b>	36%	25%	34%	5%

#### **Provision of Ancillary Retail and Restaurant/Café spaces**

- 5.16 The provision of ancillary café/restaurant floor area in the hotel building and the publicly accessible café and events space within the office building remains the same as the extant scheme.

#### **Cycle Parking**

- 5.17 The application proposes an increase in cycle parking from 335 spaces to 443 spaces.

## **Landscaping**

- 5.18 The revisions to the proposals at basement level have led to a number of requirements in respect of landscaping, namely the consideration of new levels, a requirement for a raised central area to provide adequate soil volumes and an external lift between the upper and lower levels.
- 5.19 There are no changes proposed to the Wicklow Street Courtyard. The Section 73 proposes a slight increase in play space from 303sqm in the approved scheme to 306sqm in the proposed.
- 5.20 A landscape statement has been submitted with the application.

## 6 Consultation and Engagement

- 6.1 This section outlines the consultation undertaken prior to the submission of the Section 73 application.
- 6.2 The applicant has worked closely with the UCL Ear Institute to develop a suitable strategy for their temporary decant to below the residential building during the construction of the hotel to mitigate the disruption caused during construction to their operation.
- 6.3 Discussions with the London Borough of Camden have taken place between September 2022 and February 2023. This has involved meetings with planning, design, conservation, transport and energy officers.
- 6.4 In relation to community engagement, the main engagement has taken place between January and February 2023. This has comprised:
- Community Newsletter
  - Project Website – this was updated to reflect the amendments proposed; and
  - Meetings with key stakeholders [both online and in person].
- 6.5 Meetings with stakeholders have taken place with:
- Britannia Street TRA
  - Westminster Kingsway College
  - Water Rats Public House
  - King's Cross Ward Councillors
- 6.6 The Applicant has carried out an inclusive and thorough consultation process, successfully reaching a number of key individuals and groups. The consultation activities that have taken place are in accordance with the London Borough of Camden's own Statement of Community Involvement (2016) and also reflect the principles for consultation in the Localism Act (2011) and in the National Planning Policy Framework (2021).

## 7 Planning Policy Context

- 7.1 The statutory development plan for the purposes of Section 38 (6) of the Planning and Compulsory Purchase Act 2004 comprises:
- i The London Plan. The London Plan presents the Mayor’s spatial development strategy for London. This document has been consolidated with alterations since 2016. Hereinafter this will be referred to as the London Plan (‘LP’).
  - ii The Camden Local Development Framework (‘LDF’). The LDF is made up of Camden’s Local Plan (2017) and various adopted Camden Supplementary Planning Guidance documents.
- 7.2 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.

### National Planning Guidance

#### The National Planning Policy Framework (NPPF) February 2019

- 7.3 The NPPF sets out the Government’s planning policies for England and how these are expected to be applied. It summarises in a single document all previous national planning policy advice. The NPPF must be taken into account in the preparation of local and neighbourhood plans and is a material consideration in planning decisions.
- 7.4 The NPPF introduces the presumption in favour of sustainable development although it makes it clear that the Development Plan is still the starting point for decision making.
- 7.5 The NPPF sets out the Government’s requirements for the planning system only to the extent that it is relevant, proportionate, and necessary to do so. It provides a framework within which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities.

- 7.6 One of the core planning principles of the NPPF is that planning should not simply be about scrutiny but instead be “a creative exercise in finding ways to enhance and improve the places in which people live their lives”.
- 7.7 The Ministerial Statement, ‘Planning for Growth’, emphasises the importance of securing economic growth and employment. The document states that when considering planning applications, Local Planning Authorities should support enterprise and facilitate housing, economic and other forms of sustainable development.
- 7.8 In terms of the historic environment, Paragraph 193 of the National Planning Policy Framework sets out that great weight should be given to the conservation of heritage assets. Paragraphs 194-195 set out the tests that need to be met where either ‘substantial harm’ or ‘less than substantial harm’ is caused to heritage assets. Where any harm is caused the public benefits of the proposal should outweigh this harm.
- 7.9 Chapter 9 of the NPPF sets the expectations in terms of promoting sustainable transport and advises that transport issues should be considered from the earliest stages of plan-making and development proposals in order to address the impacts of a development proposals, to identify opportunities from existing or proposed transport infrastructure in relation to the scale and location of development proposed, to assess any environmental impacts of traffic and infrastructure and to mitigate accordingly, and to take into consideration patterns of movement to ensure transport considerations are integral to the design of schemes.
- 7.10 Chapter 11 of the NPPF relates to making efficient use of land and advises that planning policies and decision should promote an effective use of land in meeting the need for homes and other uses while safeguarding the environment and ensuring safe and healthy living conditions.

#### **Planning Practice Guidance, 2014 (as amended)**

- 7.11 The Planning Practice Guidance was produced and published by the Department of Communities and Local Government (‘DCLG’) in March 2014 and has been varied and supplemented on a number of occasions since.

#### **Regional Planning Policy Guidance**



### **The London Plan (2021)**

- 7.12 The new London Plan was published on 2<sup>nd</sup> March 2021 and sets the structure for how London will develop over the next 25 years and the Mayor’s vision for good growth. The Plan is part of the statutory development plan for London, meaning that the policies in the Plan should inform decisions on planning applications across the capital.

### **Local Planning Policy: Camden Local Plan (2017)**

- 7.13 At the local level, Camden’s Local Plan (2017) was adopted by Council on 3 July 2017 and replaced the Core Strategy and Camden Development Policies documents as the basis for planning decisions and future development in the borough.

### **Supplementary Planning Guidance**

- 7.14 Other relevant LB Camden Supplementary and Design Guidance of relevance to this application includes:
- Camden Planning Guidance - Design (January 2021);
  - Camden Planning Guidance - Basements (January 2021);
  - Camden Planning Guidance - Employment Sites and Business Premises (March 2021);
  - Camden Planning Guidance - Energy Efficiency and Adaptation (January 2021);
  - Camden Planning Guidance - Amenity (January 2021);
  - Camden Planning Guidance - Public Open Space (January 2021);
  - Camden Planning Guidance - Air Quality (January 2021);
  - Camden Planning Guidance - Transport (January 2021);
  - Camden Planning Guidance - Trees (March 2019);

- Camden Planning Guidance - Developer Contributions (March 2019); and
- Camden Planning Guidance - Water and Flooding (March 2019).

### **Legislative Framework**

- 7.15 Given the Site's location within a conservation area and near to listed buildings, statute regarding the historic environment is relevant.
- 7.16 Section 72 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.
- 7.17 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 sets out that special regard be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest in which it possesses.
- 7.18 On 21 July 2020, the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 (the "Regulations" were laid before parliament and came into force on 01 September 2020. The Regulations revoke Parts A and D of the Town and Country Planning (Use Class Order) 1987 (as amended) from 01 September 2020.

### **Principal Planning Matters**

- 7.19 The development proposals have been assessed against the following principal planning matters:
- Land Use;
  - Design;
  - Heritage, Townscape and Views;
  - Environment and Sustainability;
  - Amenity;
  - Transport, Waste and Servicing; and

- Other Technical Considerations.

## 8 Land Use

- 8.1 This section assesses the proposed amendments to the areas by land use and their acceptability, in principle, in planning policy terms. It concludes that the proposed mix of uses remain acceptable in land use terms and that the uses are of an appropriate scale and balance in line with relevant planning policies.

### **Principle of Development**

- 8.2 The site is in a highly accessible location and would continue to provide a mixture of uses comprising commercial, and residential, including affordable housing. It is therefore a suitable site for a large-scale development such as that proposed, and the principle of development would still accord with the objectives of policy G1 of the Camden Local Plan which states **“The Council will deliver growth by securing high quality development and promoting the most efficient use of land and buildings in Camden by [inter alia] supporting development that makes best use of its site, taking into account quality of design, its surroundings, sustainability, amenity, heritage, transport accessibility and any other considerations relevant to the site.”**
- 8.3 This would help support Camden’s role in contributing to the Central London economic and offer and has obvious synergies with the Knowledge Quarter which is also in accordance with policy G1.
- 8.4 The Proposed Amendments will continue to optimise previously developed urban land, which is in accordance with the character and established mix of uses in the surrounding area. The development would replace outdated buildings with a state of the art truly mixed-use development, consistent with the NPPF, London Plan, and Local Plan Policy G1.

### **Mixed Use Policy**

- 8.5 Promoting mixed-use development is one of the core principles of the NPPF, which suggests at paragraph 91 that mixed use developments can promote healthy communities.
- 8.6 Chapter 11 of the NPPF seeks to promote the effective use of land in meeting the needs for homes as well as other uses. Paragraph 118 sets out that planning decisions should

encourage multiple benefits from mixed-use schemes whilst also giving substantial weight to suitable brownfield land.

- 8.7 Policy GG2 of The London Plan seeks to enable mixed-use development on brownfield land and prioritising sites which are well-connected by existing or planned public transport. In addition, a development should “proactively explore the potential to intensify the use of land to support additional homes and workspaces, promoting higher density development, particularly in locations that are well-connected to jobs, services, infrastructure and amenities by public transport, walking and cycling”.
- 8.8 Paragraph 1.3.3 of the CAZ SPG sets out that offices and other CAZ strategic functions should be given greater weight relative to new residential development.
- 8.9 Policy H1 of the Local Plan sets out that self-contained housing is the priority land use across the Borough.
- 8.10 Policy H2 of the Local Plan states that where non-residential development is proposed the Council will promote and encourage the inclusion of self-contained homes as part of a mix of uses in all parts of the borough
- 8.11 Policy H2 of the 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. The policy requires where more than 200sqm GIA of non-residential development is proposed in the Central London Area, 50% of the additional floorspace would be required to be delivered as self-contained housing with an appropriate mix, including affordable housing where relevant.
- 8.12 Policy H2 states that when considering whether self-contained housing is required as part of a mix of uses the Council will take into account:
- i the character of the development, the site and the area;
  - ii site size, and any constraints on developing the site for a mix of uses;
  - iii the priority the Local Plan gives to the jewellery sector in the Hatton Garden area;
  - iv whether self-contained housing would be compatible with the character and operational requirements of the proposed non-residential use and other nearby uses;

- v whether the development is publicly funded or serves a public purpose;
- vi the need to add to community safety by providing an active street frontage and natural surveillance;
- vii the extent of any additional floorspace needed for an existing user;
- viii the impact of a mix of uses on the efficiency and overall quantum of development;
- ix the economics and financial viability of the development including any particular costs associated with it, having regard to any distinctive viability characteristics of particular sectors such as build-to-let housing; and
- x whether an alternative approach could better meet the objectives of this policy and the Local Plan

8.13 The Interim Housing CPG provides detailed guidance on calculating a site's capacity to provide housing, along with a split between market and affordable. Paragraph IH2.56 of the Interim Housing CPG states that any existing residential floorspace on the development site should be retained or replaced independently of the 50% target.

#### Assessment

8.14 The proposed development continues to propose a mixed-use development comprising office space, a new hotel, new homes, a gym and café/restaurant uses. The proposed development would now see a total uplift of 22,906sqm. Under policy H2, this generates a requirement for 11,453sqm of that uplift to be provided as housing as a part of a mix of uses.

8.15 The proposal is for residential to include 7,452sqm or 32.5% of the uplift a shortfall of 4,001sqm or 17.5%. The split between non-residential and residential is summarised below:

- Non-residential floorspace uplift: 15,454sqm (67.5%)
- Residential floorspace uplift: 7,452sqm (32.5%)

8.16 The proposals would therefore fail to achieve the 50% required by policy H2, which acknowledges there are instances in which on-site provision may not be feasible, and that provision will depend on a number of practical constraints.

- 8.17 A total of 3,183sqm [GIA] would be provided as affordable housing and 4,269sqm [GIA] as market housing.
- 8.18 Whilst the overall residential provision does not meet the full 50% required by policy, a substantial quantum of housing is proposed, and 3,183sqm of affordable housing would be delivered, providing 28% of the housing provision required under the mixed-use policy as affordable housing.
- 8.19 The revised scheme still offers wide ranging benefits including a high-quality sustainable design which incorporates public realm improvements, an active ground floor.
- 8.20 Whilst the proposed amendments result in less affordable housing by area, the offering remains the same by unit number, by habitable rooms and additionally in terms of habitable rooms by area.
- 8.21 Given the site character and constraints, it is not possible to increase the provision of housing any further on the site. The proposed scheme has sought to maximise on-site delivery of housing and affordable housing whilst meeting the other aspirations for commercial uses and place making within this location.
- 8.22 Due to the financial viability of the scheme, a payment in lieu for the shortfall in housing is not possible in this instance.

### **Office**

- 8.23 The NPPF sets out the Government's commitment to securing economic growth and advises that plans should support an economy fit for the twenty first century. Paragraph 80 of the NPPF states that [inter alia] 'significant weight should be placed on the need to support economic growth and productivity, taking into account wider opportunities for development'.
- 8.24 Policy SD4 the London Plan relates to the CAZ and identifies uses connected with science, technology, media, communications and cultural sectors of regional, national and international importance as one of the strategic functions. The supporting text goes onto

identifying important clusters within the CAZ and highlights creative industries and life sciences as one of these.

- 8.25 The London Plan (at policies E2 and E3) requires new office developments to provide a proportion of the floor space as affordable workspace.
- 8.26 Camden Local Plan Policy E1 explains that the Council will secure a successful and inclusive economy in Camden by creating the conditions for economic growth and harnessing the benefits for local residents and businesses.
- 8.27 Policy E2 states that “the Council will encourage the provision of employment premises and sites in the borough.”
- 8.28 The Site is allocated (Policy IDS15 – 330 Gray’s Inn Road) within the Draft Site Allocations Camden Local Plan (2020) for “a mixed-used development to include offices and other uses related to the knowledge and innovation economy, and permanent self-contained homes.”

#### Assessment

- 8.29 At a local policy level, paragraph 5.23, the supporting text to Local Plan policy E1 relates specifically to the Knowledge Quarter and the science growth sector and states that [Camden] **will support the development of these industries and promote the development of the Knowledge Quarter around Euston and King’s Cross.**
- 8.30 This scheme remains an employment led scheme as office is the dominant/largest land use with 19,937m<sup>2</sup> or 56% of total floorspace. An increased proportion of this would be lab-enabled [7,241sqm [GIA] as opposed to 2,640sqm [GIA] in the extant scheme] and a component will remain affordable workspace and obligations to secure Knowledge Quarter users will remain. The additional lab-enabled space is considered to provide a far greater benefit to Camden’s Knowledge and Innovation District where new flexible space is desperately needed.
- 8.31 It is acknowledged that the emerging KQ1 policy in respect of affordable workspace seeks 20% of additional employment floorspace as affordable. This is not achievable within these



- proposals due to viability and the intention to meet other policy objectives, including housing and affordable housing.
- 8.32 Given the draft status of the emerging policy, it can only be afforded limited weight in the determination of the applications.
- 8.33 The scheme proposes 554sqm (GIA) affordable workspace compared with 930sqm (GIA) in the extant scheme. The affordable workspace has been relocated to a more suitable and prominent part of the site in the original, historic, retained building fronting Gray's Inn Road. The affordable workspace equates to circa 2.7% of the total office/lab floorspace.
- 8.34 The affordable workspace (554sqm) would be provided at a 50% discount in perpetuity, a significant increase from 10 years. In addition to the permanent affordable workspace, the retained buildings that sit between UCL's Gray's Inn Road premises and Swinton House will in part be used to accommodate affordable workspace (1,395sqm) as a meanwhile use for the duration of Phase 1 construction.
- 8.35 The proposed scheme will still create a significant number of jobs both during construction and once occupied and operational though it is acknowledged that there is a slight reduction in the number of FTE's generated once occupational owing to the increased provision of lab-enabled floorspace [1,080 FTE as opposed to 1,350 FTE].
- 8.36 Owing to the increased construction period, the number of jobs generated would be 330 per annum as opposed to 670 though in total that would be 2,310 across the entire construction period vs 2,010 in the extant scheme.
- 8.37 The proposed scheme would provide high quality affordable workspace and would assist in promoting an increase of commercial floorspace in the CAZ as well as Camden. Therefore, the proposed office floorspace accords with the London Plan policy SD4 and E1, and Local Plan policies E1 and E2.

## Hotel

- 8.38 Policy E10 of the London Plan seeks to support the visitor economy as well as the needs of businesses and leisure visitors to the capital and highlight a strategic demand for new serviced accommodation in London.
- 8.39 To ensure new visitor accommodation is in appropriate locations within the Central Activities Zone (CAZ), strategically important hotel provision should be focussed on its opportunity areas, with smaller scale provision in CAZ fringe locations with good public transport.
- 8.40 Policy E10 (Visitor Infrastructure) of the London Plan also emphasises the importance of hotel accommodation growth within the CAZ. Paragraph 6.10.2 provides an updated hotel accommodation target of 58,000 bedrooms of serviced accommodation by 2041, equating to 2,230 bedrooms per annum.
- 8.41 Policy E3: Tourism of Camden’s Local Plan (2017) recognises the importance of the visitor economy in Camden and will support tourism and visitor accommodation which will be directed to and located in Central London, particularly the growth areas Holborn, King’s Cross and Tottenham Court Road.

Assessment

- 8.42 Although the revised hotel results in 1,102sqm less area it will provide the same number of hotel rooms (182) and the area loss is from ancillary space at basement level. The hotel would still contribute approximately 1,350 gross direct jobs on site. It is also still estimated that around 24% of those employed in the hotel and restaurant sector come from less than 5km of their workplace and therefore it will still provide local employment opportunities.
- 8.43 In this regard the proposed amendments remain compliant with the relevant planning policy framework and the proposal accord with Policy E10 of the London Plan and Policy E3 of the Camden Local Plan (2017).

**Residential**

- 8.44 The Government’s strategic objective as set out in the NPPF is to deliver a wide choice of high-quality homes and create sustainable, inclusive and mixed communities.

- 8.45 Chapter 5 of the NPPF supports the Government’s objective of significantly boosting the supply of homes. Local planning authorities should plan for a mix of housing based on current and future demographic trends. They should also identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand.
- 8.46 The annual average housing target in the London Plan stipulates a target of 1,038 units. Camden Council seek to deliver housing above the London Plan targets and set out an ambitious target of 1,120 new homes per annum under Policy H1 of the Local Plan.
- 8.47 The Housing CPG provides detailed guidance on calculating a site’s capacity to provide housing, along with a split between market and affordable. Paragraph 4.35 of the Housing CPG states that any existing residential floorspace on the development site should be retained or replaced independently of the 50% target.

Assessment

*Overall Housing Provision*

- 8.48 The revised scheme provides slightly less residential floor area (553sqm less) but still provides the same number of overall units (72) and 7,452sqm [GIA]. The loss is mainly from the ancillary storage area originally proposed in the basement of the affordable housing block.
- 8.49 Housing would make up 20.8% of total floorspace as opposed to 24.2% under the extant scheme and 32.5% versus 39.4% of the uplift.

*Housing Tenure and Mix*

- 8.50 The proposed tenure mix remains the same as the extant scheme. For reference this is set out in table 6.

*Table 6: Proposed Tenure Mix*

<b>Proposed Residential Tenure Mix</b>	<b>Studio</b>	<b>1-bed</b>	<b>2-bed</b>	<b>3-bed</b>
<b>Market</b>	17	9	16	2
<b>Social/Affordable</b>	0	0	1	6
<b>Intermediate</b>	0	19	6	0

<b>Total</b>	17	28	23	8
<b>% Mix</b>	<b>22%</b>	<b>37%</b>	<b>30%</b>	<b>11%</b>

8.51 In accordance with local plan policy H7, the proposed development would contain a mix of large and small homes, contributing to the creation of mixed and inclusive communities.

*Accessible Housing*

8.52 The London Plan Housing SPG requires 10% of the total number of residential units to be designed to be wheelchair adaptable. Policy H6 of the Local Plan requires 10% of new building housing to be accessible or adaptable for wheelchair users.

8.53 In line with this requirement, 12% residential units have been designed to be wheelchair accessible which is the same as the extant scheme.

**Affordable Housing**

8.54 Paragraph 61 of the NPPF sets out that the needs of housing different groups in the community should be assessed and reflected in planning policies. This relates to size, type and tenure including affordable housing.

8.55 The Affordable Housing and Viability Supplementary Planning Guidance, August 2017, explains how the policies of the London Plan should be carried into action with the aim of half of all new homes to be affordable.

8.56 The SPG sets out the threshold approach to applications. Under the Threshold Approach, development proposals that provide 35 per cent affordable housing and 50 per cent on public and industrial land (where industrial floorspace capacity is not being re-provided in line with policy E7, Industrial Intensification, co-location and substitution), and that meet tenure, affordability and other relevant requirements, can follow the Fast Track Route.

8.57 Affordable housing policy is taken forward in draft Policy H5 of the London Plan, which states the strategic target of 50% of all new homes to be genuinely affordable; requires that major developments provide affordable housing through the threshold approach; and reaffirms

that affordable housing should be provided on-site, with off-site / payment only in exceptional circumstances.

- 8.58 At a local level, Camden Local Plan Policy H4 states that the Council will aim to maximise the supply of affordable housing and exceed the borough wide strategic target of 5,300 additional affordable homes from 2016/17 - 2030/31 and will aim for an appropriate mix of affordable housing types to meet the needs of households unable to access market housing.
- 8.59 Policy H4 identifies that the Council expect a contribution to affordable housing from all developments that provide one or more additional homes and involve a total addition to residential floorspace of 100sqm GIA or more.
- 8.60 Policy H4 (e) goes on to state that an affordable housing target of 50% applies to developments with a capacity for 25 or more additional dwellings.
- 8.61 Policy H4 sets out that the guideline mix of affordable housing types is 60% social rented housing and 40% intermediate housing.
- 8.62 Camden Planning Guidance on Interim Housing (2019) provides specific guidance on both housing and affordable housing in mixed use development and specifically the requirements of Local Plan Policies H2, H4, and H6.

#### Assessment

- 8.63 A total of 3,183sqm as opposed to 3,572sqm (GIA) in the extant scheme or 28 units of affordable housing would be provided within the Swinton Street Building which is the same quantum of units. This equates to 50% on a habitable room basis in accordance with the fast-track threshold approach in the emerging London Plan Policy as the site was formerly public sector land.
- 8.64 This is 389sqm less than the approved scheme but the area loss is from the ancillary space that was originally provided in the basement as storage. There is no loss of habitable floorspace.
- 8.65 The revised proposal still provides 50% affordable housing on habitable room basis.

- 8.66 In terms of proportion of affordable housing by floor area (as required by the Camden Local Plan), the proposals would include 42.7% of the housing provided as affordable and 27.8% of a policy compliant (in accordance with the mixed-use policy) level of housing.
- 8.67 Although the quantum falls short of the Local Plan target the key benefit in terms of the number of affordable housing units is retained. The loss of the large ancillary basement storage area is not considered detrimental to the use of the affordable housing units.
- 8.68 On a floorspace basis, the tenure split would be 62/38 (social rent/intermediate). The proposals broadly accord with the Camden requirement of 60% affordable rent 40% intermediate and the provision of larger affordable rent apartments aligns with LBC's aspirations and is considered acceptable.

### **Gymnasium**

- 8.69 Policy C3 of the Local Plan identifies that the Council would seek opportunities for new cultural and leisure facilities in major, mixed-use developments.
- 8.70 It is possible that a gymnasium may come forward as part of the development proposals though it is now proposed to be flexible office/lab-enabled or gymnasium floorspace [2,890sqm].

### **Café/Restaurant**

- 8.71 The proposals remain the same in this regard, an ancillary café is proposed to be delivered front of the hotel building, fronting Gray's Inn Road, and a restaurant space at the back of the hotel, onto the public courtyard.
- 8.72 It is therefore considered that the Proposed Development would align with LB Camden's aspirations for the site in its Local Plan and as set out within the draft site allocation, creating a mixed-use development including offices and other uses related to the knowledge and innovation economy, and permanent self-contained homes.

## 9 Design and Landscaping

- 9.1 This section reviews the proposals against relevant national, regional and local planning policy in term of design.
- 9.2 The Government has attached great importance to the design of the built environment in the NPPF with a presumption in favour of sustainable development.
- 9.3 Paragraph 124 of the NPPF states that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.
- 9.4 Paragraph 127 of the NPPF states that development should function well and add to the overall quality of the area over the lifetime of the development. In pursuance of this development should be visually attractive, sympathetic to the local character and context, maintain a strong sense of place and distinctiveness.
- 9.5 The NPPF identifies that securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment (Paragraph 185).
- 9.6 Paragraph 15 of the PPG on Design states that that new or changing places should have the following qualities commonly exhibited by successful, well-designed places:
- i be functional;
  - ii support mixed uses and tenures;
  - iii include successful public spaces;
  - iv be adaptable and resilient;
  - v have a distinctive character;
  - vi be attractive; and
  - vii encourage ease of movement.
- 9.7 Policy D1B of The London Plan requires new development to achieve indoor and outdoor environments that are comfortable and inviting for people to use. In addition, development

should provide spaces and buildings that maximise opportunities for urban greening to create attractive resilient places that can also help the management of surface water

- 9.8 The London Plan policy D2 states that the density of development should be proportionate to the site's connectivity and access to public transport. Policy D3 sets out that all development must make the best use of land and use a design led approach to optimise the capacity of sites. Part B of the policy states that development proposals should have regard to form and layout, experience and respond to the quality and character of the surroundings.
- 9.9 Policy D4 – Delivering good design, states that the design of development proposals should be thoroughly scrutinised. The scrutiny of a proposed development's design should cover its layout, scale, height, density, land uses, materials, architectural treatment, detailing and landscaping. The Design and Access Statement should explain the approach taken to these design issues.
- 9.10 At a local level, Camden Local Plan Policy D1 seeks to secure high quality design in development and to ensure that new developments are attractive, safe and easy to use.
- 9.11 At a local level, policy C6 of the Local Plan seeks to promote access for all by expecting all buildings and places to meet the highest standards of accessibility and inclusive design
- 9.12 Camden has also published a Planning Guidance SPD (March 2019) 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

- 9.13 This section should be read in conjunction with the Design and Access Statement prepared and submitted in respect of the proposed amendments.
- 9.14 The design of the proposal has been carefully considered throughout the pre-application stage and is the result of a detailed process with input from LBC officers.
- 9.15 The amendments to the scheme are set out below.



### *Basement level changes*

- 9.16 The revised proposal includes additional basement extensions to create a three and a half storey basement to accommodate the temporary relocation of the Ear Institute and subsequent impacts on the proposed development. At its deepest the basement would extend to a depth of about 15m below Wicklow Street level.
- 9.17 The entire basement space is acoustically separated from ground borne noise and vibration via a set of structural acoustic bearings with the basement perimeter walls also separated from the basement wall construction.
- 9.18 A revised basement impact assessment has been submitted with the applications to demonstrate that the impact to existing geological and hydrogeological conditions, adjacent structures, slope stability and surface flow can be mitigated by appropriate design and standard construction practices.

### *Relocated Plant*

- 9.19 To accommodate the relocation of the Ear Institute and to increase the provision of lab-enabled space, it is necessary to relocate some of the plant to roof level. This is demonstrated in the DAS and has been tested in the agreed viewpoints in response to pre-application discussions with design and conservation officers at Camden.

### *Swinton Street Entrance*

- 9.20 The ground floor elevations facing onto Wicklow Street are subject to minor alterations to the consented proposals. The affordable workspace entrance will be adapted as a new laboratory entrance with minor modifications to the residential ancillary access and egress and the approved cycle entrance will be moved to a new location on Wicklow Street as highlighted in the Design and Access Statement submitted. In addition, there will be the introduction of new loading bay doors to serve the new lab space.
- 9.21 The revised location for the bike store entrance due to the introduction of the loading bay has brought the entrance closer to the principal office entrance. With the continued increase

in cycle usage, the cycle entrance should be part of the front of house journey. The entrance has a double bay frontage with one creating a visible connection to the staircase within, and a glazed partition to the office reception.

#### *Extract Flues*

- 9.22 The existing Ear Institute facility has flue extracts connected to fume cupboards within their laboratory spaces. In their current location they cross the site boundary and are connected to the building within the development site.
- 9.23 For the temporary relocation, the extent of research being undertaken will continue, and therefore it is necessary to provide a new flue extract. It is proposed that this flue is located within the residential core, and discharges at roof level above neighbouring properties.
- 9.24 RWDI as aerodynamic specialists have been engaged through the pre-application process to review wind dispersion analysis which has determined the minimum necessary height of the flues to mitigate any adverse impact on the development and surrounding properties.
- 9.25 A revised set of verified views has been undertaken on the revised proposals which demonstrate that the addition of the flues do not have a material impact from the agreed viewpoints.

#### *Landscaping changes*

- 9.26 The application proposes an increase in basement area and provision for laboratory enabled use results in the area beneath the residential garden requiring a larger area and taller floor to ceiling height. This has reshaped the levels of the garden and introduced skylights to provide natural light to the occupied space below. The landscape architect has incorporated the skylights into their proposed design of raised tree planters and seating.
- 9.27 Towards the eastern edge of the garden the stepped edge has been reworked to enable for light to enter the office space below and views out. The edge combines a set of new geometries which create a dynamic edge condition comprising of a landscaped slope with slide, a stepped access route to the two levels, a seated and planted edge to a new glazed element and a platform lift affording level access throughout.

*Amenity and Playspace*

- 9.28 The GLA Child Yield Calculator requires a total of 177.1m<sup>2</sup> and the development proposes 194.4 sqm for its residents.
- 9.29 The on-site requirement for public open space would therefore be 2,656.76m<sup>2</sup> (1,373.76m<sup>2</sup> + 1,283m<sup>2</sup>). This is calculated below:
- Residential:  $72 \times 2.12 \times 9\text{m}^2 = 1,373.76\text{m}^2$
  - Hotel and other ancillary uses: no requirement for public open space
  - Office:  $(0.74 \times (20,800\text{m}^2/12)) = 1,283\text{m}^2$
- 9.30 On-site public open space provision has been made as part of the application in the form of the public courtyard on Wicklow Street. For the purposes of this assessment, the colonnades and routes have not been included. As such, the proposal would offer approximately 473m<sup>2</sup> of public open space. This represents a shortfall of 2,183.76m<sup>2</sup> compared with a shortfall of 1,770.69sqm in the approved scheme. It is not possible to provide more public open space so this shortfall will be met by a payment in lieu. On this basis, a financial contribution is required towards the provision, maintenance and improvement of existing open space in the area and would be secured by the deed of variation to the S106 Agreement.

Summary

- 9.31 The evolution of the proposed design, including original concepts and design development, as well as the underlying design rationale, are set out in more detail in AHMM's Design and Access Statement submitted with this planning application. The final scheme design has evolved throughout the pre-application process in response to feedback from a range of stakeholders including the London Borough of Camden.
- 9.32 In summary, the design and material choices are considered to be of an exceptional quality and durability as per the extant scheme and as sought by Local Plan Policy D1. The Proposed Development is of a high quality and provides an active frontage and visually interesting

street level elevations at the local scale and an attractive appearance, particularly when compared with the existing ad-hoc buildings.

- 9.33 The Proposed Amendments therefore fully accord with the design policies and aspirations of national, regional, and local policy.

## 10 Heritage and Townscape Views

- 10.1 This section assesses the Proposed Development within the context of its historic environment and the statutory duty to have special regard to the desirability of preserving the listed buildings, their settings, or any features of special architectural or historic interest, and conservation areas. This chapter sets out the significance of the designated and non-designated heritage assets (the adjacent conservation areas and surrounding listed buildings) in order to inform an assessment of the proposals according to the criteria set out in the NPPF in relation to harm and benefit. The proposals are then considered against relevant national, regional and local heritage planning policy and guidance.
- 10.2 A full analysis of the impact of the proposed development on designated heritage assets is included within the submitted Townscape, Visual Impact and Heritage Assessment (“TVIHA”) addendum document prepared by The Townscape Consultancy and submitted as part of the application and should be read alongside this Section of this Statement.

### **Policy and Statutory Context**

- 10.3 Section 66(1) states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 10.4 Section 72 of the 1990 Act also provides that, in respect of development affecting conservation areas, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
- 10.5 The Government has attached great importance to conserving and enhancing the historic environment at Chapter 16 of the NPPF.
- 10.6 Paragraph 189 of the NPPF states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

- 10.7 As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.
- 10.8 The process of collecting baseline data involved identifying the relevant HAs included in the following documentary and mapping resources:
- i Historic England on-line National Heritage List for England;
  - ii Statutory List of Buildings of Special Architectural and Historic Interest;
  - iii LBC Development Plan Documents and other guidance (including conservation area character appraisals);
  - iv London Borough of Islington ('LBI') conservation area Character Appraisals;
  - v The Buildings of England: London 4: North, B Cherry and N Pevsner, Yale UP, 2002
- 10.9 There is no information relevant to this assessment that is available in other Historic Environment Records that is not available in the sources identified above that we have used to compile the baseline.
- 10.10 Paragraph 192 of the NPPF states that in determining planning applications, local planning authorities should take account of:
- xii The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
  - xiii The positive contribution that conservation of heritage assets can make to sustainable communities including their economic viability; and
  - xiv The desirability of new development making a positive contribution to local character and distinctiveness.
- 10.11 Paragraph 193 states that, when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's

- conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 10.12 Paragraph 196 of 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, where appropriate, securing its optimum viable use.
- 10.13 The NPPG on Conserving and Enhancing the Historic Environment provides further guidance in assessing the impact of development proposals which effect heritage assets. It sets out that “significance” derives not only from a heritage asset’s physical presence, but also from its setting. It sets out that “Public Benefits” may follow from many developments and could be anything that delivers economic, social or environmental objectives as described at Paragraph 8 of the NPPF.
- 10.14 With regard to the London View Management Framework, London Plan Policy 7.12 states new development should not harm, and where possible should make a positive contribution to, the characteristics and composition of the strategic views and their landmark elements. Development in the foreground and middle ground of a designated view should not be overly intrusive, unsightly or prominent to the detriment of the view.
- 10.15 Policy D2 of the Local Plan states that the Council will preserve and where appropriate, enhance Camden’s rich and diverse heritage assets and their settings. In respect of designated heritage assets, the Council will not permit development that results in harm that is less than substantial to the significance of a designated heritage assets unless the public benefits of the proposal convincingly outweigh that harm.
- 10.16 The London Plan policy HC3 states that Strategic Views include significant buildings, urban landscapes or riverscapes that help to define London at a strategic level. They are seen from places that are publicly-accessible and well-used. Development proposals must be assessed for their impact on a designated view if they fall within the foreground, middle ground or background of that view.
- 10.17 In respect of archaeology, the policy states that the Council will protect remains of archaeological importance by ensuring acceptable measures are taken proportionate to the

significance of the heritage asset to preserve them and their setting, including physical preservation, where appropriate.

- 10.18 The King's Cross Conservation Area Statement was issued in 2004 describes the history, character and appearance of the conservation area.
- 10.19 The Bloomsbury Conservation Area Character Appraisal and Management Strategy (BCAA) was adopted on 18 April 2011. It identifies a number of character sub-areas within the conservation area. The Site lies opposite 'sub-area 14: Calthorpe Street / Fredrick Street'.

#### Assessment

- 10.20 An addendum to the TVIBHA [Townscape, Visual Impact and Built Heritage Assessment] prepared for the extant scheme has been prepared by The Townscape Consultancy and submitted with the application.
- 10.21 The addendum concludes that the effects of The Proposed Development would be the same as the TVIBHA and the conclusions of the previous assessment remain valid for the scheme amendments.
- 10.22 In terms of views and townscape, the TVIBHA noted (at paragraph 6.30) that 'Overall, the proposed development would form a high quality and characterful scheme, with appropriately scaled buildings that would either enhance or have a neutral effect on the local and wider views and townscape in which they would be visible. It would have no effect on the LVMF views assessed in this report. It would create a welcoming environment that strengthens sense of place and encourages social interaction'. The Addendum concludes that this would also be the case for the amended scheme.
- 10.23 The Addendum concludes that the design of the amended scheme has had regard to the statutory duties of the Planning (Listed Buildings and Conservation Areas) Act (1990). As was the case for the consented scheme, the amended scheme would enhance the character and appearance of the King's Cross/St. Pancras Conservation Area. It would not harm the setting of any heritage asset.



10.24 In respect of design and built heritage considerations, it is in line with the policies and guidance set out in the NPPF and PPG; London Plan policies; and the LBC local policies and guidance.

## 11 Energy and Sustainability

- 11.1 This section assesses the proposed energy and sustainability strategy and its acceptability in planning policy terms. It concludes that the Proposed Development is highly sustainable in full accordance with relevant adopted and emerging planning policies.
- 11.2 At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.
- 11.3 In accordance with National level objectives, the London Plan sets out the Mayor’s vision to ensure that London becomes a world leader in improving the environment locally and globally, taking the lead in tackling climate change, reducing pollution, developing a low carbon economy, consuming fewer resources and using them more effectively.
- 11.4 In accordance with National objectives, the London Plan sets out the Mayor’s vision to ensure that London becomes a world leader in improving the environment locally and globally, taking the lead in tackling climate change, reducing pollution, developing a low carbon economy, consuming fewer resources and using them more effectively.
- 11.5 In accordance with National objectives, the London Plan sets out the Mayor’s vision to ensure that London becomes a world leader in improving the environment locally and globally, taking the lead in tackling climate change, reducing pollution, developing a low carbon economy, consuming fewer resources and using them more effectively.
- 11.6 London Policy SI2 relates to minimising greenhouse gas emissions and states that major development should be net-zero carbon which means reducing greenhouse gas emissions in operation and minimising both annual and peak energy demand in accordance with the energy hierarchy as set out:
- xii be lean: use less energy and manage demand during operation
  - xiii be clean: exploit local energy resources (such as secondary heat) and supply energy efficiently and cleanly

- xiv be green: maximise opportunities for renewable energy by producing, storing and using renewable energy on-site
  - xv be seen: monitor, verify and report on energy performance
- 11.7 Part C of the above policy states the requirement for a minimum on-site reduction of 35% beyond building regulations for major developments and that major commercial developments should achieve 15% through energy efficiency measures. Any shortfall should either be provided by a payment in lieu or off-site. Part F of the policy states the requirement for referable development to calculate the whole life-cycle carbon emissions through a nationally recognised Whole Life-Cycle Carbon Assessment.
- 11.8 London Plan Policy SI13 seeks to achieve greenfield run-off rates and ensure surface water run-off is managed as close to its source as possible within developments.
- 11.9 The London Plan Policy SI4 states development proposals should minimise adverse impacts on the urban heat island through design, layout, orientation, materials and the incorporation of green infrastructure.
- 11.10 The London Plan Policy S17 states that referable applications should promote circular economy outcomes and aim to be net-zero waste. A Circular Economy Statement is required to be submitted to demonstrate the aims set out in parts i - vi of the policy.
- 11.11 London Plan Policy G5 states that 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.
- 11.12 London Plan Policy G8 places an expectation on boroughs to protect existing allotments and encourage provision of space for urban agriculture, including community garden, and food growing within new developments.
- 11.13 In regard to flood risk management and sustainable drainage, Policies SI12 and SI13 of the London Plan include the requirement to follow a hierarchical approach to surface water management with a preference for green over grey features and advocate that drainage should be designed and implemented in ways that promote multiple benefits including

increase water use efficiency, improve water quality, and enhance biodiversity, urban greening, amenity and recreation.

- 11.14 At a local level, through Local Plan Policy CC1 Camden requires 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. The policy clearly requires all proposals for substantial demolition to demonstrate that it is not possible to retain the existing building.
- 11.15 Local Plan Policy CC2 requires all development to be resilient to climate change through the adoption of appropriate climate change adaptation measures. Local Plan Policy CC2 also promotes the incorporation of sustainable design and construction measures within developments.
- 11.16 In March 2019 LB Camden updated the Camden Planning Guidance 'Energy Efficiency and Adaptation' to ensure that the Council's commitment to reducing carbon emissions is achieved. Moreover, Camden Planning Guidance 'Sustainability' (July 2015, updated March 2018) gives further guidance with respect to the principles of sustainability.
- 11.17 In 2020, LB Camden published the Camden Climate Action Plan (2020-2025) which sets out the Council's ambition for a zero carbon Camden by 2030.
- 11.18 The application is accompanied by an Energy and Sustainability Assessment, a whole life-cycle carbon assessment and a Circular Economy Statement prepared by XCO2. This section provides an overview of how the proposed development accords with the aspirations of national, regional and local planning policy.

#### Assessment

- 11.19 Following the implementation of the three-step Energy Hierarchy, the cumulative CO2 savings on site are estimated at 60.0% for the domestic part and 18.0% for the non-domestic part of the development, against a Part L 2021 compliant scheme. The regulated CO2 savings for the site as a whole are 27.0% with SAP10.2 emission factors.

- 11.20 According to the London Plan and Camden Local Plan CO2 the savings target of 35% overall, needs to be met. In accordance with Camden Planning Guidance on Energy Efficiency and Adaption, the proposed development also needs to meet the target of 20% reduction in carbon dioxide emissions from on-site renewable energy technologies.
- 11.21 Taking into consideration the improved performance that the buildings need to demonstrate just to meet the new Part L 2021 Regulations, the development performs exceptionally. It achieves a 27% of total CO2 savings, of which 9% reduction is generated from onsite renewable technologies, against Part L 2021.
- 11.22 With the SAP 10.2 carbon factors, to achieve 'zero carbon' for the residential portion of the scheme, 25.6 tonnes per annum of regulated CO2, equivalent to 767 tonnes over 30 years, from the new-build domestic portion should be offset offsite. The shortfall to a zero-carbon reduction from baseline for the new build non-domestic portion of the scheme would be 195.3 tonnes per annum of regulated CO2, equivalent to 5,858 tonnes over 30 years, to be offset offsite.
- 11.23 Any carbon offset contributions will be subject to viability discussions and detailed design stage calculations when the SAP10.2 methodology and emission factors are finalised.
- 11.24 Overall, the proposed development has been designed to demonstrate the client and the design team's commitment to enhancing the sustainability of the scheme.
- 11.25 The proposed development integrates a metering strategy to allow for the measure of energy consumption during the operation of the building. Metering will be split into lighting, small power and HVAC, in line with current Part L requirements. The office will have utility meters on each floor for each tenant.
- 11.26 Furthermore, residential dwellings will be provided with smart meters to monitor the heat and electricity consumption of each dwelling; the display board will demonstrate real-time and historical energy use data and will be installed at an accessible location within the dwellings.
- 11.27 The sustainability strategy for the proposed development at 330 Gray's Inn Road has been developed with the design team to comply with the relevant environmental policies from the

London Borough of Camden and the London Plan. Relevant energy policies have been addressed in the accompanying Energy Statement. The proposed development is targeting the achievement of BREEAM 'Excellent'.

- 11.28 A circular economy statement has been submitted with the application and updates the conclusions of the approved circular economy statement with respect to the proposed amendments.
- 11.29 Wherever feasible, non-hazardous demolition and construction waste would be reused in place, recovered on or off site, salvaged or reclaimed, returned to the supplier, or recycled or composted, in this order of priority. Reuse of existing materials and equipment would be prioritised where possible. This would promote resource efficiency and effective management and reduction of construction waste. Where reuse is not possible, construction materials would be sorted into separate recycling streams either on-site or off-site and diverted from landfill. In planning policy terms, this meets the requirement of London Plan Policy S17.
- 11.30 The design of the Proposed Amendments has considered environmentally sustainable measures from nine thematic areas: Energy and CO2 emissions, water, materials, circular economy and waste management, pollution, health and wellbeing, management, ecology and transport.
- 11.31 Accordingly, the Proposed Development would meet the local, regional and national planning policy requirements for energy and sustainability.

## 12 Amenity

- 12.1 This section of the Statement assesses the proposals against policy relating to the amenity of nearby existing residents in terms of air quality, noise and daylight and sunlight.

### **Air Quality - Policy**

- 12.2 At a national level, NPPF paragraph 180 advises that planning decisions should ensure that development is located appropriately. Development proposals should consider the likely effects of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from development. In pursuance of this development proposals should mitigate and reduce to minimum potential adverse impacts in amenity.
- 12.3 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 (paragraph 170).
- 12.4 The GLA Housing SPG Standard 33 requires development to minimise increased exposure to existing poor air quality and make provision to address local problems of air quality, be at least 'air quality neutral' and not lead to further deterioration of existing poor air quality (such as areas designated as Air Quality Management Areas (AQMAs)).
- 12.5 London Plan Policy SI2 Minimising greenhouse gas emissions requires major developments are net zero-carbon, through reducing greenhouse gas emissions during operation through being lean, clean and green. Major proposals should include a detailed energy strategy to demonstrate how the zero-carbon target will be met.
- 12.6 At a local level, Local Plan Policy CC4 requires development to provide air quality assessments where the proposed scheme is likely to expose residents to high levels of air pollution.
- 12.7 Camden Supplementary Planning Guidance on Amenity states that all of Camden is a designated Air Quality Management Area due to the high concentrations of nitrogen dioxide (NO<sub>2</sub>) and particulate matter (PM<sub>10</sub>). As such all developments are to limit their impact on

- local air quality. An Air Quality Assessment is required to support any scheme which proposes uses susceptible to poor air quality, such as housing.
- 12.8 Camden Planning Guidance 'Air Quality' states that the Council's overarching aim is for new development to be 'air quality neutral', not lead to further deterioration of existing poor air quality and, where possible, to improve local air quality ('air quality positive').
- 12.9 The demolition and construction phases of development on air quality must be taken into account as part of planning applications. Mitigation and offsetting measures to deal with any negative air quality impacts associated with development must be implemented.
- 12.10 The London Borough of Camden has, since 2000, been designated an Air Quality Management Area. The Camden Air Quality Action Plan (2016) sets out a variety of actions to help reduce key air pollutants in the Borough arising from road traffic, gas boilers and other sources. Action 14 seeks to minimise emissions from the construction and operation of new developments by requiring developers to adhere to current and any superseding best practice guidance and supplementary planning guidance.

#### Assessment

- 12.11 An updated Air Quality assessment has been submitted with the application and demonstrates that overall, the construction and operational air quality effects of the proposed development are judged to be not significant. The proposed development has also been shown to meet the London Plan's requirement that new developments are at least 'air quality neutral.'

#### Daylight/Sunlight

- 12.12 Paragraph 127 of the NPPF refers to securing a good standard of amenity for all existing and future occupants of land and buildings.
- 12.13 The Intend to Publish London Plan policy D6(D) states that the design of developments 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.

#### Assessment

- 12.14 An addendum report has been prepared in conjunction with the daylight sunlight assessment prepared for the extant scheme. The addendum concludes that the daylight impacts as a result of the revised scheme will not be materially different from the previously submitted initial proposal with a similar number of noticeable impacts which are coupled with sufficient residual daylight. As regards APSH, there are also no material differences between the two schemes.
- 12.15 It is considered that the conclusions of the initial November 2020 proposal remain extant and that the proposed level of massing responds to the flexibility which is inherent in the BRE Guidelines with acceptable residual daylight levels where alterations are noticeable. As a result of the subsequent daylight and sunlight impacts from the revised scheme, it is considered that the revised massing is acceptable.
- 12.16 The internal daylight assessment concludes that the proposed development demonstrates a good level of compliance with the BRE Guidance in terms of internal daylight amenity with 60% of the rooms achieving their respective target illuminance value for the rooms' usage over at least 50% of the rooms area. Many of the rooms achieve considerably more than the required minimum. Similarly, the scheme experiences good levels of sunlight exposure; 72% achieve the recommendations.
- 12.17 It is considered that the proposed amendments comply with the relevant planning policy framework with regard to daylight and sunlight.

## 13 Transport Waste and Servicing

- 13.1 This section assesses the acceptability of the proposed transport, access, servicing, refuse and trip generation of the Proposed Development in planning policy terms. It concludes that the transport principles accord with relevant adopted and emerging planning policies.

### Transport Policy

- 13.2 Chapter 9 of the NPPF sets out the Government's policies with regards to Transport. The overall aims are to promote solutions that support a reduction in greenhouse gas emissions and reduce congestion and would contribute to wider sustainability and health objectives. The NPPF outlines aims for a transport system balanced in favour of sustainable transport modes, in order to give people a real choice about how they travel. It also encourages solutions which support reductions in greenhouse gas emissions and reduce congestion. Paragraph 108 of the NPPF states it should be ensured that:

- i appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
- ii safe and suitable access to the site can be achieved for all users;
- iii any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

- 13.3 Paragraph 103 of the NPPF states that the transport system needs to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel.

- 13.4 Paragraph 109 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.

- 13.5 At a regional level, one of the strategic objectives of the London Plan is to improve accessibility, making London an easier city to move around and making public transport and the pedestrian environment accessible to everyone. The Mayor's Transport Strategy sets out policies and proposals to achieve the goals set out in the Plan.

- 13.6 At a local level, Camden Local Plan Policy T1 prioritises walking, cycling and public transport in the borough. In pursuance of this 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.
- 13.7 To assess the overall implications of developments LB Camden, under policy T4, expects the submission of a Transport Assessment, Delivery and Servicing Management Plan and Construction Management Plan where the implications of proposals are significant.

### **Assessment**

- 13.8 In regard to highways, one amendment is proposed from the consented position along Wicklow Street, with the introduction of an internalised loading bay necessitated by the UCL Ear Institute relocation into the site.
- 13.9 The proposed development will provide cycle parking in accordance with the London Plan (2021). A worst-case assessment in regard to cycle storage has been conducting assuming the Class E floorspace comes forward as Office.
- 13.10 On-site car parking provision will remain as per the Consented Scheme for the residential and commercial land uses on-site. Accessible car parking will also be provided in accordance with the consented scheme and the London Plan (2021).
- 13.11 The Proposed Development has been designed with reference to Approved Document M (Access to and Use of Buildings). The access strategy will continue to develop post-planning with an Approved Inspector to the project.
- 13.12 A trip generation assessment has been conducted in accordance with the approved methodology submitted within the original TA. The analysis illustrates that the changes proposed as part of this application have negligible impact in the context of the surrounding highway, public transport and pedestrian/cyclist infrastructure.
- 13.13 The Proposed Development is forecast to generate an additional 12 daily servicing trips when compared against the consented scheme. This level of activity represents an average of 1

vehicle per hour and can comfortably be accommodated without detriment to the operation of the site and/or local highway capacity.

13.14 A number of supporting documents including an RTP, FTP, CLP and DSP were prepared to support the consented scheme. Based on the proposed amends to the development the reports are considered valid in support of this application.

13.15 In summary the amendments proposed will have a negligible impact on the local transport network as concluded by the addendum Transport Assessment and overall, it can be concluded that the proposed development is a sustainable scheme which supports the Healthy Streets Approach, Mayor's Transport Strategy, and The London Plan.

## 14 Other Technical Considerations

### Basements

- 14.0 Camden Local Plan Policy states that the Council will only permit basement development where it is demonstrated to its satisfaction that the proposal would not cause harm to:
- a) neighbouring properties;
  - b) the structural, ground, or water conditions of the area;
  - c) the character and amenity of the area;
  - d) the architectural character of the building; and
  - e) the significance of heritage assets.
- 14.1 Camden Basements CPG gives detailed guidance with respect to new basement development, specifically their siting, location, scale and design.
- 14.2 The CPG advises that the Council strongly encourages applicants to use the Council's Basement Impact Assessment ('BIA') proforma to ensure that all aspects of potential impact are addressed, a BIA of which is included as part of this application

### Assessment

- 14.3 A Basement Impact Assessment ('BIA'), prepared and updated by WSP, in support of this application and gives an overview of the substructure and the basement considerations in the context of the proposed development.
- 14.4 The basement impact assessment shows that the level of impact to the existing geological and hydrogeological conditions, adjacent structures, slope stability and surface flow can be mitigated by appropriate design and standard construction practices.

## Archaeology

- 14.5 Paragraph 187 of the NPPF requires LPAs to identify and assess the significance of any heritage assets that may be affected. Paragraph 189 states that where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, LPAs should require an appropriate desk-based assessment and, where necessary, a field evaluation.
- 14.6 London Plan Policy HC1 Heritage conservation and growth, part D states that development proposals should identify assets of archaeological significance and use this information to avoid harm or minimise it through design and appropriate mitigation. Where applicable, development should make provision for the protection of significant archaeological assets and landscapes.
- 14.7 Camden Local Plan Policy D2 states that the Council will protect remains of archaeological importance by ensuring acceptable measures are taken proportionate to the significance of the heritage asset to preserve them and their setting, including physical preservation, where appropriate.

## Assessment

- 14.8 An archaeological desk-based assessment was submitted with the extant planning permission and an addendum note has been prepared and submitted within this planning application. The note [to be read in conjunction with the approved report] details that the site does not lie within an archaeological priority area (APA). Archaeological survival potential across the site is likely to be low reflecting the presence of a basement covering the full extent of the site.
- 14.9 The note concludes that the revised scheme will cause no greater archaeological impact to the site than the extant scheme which has been discounted for archaeological potential. No further archaeological work is considered necessary to support these proposals.

## Noise

14.10 The NPPF contains guidance on noise management in planning decisions. Paragraph 170 of the NPPF requires planning decisions to contribute and enhance the natural and local environment by preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by unacceptable levels of, among other things, noise.

14.11 Paragraph 180 states that decisions should aim to avoid noise giving rise to significant impacts on quality of life as a result of development and mitigate noise impacts. This paragraph contains recognition that development will 'often create some noise'.

14.12 Paragraph 182 of the NPPF states that:

"Planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs). Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed."

14.13 Policy D12 Agent of Change of the London Plan places the responsibility for mitigating impacts from existing noise on the proposed new noise-sensitive development. New noise and nuisance-generating development proposed to noise sensitive uses should put measures in place to mitigate and manage any noise impacts. This can be achieved through:

1. Ensuring good design mitigates and minimises existing and potential nuisances generated by existing uses and activities located in the area.
2. Exploring mitigation measures early in the design stage, with necessary and appropriate provisions including ongoing and future management of mitigation measures secured through planning obligations.

3. Separating new noise-sensitive development where possible from existing noise-generating businesses and uses through distance, screening, internal layout, sound-proofing, insulation and other acoustic design measures.

14.14 London Plan policy D14 states that development proposals should manage noise by:

- avoiding significant adverse noise impacts on health and life;
- reflecting Agent of Change principle;
- 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 promoting appropriate soundscapes;
- promoting new technologies and improved practices to reduce noise at source.

14.15 At a local level, Policy A1 of the Local Plan seeks to manage the impact of development. The policy states that the Council will

- a) seek to ensure that the amenity of communities, occupiers and neighbours is protected
- b) seek to ensure development contributes towards strong and successful communities by balancing the needs of development with the needs and characteristics of local areas and communities
- c) resist development that fails to adequately assess and address transport impacts affecting communities, occupiers, neighbours and the existing transport network; and
- d) require mitigation measures where necessary.

14.16 Camden Local Plan Policy A4 seeks to ensure that noise and vibration from development is controlled and managed. Planning permission will only be granted for noise generating development where it can be operated without causing harm to amenity. Camden also seeks to minimise the impact on local amenity from deliveries and from the demolition and construction phases of development through this policy.



14.17 Camden Planning Guidance Document 6 'Amenity' supports Local Plan Policy A4, setting out when planning applications must be supported by noise reports and what mitigation measures can be implemented to prevent harm to amenity being caused.

#### Assessment

14.18 A revised noise assessment has been prepared by Hann Tucker and submitted with this application. As detailed in the report, it is demonstrated that acceptable internal noise levels are achievable in the worst-case areas of the development. The pre predicted worst case internal noise levels with windows partially opened exceed the proposed target levels (as is often the case). The minimum mitigation available to future occupants would be to close their window. Ventilation (incorporating suitable acoustic attenuation) will be provided to comply with the requirements of the Building Regulations Approved Document F whole dwelling ventilation. The occupants will thus have the option of keeping windows closed for most of the time and opening windows for purge ventilation.

14.19 The external envelope of the proposed residences will incorporate suitably specified glazing so as to achieve the proposed design target internal noise levels. Where ventilation is provided through the façade it shall be suitably acoustically attenuated to ensure the achievement of the proposed target internal noise levels is not compromised.

14.20 Building services plant external noise emission levels will need to comply with planning requirements and statutory noise nuisance legislation which is acknowledged in the report and recommendations made accordingly.

14.21 The report shows that predicted noise level from the generator at the most-affected hotel window and residential window within our development would exceed the external plant noise emission criteria by 10dBA in the worst-case scenario. It is recommended that the generator to be re-selected or acoustic enclosure to be installed for the generator to reduce the noise level by 10dBA.

14.22 The assessment shows the site, subject to appropriate mitigation measures, is suitable for residential development in terms of noise.

### **Flood Risk and Drainage**

- 14.23 The NPPF identifies that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere.
- 14.24 At a national level, paragraph 165 of the NPPF (2019) specifies that major developments should incorporate sustainable drainage systems, unless there is clear evidence that this would not be appropriate.
- 14.25 At a local level, Camden Local Plan Policy CC2 advises that all development should adopt appropriate climate change adaption measures, including not increasing, and wherever possible reducing, surface water runoff through increasing permeable surfaces and use of Sustainable Drainage Systems.
- 14.26 Camden Local Plan Policy CC3 seeks to ensure that development does not increase flood risk and reduces the risk of flooding where possible.
- 14.27 Camden Planning Guidance 'Water and Flooding' (2019) states that the Council expects all developments, whether new or existing buildings, to be designed to be water efficient by minimising water use and maximising the re-use of water.

### Assessment

- 14.28 The drainage strategy aims to reduce surface water discharge from the site to greenfield rates and manage surface run off considering the impact of climate change in accordance with Policy SI.13 of the London Plan, and local policy CC2.
- 14.29 The proposed drainage strategy includes green roofs at high level and a concrete attenuation tank located below the basement slab. The surface water discharge would be restricted using a pump station located at B1 level, this will be restricted to the discharge rate agreed with the LLFA and TW, which is at a rate of 2.0 l/s for all storm events up to and including the 1:100 year + 40% climate change.

- 14.30 Furthermore, the strategy maximises opportunities to use Sustainable Drainage System (SuDS) measures at the top of the drainage hierarchy set out in Policy SI.13 of the London Plan
- 14.31 As detailed in the Flood Risk Assessment submitted, the site is shown in the EA Flood Maps as being located within Flood Zone 1, which based on the NPPF, is classified as having a 'low' probability of tidal and fluvial flooding. Other potential sources of flooding have been investigated however no significant sources of flooding have been identified.
- 14.32 The FRA submitted shows that there is no requirement for the exception test or the sequential test to be carried out. The assessment concludes that the site has been assessed as being at very low probability from all sources of flooding. In this regard the proposals meet the test of Local Plan Policy CC3 in so far as the risk of flooding is not increased by the proposed development.

### **Fire**

- 14.33 Policy D12 of the London Plan requires that developments proposals must achieve the highest standards of fire safety. Part B of policy D12, states that all major development proposals should be submitted with a Fire Statement produced by a third party suitable qualified assessor.
- 14.34 Part B(5) of the London Plan Policy D5 requires that for 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.

### Assessment

- 14.35 An updated fire statement has been prepared by OFR and has been submitted with the application.
- 14.36 The fire statement documents the fire strategy principles for the scheme with the design at a RIBA Stage 2[15] level of detail. It details that the herein may be subject to further specification / change as the design progresses. In due course, a detailed fire strategy will be

produced with a level of information suitable for Building Regulations approval. The detailed fire strategy will also form part of the information pack handed over to the building operator(s) under Regulation 38 to assist the responsible person to carry out the necessary fire safety risk assessments and implement and maintain a fire management plan in accordance with the Regulatory Reform (Fire Safety) Order 2005 “FSO”.

### **Land Contamination**

- 14.37 Policy A1 of the Camden Local Plan stipulates that the Council will seek to protect the quality of life of occupiers and neighbours. The factors the Council will consider include [inter alia] contaminated land.

#### Assessment

- 14.38 As set out within the Preliminary Geo-Environmental Risk Assessment, prepared by WSP, the site setting is considered to be of a low to medium environmental sensitivity.
- 14.39 WSP have identified a LOW to MEDIUM risk of possible source-pathway-receptor pollutant linkages being present, which should be assessed further by undertaking an intrusive site investigation

### **Trees**

- 14.40 Camden Local Plan Policy A3 states that the Council will protect, and seek to secure additional, trees and vegetation. Specifically, Policy A3 stipulates that the Council will [inter alia]:

expect replacement trees or vegetation to be provided where the loss of significant trees or vegetation or harm to the wellbeing of these trees and vegetation has been justified in the context of the proposed development;

- xii expect developments to incorporate additional trees and vegetation wherever possible.

14.41 Camden Planning Guidance on Trees outlines that [inter alia] using British Standard BS5837:2012 the Council will aim to increase and improve tree coverage in the design of new developments and through planning contributions.

#### Assessment

14.42 As set out in the submitted Arboricultural Impact Assessment, one tree requires removal to permit development and one tree requires removal for health and safety reasons. The remaining trees would be retained as they have great amenity value and are visible throughout the surrounding area. The trees would have barriers and fencing around them whilst development takes place, and therefore accord with Local Plan Policy A3. Ground protection may be necessary to further protect RPAs.

#### **Microclimate**

14.43 Local Plan policy A1 in relation to ‘managing the impact of development,’ Policy A1 Managing the impact of development states that the Council will seek to protect the quality of life of occupiers and neighbours. As listed, microclimate is listed as a consideration considered in assessing the impacts from the development on amenity

#### Assessment

14.44 The wind assessment of the pedestrian level microclimate has been reviewed and updated as part of this application.

14.45 As the overall geometry of the Proposed Development remains similar to that assessed previously, similar wind flows would be expected to occur. In the context of the existing surrounding buildings, the Proposed Development would be well sheltered from the prevailing south-westerly winds by the immediate surrounding development as they range from 4 to 8 storeys. However, as the office and residential building along Swinton Street would increase the building height in comparison to the existing Site, this would likely increase the ‘funnelling effect’ along Swinton Street as the approaching winds are forced to ‘squeeze’ between the developments on either side of Swinton Street as demonstrated in Figure 1. These higher wind speeds would be mitigated to a degree by the three large existing

trees along Swinton Road, however, additional localised mitigation measures in the form of hard or soft landscaping elements may be required particularly near sensitive locations including entrances and bus stops.

- 14.46 A more detailed wind microclimate assessment to develop appropriate mitigation measures, such as landscape enhancements would be carried out post-planning stage.

### **Ecology**

- 14.47 The application is accompanied by a Preliminary Ecological Appraisal (PEA) prepared by XCO2. As detailed in the report, the three potential roost features (PRFs) on the buildings which were identified in the 2019 PEA were still present and in the same condition (as of 15/12/22). There were an additional two new PRF features on the buildings (one large cavity in the roof and one large cavity in the wall) which had appeared since 2019 (see Appendix 1 photos). The PRF on the mature walnut tree was still present and in similar condition and two other new cavities of similar size had appeared on the same tree. There was also a third small developing branch cavity. The PRFs on buildings were all assessed as having low bat roost potential and the tree features as moderate potential (except for one feature, which had negligible bat roost potential at time of survey but is likely to develop over time). Further bat emergence surveys are recommended in Spring 2023 to follow on from this report.
- 14.48 The tree and introduced shrub onsite have potential to support nesting birds. The rest of the site does not have the potential to support protected species.

## 15 Planning Obligations and Community Infrastructure Levy

- 15.0 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 any person interested in land in their area for the purpose of restricting or regulating the development or use of the land.
- 15.1 In accordance with Regulation 122 of the Community Infrastructure Levy Regulations 2010, as amended, and paragraph 204 of the NPPF, a planning obligation should only be sought where they meet all of the following tests:
- a) Necessary to make the proposed development acceptable in planning terms;
  - b) Directly related to the proposed development; and
  - c) Fairly and reasonably related in scale and kind to the proposed development.
- 15.2 Paragraph 54 of the NPPF states that planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.
- 15.3 Under paragraph 55 of the NPPF, planning obligations should be kept to a minimum and only 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 state that agreeing conditions is beneficial to all parties involved in the process and can speed up decision making. Conditions that are required to be discharged before development commences should be avoided, unless there is clear justification
- 15.4 Under Policy 8.2 of the London Plan 'Planning Obligations', boroughs should include appropriate strategic as well as local needs in their policies for planning obligations. Policy 8.2 states that negotiations should seek a contribution towards the full cost of all such provision that is fairly and reasonably related in scale and kind to the proposed development and its impact on a wider area.

- 15.5 The use of planning obligations is specifically required through Local Plan policy DM1 ‘delivering and monitoring’ although a whole range of individual development policies may be used to justify an obligation.
- 15.6 Local Plan Policy DM1 states that the Council will use planning obligations, and other suitable mechanisms, where appropriate, to; support sustainable development; secure any necessary and related infrastructure, facilities and services to meet the needs generated by development; and mitigate the impact of development.
- 15.7 The use of planning obligations is specifically required through Local Plan policy DM1 ‘delivering and monitoring’ although a whole range of individual development policies may be used to justify an obligation.
- 15.8 Local Plan Policy DM1 states that the Council will use planning obligations, and other suitable mechanisms, where appropriate, to; support sustainable development; secure any necessary and related infrastructure, facilities and services to meet the needs generated by development; and mitigate the impact of development.

#### **Community Infrastructure Levy (CIL)**

- 15.9 Since 2012, all developments in London which result in the addition of over 100sqm GIA floorspace (with some exceptions including affordable housing) have been eligible to pay Mayoral CIL. In February 2019 the Mayor adopted a new charging schedule (MCIL2). MCIL2 came into effect on 1 April 2019 and supersedes MCIL1 and the associated Crossrail Funding SPG. The relevant MCIL2 rates are as follows:
- Office - £185 per sqm (Central London);
  - Retail - £165 per sqm (Central London); and
  - All other Development - £80 per sqm (Band 1 – Camden).
- 15.10 Camden CIL came into effect on 1 October 2020. The CIL tariff for sites located within Central Camden (i.e. Zone A) are charged at the following rates:
- Office - £110 per sqm;
  - Hotel - £110 per sqm



- Retail - £32 per sqm
- Residential (10 or more dwellings) - £193 per sqm; and
- Other commercial uses - £32 per sqm.

### **Developer Contributions**

- 15.11 The CPG sets out how the Council will use Section 106 Contributions and CIL to fund infrastructure in the Borough. It states that financial contributions will be sought in respect of affordable housing, open space, infrastructure to address the site specific and related impacts of development which may include financial, and non-financial contributions. Detailed guidance for calculating specific financial obligations is set out within the relevant CPGs.
- 15.12 A Section 106 agreement will be entered into which reflects the existing agreement subject to consequential amendments to reflect the scheme changes.

## 16 Summary and Conclusions

- 16.0 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires proposals to be determined in accordance with the statutory development plan unless material considerations indicate otherwise. This Planning Statement has assessed the Proposed Development against the development plan and other relevant planning policy and guidance at national, regional and local policy level.
- 16.1 The Proposed Development will continue to seek to create an exemplary mixed-use development through the provision of high-quality architecture, public realm and landscaping, which encourage activity and permeability through the Site.
- 16.2 The new hotel and office buildings create a publicly accessible ground floor including café and restaurant spaces and the creation of new public routes through the site connecting Gray's Inn Road, Swinton Street and Wicklow Street.
- 16.3 The site is of strategic importance within the Knowledge Quarter and has the potential to deliver much needed affordable housing, affordable workspace and knowledge quarter uses with associated economic benefits for the local community.
- 16.4 The redevelopment proposals present a significant opportunity to extend the transformation of King's Cross to the south and east of the stations and to substantially improve the environment both physically and socially for those already living and working in the vicinity.
- 16.5 The proposed development will act as a catalyst for change in this area and seeks to contribute to improving the area with high quality architecture, and significantly improved public realm.
- 16.6 Crucially, the proposed amendments mitigate concern around the impact of construction on the day-to-day operation of UCL's Ear Institute whilst at the same time delivering an increased provision of lab-enabled floorspace, which is considered to be of far greater benefit to Camden's Knowledge and Innovation District where new flexible space is in great demand.

### 1.27 Environmental benefits:

- Targeting BREEAM Outstanding with a minimum commitment to BREEAM Excellent
- WELL and LEED accreditations
- Target to reduce on-site carbon emissions by at least 27%
- Mechanical ventilation to office with potential for mixed mode
- Natural planting incorporated into architecture promoting good mental health
- Roof mounted photovoltaics
- Green roof terraces with biodiversity measures
- Rainwater harvesting for irrigation
- Detailed embodied carbon assessment to reduce embodied carbon in construction materials
- Diversion of demolition and construction waste for reuse and recycling
- New pedestrian connections through to a new public realm on Wicklow Street from both Swinton Street and Gray's Inn Road;
- Creation of a new landscaped public space fully accessible to the general public
- Creation of a new landscaped private garden accessible to all residents of the new development
- 18 new trees
- Sustainable Urban Drainage
- The potential to engage with wildlife trusts and appropriate amenity societies to support their goals and initiatives
- Encourage sustainable transport options such as cycling and walking to reduce pollution from transport.
- Retention and refurbishment of historic building (330 Gray's Inn Road).

### **1.28 Social Benefits:**

- Redevelopment of a large vacant site in single ownership in the heart of the Knowledge Quarter
- Creation of a new mixed-use destination which would act as a catalyst to the wider regeneration of the area
- 72 new private and affordable homes
- 50% affordable housing (on habitable rooms)
- 32 new affordable homes
- 194 sqm of dedicated children's playspace

- 554 sqm of new, flexible affordable workspace
- New 182 bed hotel to support the growing Knowledge Quarter and add to character and activity of this location
- New café spaces and a restaurant for use by the general public within the new hotel and office buildings
- Active publicly accessible and engaging ground floor facilities within the hotel and office buildings
- New active frontages generating increased natural surveillance and contributing to a reduction in anti-social behaviour.

### **1.29 Economic Benefits**

- An average of 330 construction jobs per annum during the construction period first targeted at Camden residents and then via Central London First
- Approximately £2-£3.3m spent by construction workers in the surrounding area during the construction period which equates to £5767k to £944k annually which would support surrounding local businesses
- Work placements and apprenticeships during the construction period.
- Over 1,080 gross direct on-site jobs during operation
- Apprenticeships made available each year in the completed development within a range of roles including (amongst others) business administration, finance, customer service and IT
- Work placements and apprenticeships made available in the hotel in connection with Westminster Kingsway College school of hospitality and culinary arts
- Promotion of the Camden STEAM Commission objectives amongst end users and occupiers
- Require living wage as a minimum salary for all local employees
- Maximise the opportunities for local businesses to supply goods and services at the construction and end user phases
- Potential to contribute towards the ongoing success and development of the Knowledge Quarter through provision of lab-enabled space.

- 16.7 The proposal demonstrates that it satisfies statute and exceeds planning policies at national, regional and local levels and in addition meets the aims of emerging policy aspirations in respect of the Knowledge Quarter.
- 16.8 The application accords with national, regional and local policy objectives to deliver sustainable, mixed-use and balanced communities and should therefore be approved.