

<b>Address:</b>	<b>Royal National Throat, Nose And Ear Hospital Site</b> <b>330 Gray's Inn Road (and fronting Swinton Street and Wicklow Street)</b> <b>London WC1</b>		<b>1</b>
<b>Application Number</b>	2020/5593/P	<b>Officer: Jonathan McClue</b>	
<b>Ward:</b>	<b>King's Cross</b>		
<b>Date Received:</b>	<b>01/12/2020</b>		

**Proposal:** 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.

**Background Papers, Supporting Documents and Drawing Numbers:**

Existing Drawings: 18116\_00\_(00)\_P010 Rev P01, (18116\_00\_(01)\_P099-105; P100M; P200-202 and P300-301 Rev P01.

Demolition Drawings: (18116\_00\_(12))P99-P105; P100M; P200-202 and P300-301 Rev P01.

Proposed Drawings: (18116\_00\_(00)\_P098 Rev P01; P099-100 and 100M Rev P02; P101-107 Rev P01; P108-114 and 150 Rev P02; P200 Rev P01; P201 Rev P02; P202 Rev P02; P203 Rev P01; P204 Rev P02; P300 Rev P02; P302 Rev P01 and P150 Rev P02, (18116\_01\_(00)\_100-114; 100M; P200-203; P300-301; P400-402 Rev P01, (18116\_02\_(00)\_100-107 and 100M Rev P01; P108 Rev P02; P200-203 Rev P02; P300 Rev P02; P400-403 Rev P01, (18116\_03\_(00)\_100-100M Rev P01; 101-103 Rev P02; 104-111 Rev P01, P200-201 Rev P02; P202-205 Rev P01, P300 Rev P01, P400 Rev P01; P401 P02 and 402-403 Rev P01, (L-01-)101; 111; 121 Rev P01.

Supporting Documents: Covering Letter dated 30/11/2020; Whole Lifecycle Assessment dated November 2020; Transport Assessment dated November 2020; Statement of Community Involvement; Fire Statement dated 16/11/20; Preliminary Geo-Environmental Risk Assessment (Desk Study) dated November 2020; Air Quality Assessment dated November 2020; Sustainability Statement dated

November 2020; Environmental Noise Survey and Acoustic Design Statement Report dated 30/11/2020; Flood Risk Assessment and Drainage Strategy dated November 2020 and Addendum dated February 2021; Design and Access Statement Rev P01 dated 11/05/2021; Scheme Internal Daylight Report DR1 dated November 2020; Daylight and Sunlight Assessment DR2 dated November 2020; Basement Impact Assessment dated October 2020; An Archaeological Desk-Based Assessment dated November 2020; Affordable Housing Statement dated November 2020; Preliminary Arboricultural Impact Assessment and Arboricultural Method Statement dated 28/06/2019; Bat Survey Report dated 11/12/2019; Circular Economy Statement dated November 2020; Townscape, Heritage and Visual Impact and Built Heritage Assessment dated November 2020; Economic Benefit Statement dated May 2021; Energy Statement dated November 2020; Health Impact Assessment dated February 2021; Town Planning Statement dated 30/11/2020; Draft Construction Management Plan dated 09/11/2020; Public Realm Planning Report dated 30/11/2020; Urban Greening Factor and New Biodiversity dated 17/03/2021; Energy/Sustainability – Response to Comments 17/03/2021; AQC Response to Council Comments on Air Quality 03/03/2021; Financial Viability Assessment December 2020; Financial Viability Addendum Report following Review by BPS March 2021; Addendum and Update to July 2019 Demand and Feasibility Study 17/03/2021; Response to London Borough of Camden and TfL Stage 1 Comments 04/03/2021; Preliminary Ecological Appraisal Report 14/08/2019; Internal Daylight Within Proposed Development 14/05/2021; Technical Note – Unit Mix Update 13/05/2021; Affordable Housing Mix and Tenure Changes 13/05/2021; Overheating Assessment 17/05/2021; Circular Economy Statement May 2021; Exhaust Dispersion Design Review 26/02/2021; Affordable Housing Statement Addendum May 2021.

**RECOMMENDATION SUMMARY: Grant Conditional Planning Permission Subject to Section 106 Legal Agreement and referral to Mayor of London for his direction**

<b>Applicant:</b>	<b>Agent:</b>
Grovworltd Ltd 6 Graham Street London N1 8GB	Sophie Hardy Gerald Eve 72 Welbeck Street London W1G 0AY

## ANALYSIS INFORMATION

<b>Land Use Details:</b>			
	Use Class	Use Description	Floorspace (GIA m <sup>2</sup> )
Existing	Hospital (Use Class E(e))		12,811

	<b>TOTAL</b>	<b>12,811</b>
Proposed	Office (Use Class E)	14,107
	Hotel (Use Class C1)	9,430
	Residential (Use Class C3)	8,005
	Gym (Use Class F2)	1,569
	<b>TOTAL</b>	<b>33,111</b>

Residential Use Details:					
	Residential Type	No. of Bedrooms per Unit			
		Studio/1	2	3	Total
Market	Flat	26	16	2	<b>44</b>
Intermediate (rented)	Flat	8	5	0	<b>13</b>
Social-Affordable Rent	Flat	0	5	10	<b>15</b>
<b>TOTAL - All</b>	<b>Flats</b>	<b>34</b>	<b>26</b>	<b>12</b>	<b>72</b>

Parking Details:		
	Parking Spaces (General)	Parking Spaces (Disabled)
Existing	0	2
Proposed	0	7

## OFFICERS' REPORT

### Reason for Referral to Committee

Major development involving the construction of more than 10 new dwellings and more than 1,000m<sup>2</sup> of non-residential floorspace [clause 3(i)]; demolition of buildings considered to make a positive contribution to a conservation area [clause 3(iii)]; and the making of an obligation or agreement under Section 106 of the Town and Country Planning Act 1990 or other legislation ('the obligation') that secures more than £50,000 of financial contributions or other public benefits of estimated capital value [clause 3(iv)].

### Referral to the Mayor

The application includes development which comprises the erection of buildings in Central London with a total floorspace of more than 20,000m<sup>2</sup> (Category 1B(b)) and a building which is more than 30m high and outside the City of London (Category 1C(c)), and is therefore considered a 'strategic' application under the Mayor of London Order 2008.

The application is thereby referable for Mayor's direction (once Camden has resolved to determine the application), whereby the Mayor has power to direct the local authority to refuse the application; call the application in for determination; or, allow the Council to determine it itself.

## **1 EXECUTIVE SUMMARY**

- 1.1 The application site is the former Royal National Throat, Nose and Ear Hospital. Its primary entrance is located at 330 Gray's Inn Road, with the other site boundaries including Wicklow Street, Swinton Street and a railway cutting. Surrounding uses include the UCL Ear Institute, Water Rats Public House, hotel buildings and student accommodation (Depot Point). The site includes at least seven main buildings, many of which are positive contributors, and lies within the King's Cross St Pancras Conservation Area and adjacent to Bloomsbury Conservation Area. A number of listed buildings are located nearby, including 75 Wicklow Street and Derby Lodge. The site has recently become vacant with the previous uses mainly decanting to a new UCLH hospital facility on Huntley Street.
- 1.2 The proposals include the substantial demolition of all buildings apart from the frontage structure at 330 Gray's Inn Road, and 5 new buildings varying in height from 7-15 storeys. A two storey extension and works to the rear are proposed to the retained building. The proposed uses include a 192 room hotel; an office building 13,177m<sup>2</sup>; and two residential buildings with 44 market units, 28 affordable units and 930m<sup>2</sup> affordable workspace. A 1,569m<sup>2</sup> basement gymnasium is proposed. There would be a two storey basement and new open spaces and routes (some public).
- 1.3 As part of the Stage 1 review, the Greater London Authority considered that the application did not yet comply with the London Plan; however, possible remedies were given. The applicant has been working to address the outstanding issues in anticipation of a Stage 2 review. Historic England objected to the application as they consider some harm (less than substantial) would result to the surrounding conservation area through the marked increase in scale behind the historic Gray's Inn Road frontage. They also raised concerns over the proposed extension above 330 Gray's Inn Road. The Victorian Society objected based on the height of the proposed buildings. A joint objection was made by the Bloomsbury Conservation Area Advisory Committee and King's Cross Conservation Area Advisory Committee. The concerns included the scale and design, as well as the choice of materials. Overall, they consider substantial harm would be caused to the King's Cross Conservation Area. An objection was lodged by the Grand Order of Water Rats (on behalf of the Water Rats Public House), with issues primarily raised around safety and security caused by a route through the site. A number of objections were raised from significant Knowledge Quarter based institutions, on the basis of impacts on the UCL Ear Institute including significant noise, vibration, security and servicing impacts, as well as party wall and neighbourly issues. Without proper mitigation these impacts would severely prejudice the Ear Institute's research operations and funding of future programmes. Objections were also raised by adjoining occupiers, on the basis of design and heritage, residential amenity, community benefits, housing and land use.



- 1.4 The redevelopment of this surplus UCLH/NHS site for a mixed-use development to include a hotel, offices, residential units and public amenity space is considered to be acceptable in principle. Officers consider that the proposed quantum and balance of uses is appropriate for this site. The proposal would contribute towards a successful economy, the tourism sector and make a contribution towards the Borough's supply of housing and affordable housing.
- 1.5 The building on-site considered to make the greatest contribution, 330 Gray's Inn Road, would be retained, enhanced and sensitively extended. The rest of the site would be demolished, leading to the loss of a mixture of positive contributors and buildings that make a negative or neutral contribution to the King's Cross St Pancras Conservation Area. A series of new buildings are proposed which are considered to be of excellent design quality. This would lead to a comprehensive redevelopment of the wider site with provision of high quality publicly accessible routes and open spaces. Much taller and larger buildings would be introduced, and this together with the loss of non-designated heritage assets would cause less than substantial harm to the King's Cross St Pancras Conservation Area and the setting of an adjacent listed building (75 Wicklow Street). The less than substantial harm has been given considerable importance and weight. Officers are nevertheless of the view that the public benefits of the scheme (including public routes/spaces, affordable workspace and workspace, affordable housing and housing (full list set out in paragraph 10.110, below)) are sufficiently substantial and compelling to outweigh the 'less than substantial harm' caused.
- 1.6 While the development would be extensive and is likely to have some impacts on neighbouring amenity, particularly during construction, it is not considered that the level of impacts would be materially detrimental subject to a range of planning conditions and legal obligations. A Construction Management Plan would be secured (pursuant to a section 106 agreement) to ensure that the development has the potential to mitigate construction impacts. Specific obligations and conditions are recommended to protect the significant established uses nearby, including the UCL Ear Institute and Water Rats Public House.
- 1.7 In conclusion, the proposed development would, overall, result in less than substantial harm (such harm carries significant weight in the planning balance) to the King's Cross St Pancras Conservation Area and the setting of a grade II listed building, 75 Wicklow Street, and there would be some impacts on neighbouring amenity. The public benefits of the scheme are considered sufficiently significant and compelling to outweigh this identified harm; and the impacts on neighbouring amenity can be adequately mitigated by way of planning conditions and section 106 obligations. Overall, the proposed design is successful in delivering the scale and plan form of a large scale redevelopment project without undue detriment to the character or amenities of the surrounding area and is therefore recommended for approval.

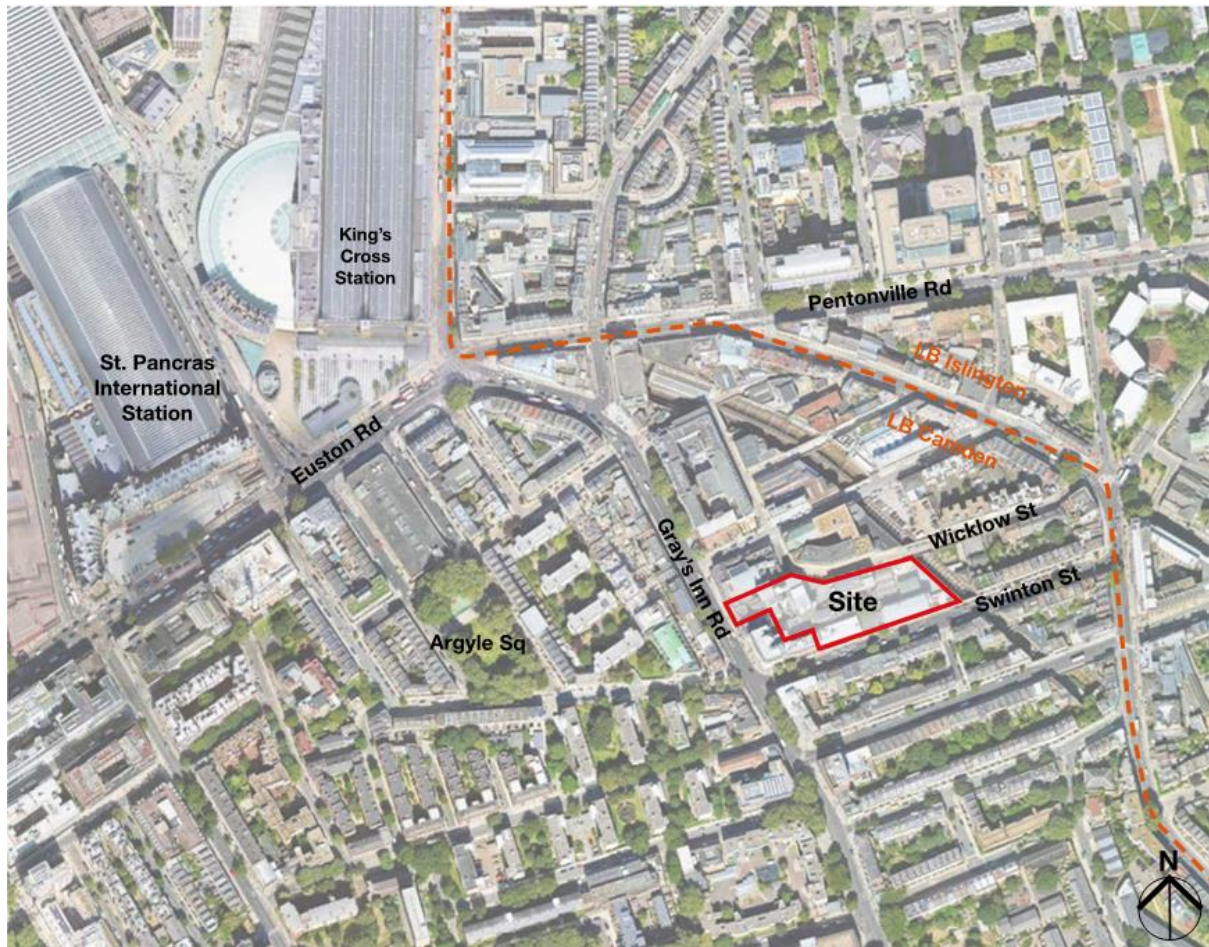
## **2 BACKGROUND**

- 2.1 The application site is home to the former Royal National Throat Nose and Ear Hospital (RNTNEH). It was initially called the Central London Throat Nose and Ear Hospital when it was founded on the site in 1877, before amalgamating (in 1942) with the Hospital for Diseases of the Throat to become the RNTNEH. The hospital joined the National Health Service (NHS) in 1948. The Royal Free Hampstead NHS Trust, comprising the Royal Free Hospital and the Royal National Throat Nose and Ear Hospital, became one of the first NHS trusts established under the provisions of the NHS and Community Care Act in 1991. University College London Hospitals (UCLH) NHS Foundation Trust took over management of the hospital, in the year 2012, until it closed this year with the services moving to a new UCLH facility in Huntley Street.
- 2.2 The services located at the former RNTNEH included inpatients ear, nose and throat (ENT) and oral surgery, sleep diagnostics and allergy services. These took place in the hospital buildings along with the Nuffield Hearing and Speech Centre and Audiology Centre (both on Swinton Street). Although this was a UCLH Hospital site, it was owned by the Royal Free who recently sold it to the applicant (Grovworltd Ltd). In planning policy terms it is considered Public Land.
- 2.3 In October 2019 UCLH opened a new hospital in Huntley Street to house the RNTNEH and the Eastman Dental Hospital. The new hospital treats conditions affecting the ear, nose, throat and mouth including dental, hearing, speech and balance services.

### **3 SITE**

- 3.1 The proposed development would take place on a site with an area of 0.53 Hectares in single ownership. The application site is bound by the UCL Ear Institute; Wicklow Street; railway cuttings; Swinton Street and Gray's Inn Road runs along the western boundary. There are at least seven existing main buildings:
- 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
- 3.2 The site sits within the King's Cross St Pancras Conservation Area (Sub Area 4) with the Bloomsbury Conservation Area located on the opposite side of Swinton Street to the south. 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. The site benefits for a servicing area accessed from Wicklow Street, a car park accessed from Swinton Street and has a level change of approximately one storey in height between Wicklow and Swinton Streets.

- 3.3 Other adjoining buildings include Swinton House (Point A Hotel) and the Water Rats Public House (an Asset of Community Value ACV) to the south on Gray's Inn Road, with Swinton House on the corner of Swinton Street. Adjacent Swinton House on the opposite corner is Acorn House, which has an existing use as offices and is subject to a current application under 2020/3880/P for a development involving affordable housing, in connection with the Belgrove House proposals under 2020/3881/P (both applications have a resolution to grant (at the time of writing)). On the opposite side of Wicklow Street to the north is a large student block (Depot Point).
- 3.4 There are a number of listed buildings located nearby, some of which are referenced below (all listed grade II):
- Church School of St Jude's Church adjacent to the site at 75 Wicklow Street
  - Derby Lodge on the opposite side of Wicklow Street to the northeast
  - 29-67 Swinton Street located on the opposite side of Swinton Street
- 3.5 The application site is located within the Knowledge Quarter and is covered by site specific policies within the emerging Draft Site Allocations Local Plan document. Applicable policies from the above document include KQ1 (Supporting growth in the Knowledge Quarter Innovation District) and IDS15 (330 Gray's Inn Road). Below is an aerial map of the site (Figure 1) and the relevant site designations are listed below it.



**Figure 1 (above):** Aerial map of the site in context

Site designations:

- King's Cross St Pancras Conservation Area
- Adjacent to Bloomsbury Conservation Area
- Grade II listed buildings adjacent
- Contaminated Sites Potential
- Strategic View Cone and Wider Setting – Parliament Hill to St Pauls and Kenwood to St Pauls
- TfL Underground Zone of Interest
- Cross Rail Contribution Zone

## 4 PROPOSAL

- 4.1 Planning permission is sought for the redevelopment of the former Royal National Throat, Nose and Ear Hospital (RNTNEH) site, comprising demolition of all the buildings apart from the frontage building at 330 Gray's Inn Road and 5 new buildings ranging in maximum height from 7-15 storeys. The retained building at 330 would have a two storey extension above and various works are proposed to the rear. Below is a summary of the proposed buildings, works and land uses:

- Retention of 330 Gray's Inn Road and a two storey extension above for use as hotel (5 above ground storeys in total) with café at ground floor. Various works at the rear including rear extension and creation of external courtyard.
- Demolition of all other buildings and erection of 5 new buildings, ranging in maximum height from 7-15 storeys. At least 6 buildings (including buildings which are recognised as contributing positively to the conservation area) would be demolished in total - the Royal National Throat, Nose and Ear Hospital building on Wicklow Street, the building to the rear of the Original Hospital Building on Wicklow Street, the Nurses' Home on Wicklow Street, the workshops to the rear of Nurses' Home on Wicklow Street, the Nuffield Hearing and Speech Centre on Swinton Street and the Audiology Centre on Swinton Street.
- Erection of a 13 storey and a 9 storey building plus upper and lower ground floors (maximum height of 15 storeys) for use as a hotel (including a hotel restaurant). The hotel includes a covered courtyard at ground floor level (behind 330 Gray's Inn Road), a hotel guest roof terrace at 9<sup>th</sup> floor level and a roof terrace at 7<sup>th</sup> floor level. Total of 9,430m<sup>2</sup> hotel floorspace (182 rooms).
- Erection of a 7 storey building plus upper and lower ground floors (maximum height of 9 storeys) facing Wicklow and Swinton Street for use as office (with a floor area of 13,177m<sup>2</sup>) together with various roof terraces and balconies, a loading bay on Swinton Street and a plant room/energy centre at 8<sup>th</sup> floor level.
- Erection of a 10 storey building plus upper and lower ground floors (maximum height of 12 storeys) on Wicklow Street for use as residential (44 market units) over all floors and 930m<sup>2</sup> affordable workspace at lower ground and basement floors. Various residential terraces and balconies.
- Erection of a 5 storey building plus upper and lower ground floors (maximum height of 7 storeys) on Swinton Street for use as residential (28 affordable housing units – 15 social-affordable rent and 13 intermediate rent). Various residential terraces and balconies.
- A gymnasium at basement level (accessed from Swinton Street) with a floor area of 1,569m<sup>2</sup>.
- Construction of a new two storey basement, covering the majority of the site's footprint.
- New open spaces – hotel covered courtyard, public courtyard facing Wicklow Street, residential courtyard between proposed residential buildings.

- New public routes – east-west (Gray’s Inn Road to Wicklow Street) and north-south (Wicklow Street to Swinton Street).
- Rooftop and basement plant, kitchen extracts, residential stores and amenity areas, servicing, storage, cycle storage and facilities, on-street cycle parking, disabled car parking, refuse storage, landscaping and other ancillary and associated works.

#### Revisions/further information

4.2 A host of revisions, addendums, new drawings and documents were submitted during the course of the application and a number of updates and amendments were made. This included updated/new technical information in response to internal and external consultation responses. The most significant of the amendments are summarised below:

- The rooftop plant above the office building was reduced and rationalised to integrate it with the roof and lessen its visual impact
- Ancillary affordable housing space within the basement was converted into further affordable workspace. This resulted in an increase in affordable workspace of 182m<sup>2</sup> and a similar loss of subterranean ancillary residential floorspace.
- The affordable housing was amended to be more in line with the Council’s preferred tenure mix of 60/40 toward social-affordable rent/intermediate rent (it was previously the other way round). This reduced the total number of homes (by converting 1 beds in intermediate rent into 2 and 3 beds in social-affordable rent).
- Minor amendments to floor plans, elevations and technical reports due to the above changes.

4.3 The above is not an exhaustive list of amendments, rather those considered most significant to the proposal. None of the changes were considered to require additional statutory consultation (due to their scale and nature).

## **5 RELEVANT HISTORY**

### Application site

5.1 The host property has been subject to a number of planning applications and developments over the years. The most relevant from recent history are summarised below:

- **2013/4285/P dated July 2013:** Planning permission was granted for the installation of a louvred screen enclosure and metal sheet cladding at the 5<sup>th</sup> floor and roof level of the main hospital block along with wrapping fabric to a chimney.
- **2008/3231/P and 2008/3243/C dated July 2008:** A planning and conservation area consent application were withdrawn for the demolition of an existing outbuilding in the service yard and a new 5 storey basement building.

- **2008/1023/P dated September 2008:** Planning permission was granted for the enclosure of the lower level car park to provide engineer's workshops (ancillary to hospital use).
- **2004/1140/C dated May 2005 and 2004/1138/P dated September 2005:** Conservation area consent and planning permission were granted for the erection of a new hospital treatment centre on four floors, involving demolition of existing buildings and the installation of rooftop plant.
- **2004/0846/P dated April 2004:** Planning permission was granted for the erection of a new link block, enlarging of existing lift and provision of fire escape.
- **PSX0105073 and CSX0105074 dated February 2002:** Planning permission and conservation area consent were granted for the erection of a 4 storey building (2,334m<sup>2</sup>) with plant room for auditory research following demolition of hospital canteen and ancillary buildings.

#### Adjacent sites

- 5.2 **15-27 Britannia Street ref. 2012/3082/P and 2012/3084/C dated September 2012:** Planning permission and conservation area consent were granted for redevelopment of the site involving the erection of a mixture of 5-6 storey high blocks to provide 226 bedrooms of student accommodation; two studio flats facing Wicklow Street and an office unit in the basement.
- 5.3 **33 Wicklow Street ref. 2012/6663/P dated September 2013:** Planning permission was granted for a four storey building with 6 residential units.
- 5.4 **The Water Rats, 328 Gray's Inn Road refs. 2005/3841/P dated January 2006 and 2006/3149/P dated September 2006:** Planning permission has been granted for ventilation equipment and ductwork and rear extensions at first and second floor level.
- 5.5 **Swinton House, 324 Gray's Inn Road ref. 2010/6535/P dated March 2011:** Planning permission was granted for the change of use from office to dual use tourist hostel and/or hotel comprising 114 rooms, ancillary bar, restaurant and retail.
- 5.6 **324-326 Gray's Inn Road ref. 2011/5963/P dated February 2012:** Planning permission was granted for the erection of a 6 storey rear extension to the hotel.
- 5.7 **Tune Hotel, 322-326 Gray's Road and 76-78 Swinton Street ref. 2015/5709/P dated October 2016:** Planning permission was granted for the erection of rooftop extension and 7 storey rear extension to provide additional hotel accommodation.

#### Other nearby sites

- 5.8 **Acorn House, 314-320 Gray's Inn Road ref. 2020/3880/P (resolution to grant (at the time of writing)):** A planning application on the corner of Swinton Street and Gray's Inn Road for the redevelopment of the site to create a part 6, part 10 storey mixed-use building with 33 affordable homes, affordable office



space and retail unit at ground and basement level. This application is linked to the redevelopment of Belgrove House (ref. 2020/3881/P (details below)).

Officers have considered the relevance of the current proposals for development on the Acorn House site in design and heritage terms. Whilst close in location, the two sites are in different conservation areas (although the Swinton Street buildings face the Bloomsbury CA) and do not share the same site context. Although Acorn House has a frontage onto the opposite side of Swinton Street, officers do not consider that the design proposals for the development there would have material consequences for the design or heritage impacts of the redevelopment of the host property. Officers consider the main relevance of any potential development at Acorn House relates to construction impact, and any Construction Management Plan for either site would need to take account of other consented, underway or imminent developments in the locality.

- 5.9 **Belgrove House, Belgrove Street (facing Euston Road) ref. 2020/3881/P (resolution to grant (at the time of writing)):** A planning application for the redevelopment of the site to create a part 5 part 10 storey building (plus 2 basement levels) for use as office and research and laboratory floorspace; with café, flexible retail and office floorspace at ground floor. This application is linked to redevelopment of Acorn House, 314-320 Euston Road (ref. 2020/3880/P (details above)).
- 5.10 **Hand Axe Yard, 277A Gray's Inn Road ref. 2019/4867/P dated November 2019:** Planning permission was granted for the erection of gates to Grays Inn Road entrance and gates with fascia above entrance on St Chads Street. The works were to gate a new route created as part of the new development originally consented under 2014/4267/P dated November 2014 for redevelopment of the site to provide 60 residential units.
- 5.11 **Eastman Dental Hospital Site and Buildings, 256 Gray's Inn Road ref. 2019/2879/P and 2019/2880/L dated March 2020:** Planning permission and listed building consent were granted for redevelopment of the site to create approximately 23,861m<sup>2</sup> of medical research, outpatient facility and academic floorspace. The site is currently under construction.

## 6 CONSULTATION SUMMARY

### Statutory Consultees

Historic England Greater London Archaeological Advisory Service (GLAAS) comments on 14/12/2020:

- 6.1 The consultation response confirmed that the site does not lie within an archaeological priority area and that GLAAS agree with the conclusion set out within the applicant's archaeological desk based assessment. The site has a low potential for significant archaeological remains, and any archaeology that does survive would most likely be of low/negligible significance. No further below ground archaeological investigation is therefore required. GLAAS



however consider the various phases of buildings within site to be of interest and recommend that a programme of historic building recording be carried out, prior to any demolition. The recording should primarily focus on the pre-1960 development phases. A condition is recommended to be attached to any approval.

Officer comments: A condition would be attached as recommended.

Greater London Authority (GLA) Stage 1 comments on 08/02/2021

6.2 The GLA sent a letter and report confirming that the Mayor considered that the application does not yet comply with the London Plan and the Publication London Plan, but that possible remedies could address the deficiencies. The letter assessing the application considered the principle of the development including social infrastructure, Central Activities Zone (CAZ), housing delivery, affordable/SME workspace; housing and affordable housing; urban design; fire safety; inclusive design; residential quality; agent of change; strategic views; heritage; transport; sustainability/energy/circular economy/urban greening/biodiversity; sustainable drainage and flood risk; air quality. It was confirmed that the principle of development is strongly supported; however, a list of changes are required to make the scheme acceptable (this is quoted below). The full GLA Stage 1 consultation response can be found here: <http://camdocs.camden.gov.uk/HPRMWebDrawer/Record/8756026/file/document?inline>

- ***‘Principle of development:*** *The principle of the redevelopment of the site for an employment-led mixed used scheme including for residential purposes in the CAZ is supported. The Council should robustly secure the proposed affordable workspace.*
- ***Housing:*** *50% affordable housing by habitable room is proposed with a split of 37% London Affordable Rent and 63% Intermediate Rent. As the tenure split does not meet Camden’s strategic target, further discussion is necessary to confirm if the scheme can follow the Fast Track Route, or whether it is subject to the Viability Tested Route. Appropriate review mechanisms and the affordability of the units must be secured.*
- ***Urban design and heritage:*** *Camden’s Local Plan states that the entire borough is sensitive to tall buildings, and tall buildings must therefore be assessed against detailed design criteria. The applicant must demonstrate how the proposal complies with these criteria, and also the design criteria within Publication London Plan Policy D9. Notwithstanding this, the design and layout are broadly supported from a strategic perspective. Further work relating to public realm areas, active frontages and agent of change principles is required. There would be less than substantial harm to heritage assets. The public benefits in terms of affordable housing provision, affordable workspace and other public realm improvements could outweigh the harm caused, but the maximum amount of affordable housing must be agreed before this can be confirmed.*
- ***Transport:*** *The strategic transport matters arising from this development could be compliant with the London Plan and the Mayor’s Publication London Plan, subject to further information on healthy*

*streets, road safety audit, infrastructure improvements and mitigation measures is required. A Delivery and Servicing Plan and Construction Logistics Plan along with other obligations should be secured.*

- **Sustainable development:** *Further information on energy, urban greening, drainage strategy, and circular economy strategy is required.'*

*Officer comments: GLA's comments are noted. The scheme has been revised to improve the tenure of the affordable housing so that it is 60/40 in favour of social-affordable rent. GLA have confirmed that the proposals are therefore eligible to fast-track viability as they would provide 50% affordable housing by habitable room. A tall buildings assessment was submitted as requested by the GLA. Further details and a confirmation of a £220,000 financial contribution towards King's Cross Gyrotory improvements has been agreed to satisfy TfL. The applicant has continued to work with the GLA's planning and technical officers, particularly on energy and drainage matters, to resolve the outstanding issues that need to be addressed before GLA's Stage 2 consultation.*

#### Transport for London (TfL) on 15/02/2020

- 6.3 TfL's observations were considered within the GLA Stage 1 consultation response. They also made a standalone consultation response. It confirmed that subject to the requested clarifications, mitigation of network impacts through TRLN improvement design/approvals, and any necessary Healthy Streets improvements, the proposals are in principle acceptable in strategic terms. The outstanding matters/requests are summarised below:

- **Healthy Streets and Vision Zero:** further measures and enhancements to the TLRN highway/public realm are requested. These include carriageway changes to improve conditions for pedestrians as well as free drinking water fountains.
- **Access and Servicing:** minimum hours that the public access lifts (on the proposed east-west and north-south public routes) should be secured along with a retention and maintenance regime, should be secured. TfL also requested a Servicing Management Plan to be secured and a stage 1 Road Safety Audit (RSA).
- **Roadspace: Future Plans, network impact and mitigation:** TfL requested a financial contribution towards improvements on the northern section of Gray's Inn Road. They consider the redundant ambulance bays on Gray's Inn Road should be reallocated for pedestrians or to enhance bus/cycle facilities.
- **Parking:** clarification sought on final number and location of disabled person's car parking. Detailed plans of cycle parking requested to be secured.
- **Infrastructure Protection:** details of any load change/ground movement, foundations and any works that could be a risk adjacent to the open section of the railway must be discussed and agreed prior to determination with LU Infrastructure Protection directly. Clarity of open inset balconies facing railway cutting and bus routes sought.
- **Construction:** it was requested that the applicant liaises now with TfL's Network Impact Management Team and its Infrastructure Protection (TfL assets) engineers. The Construction Logistics Plan should minimise

impact on Cycle superhighway 6 as well as other key pedestrian and cycle routes.

Officer comments: *The applicant has continued to liaise with TfL and any scheme would be subject to an obligation for them to enter into a separate section 278 legal agreement. As mentioned above, a £220,000 financial contribution towards King's Cross Gyratory improvements has been agreed in response to TfL comments.*

TfL Infrastructure Protection Team comments on 03/12/2020

6.4 The following correspondence was received:

*'Thank you for your letter dated 02 December 2020, requesting the views of the Crossrail on the above application. I confirm that the application relates to land outside the limits of land subject to consultation by the Crossrail Safeguarding Direction.*

*The implications of the Crossrail proposals for the application have been considered and I write to inform you that Crossrail Limited does not wish to make any comment on the application as submitted.'*

Historic England (HE) on 07/01/2021

6.5 The HE advice consider that the proposals would result in some harm (less than substantial in NPPF terms) to the surrounding conservation area through the marked increase in scale behind the historic Gray's Inn Road frontage (no. 330). They acknowledge that the proposals would provide a series of public benefits and that the decision maker must weigh the harm against these public benefits when determining the application. In addition, HE consider the new roof extension above 330 Gray's Inn Road appears at odds with its classical proportions and would somewhat reduce the contribution the building makes to the character and appearance of the conservation area. HE also acknowledge the potential for a range of public benefits arising from improvements to the urban realm, introduction of new routes through the currently impermeable site and the removal of buildings that detract from the conservation area. In summary their recommendation states that they have concerns regarding the application on heritage grounds.

Officer comments: *Officers agree with the position that the proposal would cause less than substantial harm to the conservation area, due to the increase in scale that is referenced by HE in their observations. It is considered that the less than substantial harm is outweighed by public benefits. This weighing exercise is considered in more detail within the main body of the officer report below. Officers disagree with HE with regards to the roof extension. It is considered that this is a well-designed addition which sits behind a tall parapet. A comprehensive assessment of the schemes impact on designated (and non-designated) heritage assets is contained within section 10 (Design, Character and Appearance, Impact on Heritage Assets). Please see paragraphs 10.104-10.111 for an assessment of the balance of the scheme's impact on heritage assets and public/planning benefits.*

Thames Water comments on 21/12/2020

- 6.6 Thames Water made detailed comments on waste, water and drainage. These are summarised below:

*Waste Comments* - with the information provided, Thames Water were unable to determine the waste water infrastructure needs of this application. They request a condition be added to any planning permission requiring details of capacity off-site to serve the development, or a development and infrastructure phasing plan, or for all wastewater network upgrades required to accommodate the additional flows from the development. No objection is raised regarding surface water network infrastructure capacity. Thames Water requested a piling method statement be secured by planning condition, if permission is granted.

*Water Comments* - Thames Water has identified an inability of the existing water network infrastructure to accommodate the needs of the development proposal, so request a condition be added to any planning permission requiring all water network upgrades required to accommodate the additional flows to serve the development be completed, or a development and infrastructure phasing plan.

*Supplementary Comments* - with regards to foul water there does not appear to be a drainage strategy. Thames Water requested that these be provided indicating the existing and proposed points of connection and if it is by gravity or pumped.

*Officer comments:* *The suggested conditions would be attached if planning permission were to be granted.*

The Victorian Society objection on 16<sup>th</sup> December 2020

- 6.7 An objection was raised along with the following comments:

*'We are not opposed to the principle of redeveloping the land behind the 1870s Royal National Throat, Nose and Ear Hospital. We also welcome the removal of the 1960s ground floor addition facing Gray's Inn Road. The hospital building, Water Rats Pub, and Swinton House are noted in the conservation area appraisal as forming an "important and varied group... of architectural and historical interest" in this zone of the conservation area. The removal of 1960s addition and improved façade of the hospital could have a positive impact on this group and the overall conservation area. However, the benefits brought about by this would be negated by the construction of such tall buildings to the rear which would dwarf these three buildings. The new buildings would be completely incongruous in the context of the wider streetscape and have a negative impact on the King's Cross/ St Pancras Conservation Area as a consequence.....*

*..... The proposed buildings fail to respond to the context of surrounding development within the conservation area, in particular the predominant scale of buildings. It is imperative that any development in this location respects the scale of the surrounding buildings so as to contribute to this*

*heritage asset, and we therefore urge your authority to refuse consent to this application.'*

Officer comments: As stated above, officers also consider that less than substantial harm would result to the conservation area due to the height and scale of the proposals. However, it is considered that the buildings are well-designed and positioned within the surrounding context. Public benefits (as well as wider planning benefits) need to be considered on balance when determining a planning application, which is robustly done within this officer report. A comprehensive assessment of the scheme's impact on designated and non-designated heritage assets is contained within section 10 (Design, Character and Appearance, Impact on Heritage Assets). Please see paragraphs 10.104-10.111 for an assessment of the balance of the scheme's impact on heritage assets and public/planning benefits.

Designing Out Crime Officer, Metropolitan Police Service comments on 07/12/2020

6.8 The following comments were received:

*'Thank you for allowing me to comment on planning application 2020/5593/P which relates to Royal National Ear, Nose and Throat Hospital, 330 Greys Inn Road, WC1 and the construction of a hotel, office space and residential units bordering Wicklow Street and Swinton Street.*

*I have read the 'Design and Access' statement submitted by the applicant and can confirm that I have held a meeting with them on the 7th September 2020 and these meeting notes have been included within the application and have no objections to the overall proposal.*

*At the time of the meeting there was an indication that there may be laboratory space within the office development and according to the 'Design and Access' statement this has now been included. I made reference at the time to the need for a consultation with the local 'Counter Terrorism Security Advisors' who I will make contact with and arrange a meeting to go through the proposal. There is a risk that the advice originally given may not be appropriate considering the 'use' of the office space and certain extra precautions may be required to mitigate any risks and therefore a consultation with a 'CTSA' will be required.*

*With regards the residential units would strongly recommend that these achieve 'Secured by Design – Silver' accreditation which I feel would ensure that the building will meet all the security and safety needs, further information can be found in the following guide with regards the security standards required for residential units - [https://www.securedbydesign.com/images/downloads/HOMES\\_BROCHURE\\_2019.pdf](https://www.securedbydesign.com/images/downloads/HOMES_BROCHURE_2019.pdf)*

*If the applicant wishes any further help or advice then I will be more than happy to be contacted.'*

Natural England comments on 16/12/2020

- 6.9 Confirmed that they have no comments to make on the application.

Network Rail comments on 22/01/2021

- 6.10 Network Rail confirmed that they have no objection in principle to the development. They put forward requirements which must be met, especially with the close proximity to the development of an operational railway tunnel. These are summarised below and are advised to be subject to condition:

- Developer must engage with Asset Protection Team as early as possible in design and construction process;
- Network Rail's Engineer needs to approve details of any development works within 15m, including type and method of foundations and loading details on tunnel;
- Method statements on construction, risk assessment, demolition, vibro-compaction machinery, excavations/earthworks and construction traffic
- Crane size and capacity; and
- Surface and foul water must be collected and diverted away from Network Rail property.

Officer comments: *The recommended conditions would be secured if planning permission were to be granted.*

### **Local Groups and Organisations**

Objection on behalf of Bloomsbury Conservation Area Advisory Committee (BCAAC) and King's Cross Conservation Area Advisory Committee (KXCACC) on 18/01/2021:

- 6.11 A joint objection was made as the application site lies within the King's Cross Conservation Area but affects the setting of the Bloomsbury Conservation Area. BCAAC and KXCACC consider the scale, massing and design of the application is completely inappropriate for the conservation area. The proposals would significantly detract both conservation areas and they urge the Council to reject them. The full objection letter can be found on the following link - <http://camdocs.camden.gov.uk/HPRMWebDrawer/PlanRec?q=recContainer:%222020/5593/P%22> – and the executive summary is quoted in full below:

- ‘1. This site is surrounded by a townscape which is uniquely uniform in character and appearance, while being exceptionally well-preserved. This area perfectly embodies the famous ‘King’s Cross character’ and requires excellent conservation skills to ensure its preservation.
2. The scale and design of the development fails to properly preserve this uniformity, and therefore causes harm to the surrounding area.
3. The proposed hotel is particularly inappropriate in both scale and design. Allowing such a dramatic increase in scale would set a dangerous precedent for this area of London.
4. While Gray’s Inn Road is of a commercial scale, Swinton and Wicklow Streets are of a domestic character and scale. The scale of development along these streets should therefore respond to this context rather than extend the scale of Gray’s Inn Road.

5. *The design of the development is disappointing and fails to respond adequately to the demands of the site. The choice of materials is particularly alarming in places.*
6. *Taken in context with recently approved and applied-for applications, we believe that substantial harm could be caused to the King's Cross CA.'*

- 6.12 Other objections include the demolition of the existing buildings. The BCAAC and KXCAAC consider that the *'development should keep at least the façades of the positively contributing buildings and use them to strengthen the character of the CA, giving the development a sense of place that so many contemporary large schemes lack'*.

Officer comments: *The above objections have been taken into account by officers and the detailed assessment on design and heritage within the officer report below (section 10 - Design, Character and Appearance, Impact on Heritage Assets) contains a thorough analysis of matters relevant to the above. Officers consider that the scheme causes 'less than substantial' harm to the character and appearance of the King's Cross St Pancras Conservation Area, as well as to the setting of the grade II listed 75 Wicklow Street. Please see paragraphs 10.104-10.111 for an assessment of the balance of the scheme's impact on heritage assets and public/planning benefits.*

CamdenLocalHistory.info response on 16/12/2020

- 6.13 A page response was submitted which is summarised in this paragraph. The response contests the 'low' assessment ratings for pre-history Roman potential. It states that the site was not marshland, it was formerly pasture beside the River Fleet. The geographical contours and Roque's mid eighteenth-century map show the application site above the river, sloping east towards it. The applicant's assessment recognises that there have been Roman findings in nearby Holborn but ignores late Palaeolithic findings. Ultimately the response claims that an absence of evidence is not evidence of absence. An archaeological investigation should assess the Pleistocene record from boreholes, dig trenches for the Palaeolithic and investigate Roman and Saxon settlement.

Officer comments: *The comments were considered and responded to by GLAAS. More detail is contained within section 20 - Land Contamination and Archaeology of the report (below).*

The Grand Order of Water Rats (GOWR) on 03/01/2021

- 6.14 A response was made from a Trustee on behalf of the GOWR to confirm that they have a party wall consultant advising on any damages, any difficulties, vermin and pest infestations that might occur whilst the development is underway. Concerns were raised about right to light of the conference room being affected. A detailed letter was also submitted from Smith Jenkins Town Planning who was instructed by the GOWR. The objection principally relates to the provision of a covered passageway immediately adjacent to the Public House that would be detrimental to public safety and security. They are concerned about all types of crime, including to ensure that unauthorised



access is not gained to the premises by those that may wish to sell or take drugs on the premises.

- 6.15 The GOWR fear that enhanced security would be required at all times of the day if the passageway goes ahead. The risks posed by crime and antisocial behaviour in secluded areas is clearly illustrated by the problems experienced at the nearby Hand Axe Yard courtyard development. Therefore, they consider that every opportunity should be taken to ensure that the layout of new development minimises the opportunities for abuse, crime and the fear of crime. They request that the passageway should be removed from the scheme and the hotel redesigned accordingly.
- 6.16 The objection states that a key issue with the proposed gates and shutter is whether they would ever be closed and what the management regime would be. Furthermore, gating the passageways appears to go against the design objective of avoiding gated communities. Finally it was noted that the GOWR run an entertainment venue with a late license. Accordingly, they want it to be acknowledged at this stage that their use is a current lawful use and that the hotel operator in due course is not able to raise unreasonable objections relating to noise or make a claim of a statutory nuisance against The Water Rats Public House.

*Officer comments: Party wall matters are subject to separate legislation and any potential damage has and would be considered under the Basement Impact Assessment and Construction Management Plan. The new access and gates would be subject to a management plan. This is considered further in section 19 - Community Safety of the report below. Officers recognise that Agent of Change principles dictate that the onus would be on the new uses moving in to protect the established use of the Water Rats. Relevant planning conditions are recommended to ensure that sufficient mitigation is included as part of the development to protect their continued operation. The impacts on the adjacent use are considered further in section 13 (Neighbouring Amenity) of this report. A dedicated subsection can be found in paragraphs 13.46-13.54.*

UCL Ear Institute and Faculty of Brain Sciences on 30/11/2021

- 6.17 Representatives from UCL have been coordinating with the applicant since the pre-application stage, and they submitted a detailed objection letter prior to the validation of the planning application. UCL have indicated that they will likely submit an updated objection prior to Planning Committee, and mentioned that they have carried out work and studies to identify appropriate mitigation. The objection sets out UCL's significant concerns in respect of the proposed development. The UCL Ear Institute contains specialist laboratories and a Biological Services Unit, where sensitive audiology research is undertaken. These operations are particularly sensitive to noise and vibration. UCL states that they have been meeting the applicant since June 2020; however, more progress is required to mitigate impacts that would prejudice their operations. These concerns are summarised below and the full objection letter is here - <http://camdocs.camden.gov.uk/HPRMWebDrawer/Record/9075204/file/document?inline>



- **Noise and vibration** – the research is particularly sensitive to disruption. Construction works would require temporary relocation.
- **Security and overlooking** – the Home Office have raised concerns that the waste entry is overlooked and is adjacent to a social meeting area of the proposed development. This would compromise security.
- **Relocation of flues** – the works would require relocation of existing flues attached to the application site. A temporary or permanent solution has not been agreed with the applicant.
- **Access/egress** – demolition works as part of the proposal would result in loss of secure and safe means of escape from an existing plant room.
- **Loss of funding and future research projects** – ongoing projects would be impacts and future funding jeopardised.

*Officer comments: The impact of the development on the UCL Ear Institute is considered in detail within paragraphs 13.37-13.45 (below). Some of the issues raised are not considered material planning considerations, and are dealt with under other mechanisms. Many of the impacts would be subject to various planning conditions and legal obligations.*

The Francis Crick Institute Limited on 22/03/2021

- 6.18 Great concerns expressed at development due to impacts on the UCL Ear Institute, which is one of the world's leading centres for auditory research and ranked first based on bibliometric analysis of highly cited publications in England. The proposed development and associated construction would result in significant noise, vibration, security and servicing impacts, as well as party wall and neighbourly issues. Without proper mitigation these impacts would severely prejudice the Ear Institute's research operations and funding of future programmes.

*Officer comments: The impact of the development on the UCL Ear Institute is considered in detail within paragraphs 13.37-13.45 (below).*

British Tinnitus Association on 29/03/2021

- 6.19 Wrote to express strongest objection due to impact on UCL Ear Institute due to noise, vibration, security, servicing, party wall and neighbourly issues.

*Officer comments: The impact of the development on the UCL Ear Institute is considered in detail within paragraphs 13.37-13.45 (below).*

Royal National Institute for Deaf People on 29/03/2021

- 6.20 Wrote to express strongest objection due to impact on UCL Ear Institute due to noise, vibration, security, servicing, party wall and neighbourly issues.

*Officer comments: The impact of the development on the UCL Ear Institute is considered in detail within paragraphs 13.37-13.45 (below).*

National Institute for Health Research (Manchester) on 26/03/2021

- 6.21 Wrote to express strongest objection due to impact on UCL Ear Institute due to noise, vibration, security, servicing, party wall and neighbourly issues.

*Officer comments: The impact of the development on the UCL Ear Institute is considered in detail within paragraphs 13.37-13.45 (below).*

National Institute for Health Research Biomedical Research Centre UCLH on 06/04/2021

- 6.22 Wrote to express strongest objection due to impact on UCL Ear Institute due to noise, vibration, security, servicing, party wall and neighbourly issues.

*Officer comments: The impact of the development on the UCL Ear Institute is considered in detail within paragraphs 13.37-13.45 (below).*

Medical Research Council (MRC) on 29/04/2021

- 6.23 Wrote to express strongest objection due to impact on UCL Ear Institute due to noise, vibration, security, servicing, party wall and neighbourly issues.

*Officer comments: The impact of the development on the UCL Ear Institute is considered in detail within paragraphs 13.37-13.45 (below).*

Biotechnology and Biological Sciences Research Council on 02/06/2021

- 6.24 Wrote to express strongest objection due to impact on UCL Ear Institute due to noise, vibration, security, servicing, party wall and neighbourly issues.

Officer comments: The impact of the development on the UCL Ear Institute is considered in detail within paragraphs 13.37-13.45 (below).

**Camden Design Review Panel (DRP)**

- 6.25 The proposals were the subject of two formal review meetings with DRP. An earlier iteration of the emerging scheme was taken on 27/03/2020 and a more developed and amended proposal was presented on 28/08/2020. The summary sections of the formal letters from the DRP are quoted and discussed from paragraphs 10.112-10.115 below (within section 10 (Design, Character and Appearance, Impact on Heritage Assets)).

**Adjoining Occupiers**

<i>Total number of responses received</i>	2
<i>Number in support</i>	0
<i>Number of objections</i>	2

- 6.26 8 site notices were displayed from 04/12/2020. A local press advert was published on 10/12/2020. The site notices were displayed in the following locations:

- In front of 330 Gray's Inn Road
- On the corner of Gray's Inn Road and Swinton Street
- Swinton Street halfway between the junction with Gray's Inn Road and the railway cutting
- Swinton Street next to railway cutting (opposite Swinton Place)
- Wicklow Street next to railway cutting
- On the kink of Wicklow Street near the application site

- On the corner of Wicklow and Britannia Street
- On the corner of Gray's Inn Road and Britannia Street

6.27 In addition to the objections and comments above, two objections were received from adjoining occupiers at Wicklow Street. The objections are summarised below:

#### **General**

- Disappointed not to be notified via a letter, under-consultation with only one site notice on Wicklow Street

*Officer comments: The Council no longer sends postal letters. As stated above, the application was notified via 8 site notices displayed from 04/12/2020. A local press advert was published on 10/12/2020. In addition, the Council notified planning applications via its weekly list and email/electronic alerts.*

#### **Design and conservation**

- Proposal overdevelops the site and would destroy the tranquillity of the conservation area, with high-rise towers in a low-rise neighbourhood
- The bulk of the proposed high-rise buildings makes a negative contribution to the character of the King's Cross and St Pancras Conservation Area and Derby Lodge, a grade II listed building
- Demolition of the former Nurses' Home on Wicklow Street (a 'positive contributor') - at no point has it been demonstrated to the public that efforts have been made to re-purpose this building for a new use. Justification for its removal based on sustainability principles highly debatable

*Officer comments: The above objections have been taken into account by officers and the detailed assessment on design and heritage within the officer report below (section 10 - Design, Character and Appearance, Impact on Heritage Assets) contains a thorough analysis of matters relevant to the above.*

#### **Residential amenity**

- The taller buildings would be overbearing on those who live on the cross streets that straddle Gray's Inn Road and King's Cross Road
- The density of inhabitation would increase traffic and pollution in an area where these things are already very high. The wellbeing and health of people would be harmed
- Proposals would cast big shadows over people's homes, gardens, the children's playground on Wicklow Street, across Wicklow Street and other open public spaces
- The high-rise residential tower on Wicklow Street harms the amenity of neighbouring properties. The Sunlight/Daylight study demonstrates that the massing causes noticeable reductions in daylight to many windows

*Officer comments: The above objections have been taken into account by officers and the detailed assessment on neighbouring amenity (section 13 - Neighbouring Amenity) assesses these impacts in detail.*

## Community

- Little benefit for the existing community from the scheme
- The pocket of new 'public realm' including the route connecting Wicklow Street and Swinton Street is welcomed. This is not however public realm in the truest sense of the word, but privately owned space made publicly accessible. Is there not a better solution than gating these areas at night so that they can remain in use 24 hours a day?

*Officer comments: The scheme is considered to provide significant and compelling public and planning benefits, as listed in paragraphs 10.104-10.111. The route would be secured as public open space. Given anti-social behaviour issues in the area, gating along with a management plan is considered the best course of action in this instance.*

## Housing

- Separating the affordable housing from the market housing into different buildings is unimaginative. Could the two types of housing not be integrated together in a more positive and less cynical way for the benefit of those living there?

*Officer comments: Market and affordable housing are very commonly within separate buildings within new developments for a range of reasons, including management reasons for registered providers and to allow service charges and other costs to be kept lower for affordable housing tenants. Both buildings are considered to be well-designed and interact with a shared garden and route between Wicklow and Swinton Streets.*

## Applicant's own consultation

- 6.28 The application is supported by a Statement of Community Involvement (SCI) prepared by London Communications Agency. The SCI summarises the various phases and methods of engagement, which include public exhibitions (pre-pandemic), engagement with key stakeholders, newsletters, advertisements in local media, a Freephone number, digital-led consultation through email updates, a dedicated website ([www.330graysinnroad.co.uk](http://www.330graysinnroad.co.uk)), a dedicated email address ([330graysinnroad@londoncommunications.co.uk](mailto:330graysinnroad@londoncommunications.co.uk)) social media and online adverts, online feedback forms, virtual briefings, the Council's remote Development Management Forum and stakeholder packs.
- 6.29 Engagement was undertaken by the applicant with a range of local businesses, community organisations, residents and elected officials. Meetings were carried out with a number of groups, such as with the Derby Lodge Tenants and Residents Association (TRA), Westminster Kingsway College, public exhibitions with the local community, Bee Midtown, Ward Councillors, King's Cross and Brunswick Neighbourhood Association, Camden Collective, Bloomsbury Residents' Action Group (BRAG), Bloomsbury Conservation Area Advisory Committee (BCAAC), the Water Rats Public House, UCL Estates, Strategic Panel and a Developer's Briefing.

6.30 Some of the feedback received during the applicant's consultation is summarised below:

- Concerns about the height of any future development
- Whether there is a demand for a new hotel in the area
- Anti-social behaviour is a significant local issue and would need to be addressed
- Impact on traffic in the locality
- Queries about how long it would take to build out the scheme, and which routes were likely to be used for access to and from the site
- Questions regarding the amount of affordable housing that would be delivered and affordable workspaces
- Right to light matters
- Agent of change
- Quality of new open spaces and routes

6.31 The SCI confirms that the following key changes to the scheme were made as a result of consultation:

- New public routes through Wicklow Street, to improve connectivity for local residents to the site and the wider King's Cross area
- Commitment to closing the public routes through Wicklow Street during evenings and working with local stakeholders and the Metropolitan Police Service to address residents' concerns about anti-social behaviour
- A reduction in building heights, particularly for the hotel, to ensure they are more consistent with the existing streetscape
- Retention and incorporation of the external façade of 330 Gray's Inn Road into the proposals, to protect an important local heritage asset (it was initially proposed for façade retention only)

#### **Development Management Forum**

6.32 A Remote Development Management Forum (DMF), organised by Council officers, was held on 25/08/2020. The virtual meeting was the Council's second ever remote DMF. A video archive of the event can be viewed here - <https://camdenplanning.councilsuk.live/rntnehvideo>

6.33 A summary of the feedback/questions from the event are outlined below:

- Questions about the amount of public consultation that has taken place
- Concerns about impact of construction and servicing
- More greenery and planting should be proposed, bringing nature and biodiversity into the development and area
- Air quality issues through emissions, wind flow and microclimate
- Permeability in the area is poor and the scheme should be improving this
- Questions over whether the open space between the housing blocks should be public rather than private

- Light impacts on neighbouring buildings
- Height, scale and massing is challenging
- The Nurses' Home (on Wicklow Street) is a characterful building and should be renovated, environmentally upgraded and enlarged to meet contemporary use
- Concerns regarding anti-social behaviour in the proposed public courtyard
- The area already has a high number of hotels
- Concerns over increase in traffic on Wicklow and Britannia Street
- Would the courtyard be genuinely public or publicly accessible? Would it be adopted by Camden Council?
- Is there a need for so much office space, when office space is emptying all over the city?
- Impacts on adjacent Water Rats, pub and venue
- How affordable would the affordable housing be and queries about the amount provided
- Concerns over divide between existing residents in the area (largely social tenants) and new residents in the flats being built
- Would Community Infrastructure Levy be paid? Would it be spent on for the local community?
- Queries regarding the timing and duration of building work
- What are the benefits for low-income residents?
- Clarity on materiality (colour and type)
- Questions over car parking, disabled bays and cycling
- Wicklow Street has issues with rubbish and fly tipping
- How would the hotel be utilised by local residents?

### **Strategic Panel**

6.34 Emerging proposals were presented to the Strategic Panel in April 2020. The Panel feedback (summarised below) examined issues which align broadly with the main planning considerations:

- The site as a collective whole is considered to have a lot of character and retaining this character should be taken into account
- Given the site's location within one of the Borough's most deprived wards, any development would need to ensure that it contributes to reducing inequalities and increasing life chances in neighbouring communities and the Borough generally through maximising social value
- The proposals currently fall short of the emerging Site Allocations Document target of 130 homes and only 35% of those proposed would be affordable. This falls short of our expected policy requirement of 50%
- A large amount of speculative office space is proposed and limited information has been presented on the benefits to the Knowledge Quarter or about potential occupiers. This also applies to the proposed hotel use
- The current proposals are challenging since the extent of demolition is hard to justify given the limited public benefits that would accrue

from the proposed development. Most notably this includes the provision of less than 50% affordable housing and a relatively small amount of affordable workspace (only 5% against the 20% target in the emerging Site Allocations Document)

- There needs to be further work undertaken to look at the possibility of retaining some of the buildings on the site, this is a requirement of both conservation and sustainability policies
- The overall quantum of development is significant in terms of its height, scale, massing and density/footprint, and is much bigger than anything around it
- Any new development on this site should be responding to the Climate Change Emergency (CCE) by embracing circular economy principles, net zero carbon/emissions and embodied carbon
- The introduction of public routes and spaces are welcomed, as the site is presently cut-off from its surroundings. Currently, the main public open space does not have much of a park feel, and might be perceived instead as an entrance to the offices and the hotel. Any open space would need to be generous, inviting and welcoming to all

### **Developer Briefing**

6.35 A Developer Briefing, organised by Council officers, was held on 4<sup>th</sup> November 2020. A summary of the key discussions is listed below:

- The developer should be alert to the scale of anti-social behaviour issues in this area
- Members questioned the single height public through-routes onto Swinton Street
- Getting the appropriate residential mix will be critical which should provide a reasonable balance of smaller and larger units. Members will look for inclusion of as much genuinely affordable housing as possible, and larger family sized units remain the priority particularly for social-affordable rented accommodation
- Members will be interested in how the scheme links in with surrounding cycle routes and where the cycle parking will be accommodated
- The hotel building height rises up abruptly behind the retained Gray's Inn Road frontage buildings and would definitely be visible through the length of Wicklow Street. How will it look from other viewpoints in the surrounding area?
- Members noted the building heights and enclosure of the communal residential garden and there was some concern that it might be unduly shaded.
- Members will want to understand and be satisfied that there are appropriate arrangements for refuse collection and other servicing/drop offs
- Members sought clarification on whether the proposal would be car-free

- Public realm will need to be designed so as to be easily maintained so as to not detract from the sense of security or appearance in the longer term

## **7 POLICIES**

- 7.1 The National Planning Policy Framework (NPPF) sets out the government's planning policies for England and how these are expected to be applied. It must be taken into account in preparing the Development Plan, and is a material consideration in planning decisions. The revised NPPF was published 24 July 2018 and updated on 19 February 2019, replacing the previous document published in March 2012.
- 7.2 The Camden Local Plan was adopted by the Council on 03/07/2017 and replaced the Core Strategy and Camden Development Policies documents as the basis for planning decisions. The Site Allocations Plan (adopted September 2013) also forms part of the Development Plan. A draft Site Allocation Local Plan is currently being prepared and has undertaken consultation, so has limited weight. Officers note that the site has its own allocation and is subject to the draft Knowledge Quarter policies. Other local documents which are of relevance include the Proposals Map, the King's Cross and St. Pancras Conservation Area Appraisal and Management Strategy, the Bloomsbury Conservation Area Appraisal and Management Strategy and Camden Planning Guidance (CPG).
- 7.3 The London Plan 2021, along with the Mayor's Supplementary Planning Guidance (SPG), are also important considerations as are sections 16, 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 7.4 In making any decisions as part of the planning process, account must be taken of all relevant statutory duties including section 38(6) of the Planning and Compulsory Purchase Act 2004. Section 149 of the Equality Act 2010 is also relevant to the determination of the applications. It sets out the Public Sector Equality Duty, which states that a public authority must have due regard to eliminate discrimination, harassment and victimisation; advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 7.5 The relevant Camden Local Plan 2017 policies are listed below:
- G1 (Delivery and location of growth)
  - H1 (Maximising housing supply)
  - H2 (Maximising the supply of self-contained housing from mixed-use schemes)
  - H4 (Maximising the supply of affordable housing)
  - H6 (Housing choice and mix)
  - H7 (Large and small homes)
  - C1 (Health and wellbeing)
  - C2 (Community facilities)



- C3 (Cultural and leisure facilities)
- C4 (Public houses)
- C5 (Safety and security)
- C6 (Access for all)
- E1 (Economic development)
- E2 (Employment premises and sites)
- E3 (Tourism)
- A1 (Managing the impact of development)
- A2 (Open space)
- A3 (Biodiversity)
- A4 (Noise and vibration)
- A5 (Basements)
- D1 (Design)
- D2 (Heritage)
- D3 (Shopfronts)
- D4 (Advertisements)
- CC1 (Climate change mitigation)
- CC2 (Adapting to climate change)
- CC3 (Water and flooding)
- CC4 (Air quality)
- CC5 (Waste)
- TC1 (Quantity and location of retail development)
- TC2 (Camden's centres and other shopping areas)
- TC4 (Town centre uses)
- T1 (Prioritising walking, cycling and public transport)
- T2 (Parking and car-free development)
- T3 Transport infrastructure)
- T4 (Sustainable movement of goods and materials)
- DM1 (Delivery and monitoring)

7.6 Relevant supplementary planning guidance is listed below:

Camden Planning Guidance (CPG):

- CPG Access for all
- CPG Adverts
- CPG Amenity
- CPG Air Quality
- CPG Artworks statues and memorials
- CPG Basements
- CPG Biodiversity
- CPG Community uses, leisure facilities and pubs
- CPG Design
- CPG Developer contributions
- CPG Employment sites and business premises
- CPG Energy efficiency and adaptation
- CPG Interim Housing
- CPG Planning for health and wellbeing
- CPG Public open space
- CPG Town centres and retail
- CPG Transport

CPG Trees  
CPG Water and flooding

King's Cross and St. Pancras Conservation Area Appraisal and Management Strategy

Bloomsbury Conservation Area Appraisal and Management Strategy April 2011

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

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

## **ASSESSMENT**

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

<b>8</b>	<b>Land Use</b>
<b>9</b>	<b>Housing Mix, Unit Size, Quality of Accommodation, Affordable Housing and Viability</b>
<b>10</b>	<b>Design, Character and Appearance, Impact on Heritage Assets</b>
<b>11</b>	<b>Open space, Landscaping, Trees and Nature Conservation and Biodiversity</b>
<b>12</b>	<b>Basement</b>
<b>13</b>	<b>Neighbouring Amenity</b>
<b>14</b>	<b>Transport and Highways</b>
<b>15</b>	<b>Sustainable Design and Construction</b>
<b>16</b>	<b>Air Quality</b>
<b>17</b>	<b>Flooding and Drainage</b>
<b>18</b>	<b>Accessibility</b>
<b>19</b>	<b>Community Safety</b>
<b>20</b>	<b>Land Contamination and Archaeology</b>
<b>21</b>	<b>Waste Management</b>
<b>22</b>	<b>Economic Benefits, Local Employment and Procurement</b>

<b>23</b>	<b>Health and Wellbeing</b>
<b>24</b>	<b>Equality</b>
<b>25</b>	<b>Fire Safety</b>
<b>26</b>	<b>Section 106 Obligations</b>
<b>27</b>	<b>Community Infrastructure Levy (CIL)</b>
<b>28</b>	<b>Conclusion</b>
<b>29</b>	<b>Recommendations</b>
<b>30</b>	<b>Legal Comments</b> - Conditions - Informatives

## 8 Land Use

### Existing situation

- 8.1 As stated in paragraphs 2.1-2.3 of the Background section (above), the site was recently occupied by the University College London Hospitals (UCLH) NHS Foundation Trust until it closed this year with the services moving to a new UCLH facility in Huntley Street (ref. 2015/1281/P). This is in combination with the Eastman Dental Hospital. Therefore, the current uses on-site are being re-provided elsewhere in the Borough meaning existing healthcare facilities would be protected in line with policies C1 (Health and wellbeing) and C2 (Community facilities).

### Principle of development

- 8.2 The redevelopment of this surplus UCLH/NHS site for a mixed-use development to include a hotel, office use, residential units, gymnasium, other supporting/ancillary uses and public amenity space is considered to be acceptable in principle. It would accord with policy G1 (Delivery and location of growth), which seeks to secure high quality development and promote the most efficient use of land and buildings. The proposed development broadly aligns with the Site Allocations Local Plan (Draft, March 2020) under policy IDS15, which allocates the site for a mixed-use development including offices, other uses related to the Knowledge Quarter and housing. Below each of the proposed uses are outlined and assessed, along with the proposal's adherence to the Council's mixed-use policy (H2).

### Hotel

- 8.3 The site is located in the Central London Area where policies G1 (Delivery and location of growth) and E3 (Tourism) seek to focus new development, maximise site opportunities and support hotel uses. Policy E3 recognises and supports the visitor economy/accommodation and states large-scale visitor accommodation is expected to be located in Central London, particularly the growth areas of King's Cross, Euston, Tottenham Court Road and Holborn. This applies to the application site as it is within the King's Cross growth area. A justification for the hotel accommodation (with marketing and viability evidence) has been submitted in support of the application. It details that there are a limited number of 4 and 5-star hotels immediately surrounding the site, nor are there many in the planning pipeline. King's Cross accounts for a much larger proportion of lower-class hotels compared to the rest of the Borough overall.

The proposed development would therefore contribute towards this type of hotel supply (i.e. 4/5-star hotels).

- 8.4 The proposed development includes approximately 9,430m<sup>2</sup> of new hotel use (Use Class C1) with a total of 182 rooms, making up circa 28.5% of the total floorspace of the development. This hotel use would be located within the Gray's Inn Road frontage building and two new buildings behind it. The ground floor comprises publicly accessible uses and routes. It is considered that this part of the site is not particularly suitable for residential, given its location immediate adjacent to Gray's Inn Road, the UCL Ear Institute and the Water Rats Public House. Overall, the hotel use would be in a highly sustainable location, surrounded by other hotel uses, and would comply with the Development Plan which supports major hotel proposals in this part of the Borough. It would also contribute approximately 1,350 gross-direct jobs on-site. The applicant estimates that around 24% of those employed in the hotel and restaurant sector typically come from less than 5km of their workplace (therefore it would be likely to provide local employment opportunities). A specific number of hotel jobs for local people would be secured within the section 106, as part of the local procurement package. See section 22 - Economic Benefits, Local Employment and Procurement – for more details.

#### Employment space

- 8.5 The application site lies within the Central Activities Zone (CAZ) and the Knowledge Quarter (KQ), recognised by the London Plan as the country's most important strategic office location. Permission is sought for around 13,177m<sup>2</sup> of office space across basement, ground and 7 upper levels within an orthogonal building in the heart of the site. The proposed floorplates, core positioning and services provision have been designed and developed to ensure the space is flexible and future proofed. This is to ensure the provision of a variety of office spaces for different tenant's dependent of market demands. Furthermore, lab enabled space to support the KQ is proposed. This would be two floors within the building to potentially accommodate the needs of a life science company (or similar KQ use). The provision equates to roughly 21% of the overall office floorspace. An obligation would be attached to any permission with the aspiration of securing a KQ tenant (a Knowledge Economy Occupier Strategy head of term) for all of the employment space in the development. The applicant has estimated that the total number of jobs that would be generated by the office floorspace would be up to 870 jobs.
- 8.6 The provision of a significant amount of employment floorspace (the largest land use by floor area in the scheme) is welcomed in this location and would be in line with policies E1 (Economic development) and E2 (Employment premises and sites), which seek to secure a successful and inclusive economy in Camden and encourage employment premises.

#### Affordable workspace

- 8.7 The scheme proposes the provision of 930m<sup>2</sup> (GIA) affordable workspace within the basement under the residential buildings on the site and would have a dedicated access off Wicklow Street. This affordable workspace equates to

circa 6.59% of the total office floorspace (i.e. percentage of the total workspace, affordable plus main office block).

- 8.8 The on-site affordable workspace (930m<sup>2</sup>) would be provided at a 50% discount for a 10-year period. Whilst the proportion of affordable workspace is low, especially in light of emerging policy and current guidance seeking up to 20%, 930m<sup>2</sup> is recognised as a large quantum of floorspace and the discount set at 50% is welcomed and seen as meaningful.
- 8.9 Officers note that the quantum of affordable workspace is not in accordance with the draft Site Allocations Local Plan (SALP). Emerging KQ1 policy seeks 20% of additional employment floorspace as affordable. The SALP is of limited weight at this stage as it has only had one round of consultation. The shortfall against this draft policy is disappointing; however, the scheme is in a financial deficit (as outlined further in this officer report) and would bring forward other planning and public benefits, including affordable housing which is detailed further below.

#### Residential

- 8.10 The provision of additional residential floorspace within the Borough is strongly supported by policy H1, which highlights the need to maximise the supply of housing. It is also a requirement of the Local Plan to introduce housing under the mixed-use policy (H2) as the development would have a significant uplift within the Central London Area (more detail below). The proposals would provide 8,005m<sup>2</sup> (GIA) of on-site residential accommodation and a total of 72 residential units. The inclusion of a large contribution of housing is seen as a priority for any development of this site and in this case would make up about 24.2% of the total floorspace, and around 39.39% of the uplift.
- 8.11 The draft SALP has an indicative residential capacity of 130 homes within the emerging site specific policy (IDS15 – 330 Gray's Inn Road). As noted above the SALP has limited weight due to its stage in the adoption process. On balance, the proposals for 72 units are considered acceptable based on the constraints of the site, viability and the progression of other policy criteria. The suitability of the quantum of residential is explored in greater detail below within the mixed-use policy section.
- 8.12 The proportion of housing (of the overall uplift of the development), standard of living accommodation, affordable housing (quantum, tenures, and mix), dwelling sizes mix and other criteria are assessed within the report below under relevant sections. As mentioned above (in the policy section) and below, significant weight must be given to the delivery of housing in light of the Housing Delivery Test (Camden is currently delivering 79% of its housing target).

#### Gymnasium

- 8.13 A new gymnasium (Class F2) with a floor area of circa 1,569m<sup>2</sup> is proposed across two basement levels, under the proposed office building. It would be accessed off Swinton Street and the new Wicklow Courtyard (within the passage connecting the new courtyard with Swinton Street). The proposal is considered to be acceptable in accordance with policy C3 which identifies that

the Council would seek opportunities for new cultural and leisure facilities in major, mixed use developments. It is considered to be an appropriate use for this part of the site that would be of benefit to existing and prospective occupiers in the area.

#### Restaurant and café uses

- 8.14 A café space is proposed at the front of the hotel building fronting Gray's Inn Road, along with a restaurant space at the back of the hotel onto the public courtyard facing Wicklow Street. The applicant intends for these spaces to be run by the hotel operator but could be occupied independently (they would be part of the hotel, as C1 Use Class). The creation of new food and beverage spaces would provide active frontages onto Gray's Inn Road and the new Wicklow Street Courtyard creating activity in and around the site. These uses are considered acceptable and would contribute to providing activation and interest on the ground plane. Appropriate conditions around hours of operation would be secured to any permission.

#### Mixed-use policy

- 8.15 Policy H2 of the Local Plan requires a mixture of uses in all parts of the Borough, including a contribution to housing. The application site is located within the Central London Area (and King's Cross Growth Area) and as such where there is more than 200m<sup>2</sup> (GIA) of additional floorspace provided, up to 50% of all additional floorspace is expected to be housing unless the site specific circumstances justify otherwise. The proposal would exceed this threshold significantly by providing an uplift of approximately 20,300m<sup>2</sup> site wide, and would therefore trigger the requirement for a secondary use (i.e. housing) if appropriate. The policy (H2) requires the Council to take into account a number of factors when considering whether a mixture of uses is appropriate. This includes the character of the development, site and area; site constraints; whether housing is compatible with the proposed and surrounding uses; economics and financial viability and other planning objectives considered to be a priority for the site.
- 8.16 The proposals would deliver a mix of uses including office (E), hotel (C1), residential accommodation (C3) and gym (F2). These uses are replacing an institutional/medical use that is decanting to elsewhere in the Borough, and are considered to introduce a varied mix of appropriate town centre uses that conform generally to the Council's aim of securing mixed use developments. As stated above the overall increase in floorspace (GIA) would be 20,300m<sup>2</sup>, with a policy compliant quantum of residential floorspace (i.e. 50% of the uplift) being 10,150m<sup>2</sup>. The proposal is for residential to include 8,005m<sup>2</sup> or 39.4% of the uplift, a shortfall of 2,145m<sup>2</sup> or 10.6%. The split between non-residential and residential uses is summarised below:
- Non-residential floorspace uplift: 12,295m<sup>2</sup> (60.6%)
  - Residential floorspace uplift: 8,005m<sup>2</sup> (39.4%)
- 8.17 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. The below has been taken into account:

- The scheme offers wide ranging benefits including a high quality sustainable design which incorporates public realm improvements, an active ground floor.
- The proposal includes a good offer of affordable housing in terms of quantum, with 3,573m<sup>2</sup> of affordable housing. This equates to 35% of the affordable housing provision required under the mixed use policy (i.e. 3,573m<sup>2</sup> equates to 35.2% of 10,150m<sup>2</sup>). The affordable housing would include a 60/40 split of social-affordable rent/intermediate rent and a good number of family sized homes in the social-affordable rent tenure.
- This is an employment led scheme as office is the dominant/largest land use with 14,107m<sup>2</sup> or 44.4% of total floorspace. A proportion of this would be lab-enabled, a small component would be affordable workspace and obligations would seek to secure Knowledge Quarter users.
- The residential buildings are considered to maximise the extent of their footprint, height and volume, and it would not be suitable to make these buildings any higher. To make the buildings larger would diminish the quality of living accommodation and shared amenity space between the blocks as well as lead to further impacts on townscape, heritage and amenity of other surrounding occupiers.
- The site has been divided into zones for the uses, with the hotel fronting Gray's Inn Road, office in the heart of the site where it can maximise the footprint and the residential accommodation is considered to be in the most appropriate part of the development. Part of the reason the other land uses have more floor area is they do not have strict standards to provide (such as good outlook, light, layout etc.). Hotel rooms do not have minimum space requirements, amenity space nor aspect considerations. Office development can fill in the centre of the building without needing to create good internal conditions for all parts of the building.
- Other site constraints mean parts of the site are not particularly suitable for residential development. This includes the busy frontage of Gray's Inn Road and significant established uses that are protected by Agent of Change principles – The UCL Ear Institute and the Water Rats Public House

8.18 In summary the proposal would be a genuine mixed-use development with multiple benefits. Economic planning objectives would be achieved, indicative café/restaurant uses have the potential to provide an active frontage and a significant uplift in residential accommodation and affordable housing would take place. Officers consider that the proposed quantum and balance of uses

is appropriate for this site. Whilst the applicant has demonstrated that further housing cannot be provided on-site, further housing is considered appropriate as part of the development. The applicant does not own other sites in the Borough which could be used for housing. Furthermore, the applicant's Financial Viability Appraisal (which was independently reviewed by BPS) demonstrates that the development proposals rely heavily on the office and hotel components to make it viable and therefore the proposed housing is the full extent of the development's ability to contribute to housing targets. It demonstrates that the development is delivering the maximum reasonable amount of affordable housing, in a suitable mix of tenures and unit sizes, as required by policy H4 (maximising the supply of affordable housing). Therefore a payment in lieu (PIL) for the shortfall of on-site housing (and affordable housing) is expected subject to viability (in this case a Deferred Affordable Housing Contribution would be sought). Further details are provided as part of the affordable housing and viability sections of this report (below).

#### Conclusion

- 8.19 Overall, the proposed development is considered to have an appropriate mix of uses for the site and would benefit a number of the Council's policy objectives by contributing towards a successful economy and town centre while making an appropriate contribution towards the Borough's supply of housing. The above matters and other priorities are discussed further in the relevant sections within the report.

### **9 Housing Mix, Unit Size, Quality of Accommodation, Affordable Housing and Viability**

#### Mix of unit sizes

- 9.1 Policy H7 requires homes of different sizes. The proposed unit mix should broadly accord with the Dwelling Size Priorities Table within H7, although the Council can be flexible when assessing development. For market units 1-beds/studios have a lower priority, 2 and 3 bedroom units high priority and 4-beds (or more) a lower priority. Social-affordable rented units have a lower priority for 1-beds/studios, high priority for 2 and 3 bedroom units and a medium priority for 4 bedroom (or more). For intermediate affordable there is a high priority for 1-beds, a medium priority for 2-beds and a lower priority for 3-bed and 4-bed (or more). The proposed unit mix is set out below in Figure 2:

<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	5	10
<b>Intermediate</b>	0	8	5	0
<b>Total</b>	17	17	26	12
<b>% Mix</b>	<b>24%</b>	<b>24%</b>	<b>36%</b>	<b>16%</b>

**Figure 2: Dwelling sizes mix (all tenures)**



- 9.2 Overall the proposal seeks a high proportion of studios and 1 beds (48%), which is challenging as these are lower priority, although it is noted that these are mostly in the market tenure (76.5%). There would be a good proportion of 2 beds (high priority) but only 16% 3 beds overall. The low amount of 3 bed units and the lack of anything higher is not optimal; however, there would be 10 x 3 bed units within the social-affordable tenure. This good contribution of family sized units in social-affordable rent is welcome and helps offset the low proportion of units of this size. The intermediate rent units are 1 and 2 beds in accordance with policy requirements.
- 9.3 On balance, whilst the unit mix is not ideal, a good proportion of affordable housing would be provided. The offer includes a meaningful contribution of family-sized social-affordable rent units. Officers consider the unit mix to be adequate overall.

#### Unit sizes

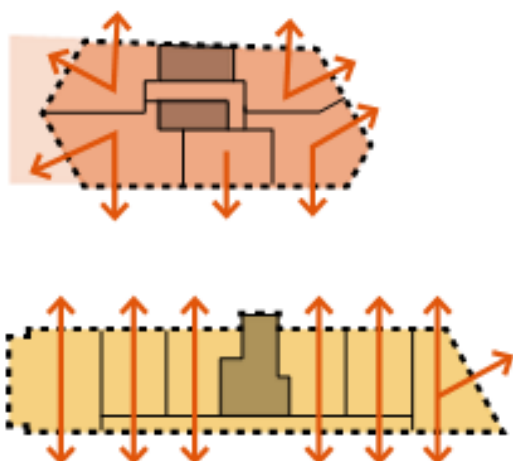
- 9.4 The Ministry of Housing, Communities and Local Government (MHCLG) released nationally prescribed space standards in March 2015, which are incorporated in the Local Plan. The minimum gross internal floor areas are set by the number of bedrooms and bed spaces/occupiers in each dwelling (see Figure 3 (below)).

Number of bedrooms	Number of bed spaces	Minimum GIA (m2)			Built-in storage (m2)
		1 storey dwellings	2 storey dwellings	3 storey dwellings	
1b	1p	39 (37)*			1.0
	2p	50	58		1.5
2b	3p	61	70		2.0
	4p	70	79		
3b	4p	74	84	90	2.5
	5p	86	93	99	
	6p	95	102	108	

**Figure 3 (above):** Nationally prescribed space standards March 2015

- 9.5 All of the proposed units (across all tenures) meet or exceed the minimum space standard.
- Quality of proposed living accommodation
- 9.6 Overall, the standard of living accommodation for the prospective occupiers is acceptable given the site constraints and Central London location. Below is a more detailed assessment of the quality of accommodation.
- 9.7 Layout, ventilation, ceiling heights – the general layout of the units is acceptable providing functional and practical spaces. The ceiling heights of the residential spaces are over the 2.4m minimum standards within CPG Housing. All of the units benefit from openable doors and windows.

- 9.8 Internal daylight/sunlight - the application has been supported by an internal daylight report which assesses the daylight and sunlight levels that would be experienced by future occupiers of the residential units. The provision of light for the units would be of a high standard due to their design, orientation and aspect. 108 rooms were tested for average daylight factor (ADF) on the lowest residential floors (as they represent a worst case scenario). 87% of those assessed meet the required ADF values. The majority of the rooms that fall slightly under target relate to either market 1 beds/studios or are the lower ground bedrooms on Swinton Street (the latter benefit from above ground habitable rooms, external amenity space and direct access to communal amenity space).
- 9.9 Outlook and aspect - overall the proposed flats would offer a good quality outlook for future occupiers (see Figure 4 (below)). All of the affordable units are dual aspect and the only single aspect units are market 1 beds and studios. None of the single aspect units face true north and they are shallow units to benefit from an acceptable level of light and outlook.



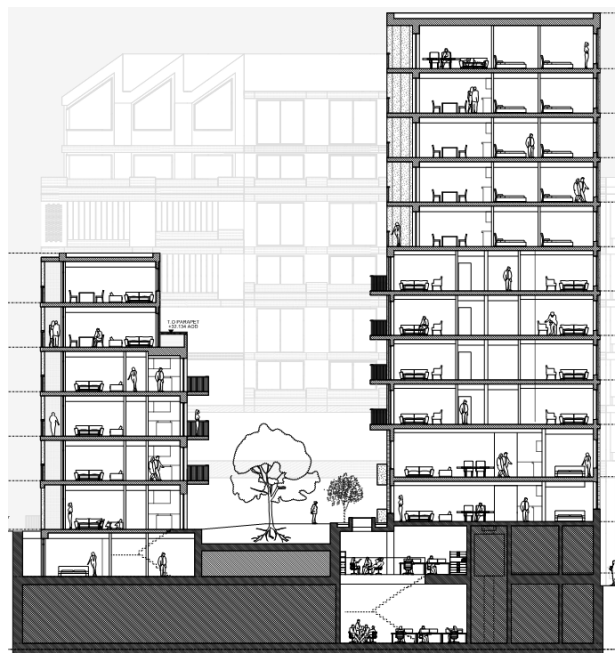
**Figure 4 (left):** The arrangement of the cores, circulation and apartments has been done to maximise dual aspect to the majority of the dwellings, with a few single aspect studios within the market residential block

- 9.10 The Swinton Street (affordable) properties benefit from a south-facing aspect over Swinton Street and a further aspect over a shared external garden. The adjacent building on Wicklow Street is setback between 17m to 15m and the eastern elevation is reasonably open over a railway corridor/cutting. For the lower ground and ground floor duplexes, these units have bedrooms (which have a lower priority for light and outlook) on the lower ground level and main habitable space at ground. The fronts of the units benefit from defensible space (via a lightwell) and the ground floors are dual aspect with the rear opening up to private external space. At lower ground level the bedrooms are served by lightwells and rooflight conditions, which is considered acceptable given the other qualities of the units and that these rooms are bedrooms.
- 9.11 The Wicklow Street block has been designed to maximise the provision of outlook and aspect for the market housing. On balance, the proposals are considered to result in an acceptable standard of living accommodation.
- 9.12 Overlooking/privacy – as stated above the setback between the Swinton Street and Wicklow Street blocks varies from 17m to 15m (see Figure 5 (below)). CPG

(Amenity) in paragraph 2.4 advises that to ensure privacy, it is good practice to provide a minimum distance between the windows of habitable rooms in existing properties facing the proposed development (assuming a level topography) of at least 18m. It is noted that the guidance references existing properties; however, it is still considered to be relevant guidance in this context. Some mutual overlooking would be possible between habitable rooms (minimum setback approximately 15.4m) and projecting balconies (minimum setback approximately 11.3m). Generally habitable rooms are not directly facing each other and bedrooms are located opposite living rooms (these rooms generally have different use/activity patterns). Furthermore, projecting balconies and windows on adjacent buildings are not directly in line height-wise. The affordable units are all dual aspect. Whilst the relationship is not ideal, it is considered acceptable on balance given the above and this is a Central London location on a relatively narrow site trying to fit two housing blocks.

- 9.13 There is potential for overlooking with the office, which has windows and terraces facing the residential blocks and shared amenity space. A condition would be attached to any planning permission requiring details of screening and other mitigation methods to reduce privacy impacts. Another condition would limit hours of use of the office terraces (for employees only).

**Figure 5 (right):** Section showing the two residential blocks. Whilst they are setback approximately 15m from each other at the narrowest point, the floors are at different heights



- 9.14 External amenity space - each unit would have access to good quality external amenity space in the form of a private balcony or terrace, along with access to a shared external garden. The London Plan requires a minimum of 5m<sup>2</sup> of private outdoor space to be provided for 1-2 person dwellings with an extra 1m<sup>2</sup> for each additional occupant. The Camden Local Plan and CPG are not so prescriptive in respect of private amenity space. Most of the units comply (with London Plan requirements) apart from some of the social-affordable units on the ground floor, which have 4-6m<sup>2</sup> rear gardens that are 1-2 m<sup>2</sup> below. Officers do not consider this to be acceptable and recommend a notwithstanding

condition be attached to any planning permission, requiring full details of the terrace spaces (at a London Plan compliant size) for flats: A\_00\_01; A\_00\_02; A\_00\_03; A\_00\_04; A\_00\_05; A\_00\_06 and A\_00\_07. It is considered achievable for a policy compliant level of external amenity space to be provided.

- 9.15 The Swinton Street blocks all benefit from rear balconies. Communal amenity space would be provided within a shared garden between the residential blocks. It includes a central area of grass, planting, trees and potential growing spaces. This space opens out towards the east with stepped access to a lower railway garden and playspace. The apartments at ground level (including the social-affordable units) benefit from direct access and have their own private amenity defined by planting and low walls.
- 9.16 Access and inclusive design - new build residential developments must comply with the access standards in Part M of the Building Regulations. This includes parts 1 (Visitable dwellings), 2 (Accessible and adaptable dwellings) and M4 (3) wheelchair user dwellings. The Council expects all new build housing development to go above the minimum mandatory Building Regulations with a requirement to meet Building Regulations part M4 (2); and in this case for 10% of the units to meet part M4 (3) (wheelchair housing). The proposals are considered to comply with this requirement and the details would be secured by planning condition.
- 9.17 Noise and vibration - the application is supported by an Environmental Noise Survey and Acoustic Design Statement Report. These documents have been reviewed by the Council's Environmental Health Officer who considers that subject to appropriate mitigation measures, the site is suitable for residential development. Acceptable internal noise levels have been adopted as design targets in the proposed habitable rooms. Mitigation includes suitably specified glazing and acoustically attenuated ventilation. Conditions are recommended regarding noise levels from plant, the installation of anti-vibration and silencing equipment and for noise levels in rooms to meet the relevant British Standards.

Affordable housing (quantum/tenure)

- 9.18 Policy H4 of the Local Plan seeks to maximise the supply of affordable housing, and has a sliding scale target that requires an additional 2% affordable housing per capacity for each additional home. Due to the size of the development, the on-site affordable housing requirement would be 50% of the residential floor area (GIA).
- 9.19 Policy H5 of the London Plan sets a strategic target of 50% affordable housing, by habitable room. This differs from the Camden Local Plan which is based on floor area (GIA). The GLA's 'threshold approach' would require 50% on this site given it is considered public sector land (recently occupied by a public healthcare use).
- 9.20 The application proposals include 3,573m<sup>2</sup> (including ancillary residential floorspace in the basement – storage and cycle parking) of affordable housing, which equates to 28 units, all of which would be within the Swinton Street building. This equates to 50% of the provided housing on a habitable room

basis. The GLA have confirmed that the proposals are in accordance with the fast-track threshold approach in the London Plan. In terms of proportion of affordable housing by floor area (as required by the Camden Local Plan), the proposals would include 44.6% of the housing provided as affordable and 35.2% of a policy compliant (in accordance with the mixed-use policy) level of housing. This quantum of affordable housing is welcome and whilst it falls short of the Camden Local Plan target of 50% by floorspace (and more so in line with required housing under the mixed-use policy), it is considered acceptable on balance due to viability considerations and other policy benefits delivered by the scheme.

#### Tenure mix

- 9.21 In terms of floorspace by tenure, the proposals include approximately 2,205m<sup>2</sup> for social-affordable and 1,367m<sup>2</sup> for intermediate rent. The tenure split would equate to 61.7% social-affordable rent and 38.3% Intermediate rent by floorspace, to broadly accord with the Local Plan required of 60/40 in favour of social-affordable (the slight weighting towards social-affordable rent is acceptable). On a habitable rooms basis it would be a 54/46 split in favour of social-affordable and the scheme would provide 15 social-affordable units and 13 intermediate units. The mix of units (as mentioned above) would be 5 x 2 bed and 10 x 3 bed for social-affordable and 8 x 1 bed and 5 x 2 bed for intermediate. This tenure mix and a provision of a number of family homes in social-affordable rent is considered acceptable. The social-affordable rent units are located on the lower-ground to second floors and include a large fully accessible wheelchair unit. Having family sized units closer to the ground and communal garden is welcomed.

#### Interest from registered providers (RPs)

- 9.22 RPs operating in Camden (on the Council's Approved Strategic Partner (2019) list) have been consulted on the scheme throughout the pre-application and application process. The key areas they inputted on include:

- Affordable unit mixes/types and layout
- Views on tenure separation
- Communal areas, building access and bin/recycling facilities
- Access to bin stores and recycling facilities
- Sustainability requirements and management implications
- Fire Strategy requirements
- End specification of units and affordable demise
- Standard of living accommodation

- 9.23 Feedback from RPs has been incorporated into the ongoing design to ensure it meets their requirements and the key objective to minimise service charges and ensure the long term affordability of the units. Detailed feedback was received from some of the large existing stock holders in the Borough. They continue to be involved in discussions on the scheme.

#### London Affordable Rent (LAR)/Social-Affordable Rent

- 9.24 It is noted that LAR and social-affordable rent are broadly the same tenures. They are both accepted by CPG Housing as suitable forms of low cost rent for

those most in need, but grants are paid for LAR under the Mayor's 2016-2023 funding programme, and will only be paid for social-affordable under the subsequent programme. Any section 106 legal agreement would be flexible to allow for social-affordable if the scheme is build out after the LAR grant programme has ended. If the resulting units are social-affordable, rent levels would be target rents calculated in accordance with the national formula, and likely marginally lower than LAR.

#### Government Housing Delivery Test

- 9.25 As mentioned in paragraph 7.7 (above), the Government (in 2018) introduced the Housing Delivery Test as a formal measure of whether development is providing the number of homes required. The NPPF indicates that planning decisions should reflect the outcome of the Housing Delivery Test. Only 79% of Camden's requirements were met in the three years to 2020. Therefore, the large contribution of housing that the proposals would bring are recognised in the Council's challenge to bring forward self-contained housing as the priority land use.

#### Wheelchair housing

- 9.26 As required by Local Plan Policy H6, four of the apartments would be suitable for occupation by a wheelchair user or easily accessible for occupation by a wheelchair user in accordance with Building Regulation M4(3)(2)b. These would be secured via planning condition.

#### Viability

- 9.27 BPS was instructed to undertake an independent review of the Financial Viability Assessment produced by Gerald Eve. They assessed the cost and value inputs within the financial appraisal in order to determine whether the scheme can viably make any additional affordable housing contributions. A copy of their independent viability review is included as Appendix 1. Furthermore, BPS instructed their cost consultant (Neil Powling) to review the costings. BPS concluded that the scheme was in a deficit (although not to as significant a degree as Gerald Eve). This position was reached after an initial review and an addendum report. Following the majority of the scheme inputs and Benchmark Land Value being agreed between the consultants, the applicant improved their affordable housing offer by amending the scheme to provide a policy compliant tenure mix (i.e. 60% social-affordable rent and 40% intermediate rent when the scheme was previously the other way round). After these changes to the affordable housing tenure, the scheme was found to be in an even further deficit based on the consultant's inputs:

- Scheme deficit based on Gerald Eve private residential values: - £8,257,790
- Scheme deficit based on BPS private residential values: -£5,530,356

- 9.28 The improvement to the affordable housing offer despite BPS finding the scheme in deficit demonstrates that the scheme is maximising its contribution towards affordable housing in the Borough. The GLA commented that given the applicant has agreed to a London Plan policy compliant affordable housing

threshold and tenure mix, that they will pick up any viability issues as part of their Stage 2 review.

- 9.29 Following the release of BPS's final report, officers were satisfied that the proposals are bringing forward the maximum amount of affordable housing possible. However, it is considered further contributions would be required to make the scheme acceptable. This includes a Pedestrian, Cycling and Environmental Improvements contribution of £200,000; contribution towards TfL public realm improvements of £220,000; a carbon offset contribution of £1,161,660; an employment and training contribution of £369,683.32, a public open space contribution of £478,086.30 and various other transport related contributions. After negotiations, the applicant agreed to this package and for the affordable housing and housing shortfall to be subject to a deferred review (see below).

*Benchmark Land Value (BLV)*

- 9.30 After lengthy negotiations, Gerald Eve and BPS agreed a BLV of £19,400,000. This was following a consideration of multiple approaches, including the refurbishment of the existing medical accommodation into office (which would not require planning permission). Officers agree with the position reached and it would be secured in any legal agreement to form the basis of any post-construction viability review.

*Private residential values*

- 9.31 In summary, Gerald Eve and BPS did not reach agreement in respect of the appropriate private residential values. Gerald Eve relied on a Savills valuation of £37,985,000 in comparison to BPS's of £41,025,000. Notwithstanding this, the adoption of either consultant's values would still lead to a scheme deficit (and this explains the main differences between BPS and Gerald Eve). This matter would be established through a post-construction viability review, when more up to date sales figures can be reviewed at an appropriate point in the process.

Payment in lieu (PIL) contribution

- 9.32 Policy H2 requires the provision of market and affordable housing to be on-site unless it can be demonstrated that the full amount cannot be reasonably accommodated on-site, or on an alternative site (i.e. off-site). The applicant has demonstrated that it is not feasible nor viable to provide housing and affordable housing off-site, therefore a PIL would be required for the shortfall. The calculation for the policy compliant PIL is outlined below (this calculation is based on current floor areas and the final figure is subject confirmation):

Total addition to floorspace proposed GIA	20,300m <sup>2</sup> (proposed – existing )
Self-contained housing floorspace target GIA	20,300 x 50% target = 10,150m <sup>2</sup>
Market housing target GIA	5075m <sup>2</sup>
Affordable housing target GIA	5075m <sup>2</sup>
Additional market housing provided on-site GIA	4,432m <sup>2</sup>
Additional affordable housing provided on-site GIA	3,573m <sup>2</sup>
Market housing shortfall GIA	5075 - 4,432 = 643m <sup>2</sup>
Affordable housing shortfall GIA	5075 – 3,573 = 1502m <sup>2</sup>
Payment in lieu of market housing (shortfall GIA x £1,500 per m <sup>2</sup> )	643 x £1,500 = £964,500
Payment in lieu of affordable housing (shortfall GIA x £1,500 per m <sup>2</sup> )	1,502 x £1,500 = £2,253,000
Total payment (different affordable and market housing shortfalls)	£964,500 + £2,253,000 = <b>£3,217,500</b>

- 9.33 The PIL contribution required for this scheme would be £3,217,500, in addition to the provision of 28 on-site affordable homes and 44 market units. As outlined above the scheme is in a significant deficit and no further contributions can be viably afforded. In this instance any payment would be captured within a post-construction viability review, as set out below.

#### Review mechanism

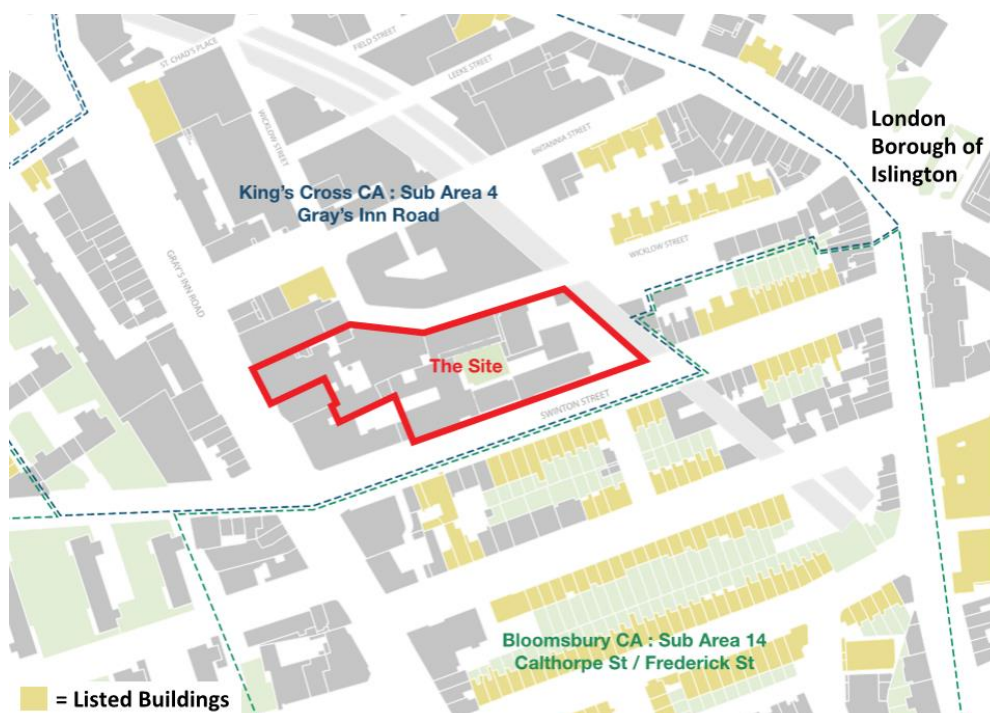
- 9.34 As stated in paragraphs 3.65 (policy H2) and 3.124 (policy H4) of the Local Plan, the Council expects reappraisal of viability when a development is substantially completed (if the scheme is in deficit at application stage and does not fully provide all policy requirements, then this needs to be reviewed later in the process). This is to capture an accurate estimate of the value of the development using current values and costs at the time of delivering the scheme rather than forecasted ones. A subsequent viability review determines the extent of any top-up payments that can be secured towards the shortfall in provision against the Council's affordable housing target.
- 9.35 Given that the proposal fails to meet policy required levels of affordable housing and housing, planning permission must be subject to a review mechanism provided within the section 106 agreement. This would protect the applicant's ability to clear the scheme deficit before any deferred contributions become payable and would potentially allow the Council to secure money towards affordable housing in the event of circumstances (in terms of viability) changing.
- 9.36 Any deferred contribution, following a future viability review, would be subject to a capped level in line with the policy compliant amount of affordable housing and housing required on-site as part of the development. Payments in lieu are calculated on the basis of the shortfall of on-site affordable housing and housing; as stated in CPG8 Figure 1 (para 6.11). A policy compliant payment in lieu would be £3,217,500, as calculated above.



## 10 Design, Character and Appearance, Impact on Heritage Assets

### Site context

- 10.1 The application site lies within the King's Cross St Pancras Conservation Area (CA) in Sub Area 4, with the boundary to the Bloomsbury Conservation Area running along Swinton Street to the south (see Figure 6 (below)). Within the site are a number of buildings identified in the King's Cross St Pancras Conservation Area Statement (KCSPCAS) as making a positive contribution to the CA. In addition, there are buildings and spaces considered to contribute positively to the CA in the prevailing pattern of development. The KCSPCAS states that this area *'contains some of the most important historic buildings and structures in the country and has areas of great interest and variety'*.

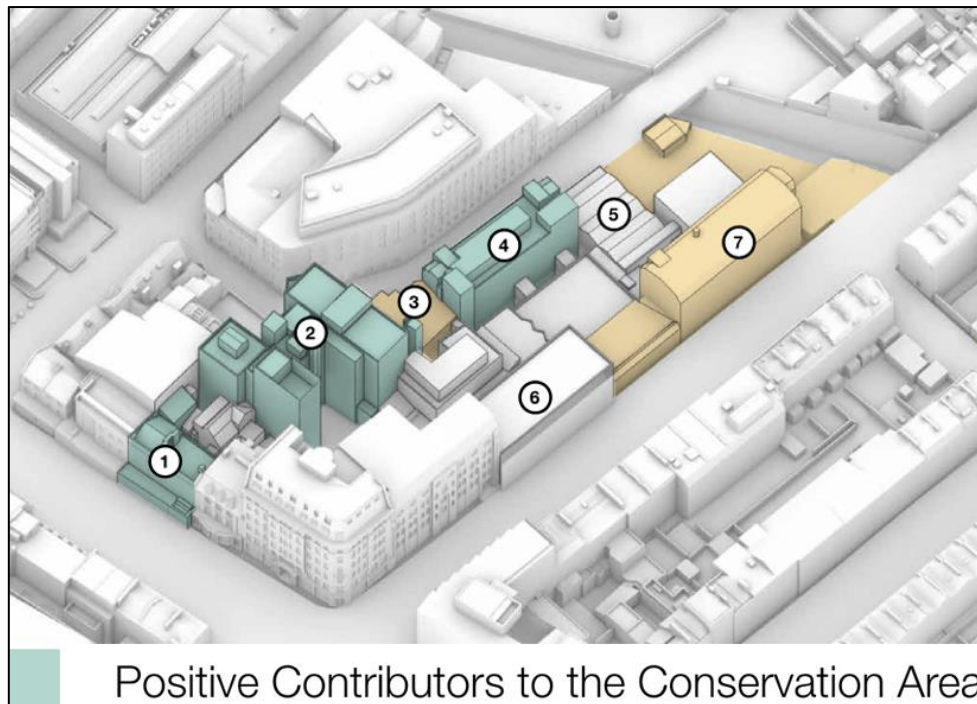


**Figure 6 (above): Designations map showing the site, conservations areas and listed buildings**

- 10.2 The site is considered to have a character that as a whole makes a valuable contribution to the CA. It has developed in an organic way and has a certain grain and informality. The key building of interest in historic building terms is 330 Gray's Inn Road. It is notable in the streetscape as having a render elevation with applied ashlar lines. The historic sign and bottle-embellished parapet to the front also add interest, variety, and a historic link to the building's former use (familiar to many and where thousands were treated). Behind 330 the existing development contains a collection of stock brick gabled buildings and there are other elements of interest. The bay window to the 1890's development and the former Nurses' Home fronting Wicklow Street have historic and architectural interest.
- 10.3 The KCSPCAS states that Sub Area 4 of the CA generally has *'characteristic fine urban grain with broad consistency of building heights and materials'*.

Officers consider that there are various elements which go together to form the special character of this part of the CA (Sub Area 4). The area between King's Cross Road and Gray's Inn Road is characterised by narrow streets generally paved with granite setts, lined with former light industrial and commercial buildings. This character is considered to have evolved over time, essentially pre-war, gritty, semi-industrial, quiet and warehouse like. Weathered and with a patina of age. Wicklow Street is narrow and cobbled. It contains mainly four, five and six storey buildings set at the back of the pavement forming a close intimate urban setting and a strong sense of enclosure. There is an established traditional London palette of materials, with mostly traditional, industrial materials. Stock brick is prevalent with a white glazed brick elevation onto Wicklow Street. The brick elevations have traditional solid to void/masonry to window proportions.

- 10.4 Sub Area 4 is crossed by larger roads that form a busy one-way system linking central King's Cross with Gray's Inn Road and Farringdon Road. These busy roads are characterised by early to mid-Victorian terraced houses of traditional architectural proportions. Generally three or four storeys plus a basement and attic floor. The area is divided by the Metropolitan and Thameslink railway cutting, which is flanked to the east and west by narrow corridors of vacant land. The air space above the railway cutting forms a visual gap at ground level, which allows longer views away from the busier heavily trafficked main roads within this part of CA.
- 10.5 The KCSPCAS identifies 330 Gray's Inn Road, the extension to the rear of 330 Gray's Inn Road, the main hospital building in the centre of the site, the former Nurses' Home on Wicklow Street and the ground floor of the buildings at the rear of the RNTNEH (also on Wicklow Street) as 'positive contributors' to the character and appearance of this part of the CA (see Figure 7, below). These unlisted buildings are therefore non-designated heritage assets within the wider designated heritage asset of the CA.



**Figure 7 (above):** Positive contributors on the site include 1) 330 Gray's Inn Road; 2) the main hospital building in the centre of the site and 3) the former Nurses Home on Wicklow Street

- 10.6 Swinton Street (southern boundary of the site) forms the border between the CA and the Bloomsbury Conservation Area. The development site lies opposite to Sub-area 14: Calthorpe Street/Fredrick Street. The character of this part of the Bloomsbury Conservation Area contains mostly uniform listed grade II early to mid-Victorian terraced properties. The former hospital site is seen within the setting of these listed buildings. To the east is the borough boundary with Islington and the New River Conservation Area.
- 10.7 There are no statutorily listed buildings on-site; however, there are a number of listed buildings in the surrounding area, of which the setting is important, including:
- Church School of St Jude's Church (grade II) adjacent to the site at 75 Wicklow Street on the corner with Britannia Street. St Jude's Church was demolished in 1936 and the remaining building is now offices and storage. Constructed in 1872 in Victorian Gothic style. The site is highly visible in terms of the setting of the listed building
  - Derby Lodge (grade II), formerly Derby Buildings, on the opposite side of Wicklow Street to the northeast. It is of significance as six storey high philanthropic housing from circa 1865. Derby Lodge has group value with flat numbers 1-36 on Britannia Street, and Cobden Buildings at 128 King's Cross Road
  - 29-67 Swinton Street (all Grade II) located on the opposite side of Swinton Street

#### Legislative background

- 10.8 Relevant statutory requirements and national policies listed below.

*The Planning (Listed building and Conservation Area) Act 1990*

- 10.9 In considering developments affecting listed buildings or their setting, Sections 16 (under listed building consent applications) and 66 (under planning applications) require local planning authorities to have special regard to the desirability of preserving the buildings and their setting, as well as any features of special architectural or historic interest they possess. Section 66 is relevant to this application, as the proposal would affect the setting of adjacent and nearby listed buildings.
- 10.10 When local planning authorities are considering development affecting a conservation area, Section 72 requires them to pay special attention to the desirability of preserving or enhancing the character or appearance of that area. The application lies within King's Cross St Pancras Conservation Area (CA) and adjacent to Bloomsbury Conservation Area. Therefore, its impacts on their character and appearance need to be duly considered. Considerable importance and weight should be attached to the presumption in favour of preserving or enhancing the character and appearance of conservation areas. A proposal causing harm should only be permitted where there are strong countervailing planning considerations to outweigh the harm.

*The National Planning Policy Framework 2019 (NPPF)*

- 10.11 The NPPF requires its own exercise to be undertaken as set out in chapter 16 - Conserving and enhancing the historic environment. Paragraph 190 requires local planning authorities to identify and assess the particular significance of any heritage assets that may be affected by a proposal. Paragraphs 193-196 and 202 require consideration as to the impact of a proposed development on the significance of a designated heritage asset, including an assessment and identification of any harm/the degree of harm. Paragraph 196 states:

*'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.'*

- 10.12 As discussed in further detail below, it is considered overall that the proposal would cause less than substantial harm to designated heritage assets (i.e. the CA and 75 Wicklow Street). The above weighing of harm against the public benefits of the scheme would therefore be required. The application proposes demolition of buildings of local significance that contribute positively to the CA. This would result in the loss of the contribution these building make in themselves as non-designated heritage assets within the designated asset (i.e. the CA) as a whole. Therefore, paragraph 197 of the NPPF applies requiring a planning balance (which is a lower threshold than applied under paragraph 196) to be considered:

*'The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required'*

*having regard to the scale of any harm or loss and the significance of the heritage asset’.*

#### Proposals/site layout and principles

- 10.13 The proposals include demolition of all buildings on-site apart from 330 Gray’s Inn Road, which would be altered and extended. This scale of demolition and the loss of positive contributors is challenging from a heritage and sustainability (see assessments within this report, below) perspective. In place of the mostly demolished site, the overall quantum of development is much greater in terms of its height, scale, massing and density/footprint. The proposals are much larger than surrounding buildings, leading to a change to the character and appearance of this part of the CA.
- 10.14 A comprehensive masterplan (see Figure 8 (below)) is proposed made of different new buildings, open spaces and routes. The proposed uses consist of a hotel with public uses at ground floor, flexible office space with some Knowledge Quarter (KQ) uses as well as affordable workspace, both private and affordable housing, and associated external spaces, including a public courtyard and a private residential garden.

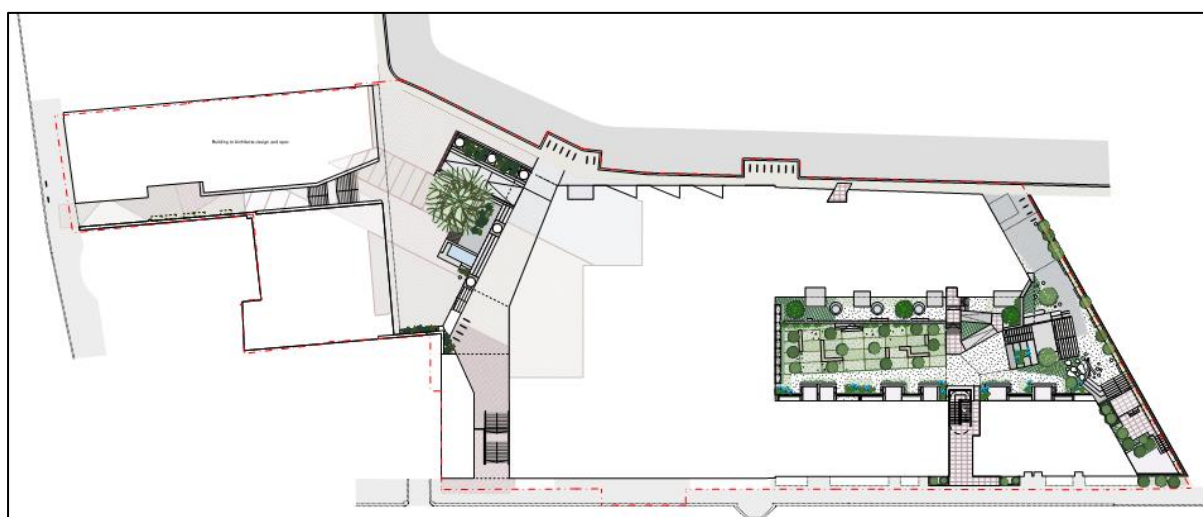


**Figure 8 (above):** Proposed ground floor level masterplan

- 10.15 Public realm improvements and new open spaces and routes are proposed as part of the development, providing external amenity space for residents, workers and passers-by, and creating new public connections in the area, increasing permeability.
- 10.16 The urban arrangement of the site is considered to respond to this mix of uses and seeks to integrate them to the surrounding context, with each use being located to respond to its immediate street condition and land use surrounding the plot. This has resulted in locating the most public uses towards the busier Gray’s Inn Road and the more private ones to the back of the site, towards the more residential areas. Officers consider that the approach to the arrangement of uses is appropriate for the site, fitting into the existing uses in the area.



- 10.17 The hotel building would front Gray's Inn Road and extend to a new public courtyard off Wicklow Street. It sits within the busiest and most public area of the development, with access from Gray's Inn Road, Swinton Street and Wicklow Street.
- 10.18 The office block is located in the middle of the site and occupies the whole width of the plot, fronting and accessed from both Wicklow Street and Swinton Street. It sits between the proposed hotel and housing and acts as a transition between these uses.
- 10.19 Two external spaces are proposed (see Figure 9 (below)). This includes a public courtyard located on the kink of Wicklow Street between the hotel and office uses (Wicklow Yard), and a shared residential garden space for all residents within the development, located between the housing blocks, east of the office block and west of the railway cutting. The location would allow light from the east and open views in this direction.



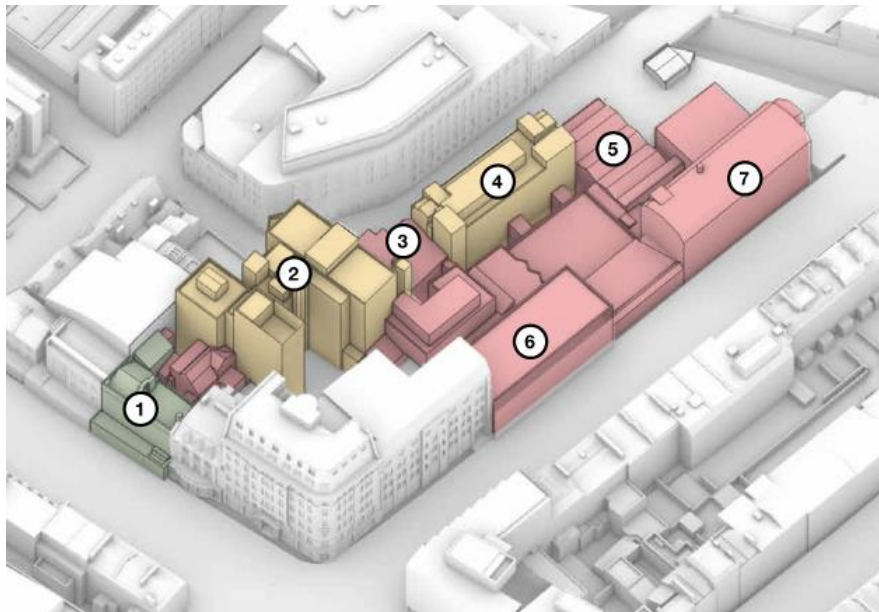
**Figure 9 (above):** Open space overview plan, showing public and residential courtyards

- 10.20 New routes that cut through the site and connect various streets of the neighbourhood are proposed. The routes include a main east-west public route linking Gray's Inn Road to Wicklow Street and a north-south public route connecting Wicklow Street to Swinton Street via the new courtyard. These new links would increase permeability within the site/area and allow pedestrians to take alternative routes away from busier roads. An additional private connection sits on the eastern edge of the site (parallel to the railway cutting), providing a cut-through between Wicklow Street and Swinton Street.
- 10.21 There are a number of constraints defining the context of the site. These include a 3.5 metre level change between Swinton Street and Wicklow Street; multiple boundary wall conditions on the western end of the site; and the railway cutting to the east, limiting the amount of possible built area but providing an interesting urban gap. The conservation areas, buildings of architectural/historic merit and the London View Management Framework (LVMF) corridors also provide a

context to which the development has had to respond. These constraints have been analysed and taken into consideration in the design process.

#### Demolition

- 10.22 The site has developed over time and contains buildings that make a positive, neutral and negative contribution towards the character and appearance of the CA (see Figure 10 (below)). While the loss of a number of buildings that contribute positively to the CA is not ideal, this must be balanced against the removal of other parts of the site that make a negative/neutral contribution and the wider enhancements brought forward – including a high quality new development which includes new public open spaces and connections.



**Figure 10 (above):** Extent of demolition in an axonometric drawing. Only 330 Gray's Inn Road (no.1 in green) would remain. The buildings in yellow (2 and 4) are positive contributors while the rest of the buildings make a neutral contribution or detract from the CA

- 10.23 The building at 330 Gray's Inn Road provides the principal frontage (see Figure 11, below) and reception of the former hospital. It is set within a group of buildings that have developed in an incremental manner. The KCSPCAS describes these buildings as forming part of an important and varied group, which are of architectural and historical interest. The buildings collectively share the traditional 19<sup>th</sup> Century London scale, use of materials and urban grain. 330 Gray's Inn Road has a handsome mid-Victorian front elevation of scored ashlar patterned render, terminating at roof level with a strong bottle balustrade forming the parapet across the frontage. Beneath the balustrade is a ceramic panel with the words 'Central London Throat and Ear Hospital'. The building may have been two earlier town houses converted when the hospital first opened in 1877. At ground floor the former hospital entrance dates from the mid-20<sup>th</sup> century in the style of the Festival of Britain and reminiscent of the "Finsbury Health Centre". Internally there is little of historic note. Behind 330 is an assortment of infill buildings, most likely later Victorian construction. These 'back yard' buildings have an interest in terms of variety of form, roofscape and

scale. The retention of 330 is welcomed. It is considered the most important building on-site and the 'face' of the former hospital site. The proposals include a two storey roof extension, which is considered acceptable in principle and assessed in further detail below.



**Figure 11 (above):** The building at 330 Gray's Inn Road would be retained and extended

- 10.24 The former Nurses' Home on Wicklow Street (see Figure 12 (below)) dates from the earlier part of the 20<sup>th</sup> Century. It was constructed in a period of austerity. The building is a record of social and economic history predating the founding of the NHS in 1948. Built at a time when nurses' quarters were limited and run on much disciplined lines. The four storey red brick elevation sits on a strong, robust plinth, possibly of granite. The street elevation is noted as having restrained decorative stone dressings and timber framed windows which are bookended by full height stair cases with Art Deco influenced steel framed fenestration incorporating chrome yellow glass panels. The building has a certain period style and speaks to the warehouse building opposite (the student accommodation – Depot Point) in terms of its relationship to the street, materials, character and scale. The former Nurses' Home is visible in long views along Wicklow Street and particularly at the angle of Wicklow Street where it turns east. The demolition of this building would result in the loss of the non-designated heritage asset, being a building that contributes positively to the CA.





**Figure 12 (above):** Nurses' Home on Wicklow Street, would be demolished as part of the proposals

- 10.25 The former 'New Patients Entrance' on Wicklow Street (Figure 13, below), set within a single storey yellow stock brick and stone screen, looks of a similar date and build as the former Nurses' Home (located next door). The stone dressed and simply decorated doorways and plain windows of the former hospital building are still evident running along the back of pavement and overlooking the street. This structure is a record of the building's former use and represents an element of social history. The brickwork matches that of the late 19<sup>th</sup>/early 20<sup>th</sup> Century building across Wicklow Street. Its removal would be regrettable and lead to a loss of a non-designated heritage asset. A planning condition (18 part g) would be secured to any permission to ensure that its reuse within the site would be explored.



**Figure 13 (above):** The 'Patients Entrance' on Wicklow Street, to be removed as part of the proposals (although a condition requires efforts to re-provide it within the development)

- 10.26 Other buildings to be demolished of note include the main hospital building, which has a dramatic white reflective glazed brick elevation and stands out at the turn on Wicklow Street terminating longer views (see Figure 14 (below)). Within the hospital complex to the rear of 330 Gray's Inn Road is a historic brick elevation incorporating a substantial canted bay window. The demolition of these positive contributor buildings would cause harm due to the loss of the non-designated heritage assets. In terms of impact on the designated heritage asset (the CA), officers consider that the cumulative development (i.e. the demolition of all the buildings and the quality of the replacement buildings and character of the resulting development) needs to be assessed to consider whether the proposal overall would preserve or enhance the character and appearance of the CA. The retention of all or part of the positive contributors has been explored in detail by the applicant, to satisfy heritage and sustainability policies. A feasibility study demonstrated that the proposals, compared to a number of alternative scenarios – including retention of all and part of the positive contributors – would bring forward the most benefits in terms of usability of the buildings, servicing, townscape and heritage and viability. The application proposal is considered to lead to significant planning and public benefits, which could not be achieved to as great an extent through the alternative options explored by the applicant.



**Figure 14 (above):** The main hospital building on the kink of Wicklow Street. To be demolished as part of the proposals

- 10.27 Internally the buildings merge and the spaces and built structure become blurred. Years of hospital use has changed the buildings to ensure the functioning of the hospital, leading to it being developed in a piecemeal way. A planning condition is recommended to retain and reinstate commemorative items as well as a recording condition to require details prior and during demolition.

10.28 The KCSPCAS notes *‘there are buildings within the Conservation Area, which detract from the appearance of it and their redevelopment may be considered appropriate, subject to an acceptable replacement coming forward. These primarily include parts of the Hospital site in Sub-Area 1 and areas to the east and west of the railway cutting on Britannia, Wicklow and Swinton Streets in Sub Area 4’*. In relation to Sub Area 4, the KCSPCAS lists the following as negative contributors (all of the below are on the application site):

- Swinton Street, the single storey structure adjoining the Nuffield Hearing and Speech Centre
- The Audiology Centre, the area to the west of railway cutting
- Wicklow Street structures above ground floor level at rear to the Royal National Throat Nose and Ear Hospital
- Areas to the (east and) west of the railway cutting.

10.29 The above are considered to be of neutral or negative architectural value. In addition, unattractive extensions to the positive contributors have accrued over time as the former hospital site has developed. The replacement of these buildings is considered acceptable in principle and they provide an opportunity to preserve or enhance both the CA and Bloomsbury Conservation Area (Swinton Street and the existing buildings on this part of the site face the Bloomsbury Conservation Area).

10.30 Overall, the loss of the buildings which positively contribute (non-designated heritage assets) to the CA need to be considered in light of the NPPF. For proposals involving impacts on non-designated heritage assets, paragraph 197 applies:

*‘197. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.’*

10.31 The cumulative impact (i.e. demolition and merits of replacement buildings/the resulting development) of the proposals would need to be considered as to whether they preserve or enhance adjacent designated heritage assets (i.e. the CA, Bloomsbury Conservation Area and nearby listed buildings). If harm is found, this must be weighed against the public benefits of the proposals.

#### Form and massing - general

10.32 The variety of proposed uses and spaces within the development leads to a collection of buildings distributed across the site. The massing and scale of the proposals have been determined through the analysis of the townscape and character of the CA, visual impact in views and site constraints. Throughout the design process, the buildings have been shaped and moulded to break up the massing, create volumes that better relate to their surroundings and reduce their overall visual impact. The resulting masterplan is characterised by a range

of building scales and forms that respond to the variety of heights and architecture found in the area.

- 10.33 The hotel element of the site is divided into three main blocks of varying scale. This includes the retained hospital building at 330 Gray's Inn Road, with a new setback two storey roof extension, a new 15-storey tower element located behind and fronting the courtyard, and a 10-storey lower element connected to the taller block. An enclosed courtyard would separate the new elements to the retained building, allowing the massing to be broken down and natural light to penetrate into the site.
- 10.34 The commercial (office) building is composed of a 7-storey block with a large open floor plate to accommodate the proposed uses and allow flexibility over time. Despite the large internal areas, the building form has been broken up into two main articulated volumes that front a different street each - Wicklow and Swinton - to reduce perceived building depths. The upper floors are setback to reduce perceived height at street level and to align the shoulders of the building to be closer to surrounding building heights.
- 10.35 The proposed massing to the housing blocks result from the unit mix and distribution, daylight requirements and the relationship to their surroundings. The housing would be provided in two distinct blocks: one to the north fronting Wicklow Street (private/market housing) and the other facing Swinton Street (affordable housing) to the south. The pair of buildings are separated by a shared garden and are different in height and form to respond to the streets they relate to. A lower but longer 5 storey building on Swinton Street, adjacent to the proposed office, and a taller more slender 10 storey block on Wicklow Street. To the east, the site is constrained by an existing sewer and railway line, resulting in the blocks being setback by 6 metres from the edge of the site and the northern block cantilevered at upper floors.

#### Form and massing – streetscape

- 10.36 The location of height and massing has been designed to integrate the development into the surrounding streetscape.
- 10.37 The new hotel elements and the remodelled 330 Gray's Inn Road building (with added roof extension) characterise the Gray's Inn Road frontage. The new building additions modify the frontage along the street but are setback and sit behind the enclosed courtyard, reducing its visual impact at street level. The tall block (to the rear) would be prominent within a number of views when approaching the development. These are described in the height, scale and views section below.
- 10.38 Along Swinton Street, the proposed massing steps down from Gray's Inn Road to the east and is considered to be appropriate within the streetscape. The office building is considered to appropriately integrate with the parapet line of the Point A Hotel (west) while the affordable residential block steps down, adopting a more domestic scale and transitioning towards the rows of houses further along Swinton Street.

- 10.39 The scale and character of Wicklow Street changes with the proposal as it accommodates the two tallest buildings of the development. This includes the hotel tower near the Wicklow Street kink and the residential block further east along Wicklow Street near the railway line. The proposals would open up into the new courtyard where it bends, modifying the sense of enclosure at this particular point. Between these two blocks the office building references the height of the opposite building on Wicklow, being one storey higher at shoulder level.
- 10.40 Overall, the development includes some elements, such as the hotel tower, which are taller than the surrounding context and would be visible from many viewpoints.
- 10.41 The location of the hotel tower is considered the most suitable for a tall building within the site. The block sits near the area where the taller Ward building currently sits and has been positioned to terminate the view from the west on Wicklow Street on its narrower elevation. Its relationship to open spaces has been taken into account, with the tall block sitting where it would least overshadow existing and proposed open spaces, in particular the new public courtyard.
- 10.42 The Wicklow Street residential building is taller than existing development in the nearby area, but it is actually located close to areas of open space such as the railway cutting rather than adjacent to lower buildings and it is within this context that it is viewed. The proposed form has been shaped to reduce its massing and move it further away from other buildings within the development. Its location north of the shared garden reduces overshadowing of the new open space.
- 10.43 Overall, officers consider that the proposals would have some impact on the existing streetscape and roofscape, at times changing the predominant scale of the streets. Despite this, the masterplan is considered to integrate successfully into its surroundings through the location, form and relationships of the proposed buildings and spaces.

#### Impact on views

- 10.44 The site would accommodate a replacement group of large buildings to include a hotel, residential blocks (including a landscaped garden), and an office building, all of substantial height and scale compared to the existing buildings.
- 10.45 From the Accurate Visual Representation (AVR) document, it is clear that due to the height and scale of the proposed development that it would be seen from many locations over existing buildings within the surrounding area. There would be an impact on views when looking into and across the King's Cross CA, Bloomsbury Conservation Area, and listed buildings.
- 10.46 The hotel tower would stand alone in contrast to and be much taller than the immediate neighbouring buildings. This particular element represents a departure from the established scale and height. It is considered to affect the historic streetscape along this part of Gray's Inn Road. The scale of this element

is inconsistent with the prevailing architecture in this part of the CA. The tower is setback behind the frontage buildings meaning there is a spatial distance created between the streetscape and the hinterland, which would reduce its impact.

10.47 The general height, massing and scale would be seen within views of 75 Wicklow Street (grade II), Derby Lodge (grade II) and other buildings across the railway line, as well as the listed grade II terraces of Swinton Street and the neighbouring streets such as Swinton Place.

10.48 A selection of the verified views confirm that from the wider King's Cross area; much of the height, massing and scale would be prominent within the local streetscape. The height and scale of the development leads to less than substantial harm to the character and appearance of the CA and the setting of 75 Wicklow Street. This harm is identified within the following verified views from the AVR document:

- 5 & 6) Looking south along Gray's Inn Road the hotel is prominent and would stand in contrast to the established 19<sup>th</sup> Century streetscape in terms of height, scale and materials (see Figures 15 and 16 (below)). The proposal would affect the setting of the listed grade II former Church school at 75 Wicklow Street. This listed building is metres away from the site boundary. Verified view No 6 shows the side of the listed building behind a tree in the wider context from the corner of Gray's Inn Road and Britannia Street. The hotel tower element of the development would be prominent within view of the three, four and five storey character of this part of the CA. Officers consider that these views are sensitive and significant to the CA. The introduction of the hotel tower would be a departure from the established height and scale within this part of the CA and lead to less than substantial harm to it, by neither preserving nor enhancing its character. Harm is considered to be less than substantial as it only affects the significance of this part of the CA and does not demonstrably harm it overall (i.e. the significance of the CA is not wholly lost). Similarly, the introduction of such a large building in the immediate context of 75 Wicklow Street would harm its setting. This harm would also be less than substantial as the setting of the designated heritage asset would not be wholly lost nor would its significance be substantially damaged.





**Figure 15 (above):** View 5 – Gray's Inn Road/St Chad's Street



**Figure 16 (above):** View 6 – Gray's Inn Road/Britannia Street

- 7) Gray's Inn Road/Argyle Street (Figure 17, below) - the view shows an increase in the established streetscape height and the impact of the residential block on Swinton Street. This view is considered to have scope for change as the existing buildings on it are lower (and in parts the site is open) than others on Swinton Street and the buildings are considered neutral and/or detractors to the CA. The proposed development would relatively respect the building/shoulder height of the prevailing pattern of development, with it noted that the two storey saw tooth roof of the office building extends higher. On balance, the proposals are considered to preserve the character and appearance of the King's Cross and Bloomsbury CAs.



**Figure 17 (above):** View 7 – Gray's Inn Road/Argyle Street

- 17) Acton Street/Swinton Place - illustrates that the development would be prominent, terminating the view across Swinton Street (see Figure 18, below). The listed buildings in the foreground would lose some of the open distant aspect in favour of an urban and built up character. The street trees offer some visual cover. This view is from within the Bloomsbury Conservation Area, and whilst the existing buildings are much larger than what is currently on-site the proposals are not considered to harm the character and appearance of it. The proposed buildings would be visible in the background and are not considered to be imposing on the listed structures, within the Bloomsbury Conservation Area, in the foreground. Both the setting of the Bloomsbury Conservation Area and the listed buildings is therefore considered to be preserved, on balance.



**Figure 18 (above):** View 17 – Acton Street/Swinton



- 20) Wicklow Street looking west from King's Cross Road - captures the impact on the view of the flats which line the street and the listed grade II Derby Lodge in the foreground (Figure 19 (below)). The view is considered to be significant but have scope for change. Both the taller residential (market) and hotel towers are visible in the background. They are considered to not be overbearing on façades of the townhouses nor the blank gable of the listed Derby Lodge. However, the buildings are much larger than the prevailing pattern of development and limited harm (less than substantial) is considered to be caused to the character and appearance of the CA.



**Figure 19 (above):** View 20 – Wicklow Street/King's Cross Road

- 21) Leeke Street Bridge looking south - in particular shows the scale and height of the residential part of the development in relation to the relatively low rise light industrial buildings in the foreground (see Figure 20, below). The bridge and opening of the railway cutting allow distant views south where the height and scale of the new build would break the existing scale of the urban landscape. This view is not considered to have high significance, and has scope for change as this part of the site is open. Much like the impact explained above, the marked change in height and scale of the residential tower would cause less than substantial harm by way of neither preserving nor enhancing the character and appearance of the CA.



**Figure 20 (above):** View 21 – Britannia Street Bridge

- 22) Wicklow/St Chad's Place - this view (shown in Figure 21, below) illustrates the open aspect that the railway cutting gives this part of the CA. The existing buildings lining the street are two, three and four storeys. The hotel tower in contrast stands prominently breaking the established built height as seen at the end of the view where Wicklow Street turns east. Whilst this contrast in height and scale is visually prominent within this view, it is noted that there is an existing taller building on the application site in a similar location. On this basis, limited harm (i.e. less than substantial) is caused to the character and appearance of the CA.



**Figure 21 (above):** View 22 – Wicklow Street/St. Chad's Place

- 25) Acton Street Bridge - this view (Figure 22 (below)) shows the scale of the proposed development. The market residential block represents a departure from the established scale and height within the King's Cross CA. This view is within the Bloomsbury Conservation Area, and as the

residential tower is within the background of this view, it is not considered to cause harm to the significance of this conservation area.



**Figure 22 (above):** View 25 – Acton Street Bridge

10.49 Officers have analysed the assessments contained in the Town and Visual Impact Heritage Assessment (TVIHA) and have had regard to the statutory duty in respect of listed buildings and conservation areas in the Planning (Listed Buildings and Conservation Areas) Act 1990, and the relevant paragraphs in the NPPF in relation to heritage assets. Overall, it is considered that harm would be caused to designated heritage assets in the vicinity, namely the King's Cross St Pancras Conservation Area (CA) and the setting of an adjacent grade II listed building – former Church School at 75 Wicklow Street. This harm is analysed and set out within the views analysis above. Overall, the proposed residential (market) and hotel towers are visually prominent from a number of views with the CA. The height of these buildings would be much taller in height and scale than the prevailing pattern of development. This would lead to the development neither preserving nor enhancing the character and appearance of the CA, harming the significance of this part of the CA. The proposed development is considered to cause less than substantial harm. On balance, harm is not considered to result to other designated heritage assets – including the Bloomsbury Conservation Area and other listed buildings on Swinton Street and Derby Lodge on Wicklow Street; however, it is noted that the scale and nature of the proposals would have an impact on current views. With regard to the Bloomsbury Conservation Area, the proposals replace elements facing it that are neutral and detractors to its character and appearance. The resulting proposals would be larger than the buildings and structures being replaced, but of much higher quality and would lead to enclosing Swinton Street on both sides which is a characteristic of the remainder of this street.

#### Site permeability/open space

10.50 A publicly accessible courtyard linked via passageways between Swinton Street, Gray's Inn road and Wicklow Street would form the heart of the site. As mentioned above, two new public routes would be created. An east-west

connection linking Gray's Inn Road and the new public courtyard, and a north-south public route connecting Wicklow Street to Swinton Street via the courtyard. A third (private) route is created east of the site by the railway cutting connecting Swinton Street to Wicklow Street through a level change and accessed by residents of the new development.

- 10.51 The east-west route takes the form of a covered passage through the hotel ground floor and integrating the site's level change. The north-south route steps down from Swinton Street and cuts through the new Wicklow Yard. The eastern route is designed as a railway garden and play space for residents, stepping down from Swinton Street and integrating greening and play features. The Wicklow Street residential block has its main entrance along this route.
- 10.52 Two new open spaces are proposed within the development; a public courtyard (Wicklow Yard) and a residential garden. Wicklow Yard is a publicly accessible open space that sits at the heart of the site next to the new hotel and office buildings. It opens up to Wicklow Street and offers additional public space in the area, being tucked away from the main roads, with activity from buildings opening up to it and providing passive surveillance. The space is designed with various uses in mind, for rest and movement for residents and passers-by. Circulation and entry points to the buildings are located along the sides while areas for seating are in the courtyard's centre and to the south against the boundary wall with Point A Hotel. A sheltered area under the hotel building accommodates seating linked to the hotel restaurant while a covered colonnade creates the entry area for the offices, seen as an extension of public realm.
- 10.53 The central area is characterised by a raised planter, a water feature and a signature tree (replacing a mature tree that would be lost elsewhere on-site), creating a focal point for the space and inviting people to sit and rest. Columns are proposed along the edge of Wicklow Street. On the Swinton Street side, a passageway is proposed with steps down to the courtyard and the lower entrance to the gym. Most of the courtyard's paving is made of textured masonry of recycled bricks from the site (where possible) with subtle tone variations, while the granite setts are maintained on Wicklow Street. The columns would be textured stone at the base of the office building and recycled bricks along Wicklow Street. Fragments of existing materials on-site would be used for the rear wall on the southern end. The passageway on Swinton Street would have a different material, potentially coloured concrete, to create an attractive entrance into Wicklow Yard.
- 10.54 Officers consider that the "New Patients Entrance" (proposed to be removed) could be retained and incorporated within the Wicklow Street courtyard proposals. This would ensure a continued physical/visual link with the history of the area while providing a quiet protected open public space. The proposal seeks to widen the street at this point with the removal of the screen and widening of the pavement interrupting the established tight enclosure of Wicklow Street. The proposed use of columns is not considered relevant to the character or appearance of this part of the CA. Details of this part of the site would be reserved via a notwithstanding landscaping condition. This would

ensure an appropriate solution balancing the history of the site, character and appearance of the CA, and creating a successful public space.

- 10.55 The shared residential garden sits between the two residential buildings, bound to the west by the office and open to the east next to the railway cutting, also connected to the railway garden but sitting a storey above it. The openness to the east allows for increased sunlight and views out. The garden is made of various areas with different characteristics. This includes a more communal central one, bound by a green wall to the west and hard landscaped areas on north and south. These areas are closer to the residential buildings and are the buffer between the homes and central space. The east of the garden accommodates the buildings' back entrances and connects to the railway cutting garden via a feature stepped area that integrates planting and play opportunities through stairs and platforms.
- 10.56 The garden is designed to maximise opportunities for increased biodiversity and play as well as to carefully manage the different thresholds. Play features, benches and planters would be scattered through the garden to encourage different uses. The proposed planting is characterised by a variety of species to provide interest throughout seasons and define the various areas.
- 10.57 Overall, the addition of these open spaces are considered appropriate and would add to the character of the development and area, characterised by small open spaces amongst the dense urban environment. Alternative routes and public open spaces away from main roads are considered beneficial. This part of the scheme therefore contributes positively to the character and appearance of the CA and brings forward public benefits.

#### Architectural approach/detailed design

##### **Hotel**

- 10.58 *Hotel – architectural design* – the proposed hotel has a mix of new and repurposed structures. The new build element, located behind the retained 330 Gray's Inn Road building, would be broken up into two distinct blocks of different widths and height, 15 and 10 storeys. This allows a variety in roof and building form, with the taller element having a more slim vertical volume. The two blocks are defined through a recess slot above the public route at ground floor, further increasing the differentiation of the two elements and the visual break of the massing. Setbacks at various levels and inboard corner balconies at top levels reduce the massing, as the building gets taller and move it further away from the open spaces.
- 10.59 The hospital building at 330 Gray's Inn Road is characterised by original features dating back to 1878 and additions/interventions throughout the years. The proposals seek to retain most of its internal and external fabric, including the front building facing the street and the small side return currently occupied by a staircase. Elements of little architectural merit, such as the post-war porch on the main building frontage, would be removed.



- 10.60 The refurbishment and design additions to the retained building would keep the character of the existing block whilst integrating the new design. They consist of repairs to the existing structure, re-instating a frontage at ground floor, with a direct access to a new public connection, and a two-storey roof extension, which is setback from the main frontage and partly covered by an existing two metre tall parapet. The overall scale of this block is similar to adjacent buildings, with the upper floors setback to reduce its impact on the street.
- 10.61 *Hotel – layout, entrances, connections* - the design of the hotel seeks to maximise the area of active uses fronting the public spaces and increase permeability by locating public uses at ground floor and establishing multiple access points. The building integrates the changes in level in this portion of the site, resulting in two ground floors at different levels, each fronting a public space - Gray's Inn Road and the new courtyard off Wicklow Street.
- 10.62 The remodelled ground floor would accommodate a café accessed from the street that is linked to the hotel lobby and circulation core via the new covered courtyard; creating a direct visual connection between Gray's Inn Road and the new hotel use. In addition, the enclosed courtyard is accessed through the new public route between Gray's Inn Road and the open courtyard. It acts as a connector between the existing and new buildings and is home to a new staircase and lift shaft within the retained side wing.
- 10.63 On the Wicklow Street side, a double height hotel lobby and bar connected to the core would sit close to the street kink with a restaurant located on the lower block directly addressing the courtyard. Both spaces are connected internally via a link and in-between the two sits the public route, with steps leading to Gray's Inn Road. An internal lift within the hotel lobby would provide step-free access.
- 10.64 From the first floor upwards, the building would be mostly occupied by hotel accommodation. It has a layout repeated in the middle and upper floors. The hotel rooms are organised in a linear way around a central corridor that wraps around the core and faces east and west, with no north-south outlook to avoid overlooking onto neighbouring properties. As the building steps back, the hotel rooms continue on the tower element until the top floor. In the retained building are spaces for food and beverage and flexible event uses on the above ground floors.
- 10.65 *Hotel – detailed design and materials* - the proposed materials and architectural treatment seek to make a clear visual distinction between the three main hotel blocks, highlighting each volume and contributing to a varied architecture that is characteristic of the emerging development and the wider area.
- 10.66 *Gray's Inn Road elevation* - the main frontage on Gray's Inn Road is defined by the retained building façade with the added extension and porch replacement. The proposed architectural treatment is simple and seeks to integrate old and new. This includes the cleaning and restoring of the cement rendered façade, maintaining the original signage, and replacing original timber sash windows with double glazed timber ones.

- 10.67 The new ground floor frontage is composed of five bays that mimic the fenestration at upper levels, with an opening for the new public connection and relatively small windows to keep the ratio of solid to void in line with the street's character. Off-white stone panels are proposed and a darker stone panel base grounds the building and references the post-war porch. A precast concrete parapet with inverted bottle balustrade relief accommodates new signage for the development (any signage would be subject to separate advertising consent).
- 10.68 The roof extension would be partly covered by the existing two metre-tall parapet. It would be composed of five bays with windows of similar proportions to the retained building below. Off-white precast concrete panels with minimal joints, a ribbed parapet and inverted cast key stone on windows characterise the rooftop extension.
- 10.69 The new hotel elements, setback from Gray's Inn Road, would be of a single material, glazed terracotta, which vary in colour and form across the two volumes to create texture and depth to the facades. The tower is proposed to be red-oxide with vertical profiles to increase the slender profile of the structure, with darker ribbed terracotta spandrels in between, while the lower volume would be a whiter tone with similar profiles and spandrels, sharing a common architecture language. Various depths are added to the profiles to create further interest while the north and south facades are flank walls to respond to boundary conditions.
- 10.70 *Wicklow Yard elevation* - the Wicklow Street elevation acts as an important backdrop to Wicklow Yard and partly terminates the view westwards along the street. Similar in language to the Gray's Inn Road elevation, the frontage on this side is more open at ground floor to create direct relationships between inside and outside.
- 10.71 Different design features allow the building to have a more human scale and be more welcoming to pedestrians. The introduction of horizontal elements closer to the ground would reduce the building datum at lower floors; areas of glazing would allow views in and out and spill out onto the open space. A setback at upper levels of the white hotel component would reduce the sense of enclosure and allow more light into the courtyard.
- 10.72 The design of the public route between the hotel blocks allows the connection to be more visible and legible, with the route becoming wider and opening up towards the courtyard and perceived as double height.
- 10.73 *Covered courtyard* - the covered courtyard mediates new and old structures through a lightweight coloured steel structure enclosed by double-glazing, allowing light to penetrate and making it feel relatively open. A metal frame is proposed for the two-floor extension on Gray's Inn Road, with a large glazed opening looking into the enclosed courtyard. The historic masonry fabric would be retained and repaired (where possible), with the addition of details such as a concrete parapet on top of the retained walls or glazed tiles on the party wall

with the Water Rats Public House to make reference to the materials previously used in the original 1870s ground floor. Larger openings are proposed in the existing wall facing the courtyard while the retained side would retain its existing architecture features.

## **Office**

- 10.74 *Office – architectural design* - the office building would accommodate large and flexible internal floor plates and is articulated as two distinct volumes of equal height, breaking down the massing of the building with each side fronting a different street.
- 10.75 The northern block bends in proximity to where Wicklow Street also bends. This creates different building planes and depths on the side fronting the new courtyard, reducing the feel of an overbearing block. On the side facing the residential development, the building steps back to reduce overlooking/overbearing and to move away from the residential garden.
- 10.76 A distinctive roof form is proposed to the top two floors of the building, and is setback from the main elevations as well as cut back at different points to improve daylight levels and reduce the visual impact of the building. The expressed roof form, with a saw tooth shape, references the industrial character of the area and improves the light quality internally, through skylights on the northern roof planes.
- 10.77 *Office – layout, entrances, connections* - the commercial building has been designed to create a public ground floor with lab-enabled floors and a variety of office spaces at upper levels, and with a central core located at the centre to serve the building. On the side fronting Wicklow Yard, a colonnade is created below the bent façade, creating a sheltered entry space into the building and continuing the route from Swinton to Wicklow streets.
- 10.78 The changes in level across the site allow the office block to have ground floors and entrances at different levels. Similar to the hotel, active public uses have been maximised to create welcoming frontages and increase the relationship between inside and outside.
- 10.79 The main office lobby is located at Wicklow Street level, occupying the north-western corner and opening up onto the new courtyard. A publicly accessible café and events space is located within the same area, and its uses would spill out onto the courtyard. The lobby and café space would be accessed through multiple entry points, allowing for a number of smaller entrances. At the same level, a gym entrance leading to a subterranean gym is located within the passage connecting the courtyard to Swinton Street. In addition, there would be a cycle entrance leading to a basement cycle storage and associated uses (directly accessed from Wicklow Street). Office space would be provided on the less public facing areas and receive natural light from Wicklow Street and lightwells on Swinton Street.



- 10.80 The Swinton Street ground floor accommodates a loading bay directly connected to and accessed from the street, a secondary gym entrance (west of the passage) and office accommodation, split into two spaces and allowing for smaller companies (i.e. small and medium enterprises (SMEs)) to occupy them.
- 10.81 The office accommodation above ground floor is repeated on each floor. It would be open plan with potential to divide into smaller spaces to suit different tenancies/functions. The setbacks fronting the residential spaces create balcony amenity for office users every two floors. The top two storeys are setback from the main facades and provide amenity space on the 6th floor. The plant for the overall development is located above and is integrated into the architecture of the building. Officers consider the design of the building top minimises the visual impact from multiple views around the site.
- 10.82 *Office – façade design and materials* - the façades and architectural treatment of the office block are considered to fit into the distinct characters surrounding the building, with each façade responding to its street condition. This is through a play of textures, tones and proportions. The Wicklow and Swinton Street elevations share a common language of brick piers and horizontal banding, but adopt features of the CA and Bloomsbury Conservation Area respectively.
- 10.83 The northern office elevation along Wicklow Street reference the industrial character of the street, with robust and textured facades made of dark textured concrete at ground floor, to mimic the dark base of the Nurse's Home it replaces, and of dark brickwork at upper levels. Large window openings set at an angle at ground floor allow outsiders to look into the interiors and increase the scale of the street at pedestrian level, while long windows framed by light coloured stone lintels at upper levels reference the proportions and robustness found along the street.
- 10.84 The southern elevation along Swinton Street attempts to respond more to the Georgian townhouses opposite through smaller proportions, lighter materials and a richness of detail. The ground floor would have white polished precast concrete to reference the white stucco base of the townhouses. The passage opening and loading bay have similar proportions to other passages found along the street, attempting to maintain a consistent street scale.
- 10.85 The upper floors are more detailed, consisting of portrait-oriented windows separated by an expressed vertical fin, of London stock brick piers with integrated projecting headers and light coloured precast concrete horizontal coursing. Integrated concrete planters on the façade add a more domestic feel to this side of the office, while dark metalwork is used for the railings, the loading bay doors and the eastern bays, visually linking to the intricate metalwork of the surrounding residences.
- 10.86 The Wicklow Yard elevation would be perceived from the new courtyard space and while approaching the building from the north. It is characterised by the various planes and depths created by the building bend. A two storey light coloured brick colonnade would animate the façade at ground floor and provide access to the main office entrance, creating a threshold space between the

office and courtyard. The upper levels follow the similar concrete banding throughout the building but have light coloured stone piers brightening the façade. Precast concrete planters integrated on every window would provide a green edge onto the open space.

- 10.87 The residential facing elevation is characterised by the building stepping back at various levels. This creates a series of terraces within a central cut, with integrated planters to minimise overlooking. Other design features such as angled concrete privacy screens also prevent overlooking whilst allowing natural light inside. A similar language of dark bricks and light horizontal coursing animates the upper floors, with white bricks used within the cut to reference past architectural features on-site. The gables of the top floors would be glazed and made of light coloured precast concrete to reduce its prominence within the townscape. The base of the building has a 1.5 metre high green wall that contributes to greening the garden.

### **Residential**

- 10.88 *Residential – architectural design* - the proposed residential development would be divided into two blocks of different heights, each facing a different street (Swinton and Wicklow).
- 10.89 The proposed Swinton Street block is a long and narrow 6-storey element located to the south of the application site, adjacent to the office block. On its southern side, its form is defined by a recessed open gallery at every floor while its northern side is characterised by the block stepping back at upper floors to allow sunlight into the shared garden and by a projecting stairwell facing the open space. Further setbacks at the top level reduce the presence of the building at street level and the visual impact on local views.
- 10.90 The Wicklow Street building would be 10 storeys in height, taller and more slender than the southern block. It would compose two volumes - a lower one, creating a podium on the first two floors, and an upper one, containing most of the residential accommodation. The upper volume is shifted eastwards to provide a gap with the office building, allowing views in and out of the development, daylight improvement into the garden and preventing further overlooking with the offices. This shift results in the cantilever on the railway cutting side. Both volumes are shaped through a series of cuts of the massing and setbacks at upper floors, reducing the overall massing of the building.
- 10.91 The shared garden between the blocks is raised from Wicklow Street to match Swinton Street's level, allowing more daylight into the space throughout the day. It would step up at the northern end close to the northern building to accommodate the space below ground (which includes affordable workspace). The green space includes a railway garden running parallel to the railway cutting, acting as a pedestrian link between Swinton and Wicklow streets as well as an area for play.

- 10.92 *Residential – layout, entrances, connections* – both residential blocks have been designed to provide high quality accommodation through maximising dual aspect units.
- 10.93 The accommodation on the Swinton Street block spreads across all floors, including a lower-ground floor level that matches the Wicklow Street level. Due to the nature of the building and the decked access layout, it would achieve dual (and sometimes triple) aspect in all units. At ground floor, seven duplexes are directly accessed from the street, with living spaces on the same level and bedrooms at lower ground floor. A lightwell at the front allows for privacy from the busy road and brings light into the lower rooms. Openable rooflights on the garden side are proposed. The entrance to the main core is centrally located at ground floor from Swinton Street.
- 10.94 The upper floors would contain a mix of apartments accessed via the external gallery. The gallery sits on the south-facing side to provide solar shading and a buffer between the homes and the vehicular traffic on Swinton Street.
- 10.95 The Wicklow Street building accommodates housing as well as affordable workspace. Entrances to both uses are located at ground floor. The office directly from Wicklow Street and the residential lobby accessed through a gated area fronting the railway cutting. The lobby connects to the main core, which is located on the northern frontage to locate flats at upper floors on the southern facing side. The workspace extends to a lower basement floor, having its own staircase and receiving natural light from a series of rooflights within the garden and a double height window on the eastern façade.
- 10.96 The residential accommodation on the first floor sits within the building podium and accommodates five apartments of different sizes. At every level, the apartments are organised around the north-facing core, benefitting from a narrow plan and most of them from corner dual aspect locations with inset balconies. As the building setbacks from floor 6, the building plan gets smaller, with fewer units per floor.
- 10.97 *Residential – façade design and materials* – the southern facade fronting Swinton Street is designed to reference the existing character of the street. This is through the articulation of a white precast concrete base at ground floor to mimic the white stucco bases found in the area, with front doors directly onto the street, metalwork for various building elements and proportions of solid and void similar to the existing townhouses.
- 10.98 The upper floor frontage contains an external central gallery access, located behind a grid of vertical concrete columns of proportions similar to its surroundings. The columns would be infilled with metal balustrades in between and have a ceramic wall with punched windows and doors into the apartments as a backdrop. At each extremity of the elevation, the building is characterised by more solid bookends made of simple London stock brickwork, with enhanced concrete details in proximity of the window openings.

- 10.99 The frontages to the north are linked to the character of Wicklow Street, taking cues from the strong bases, building proportions and details found along the street. A robust base defines the elevation fronting the street and turning the corner. This roughly aligns with the base of the adjacent office building. The elevation is characterised by inset balconies and a mix of textured natural stone, smooth precast concrete and curved concrete panels, creating datum lines and solidity. The horizontal line above ground floor helps reduce the perceived scale of the building at street level. Coloured metalwork framing the ground floor windows and doors adds further interest to the elevation.
- 10.100 The upper levels are cantilevered towards the railway cutting, setting this part of the building away from the offices. The façade is expressed through a light coloured concrete frame that turns into a textured masonry material at the top, to reference the building base. Inset balconies at the corners reduce the massing and provide interesting features through coloured metal railings. The core is expressed through blank panels inset within the concrete frame.
- 10.101 The garden elevations of both buildings would benefit from views into the communal green space. They would have projecting balconies onto the garden. The communal staircase of the Swinton Street block projects outwards into the garden. The Wicklow Street building benefits from a south-facing aspect on the garden elevation.
- 10.102 The proposed materials and architectural approach are considered appropriate and successful in integrating the new buildings into their context. In particular, the use of a relatively limited palette of materials but with variations in texture, tone and proportions across the development is considered to add richness and quality to the design. Overall, officers consider the new buildings to be of a high quality design. They would create visual interest whilst responding to the character of each street.

#### Materials

- 10.103 The detailed design and materials of the development should be in keeping with the character of the existing buildings and those of the neighbouring buildings, which are considered to contribute to the character and appearance of the CA. The use of the local palette of materials would help ensure the new buildings sit within their context rather than stand out in contrast. The detailed design and materials of the proposals would be secured by planning condition, if permission were to be granted. Details secured by planning condition would include:
- Design details - key details would be secured by condition to ensure an exemplary quality of architecture is delivered
  - Sample materials
  - Retention - there are a number of commemorative items including stone plaques, which should be kept and reinstated somewhere within the site as a record of the social and built history
  - Recording - a recording condition, prior and during demolition, should be attached as there are areas of the site that require further investigation.

Impact on the heritage assets and balance of benefits

- 10.104 The site of the former hospital is considered to offer scope for redevelopment. The incremental historic development that characterises the site currently is considered to add to the character and appearance of this part of the CA, both historically and architecturally. However, it is also recognised that other parts of the site detract from the wider character and appearance of this part of the CA.
- 10.105 A conservation area as defined by the Planning (Listed Buildings and Conservation Areas) Act 1990 is '*an area of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance*'.
- 10.106 It is considered that the removal of the individual buildings and structures from this site, which are considered to positively contribute to the CA, does constitute harm by way of loss of non-designated heritage assets. However, when looking at the site and its setting within the wider context of the CA as a whole, these positive contributors form only a part of the greater character and appearance of the designated asset. Furthermore, the demolition is replaced by a high quality development and it allows tangible public benefits to come forward that would be felt beyond the application site's boundaries. These include the provision of new routes and spaces within the site that would enhance local connections, and high quality architecture and public realm that directly reinforces the character and appearance of the CA.
- 10.107 Overall and on balance, it is considered that the demolition of the existing buildings and the height and scale of the redevelopment buildings would lead to less than substantial harm to the CA and the setting of a listed building in immediate vicinity (grade II listed former Church School at 75 Wicklow Street). The public benefits of the proposals must be weighed against the duty imposed by s66 and s72(1) of the Listed Building Act, to give considerable importance and weight to avoiding harm to designated assets, in the context of the conservation area and listed building, that the benefits of the scheme are sufficient to outweigh the less than substantial harm. Officers consider that the replacement scheme is of sufficiently high quality, well detailed and accomplished architecture that the NPPF Planning balance tests for the demolition of positive contributors has been met and that the public and planning benefits clearly outweigh that loss. These benefits are set out in more detail below.
- 10.108 In accordance with paragraph 197 of the NPPF, the planning benefits of the scheme need to be balanced against the loss of the non-designated heritage assets. Officers are of the view that the planning benefits (detailed below) are substantial and compelling and overall outweigh the loss of the non-designated heritage assets.
- 10.109 The proposals would more pertinently harm designated heritage assets, including the character and appearance of the CA and the setting of 75 Wicklow Street (grade II listed). The harm to designated heritage assets must be afforded significant weight in the planning balance. This harm is predominantly

considered to be caused by the tallest elements of the development, the hotel tower and the residential tower (market housing) on Wicklow Street. To mitigate this harm the buildings would have to be lowered, leading to less public/planning benefits and the scheme would have viability and deliverability issues (i.e. a scheme would be unlikely to come forward at all). It would also mean that the proposals would have to be reconfigured and massing redistributed, meaning that benefits such as the routes and open spaces may not be possible. Furthermore, both of these buildings are considered to be of excellent design quality and although they are taller than existing/surrounding buildings, are in parts of the site adjacent to new open spaces. Notwithstanding the quality of these buildings, harm is still caused to the designated heritage assets due to their height and scale.

10.110 For the development to be considered acceptable, there would need to be substantial public benefits resulting from the proposal that are sufficiently significant to outweigh the harm. Harm is not considered to be caused to the Bloomsbury Conservation Area, which is directly to the south of the site (opposite the proposed Swinton Street buildings). Furthermore, officers consider that harm would not be caused to the setting of other listed buildings (i.e. other than 75 Wicklow Street) in the vicinity. The identified harm caused (which would be less than substantial, as outlined above) to the character and appearance of the CA, as well as the setting of a listed building, has been given considerable importance and weight in officers' assessment of the scheme. Officers consider that the proposals have a wide range of planning, social, economic and public benefits, including:

- Creating publicly accessible routes and spaces on-site
- Additional employment floorspace, with an uplift of around 14,107m<sup>2</sup>
- Provision of circa 930m<sup>2</sup> subsidised (affordable) workspace
- 72 high quality new residential units
- 28 affordable housing units, including 15 social-affordable rent and 13 intermediate, which is 44.6% of the provided housing by floor area (GIA) and a tenure mix of 60/40 in favour in social-affordable rent by floor area (GIA)
- Provision of visitor accommodation which would support the Central London Area  
Construction jobs, with local procurement, placements and apprenticeships
- Direct on-site jobs during operation of wider development
- An overall sustainable scheme that meets the majority of carbon reduction and renewables targets
- Contributions towards the provision of local infrastructure and facilities are proposed through commitments and financial contributions in the section 106

10.111 Officers are of the view that the public benefits of the scheme (outlined above) are sufficiently substantial and compelling to outweigh the 'less than substantial harm' that is considered by officers to be caused. Officers therefore support the proposed development due to the very substantial public benefits brought by the scheme as a whole.

#### Design Review Panel (DRP)

10.112 As stated in the consultation section above, the scheme was subject to two formal reviews – 27/03/2020 and 28/08/2020. The first review was at an early stage of the process and a number of issues were raised by the DRP. This included the need for more of the fine-grained ad-hoc nature of the existing site to be incorporated into the proposals. The large-scale office block was considered unsympathetic to the character of the area and to have a detrimental impact on the residential element of the scheme. A reduction in massing and refining of the layout was suggested.

10.113 A follow up review took place on 28/08/2020, after the scheme was amended to address feedback from the first review. Overall, the DRP considered that the proposals had improved and refinements were suggested. Below is the summary section from the second formal report:

*‘The panel commends the clarity of design thinking which underpins the development strategy for the Throat, Nose and Ear Hospital site. It finds the proposals much improved since the previous design review panel - in particular the approach to incorporating more of the fine grain character of the context into the large-scale proposals. The proposals are ambitious, and the panel recommends some refinements to the distribution of massing, to ensure the scheme is successful in townscape terms. In particular, it recommends reducing the height of the lower element of the hotel, reconsidering the way the office overhangs the courtyard, and a reduction in scale to the Wicklow Street residential block. In general, it thinks further analysis of height and massing is needed in long views. The aim of this work should be to enhance the character of the conservation area by striking an appropriate balance between the preservation of its important characteristics and maximising the potential for high quality development of the site. While the panel finds the proposals for the courtyard persuasive, it has a number of concerns about how successful it will be in its current iteration. In terms of architectural expression, the starting point of ‘variety’ discussed by the design team is welcomed, and the panel offers some detailed comments on how this could be explored further. The residential element of the scheme needs further thought, to ensure good quality homes are being provided.’*

10.114 Following the second DRP visit, the applicant undertook a period of public and member engagement. This included a Development Management Forum run by Council officers. In response to the follow up DRP and other consultation feedback, the following changes to the scheme were made:

- The height of the lower hotel building was reduced by one storey. This helped reduce the visible massing and allowed this element to share a common shoulder height with the adjacent Swinton House building, whilst allowing the taller element to sit more freely
- A simpler approach was adopted to the lower hotel building, adding a gridded articulation

- External open corner balconies were added to the upper floors of the taller hotel building, adding depth and refinement
- The office rooftop plant was reconfigured to reduce visibility from local views
- The articulation of the top floors of the office were adjusted to materially reflect the lower floors. The setback floors and roofline gained a more stepped plan to provide a more articulated top
- The elevations of the offices were further developed so they related more to the streets/context they face
- Screening was developed on the office elevation facing the proposed residential uses, to reduce overlooking
- The height of the ground floor of the social-affordable housing was increased to maximise headroom. Double height voids were formed around the staircases within the duplexes
- The design, setbacks and treatment of the Wicklow Street residential block developed to seek to address scale and massing concerns
- The base of the Wicklow Street buildings was reworked to provide a variety of materials and textures, integrated opening and balconies. A different approach to the mix of uses was introduced with residential, workspace, bin and cycle store entrances

10.115 Overall, officers consider that the reviews by DRP had a positive influence on the scheme and that the final proposals address the majority of the concerns raised. Therefore, the proposals are considered to be in accordance with paragraph 129 of the NPPF, which states that: *'In assessing applications, local planning authorities should have regard to the outcome from these processes, including any recommendations made by design review panels.'*

### Conclusion

10.116 The building on-site considered to make the greatest contribution to the CA, 330 Gray's Inn Road, would be retained, enhanced and sensitively extended. The rest of the site would be demolished, leading to the loss of a mixture of positive contributors and buildings that make a negative or neutral contribution to the CA. A series of new buildings are proposed which are considered to be of excellent design quality. This would lead to a comprehensive redevelopment of the wider site with provision of high quality publicly accessible routes and open spaces. Much taller/larger buildings would be introduced, and this would cause less than substantial harm to the CA and the setting of an adjacent listed building (75 Wicklow Street).

10.117 To help mitigate the above harm, it is considered that the buildings on-site are of excellent design quality and the tallest elements are located adjacent to open spaces. For harm to be completely mitigated, the hotel and residential towers would need to be reduced in height which would reduce the public/planning benefits brought forward (housing, visitor accommodation, new routes and spaces) and the scheme would be unlikely to come forward.

10.118 Affording this less than substantial harm considerable importance and weight, officers are nevertheless of the view that the public benefits of the scheme are sufficiently substantial and compelling to outweigh the 'less than substantial



harm' caused. Officers therefore support the proposed development due to the very substantial public benefits brought about by the wider scheme, which includes a large uplift in residential accommodation and a good offer of affordable housing.

## **11 Open space, Landscaping, Trees and Nature Conservation and Biodiversity**

### Existing site characteristics

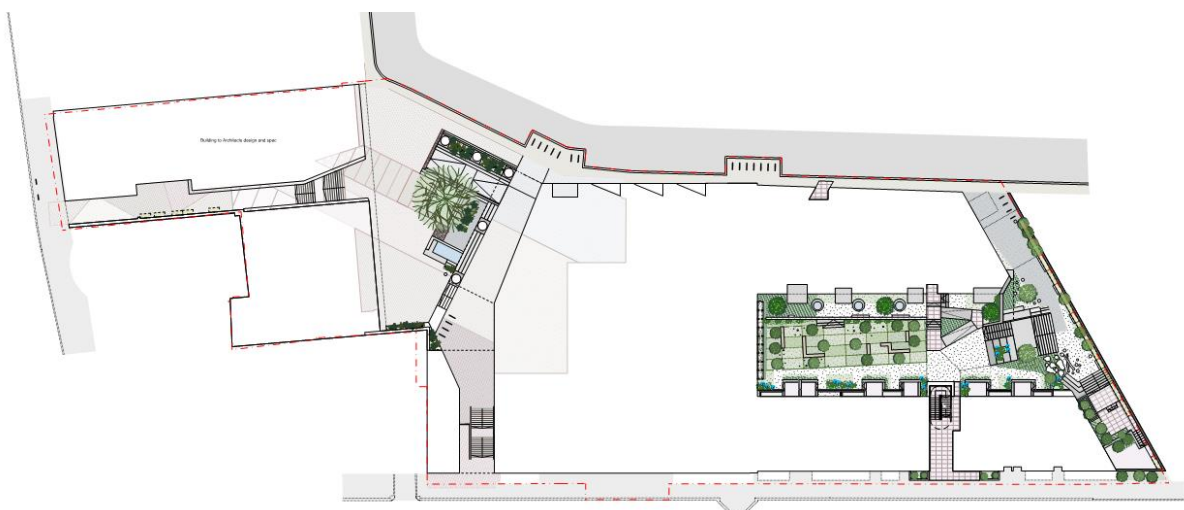
- 11.1 The site contains a lack of public open space and soft landscaping features within its boundary, apart from a large mature tree in the centre of the site that has limited visibility from public vantage points. No public access/permeability is possible through the site and it is almost exclusively covered in buildings and hard landscaping. There are mature street trees near the site, primarily along Swinton Street. TfL owns these trees and any works to them would require their consent.

### Open space provision, quality and play space

- 11.2 The proposal would increase the level of open space via a publicly accessible courtyard on Wicklow Street and two new public routes through the site – Gray's Inn Road to Wicklow Street and Swinton Street to Wicklow Street. The 'Wicklow Courtyard' would be a new public courtyard between the hotel and office buildings. It would open out onto Wicklow Street and be accessed from Swinton Street and Gray's Inn Road. The courtyard would have space to sit and has been designed to allow free movement through it.
- 11.3 Within the proposed courtyard is a drinking water fountain, area of raised planters, a water feature and a signature tree (Black Walnut). The area would flow into a colonnade under the office building and would be accessed from undercrofts/passages from Swinton Street and Gray's Inn Road. This open space and the routes are a welcome part of the proposal and provide local and public benefits.
- 11.4 The Wicklow Street Courtyard would be secured via section 106 through a Public Realm Plan, which would cover the provision, delivery and management of the public realm. It would include a commitment to maintain managed public access to the site and use of the public spaces. As new routes would be created from Swinton Street and Gray's Inn Road to Wicklow Street, the Public Realm Plan would need to include details of the management of these new links. The proposal is considered to be in accordance with Local Plan policy C5, which encourages pedestrian use, by ensuring the site and surrounding area is permeable. Paragraph 4.93 of the Local Plan states that gated community developments are unlikely to be acceptable; however, it is considered that with active management of these routes with monitoring through the legal obligation, that the gating of the site from members of the public during night-time hours would be appropriate in this instance.
- 11.5 A further open space is proposed in the form of a shared/communal residential garden between the residential buildings on Swinton Street and Wicklow Street.

It would be accessible to all tenures. The social-affordable units at ground floor level benefit from direct access and have their own private amenity defined by planting and low walls. Officers consider the communal garden space to be a positive feature of the development that would significantly enhance the quality of living accommodation for its prospective occupiers in an area that is deficient of open space. 360 renders are available for the proposed open spaces here - <https://www.weareink.co.uk/gir9/>

- 11.6 A proposal of this size would require playspace provision and this would be provided within the residential garden. The GLA Child Yield Calculator requires a total of 177.1m<sup>2</sup> and the development proposes 194.4m<sup>2</sup> for its residents. Play provision is proposed for all age groups, with the indicative details showing that the equipment would be minimalist, or nature based, to enhance the characterful identity of the railway cut. This play provision would be secured by planning condition.
- 11.7 Public realm improvements are proposed by the applicant within the red line, such as an increased width to the footpath on Gray's Inn Road (by setting back the ground floor of 33 Gray's Inn Road), the breaking up of the lightwell condition on Swinton Street (in front of the existing buildings) and additional tree planting.



**Figure 23 (above):** Proposed landscape masterplan

#### Open space contribution

- 11.8 The Local Plan requires an 'appropriate contribution' to open space, with priority given to publicly accessible open space. Policy A2 gives priority to securing new public open space on-site, with provision of space off-site near to the development acceptable where on-site provision is not achievable. If there is no realistic means of direct provision, the Council may accept a financial contribution in lieu of provision. CPG Public Open Space states that developments exceeding 1,000m<sup>2</sup> in floorspace will be expected to contribute towards open space and play facilities. The scheme would be providing 72 residential units with an additional 14,107m<sup>2</sup> of employment floorspace. Policy A2 part m applies a standard of 0.74m<sup>2</sup> per occupant for commercial

developments and 9m<sup>2</sup> per occupant for residential in terms of on-site provision. Occupation for the purposes of this assessment is calculated on the basis of the yield for the ward which is contained within Appendix E of CPG Public open space. In this instance, the site is within the King's Cross Ward which yields an average household size of 2.12 people.

11.9 The on-site requirement for public open space would therefore be 2,243.69m<sup>2</sup> (1,373.76m<sup>2</sup> + 869.93m<sup>2</sup>). This is calculated below:

- Residential:  $72 \times 2.12 \times 9\text{m}^2 = 1,373.76\text{m}^2$
- Hotel, gym and other ancillary uses: no requirement for public open space
- Office:  $(0.74 \times (14,107\text{m}^2/12)) = 869.93\text{m}^2$

11.10 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 1,770.69m<sup>2</sup>.

11.11 Whilst the site would have a large shortfall of public open space, Policy A2 acknowledges that achieving the full quantum can be challenging, particularly on sites within densely built up parts of the Borough (like this) where the majority of the site is already built over (it is noted that there is no existing public open space on-site). Furthermore, the site includes a communal residential courtyard for its occupiers with an area of approximately 659m<sup>2</sup>. This is in addition to all of the proposed units having access to private external amenity space. The office building would provide 424m<sup>2</sup> of external space for its occupiers via terraces at various levels and aspects.

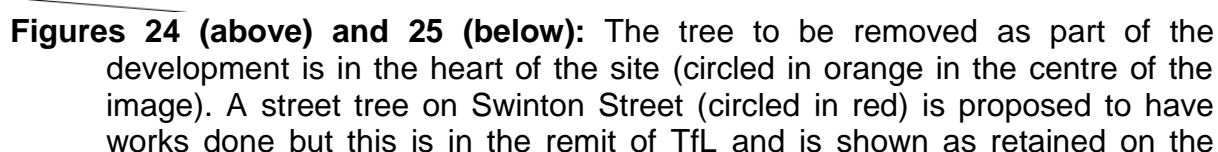
11.12 On this basis, a financial contribution is required towards the provision, maintenance and improvement of existing open space in the area. The shortfall of 1,770.69m<sup>2</sup> has been split between residential (1,373.76m<sup>2</sup>) and office (396.93m<sup>2</sup>). In compliance with CPG Public open space, the contribution would comprise of capital costs and on-going maintenance costs. This is calculated as  $(1,770.69\text{m}^2 \times £200 \text{ (capital costs)}) + (1,770.69\text{m}^2 \times £7 \times 10 \text{ (maintenance costs)}) = £478,086.30$ . The financial contribution of £478,086.30 would be secured by section 106 legal agreement towards public open space.

#### Tree works

11.13 The proposals include the removal of one mature tree within the site and pruning of others. The mature tree to be removed is a Walnut tree (T2, 11m high) located in the centre of the site. Any works to street trees would be outside of the red line (i.e. not part of the planning application) and would be subject to separate agreement with TfL (all TfL trees are being shown as retained on all of the drawings). A Preliminary Arboricultural Impact Assessment and Arboricultural Method Statement have been submitted in support of the application to justify and outline the tree works. The tree to be removed is shown in Figures 24 and 25 below.

11.15 The applicant states that street trees on Swinton Street may require works for health and safety reasons (as stated above, all TfL trees are shown as being retained on all of the drawings). The trees are London Plane street trees. Officers note that the trees are outside the application site and the applicant's ownership. Separate tree consents and licences would be required with TfL.

- Two on-street London Planes would be pruned to remove major deadwood
- Demolition would be undertaken by hand/lightweight machinery and under supervision where it affects the root protection area (RPA) of retained trees
- Barriers and guards would be erected before the commencement of works and demolition. They would stay in place for the construction period



application drawings. In lieu of the tree to be removed would be a feature tree in the proposed open space



#### Nature conservation and biodiversity

- 11.17 Policy A3 of the Camden Local Plan seeks to ensure Camden's growth is accompanied by a significant enhancement in the Borough's biodiversity. A Bat Survey Report and Preliminary Ecological Appraisal Report has been submitted in support of the application. Very low bat activity was recorded within the site itself, with a single common pipistrelle recorded during the survey. There is considered to be a low risk of adverse impacts to foraging bats as a result of artificial lighting associated with the proposed development. The proposed plans have the potential to provide roosting opportunities and bat tubes and boxes are suggested. External lighting features would be limited to low intensity, motion sensitive, shielded lighting, with little to no permanent lighting. All lighting would be angled towards the ground away from the site boundaries and none of the roost entrances would be lit.
- 11.18 Flowering and fruiting shrubs, trees, and climbers that are beneficial to wildlife are included in the soft landscaping of the development to provide an ecological enhancement. Details of the landscaping and biodiverse and biosolar roofs would be secured via planning condition. Overall, the proposals would ensure a net increase in biodiversity.

#### Conditions and obligations

- 11.19 Overall the proposal is considered to include a high quality level of landscaping and publicly accessible spaces, routes and a large increase in natural vegetation and biodiversity enhancements. The development would be in accordance with the Development Plan (including policies C1, C5, A1, A2, A3, D1 and D2 of the Local Plan), subject to the securing of a range of planning conditions and legal obligations summarised below:



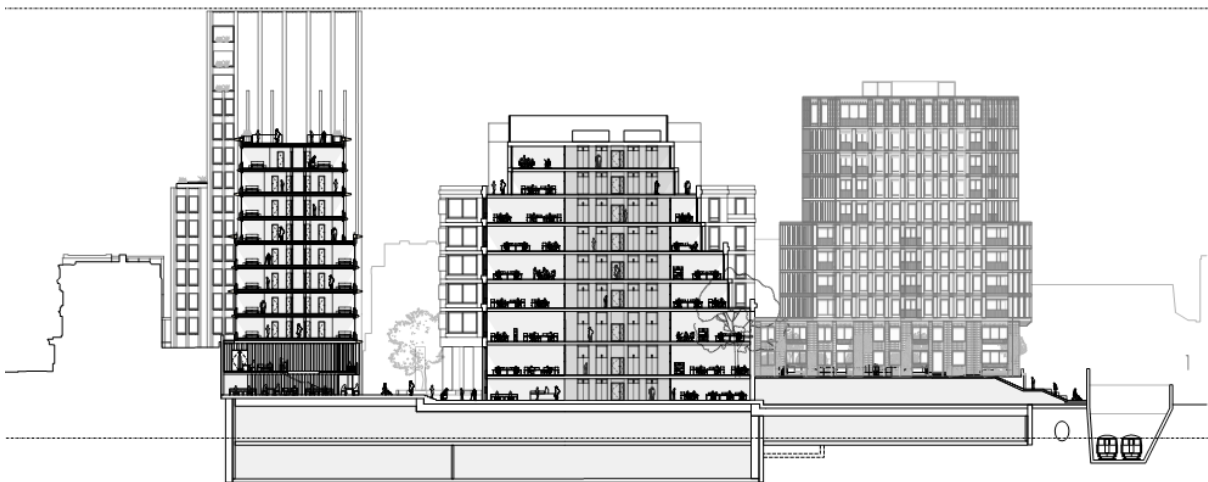
- Details of bird and bat nesting boxes or bricks, along with biodiversity enhancements
- Public open spaces and routes secured via planning obligation
- Landscaping details
- Tree protection details
- Luminance assessment and lighting details

## **12 Basement**

- 12.1 Policy A5 states that developers are required to demonstrate with methodologies appropriate to the site that schemes maintain the structural stability of the building and neighbouring properties; avoid adversely affecting drainage and runoff or causing other damage to the water environment; and avoid cumulative impact upon structural stability or water environment in the local area. The siting, location, scale and design of basements must have minimal impact on, and be subordinate to, the host building and property. A number of criteria for basement development on smaller scale schemes is included within the policy but would not be applicable to this development, being a large comprehensively planned site.
- 12.2 The existing site has a basement, predominantly under the Nurses' Home on Wicklow Street and behind the 330 Gray's Inn Road building, as well as a lower ground level that sits under the pavement on Gray's Inn Road and Swinton Street. An existing lightwell condition runs down the majority of Swinton Street, which is a full storey higher at street level than Wicklow Street. The proposal includes significant basement extensions to create a two storey basement, with the upper level taking up the majority of the site (see Figures 26 and 27 (below)). At its deepest, the basement would extend to a depth of about 14m below street level. The basement space would provide a range of spaces including plant, cycle storage and back of house facilities for all uses. A shared loading bay within the office building provides all servicing for the commercial elements. The proposed gym, accessed from the public courtyard and Wicklow Street, would also occupy part of the basement.



**Figure 26 (above):** Upper basement level plan, showing the various uses. Please note this plan is for visual purposes only and does not reflect the latest revisions of the scheme, which has increased the size of the affordable workspace (blue) and reduced the ancillary residential storage space (yellow).



**Figure 27 (above):** Proposed section of the development showing basement extent

12.3 Whilst the basement has a large footprint and is two storeys in total, it is acknowledged that the proposals are for the redevelopment of an urban block. The basement allows a large servicing area, plant, cycle parking and back of house facilities to be subterranean to reduce the creation of inactive spaces at street level and the impacts of putting further plant equipment on the roof. Officers consider that the proposals would not cause harm to the character or appearance of the area and building, nor the significance of heritage assets



(including the surrounding listed buildings off-site and surrounding conservation areas).

- 12.4 A number of documents were submitted by the applicant in support of the basement proposal, of most relevance is the Basement Impact Assessment (BIA) by WSP, to outline how the surrounding buildings and below ground infrastructure would be safeguarded. The Council's independent auditor Campbell Reith has reviewed these documents.
- 12.5 Campbell Reith undertook an initial review in January 2021 and asked for clarifications. They audited the applicant's submission detailing the potential impact on land stability and local ground and surface water conditions arising from the basement development in accordance with Camden's policies and technical procedures. The queries related to the qualifications of the authors, the flood risk at the site and the ground movement assessment.
- 12.6 Following the above, a second and final review was undertaken by Campbell Reith in February 2021. The revised BIA included an updated ground movement assessment, confirming that damage to neighbouring structures would not exceed Burland Category 1 (Very Slight). Details of the individuals involved in the BIA was presented and all have suitable expertise in the design and assessment of basements similar to this site. A preliminary ground investigation took place, which indicated that ground conditions comprise Made Ground over London Clay, with Lambeth Group soils at depth. Therefore, it is accepted that the development would not impact the hydrogeology, hydrology or slope stability of the area.
- 12.7 Overall, the independent audit from Campbell Reith confirmed that the BIA was carried out by individuals with suitable qualifications; the screening and scoping assessments were undertaken in accordance with the Council's CPG Basements; additional investigations are required to be undertaken and presented within a Basement Construction Plan (BCP); impacts on adjacent properties, slopes and infrastructure would be limited and mitigated as part of design development; impact on groundwater flow would be very low and the development is not anticipated to impact the hydrological environment.
- 12.8 Based on the above and subject to securing a BCP via section 106, it is considered that it has been demonstrated that the proposal would not cause harm to neighbouring properties, structural, ground, or water conditions of the area, the character and amenity of the area or the architectural character of the building.

### **13 Neighbouring Amenity**

- 13.1 The application site is surrounded by a range of uses. These include institutional/research/higher learning, public house/venue, retail, hotel, residential accommodation, student flats and commercial uses. The neighbouring uses with the potential to be materially impacted by the proposal include:

- UCL Ear Institute at 332 Gray's Road, immediately adjacent to the site
- The Water Rats Public House and associated ancillary residential accommodation (above) at 328 Gray's Inn Road. Located immediately south of the site
- Depot Point - Student Accommodation at 15-27 Britannia Street. Adjacent to the site on the opposite side of Wicklow Street
- Various hotels, with the closest being Point A Hotel – King's Cross St Pancras on the corner of Gray's Inn Road and Swinton Street
- Residential and hotel properties on the opposite side of Swinton Street at numbers 27-59 Swinton Street and 1-3 Swinton Place
- Residential properties at 46-50 Britannia Street
- Proposed residential accommodation at Acorn House, 314-320 Gray's Inn Road (subject to planning permission 2020/3880/P, which has a resolution to grant (at the time of writing))
- Residential properties on the opposite side of Gray's Inn Road at numbers 251-265
- Derby Lodge at 39-53 Wicklow Street
- Residential properties at 31A Wicklow Street and 32-34 Swinton Street

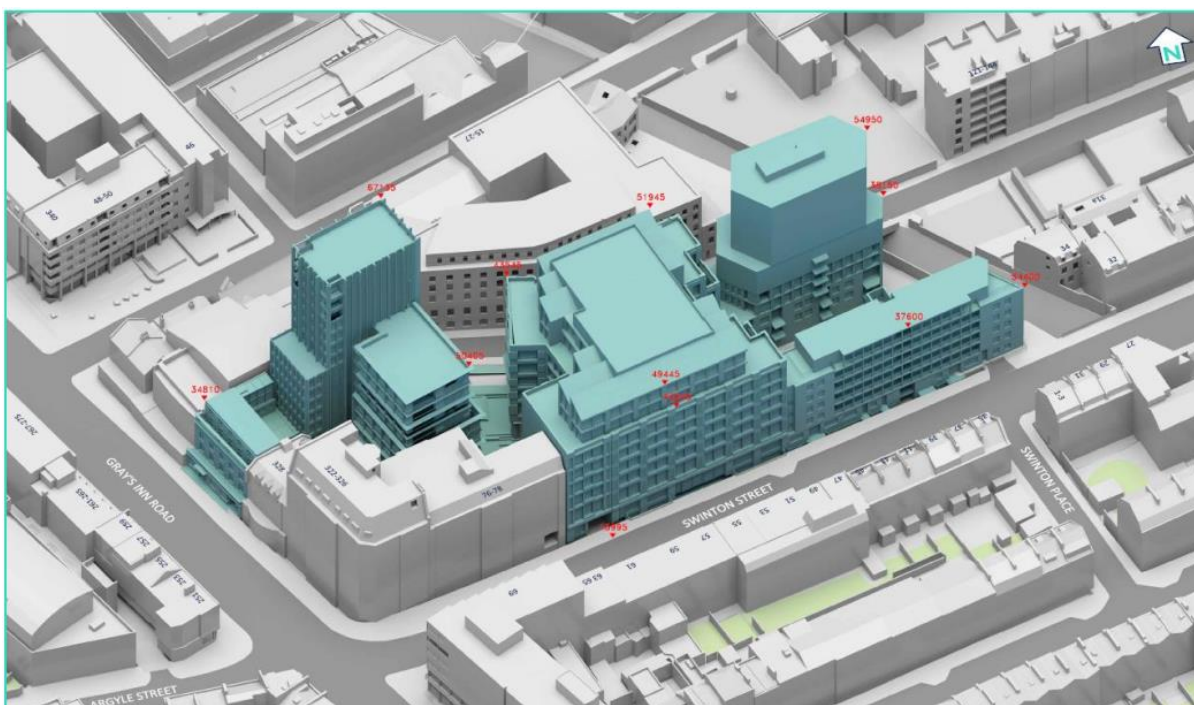
13.2 The main residential properties that would be impacted are shown in Figure 28 below.



**Figure 28 (above):** The residential properties near the site are highlighted in purple with hotels and student accommodation in blue. It is noted that Acorn House on the corner of Swinton Street and Gray's Inn Road (in blue) has a resolution to grant (at the time of writing) for residential accommodation. The residential properties annotated on the map are:

- 1) 27-29 Swinton Street & 1-3 Swinton Place
- 2) 35-45 Swinton Street
- 3) 57-59 Swinton Street
- 4) 251-265 Gray's Inn Road
- 5) 46-50 Britannia Street
- 6) 328 Gray's Inn Road
- 7) Derby Lodge, Block 1, Flats 39-53
- 8) 31A Wicklow Street & 32-34 Swinton Street

13.3 The Development Plan requires decision makers to have due regard to impacts on neighbouring uses and occupiers, particularly residential, on matters including daylight and sunlight, outlook, overlooking and noise, construction impacts and disturbance. Due to the large scale of the development, the proposal has the potential to negatively impact on a number of existing uses and occupiers such as those listed above. This chapter of the report focusses on daylight/sunlight and noise impacts, before considering some of the relevant adjacent uses specifically. Construction impacts are mainly considered under the Transport and Highways section of this Committee Report. The proposed development in relation to the surrounding context is shown in Figure 29 (below).



**Figure 29 (above):** The proposed development in context of the surrounding area

#### Daylight/sunlight

13.4 A Daylight and Sunlight Report has been submitted by Point 2 Surveyors Limited (a consultant that specialises in the field). It provides an assessment of the potential impact of the development on sunlight and daylight and overshadowing to neighbouring residential properties based on the approach set out in the Building Research Establishment's (BRE) 'Site Layout Planning for Daylight and Sunlight: A Good Practice Guide (2011)'. The assessment is based upon a measured survey as the basis for constructing a three dimensional computer model upon which technical analysis is undertaken. The report makes use of three standards in the assessment of existing versus proposed daylight and sunlight levels:

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

- 13.5 Officers note that it is industry practice to review changes in light by reference to the BRE methodology and criteria. It is an inevitable consequence of the built up urban environment that daylight and sunlight will be more limited in urban areas, such as surrounding the application site which is located within the Central London Area. Officers consider that in such situations there may be many factors in addition to daylight and sunlight contributing to overall amenity for occupiers of existing buildings. The BRE notes that while the Guidance offers numerical target values in assessing how much light from the sky is blocked by obstructing buildings, *'these values are purely advisory and different targets may be used based on the special requirements of the proposed development or its location'*. This approach reflects the aspirations of the Greater London Authority (GLA) via the Housing Supporting Planning Guidance (SPG) dated 2016. It requires a more flexible and holistic approach to the strict national numerical standards if they are to make their appropriate contribution to meeting spatial needs: *'An appropriate degree of flexibility needs to be applied when using BRE Guidelines to assess the daylight and sunlight impacts of new development on surrounding properties, as well as within new developments themselves. Guidelines should be applied sensitively to higher density development, especially in opportunity areas, town centres, large sites and accessible locations, where BRE advice suggests considering the use of alternative targets.'*
- 13.6 It is further acknowledged that recent appeal decisions (including in a February 2018 Appeal Decision for the Whitechapel Estate scheme (Planning Inspectorate ref: APP/V5570/W/17/3171437 para 112)), that residual VSC values in the mid-teens have been found acceptable in major developments across London. In consideration of the Holy Trinity Primary School scheme in the London Borough of Hackney, the GLA Stage 1 Report (GLA ref. D&P/3067/03) noted that 'the 27% VSC target value is derived from a low-density suburban housing model. The independent daylight and sunlight review states that in an inner-city urban environment, VSC values in excess of 20% should be considered as reasonably good, and that VSC in the mid-teens should be acceptable.' In summary, the BRE and GLA guidance advocate a flexible approach in dense urban areas and decision makers, including the Planning Inspectorate and GLA, have indicated that for major development in London that daylight values in the mid-teens (much lower than the BRE guidance of 27%) is acceptable. These factors are considered a material consideration and should be taken into account when assessing resulting daylight values.
- Daylight/sunlight analysis
- 13.7 Parts of the application site are relatively under-developed given its location, including on Swinton and Wicklow Street. There are some low buildings and structures and open land on the fringes, including car parking and servicing areas. This should be factored into the impacts. The BRE guidance states that *'a higher degree of obstruction may be unavoidable if the new developments are to match the height and proportions of existing buildings'*. The proposed Swinton Street buildings are broadly in line at shoulder height level with the adjacent hotel. The Wicklow Street buildings have also increased in height, more inline (albeit much taller) than the adjacent student block (Depot Point).

- 13.8 As the proposals significantly increase the site's existing height, scale and massing, seeking to optimise use of the land, transgressions on the BRE guidance are inevitable. Below is a detailed assessment of the daylight and sunlight impacts on neighbouring properties. While some loss of light would occur, resulting in some harm to residential properties, this is considered acceptable on balance.

*27-29 Swinton Street & 1-3 Swinton Place*

- 13.9 The residential accommodation lies to the south-east. 38 windows were assessed serving 21 rooms that face the site. 32 out of the 38 windows (84.2%) would pass BRE guidance for VSC (i.e. reductions would be less than 20% their existing value and be unnoticeable). The 6 windows that fail BRE guidance would experience reductions between 22-32%; however, they would retain over 20% VSC overall which is considered adequate in a Central London location such as this. Furthermore, all 21 rooms would pass the NSL criteria with reductions of less than 20% their existing value. Officers consider that meeting NSL is a useful test as it measures the conditions within the room itself, whereas VSC measures individual windows.

- 13.10 The windows facing the site are north facing, meaning that according to BRE guidance testing for sunlight is not warranted.

*35-45 Swinton Street*

- 13.11 Located to the south of site, 47 windows and 30 rooms of the residential accommodation were assessed. All of the windows from ground level to third floor would experience reductions in VSC between 23-45%, with the basement level windows passing the relevant BRE test (i.e. retaining at least 0.8 times their original value). For NSL, 27 of the 30 rooms would have reductions between 26-69%. Whilst these figures are not ideal and there would be a noticeable loss of daylight for occupiers, each window across floors ground-third would retain above 15% VSC (ranging from 15.2-26.1%) apart from one window at 14.8%. The retained values are considered acceptable in this context (and due to the below).

- 13.12 These buildings are dual aspect (with some of the rooms dual aspect), the majority of units are over multiple floors, with a southern elevation to the rear with a good outlook. The impacted rooms are mainly living areas or kitchens with some bedrooms. Officers note that the existing buildings (at the application site) opposite are relatively low, including a car park and a single storey height fence structure for part of the street frontage. Any increase in building height here would be likely to lead to a noticeable loss of light to these properties.

- 13.13 As the windows are all north facing, they were not tested for sunlight.

*57-59 Swinton Street*

- 13.14 26 windows and 10 rooms of the residential accommodation located south of the site were analysed. All of the site-facing windows would fail VSC tests with reductions of 34-53% their existing values. In terms of NSL, all of the rooms would fail with reductions between 54-69%.

- 13.15 The windows at second and third floor all retain above 15% VSC, which means figures in the mid-teens would be retained. These levels have been considered acceptable in similar urban environments in other permitted schemes and appeals. The windows at first floor retain 13%-14% VSC and between 11%-12% at ground floor.
- 13.16 The low VSC values of the ground and first floor windows would fall below the mid-teen values seen as an acceptable alternative in some instances; leading to some harm to those occupiers.
- 13.17 These units are opposite a three-storey building and single storey enclosure. Any increase in height here would be likely to lead to significant reductions due to the low height of the existing situation. The affected units are within dual aspect buildings, sometimes over multiple floors, benefitting from habitable rooms with a rear south-facing aspect (that would be unimpeded by the proposals). Overall and on balance, the impacts are considered acceptable.
- 13.18 The residential properties are north facing and were not tested for sunlight.

*251-265 Gray's Inn Road*

- 13.19 The above properties lie to the west of the application site on the opposite side of Grays Inn Road and have residential flats located above shops. 45 windows were assessed along with 33 site-facing rooms. All 45 windows would pass BRE guidance for VSC with proportional reductions of less than 20% their existing value. In regards to NSL, 23 of the 33 rooms would experience proportional reductions less than 20% their existing value in accordance with BRE Guidance. The 10 rooms that fail would experience reductions of 20.8-29%, which marginally exceed BRE Guidance (i.e. they are considered minor transgressions). These properties are dual aspect units.
- 13.20 This property is north-east facing, thus in accordance with BRE Guidance does not require assessment for loss of sunlight.

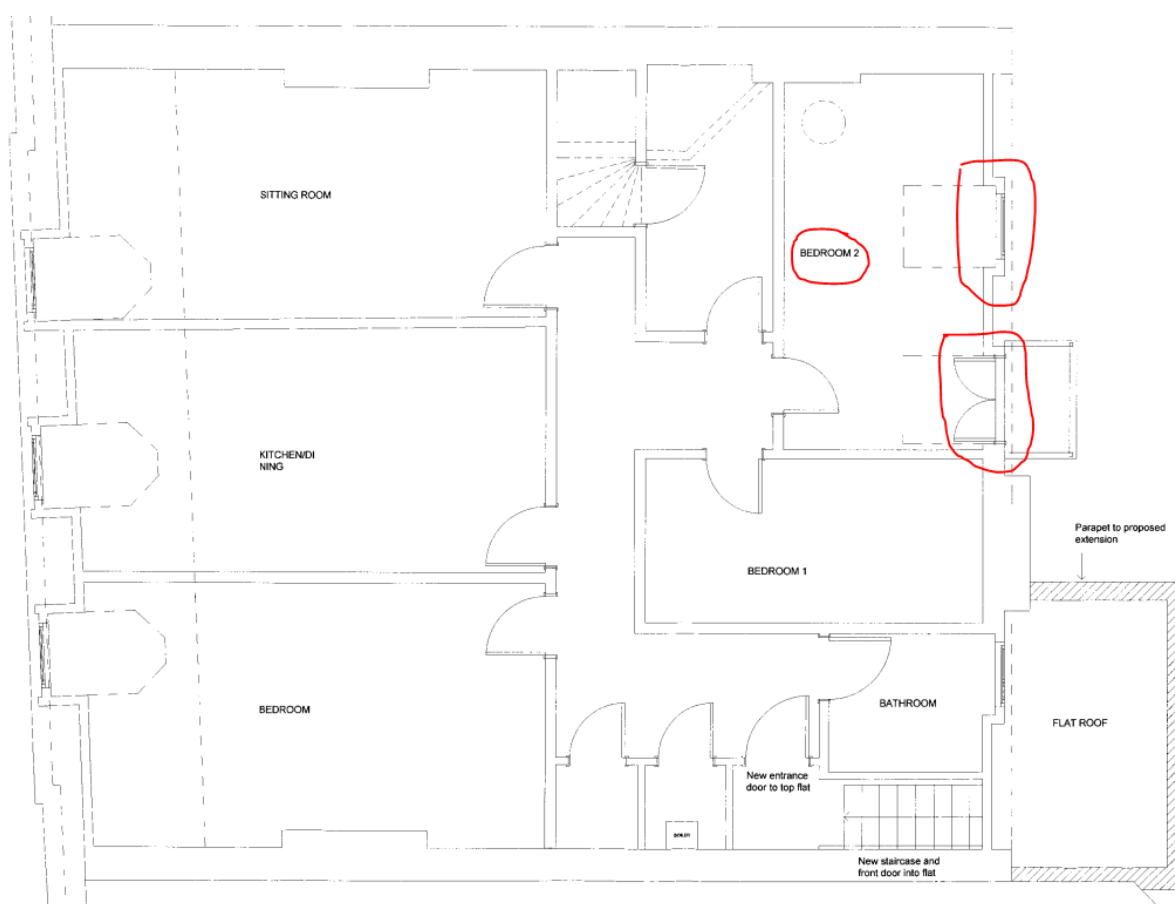
*46-50 Britannia Street*

- 13.21 Upper level residential flats located to the north-west of the site. 55 windows and 47 rooms were tested with all 47 rooms passing the NSL test within BRE guidance. In terms of VSC, 50 of the 55 windows would be within acceptable levels under BRE guidance, with those failing seeing reductions between 22-25% their existing value. These are considered minor transgressions as they are slightly beyond 20% where changes are likely to be unnoticeable. Furthermore, these windows are recessed behind inset balconies and mostly retain VSC levels of above 15%. The presence of balconies are noted in the BRE guidance to restrict the level of direct skylight being received.
- 13.22 In terms of sunlight, all rooms that have a window orientated within 90 degrees due south experience unnoticeable changes in APSH and Winter APSH.

*328 Gray's Inn Road (ancillary accommodation above The Water Rats)*



13.23 The Water Rats Public House includes ancillary living accommodation within the upper levels. The only habitable room within the ancillary accommodation facing the development would be a bedroom, with a sitting room, kitchen/dining room and master bedroom on the front elevation (overlooking Gray's Inn Road) as shown on Figure 30 (below). Therefore, the main habitable rooms would not be impacted. The BRE guidance makes it clear that bedrooms are less important than other habitable rooms. Notwithstanding this, the applicable windows and room have been tested with VSC seeing a significant reduction of 70.3% of its existing value and a 59.7% in NSL. The bedroom was tested for Average Daylight Factor (ADF). Whilst it would retain 0.4% of the typical target of 1%, this is not considered to be unusually low within a dense urban area. While the impact would cause harm to the occupier of this accommodation, which is ancillary to The Water Rats public house/venue, it is considered acceptable on balance given the above factors.



**Figure 30 (above):** The ancillary accommodation within the mansard of The Water Rats Public House. The only habitable windows (circled in red) facing the application site serve a bedroom. Another bedroom to the rear has no windows. The ancillary space includes three habitable rooms (including a sitting room, kitchen/dining room and a bedroom) which face Gray's Inn Road on the front elevation



**Figure 31 – four photos (above):** Views from the rear facing windows from the ancillary upper levels of the Water Rats Public House. The windows are either obscured or have an unpleasant outlook onto plant or unattractive extensions

#### *Derby Lodge*

13.24 The housing block is setback from the proposed development to the north-east, further along on the opposite side of Wicklow Street. The closest windows (12

in total) and rooms (6 in total) facing the site were analysed and passed the relevant tests for daylight and sunlight.

*31A Wicklow Street & 32-34 Swinton Street*

- 13.25 The above properties are located to the east of the site, on the opposite side of the railway cutting. They lie to the south of Derby Lodge and are a similar distance away to the proposed development. All of the relevant windows and rooms tested passed BRE guidance.

*33 Wicklow Street*

- 13.26 This site lies to the east of the proposed development, on the opposite side of the railway line. It gained planning permission under 2012/6663/P for a four-storey building with 6 residential units. The consent has long expired and does not attribute material weight in the assessment process here. As part of the application, habitable windows faced the proposed development on a splayed building line. These windows served a mixture of bedrooms, bathrooms and kitchen/living/dining rooms. Where they served habitable rooms they were secondary windows. If any new proposals were to come forward at this site, it is considered that the proposed scheme would not prejudice any future plans for development. Notwithstanding the above, the applicant conducted a survey of the expired permission. It found that future occupiers would retain adequate daylight and sunlight after implementation of the proposed development.

*Depot Point - Student Accommodation (15-27 Britannia Street)*

- 13.27 Student accommodation is transient in nature, and does not have the same residential standards applied in planning policy generally. Notwithstanding this, the accommodation was surveyed and the relevant BRE tests were done. The Committee Report of the most recent approval on this site (ref. 2012/3082/P) notes that the scheme provides 226 ensuite bedrooms (81 studio flats and 145 cluster flat bedrooms with shared lounge/kitchens) plus ancillary common room, a TV lounge and amenity space in a courtyard and at rooftop level. It also concludes that the site is not suitable for Class C3 residential accommodation (i.e. at the time permanent residential accommodation was not considered an acceptable land use, and student accommodation was preferred), mostly due to the poor provision of daylight and sunlight to windows/rooms on Wicklow Street.
- 13.28 The accommodation mostly has cluster flats facing the application site on the opposite side of Wicklow Street. They benefit from shared communal spaces that overlook a courtyard that would not be impacted by the proposed development. These cluster flats are already restricted in that they look over Wicklow Street at the existing building. Some of the flats on the kink of Wicklow Street would have an improved outlook (as this is proposed to be a public space); however, the ones opposite the proposed residential tower on Wicklow Street would face a much larger building.
- 13.29 The existing student flats have inadequate daylight and sunlight already, which was recognised in the Committee Report giving them approval. Existing VSC levels fall below 15%. The proposed development would have a significant impact on the daylight and sunlight of the student accommodation, with the

proposal being constructed opposite to the south on a narrow road and involve much larger buildings than are currently there. The cluster flats most affected are single aspect and directly face the site. Overall, the losses in VSC are up to 82.3%, NSL up to 93.2% and APSH up to 86.3%. These losses would not be acceptable if the impacted units were permanent residential accommodation and it is noted that the building would not be suitable for such a conversion. Given the status of the accommodation and that students have the option of experiencing higher levels of light from their communal lounges/kitchens/courtyard/rooftop as appropriate, the impacts are considered acceptable on balance. Furthermore, it is considered by officers that the impacts would still be harmful with a reduced height to the proposed buildings. The severity of the impact is worsened by the narrowness of the road so even if the height and massing were to be reduced so it mirrored the student block, it would be likely to have significant impacts.

#### *Acorn House*

- 13.30 An assessment was undertaken based on the layouts within the planning permission that has a resolution to grant. 94 windows serving 40 habitable rooms were assessed over all residential floors. All rooms would experience a less than 20% (unnoticeable) reduction in NSL. One window would experience a 20.7% reduction in VSC, which is marginally above BRE Guidance. The retained ADF to the room in question (with the proposed development in place) would be 2%, being double the target for a bedroom. In terms of sunlight, all changes in APSH would be within BRE Guidance.

#### Outlook

- 13.31 In general, the proposed development is considered to be sufficiently setback from adjacent residential properties with windows facing the site to ensure that existing levels of outlook are not materially harmed:
- The proposed office building is a minimum of 18.1m away from the Swinton Street properties to the south (numbers 47-61)
  - The affordable residential block (Swinton Street) is a minimum of 18.3m away from the Swinton Street properties to the south (numbers 31-45)
  - The retained and extended 330 Gray's Inn Road building is a minimum of 21.6m away from the adjacent Gray's Inn Road properties to the west
- 13.32 It is noted that the proposed new buildings on the site are much larger than existing; however, given the significant setbacks that stretch over busy main roads, it is not considered that a significant loss of outlook would be introduced for neighbouring occupiers. The office and residential buildings on Wicklow Street would be between 8.9-9.1m away from the student housing block (Depot Point) on Wicklow Street with the buildings being much higher than existing. A loss of outlook would occur for student occupiers, who are transient residents that do not benefit from the same amount of consideration as occupiers of permanent residential accommodation. Derby Lodge does not directly overlook the site.

#### Overlooking/loss of privacy/light spill

- 13.33 Given the above referenced setbacks of the proposed residential buildings from adjacent residential properties (i.e. over 18m in all circumstances from permanent residential accommodation), it is not considered that existing occupiers would be harmed by way of a significant increase in overlooking or loss of privacy. Officers consider that the proposal would have the potential to create light spillage. Therefore, a lighting strategy would be secured by planning condition (if permission is granted). Indicative details are set out in the applicant's Design and Access Statement in terms of the external lighting strategy.

#### Hotel roof terraces

- 13.34 The hotel includes roof terraces on the 7<sup>th</sup> (between 328 and 332 Gray's Inn Road) and 9<sup>th</sup> floors (behind Swinton House and 328 Gray's Inn Road), with the 7<sup>th</sup> floor roof restricted for maintenance and the 9<sup>th</sup> to hotel guests only. Given the size and use of the 9<sup>th</sup> floor terrace the hours of operation would need to be restricted and its use controlled via a management plan. These details would be secured by planning condition. The roof terrace would also have a landscaped buffer around the edge of the parapet to prevent overlooking impacts. Details of landscaping throughout the scheme would be secured by condition. Subject to the above mentioned conditions, the terraces would not be considered to cause harm to neighbouring amenity due to their location within the site, surrounded by The Water Rats (public house, venue, ancillary accommodation) and other hotel uses.

#### Noise and vibration impacts

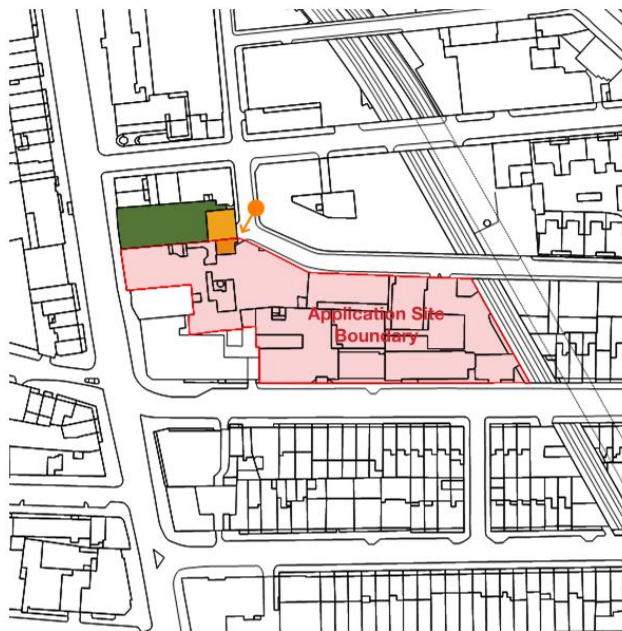
- 13.35 An Environmental Noise Survey has been submitted in support of the application. The submitted details are considered to establish that the development accords with policy A4 (Noise and Vibration) of the Local Plan, which ensures that noise and vibration is controlled and managed, has regard to the Council's Noise and Vibration Thresholds and that any plant and machinery would not cause harm to neighbouring amenity. The completed development has the potential to cause disturbance through building services plant associated with the operation of the proposed development. This includes the proposed hotel and office uses in particular. The site is located adjacent to the UCL Ear Institute (which is sensitive to noise and vibration) and the Water Rats Public House (a live venue). Impacts on these uses are assessed within their own separate subsection (below).
- 13.36 The Council's Environmental Health Officer has assessed the submitted details relating to noise and vibration and considered the proposal to be acceptable, as it sets out satisfactory noise criteria for the proposed development. This is subject to the securing of a Construction Management Plan via legal agreement and a number of planning conditions, including:
- External noise level emitted from plant, machinery or equipment at the development hereby approved shall be lower than the lowest existing background noise level by at least 10dBA, by 15dBA where the source is tonal

- Emergency plant – noise must not increase the minimum assessed background noise level (expressed as the lowest 24 hour LA90, 15 mins) by more than 10dB one metre outside any premises; may only be operated for essential testing/emergency loss of power; testing can only be carried out one hour in a calendar month during 09.00-17.00 Monday to Friday and not on Public Holidays
- Prior to use of any plant, it must be mounted with proprietary anti-vibration isolators and fan motors shall be vibration isolated from the casing and adequately silenced
- Details of sound insulation required to commercial premises
- Details of odour abatement equipment and extract system

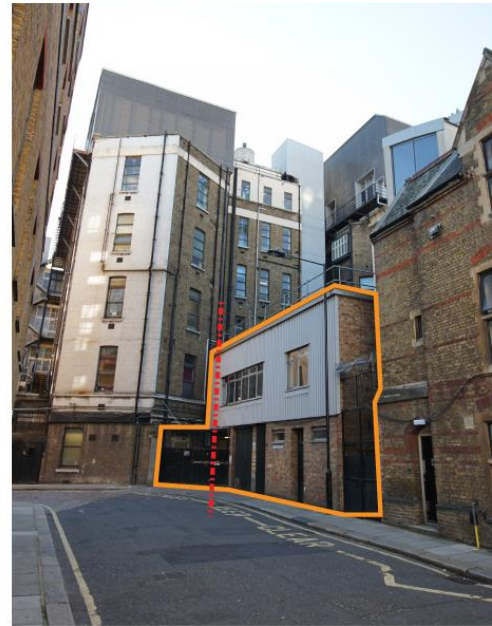
#### UCL Ear Institute

- 13.37 The UCL Ear Institute has been in operation since 2005 and is a world-leading institute for hearing teaching and research. They plan to stay on their site, which is adjacent to the application site and shares a party wall. The UCL Ear Institute brings together some of the most influential academics and clinicians in the world with a passion to understand hearing and fight deafness. Research at the Ear Institute is interdisciplinary, with world-leading academics and surgeons, working in fields as diverse as human genetics, biophysics, computational neuroscience, cell biology and human cognition. Recent RAND analysis show that UCL has the most influential researchers in hearing and deafness in England.
- 13.38 The application site (330 Gray's Inn Road) and UCL Ear Institute (332 Gray's Inn Road) were both formerly owned by the Royal Free Hospital. In the recent land transaction to sell the application site to the applicant (Groveworld), the site was severed in a way so that the application site includes land/facilities that UCL rely on to support the operation of the facility on their own land. Figure 31.5 (below) includes a plan and photos to show the complexities that have resulted from the sale. For example the buildings sit across the ownership boundary, and UCL's service yard, flues and fire escape is in Groveworld ownership.

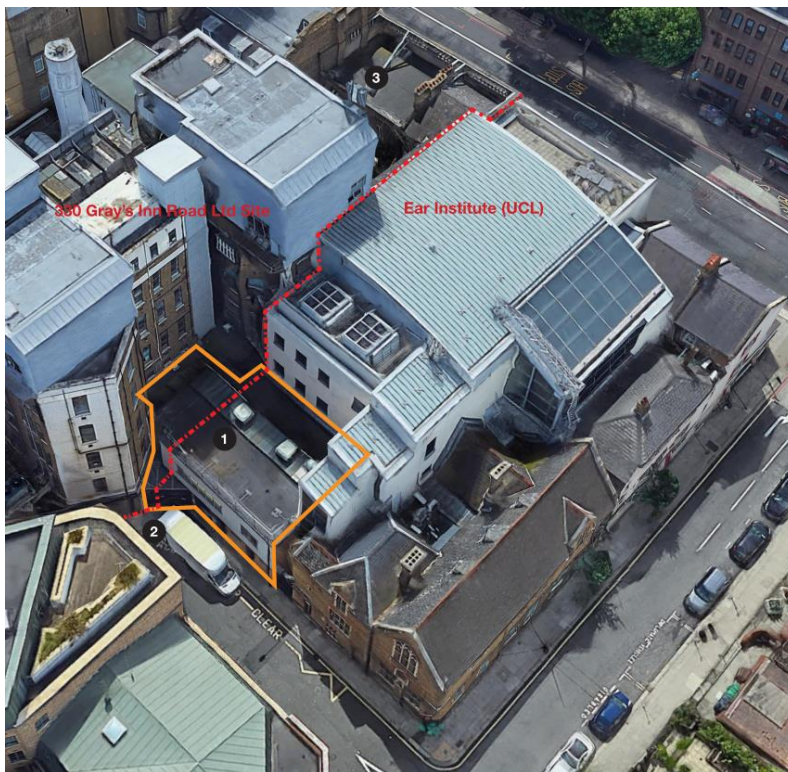




Site Plan View  
 2 storey building currently occupied by UCL straddling onto 330 Gray's Inn Road Ltd ownership  
 Ear Institute (UCL)



View from Wicklow Street



**Figure 31.5 – a plan and two photos (above):** Top left is a site plan illustrating how the ownership boundary has severed the sites. This is also illustrated in the two images – top right from Wicklow Street and bottom is an aerial view

13.39 During pre-application and throughout the application process, UCL have raised a number of fundamental concerns with the proposals. These include how they would maintain servicing access (it is currently off Wicklow Street), they have flues that are attached to a building on 330 Gray's Inn Road and a number of noise and vibration issues (during construction and operation of the



development) could impact the testing, research and teaching facilities within their building. Matters such as loss of access/egress, security matters and loss of future research/funding were also raised. Officers consider that the primary material planning considerations between the parties to be noise and vibration impacts during construction and the operation of the development.

- 13.40 UCL submitted a consultation response (letter dated 30/11/2020) and a number of objections have been received from significant institutions. These include from the Frances Crick Institute, British Tinnitus Association, Royal National Institute for Deaf People, National Institute for Health Research (Manchester), National Institute for Health Research Biomedical Research Centre UCLH and Medical Research Council. In summary, the objections consider that the proposed development and associated construction would result in significant noise, vibration, security and servicing impacts, as well as party wall and neighbourly issues.
- 13.41 Officers acknowledge that the development is adjacent to a very sensitive site, of national and international significance. Critical thresholds would need to be set out in the section 106 and agreed between parties (before permission is granted) to ensure that the construction process does not breach these and prejudice the continued operation of the UCL Ear Institute. It is recognised that ensuring the build can be managed to avoid any impact on the Ear Institute would be challenging, and it cannot be concluded without doubt until the detailed design of the proposals are worked through and a principal contractor is selected that it would be possible for the build to comply with the critical thresholds. Once a start date and build programme is known, along with a programme of research at the adjacent UCL facility, it is considered that these details could be worked through in more detail subject to controls via section 106 obligations. Planning obligation would say that if the development cannot be built without breaching the critical thresholds, then the occupiers would need to be decanted and such a strategy would need to be prepared by relevant parties and submitted to the Council prior to any works commencing.
- 13.42 Demolition, piling, basement and sub-structure works pose the biggest risk to UCL Ear Institute. The applicant would be required to prepare a Construction Management Plan, which sets out (amongst other things) how construction would be undertaken to ensure that the critical thresholds for noise and vibration, taking account of the sensitivity levels of each part of the building, would not be exceeded. In the event that it could not satisfactorily be demonstrated that it was possible to comply with the thresholds throughout the construction programme, then a UCL decant strategy would be triggered. The decant strategy would be prepared by the applicant in consultation with UCL and submitted to the Council. The strategy would set out how the continued operation of the UCL Ear Institute would be maintained. This may be a combination of uses being retained on-site for some of the build when critical thresholds are not breached, but relocation of all or part of the uses where the construction noise would prohibit the uses continuing to operate.
- 13.43 *Operational impacts* - The UCL Ear Institute is not considered to be a use of significant noise or vibration generation and therefore is considered unlikely to

have an adverse effect on the proposed development. The applicant's acoustic consultants visited the premises to measure levels of background noise/vibration and confirmed that the measured levels were generally low. One of the main potential sources of noise generation is the external plant. This comprises cooling plant to the rear, and laboratory extract flues. The proposed development would mitigate against potential noise from the chillers by avoiding windows on the closest areas of the façade to the cooling plant. Guestrooms would be located away from the chillers and the majority of guestroom windows would be located on alternative facades.

13.44 The proposals would include a hotel adjacent to the UCL Ear Institute. Officers consider that the general operation of the hotel is unlikely to be significantly different to the previous use as a hospital in terms of the noise/vibration output. New plant would be installed with anti-vibration mounts that provide a minimum of 98% isolation efficiency when in situ. All lift equipment would be suitably vibration isolated as appropriate. All connections, such as electrical grounding, would be formed from flexible cable/conduit. In the case of hydraulic lift installations, pipework would be fitted with in-line silencers in order to effectively control noise transmission to areas outside the lift motor room via hydraulic fluid pipes. A planning condition would be attached to any permission, ensuring that noise and vibration from mechanical operations associated with the development would be sufficiently mitigated to prevent adverse impacts on the UCL Ear Institute. Officers note that UCL would need to submit planning applications for new flues and a servicing yard. Whilst these works are not yet approved, officers are confident that there is a workable solution likely to be supported in principle.

13.45 In addition to the above (including a UCL Decant Strategy and condition requiring details of mitigation), the following clauses would be secured via section 106 to protect the UCL Ear Institute during the construction and operation of the development:

- UCL Engagement Commitment – committing the applicant to ongoing engagement with the UCL Ear Institute
- UCL Neighbour Management Plan – setting out a package of measures seeking to prevent/minimise the possible noise and vibration impacts of the development on the operations of UCL. Reference to agreeing a neighbourly deed
- UCL Liaison Group – a dedicated liaison group to maintain a working relationship between the applicant and UCL

13.46 Officers recognise that a lot of work would be required to gain the necessary level of agreement and agree a suitable construction and mitigation plan. Furthermore, there could be a possible need to arrange a decant strategy as an exceptional circumstance. These factors may have an impact on the timings of implementation. Officers therefore consider that this would justify the requirement for a 5 year rather than 3 year planning permission. This would mean that the applicant would have 5 years to commence the development.

The Water Rats Public House

- 13.47 The application site lies adjacent to the Water Rats Public House, which is an established venue, pub and restaurant. It is an Asset of Community Value (ACV) and of great importance to the Borough. The proposed development includes a hotel use immediately next to the existing venue. Adjacent to the hotel buildings is a proposed open space (Wicklow Courtyard) and a large office building. The residential uses as part of the proposal sit behind the proposed office development, and are the furthest uses from the Water Rats Public House. The building that would be retained, 330 Gray's Inn Road, shares a party wall with the venue. This building would not include guest accommodation (i.e. it would have ancillary hotel uses). The hotel guest rooms would be within new buildings that have a physical separation from the Water Rats.
- 13.48 The future hotel occupier/operator as part of the proposed development would need to fit in with the established venue use and vice versa. Appropriate protection would need to be afforded to the Water Rats operating as a live music venue/pub/restaurant when the new uses occupy the development around them. Agent of Change principles necessitate that the operations of the existing use should not be prejudiced, and that the onus is on the new occupier to ensure the uses can co-exist. Officers consider that the previous use (a hospital) and potential uses that the building could covert to without planning permission (i.e. anything within Use Class E), are more sensitive to noise from the Water Rats than the hotel which is proposed.
- 13.49 The applicant has submitted a study from an acoustic engineer to assess whether the proposals would respect Agent of Change principles on the Water Rats. The study included undertaking measurements of noise and vibration on-site, created by music and plant noise transfer. As outlined above, the proposed development would have a hotel use immediately adjacent to the Water Rats. The hotel use would have short-term visitors rather than permanent occupiers. Notwithstanding this, the applicant has put forward a design intent for structure borne music noise to be 'approaching inaudibility', given that it may affect a large area of the hotel. There is already a precedent set in the immediate vicinity, with a neighbouring hotel on the other side of The Water Rats having windows to the rear and facing the venue and plant equipment.
- 13.50 Airborne noise intrusion through the façade would be controlled via the use of masonry constructions and high spec acoustic windows with secondary glazing. Noise intrusion through the party wall would be controlled by space planning (i.e. no guestrooms would be located directly against the party wall with The Water Rats music room on the ground floor).
- 13.51 To conduct suitable control testing/measurements, The Water Rats arranged for a drummer and sound engineer to be present in order to replicate typical sound levels during their loudest type of events. A piece of music was chosen ('Highway to Hell' by AC/DC), which was played on loop with the drummer playing along to the record, both of which were played through the Water Rats PA system. Prior to starting the music The Water Rats separately switched on their roof plant so that cumulative noise levels could be measured. Noise and vibration meters were setup at various positions, internally and externally on a variety of different levels of the application site.

13.52 To ensure noise and vibration would be ‘approaching inaudibility’ for hotel guests based on the existing situation, suitable sound insulation would be required including:

- 350mm thick masonry façade providing a sound reduction index (SRI) of at least 37dB in the 63Hz octave band
- Windows to comprise no more than approximately 42% of the façade area
- Windows to be high spec acoustic laminated secondary glazing providing an SRI of at least 29dB in the 63Hz octave band
- Sound absorption as part of the guestroom finishes, for example a highly absorbent acoustic ceiling comprising a 100mm thick mineral wool backing.

13.53 The applicant has offered an acoustic survey to The Water Rats with a view to providing it with improved external sound insulation if it is determined that a significant reduction in music noise emissions can be practicably achieved. This could potentially benefit other nearby noise sensitive uses. Details of this survey (and potential works to reduce noise from the venue) and a commitment to adhering to Agent of Change principles – including a requirement to make any hotel operator/guests aware that there is an established venue next door – would be secured by way of a section 106 legal obligation.

13.54 Further work is required during the design stage to develop the above mitigation measures and officers expect to be provided with details of the final sound insulation and isolation treatments when available in order to protect the existing and historic use of The Water Rats as a live music venue. Therefore, if consent were to be granted, a planning condition would be imposed to require a scheme of mitigation for the proposed hotel from both structure borne and airborne music noise from the Water Rats.

13.55 Subject to the above referenced planning condition and obligation being secured, the development would be likely to have an acceptable impact on the Water Rats Public House.

#### Conclusion

13.56 Overall, the development is of a large scale and would have a wide range of temporary and potentially permanent impacts. While the development would be significant and is likely to have some impacts, particularly during construction, it is not considered that the level of impacts would be materially detrimental subject to a range of planning conditions and legal obligations. The site is located next to two significant institutions, one in scientific research and the other an ACV and important community facility/venue. A number of conditions and obligations are recommended to ensure that the development does not prejudice the ongoing operation of the adjacent established uses. The CMP in particular has the potential to mitigate the construction impacts. This document would need to be developed through the Construction Working Group (and the adjacent sensitive occupiers in particular) and remain a living document to ensure at all times that the construction framework sufficiently mitigates impacts

and can evolve to ensure that it secures what is considered to be the best methodology on balance.

## **14 Transport and Highways**

### Site overview

- 14.1 The site is bounded by Wicklow Street to the north, Swinton Street to the south, Gray's Inn Road (the A501) to the west and an underground railway cutting to the east. All three streets are one-way clockwise and Swinton Street and Gray's Inn Road are part of the Transport for London Road Network (TLRN) Inner Ring Road. Five bus routes run along Gray's Inn Road, which features a north-bound bus lane and a bus stop opposite the site. The nearest southbound bus stop is 300m to the south-east on King's Cross Road. There is a bus stand on Swinton Street across the road from the site. The closest London Underground (LU) station is King's Cross, located 256m to the north-west with rail services accessed some 50m-150m further north from King's Cross railway station and St Pancras national/international station respectively. The majority of the site has a Public Transport Access Level (PTAL) of 6b (on a scale of 0 to 6b, where 6b is the highest). There are three existing cycle hire stations within easy walking distance, the nearest being some 100m south west on Cromer Street. A Transport Assessment (TA) has been prepared by Steer and submitted in support of the application.

### Trip generation

- 14.2 An estimate of the trip generation for the previous use has been carried out using the TRICS database, with reference to two London hospitals. The modal split of journeys has been adjusted on the basis that the Royal National Throat, Nose and Ear Hospital (RNTNEH) had a higher PTAL rating and parking was limited to a small number of disabled spaces. The total average car mode share (car driver + car passenger + taxi) for the TRICS hospitals was 32%. The total average car mode share for the RNTNEH is assumed to be 7%.
- 14.3 For the proposed development, trip generation has been assessed for the residential, office, hotel and gymnasium uses. Modal split for the office use was assessed from Census data. For the other uses, the modal split was assessed from TRICS data. The analysis shows an increase in total person trips (two way) of 2,714; however, there would be a decrease in trips by car of 121. This excludes servicing trips, which are looked at below (it is noted that there would be an increase in servicing trips). The largest modal increase would be walking, with an additional 1,174 two way pedestrians per day. Given the large choice of bus routes locally and the proximity of King's Cross Station and other routes on Euston Road and recent contributions to capacity secured from other development, TfL has not sought any mitigation for additional bus trips. Net underground trips for the proposed development have been assigned to the various Underground lines, based on NUMBAT data obtained from TfL. The forecast of a net increase of approximately 114 two way Underground trips during the AM peak and 116 during the PM peak is considered acceptable by TfL.

### Deliveries and servicing

- 14.4 As there is no record of the servicing demand of RNTNEH, the TA makes an estimate based on hospital sites in the transport consultant's database. The TA assessed the increase in servicing trips, over and above the previous use, with the daily total of two way servicing trips increasing from 46 to 98 (by 113%).
- 14.5 The proposed service yard would be able to accommodate up to three vehicles at any one time, comprising two vehicles up to 8m in length (e.g. a 7.5T Box Van) and one vehicle up to 10m in length. The TA estimates a peak demand of 5 vehicles per hour. More specifically, the prediction is for 4 vehicles with dwell times of 15 minutes and 1 vehicle with a dwell time of 25 minutes (on average). This totals 85 minutes of occupation per hour. Given that there would be three bays (i.e. 180 minutes of availability per hour), the parking capacity is considered to be adequate.
- 14.6 It is proposed to exclude residential servicing from the service yard. Paragraph 3.17 of the TA states that *'the residential elements will be serviced on-street from a proposed loading bay on Swinton Street and single yellow lines on Wicklow Street which will further reduce the demand on the service yard'*. It is noted that this is a TfL road, and they have accepted the conversion of the ambulance bay to a loading bay and officers accept its use to facilitate deliveries for the residential element of the site. Servicing is not limited to the delivery of goods; it includes items such as building maintenance. These activities often require vehicles to be parked for long periods. Accordingly, the loading bay area (accessed from Swinton Street) should also be available for the residential element of the development.
- 14.7 A draft Delivery and Servicing Plan (DSP) has been submitted in support of the application. Measures include Vehicle Booking and Management and the presence of a Dockmaster in the service yard in peak periods. These items are welcomed. A DSP should be submitted, approved, and secured via a section 106 planning obligation if planning permission is granted. Further details of residential servicing would need to be addressed in the final DSP. The review and monitoring of the DSP should be included in the Travel Plan.

#### Cycle parking

- 14.8 For the residential cycle parking, the TA (in Table 3.2) shows a total of 122 Long Stay spaces for the two residential blocks. This is in accordance with the London Plan requirements.
- 14.9 For the non-residential uses, a total of 198 Long Stay spaces and 32 Short Stay spaces are proposed. The quantity of cycle parking specified complies with the London Plan. Clause 8.21 of the Transport CPG states developments that require long stay cycle parking for staff are expected to provide supporting facilities such as lockers, changing facilities, a drying room and showers. These should be convenient and within close proximity to the cycle parking facilities. The proposed lower basement plan shows areas labelled 'Female Changing Room/Showers' and 'Male Changing Room/Showers'. Internal dimensions of the cycle lifts have been provided to confirm they comply with the relevant standards.

14.10 The proposals were amended to remove short-stay cycle provision in the carriageway on Wicklow Street, as it would have contravened Transport CPG clause 8.25, which requires short stay cycle parking to be located within the curtilage of a development and not on the public highway. Alternate locations within Wicklow Street Yard and public realm within the applicant's ownership have been found to accommodate the requirement.

14.11 The TA states that 5% of the spaces provided would be Sheffield stands, half-height stands and ground fixings to accommodate nonstandard/adapted bikes and encourage inclusive cycling. Further details of the parking for nonstandard bikes would be secured via planning condition.

#### Car parking and vehicle access

14.12 Policy T2 states that the Council will limit the availability of parking and require all new developments in the Borough to be car-free. Clause 5.18 of the Transport CPG states that for all major developments the Council will expect disabled car parking to be accommodated on-site. Given that there are existing disabled parking spaces adjacent to the site frontages and that the demand for these is likely to be reduced following the closure of the hospital, the requirement for on-site disabled parking is considered unnecessary in this instance.

14.13 The proposals seek to introduce a new disabled space on Wicklow Street and relocate two others (there would be 7 disabled bays associated with the development in total). On-street disabled parking spaces are only allocated in response to personal requests. The exact locations would need to be subject to detailed design and consultation. The costs of this should be safeguarded via a section 106 agreement.

14.14 The applicant proposes works on Gray's Inn Road and Swinton Street. These works would need to be subject to a section 278 with TfL. An obligation requiring the developer to enter into such an agreement is recommended if permission is to be granted.

#### Coach parking

14.15 There is no coach parking included in the proposal. Accordingly, the hotel should make no provision for parties of guests or visitors arriving by coach. This would be controlled via a section 106 planning obligation if planning permission is granted.

#### Basement excavations adjacent to public highway

14.16 The proposal would involve basement excavations near the footway of Wicklow Street, directly adjacent to the site. The Council must ensure that the stability of the public highway adjacent to the site is not compromised by the proposed basement excavations. The applicant would be required to submit an 'Approval in Principle' (AiP) report to the Highways Structures & Bridges Team within Engineering Services as a pre-commencement obligation. It would need to include structural details and calculations to demonstrate that the proposed development would not affect the stability of the public highway adjacent to the site. The AiP and an associated assessment fee of £1,584.01 (+ VAT) would



need to be secured as a section 106 planning obligation if planning permission is granted.

- 14.17 The proposal would involve basement excavations near the footway of Swinton Street, which is a TfL Road. Accordingly, the developer would need to submit an AiP report to TfL as a pre-commencement obligation. It is recommended that the developer contacts TfL early in the process to understand their timescales and requirements.

#### Highway works

- 14.18 *Grays Inn Road* - the ambulance bay outside the main entrance to the RNTNEH would need to be removed and converted back to single red line markings. The dropped kerb at the same location would need to be removed and reinstated as kerbed footway. These works would need to be carried out under a section 278 agreement with TfL.
- 14.19 *Swinton Street* - the existing crossover on Swinton Street which served the car park at the eastern end of the site would need to be removed and reinstated as kerbed footway under a section 278 agreement with TfL. The single red line marking in Swinton Street, roughly opposite numbers 49 to 53, would need to be converted to single yellow markings and the existing Ambulance Bay markings in Swinton Street would need to be removed. As the provisions of the TfL traffic order are not applied in Swinton Street, changes to the road markings would be implemented by Camden. Officers cannot give absolute assurance that these changes would be implemented as they would be subject to detailed design and consultation. All changes to the road markings in Swinton Street would be covered by a section 106 agreement, if planning permission were to be granted.
- 14.20 *Wicklow Street* - the crossover on Wicklow Street, which provides access to the existing hospital service yard would need to be removed and reinstated as kerbed footway. The 'KEEP CLEAR' markings close to the service yard access would need to be removed and replaced with 'No Loading' markings. The applicant estimates a requirement for five additional disabled parking spaces and proposes these to be on-street. An indicative layout has been submitted that shows all three bays located on Wicklow Street. The exact locations would need to be subject to detailed design and consultation. These costs would need to be covered by a section 106 agreement.

#### Highway and public realm improvements

- 14.21 Paragraph 6.11 of the Local Plan states that the Council will repair any construction damage to transport infrastructure or landscaping and reinstate all affected transport network links, road, and footway surfaces at the developer's expense. The footway and carriageway on Wicklow Street, directly adjacent to the site, could be damaged as a direct result of the proposed works. The Council would therefore need to secure a financial contribution for highway works as a section 106 planning obligation if planning permission is granted. An estimate for these works has calculated the contribution as £30,222.72.

- 14.22 As mentioned above, the applicant would be required to enter into a separate section 278 agreement with TfL with respect to any highway works adjacent to the Gray's Inn Road and Swinton Street frontages as both are located on the Transport for London Road Network (TLRN).

Public access and permeability

- 14.23 Two public routes through the site are proposed - east to west (Gray's Inn Road to Wicklow Street) and south to north (Swinton Street to Wicklow). Both routes include a lift, which would be maintained by the operators but public access would be secured. These public routes are considered to be a public benefit of the scheme, and officers would want them to be always available to the public. Officers consider the best method would be to invoke Section 35 of the Highways Act 1980 (Creation of walkways by agreement). This would be secured by legal agreement.

Construction management

- 14.24 A framework Construction Management Plan (CMP) has been submitted in support of the application, based on the Council's pro forma. This has been considered in detail by the Council's relevant internal technical advisors. The site is located in the Central London Area near King's Cross St Pancras. This part of the Borough suffers from severe traffic congestion during peak periods. Any construction would need to seek to minimise the impact on Cycle Superhighway 6 (CS6) which crosses Gray's Inn Road at Sidmouth Street to the south as well as other key pedestrian and cycle routes such as the planned segregated cycle route on Gray's Inn Road.
- 14.25 Any planning permission would need to secure a CMP, a CMP implementation support contribution of £28,520 and a Construction Impact Bond of £30,000 as section 106 planning obligations in accordance with Policy A1. The Council has a CMP pro-forma which must be used once a Principal Contractor has been appointed. The CMP would need to be approved by the Council prior to any works commencing on-site. The proposal is likely to lead to a variety of significant amenity issues for local people and businesses. Any CMP would need to consider cumulative impacts of other large construction projects nearby, for example the Acorn House scheme that has a resolution to grant (at the time of writing) under 2020/3880/P.
- 14.26 A further requirement to form a Construction Working Group (CWG) consisting of representatives from the local community would be secured via a section 106 planning obligation. This is seen as critical given the major scale of the development and the potential to have significant impacts on adjoining occupiers and users.

Travel planning

- 14.27 The development would generate a large amount of trips, the majority of these associated with the office use. Framework travel plans have been submitted for the non-residential and residential uses as part of the application. This is welcomed as it demonstrates a commitment to encouraging and promoting trips by sustainable modes of transport. The Travel Plan should include review and monitoring of the DSP. A strategic workplace travel plan (for the non-residential

element) and an associated monitoring and measures contribution of £9,618 would be required. For the residential element, a Local Level Travel Plan would be required as well as an associated monitoring and measures contribution of £4,881. Both travel plans and associated contributions for monitoring would need to be secured as section 106 planning obligations if planning permission is granted. It is noted that the application has expressed interest in funding limited cycle hire memberships for residents/office users. This should be clarified and secured with TfL.

Pedestrian, cycling and environmental improvements

- 14.28 The proposed development would generate a significant increase in multi-modal trips to and from the site on a daily basis, along with a significant increase in the numbers of residents living at the site. The Council's transport policies are geared towards encouraging and promoting active travel (i.e. walking and cycling). The Council seeks to secure a Pedestrian, Cycling and Environmental (PC&E) improvements contribution as a section 106 planning obligation for permitted schemes that would have significant impacts and where there are public realm schemes to fund in the vicinity. PC&E contributions (secured from major developments, where relevant) are used by the Council to transform the public realm in the general vicinity of the site for the benefit of cyclists and pedestrians. Any focus in this instance would be on improving conditions for walking and cycling on routes between the site and key transport interchanges such as King's Cross St Pancras, Russell Square and Chancery Lane. The Council is currently developing proposals to improve conditions for cyclists along Gray's Inn Road.
- 14.29 A PC&E of £200,000 would be secured from this scheme via section 106 agreement. TfL stated in their Stage 1 comments that the largest trip generation mode increase would be walking, and it requires appropriate mitigation measures to ensure that the increased pedestrian movements can be accommodated on TfL's network and address Mayor's Healthy Streets objectives. As a highway authority TfL-maintained infrastructure surrounds three out of the four boundaries of the site and the majority of the site's residents, workers and visitors would embark on their journeys on foot towards transport interchanges or by cycle. TfL is proposing to deliver improvements on the northern section of Gray's Inn Road in 2024 during Phases 2 or 3 of King's Cross gyratory improvements. A 20mph speed limit, additional trees and widened footways, alongside improvements to bus priority would be included as part of improvements. This is part of the long-held aims to reduce the dominance of the car on the King's Cross Gyratory. A design is being progressed for a small section of Gray's Inn Road that includes the site's frontage for potential 2024 delivery. It has an estimated cost of £355,988 and TfL (and officers) consider that it would be reasonable for the proposals to provide a financial contribution to enable these works (i.e. a partial payment of the total project). TfL have requested a financial contribution to help with the delivery of this project, which would need to be secured through a section 278 agreement. Given the proposed development would impact on TfL roads and assets, and that TfL are seeking funding for a scheme that immediately joins the site, officers consider it acceptable in this instance for a contribution of £220,000 to be secured for TfL.

### Healthy Streets

- 14.30 TfL confirmed that the Healthy Streets analysis and Active Travel Zone (ATZ) exercise submitted covers the appropriate key destinations and routes and acceptably describes how the proposed development delivers against key policy criteria of safe, convenient and attractive travel by non-car modes. TfL support the proposals to further improve permeability, and would encourage 24 hour access through the site. Carriageway changes and public realm improvements should be discussed further with TfL.

### Infrastructure protection

- 14.31 The site adjoins a London Underground (LU) cutting. Details of any load change/ground movement, foundations and any works that could be a risk adjacent to this open section of the railway must be discussed and agreed prior to determination with LU Infrastructure Protection directly. TfL sought further clarification regarding open inset balconies fronting the railway cutting in the Wicklow Street building and where buses operate on a 24-hour basis on Swinton Street and Gray's Inn Road. These discussions are ongoing and would be subject to separate agreements. The applicant has confirmed that it would develop the ground movement assessment and update it during the structural design post-approval.

### Conclusion

- 14.32 The proposal would be acceptable in terms of transport implications subject to conditions and the following planning obligations being secured by legal agreement:

- Travel plans and associated monitoring and measures fees of £9,618 (non-residential) and £4,881 (residential)
- Car-free development
- Demolition and Construction Management Plans (D/CMP) and implementation support contribution £28,520
- D/CMP Bond – £30,000
- Requirement to form a Construction Working Group consisting of representatives from the local community
- The two public routes secured under Section 35 of the Highways Act 1980 (via a Public Realm Plan)
- Delivery Servicing Plan
- Approval in Principle (AiP) and associated assessment fee of £1,584.01 (+ VAT)
- Highways contribution of £30,222.72
- Pedestrian, Cycling and Environmental Improvements contribution of £200,000
- Level plans
- Requirement to enter into a section 278 agreement with TfL with respect to AiP, relevant highways works and a financial contribution of £220,000 towards King's Cross gyratory improvements
- No provision for hotel guests/visitors arriving by coach
- Highways works on Swinton Street and Wicklow Street, including:

- Red line marking converted to double red
- Ambulance Bay markings removed
- Crossover to service yard and car park removed and reinstated with kerb
- 'KEEP CLEAR' markings replaced with 'No Loading'
- Detailed design for installing three disabled spaces
- Reinstating footway on main entrance on Gray's Inn Road

## **15 Sustainable Design and Construction**

- 15.1 The Local Plan requires development to incorporate sustainable design and construction measures, to ensure they use less energy through decentralised energy and renewable energy technologies. All developments are expected to reduce their carbon dioxide emissions by following the steps in the energy hierarchy (be lean, be clean and be green) to reduce energy consumption. Policies CC1 and CC2 of the Local Plan require developments to minimise the effects of and be resilient to climate change and to meet the highest feasible environmental standards. Developments must achieve a 20% reduction in CO2 emissions through renewable technologies (the 3rd stage of the energy hierarchy) wherever feasible. They are also expected to achieve a BREEAM 'Excellent' rating and minimum credit requirements under Energy (60%), Materials (40%) and Water (60%).
- 15.2 To comply with the London Plan the proposal must secure a minimum 35% reduction in regulated CO2 emissions below the maximum threshold allowed under Part L of the Building Regulations 2013. Where the London Plan carbon reduction target cannot be met on-site, the Council may accept the provision of measures elsewhere in the Borough or a financial contribution (charged at £95/tonne CO2/year over a 30-year period) to secure the delivery of carbon reduction measures on other sites. The London Plan requires development to be designed in accordance with the energy hierarchy: be lean (use less energy), be clean (supply energy efficiently), be green (use renewable energy). Overall, the proposals generally meet the policy requirements (subject to conditions and obligations) except for not meeting the Be Lean 15% reduction requirement nor undertaking a feasibility study for greywater recycling (which would be required via planning condition).

### Demolition, reuse and circular economy

- 15.3 The proposals for demolition of the majority of the buildings on-site have been accompanied by a justification for the demolition and a study of the whole of life (WLC) carbon cost of replacing the building, as required by policy CC1 part e which requires all proposals that involve substantial demolition to demonstrate that it is not possible to retain and improve the existing building.
- 15.4 The whole life-cycle assessment has been undertaken in line with the draft GLA guidance. The process has contributed to ensuring that the consideration of embodied and in use carbon has been considered and reduced throughout the design process. A feasibility study was included that analyses three scenarios to determine the most appropriate development route for the site. It recommended the implementation of the proposed development (scenario 1).

Overall, it is considered that the proposed development would enable a more flexible and long-lasting development that could adapt to future changes in building uses and technology. The proposed development (scenario 1) and an alternative development (scenario 2), where the four buildings which are positive contributors to the conservation area would be retained and refurbished to a high standard, result in similar lifetime carbon using current carbon factors. The scenario which considers keeping all of the existing buildings would result in significantly more carbon over the lifetime but the buildings have been modelled with a light refurbishment, rather than a high thermal efficiency. There would be 95% reuse and recycling of demolition waste. The proposals demonstrate a performance roughly in line with the GLA's aspirational WLC benchmarks A1-5 carbon (product and construction), calculated as 532 kg CO<sub>2</sub>e/m<sup>2</sup> (compared with the GLA aspirational benchmark (offices) of 550-600 kg CO<sub>2</sub>e /m<sup>2</sup> and 450-500kg CO<sub>2</sub>e/m<sup>2</sup> (Apartment/hotel)). However B + C (excluding B6 & B7) carbon (in use stage and end of life) has been calculated as 440 kg CO<sub>2</sub>e/m<sup>2</sup> (which is not at aspirational level but is within the WLC benchmark for Offices of 400-500 kg CO<sub>2</sub>e/m<sup>2</sup> and is above the benchmark for Apartment / Hotel of 300-400 kg CO<sub>2</sub>e/m<sup>2</sup>).

- 15.5 Further to the above, the proposals were independently reviewed by an architectural practice (Enhabit) specialising in sustainable development. They inputted into the pre-application process. As a result the applicant improved the specification of the new buildings and provided more specific details on why the servicing of the existing buildings is a challenge. Further to the above, officers note that the demolition of the buildings allow the development to come forward in its current form, which includes significant planning and public benefits. As part of the feasibility study a number of options were considered to see if further buildings could be retained. All of the explored options led to compromises around the usability of the buildings, servicing, townscape and heritage, viability and feasibility. It is considered that the applicant has sufficiently justified the demolition of the existing buildings on-site, on both sustainability and heritage grounds. Feasibility work has been sufficiently undertaken to explore whether the buildings could be retained (in full or part).
- 15.6 A circular economy statement has been produced which sets out aspirations for the development to reduce material use, source materials responsibly, design for adaptability, durability, resilience and longevity, and implement waste minimisation including anticipating at least 95% of demolition waste being reused and recycled. A condition is recommended to ensure this is achieved.
- 15.7 The investigation of alternatives to demolition found that the core and a number of other components of the buildings would restrict the potential for optimal development on site. The design team also noted that the external fabric and structural slabs and columns are not sufficient to meet modern standards of thermal efficiency. The whole of life carbon appraisal looked at the potential for refurbishment. The submitted energy statement sets out that refurbishment of the existing buildings would require major interventions. It was therefore concluded that taking down the superstructure of the existing buildings is the

most viable option, which would result in significantly more efficient structures and better spatial qualities.

- 15.8 Planning conditions are recommended to secure compliance with the Circular Economy Commitments set out by the applicant in their documentation and to submit post construction results to the GLA's WLC assessment template to help demonstrate actions taken to reduce life-cycle carbon emissions.

Carbon reduction and energy efficiency

- 15.9 The proposals meet most of the carbon reduction requirements using up to date SAP10 carbon factors. The commercial new build proposals would produce the majority of the carbon emissions from the site and achieve an overall 38.9% reduction in carbon emission which exceeds the 35% minimum on-site requirement but falls short of the zero carbon requirement and therefore a carbon offset payment of £1,047,375 would be required for the commercial new-build. The proposals provide a 34% reduction in carbon after all other savings through on-site renewable technology which exceeds the 20% requirement. However the proposals only achieve a 7.5% reduction through energy efficiency (using SAP2012 carbon factors which are the basis for the target), which falls short of the 15% target in the London Plan 2021. The inclusion of waste water heat recovery is welcomed but this is only for the hotel.
- 15.10 The commercial refurbishment areas perform well with a 51.7% overall reduction in carbon, 25.6% from renewables and 35% through energy efficiency, exceeding the minimum requirements.
- 15.11 The residential new build areas provide around a tenth of the overall carbon emissions and perform well against the targets achieving a 45.3% overall carbon reduction, 34.2% from on-site renewables and 16.9% (10.3% using SAP2012) through energy efficiency which achieves the 10% energy efficiency target for domestic buildings. Based on the current figures a carbon offset payment of £114,285 is required for the residential new-build. This results in a total carbon offset payment of £1,161,660 to be required for the commercial and residential.
- 15.12 The proposals include a centralised air to water heat pump system for all of the heating and cooling and 50% of the hot water with the remainder by electric heaters. These non-combustion proposals are welcomed in an area of poor air quality. The centralised energy centre could be connected to a district energy network in the future so it is important that connection requirements are identified and safeguarded through any section 106 agreement. Details of solar PV would be controlled via planning condition. At this stage the proposals include 142.6m<sup>2</sup> of intensive green roof (minimum depth 150mm), 800/3m<sup>2</sup> of extensive green roof (minimum depth 80mm) plus 195m<sup>2</sup> of green wall. A condition is recommended to secure details and ensure ongoing maintenance.
- 15.13 Summary table of energy efficiency/carbon reduction below:



Energy Statement SAP 10	Commercial New-Build			Commercial Refurbishment			Residential New-Build			Whole Development Total		
	Total tCO2	Stage reduction, tCO2	Stage reduction, %	Total tCO2	Stage reduction, tCO2	Stage reduction, %	Total tCO2	Stage reduction, tCO2	Stage reduction, %	Total tCO2	Stage reduction, tCO2	Stage reduction, %
<b>Baseline</b>	601.80	N/A	N/A	48.00	N/A	N/A	73.30	N/A	N/A	723.10	N/A	N/A
<b>Be Lean</b>	556.50	45.30	7.5%	31.20	16.80	35.0%	60.90	12.40	16.9%	648.60	74.50	10.3%
<b>Be Clean</b>	556.50	0.00	0.0%	31.20	0.00	0.0%	60.90	0.00	0.0%	648.60	0.00	0.0%
<b>Be Green</b>	367.50	189.00	34.0%	23.20	8.00	25.6%	40.10	20.80	34.2%	430.80	217.80	33.6%
<b>TOTAL</b>	<b>367.50</b>	<b>234.30</b>	<b>38.9%</b>	<b>23.20</b>	<b>24.80</b>	<b>51.7%</b>	<b>40.10</b>	<b>33.20</b>	<b>45.3%</b>	<b>430.80</b>	<b>292.30</b>	<b>40.4%</b>
<i>Target</i>	<i>0.00</i>	<i>601.80</i>	<i>100.0%</i>	<i>N/A</i>	<i>N/A</i>	<i>N/A</i>	<i>0.00</i>	<i>73.30</i>	<i>100.0%</i>	<i>N/A</i>	<i>N/A</i>	<i>N/A</i>
<b>Shortfall</b>	367.50	367.50	61.1%	N/A	N/A	N/A	40.10	40.10	54.7%	N/A	N/A	N/A
Offset payment	£1,047,375			N/A	N/A	N/A	£114,285			£1,161,660		

**Figure 32 (above):** Energy efficiency and carbon savings/offset table summary

### BREEAM

15.14 The BREEAM pre-assessments indicate that the offices, hotel and gym would all achieve an overall rating of 'Excellent' and meet the minimum unweighted credit section requirements of 60% for energy and water and 40% for materials. Pre-assessments have been undertaken for a number of credible accreditations including Home Quality Mark which demonstrated that an overall 3.5 rating could be achieved, LEED (Leadership in Energy and Environmental Design) which demonstrates a score of 62 (equivalent to a Gold level certification), WELL Building Standard which could achieve a Silver level with the potential of achieving a Platinum level. A commitment to achieving these standards post planning would need to be secured. The BREEAM pre-assessment scores would be secured through section 106. The applicant has indicated that they would target BREEAM 'Outstanding', which would be welcomed by officers; however, a minimum of 'Excellent' would be secured.

15.15 Overheating has been considered and minimised with internal blinds and recessed windows and in the residential areas prevented through mechanical ventilation with heat recovery (MVHR) with air tempering. The air source heat pumps (ASHP) would provide cooling to the commercial areas.

### Water consumption

15.16 The proposed development aims to reduce water consumption to less than 105 litres per person per day and water consumption would be offset through the provision of rainwater collection for irrigation purposes across the development, which would meet policy requirements. Officers note that major developments and high or intense water use developments, such as hotels, should also include a grey water harvesting system. The applicant has stated that an initial assessment for greywater harvesting indicated significant capital cost and constraints created by the technical requirements; however, a costed feasibility study, particularly for the hotel, has not been presented. It is recommended that a costed feasibility study be secured through condition.

### Conclusion

15.17 Overall, the proposal is considered acceptable on sustainable and energy grounds, subject to the following planning obligations and conditions being secured in the event of an approval:

- Sustainability measures to be secured through a section 106 sustainability plan, indicating BREEAM 'Excellent' level and minimum credit targets in Energy (60%), Materials (40%) and Water (60%)
- Commitment to achieving Home Quality Mark, LEED and WELL Building Standard
- Energy provisions to be secured through a section 106 Energy Efficiency and Renewables Plan
- Circular Economy State to achieve at least 95% reuse/recycling/recovery of construction and demolition waste and 95% beneficial use of excavation waste
- District Energy future proofing details
- Carbon Offset Fund of £1,161,660
- Solar PV details
- Air Source Heat Pump (ASHP)
- Green Roof details
- Rainwater harvesting and grey water recycling
- Water efficiency

## **16 Air Quality**

- 16.1 The Local Plan requires the submission of air quality assessments for developments that could cause harm to air quality. Mitigation measures are expected in developments located in areas of poor air quality, where development is considered acceptable.
- 16.2 Policy CC4 (air quality) is clear that the Council will ensure that the impact of development on air quality is mitigated and exposure to poor air quality is reduced in the Borough. The Council will take into account the impact of air quality when assessing development proposals, through the consideration of both the exposure of occupiers to air pollution and the effect of the development on air quality.
- 16.3 Developments that introduce sensitive receptors such as housing in locations of poor air quality will not be acceptable unless designed to mitigate the impact. The site is in an area of particularly poor air quality, predominantly the facades onto Gray's Inn Road and Swinton Street, with current modelled PM<sub>2.5</sub> levels between 13 and 14µg.m<sup>3</sup> across the site and NO<sub>2</sub> over 50µg.m<sup>3</sup> in some parts and over 40µg.m<sup>3</sup> up to the 4th floor on Swinton Street side.
- 16.4 The application site is located within the King's Cross/Caledonian Road air quality focus area. Air Quality Assessments are required to model nitrogen dioxide (NO<sub>2</sub>) and PM (particulate matter) concentrations both with and without the development and should not predict improvements to future years. The site is located within the existing Ultra Low Emission Zone (ULEZ) and therefore no further significant improvements are expected from the expansion.
- 16.5 The new homes, hotel and offices within the proposed development would be provided with heat and hot water by air source heat pumps (ASHPs) and

electrical boilers, which have no associated local emissions, which is welcomed.

- 16.6 The proposals for the development include back-up power generators, the emissions from which could impact upon air quality at existing residential properties, as well as the new residential properties within the development. The main air pollutants of concern related to back-up power generators are nitrogen dioxide and fine particulate matter (PM10 and PM2.5). In addition, the proposal would involve the relocation of flues serving the adjacent UCL Ear Institute building which may impact on the future residents or users of the development. Ongoing detailed work is occurring regarding the relocation of the flues and further mitigation may be required.
- 16.7 The site is considered a high risk for air pollution during construction and demolition, unless the necessary mitigation is put in place. At least four real time air quality monitors would need to remain in place throughout the construction and demolition.
- 16.8 The results from the air quality modelling (using the methodology set out in CPG Air Quality) indicates that the air quality for all residential receptor locations as part of the proposals on Swinton Street would be extremely poor. The results for the basement/lower ground level are significantly above the national air quality objective level, which can form grounds for refusing an application. Even at the 4th and 5th floor the modelling shows some locations in excess of the objective level and others at a level which would require mitigation. A more detailed assessment in relation to the respective uses follows below.

#### Hotel use

- 16.9 The air quality for the hotel is very poor but does not exceed the 1-hour mean for NO2 nor 24-hour mean for PM10 which is applicable for hotels. Given the location of the hotel, it would not be suitable for long-term stays/permanent accommodation. As the permitted use would be temporary accommodation/short-term stays, the proposals are considered acceptable.

#### Office use

- 16.10 For the office proposals the current modelled air pollution on the site does not exceed the required 1-hour mean air quality objective levels. The proposed mitigation for the offices is through mechanical ventilation with heat recovery (MVHR). Air intake would be on the 8th floor (highest level), which would meet the requirements.

#### Residential use

- 16.11 For the residential proposals, the block on Wicklow Street (market/private housing) is within the NO2 annual mean objective level. However, air quality from the basement to the 4th floor for the residential block on Swinton Street (affordable housing) exceeds the NO2 annual mean, which is applicable to residential and sensitive uses, by up to 28% which is significantly above the recommended leeway of 5%. In addition the World Health Organisation (WHO) standard for PM10, which is the recognised determining factor of poor air quality

in the London Plan 2021, is exceeded at these locations and the whole of the site significantly exceeds the WHO standard for PM2.5.

- 16.12 There are no formal external balconies (only galleries, which are recommended to only be used for circulation) on the Swinton Street side and mitigation, including MVHR with air intakes to the less polluted courtyard side, has been proposed. All of these units are dual aspect with windows and access to private and communal external space to the rear away from the road. Any windows on Swinton Street would need to be sealed to prevent the ingress of pollution and particulate filtration is mandatory as part of the development. Even with these measures there are concerns for the residential block on Swinton Street. The significant exceedance of both NO<sub>2</sub> and PM<sub>2.5</sub> provide a risk of high levels of exposure to poor air quality.
- 16.13 Consent is recommended for the development on balance, despite the policy requirements not being met for the residential proposals on Swinton Street. This is subject to appropriate mitigation and an updated prior occupation air quality assessment being conditioned. This would include sealing the windows on the Swinton Street side of the residential block, Particulate Matter filtration, and a requirement on the RP to advise all residents about air quality issues where housing is in a location which has poor air quality. It is noted that if air quality improves in the longer term then natural ventilation would be preferable. It is accepted that if windows are sealed there may be justification for active cooling. If a consistent improvement in air quality is shown to have occurred prior to commencement/occupation of the development and revised air quality mitigation is subsequently approved and sealed windows are not required, then any proposed active cooling should be removed. A Ventilation and Cooling Strategy would be secured by planning obligation accompanied by an updated Air Quality Assessment. This would be carried out as late as possible in the design and construction process to allow a reassessment of whether air quality has improved sufficiently to enable natural ventilation and the removal of the need for any active cooling.

#### Construction impacts

- 16.14 The site is considered a high risk for air pollution and dust during construction and demolition. Mitigation measures to control construction-related air quality impacts should be secured within the Construction Management Plan (CMP) as per the standard CMP Pro-Forma. The applicant would be required to complete the checklist and demonstrate that all mitigation measures relevant to the level of identified risk are being included. A condition for air quality monitoring is recommended. This would require at least 4 air quality monitors to be installed at least 3 months prior to the proposed implementation date.

#### Emergency generator

- 16.15 The proposed diesel generators, which would need to be tested regularly, have been sized to allow continued operation of the hotel and offices rather than just be safety critical. There are concerns that limited justification and details have been provided for the proposed size and type of generator. Therefore a notwithstanding condition is recommended which would secure further justification of the size of the generators and exploration of non-diesel

alternative fuel sources/technologies to be carried out before the specification of the generator is agreed. Furthermore, depending on whether the generator introduces local emissions, the strategy may need to include a management plan component which addresses how the generator can be safely tested and operated without risk of harm to human health.

### Conclusion

16.16 The proposed development would be considered acceptable, on balance, in air quality terms subject to securing the following planning conditions and heads of terms in any agreed section106:

- Air quality mitigation - a revised air quality assessment report, written in accordance with the relevant current guidance, for the existing site and proposed development. The assessment shall assess the current baseline situation in the vicinity of the proposed development. The report shall include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the content and recommendations. If required, a scheme for air pollution mitigation measures based on the findings of the report shall be submitted and approved. This shall include mitigation including non-openable windows for any residential areas where the air quality is more than 5% over the WHO Standard, Particulate Matter filtration, and a requirement on the RP to advise all residents about air quality issues where housing is in a location which has poor air quality
- Gas boilers flues and generators - full details of gas-fired plant and diesel-fired generator plant, including ratings, exhaust emissions and any flue positions/locations
- Mitigation measures to control construction-related air quality impacts would be secured within the CMP
- Air quality monitoring should be implemented on-site during construction

## **17 Flooding and Drainage**

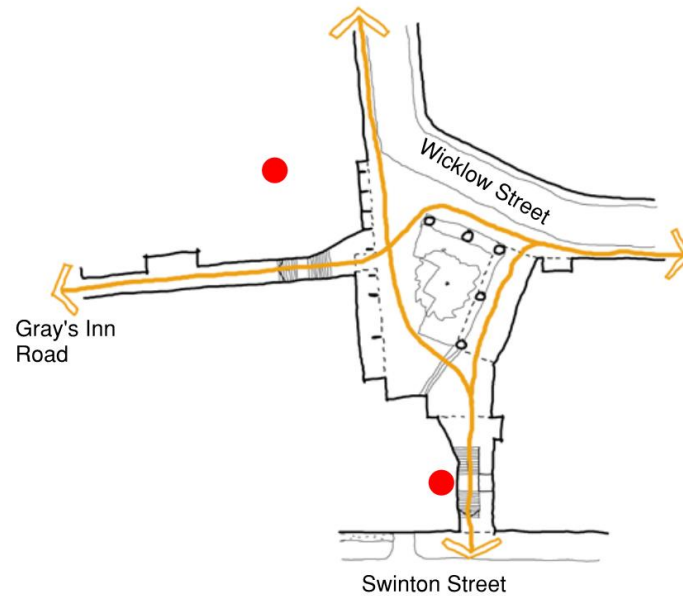
17.1 Camden Local Plan policy CC3 seeks to ensure development does not increase flood risk and reduces the risk of flooding where possible. The NPPF requires all major developments to include Sustainable Urban Drainage Systems (SuDs) unless demonstrated to be inappropriate (as set out in the Ministerial Statement by the Secretary of State on 18 December 2014). Major developments should achieve greenfield run-off rates wherever feasible and as a minimum 50% reduction in run off rates. Development should follow the drainage hierarchy in policy 5.13 of the London Plan.

17.2 The sustainable drainage proposals for the site include green roofs (circa 942.9m<sup>2</sup>) and a separate rainwater harvesting tank (18m<sup>3</sup>) within the basement.

The use of an active rainwater harvesting system integrated as part of the main attenuation tank would be explored in the detailed design stage and a condition is recommended if approval is granted. The attenuation tank provides 627m<sup>3</sup> storage so would reduce water demand significantly and meets the requirements to achieve a 2l/s run off rate. Conditions are recommended for details of the green roof, construction in accordance with the details and evidence of installation.

## **18 Accessibility**

- 18.1 Local Plan policy C6 (Access for all) promotes fair access and for barriers that prevent everyone from accessing facilities and opportunities to be removed. The need for all new development in London to achieve the highest standards of accessible and inclusive design is emphasised in Policy D2 (Inclusive Design) of the London Plan.
- 18.2 The existing site does not allow for any public permeability and the buildings as a hospital previously prohibited any connection beyond the reception desk unless for appointment. The proposals include the creation of two new pedestrian routes and a publicly accessible open space. These new connections and the open space would allow pedestrian traffic to find alternative routes away from the busy arterial roads. The routes and open space are shown in Figure 33 (below).
- 18.3 The proposed public routes include new east to west (Gray's Inn Road to Wicklow Street) and south to north (Swinton Street to Wicklow) links. Both of these routes would have lifts to ensure step-free access. These are located near the gym entrance (to gain access to Swinton Street from the public courtyard) and within the hotel lobby (to gain access to Gray's Inn Road from the public courtyard).
- 18.4 The proposed public courtyard (referred to as Wicklow Courtyard) would allow free movement of people through it and onto the new routes through the base of the hotel and office buildings out onto adjacent streets. Step-free access is available through the space. This includes directly from Wicklow Street into the main space or the colonnade and via a ramp up to the colonnade from the courtyard. The routes, open space and lift access would all be secured as being publicly accessible under legal agreement (section 106) if permission is granted.



**Figure 33 (above):** Plan of public courtyard and routes through the site. The red dots show the location of the lifts

- 18.5 A communal residential garden is proposed between the private and affordable blocks that would be accessible to all residents. It would be accessed from Wicklow Street and Swinton Street, including directly from the streets through openings by the railway and through the residential buildings. Within the garden the levels are subject to change and further details of allowing step-free access around the garden would be secured as part of proposed landscaping conditions.
- 18.6 Overall, the design of the external spaces has been carefully curated to ensure that all surfaces, routes and access points are clearly defined through the architecture and landscape design. All entrance levels are at grade and the circulation ramps and staircases comply with Building Regulations requirements.
- 18.7 The publicly accessible café and reception/lobby spaces within the hotel and office buildings and landscape around it have been developed to include ramped and stepped access directly from street level from Gray's Inn Road and Wicklow Street. The proposed development has been designed in accordance with the Approved Document M (Access to and Use of Buildings). This would be carried out post-planning with an Approved Inspector to the project.
- 18.8 A total of 182 hotel rooms are provided at a range of room sizes 16-20m<sup>2</sup>. 9 hotel rooms are designed as accessible, and a further 9 are adaptable. All of the rooms are above ground and benefit from a sufficient level of light, outlook and usability for visitor accommodation. Whilst it is noted that accessibility and amenity considerations do not apply to hotel accommodation in the same respect as residential, the quality of accommodation is welcome.
- 18.9 On the basis of the above, the proposal is considered to improve accessibility levels across the site in compliance with policy C6 of the Camden Local Plan.

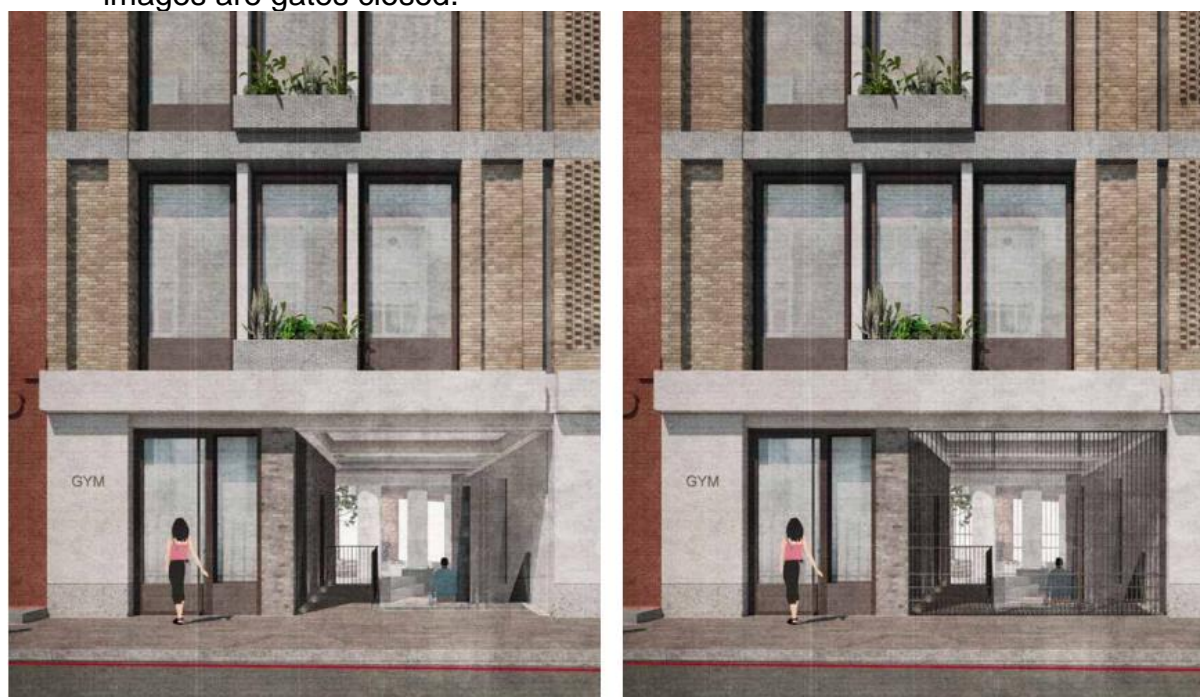


## 19 Community Safety

- 19.1 Policy C5 of the Local Plan requires developments to demonstrate that they have incorporated design principles that contribute to community safety and security. The Design and Access Statement includes details of access, movement, inclusive design, security and evacuation. Within the document is a Designing Out Crime section within the Technical Summary. The details have been discussed with the Council's Designing Out Crime Officer (DOCO), who confirmed that there are no objections to the proposals and that a meeting took place with the applicants at pre-application stage. In addition, the applicant consulted local residents, businesses and groups. A number of the consultation responses (during pre-application and post-submission) raised concerns regarding anti-social behaviour (ASB) issues in the area.
- 19.2 The proposals have been designed to create activity to help ensure that all routes and spaces within the development are safe at all hours of the day. The public courtyard would be open and accessible with active ground floor uses and entrances around its edges. This includes the hotel restaurant, café and lobby spaces as well as the office, gymnasium and café. These surrounding uses are likely to be manned 24 hours a day, and the windows/entrances offer surveillance. The proposed routes through the site are partially covered and have windows out onto these; however, due to potential ASB issues two lines of security are proposed at either end of the routes which would close down during the evening/night. A secure line with gates is proposed at 330 Gray's Inn Road on the pavement; at the entrance to the east-west route through the hotel from the public courtyard; and either side of the undercroft between Swinton Street and the public courtyard. The street entrances are shown below in Figures 34 and 35.



**Figures 34 (above) and 35 (below):** Proposed gates to routes. Above is at 330 Gray's Inn Road and below at Swinton Street. Left images are gates open and right images are gates closed.



- 19.3 The west-east link from Gray's Inn Road to Wicklow Street is proposed to be managed by the estate security team. It is proposed that the gates would be held open between dawn and dusk and secured with a lockable gate with a secure panel over to prevent any access outside of this time (key would be held by the estate security team on ground level). The link from Swinton Street into the public courtyard would be managed by the estate security team as well. Regular patrols of the area during opening and closing hours would be encompassed within the management of the routes and the courtyard. CCTV cameras would be strategically placed to cover the public realm. Details on the security services layout and CCTV would be secured via condition. The lighting strategy would be developed to make the area feel safe and inviting, and to act as a deterrent to anti-social behaviour and crime. Details on the lighting strategy would be secured via condition. The gates and security details would be subject to control via a section 106 legal obligation along with a management plan. This would future proof the area and ensure the situation could be monitored.
- 19.4 The new public access points and open spaces would be secured via section 106 through a Public Realm Plan (as mentioned above), which would include details about the delivery and management of the public realm. Furthermore, a Community Safety Management Plan for improving local safety would form a separate planning obligation.
- 19.5 Overall, the development is considered to contribute to safety and security principles. Officers acknowledge that paragraph 4.93 of the Local Plan states that gated community developments are unlikely to be acceptable; however, an exception is considered appropriate in this instance.

## **20 Land Contamination and Archaeology**

- 20.1 The application is supported by a contaminated land risk assessment, which identifies the need for a Generic Environmental Risk Assessment; Remediation Strategy and Detailed Environmental Risk Assessment. A review of historical land-use activities within 100 metres is considered to represent a high risk of contamination, meaning the land could exhibit significantly elevated contaminate levels with the potential to cause harm. For the proposal to be considered acceptable it would need to be subject to a land contamination condition requiring details of a site investigation scheme, detailed risk assessment, a remediation strategy and a verification plan.
- 20.2 The radon risk from the underlying geology is considered low; however, the Council's Contamination Officer considered it necessary to monitor radon reduction at the design stage of the development. A condition is recommended for details of ground gas and vapour details. Once the buildings are occupied, representative continuous radon gas monitoring should be undertaken for a minimum period of 3 months in the basement.
- 20.3 The Historic England Greater London Archaeological Advisory Service (GLAAS) provided formal observations on 14/12/2020 (see paragraph 6.1 (above)). They confirmed that the site does not lie within an archaeological priority area and that GLAAS agree with the conclusion set out within the applicant's archaeological desk based assessment. No further below ground archaeological investigation is therefore required. GLAAS however consider the various phases of buildings within site to be of interest and recommend that a programme of historic building recording be carried out, prior to any demolition. This condition is recommended to be attached to any approval. As summarised in the Consultation Summary section of this report, a response was received from CamdenLocalHistory.info challenging the applicant's (and GLAAS's) assessment. GLAAS confirmed that they reviewed the comments and that CamdenLocalHistory.info are referring to another site. They consider that overall there is insufficient evidence to identify this site as having the potential for nationally important remains as there is no robust evidence to support this. Every development site across the country has some risk of impacting previously unrecorded archaeological remains. GLAAS's advice has to be evidence based (as required under NPPF) and none is evident in this particular circumstance.

## **21 Waste Management**

- 21.1 Policy CC5 of the Local Plan seeks to make Camden a low waste Borough. The policy aims to reduce the amount of waste produced in the Borough and increase recycling. It also aims to ensure that developments include facilities for the storage and collection of waste and recycling.
- 21.2 The application is supported by a Servicing Strategy from the Design and Access Statement and the Transport Assessment. The Transport Assessment

includes a servicing strategy, a waste strategy and a delivery and serving plan. Details of the proposal are summarised below:

- Commercial refuse would be collected from the shared loading bay with residential refuse collection from street level
- A service yard would be provided within the office footprint, located at ground floor level and accessed via a crossover from Swinton Street. This service yard would be shared between all commercial uses, providing flexibility and control over the timing of deliveries, frequency of commercial waste collections and types of vehicle used. Commercial waste collections would be undertaken by private contractors for office, hotel and gymnasium uses
- The service yard would accommodate up to three vehicles at any one time comprising two vehicles up to 8m in length (e.g. 7.5T Box Van) and one vehicle up to 10m in length
- The requirements for waste storage have been calculated in accordance with Camden's Environment Service technical guidance for storage and collection of refuse and recycling
- Residential waste would be stored at ground floor bin stores within each block and collected on-street from Wicklow Street and Swinton Street respectively. Bins would be presented in areas within 10m of the refuse vehicle on collection days in accordance with policy requirements
- For communal waste storage facilities, this would be collected twice a week and calculations are based on neighbouring Westminster City Council's latest guidance (Camden currently does not have guidance on this)
- The bin store for the hotel would be located at basement level 1 (B1 level)
- The bin store for the office and gym uses would be located at basement level 2 (B2 level). Future occupiers and facilities management would be responsible for transferring the bins from each respective bin store to the service yard via the service lift ready for collection by private waste contractors

21.3 A condition is recommended prior to the commencement of the development for details of the location, design and method of waste storage and removal including recycled materials for all parts of the development. Further to this, a Delivery and Servicing Management Plan would be secured via legal agreement.

## **22 Economic Benefits, Local Employment and Procurement**

22.1 The proposed development has the potential to create significant temporary and permanent economic, strategic and local benefits, including:

- It is estimated that the total number of jobs that would be generated by the office floorspace would be up to 870, with 1,350 gross full-time equivalents (FTE's) supported by on-site employment site-wide
- Estimated £9.8million a year hotel visitor spending, £3.1million additional business rates revenue for the Council
- An average of 670 construction jobs per annum during the construction period first targeted at Camden residents and then via Central London First
- Approximately £2-£3.3million spent by construction workers in the surrounding area during the construction period which equates to approximately £570,000-£940,000 annually
- The scheme is estimated to invest approximately £147million in construction
- Work placements and apprenticeships during the construction period
- Over 1,230 gross direct on-site jobs during operation
- Apprenticeships made available each year in the completed development within a range of roles including 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
- 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
- Approximately 170-210 new residents as part of the development with an estimated £1.2million additional household spend in the local economic and £120,000 additional Council tax revenue
- Pay London living wage (for end-use phase and construction) as a minimum salary for all employees across the development and include

obligations for contractors on-site to pay a minimum of London Living Wage

- 22.2 The above benefits are recognised by officers. Furthermore, it is considered that the proposal has the potential to positively contribute to the growth of the knowledge economy in the area, particularly through provision of lab-enabled space. Whilst the Knowledge Quarter has developed as a world-leading centre of research and innovation, it's important that local people benefit from the high value jobs created by the organisations based within it. Officers recognise the need to provide space for local people, organisations and start-ups to interact with the Knowledge Quarter. There is also scope to provide a proportion of space and a package of benefits that serves to convene the sector, residents and others. This would include building young people's aspirations for careers in these sectors through the Camden STEAM programme, and providing links into quality jobs through Good Work Camden.
- 22.3 The proposed development is of a large scale and it would generate significant local economic benefits and opportunities. Local Plan Policy E1 and CPG Employment Sites & Business Premises state that in major developments the Council will seek to secure employment and training opportunities for local residents and opportunities for businesses based in the Borough to secure contracts to provide goods and services. A range of training and employment benefits would be secured via section 106 to provide opportunities during and after the construction phase for local residents and businesses. This would include:

Construction phase:

- CPG Employment Sites & Business Premises expects one construction apprentice position per £3M construction contract. Based on the estimated project construction contract cost this equates to 47 apprentices over the duration of the build; paid at least London Living Wage, and the Council a support fee of £1,700 per apprentice. Recruitment of construction apprentices should be conducted through the Council's King's Cross Construction Skills Centre. Recruitment of non-construction apprentices should be conducted through the Council's Inclusive Economy team
- Work to CITB benchmarks for local employment when recruiting for construction-related jobs
- Advertise all construction vacancies and work placement opportunities exclusively with the King's Cross Construction Skills Centre for a period of one week before marketing more widely
- Provide a specified number (28) of construction work placement opportunities of not less than two weeks each, to be undertaken over the course of the development, to be recruited through the Council's King's Cross Construction Skills Centre
- Sign up to the Camden Local Procurement Code
- Provide a local employment, skills and local supply plan setting out a plan for delivering the above requirements in advance of commencing on site



## End use phase:

### *Office*

- Minimum of 3 rolling end use apprenticeships (for the first 10 years following first occupation), with an annual recruitment target of 1, paid at least London Living Wage. Apprenticeship standards of a level no higher than Level 4, and targeting qualifications related to the KQID sectors of research, science, media, culture or computing
- Provide 5 end-user placements for Camden students, preferably aged 16+, to be recruited through the Council's Inclusive Economy team or directly with Camden state schools/college

### *Hotel*

- Minimum of 3 rolling end use apprenticeships (for the first 10 years following first occupation), with an annual recruitment target of 1, paid at least London Living Wage. The apprenticeships could be within a range of roles (examples include hospitality, business administration, finance, customer service, IT) and a shared apprenticeship scheme
- Target 1 of the rolling hospitality apprenticeships to be linked with the courses held at Westminster Kingsway College

### *All (i.e. Office and Hotel)*

- Promote the Good Work Camden programme (this would be a lease condition) amongst end-use occupiers, including the following commitments:
  - Joining the Inclusive Business Network
  - Advertising vacancies in partnership with Good Work Camden and its relevant local employment support providers to create pathways into knowledge economy jobs
  - Committing to attend job fairs to promote opportunities to local residents
  - Committing to provide supported employment opportunities – e.g. supported internships and join the Inclusive Business Network
  - Join Camden Climate Change Action and support local circular economy initiatives relating to waste reduction, recycling and re-use
- Promoting the Camden STEAM programme and the Camden STEAM employer pledge amongst end-use occupiers
- An occupation strategy to market to Knowledge Economy occupiers for a two year period before other types of occupiers can be considered. This requirement would apply to the entire office building. It would essentially create a presumption in favour of companies or institutions which will actively contribute to enhancing the KQID's reputation as an international player in life sciences, cultural, scientific and heritage collections, digital archiving, curation and publishing and data sciences such as machine learning



- Ensuring that the future occupiers contribute to a progressive and innovative programme of education and outreach and inclusive local employment and skills opportunities
- Using the design attributes of the building to its optimal value for Knowledge Economy uses, through maximising the use of the lab-enabled floorspace for lab-based research and development purposes
- A section 106 contribution to be used by the Inclusive Economy service to support employment and training activities and local procurement initiatives. This contribution would be calculated as follows:

*Employment space* - Net increase in floorspace (14,023m<sup>2</sup> GIA) / 12m<sup>2</sup> [space requirement per full time employee] = 1,168 full time jobs created

*Hospitality* - No of bedrooms (182) x 0.5 [number of employees per bedroom] = 91 full time jobs created

Full time jobs created (1,259 x 21% [% of Camden residents who work in Camden] x 35% [% of employees requiring training] x £3,995 [£ per employee requiring training] = £369,683.32 employment and training contribution

- 22.4 Subject to the above being secured by section 106, the proposal is considered to be acceptable in this regard.

## **23 Health and Wellbeing**

- 23.1 Policy C1 of the Local Plan notes that the Council will improve and promote strong, vibrant and healthy communities through ensuring a high quality environment with local services to support health, social and cultural welling and reduce inequalities.
- 23.2 The application includes a Health Impact Assessment (HIA) that has been created and submitted in line with Policy C1. It states that the proposed development is expected to have an overall positive impact, with no adverse impact on the health of the local community. This document has been reviewed by the Public Health Strategist for Camden and Islington Public Health. The proposals incorporate a range of safe and accessible design measures, communal spaces and employment opportunities which would have a beneficial impact on the local community and surrounding area.
- 23.3 The submitted HIA describes local health infrastructure. Table 2 (GP practices within 1 mile) of the document shows the GP headcount. In terms of secondary care, the high density of NHS hospitals in south Camden is reflected in the HIA. Primary and secondary schools nearby have been quantified. Regarding access to green spaces, the HIA analyses this on a Borough-wide approach. Proximity to green space and physical obstacles (such as busy roads) are important barriers to access to green and open spaces. For community demographics, in particular unemployment, the HIA states that data indicates that the local area would benefit from the employment opportunities provided

by the scheme. Housing quality, air quality, noise and neighbourhood amenity, accessibility and active travel, crime reduction and community safety, social cohesion and lifetime neighbourhoods, resource minimisation, and climate change are all assessed within the HIA. Overall, the Public Health Strategist for Camden and Islington Public Health did not raise any objections to the proposals and considers that the proposed development would comply with the aims of Policy C1 of the Camden Local Plan.

## **24 Equality**

### Legislation

24.1 Section 149 of the Equality Act 2010 sets out the Public Sector Equality Duty (PSED). A public authority must, in the exercise of its functions, have due regard to the need to:

- a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

24.2 Under the Equalities Act 2010 the nine protected characteristics covered by the general equality duty are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. People with common protected characteristics are often described as belonging to a protected group.

### Consideration

24.3 Officers have considered equalities impacts, particularly on groups with protected characteristics, as part of this application. It is noted that the previous activities and functions of the site have been relocated to new facilities, meaning that there would be no individuals, groups or organisations significantly prejudiced or permanently lost by the proposed development. The proposal would not introduce any specific function or feature that favours or disadvantages a specific grouping within the nine protected characteristics nor that discriminates against age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. On this basis, a formal Equalities Impact Assessment has not been undertaken by the Council.

24.4 Officers are not aware of any specific associations between the existing or proposed use of the site and any group with protected characteristics. As discussed throughout other sections of this Committee Report, it is not considered that any of the neighbouring occupiers are unduly harmed or would be threatened by the development, either by the temporary construction works or ongoing use.

## **25 Fire Safety**

- 25.1 Policy D12 of the London Plan requires all major development proposals to be submitted with a Fire Statement produced by a third party suitable assessor. A Fire Statement has been prepared by OFR (Fire + Risk Consultants). The fire strategy has been developed in accordance with the requirements of Building Regulations 2018.
- 25.2 The submitted document has been assessed by the Council's Technical Manager in Building Control. It was confirmed that the Fire Statement is well conceived and addresses the relevant fire safety issues. Provision is included for an evacuation lift, which goes beyond current Building Regulations requirements.

## **26 Section 106 Obligations**

- 26.1 The 'Heads of Terms' embodied in the section 106 legal agreement referred to above would include the following:

### Highways/transport

- **Car-free development** - Commitment to a car-free development
- **Construction and Demolition Management Plans (C/DMPs)** - including Construction Working Group and implementation support contribution £28,520 and Construction Management Bond £30,00
- **Level Plans/interface details**
- **Highways Contribution** - £30,222.72
- **Pedestrian, Cycling and Environmental Improvements** - £200,000
- **Delivery and Servicing Management Plan**
- **Travel Plan and Travel Plan Monitoring and Measures Contribution (combined for residential and non-residential)** – £14,499
- **Approval in Principle** - £1,584.01
- **Section 278 agreement with TfL** – with a requirement for highways works on Swinton Street and Gray's Inn Road, and a contribution of £220,000 towards King's Cross Gyratory improvement projects
- **Restriction of coach parking/pickup/drop off for hotel** – there would be no provision for parties of guests or visitors arriving by coach
- **Highways works on Wicklow Street** – including a walkways agreement and disabled parking

### Housing

- **Affordable Housing on-site** – 28 affordable units, including 15 social-affordable rent and 13 intermediate rent
- **Deferred Affordable Housing Review for Affordable Housing and Housing Contribution** – Capped at £3,217,500

### Social/community

- **Community Outreach Plan** - Engagement with STEAM commission, engagement with other community organisations, local schools and community outreach
- **Community Safety Plan** – including monitoring of gated access points, public routes and spaces
- **Public Realm Plan** – securing public open space and routes on-site, including the gate management plan, securing of lifts on the routes for public use
- **Public Art Plan** – artwork strategy throughout the site, delivery and retention of public art
- **Landscape Management Plan**
- **Public Open Space Contribution** - £478,086.30

#### Environmental

- **Carbon Offset Contribution** - £1,161,660
- **Energy Efficiency and Renewable Energy Plan**
- **Sustainability Plan** - BREEAM 'Excellent' rating and minimum credit requirements under Energy (60%), Materials (40%) and Water (60%) and commitment to Home Quality Mark overall rating 3.5; LEED score of 62, WELL Building Standard – Silver Level
- **Future proofing for decentralised energy network**
- **Ventilation and Cooling Strategy**

#### Employment

- **Employment and Training Plan** - Local Employment, Local Procurement, Construction Apprentice Default Contribution, Construction Apprentice Support Contribution, Employment Post Construction
- **Affordable workspace** – 930m<sup>2</sup>, subsidised at 50% of comparable rents for a 10 year period
- **Employment and Training Contribution** – £369,683.32
- **Knowledge Economy Occupier Strategy** – a requirement to secure Knowledge Quarter occupiers/tenants

#### Other

- **Basement Construction Plan (BCP)**
- **Phasing Plan**
- **Retention of Architect**
- **UCL Engagement Commitment (including reference to Neighbourly Deed), Neighbour Management Plan, Liaison Group**
- **UCL Decant Strategy** – a detailed process setting out decanting relevant parts of UCL's operation to alternative premises, reference to critical thresholds during construction and operation to ensure that UCL can continue their operations
- **Agent of Change** – the hotel operator and guests to be made aware in particulars of the Water Rats venue

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

27.1 The proposal would be liable for the Mayor of London's CIL2 and Camden's CIL due to the net increase in floorspace and creation of residential units. Since 2012, all developments in London which result in the addition of over 100m<sup>2</sup> 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).

27.2 The current Camden CIL rates 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 m<sup>2</sup>;
- Hotel - £110 per m<sup>2</sup>;
- Retail - £32 per m<sup>2</sup>;
- Residential (10 or more dwellings) - £193 per m<sup>2</sup>; and
- Other commercial uses - £32 per m<sup>2</sup>.

27.3 Based on the MCIL2 and Camden's CIL charging schedules and the information given on the plans, the charges are estimated by officers to be £7,603,563 for the total floor area of the development. The CIL estimate is based on the following calculations:

- Office uses MCIL2 (14,023m<sup>2</sup> x £185) = £2,594,255
- All other development MCIL2 (19,090m<sup>2</sup> x £80) = £1,527,200
- Office uses Camden CIL (14,023m<sup>2</sup> x £110) = £1,542,530
- Hotel floorspace Camden CIL (9,427m<sup>2</sup> x £110) = £1,036,970
- Market residential floorspace Camden CIL (4,432m<sup>2</sup> x £193) = £855,376
- Other commercial Camden CIL (1,476m<sup>2</sup> x £32) = £47,232

27.4 Officers note that the floor areas noted above are approximate and sums are indicative. Final payable contributions would be calculated (following any potential approval of the scheme) by the Council's CIL officers. If the applicant can demonstrate the existing buildings are lawfully occupied and are therefore in lawful use (at the time of implementation) and not vacant under the terms of the "vacancy test" as set out in the CIL Regulations, then only the uplift in floorspace might be liable for CIL. However at this stage, the proposal would be subject to an indicative CIL contribution (based on total area).

## **28 Conclusion**

- 28.1 The proposal on the former Royal National Throat, Nose and Ear Hospital (RNTNEH) site would bring forward a comprehensive redevelopment of the recently vacant site and further key objectives of the Development Plan. It would provide a meaningful contribution of housing (the priority land use of the Development Plan), affordable housing, employment space, a hotel, foster links with the Knowledge Quarter and local community, and provide a high quality development with well-designed new buildings and public realm.
- 28.2 The proposed development would result in less than substantial harm to the significance of this part of the King's Cross and St Pancras Conservation Area, through the demolition of a number buildings that contribute positively to it and providing new buildings of greater scale, massing and height, as well as cause harm to the setting of a grade II listed building at 75 Wicklow Street (Church School of St Jude's Church). The harm has been mitigated to a degree through high quality architecture, new routes and spaces. Nevertheless, there would be harm to designated heritage assets and this less than substantial harm is a matter that must carry significant weight in the planning balance. There would also be some impact on neighbouring amenity, particularly during construction, and on the potential operation of important adjacent uses (the UCL Ear Institute and Water Rats Public House), but this can be managed through the use of planning obligations and conditions.
- 28.3 The proposed development has taken all reasonable measures to mitigate the inevitable adverse impacts from construction that would arise from an urban development project of this scale. This would be controlled, monitored and enforced via a Construction Management Plan. Furthermore, the development seeks to attain the highest reasonable standards of sustainability in the form of BREEAM 'excellent' and compensates for the practical difficulties of incorporating carbon savings by making a financial contribution for the shortfall.
- 28.4 Overall, the proposals include the following benefits:
- Creating publicly accessible routes and spaces on the site
  - Additional employment floorspace, with an uplift of approximately 14,107m<sup>2</sup>
  - Provision of circa 930m<sup>2</sup> subsidised (affordable) workspace
  - 72 high quality new residential units
  - 28 affordable housing units, including 15 social-affordable rent and 13 intermediate, which is around 44.6% of the provided housing by floor area (GIA) and a tenure mix of 60/40 in favour in social-affordable rent by floor area (GIA)
  - New 182 bed hotel
  - New café, restaurant spaces and gymnasium
  - Construction jobs, with local procurement, placements and apprenticeships
  - Local spending
  - Direct on-site jobs during operation of wider development
  - An overall sustainable scheme that meets the majority of carbon reduction and renewables targets

- Contributions towards the provision of local infrastructure and facilities are proposed through commitments and financial contributions in the section 106
- The proposed extensions and new buildings are considered to be of high-quality architecture
- Delivering a net gain for biodiversity through increased and more varied planting and the incorporation of blue/green roofs

28.5 The above benefits need to be weighed against any harm brought about by the application, which is caused through the less than substantial harm to the conservation area and listed building (75 Wicklow Street) through the proposal causing harm to their significance, and also amenity impacts largely caused through disruption during the demolition and construction phase as well as minor impacts from the resulting development (some loss of light).

28.6 The public benefits of the scheme have been weighed against the less than substantial harm to the designated heritage asset of the King's Cross St Pancras Conservation Area and the grade II listed 75 Wicklow Street, affording that harm considerable weight in the planning balance, and the other impacts outlined above. Officers consider that the public benefits that the development would deliver are very substantial and compelling, and are sufficiently significant to outweigh the harm identified.

28.7 The NPPF states that there is a presumption in favour of sustainable development, which should be a golden thread running through decision making. The dimensions of sustainable development are economic, social and environmental which should be sought jointly. The proposed development would result in significant benefits through all 3 strands of sustainable development, and although there are adverse heritage impacts which must be afforded significant weight, nevertheless the public benefits are substantial enough to outweigh them. On balance, the proposal is considered to be a favourable sustainable development that is in accordance with relevant National and Regional Policy, the Camden Local Plan, Camden Planning Guidance and other supporting policy guidance for the reasons noted above.

28.8 Overall the proposed development is considered to be acceptable, on balance, and is therefore recommended for approval subject to conditions, a section 106 agreement and referral to the Mayor.

## **29 Recommendation**

29.1 Planning permission is recommended subject to a section 106 Legal Agreement and planning conditions (clauses and conditions set out below), and referral to the Mayor of London for his direction.

29.2 Draft heads of terms listed below, with more detail included in paragraph 26.1 (above):

### Highways/transport

- Car-free development



- Construction and Demolition Management Plans, contribution (£28,520) and bond (£30,000)
- Level Plans/interface details
- Highways Contribution - £30,222.72, works to Wicklow Street (including walkways agreement and disabled parking)
- Pedestrian Cycling and Environmental Improvements Contribution – £200,000
- Delivery and Servicing Management Plan
- Travel Plan and Travel Plan Monitoring and Measures Contribution - £14,499
- Securing of section 278 agreement with TfL and contribution of £220,000
- Approval in Principle £1,584.01
- Restriction on hotel coach parking

#### Housing

- Affordable Housing – 28 units
- Deferred Affordable Housing and Housing Review (capped at £3,217,500)

#### Social/community

- Community Outreach Plan
- Community Safety Plan
- Public Realm Plan
- Public Art Plan
- Landscape Management Plan
- Public Open Space Contribution - £478,086.30

#### Environmental

- Carbon Offset Contribution – £1,161,660
- Energy Efficiency and Renewable Energy Plan
- Sustainability Plan - BREEAM 'Excellent' rating and minimum credit requirements under Energy (60%), Materials (40%) and Water (60%)
- Future proofing for decentralised energy network
- Ventilation and Cooling Strategy

#### Employment

- Employment and Training Plan
- Affordable workspace
- Employment and Training Contribution - £369,683.32
- Knowledge Quarter Tenant

#### Other

- Basement Construction Plan (BCP)
- Phasing Plan
- Retention of Architect
- UCL Engagement/Management/Liaison
- UCL Decant Strategy

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

30.2 Condition(s) and Reason(s): **2020/5593/P**

1	<p><i>The development hereby permitted must be begun not later than the end of five years from the date of this permission.</i></p> <p><i>Reason: In order to enable appropriate commencement and to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).</i></p>
2	<p><b>Approved Plans</b></p> <p><b>Background Papers, Supporting Documents and Drawing Numbers:</b></p> <p>Existing Drawings: 18116_00_(00)_P010 Rev P01, (18116_00_(01)_P099-105; P100M; P200-202 and P300-301 Rev P01.</p> <p>Demolition Drawings: (18116_00_(12))P99-P105; P100M; P200-202 and P300-301 Rev P01.</p> <p>Proposed Drawings: (18116_00_(00)_P098 Rev P01; P099-100 and 100M Rev P02; P101-107 Rev P01; P108-114 and 150 Rev P02; P200 Rev P01; P201 Rev P02; P202 Rev P02; P203 Rev P01; P204 Rev P02; P300 Rev P02; P302 Rev P01 and P150 Rev P02, (18116_01_(00)_100-114; 100M; P200-203; P300-301; P400-402 Rev P01, (18116_02_(00)_100-107 and 100M Rev P01; P108 Rev P02; P200-203 Rev P02; P300 Rev P02; P400-403 Rev P01, (18116_03_(00)_100-100M Rev P01; 101-103 Rev P02; 104-111 Rev P01, P200-201 Rev P02; P202-205 Rev P01, P300 Rev P01, P400 Rev P01; P401 P02 and 402-403 Rev P01, (L-01-)101; 111; 121 Rev P01.</p> <p>Supporting Documents: Covering Letter dated 30/11/2020; Whole Lifecycle Assessment dated November 2020; Transport Assessment dated November 2020; Statement of Community Involvement; Fire Statement dated 16/11/20; Preliminary Geo-Environmental Risk Assessment (Desk Study) dated November 2020; Air Quality Assessment dated November 2020; Sustainability Statement dated November 2020; Environmental Noise Survey and Acoustic Design Statement Report dated 30/11/2020; Flood Risk Assessment and Drainage Strategy dated November 2020 and Addendum dated February 2021; Design and Access Statement Rev P01 dated 11/05/2021; Scheme Internal Daylight Report DR1 dated November 2020; Daylight and Sunlight Assessment DR2 dated November 2020; Basement Impact Assessment dated October 2020; An Archaeological Desk-Based Assessment dated November 2020; Affordable Housing Statement dated November 2020; Preliminary Arboricultural Impact Assessment and Arboricultural Method Statement dated 28/06/2019; Bat Survey Report dated 11/12/2019; Circular Economy Statement dated</p>

	<p>November 2020; Townscape, Heritage and Visual Impact and Built Heritage Assessment dated November 2020; Economic Benefit Statement dated May 2021; Energy Statement dated November 2020; Health Impact Assessment dated February 2021; Town Planning Statement dated 30/11/2020; Draft Construction Management Plan dated 09/11/2020; Public Realm Planning Report dated 30/11/2020; Urban Greening Factor and New Biodiversity dated 17/03/2021; Energy/Sustainability – Response to Comments 17/03/2021; AQC Response to Council Comments on Air Quality 03/03/2021; Financial Viability Assessment December 2020; Financial Viability Addendum Report following Review by BPS March 2021; Addendum and Update to July 2019 Demand and Feasibility Study 17/03/2021; Response to London Borough of Camden and TfL Stage 1 Comments 04/03/2021; Preliminary Ecological Appraisal Report 14/08/2019; Internal Daylight Within Proposed Development 14/05/2021; Technical Note – Unit Mix Update 13/05/2021; Affordable Housing Mix and Tenure Changes 13/05/2021; Overheating Assessment 17/05/2021; Circular Economy Statement May 2021; Exhaust Dispersion Design Review 26/02/2021; Affordable Housing Statement Addendum May 2021.</p> <p>Reason: For the avoidance of doubt and in the interest of proper planning.</p>
3	<p><b>Fixed Mechanical Plant Noise</b></p> <p>The external noise level emitted from plant, machinery or equipment at the development hereby approved shall be lower than the lowest existing background noise level by at least 10dBA, by 15dBA where the source is tonal, as assessed according to BS4142:2014 at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity.</p> <p>Reason: To safeguard the amenities of neighbouring noise sensitive receptors in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.</p>
4	<p><b>Emergency Plant</b></p> <p>Noise emitted from the emergency plant and generators hereby permitted shall not increase the minimum assessed background noise level (expressed as the lowest 24 hour LA90, 15 mins) by more than 10dB one metre outside any premises.</p> <p>The emergency plant and generators hereby permitted may be operated only for essential testing, except when required by an emergency loss of power.</p> <p>Testing of emergency plant and generators hereby permitted may be carried out only for up to one hour in a calendar month, and only during the hours 09.00 to 17.00hrs Monday to Friday and not at all on public holidays.</p>

	Reason: To safeguard the amenities of neighbouring noise sensitive receptors in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.
5	<p><b>Plant Mitigation</b></p> <p>Prior to use, machinery, plant or equipment and ducting at the development shall be mounted with proprietary anti-vibration isolators and fan motors shall be vibration isolated from the casing and adequately silenced and maintained as such.</p> <p>Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.</p>
6	<p><b>Internal Noise – Compliance</b></p> <p>The design and structure of the development shall be of such a standard that it will protect residents within it from existing external noise so that they are not exposed to levels indoors of more than 35dB LAeq 16 hrs daytime and of more than 30dB LAeq 8hrs in bedrooms at night.</p> <p>Reason: To ensure that the amenity of occupiers of the development site is not adversely affected by noise in accordance with the requirements of policies D1, A1 and A4 of the London Borough of Camden Local Plan 2017.</p>
7	<p><b>Noise Separation – Details</b></p> <p>Prior to commencement of works to the superstructure, details shall be submitted to and approved in writing by the Council, of an enhanced sound insulation value DnT,w and L'nT,w of at least 5dB above the Building Regulations value, for the floor/ceiling/wall structures separating different types of rooms/ uses in adjoining dwellings, namely e.g. living room and kitchen above bedroom of separate dwelling. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.</p> <p>Reason: To ensure that the amenity of occupiers of the development site is not adversely affected by noise in accordance with the requirements of policies D1, A1 and A4 of the London Borough of Camden Local Plan 2017.</p>
8	<p><b>Sound Insulation – Commercial Uses</b></p> <p>Prior to commencement of works to the superstructure, details shall be submitted to and approved in writing by the Council, of the sound insulation of the floor/ ceiling/ walls separating the commercial part(s) of the premises from noise sensitive premises. Details shall demonstrate that the sound insulation value DnT,w [and L'nT,w is enhanced by at least 10dB above</p>

	<p>the Building Regulations value and, where necessary, additional mitigation measures are implemented to contain commercial noise within the commercial premises and to achieve the the criteria of BS8233:2014 within noise sensitive premises. Approved details shall be implemented prior to occupation of the development and thereafter be permanently retained.</p> <p>Reason: To ensure that the amenity of occupiers of the development site/ adjacent dwellings/noise sensitive premises is not adversely affected by noise in accordance with the requirements of policies D1, A1 and A4 of the London Borough of Camden Local Plan 2017.</p>
9	<p><b>Sound Insulation – Hotel to Reduce Impacts from Water Rats</b></p> <p>Prior to commencement of above ground works, details shall be submitted to and approved in writing by the Council, of a scheme for protecting the proposed hotel from both structure borne and airborne music noise from the Water Rats Public House. All works which form part of the scheme shall be completed before any part of the Hotel is occupied and remain in perpetuity.</p> <p>Reason: To ensure that the amenity of occupiers of the hotel building are not adversely affected by noise and to protect the established venue of the Water Rats Public House, in accordance with the requirements of policies D1, A1 and A4 of the London Borough of Camden Local Plan 2017.</p>
9	<p><b>Café/Restaurant Plant – Details</b></p> <p>Prior to commencement of the use, details shall be submitted to and approved in writing by the Council, of the installation, operation, and maintenance of the odour abatement equipment and extract system, including the height of the extract duct and vertical discharge outlet, in accordance with the ‘Guidance on the assessment of odour for planning 2018 by the Institute of Air Quality Management. Approved details shall be implemented prior to the commencement of the use and thereafter be permanently retained.</p> <p>Reason: To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by cooking odour in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.</p>
10	<p><b>External Artificial Lighting – Compliance</b></p> <p>External artificial lighting at the development shall not exceed lux levels of vertical illumination at neighbouring premises that are recommended by the Institution of Lighting Professionals in the ‘Guidance Notes Reduction of Obtrusive Light’. Lighting should be minimized and glare and sky glow should be prevented by correctly using, locating, aiming and shielding luminaires, in accordance with the Guidance Notes.</p>

	<p>Reason: To ensure that the amenity of occupiers of surrounding premises is not adversely affected by lighting in accordance with the requirements of policies A1 and A4 of the London Borough of Camden Local Plan 2017.</p>
11	<p><b>Thames Water – Waste water</b></p> <p>No properties shall be occupied until confirmation has been provided that either: 1. Capacity exists off-site to serve the development, or 2. A development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan, or 3. All wastewater network upgrades required to accommodate the additional flows from the development have been completed.</p> <p>Reason: The development may lead to sewage flooding and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional flows anticipated from the new development. Any necessary reinforcement works will be necessary in order to avoid sewer flooding and/or potential pollution incidents, in accordance with the requirements of policies A5 and CC3 of the Camden Local Plan 2017.</p>
12	<p><b>Thames Water – Piling Method Statement</b></p> <p>No piling shall take place until a Piling Method Statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.</p> <p>Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to significantly impact/cause failure of local underground sewerage utility infrastructure, in accordance with the requirements of policies A5 and CC3 of the Camden Local Plan 2017.</p>
13	<p><b>Thames Water – Network Infrastructure</b></p> <p>No development shall be occupied until confirmation has been provided that either:- all water network upgrades required to accommodate the additional flows to serve the development have been completed; or - a development and infrastructure phasing plan has been agreed with Thames Water to allow development to be occupied. Where a development and infrastructure phasing plan is agreed no occupation shall</p>

	<p>take place other than in accordance with the agreed housing and infrastructure phasing plan.</p> <p>Reason: The development may lead to no / low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development, in accordance with the requirements of policies A5 and CC3 of the Camden Local Plan 2017.</p>
14	<p><b>Waste storage</b></p> <p>Prior to commencement of works to the superstructure of each building, details of the location, design and method of waste storage and removal including recycled materials, shall be submitted to and approved by the local planning authority in writing. The facilities as approved shall be provided prior to the first occupation of any of the new uses and permanently retained thereafter.</p> <p>Reason: To ensure that sufficient provision for the storage and collection of waste has been made, to avoid obstruction of the highway and to safeguard amenities of adjacent premises in accordance with the requirements of policy CC5, A1, and A4 of the London Borough of Camden Local Plan 2017.</p>
15	<p><b>Air Source Heat Pumps (ASHP) Details</b></p> <p>Prior to commencement of above ground works, design specification documents showing the location, Seasonal Performance Factor of at least 2.5 and Be Green stage carbon saving of the air source heat pumps and associated equipment to be installed on the building, shall be submitted to and approved by the Local Planning Authority in writing.</p> <p>The measures shall include the installation of a metering details including estimated costs to occupants and commitment to monitor performance of the system post construction. A site-specific lifetime maintenance schedule for each system, including safe access arrangements, shall be provided.</p> <p>The equipment shall be installed in full accordance with the details approved by the Local Planning Authority and permanently retained and maintained thereafter.</p> <p>Reason: To ensure the development provides adequate on-site renewable energy facilities in accordance with the requirements of policy CC1 of the London Borough of Camden Local plan Policies.</p>
16	<p><b>Detailed landscape plan</b></p> <p>Notwithstanding the approved drawings, full details of hard and soft landscaping shall be submitted to and approved in writing by the local planning authority before the relevant part of the development commences.</p>



	<p>The submission to include details of:</p> <ul style="list-style-type: none"> <li>a) full details of all open spaces, terraces and routes</li> <li>b) any external CCTV and security monitors/fixtures</li> <li>c) courtyard planters including sections, materials and finishes and planting schedules</li> <li>d) final location details of all trees, with accompanying evidence that all locations have been investigated to ensure planting is viable and takes sufficient account of the proximity of local highway and underground infrastructure;</li> <li>e) permanent works, including samples of ground surface materials, to all areas of public open space including details of materials and finishes</li> <li>f) details of all boundary treatments to the site</li> <li>g) details of the planting species, soil type</li> <li>h) a maintenance plan for a minimum of 3 years</li> <li>i) irrigation</li> <li>j) sectional drawings of all planting areas</li> <li>k) level (step-free) access within the residential courtyard</li> <li>l) Wicklow Street courtyard frontage</li> <li>m) play equipment</li> </ul> <p>The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.</p> <p>Any trees or areas of planting which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced as soon as is reasonably possible and, in any case, by not later than the end of the following planting season, with others of similar size and species, unless the Council gives written consent to any variation.</p> <p>The development shall not be occupied until such time as the works have been completed in accordance with the details thus approved.</p> <p>This condition can be discharged on a building/phase by building/phase basis as well as on the basis of any potential interim and final landscaping proposals.</p> <p>Reason: To enable the Council to ensure a reasonable standard of amenity in the scheme in accordance with the requirements of Policies D1 and A1 of the Camden Local Plan 2017.</p>
17	<p><b>Cycle parking</b></p> <p>Prior to first occupation of each part of the development, detailed plans of secure and covered bicycle parking, including of non-standard cycle parking, shall be provided in accordance with the details hereby approved. A total of 320 long stay cycle parking spaces and 32 short stay cycle parking spaces must be provided prior to the full occupation of the development, along with the end of journey facilities.</p>

	<p>The facilities as implemented shall be permanently retained thereafter.</p> <p>Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of Policy T1 of the Camden Local Plan 2017.</p>
18	<p><b>Details, Materials and Samples</b></p> <p>Prior to commencement of above ground works on any building, or in the case of extensions to the existing 330 Gray's Inn Road building prior to the commencement of the approved extensions, detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority:</p> <ul style="list-style-type: none"> <li>a) Details including sections at 1:10 of all windows (including jambs, head and cill), ventilation grills and external doors, gates and canopies</li> <li>b) Plan, elevation and section drawings, of all ground floor facades at a scale of 1:10;</li> <li>c) Typical plan, elevation and section drawings of balustrading to terraces and balconies;</li> <li>d) Manufacturer's specification details of all facing materials (to be submitted to the Local Planning Authority) and sample panels at a minimum of 1mx1m of those materials (to be provided on site);</li> <li>e) Details of all plant equipment;</li> <li>f) Typical elevation (minimum 2m x 2m in size) including a glazed opening showing reveal and header detail and elevation brickwork showing the colour, texture, face-bond and pointing;</li> <li>g) Details of the reuse of the former 'New Patients Entrance' on Wicklow Street within the site;</li> <li>h) Detailed sections of typical walls at 1:20</li> </ul> <p>The relevant part of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course of the works for the relevant building. All other external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.</p> <p>This condition can be discharged on a building/phase by building/phase basis.</p> <p>Reason: In order to safeguard the special architectural and historic interest of the proposed retained buildings and to safeguard the character and appearance of the wider area in accordance with the requirements of Policies D1, D2 and D3 of the Camden Local Plan 2017.</p>
19	<p><b>Retention Strategy</b></p> <p>Prior to any demolition works, details of a strategy to retain commemorative items within the wider site, including stone plaques and</p>

	<p>the new patient entrance on Wicklow Street, along with details of reinstating such features within the site and details of measures to commemorate the buildings that are to be demolished, should be submitted to and approved in writing by the Local Planning Authority. The strategy should be implemented prior to first occupation of the site and be retained in perpetuity.</p> <p>Reason: In order to safeguard the special architectural and historic interest of the building in accordance with the requirements of policy D2 of the Camden Local Plan 2017.</p>
20	<p><b>Sound Insulation – Hotel to Reduce Impacts on UCL Ear Institute</b></p> <p>Prior to commencement of above ground works, details shall be submitted to and approved in writing by the Council, of a scheme for protecting the adjacent UCL Ear Institute from both structure borne and airborne noise and vibration from the proposed hotel use. All works which form part of the scheme shall be completed before any part of the Hotel is occupied and remain in perpetuity.</p> <p>Reason: To ensure that the continued operation of the UCL Ear Institute is not prejudiced by the operation of the proposed development, in accordance with the requirements of policies D1, A1 and A4 of the London Borough of Camden Local Plan 2017.</p>
21	<p><b>Tree Planting</b></p> <p>Before the relevant part of the development commences full details of the tree planting shall be submitted to and approved in writing by the local planning authority.</p> <p>Such details shall include:</p> <ul style="list-style-type: none"> <li>- a schedule detailing species, sizes and locations of trees (and tree pits where applicable), taking into account the standards set out in BS8545:2014</li> <li>- details of any proposed earthworks including grading, mounding and other changes in ground levels.</li> <li>- a tree management plan including a scheme of maintenance and details of irrigation methods and measures</li> </ul> <p>Any trees which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced as soon as is reasonably possible and, in any case, by not later than the end of the following planting season, with others of similar size and species, unless the Council gives written consent to any variation.</p> <p>The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.</p>

	Reason: To enable the Council to ensure a reasonable standard of amenity in the scheme in accordance with the requirements of Policies D1 and A1 of the Camden Local Plan 2017.
22	<p><b>Protection of trees</b></p> <p>The demolition and construction of the development shall be carried out in accordance with the approved details, which demonstrate how trees would be retained on-site and on neighbouring sites during construction work. All works shall follow guidelines and standards set out in BS5837:2012 "Trees in Relation to Construction" and the details of appropriate working processes in the vicinity of trees, and the approved auditable system of site monitoring. All trees on the site, or parts of trees growing from adjoining sites, unless shown on the permitted drawings as being removed, shall be retained and protected from damage in accordance with the approved protection details.</p> <p>Reason: To ensure that the development will not have an adverse effect on existing trees and in order to maintain the character and amenity of the area in accordance with the requirements of Policies D1 and A3 of the Camden Local Plan 2017.</p>
23	<p><b>Nesting birds</b></p> <p>No vegetation and built structures potentially suitable as a bird habitat shall be removed except outside of the bird nesting season (Feb-August inclusive). Where this is not possible, an ecologist shall be engaged to assess any vegetation and built structures for active signs of nesting and in the event a nest is found an appropriate exclusion zone should be implemented around it until the young have fledged.</p> <p>Reason: In order to safeguard protected and priority species, in accordance with the requirements of Policy A3 of the Camden Local Plan 2017.</p>
24	<p><b>External fixtures</b></p> <p>No lights, meter boxes, flues, vents or pipes, and no telecommunications equipment, alarm boxes, television aerials or satellite dishes shall be fixed or installed on the external face of the buildings, without the prior approval in writing of the Council.</p> <p>Reason: In order to safeguard the special architectural and historic interest of the retained buildings and to safeguard the character and appearance of the wider area in accordance with the requirements of Policies D1 and D2 of the Camden Local Plan 2017.</p>
25	<p><b>Accessible Units</b></p> <p>The fully accessible apartments shown on the plan numbers hereby approved, shall be designed and constructed in accordance with Building</p>

	<p>Regulations Part M4 (3). All other units must meet Building Regulations part M4 (2).</p> <p>Reason: To ensure that the internal layout of the building provides flexibility for the accessibility of future occupiers and their changing needs over time, in accordance with the requirements of policy C6 of the London Borough of Camden Local Plan 2017.</p>
26	<p><b>Balcony Screens/Privacy Measures</b></p> <p>Prior to the occupation of the development, full details of screening, obscure glazing and other measures to reduce instances of overlooking and loss of privacy to neighbouring occupiers (including screening of the office building elevation facing the residential development and the two residential buildings) shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the details thereby approved and permanently maintained thereafter.</p> <p>Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policy A1 of the Camden Local Plan 2017.</p>
27	<p><b>Office Terrace Restrictions</b></p> <p>Prior to the first use of the approved roof terraces on the office/employment use building, full details of a management plan shall be submitted to and approved in writing by the local planning authority. The terraces shall be used for employment uses (Class E (g)) only, with the terraces closest to residential occupiers expected to not be used outside the hours of 08:00 and 20:00 Monday-Friday. No music shall be played on the roof terraces in such a way as to be audible within any adjoining premises or on the adjoining highway. Full details of how each terrace would be managed and its hours and types of use must be submitted, with the management plan strictly followed by all occupiers in perpetuity.</p> <p>Reason: In order to prevent unreasonable overlooking and disturbance of neighbouring premises in accordance with the requirements of Policies D1 and A1 of the Camden Local Plan 2017.</p>
28	<p><b>Hotel Terrace Restrictions</b></p> <p>Prior to the first use of the approved roof terrace on the 9<sup>th</sup> floor of the hotel building, full details of a management plan shall be submitted to and approved in writing by the local planning authority. No music shall be played on the roof terrace in such a way as to be audible within any adjoining premises or on the adjoining highway. Full details of how the terrace would be managed and its hours and types of use must be submitted, with the management plan strictly followed by all occupiers in</p>

	<p>perpetuity. The roof terrace on the 7<sup>th</sup> floor shall be for maintenance purposes only.</p> <p>Reason: To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise from activities or people at or leaving the site in compliance with policies A1 and A4 of the London Borough of Camden Local Plan 2017.</p>
29	<p><b>Restaurant/Café Hours of Operation</b></p> <p>The retail/restaurant (Class E ((a) and (b)) uses hereby permitted shall not be carried out outside the following times: 07:00hrs to 23:30hrs Monday to Thursday and 07:00hrs to 00:00hrs Friday and Saturday and 08:00hrs to 23:00hrs on Sundays and Bank Holidays. The commercial use of the Wicklow public courtyard should not be used outside of 08:00hrs to 22:00hrs 7 days a week.</p> <p>Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies A1, A4 and TC1 of the Camden Local Plan 2017.</p>
30	<p><b>Gym Hours of Operation</b></p> <p>The gymnasium (Class E (d)) use hereby permitted shall not be carried out outside the following times: 06:00hrs to 23:30hrs Monday to Thursday and 06:00hrs to 00:00hrs Friday and Saturday and 08:00hrs to 23:00hrs on Sundays and Bank Holidays.</p> <p>Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policies A1, A4 and TC1 of the Camden Local Plan 2017.</p>
31	<p><b>Water Consumption</b></p> <p>The development hereby approved shall achieve a maximum water use of 105litres/person/day (includes 5 litres for external use). The dwelling/s shall not be occupied until the Building Regulation optional requirement has been complied with.</p> <p>Reason: To ensure the development contributes to minimising the need for further water infrastructure in an area of water stress in accordance with Policies CC1, CC2 (Adapting to climate change), CC3 of the London Borough of Camden Local Plan 2017.</p>
32	<p><b>Contamination</b></p> <p>Prior to the commencement of work for each section of the development or stage in the development as may be agreed in writing by the Local Planning Authority (LPA) a scheme including the following components to address the</p>

	<p>risk associated with site contamination shall be submitted to and approved in writing by the LPA.</p> <p>a. A site investigation scheme based on the contaminated land assessment to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site;</p> <p>b. The results of the investigation and detailed risk assessment referred to in (a) and, based on these, in the event that remediation measures are identified necessary, a remediation strategy giving full details of the remediation measures required and how they are to be undertaken;</p> <p>c. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (b) are complete and identifying and requirements for the longer monitoring of pollution linkages, maintenance and arrangements for contingency action.</p> <p>Any investigation and risk assessment must be undertaken in accordance with the requirements of the Environment Agency's Model Procedures for the Management of Contamination (CLR11/now LCRM).</p> <p>If additional significant contamination is found at any time when carrying out the approved development it must be reported in writing immediately to the LPA.</p> <p>For the avoidance of doubt, this condition can be discharged on a section by section basis.</p> <p>Reason: To ensure the risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy A1 of the London Borough of Camden Local Plan 2017.</p>
33	<p><b>Small scale ground gas and vapour condition – Post Development:</b></p> <p>Once the residential buildings are occupied, representative continuous radon gas monitoring should be undertaken for a minimum period of 3 months in the basement. The resulting verification report (VR) should be submitted to, and approved in writing by, the local planning authority. The condition will not be discharged until the approved Verification Report (VR) is submitted to, and approved in writing by, the local planning authority.</p> <p>Reason: To ensure the risks to the future users of the site can be carried out safely without unacceptable risks in accordance with policies G1, D1, A1, A5 and DM1 of the London Borough of Camden Local Plan 2017.</p>
34	<p><b>Whole of Life Carbon</b></p> <p>Prior to first occupation and following completion of the building (upon commencement of RIBA Stage 6), the post-construction Whole Life-Cycle</p>



	<p>Carbon (WLC) Assessment shall be submitted to the Greater London Authority (GLA) using the GLA's WLC assessment template in line with the criteria set out in the GLA's WLC Assessment Guidance and should be submitted along with any supporting evidence required by the guidance.</p> <p>Reason: In order to minimise the effects of climate change and encourage all developments to meet the highest feasible environmental standards in accordance with policies CC1 (Climate change mitigation) and CC2 (adapting to climate change) of the London Borough of Camden Local Plan and Policy SI 2 (Minimising greenhouse gas emissions) of the London Plan.</p>
35	<p><b>Circular Economy</b></p> <p>The development shall be designed and constructed in accordance with the Circular Economy Commitments as set out in the Circular Economy Statement hereby approved, and shall be delivered to achieve at least 95% reuse/recycling/recovery of construction and demolition waste and 95% beneficial use of excavation waste.</p> <p>Reason: In order to ensure resource conservation, waste reduction, increased material re-use and recycling, and reductions in waste going for disposal in accordance with circular economy principles in accordance with policies CC2 (Adapting to climate change) and CC5 (waste) of the London Borough of Camden Local Plan and Policy S17 (Reducing waste and supporting the circular economy) of the London Plan.</p>
36	<p><b>Greywater Harvesting</b></p> <p>Prior to commencement of development other than site clearance &amp; preparation, a feasibility assessment for greywater recycling for the hotel should be submitted to the local planning authority and approved in writing. If considered feasible, details should be submitted to the local authority and approved in writing. The development shall thereafter be constructed in accordance with the approved details.</p> <p>Reason: To ensure the development contributes to minimising the need for further water infrastructure in an area of water stress in accordance with policies CC2 and CC3 of the London Borough of Camden Local Plan.</p>
37	<p><b>Biodiversity Enhancements</b></p> <p>Prior to commencement of the above ground works, details of a package of biodiversity enhancements (an ecological enhancement strategy), shall be submitted to and approved in writing by the Council as local planning authority. Where possible enhancements are built into the fabric of the build rather than retro fitted onto buildings/trees. The Enhancements should seek to include:</p> <ul style="list-style-type: none"> <li>• Insect hotels</li> <li>• Bio diverse and Bio solar roofs</li> </ul>

	<ul style="list-style-type: none"> <li>• Night-scented native plants</li> <li>• Green walls</li> <li>• Blue roof</li> <li>• Water conservation items</li> <li>• Living roof</li> </ul> <p>The works shall be fully provided in accordance with the approved details prior to first occupation and thereafter retained and maintained in accordance with the approved scheme.</p> <p>Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies G1, CC1, CC2, CC3, CC4, D1, D2 and A3 of the London Borough of Camden Local Plan 2017.</p>
38	<p><b>Green Roofs</b></p> <p>Prior to commencement of above-ground development, full details in respect of the green roof and green wall in the areas indicated on the approved roof plan shall be submitted to and approved by the local planning authority. Details of the green roof provided shall include: species, planting density, substrate and a section at scale 1:20 showing that adequate depth is available in terms of the construction and long term viability of the green roof, as well as details of the maintenance programme for green roof. The buildings shall not be occupied until the approved details have been implemented and these works shall be permanently retained and maintained thereafter.</p> <p>This condition can be discharged on a building/phase by building/phase basis.</p> <p>Reason: In order to ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with policies A3 and CC3 of the Camden Local Plan 2017.</p>
39	<p><b>Photovoltaic panels</b></p> <p>Prior to commencement of above ground works, drawings and data sheets showing the location, extent and predicted energy generation of photovoltaic cells and associated equipment to be installed on the building shall have been submitted to and approved by the local planning authority in writing. The measures shall include the installation of a meter to monitor the energy output from the approved renewable energy systems. A site-specific lifetime maintenance schedule for each system, including safe roof access arrangements, shall be provided. The cells shall be installed in full accordance with the details approved by the Local Planning Authority and permanently retained and maintained thereafter.</p> <p>This condition can be discharged on a building/phase by building/phase basis.</p>

	Reason: To ensure the development provides adequate on-site renewable energy facilities in accordance with the requirements of Policies CC1 and CC2 of the Camden Local Plan 2017.
40	<p><b>SuDS: Construction in accordance with details</b></p> <p>The sustainable drainage system as approved by way of the Flood Risk Assessment and Drainage Strategy November 2020 and Addendum February 2021 and associated drawings, shall be installed as part of the development to accommodate all storms up to and including a 1:100 year storm with a 40% provision for climate change, such that flooding does not occur in any part of a building or in any utility plant susceptible to water and to achieve 2 l/s. The system shall include green roofs (942.9m<sup>2</sup>), rainwater harvesting (18m<sup>3</sup>) and an attenuation tank (627m<sup>3</sup> plus void ratio) as stated in the approved drawings and shall thereafter retained and maintained in accordance with the approved maintenance plan.</p> <p>Reason: To reduce the rate of surface water run-off from the buildings and limit the impact on the storm-water drainage system in accordance with policies CC2 and CC3 of the London Borough of Camden Local Plan.</p>
41	<p><b>SuDS: Evidence of installation</b></p> <p>Prior to occupation, evidence that the system has been implemented in accordance with the approved details as part of the development shall be submitted to the Local Planning Authority and approved in writing. The systems shall thereafter be retained and maintained in accordance with the approved maintenance plan.</p> <p>Reason: To reduce the rate of surface water run-off from the buildings and limit the impact on the storm-water drainage system in accordance with policies CC2 and CC3 of the London Borough of Camden Local Plan.</p>
42	<p><b>Rainwater harvesting</b></p> <p>Prior to commencement of development other than site clearance &amp; preparation, details of rainwater recycling proposals including the use of an active rainwater harvesting system integrated as part of the main attenuation tank should be submitted to the local planning authority and approved in writing. The development shall thereafter be constructed in accordance with the approved details.</p> <p>Reason: To ensure the development contributes to minimising the need for further water infrastructure in an area of water stress in accordance with policies CC2 and CC3 of the London Borough of Camden Local Plan.</p>
43	<p><b>Bat survey</b></p> <p>If more than 12 months elapse between the date of the approved bat survey (March 2019) and commencement of development, an updated bat survey shall be submitted to and approved in writing by the local planning authority.</p> <p>Such survey to be carried out by a suitably qualified ecologist and accompanied by a report confirming the results and implications of the assessment, including any revised mitigation measures.</p>

	<p>All mitigation measures as approved shall be implemented in full in accordance with the agreed time scales.</p> <p>Reason: In order to protect wildlife habitats and biodiversity, in accordance with the requirements of Policy A3 of the Camden Local Plan 2017.</p>
44	<p><b>Bird and Bat Boxes</b></p> <p>Prior to commencement of the superstructure of each building, a plan showing details of bird and bat box locations and types and indication of species to be accommodated shall be submitted to and approved in writing by the local planning authority.</p> <p>The boxes shall be installed in accordance with the approved plans prior to the occupation of the relevant building and thereafter retained.</p> <p>Reason: In order to secure appropriate features to conserve and enhance wildlife habitats and biodiversity measures within the development, in accordance with the requirements of Policy A3 of the Camden Local Plan 2017.</p>
45	<p><b>Air Quality Monitoring</b></p> <p>No development shall take place until air quality monitoring has been implemented on-site, and until the submission of the following:</p> <ol style="list-style-type: none"> <li>Prior to installing monitors, full details of at least four air quality monitors have been submitted to and approved by the local planning authority in writing. Such details shall include the location, number and specification of the monitors, including evidence of the fact that they have been installed in line with guidance outlined in the GLA's Control of Dust and Emissions during Construction and Demolition Supplementary Planning Guidance;</li> <li>Prior to commencement, evidence has been submitted demonstrating that the monitors have been in place for at least 3 months prior to the proposed implementation date.</li> </ol> <p>The monitors shall be retained and maintained on site for the duration of the development in accordance with the details thus approved.</p> <p>This condition can be discharged on a building/phase by building/phase basis.</p> <p>Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of Policies A1, A4 and CC4 of the Camden Local Plan 2017.</p>
46	<p><b>Construction machinery</b></p> <p>All non-Road mobile Machinery (any mobile machine, item of transportable industrial equipment, or vehicle - with or without bodywork) of net power between 37kW and 560kW used on the site for the entirety of the demolition and construction phase of the development hereby approved shall be required to meet Stage IIIA of EU Directive 97/68/EC. The site shall be registered on the NRMM register for the demolition and construction phase of the development.</p>

	Reason: To safeguard the amenities of the adjoining occupiers, the area generally and contribution of developments to the air quality of the borough in accordance with the requirements of Policies A1, A4 and CC4 of the Camden Local Plan 2017.
47	<p><b>Lighting strategy</b></p> <p>Prior to commencement of any above ground works, a lighting strategy for all areas of external artificial lighting shall be submitted to and approved in writing by the local planning authority. Lighting contours shall be submitted to demonstrate that the vertical illumination of neighbouring premises is in accordance with the recommendations of the Institution of Lighting Professionals in the 'Guidance Notes for the Reduction of Obtrusive Light'. Details should also be submitted for approval of measures to minimise use of lighting and prevent glare and sky glow by correctly using, locating, aiming and shielding luminaires. Such strategy shall be developed with input from a specialist lighting engineer accredited by the Institute of Lighting Engineers and shall incorporate (inter alia) consideration of the impact of the lighting design on the needs of wildlife (including bats), contributing to reducing crime, residential properties, maintainability, whole life cost and energy use and impact on the adjacent Sites of Important Nature Conservation.</p> <p>The details shall include the following:  lighting to the routes and circulation areas in the public realm  external elevations of buildings including entrances and any architectural lighting  lighting within all publicly accessible areas of the ground floors of each building  incorporation of measures to take account of the foraging and roosting habitat for bats by referencing Bat Conservation Guidelines</p> <p>The development shall not be carried out otherwise than in accordance with the details thus approved and shall be fully implemented before the premises are first occupied.</p> <p>This condition can be discharged on a building/phase by building/phase basis.</p> <p>Reason: To maintain a high quality of amenity and a safe environment, in accordance with Policies D1 and A3 of the Camden Local Plan 2017.</p>
48	<p><b>Diesel or Oil Back-up Generators</b></p> <p>Prior to commencement of above ground works, details of the proposed Emergency Diesel/oil Generator Plant, and associated abatement technologies including make, model and emission details including justification for size and details of consideration of alternative technologies shall have been submitted to and approved by the Local Planning Authority in writing. The maintenance and cleaning of the systems shall be undertaken regularly in accordance with manufacturer specifications and details of emission certificates by an accredited MCERTS organisation shall be provided following installation and thereafter on an annual basis to verify compliance with regulations made by the Secretary of State.</p> <p>Reason: To safeguard the amenity of occupants, adjoining premises and the area generally in accordance with the requirements of policies A1 and CC4 of the London Borough of Camden Local Plan.</p>

49	<p><b>Additional Air Quality Mitigation – Swinton Street Residential Building</b></p> <p>Prior to commencement of any above ground works on the Swinton Street residential building, a revised air quality assessment report, written in accordance with the relevant current guidance, for the existing site and proposed residential development on Swinton Street shall be submitted to and approved by the Local Planning Authority. The assessment shall assess the current baseline situation in the vicinity of the proposed development. The report shall include all calculations and baseline data, and be set out so that the Local Planning Authority can fully audit the report and critically analyse the content and recommendations. If required a scheme for air pollution mitigation measures based on the findings of the report shall be submitted to and approved by the Local Planning Authority prior to development. This shall include mitigation including non-openable windows for any residential areas where the air quality is more than 5% over the WHO Standard, Particulate Matter filtration, and a requirement on the RP to advise all residents about air quality issues where housing is in a location which has poor air quality. The approved mitigation scheme shall be constructed and maintained in accordance with the approved details.</p> <p>Reason: To protect the amenity of residents in accordance with London Borough of Camden Local Plan Policy CC4 and London Plan policy SI 1.</p>
50	<p><b>Archaeology</b></p> <p>No demolition shall take place until a written scheme of historic building investigation (WSI), with an appropriate programme of historic building recording and analysis (Level 4 archaeological recording of the site), has been submitted to and approved by the local planning authority in writing. For buildings that are included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives, and:</p> <p>A. The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works</p> <p>B. The programme for post-investigation assessment and subsequent analysis, publication &amp; dissemination and deposition of resulting material. this part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI</p> <p>The development shall be carried out at all times in strict accordance with the approved scheme, or such other details as may be subsequently agreed in writing by the Local Planning Authority, with the recorded details to be deposited in the local Historical Environment Record (HER) and the National Monuments Record (NMR).</p> <p>Reason: To 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</p>

	preservation, where appropriate, in compliance with policy D2 of the London Borough of Camden Local Plan.
51	<p><b>Network Rail - Tunnels</b></p> <p>Prior to the commencement of any development works within 15m (measured horizontally, from the outside face of the tunnel extrados), details shall be submitted to the local planning authority (and in consultation with Network Rail's Engineer) demonstrating that the proposals would have no detrimental effect upon the tunnel. The details must include:</p> <ul style="list-style-type: none"> <li>• The type and method of construction of foundations</li> <li>• Any increase/decrease of loading on the tunnel both temporary and permanent.</li> </ul> <p>Any proposal must not interfere with Network Rail's operational railway and not jeopardise the structural integrity of the tunnel. The above details should be submitted to the Council and only approved in conjunction with Network Rail.</p> <p>The developer is to submit a monitoring regime with the Impact Assessment for Network Rail's acceptance, identifying the frequency and duration of monitoring to record any movement/deformation of the tunnel structure. An Action Plan also needs to be developed, identifying what needs to be done if/when movement levels exceed pre-defined trigger values agreed with Network Rail.</p> <p>Reason: To protect Network Rail's assets and infrastructure, in accordance with policies A1 and T1 of the London Borough of Camden Local Plan.</p>
52	<p><b>Network Rail – Method Statements</b></p> <p>Prior to the commencement of any development works within 15m (measured horizontally, from the outside face of the tunnel extrados), method statements (including full details of excavations and earthworks to be carried out near the railway undertaker's boundary fence) must be submitted to the local planning authority (in consultation with Network Rail's Asset Protection Project Manager) for approval prior to works commencing on site. This should include an outline of the proposed method of construction, risk assessment in relation to the railway and construction traffic management plan.</p> <p>All excavations/earthworks carried out in the vicinity of Network Rail property/structures must be designed and executed such that no interference with the integrity of that property/structure can occur. If temporary works compounds are to be located adjacent to the operational railway, these should be included in the method statement.</p> <p>Reason: To protect Network Rail's assets and infrastructure, in accordance with policies A1 and T1 of the London Borough of Camden Local Plan.</p>
53	<b>External Amenity Space Details for Swinton Street Flats</b>

	<p>Notwithstanding the approved drawings, full details of the private external amenity space for the Swinton Street flats - A_00_01; A_00_02; A_00_03; A_00_04; A_00_05; A_00_06 and A_00_07 – shall be submitted to and approved by the local planning authority prior to above ground works of that block. The flats must meet or exceed the London Plan requirements (a minimum of 5m<sup>2</sup> of private outdoor space to be provided for 1-2 person dwellings with an extra 1m<sup>2</sup> should be provided for each additional occupant) in size. The approved details must be provided prior to occupation of the development and remain in perpetuity.</p> <p>Reason: To ensure that the amenity of occupiers of the development site in accordance with the requirements of policies D1 and A1 of the London Borough of Camden Local Plan 2017.</p>
54	<p><b>Mechanical Ventilation</b></p> <p>Prior to commencement of the superstructure, full details of the mechanical ventilation system including air inlet locations and a scheme of maintenance shall be submitted to and approved by the local planning authority in writing.</p> <p>Air inlet locations should be located away from busy roads and any other emission sources and as close to roof level as possible, to protect internal air quality.</p> <p>All such measures shall be put in place prior to first occupation of the development and shall thereafter be maintained in accordance with the approved details.</p> <p>Reason: To protect the amenity of occupiers in accordance with London Borough of Camden Local Plan Policy CC4 and London Plan policy 7.14</p>

### 30.3 Informatives:

1. Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Argyle Street WC1H 8EQ, (telephone: 020-7974 6941).
2. Your proposals may be subject to control under the Party Wall Act 1996 which covers party wall matters, boundary walls and excavations near neighbouring buildings. You are advised to consult a suitably qualified and experienced Building Engineer.



3. Your attention is drawn to the need for compliance with the requirements of the Environmental Health regulations, Compliance and Enforcement team, [Regulatory Services] Camden Town Hall, Argyle Street, WC1H 8EQ, (telephone: 020 7974 4444) particularly in respect of arrangements for ventilation and the extraction of cooking fumes and smells.
4. Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Council's Noise and Licensing Enforcement Team, Camden Town Hall, Argyle Street, WC1H 8EQ (telephone: 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en> or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.
5. You are reminded that filled refuse sacks shall not be deposited on the public footpath, or forecourt area until within half an hour of usual collection times. For further information please contact the Council's Environment Services (Rubbish Collection) on 020 7974 6914/5 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-street-environment-services.en>.
6. Thames Water requests for the proposal to incorporate protection to the properties by installing, for example, a non-return valve or other suitable device to avoid the risk of backflow waste at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions.
7. With regard to surface water drainage Thames Water advises that it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that you ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. Should you propose to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777. This is to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.
8. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing [wwriskmanagement@thameswater.co.uk](mailto:wwriskmanagement@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk/wastewaterquality](http://www.thameswater.co.uk/wastewaterquality).

9. Active bird nests are protected under Part 1 of the Wildlife and Countryside Act 1981 (as amended) which states that it is an offence to disturb, damage or destroy the nest of any wild bird while that nest be in use or being built. Active nests are highly likely to be present within the site during peak nesting season, considered by Natural England as between 1 March and 31 July. It should be noted that active nests are afforded legal protection at all times and can be encountered throughout a nesting season which may extend between mid-February and October depending on bird species and weather conditions. Nesting habitats which includes trees, shrubs, climbing plants, grounds flora, buildings and other structures may be cleared at any time of year where survey (undertaken by a suitably experienced person) can establish active nests are absent. For further information contact Natural England on 0845 600 3078.
10. Bats and their roosts are protected under the Wildlife and Countryside Act 1981 (as amended), and the Conservation (Natural Habitats) Regulations 1994 which protect bats from intentional or deliberate actions which may kill, injure capture a bat and from actions that intentionally or recklessly damage, destroy or obstruct access to a bat roost (whether bats are present or not) or disturb a bat when occupying a roost. Actions such as demolition and renovation works to a building, and tree felling or significant tree surgery are likely to result in a breach of the above legislation if bats or bat roosts are present. For further information contact Natural England on 0845 600 3078.
11. In relation to living roofs it is recommended for the proposed substrate to be sourced from site (for example: soil and crushed brick) for sustainability reasons and to provide better conditions for local species.
12. You are advised the developer and appointed/potential contractors should take the Council's guidance on Construction Management Plans (CMP) into consideration prior to finalising work programmes and must submit the plan using the Council's CMP pro-forma; this is available on the Council's website at <https://beta.camden.gov.uk/web/guest/construction-management-plans> or contact the Council's Planning Obligations Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (telephone: 020 7974 4444). No development works can start on site until the CMP obligation has been discharged by the Council and failure to supply the relevant information may mean the council cannot accept the submission as valid, causing delays to scheme implementation. Sufficient time should be afforded in work plans to allow for public liaison, revisions of CMPs and approval by the Council.
13. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

14. This consent is without prejudice to, and shall not be construed as derogating from, any of the rights, powers, and duties of the Council pursuant to any of its statutory functions or in any other capacity and, in particular, shall not restrict the Council from exercising any of its powers or duties under the Highways Act 1980 (as amended). In particular your attention is drawn to the need to obtain permission for any part of the structure which overhangs the public highway (including footway). Permission should be sought from the Council's Engineering Service Network Management Team, Town Hall, Argyle Street WC1H 8EQ, (tel: 020 7974 2410) or email [highwayengineering@camden.gov.uk](mailto:highwayengineering@camden.gov.uk).
15. This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team London Borough of Camden 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444). Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a section 106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.
16. Due to the age of the buildings to be demolished, an intrusive pre-demolition and refurbishment asbestos survey in accordance with HSG264 supported by and appropriate mitigation scheme to control risks to future occupiers would need to be undertaken. The scheme should be written by a suitably qualified person before commencement. The scheme should demonstrably identify potential sources of asbestos contamination and detail removal or mitigation appropriate for the proposed end use. Detailed working methods are not required but the scheme of mitigation should be independently verified prior to occupation.

## **APPENDIX 1 – Independent Viability Review Rebuttal to Gerald Eve dated April 2021**

Royal National Throat, Nose and Ear  
Hospital, Camden, WC1X 8DA

Independent Viability Review  
Rebuttal to Gerald Eve

Prepared on behalf of the London Borough of Camden

April 2021

Planning reference: 2020/5593/P



High Street, Dorking RH4 1RU  
[www.bps-surveyors.co.uk](http://www.bps-surveyors.co.uk)  
Tel: 01483 565 433

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## 1.0 INTRODUCTION

- 1.1 BPS Chartered Surveyors has been instructed by the London Borough of Camden ('the Council') to review a viability assessment prepared by Gerald Eve ('GE') on behalf of Groveworld Ltd ('the Applicant') in respect of the proposed redevelopment of the Royal National Throat, Nose and Ear Hospital, WC1X. The Financial Viability Assessment (FVA) provided is dated December 2020.
- 1.2 In brief, the applicant (planning ref 2020/5593/P) is seeking to develop a mixed-use development including 100,537 sq. ft. NIA of flexible lab-enabled office accommodation, a 182-room hotel, 76 residential units within two blocks (54,853 sq. ft NIA) and a gym (12,370 sq. ft. NIA).
- 1.3 GE previously submitted an FVA as part of the pre-application process for a marginally different scheme in August 2020, whereby we provided comments and responded on behalf of the council in the context of viability in our report of 27 October 2020. We concluded the scheme at that time showed a viability surplus in contrast to GE who claimed the scheme was in deficit.
- 1.4 BPS reported to the council regarding the full application on the 19<sup>th</sup> February 2021 having reviewed GE's FVA. We concluded the scheme was marginally viable with a surplus of £4.7M, noting the parties dispute a significant number of areas. Gerald Eve have now provided an addendum response dated March 2021 which this report considers.
- 1.5 We have subsequently had a follow up all parties meeting between the council, council's advisors, applicant and applicant's advisors to discuss viability further. We note the applicant has offered a further compromise on the benchmark land value following this meeting.
- 1.6 This document provides commentary only on the points which are currently disputed, noting there are already large areas of agreement. We welcome the compromises and concessions that GE have made upon receipt of our previously submitted report.

## 2.0 SUMMARY OF GE's VIABILITY RESPONSES:

2.1 We consider below GE's viability rebuttals submitted on March 2021 with a brief summary of GE's commentary:

- **Private Residential Values** - disagreement around the valuation, GE maintain Savills' valuation of £37,895,000 in comparison to our valuation of £41,025,000. They have not provided any further market evidence, but we note further comments from Savills' on market movement and commentary on our comparable evidence.
- **Affordable housing values** - GE have consulted their affordable housing team who consider our values to be broadly reasonable, on this basis they have adopted our valuation. On affordable housing receipt timings GE have timed all receipts to practical completion.
- **Hotel Value** - GE have brought in their hotel team to review the work of BPS, Melvin Gold and Savills' (the applicant's other advisor) to date. We note GE's hotel team have now accepted the revenue assumptions of Melvin Gold (BPS' consultant). GE's hotel team have provided further market commentary around the hotel market, the market evidence and have offered a compromise on the exit yield at 4.75%.
- **Void period** - GE have re-modelled our void calculations and reflected them as a manual cost in their appraisal. They have offered 9 months void as a compromise position between the parties.
- **Office efficiency** - GE have provided further justification as to the 70% gross to net efficiency of the office accommodation.
- **Build cost & design risk** - GE have provided further commentary around justification of their build costs, inclusion of a Design and Build risk.
- **Developer's profit** - GE have provided further commentary of developer's profits. They have accepted BPS's position on private developer's profits, but dispute the 6% applied to the affordable workspace.
- **Finance** - Whilst GE do not agree with BPS' finance assumptions, they have accepted an interest charge of 6.5%.
- **Benchmark** - GE have considered the benchmark land value on multiple approaches, including refurbishment of the existing medical accommodation (a technical AUV for the existing use), office AUV, and a policy compliant AUV, we note they conclude a BMLV range of £19.69M to £26.58M and opt for the higher BMLV amount for their reporting purposes.



### 3.0 EXECUTIVE SUMMARY

3.1 Below is a summary of the parties' latest respective positions following GE's rebuttal and BPS' rebuttal (by way of this document):

- **Private residential values** - this section remains disputed between the parties. Based on the evidence we cannot objectively accept Savills' position.
- **Affordable values** - GE have now accepted our revenues for the affordable housing package. We have accepted their income timings.
- **Hotel valuation** - We have accepted GE's compromise position of an exit yield of 4.75%, noting the considerable uncertainty existing with the hotel industry arising from the ongoing Covid Pandemic. We note GE have accepted our hotel consultant's revenues. This point is now considered agreed
- **Office void** - we have accepted their compromise position of 9 months.
- **D&B contingency/developer's timings** - GE have accepted the removal of the D&B contingency. On timings, we maintain our position of removing the overlap; we question why a competent developer would seek to delay the build programme (this is not agreed).
- **Developer's profit** - we note the applicant has accepted our developer's profit assumption of 17.5% profit for private residential, the commercial points are agreed at 15%. We have accepted a 15% margin on the affordable workspace.
- **Finance** - we note GE have accepted our finance assumption of 6.5%.
- **Benchmark land value** - we have accepted GE's latest benchmark land value compromise of £19,400,000.

#### 4.0 BPS' REBUTTAL TO GE

##### Private Residential Values

- 4.1 We acknowledge Savills' have provided a rebuttal on behalf of the applicant in respect of the private sales values. In summary Savills' have provided their market analysis showing market pricing movements across the London Prime Market ('Prime London Residential Q3 2020'), as opposed to the more mainstream London housing data we refereed to last time (Savills spotlight *"Revisions to our mainstream residential market forecasts."*) We appreciate a London Prime Market analysis is more relevant for the avoidance of doubt.
- 4.2 That said, we note Savills have offered no new market evidence to substantiate their points, but have sought to critique our own work further. We note & accept Savills' point that the evidence we have relied upon is dated, however we maintain their key comparables the Bourne Estate and Postmark whilst more recent transactions are materially inferior and somewhat irrelevant in comparison to the subject scheme. Moreover, in our view, adopting market comparables which are situated in substantially weaker locations, built to a poorer specification/design to inform the pricing of what is a new build prime development, in close proximity to Kings Cross mainline station runs the risk of understating the values at the proposed development.
- 4.3 We note Savills' have rebased the sales from 2018/2019 compared to their market movement chart and have argued pricing in Camden has weakened by -2.0%. Taking that logic forward, we do the same for our market comparables.
- 4.4 Whilst we agree Savills' market movement data is a good indicator, we are uncertain as to the evidence and analysis on which it is based and so we have referred to the Land Registry market evidence data which is undisputable (attached as appendix A) which shows for the period of January 2015 to April 2021 market pricing movement for Camden, Flats & Maisonettes has risen from an index price of 100 up to 106, or an average price of £694,864 up to £736,618, or the equivalent of a 6% increase over the period.
- 4.5 Savills' have advised us the sales of our key comparable Regal Homes were sold (presumably exchanged in 2014/2015), noting the Land Registry completion dates are stated as being 2018. We have adopted January 2015 as a midpoint in the absence of accurate dates being provided by Savills. Taking this logic forward if we have priced the subject in relation to our key comparable, pricing has risen by 6% since the exchanges and therefore we have under-priced the subject scheme potentially by as much as 6%.
- 4.6 We are advised by Savills' the same applies to St. Pancras Place that the exchanges were in 2015, again taking this logic forward would imply that we have undervalued the proposed scheme by c.6%.
- 4.7 Kings Cross Quarter, were sold in Mid-2016 to late 2017, so if we take December 2016 as a mid-point, the land registry index change is 108.5 to 106, or -2.3%. So, values have fallen marginally over the periods referenced.

- 4.8 Following the all parties meeting we note GE have now submitted a Knight Frank report '*the-london-review-q1-2021*' which provides commentary on the Prime Central London for 2020 - 2021 (the year of the pandemic) which identifies an annual fall of -4.3% on pricing for the Prime Central London market with a -0.2% pricing fall for the last 3 months in Camden. We note & appreciate that 2020 with the pandemic the prime central London market has experienced uncertainty, which ties in with Land Registry index. That said there is a 10% spread on values between the parties and we do not consider that Savills' have provided a robust justification of their valuation, nor a reasonable and fair compromise position.
- 4.9 We have in consequence maintained our position in respect of anticipated values noting that in doing so the scheme does not move out of an apparent deficit position, as such it is appropriate the actual sales values are revisited through the process of a late-stage review mechanism in any S106.

#### Affordable Values

- 4.10 We note GE have now accepted our affordable values as being broadly reasonable, noting ours are lower than their assumptions.
- 4.11 In respect of the point on affordable timings, we initially modelled a monthly receipts profile which reflects in its simplest form the tranche payments that a Registered Provider (registered social landlord of affordable housing) makes to the developer i.e. regular payments over the build period, we appreciate this is sometime modelled as an S: curve assumptions, or golden brick payment followed by tranche payments.
- 4.12 We note Gerald Eve have timed the payment entirely to practical completion. Moreover, we would have expected at a minimum a golden brick payment to made (typically ranges from 10-30% at project commencement), with the remainder of the monies at practical completion.
- 4.13 Noting that developers frequently choose to engage with Registered Providers only post completion to maximise sale price we have accepted this assumption which can again be tested through late stage review but has a relatively minor impact on overall scheme viability.

#### Hotel Valuation

- 4.14 We note and welcome a fresh perspective on the hotel element provided by Gerald Eve's hotel team who have reviewed the comments and evidence provided by all parties to date. Moreover, we note they have accepted the revenues provided by the council's consultant Melvin Gold.
- 4.15 Turning to the yield, by way of background Savills' who are the applicant's other hotel advisor, previously adopted an exit yield of 5.5% and BPS 4.5% (was previously 4%, but we have updated to reflect the form of hotel model being adopted). Please see our previous report for further details.
- 4.16 We note that Gerald Eve's hotel team have considered the same key comparables that we have and we agree they set the tone for the relevant yield on the subject property. Again, all parties broadly agree there has been very little post pandemic transactions and so we accept reliance on somewhat historic evidence to value the

asset at today's date and an assumption the hotel sector will return to the inputs appropriate in 2019 within a realistic timeframe.

- 4.17 Turning to GE's approach they have taken a 2019 valuation of a hotel in Euston (Euston Premier Inn) which was agreed between GE and BPS at a 4.25% yield and made an adjustment of 0.25% for Covid-19 market conditions and 0.25% for unknown covenant/unproven trading historic/location adjustment "*(PI Euston is situated opposite a major transport hub and is an established asset with a proven trading history)*" They have then arrived at an exit yield of 4.75% for the subject property.
- 4.18 Taking a stand back approach the 0.25% adjustment for Covid-19 is a reasonable one which reflects that the hotel market has been directly impacted by Covid with world travel restrictions, but equally is not overly dramatized so as to imply fire sale conditions as Savills' had previously implied by adopting a yield so out of kilter with the market evidence.
- 4.19 Again, the further adjustment of 0.25% accepting there is currently no operator identified for the hotel and there is no proven trading history is not unreasonable.
- 4.20 In conclusion in order to reach agreement we consider the exit yield compromise by Gerald Eve of 4.75% to be a fair and reasonable assumption.

#### Office void

- 4.21 In respect of office voids our view remains that a 6 months allowance is appropriate, whereas GE have adopted 12 months. We note and GE in their rebuttal have referenced 3 no. market reports and provided commentary so as to justify market uncertainty for offices currently in their view.
- 4.22 Notwithstanding GE's in-house view they have now offered 9 months as a compromise position for the office's voids. Furthermore, we welcome they have adopted our manual calculation of office voids, noting the parties were using different models for the calculations, which has now been rectified.
- 4.23 We consider this to be a fair and reasonable compromise position, noting again the continued uncertainty within the office sector arising from the Covid Pandemic.

#### D&B contingency/developer's timings

- 4.24 We note GE have now agreed to strip out the D&B contingency despite their cost consultants in house view. This point is now considered agreed.
- 4.25 We have now accepted GE's project timescales, noting we have previously removed the slight lag/overlap between the phases but accept this would be a more economic method of construction.

#### Developer's profit

- 4.26 We note GE have agreed to our private profit assumption of 17.5% on GDV and the office/commercial elements are considered agreed at 15%.
- 4.27 The outstanding point relates to the affordable workspace which GE argue should also attract a 15% margin on GDV as opposed to the 6% we adopted. Upon reflection

of GE's further representations we accept 15% on the affordable workspace to be reasonable, noting their comments that there is greater risk in having to let the space to tenants of typically weak covenant strengths and then having to sell the asset on as opposed to typical affordable housing (where the 6% originated) where a Registered Provider agrees to contract buy all of the units upfront, and who are fully funded and the demand for affordable housing is typically stronger.

### Finance

- 4.28 We note GE have now accepted our finance assumption of 6.5% so this point is now agreed.

### Benchmark Land Value

- 4.29 On the benchmark land value, we note GE in their rebuttal have set out three different benchmark land value approaches which in brief include: a refurbishment scenario for medical accommodation (the existing use), refurbishment for offices (use class E) on the basis no new planning consents are required as both medical (former D1) and offices (former B1) now fall under the new 'E' planning use class and finally a policy compliant Alternative Use Value on the basis of an office and residential led scheme.
- 4.30 The benchmark land value was discussed at the all-parties meeting and as we have iterated to GE we consider all three methods to be relevant and a potential avenue for agreeing the appropriate benchmark land value, but BPS consider the first i.e. refurbished medical accommodation to be the most relevant as this looks at the closest use to the existing. In this we have sought to follow NPPG which regards Existing Use Value to be the primary approach for assessing benchmark land value, which is endorsed by the LPA and GLA alike.
- 4.31 We have been in disagreement over the appropriate exit values and refurbishment costs for the medical accommodation to date. Subsequent to GE's rebuttal they have offered a further compromise position of £375psf exit value assuming a refurbishment cost of £31.4M (BPS previously adopted £350psf and £35.6M refurbishment costs; GE £400psf and £27.25M).
- 4.32 In respect of the exit values, we consider them to be broadly reasonable and our Cost Consultant has accepted their refurbishment costs as broadly reasonable following further consideration of the existing condition of the building.
- 4.33 The calculation put forward by GE is as follows:
- 139,104 sq. ft. \* £375psf exit value = £52,160,000;
  - Less refurbishment costs of £31,400,000;
  - Gross Value of £20,760,000;
  - Net value of £19,400,000 after deduction of purchaser's costs;
  - Benchmark land value = £19,400,000.
- 4.34 We consider this to now be agreed as a compromise position.

### Purchaser's costs error

- 4.35 Whilst GE haven't pointed it out, we consider there has been an error on Purchaser's costs where our appraisal effectively double counted these costs on the hotel element. This has now been removed from the Argus appraisal (it is already accounted for in the excel discounted cash flow) and this has therefore now been rectified. This is considered a point of fact and we trust GE will do the same in their appraisal.

### Argus appraisal revisions and viability summary

- 4.36 In light of our comments in our viability rebuttal we have revised our appraisal to calculate a negative residual value of -£3,817,493, having adopted a benchmark land value of £19,400,000 within this assessment. Our conclusions are now that the scheme is in technical financial viability deficit and cannot therefore viability deliver additional affordable housing.

### Sensitivity Analysis

- 4.37 We have undertaken a sensitivity analysis which considers changes in build costs, residential values and the commercial values excluding the hotel element (attached in appendix B).
- 4.38 Furthermore, we have undertaken a separate hotel yield analysis which shows the following:

Yield	4.25%	4.5%	4.75%	5.00%	5.25%
Net investment value (hotel)	£88,220,000	£83,130,000	£78,580,000	£74,490,000	£70,780,000
Net residual value	£4,231,907	-£18,243	-£3,817,493	-£7,232,643	-£10,330,493

- 4.39 We have included the hotel sensitivity analysis as a separate exercise because the value has been calculated manually in an excel DCF which cannot be readily modified in the Argus Developer appraisal.
- 4.40 The conclusions from the sensitivity analysis indicate that the scheme has the potential for the viability to improve over time largely dependent on the fortunes of the hotel sector. This remains very uncertain in terms of outlook.

## Appendix A



# UK House Price Index

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Quick links: [by property type](#) [by buyer status](#) [by funding status](#) [by property status](#)

## House Price Statistics

**Camden**  for **January 2015 to April 2021** 

### Type of property

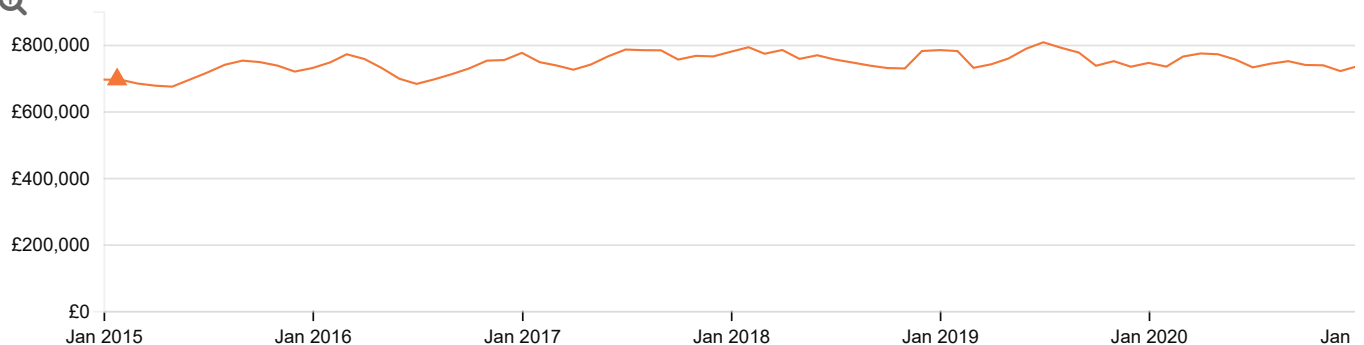
Track the index, average price and both monthly and annual change for all property types or focus on one in particular.

### Average price by type of property in **Camden**



- ☐ All property types ☐ Detached houses ☐ Semi-detached houses ☐ Terraced houses  
☒ Flats and maisonettes

< [See data graph](#) [See data table](#) [Download this data](#) [Compare with location ...](#) >



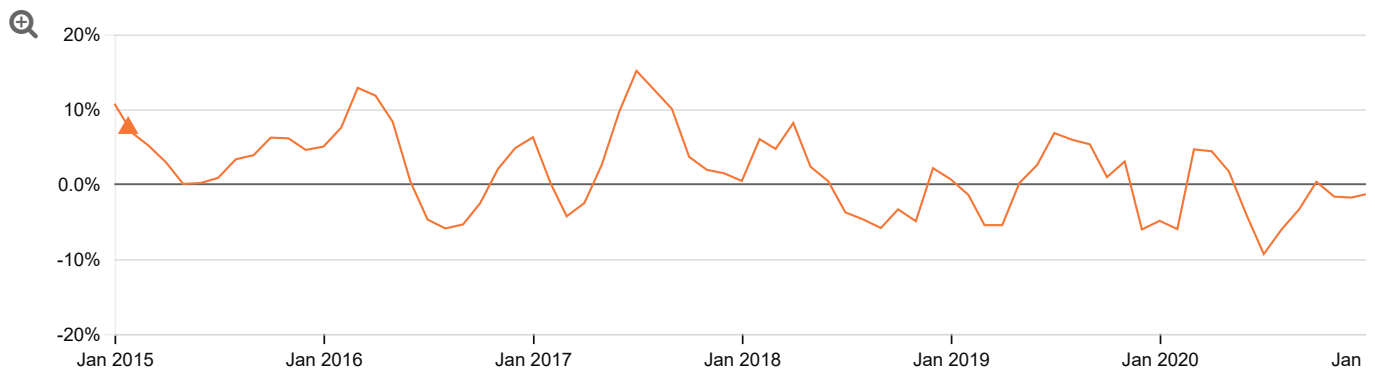
### Percentage change (yearly) by type of property in **Camden**



- ☐ All property types ☐ Detached houses ☐ Semi-detached houses ☐ Terraced houses  
☒ Flats and maisonettes

< [See data graph](#) [See data table](#) [Download this data](#) [Compare with location ...](#) >



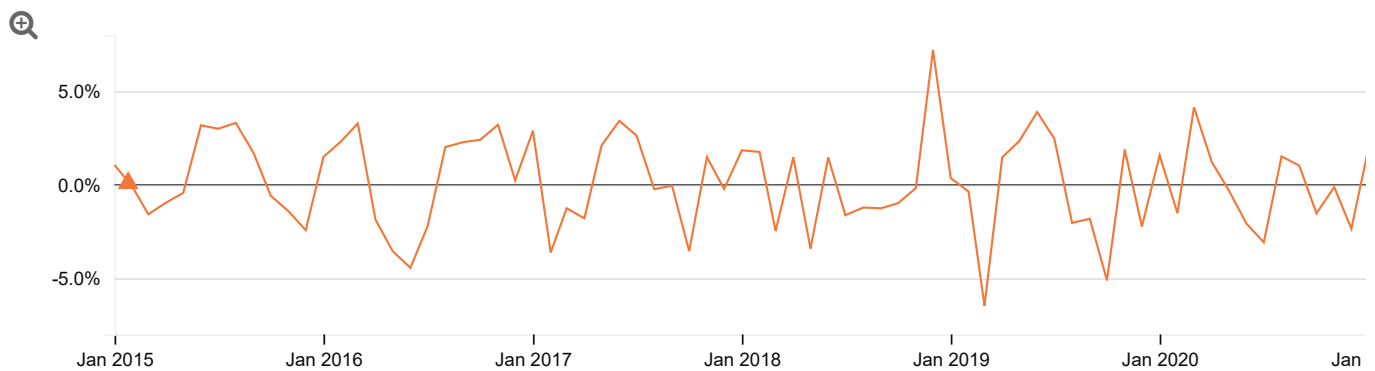


## Percentage change (monthly) by type of property in Camden



- ☐ All property types
 ☐ Detached houses
 ☐ Semi-detached houses
 ☐ Terraced houses
 ☒ Flats and maisonettes

[See data graph](#)
[See data table](#)
[Download this data](#)
[Compare with location ...](#)

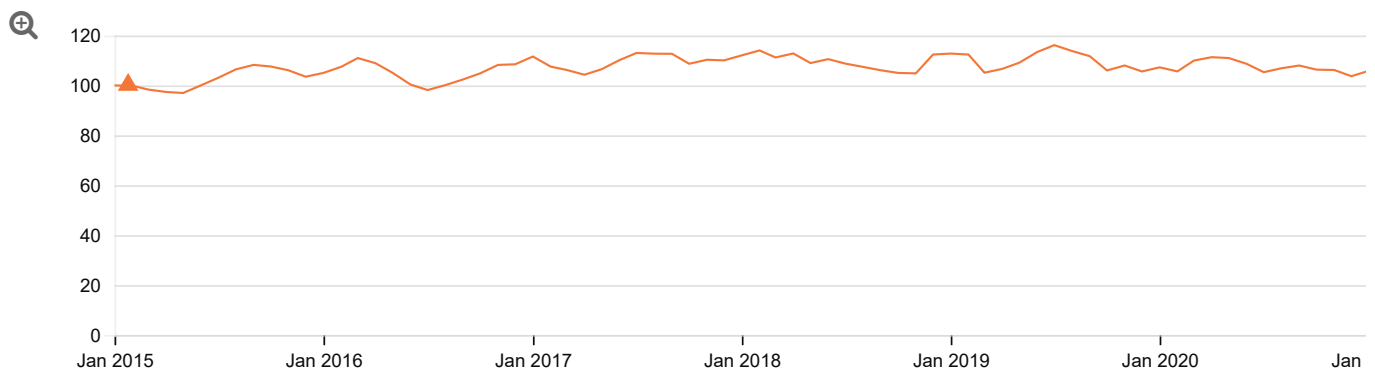


## House price index by type of property in Camden



- ☐ All property types
 ☐ Detached houses
 ☐ Semi-detached houses
 ☐ Terraced houses
 ☒ Flats and maisonettes

[See data graph](#)
[See data table](#)
[Download this data](#)
[Compare with location ...](#)



## Sales volume by type of property in Camden



## Buyer status

Track the index, average price and both monthly and annual change by the type of buyer e.g First Time Buyer or Former Owner Occupier

**Average price by buyer status in** Camden  

**Percentage change (yearly) by buyer status in** Camden  

**Percentage change (monthly) by buyer status in** Camden  

**House price index by buyer status in** Camden  

### Funding status

Track the index, average price, both monthly and annual change and sales volumes by funding status e.g. Cash/Mortgage

**Average price by funding status in** Camden  

**Percentage change (yearly) by funding status in** Camden  

**Percentage change (monthly) by funding status in** Camden  

**House price index by funding status in** Camden  

**Sales volume by funding status in** Camden  


### Property status

Track the index, average price, both monthly and annual change and sales volumes by funding by property status e.g. New/Existing

**Average price by property status in** Camden  

**Percentage change (yearly) by property status in** Camden  

**Percentage change (monthly) by property status in** Camden  

**House price index by property status in** Camden  

**Sales volume by property status in** Camden  

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Application release 1.5.15



# UK House Price Index

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## House Price Statistics

**Camden**  for **December 2016 to April 2021** 

### Type of property

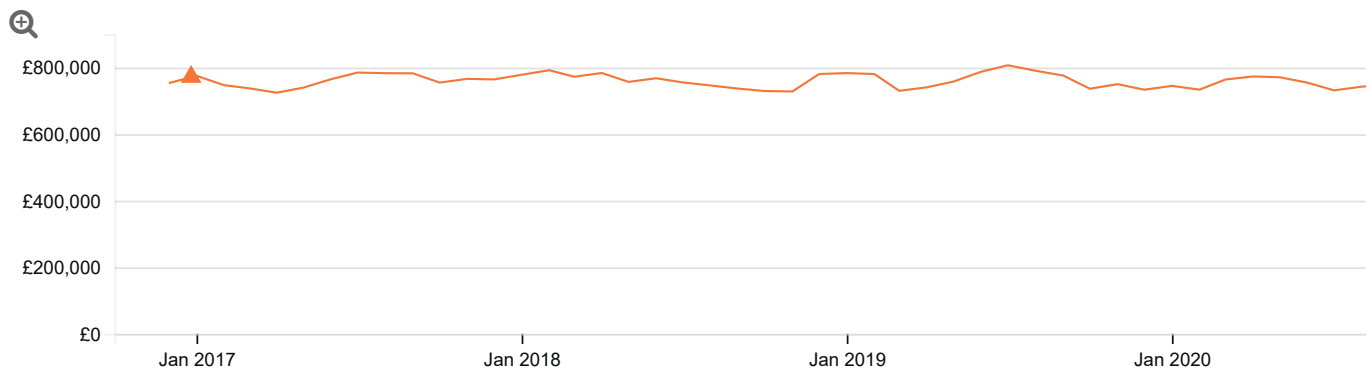
Track the index, average price and both monthly and annual change for all property types or focus on one in particular.

**Average price by type of property in Camden** 



- ☐ All property types ☐ Detached houses ☐ Semi-detached houses ☐ Terraced houses  
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< [See data graph](#) [See data table](#) [Download this data](#) [Compare with location ...](#) >

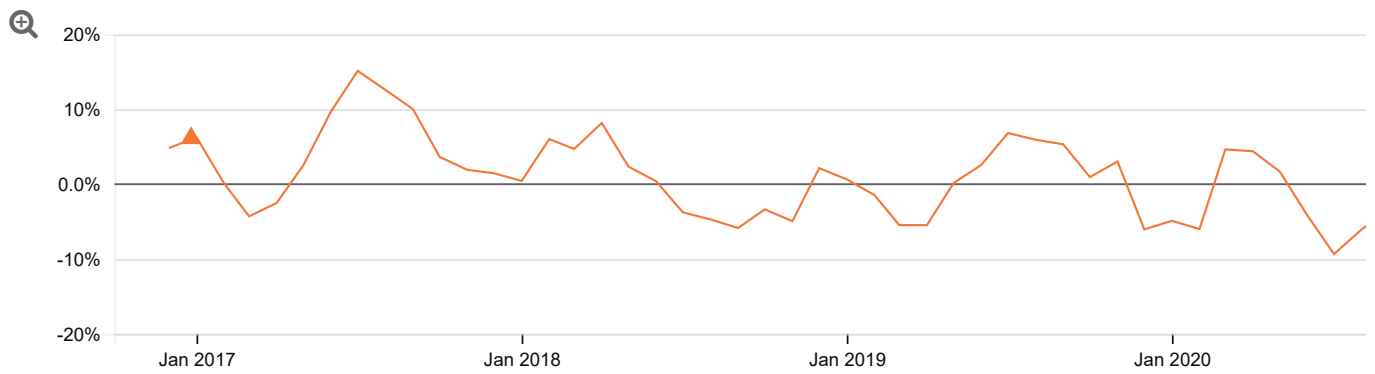


**Percentage change (yearly) by type of property in Camden** 



- ☐ All property types ☐ Detached houses ☐ Semi-detached houses ☐ Terraced houses  
☒ Flats and maisonettes

< [See data graph](#) [See data table](#) [Download this data](#) [Compare with location ...](#) >

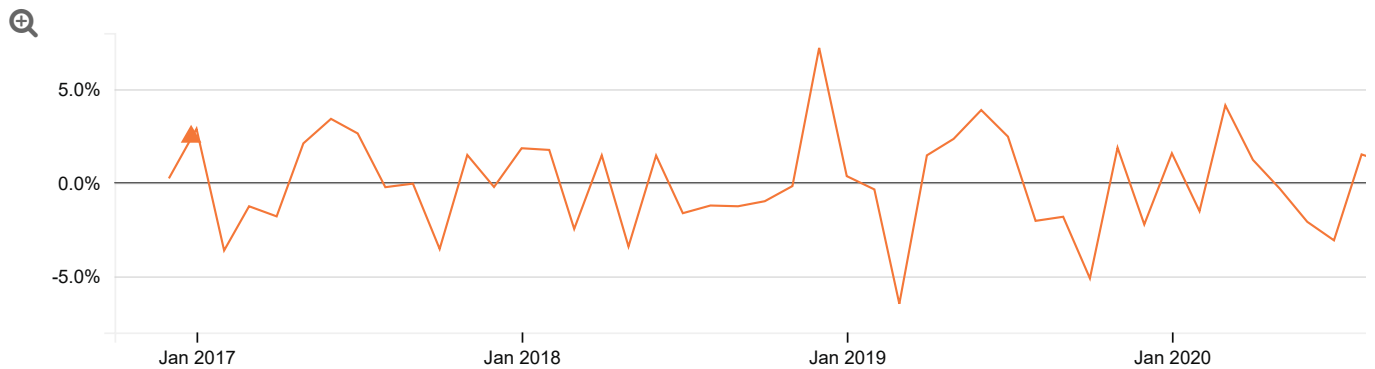


## Percentage change (monthly) by type of property in Camden



- ☐ All property types
 ☐ Detached houses
 ☐ Semi-detached houses
 ☐ Terraced houses
 ☒ Flats and maisonettes

[See data graph](#)
[See data table](#)
[Download this data](#)
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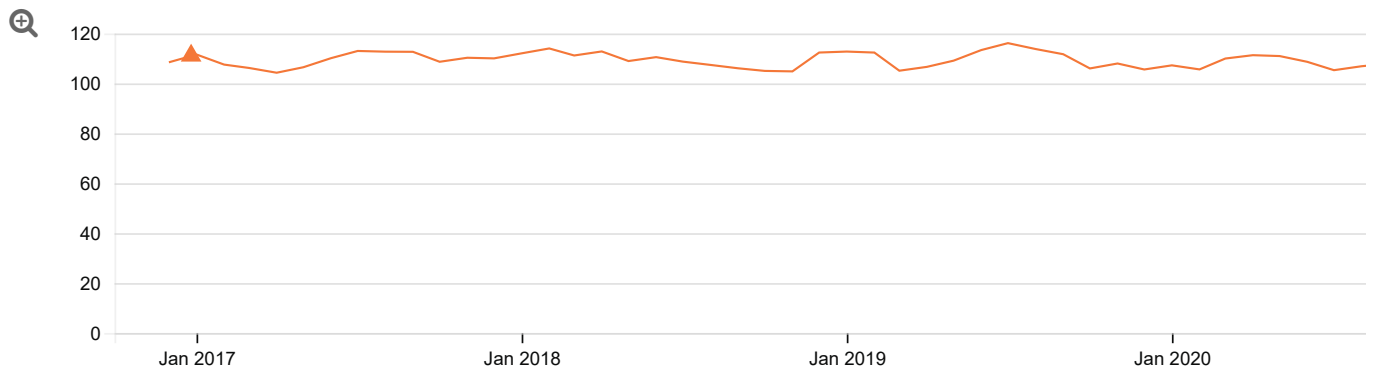


## House price index by type of property in Camden



- ☐ All property types
 ☐ Detached houses
 ☐ Semi-detached houses
 ☐ Terraced houses
 ☒ Flats and maisonettes

[See data graph](#)
[See data table](#)
[Download this data](#)
[Compare with location ...](#)



## Sales volume by type of property in Camden



### Buyer status


Track the index, average price and both monthly and annual change by the type of buyer e.g First Time Buyer or Former Owner Occupier

**Average price by buyer status in** Camden 



**Percentage change (yearly) by buyer status in** Camden 



**Percentage change (monthly) by buyer status in** Camden 



**House price index by buyer status in** Camden 



### Funding status

Track the index, average price, both monthly and annual change and sales volumes by funding status e.g. Cash/Mortgage

**Average price by funding status in** Camden 



**Percentage change (yearly) by funding status in** Camden 



**Percentage change (monthly) by funding status in** Camden 



**House price index by funding status in** Camden 



**Sales volume by funding status in** Camden 



### Property status

Track the index, average price, both monthly and annual change and sales volumes by funding by property status e.g. New/Existing

**Average price by property status in** Camden 



**Percentage change (yearly) by property status in** Camden 



**Percentage change (monthly) by property status in** Camden 



**House price index by property status in** Camden 



**Sales volume by property status in** Camden 



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Application release 1.5.15

## Appendix B



330 Grays Inn Road, Ear Nose & Throat Hospital  
BPS Review (proposed scheme)

Development Appraisal  
BPS Surveyors  
27 April 2021

# APPRAISAL SUMMARY

# BPS SURVEYORS

## 330 Grays Inn Road, Ear Nose & Throat Hospital BPS Review (proposed scheme)

### Appraisal Summary for Merged Phases 1 2 3

Currency in £

#### REVENUE

Sales Valuation	Units	ft²	Sales Rate ft²	Unit Price	Gross Sales
Residential Block A (LAR)	7	8,428	100.00	120,400	842,800
Residential Block A (Intermediate Rent)	25	15,888	240.00	152,525	3,813,120
Residential Block B (Private)	44	30,849	1,329.86	932,386	41,025,000
<b>Totals</b>	<b>76</b>	<b>55,165</b>			<b>45,680,920</b>

#### Rental Area Summary

	Units	ft²	Rent Rate ft²	Initial MRV/Unit	Net Rent at Sale	Initial MRV
Hotel GDV (182 keys)	1	54,724		0	0	
Offices (Floors LG - 3)	1	58,010	63.41	3,678,600	3,678,600	3,678,600
Offices (Floors 4 - 7)	1	42,495	68.83	2,924,800	2,924,800	2,924,800
Gym	1	12,370	22.50	278,325	278,325	278,325
Affordable workspace	1	5,000	32.64	163,200	163,200	163,200
<b>Totals</b>	<b>5</b>	<b>172,599</b>			<b>7,044,925</b>	<b>7,044,925</b>

#### Investment Valuation

##### Hotel GDV (182 keys)

Manual Value					78,580,000
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##### Offices (Floors LG - 3)

Market Rent	3,678,600	YP @	4.7500%	21.0526	
(1mth Unexpired Rent Free)		PV 1mth @	4.7500%	0.9961	77,145,297

##### Offices (Floors 4 - 7)

Market Rent	2,924,800	YP @	4.5000%	22.2222	
(1yr 1mth Unexpired Rent Free)		PV 1yr 1mth @	4.5000%	0.9534	61,968,980

##### Gym

Market Rent	278,325	YP @	6.5000%	15.3846	
(1mth Unexpired Rent Free)		PV 1mth @	6.5000%	0.9948	4,259,511

##### Affordable workspace

Current Rent	163,200	YP @	5.2500%	19.0476	3,108,571
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##### Total Investment Valuation

225,062,359

#### GROSS DEVELOPMENT VALUE

270,743,279

Purchaser's Costs	(9,960,800)
Effective Purchaser's Costs Rate	4.43%
	(9,960,800)

#### NET DEVELOPMENT VALUE

260,782,478

Income from Tenants	149,600
---------------------	---------

#### NET REALISATION

260,932,078

#### OUTLAY

##### ACQUISITION COSTS

BMLV (AUV) - Net Value	19,400,000		
BMLV (AUV) - Net Value		19,400,000	
			19,400,000

##### CONSTRUCTION COSTS

Construction	ft²	Build Rate ft²	Cost
Hotel GDV (182 keys)	101,468	388.31	39,401,039
Offices (Floors LG - 3)	82,459	388.31	32,019,706
Offices (Floors 4 - 7)	60,397	388.31	23,452,577
Gym	15,885	388.31	6,168,304
Affordable workspace	8,058	388.31	3,129,002
Residential Block A (LAR)	14,008	388.31	5,439,446
Residential Block A (Intermediate Rent)	26,408	388.31	10,254,490

**APPRAISAL SUMMARY****BPS SURVEYORS****330 Grays Inn Road, Ear Nose & Throat Hospital****BPS Review (proposed scheme)**

Residential Block B (Private)	47,702	388.31	18,523,164	
<b>Totals</b>	<b>356,385 ft²</b>		<b>138,387,729</b>	
Contingency		5.00%	6,919,386	
CIL			4,535,719	
S106			2,000,000	151,842,835
<b>Other Construction</b>				
Office void (manual cost)			1,615,031	1,615,031
<b>PROFESSIONAL FEES</b>				
Professional Fees		12.00%	16,800,331	16,800,331
<b>MARKETING &amp; LETTING</b>				
Letting Agent Fee		10.00%	704,492	
Letting Legal Fee		5.00%	352,246	1,056,739
<b>DISPOSAL FEES</b>				
Commercial disposal (all-in)		1.50%	3,226,523	
Residential Agents/legals/marketing		2.50%	1,025,625	4,252,148
<b>MISCELLANEOUS FEES</b>				
Commercial Profit		15.00%	11,787,000	
Commercial Profit		15.00%	21,972,354	
Private profit		17.50%	7,179,375	
Affordable resi profit		6.00%	279,355	41,218,084
<b>FINANCE</b>				
Debit Rate 6.500%, Credit Rate 0.000% (Nominal)				
Total Finance Cost				28,564,403
<b>TOTAL COSTS</b>				<b>264,749,571</b>
<b>PROFIT</b>				<b>(3,817,493)</b>

**Performance Measures**

Profit on Cost%	-1.44%
Profit on GDV%	-1.41%
Development Yield% (on Rent)	2.66%
Equivalent Yield% (Nominal)	4.70%
Equivalent Yield% (True)	4.84%
IRR% (without Interest)	5.59%
Rent Cover	-7 mths
Profit Erosion (finance rate 6.500)	N/A

**330 Grays Inn Road, Ear Nose & Throat Hospital  
BPS Review (proposed scheme)**
**Table of Profit Amount and Profit Amount**

Rent: Yield	Construction: Rate /ft²				
Sales: Gross Sales	-5.000%	-2.500%	0.000%	+2.500%	+5.000%
	368.89 /ft²	378.60 /ft²	388.31 /ft²	398.02 /ft²	407.73 /ft²
-5.000%	£4,035,676	(£599,012)	(£5,233,700)	(£9,868,389)	(£14,503,077)
	£4,035,676	(£599,012)	(£5,233,700)	(£9,868,389)	(£14,503,077)
-2.500%	£5,032,631	£397,943	(£4,236,746)	(£8,871,434)	(£13,506,122)
	£5,032,631	£397,943	(£4,236,746)	(£8,871,434)	(£13,506,122)
0.000%	£6,029,586	£1,394,898	(£3,239,791)	(£7,874,479)	(£12,509,167)
	£6,029,586	£1,394,898	(£3,239,791)	(£7,874,479)	(£12,509,167)
+2.500%	£7,026,541	£2,391,852	(£2,242,836)	(£6,877,524)	(£11,512,212)
	£7,026,541	£2,391,852	(£2,242,836)	(£6,877,524)	(£11,512,212)
+5.000%	£8,023,495	£3,388,807	(£1,245,881)	(£5,880,569)	(£10,515,257)
	£8,023,495	£3,388,807	(£1,245,881)	(£5,880,569)	(£10,515,257)
Rent: Yield	Construction: Rate /ft²				
Sales: Gross Sales	-5.000%	-2.500%	0.000%	+2.500%	+5.000%
	368.89 /ft²	378.60 /ft²	388.31 /ft²	398.02 /ft²	407.73 /ft²
-5.000%	£3,746,100	(£888,588)	(£5,523,276)	(£10,157,964)	(£14,792,652)
	£3,746,100	(£888,588)	(£5,523,276)	(£10,157,964)	(£14,792,652)
-2.500%	£4,743,055	£108,367	(£4,526,321)	(£9,161,009)	(£13,795,698)
	£4,743,055	£108,367	(£4,526,321)	(£9,161,009)	(£13,795,698)
0.000%	£5,740,010	£1,105,322	(£3,529,366)	(£8,164,054)	(£12,798,743)
	£5,740,010	£1,105,322	(£3,529,366)	(£8,164,054)	(£12,798,743)
+2.500%	£6,736,965	£2,102,277	(£2,532,411)	(£7,167,100)	(£11,801,788)
	£6,736,965	£2,102,277	(£2,532,411)	(£7,167,100)	(£11,801,788)
+5.000%	£7,733,920	£3,099,232	(£1,535,456)	(£6,170,145)	(£10,804,833)
	£7,733,920	£3,099,232	(£1,535,456)	(£6,170,145)	(£10,804,833)
Rent: Yield	Construction: Rate /ft²				
Sales: Gross Sales	-5.000%	-2.500%	0.000%	+2.500%	+5.000%
	368.89 /ft²	378.60 /ft²	388.31 /ft²	398.02 /ft²	407.73 /ft²
-5.000%	£3,457,974	(£1,176,714)	(£5,811,403)	(£10,446,091)	(£15,080,779)
	£3,457,974	(£1,176,714)	(£5,811,403)	(£10,446,091)	(£15,080,779)
-2.500%	£4,454,929	(£179,759)	(£4,814,448)	(£9,449,136)	(£14,083,824)
	£4,454,929	(£179,759)	(£4,814,448)	(£9,449,136)	(£14,083,824)
0.000%	£5,451,884	£817,195	(£3,817,493)	(£8,452,181)	(£13,086,869)
	£5,451,884	£817,195	(£3,817,493)	(£8,452,181)	(£13,086,869)
+2.500%	£6,448,839	£1,814,150	(£2,820,538)	(£7,455,226)	(£12,089,914)
	£6,448,839	£1,814,150	(£2,820,538)	(£7,455,226)	(£12,089,914)
+5.000%	£7,445,793	£2,811,105	(£1,823,583)	(£6,458,271)	(£11,092,959)
	£7,445,793	£2,811,105	(£1,823,583)	(£6,458,271)	(£11,092,959)
Rent: Yield	Construction: Rate /ft²				
Sales: Gross Sales	-5.000%	-2.500%	0.000%	+2.500%	+5.000%
	368.89 /ft²	378.60 /ft²	388.31 /ft²	398.02 /ft²	407.73 /ft²
-5.000%	£3,171,286	(£1,463,402)	(£6,098,091)	(£10,732,779)	(£15,367,467)
	£3,171,286	(£1,463,402)	(£6,098,091)	(£10,732,779)	(£15,367,467)
-2.500%	£4,168,241	(£466,448)	(£5,101,136)	(£9,735,824)	(£14,370,512)
	£4,168,241	(£466,448)	(£5,101,136)	(£9,735,824)	(£14,370,512)
0.000%	£5,165,196	£530,507	(£4,104,181)	(£8,738,869)	(£13,373,557)
	£5,165,196	£530,507	(£4,104,181)	(£8,738,869)	(£13,373,557)
+2.500%	£6,162,150	£1,527,462	(£3,107,226)	(£7,741,914)	(£12,376,602)
	£6,162,150	£1,527,462	(£3,107,226)	(£7,741,914)	(£12,376,602)
+5.000%	£7,159,105	£2,524,417	(£2,110,271)	(£6,744,959)	(£11,379,647)
	£7,159,105	£2,524,417	(£2,110,271)	(£6,744,959)	(£11,379,647)
Rent: Yield	Construction: Rate /ft²				
Sales: Gross Sales	-5.000%	-2.500%	0.000%	+2.500%	+5.000%
	368.89 /ft²	378.60 /ft²	388.31 /ft²	398.02 /ft²	407.73 /ft²
-5.000%	£2,886,025	(£1,748,663)	(£6,383,351)	(£11,018,039)	(£15,652,727)
	£2,886,025	(£1,748,663)	(£6,383,351)	(£11,018,039)	(£15,652,727)
-2.500%	£3,882,980	(£751,708)	(£5,386,396)	(£10,021,084)	(£14,655,772)
	£3,882,980	(£751,708)	(£5,386,396)	(£10,021,084)	(£14,655,772)
0.000%	£4,879,935	£245,247	(£4,389,441)	(£9,024,129)	(£13,658,818)
	£4,879,935	£245,247	(£4,389,441)	(£9,024,129)	(£13,658,818)
+2.500%	£5,876,890	£1,242,202	(£3,392,486)	(£8,027,174)	(£12,661,863)
	£5,876,890	£1,242,202	(£3,392,486)	(£8,027,174)	(£12,661,863)
+5.000%	£6,873,845	£2,239,157	(£2,395,531)	(£7,030,220)	(£11,664,908)
	£6,873,845	£2,239,157	(£2,395,531)	(£7,030,220)	(£11,664,908)

**Sensitivity Analysis : Assumptions for Calculation**
**Construction: Rate /ft²**

Project: S:\Joint Files\Current Folders\Camden Planning\330 Grays Inn Road Ear nose & Throat\Full application\BPS rebuttal\330 Grays Inn Road ENT, BPS  
ARGUS Developer Version: 8.20.003 Report Date: 27/04/2021

**330 Grays Inn Road, Ear Nose & Throat Hospital  
BPS Review (proposed scheme)**

Original Values are varied by Steps of 2.500%.

Heading	Phase	Rate	No. of Steps
Hotel GDV (182 keys)	1	£388.31	2.00 Up & Down
Offices (Floors LG - 3)	2	£388.31	2.00 Up & Down
Offices (Floors 4 - 7)	2	£388.31	2.00 Up & Down
Gym	2	£388.31	2.00 Up & Down
Affordable workspace	2	£388.31	2.00 Up & Down
Residential Block A (LAR)	3	£388.31	2.00 Up & Down
Residential Block A (Intermediate Rent)	3	£388.31	2.00 Up & Down
Residential Block B (Private)	3	£388.31	2.00 Up & Down

**Sales: Gross Sales**

Original Values are varied by Steps of 2.500%.

Heading	Phase	Amount	No. of Steps
Residential Block A (LAR)	3	£842,800	2.00 Up & Down
Residential Block A (Intermediate Rent)	3	£3,813,120	2.00 Up & Down
Residential Block B (Private)	3	£41,025,000	2.00 Up & Down

**Rent: Yield**

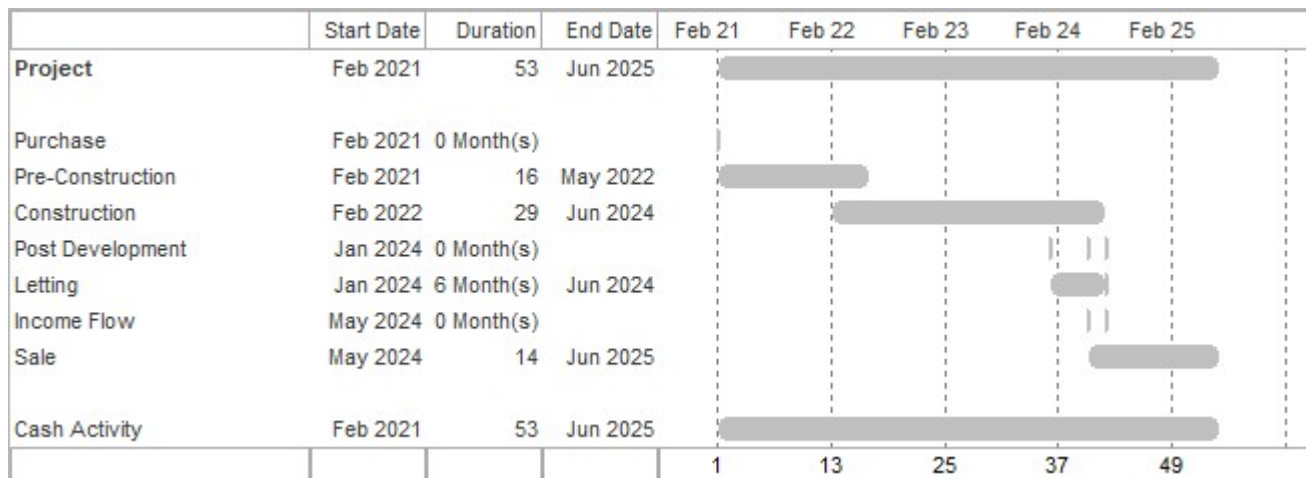
Original Values are varied by Steps of 0.250%.

Heading	Phase	Cap. Rate	No. of Steps
Offices (Floors LG - 3)	2	4.7500%	2.00 Up & Down
Offices (Floors 4 - 7)	2	4.5000%	2.00 Up & Down
Gym	2	6.5000%	2.00 Up & Down
Affordable workspace	2	5.2500%	2.00 Up & Down

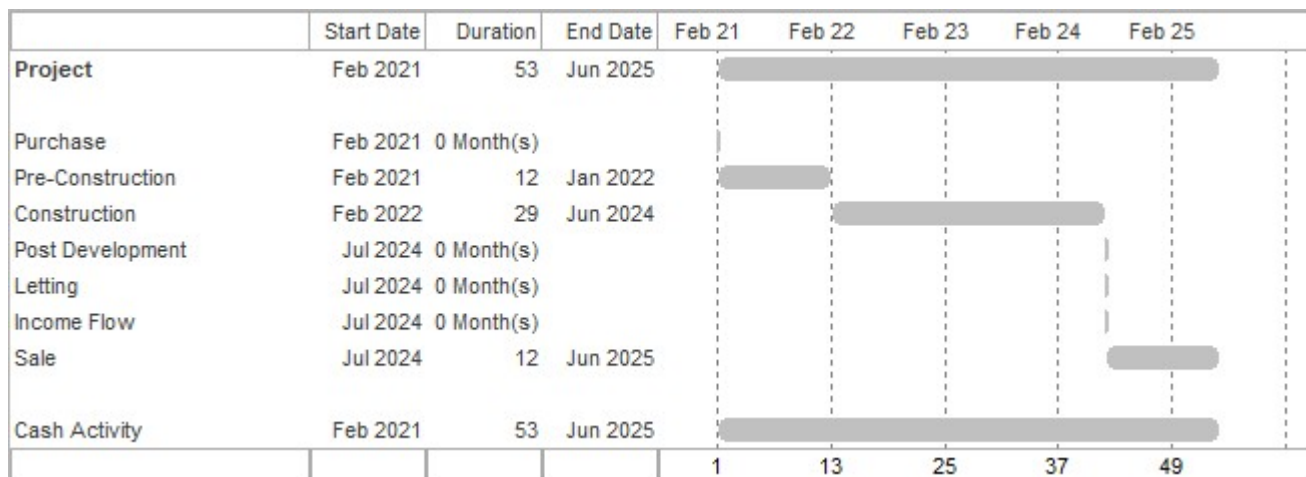
## 330 Grays Inn Road, Ear Nose & Throat Hospital BPS Review (proposed scheme)

Project Timescale	
Project Start Date	Feb 2021
Project End Date	Jun 2025
Project Duration (Inc Exit Period)	53 months

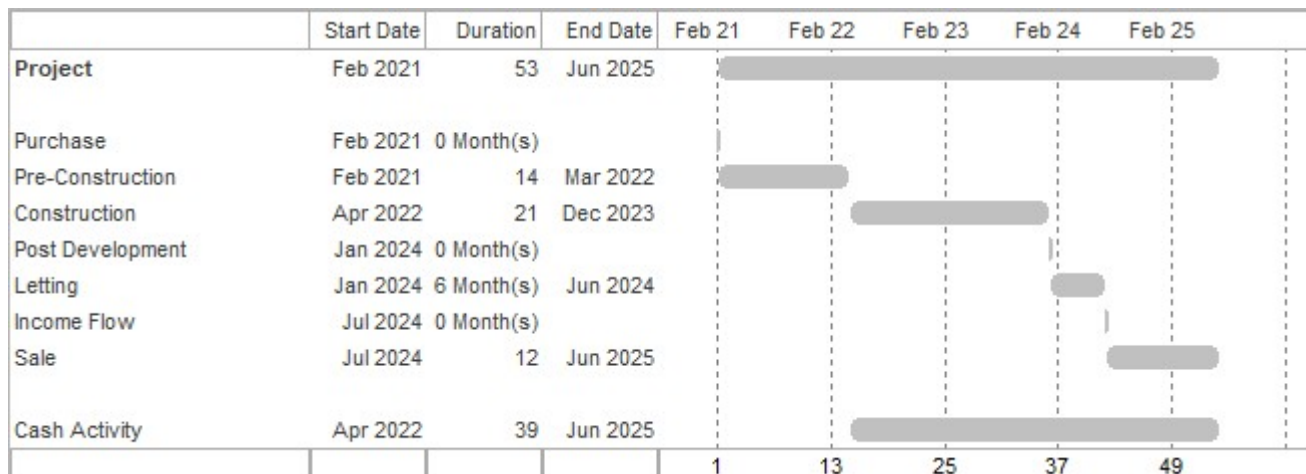
### All Phases



### 1. Hotel

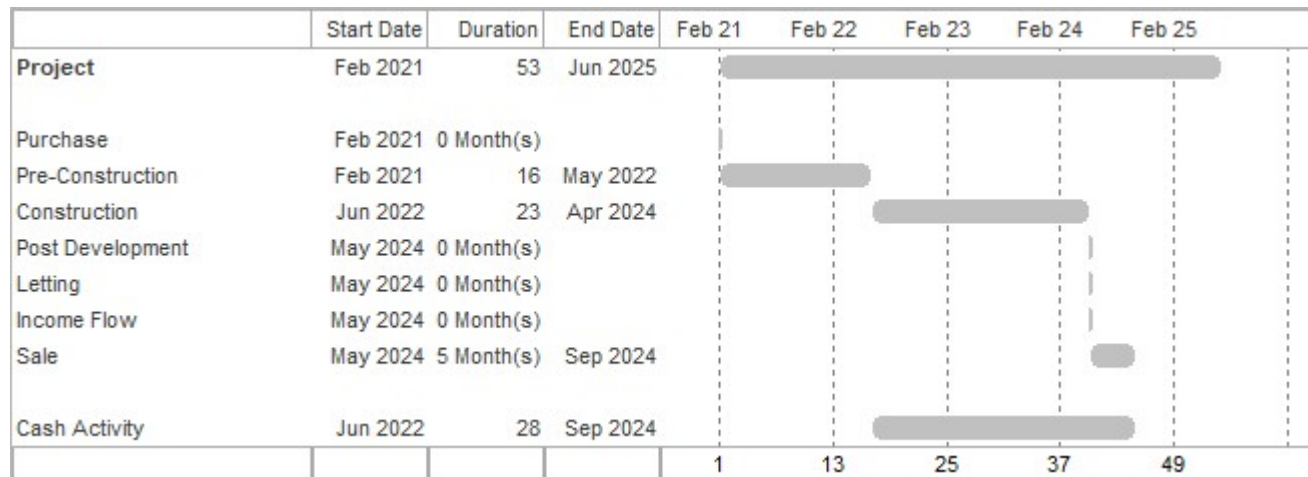


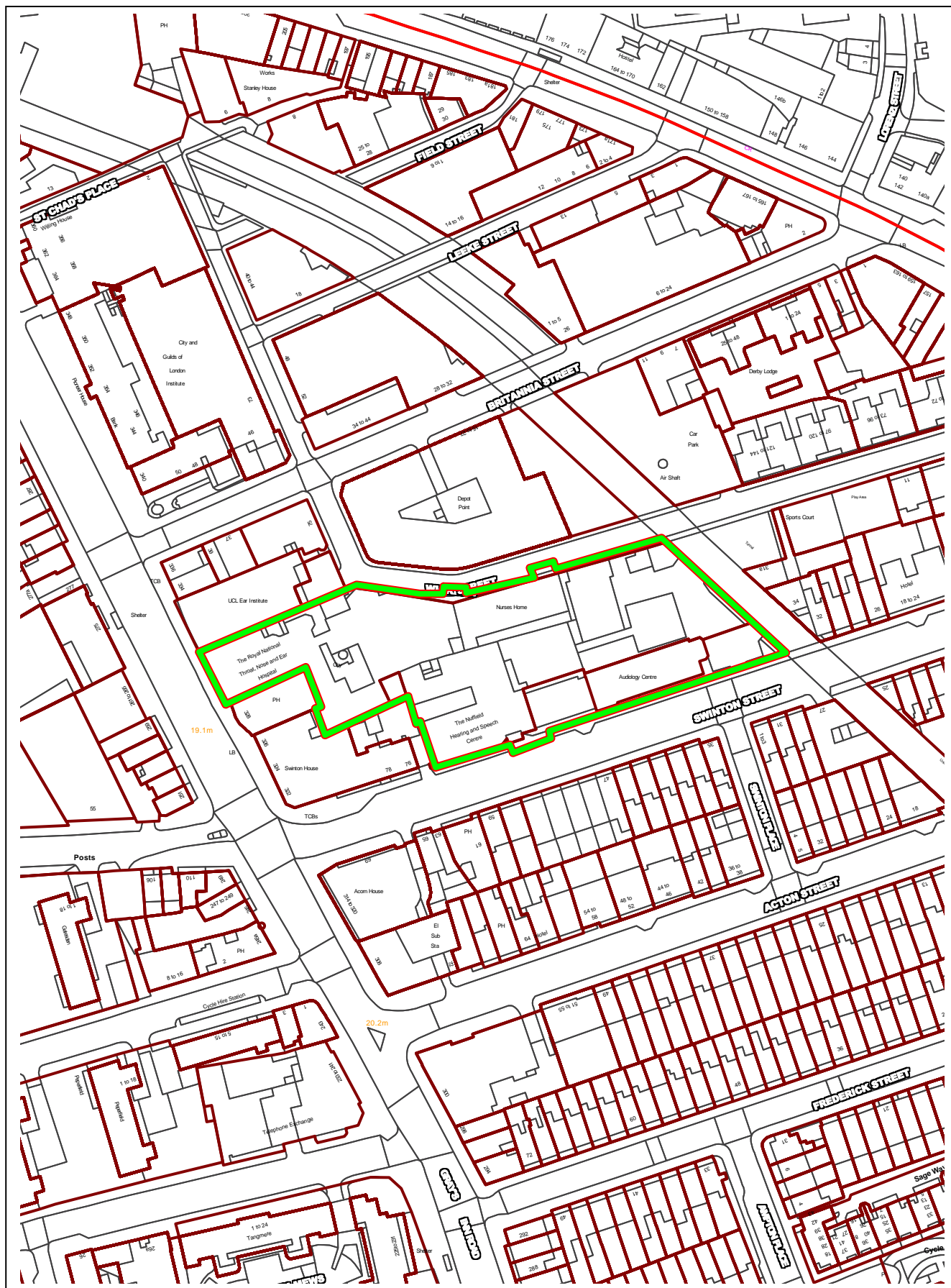
### 2. Office + Gym



**330 Grays Inn Road, Ear Nose & Throat Hospital**  
**BPS Review (proposed scheme)**

**3. Residential**





**Application No: 2020/5593/P**

**Royal National Throat, Nose And Ear Hospital Site  
330 Gray's Inn Road (and fronting Swinton Street and  
Wicklow Street)  
London WC1**

**Scale:  
1:1527**

**Date:  
25-Jun-21**



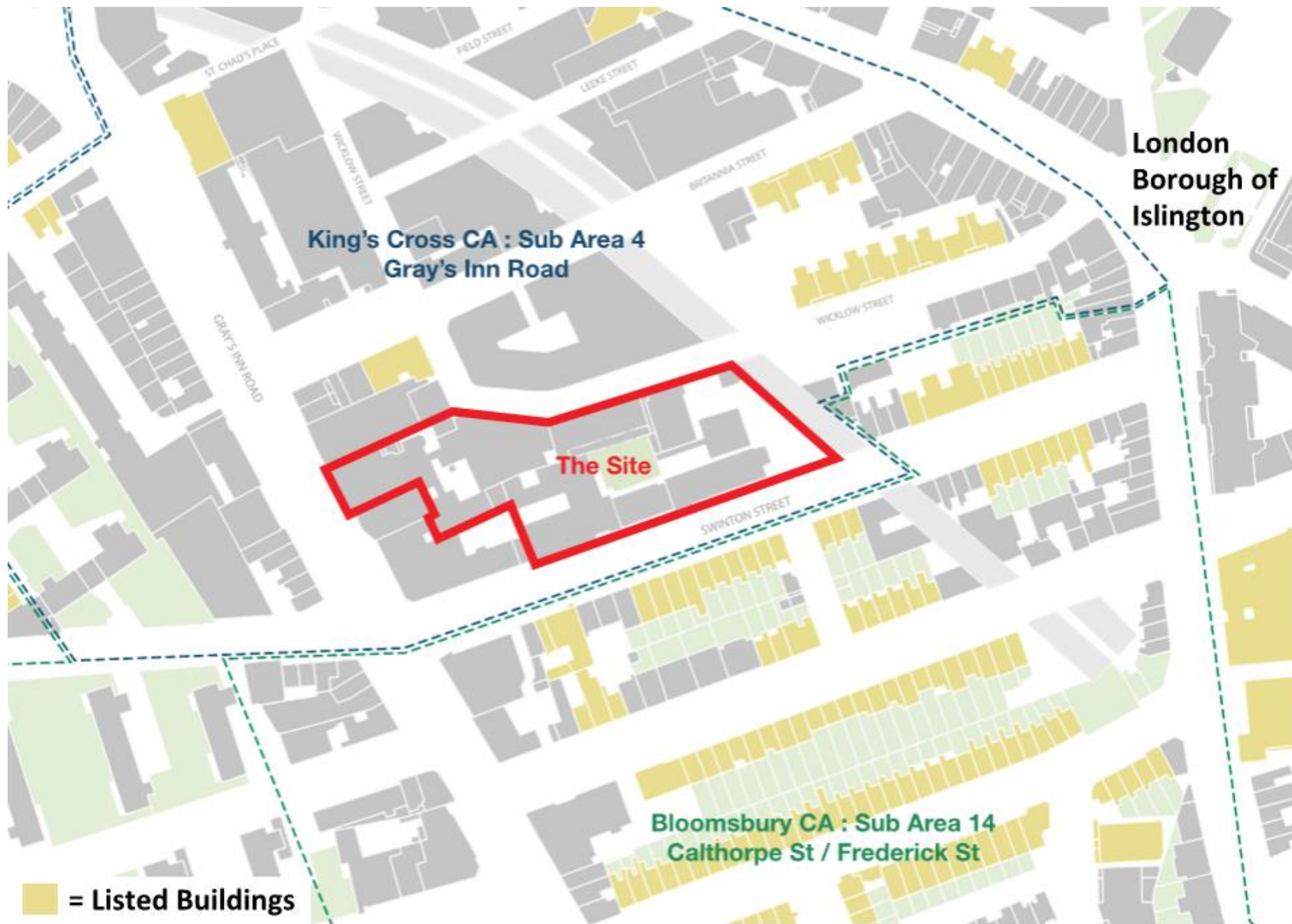














**Above:** From Britannia Street - Grade II Listed Church School of St Jude' and (name building



**Above:** Gray's Inn Road looking South towards the Site



**Above:** Gray's Inn Road looking North towards the Site



**Above:** Swinton Street looking West towards the Site





**Above:** Swinton Street looking towards the Site



**Above:** Wicklow Street looking West towards the Site (the listed Derby Lodge on the right)

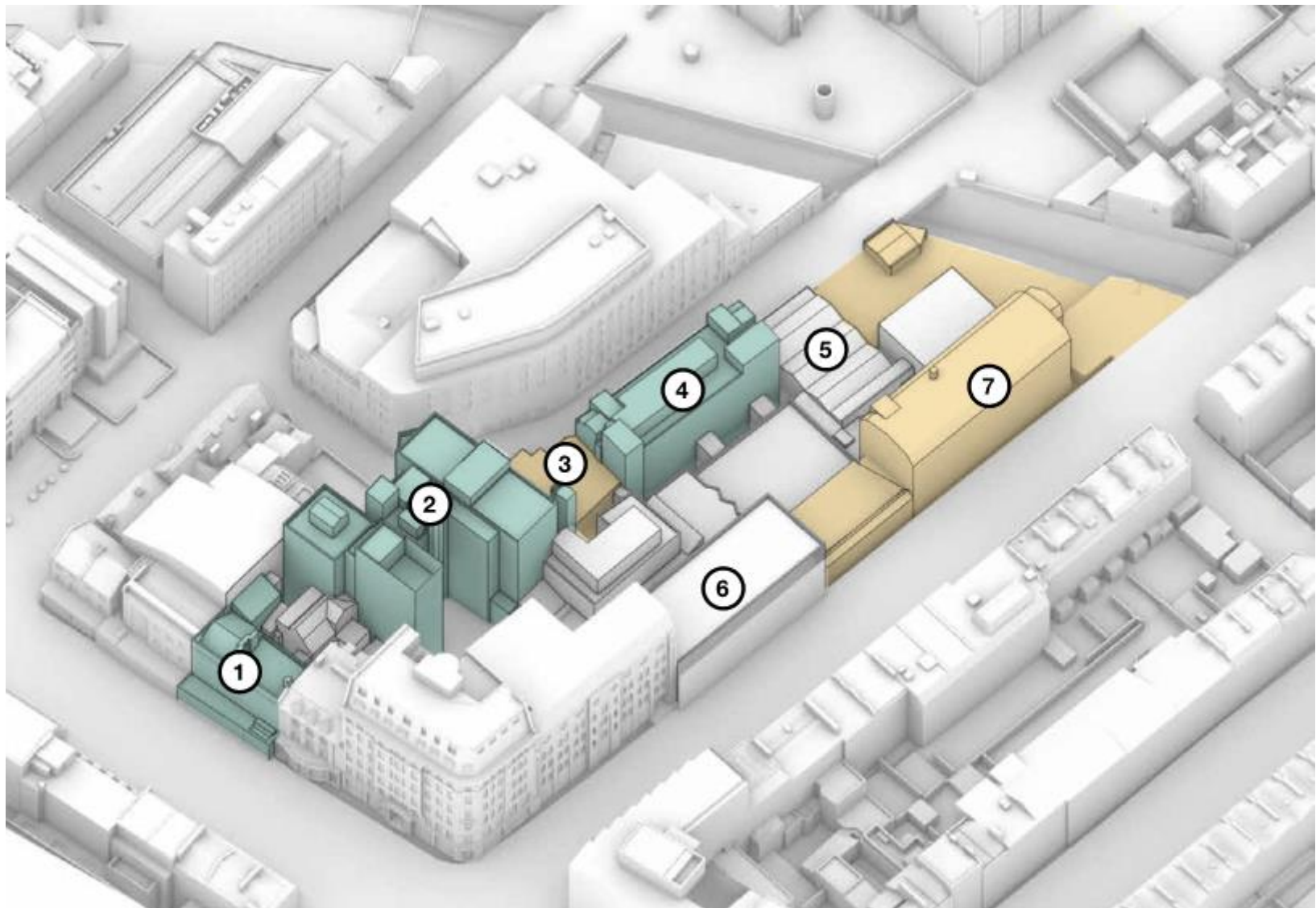


**Above:** Wicklow Street looking East towards the Site









Positive Contributors to the Conservation Area



Positive Contributors Proposed for Retention & Refurbishment

Positive Contributors Proposed for Demolition

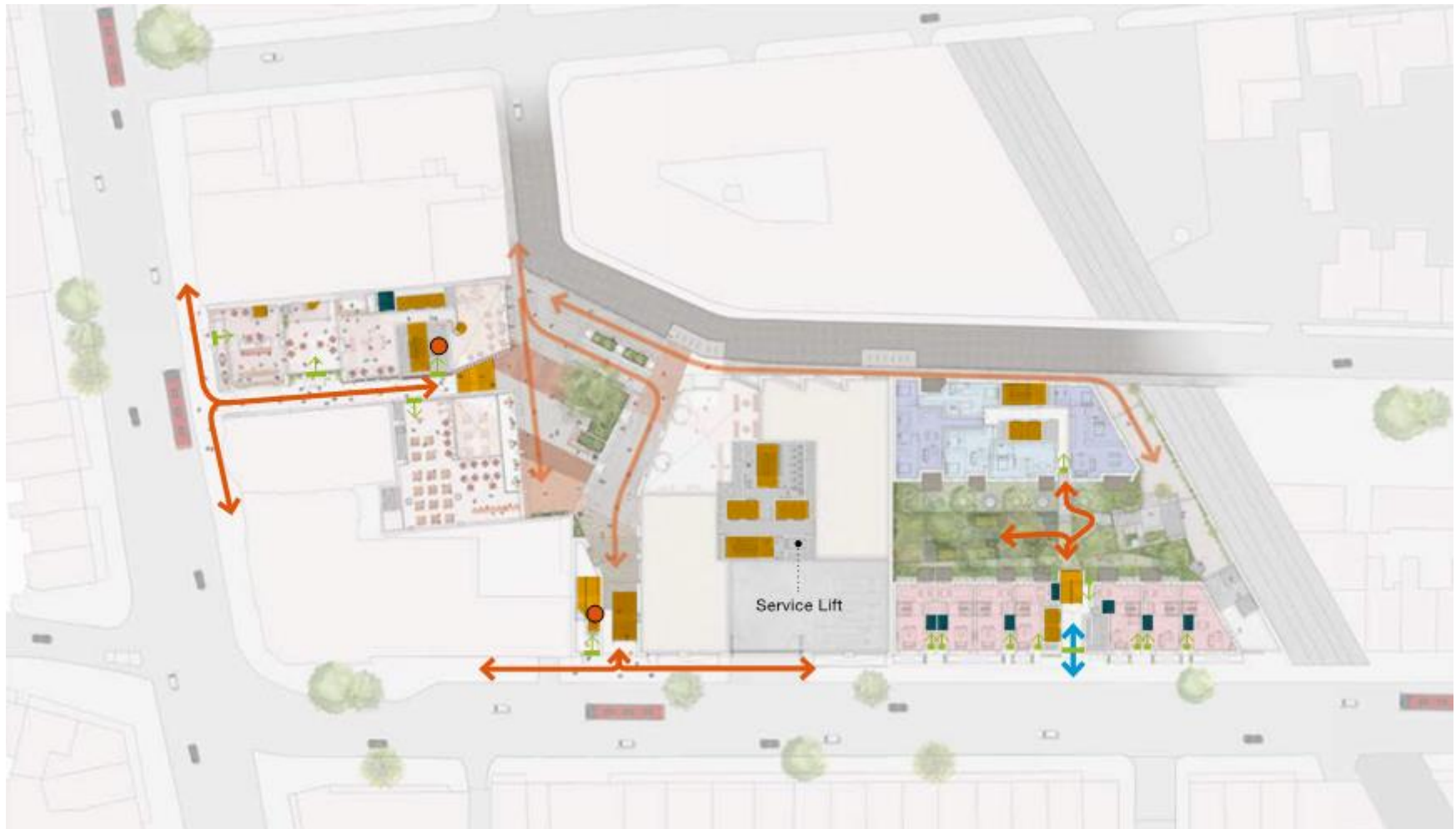
Other Buildings Proposed for Demolition

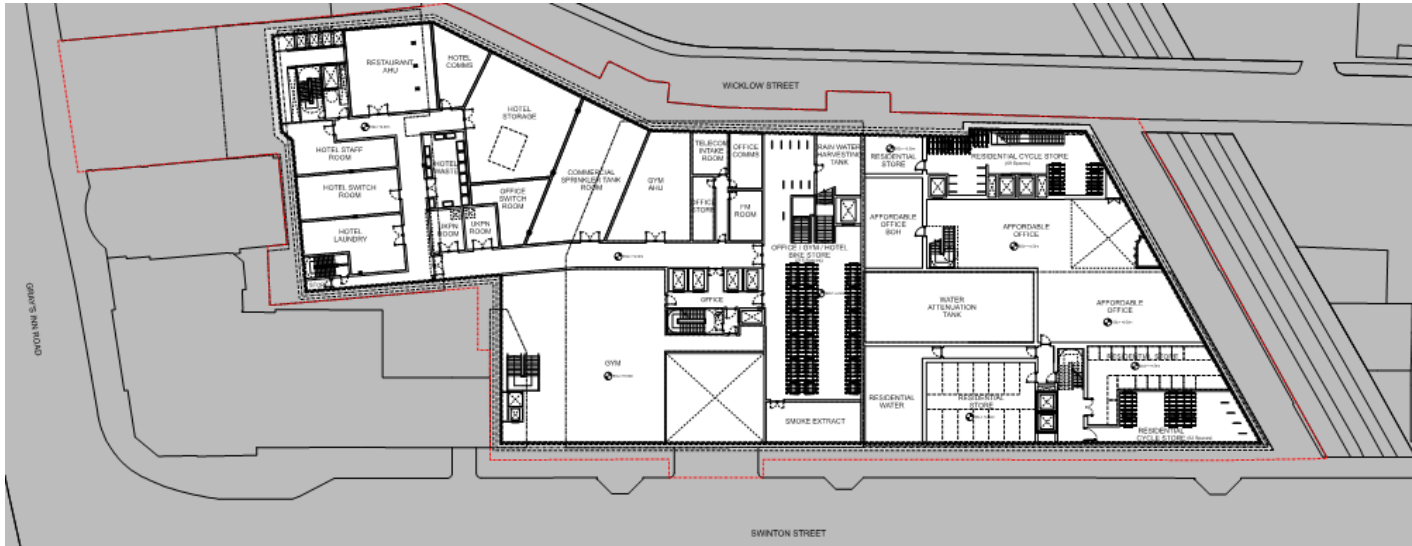
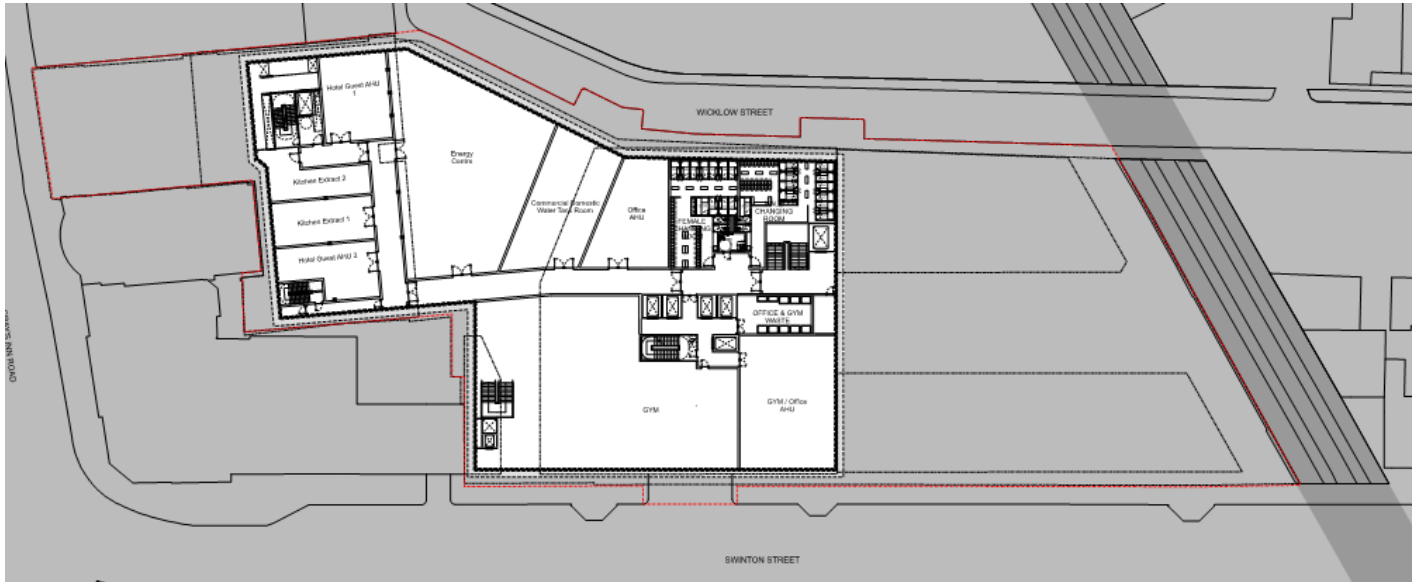














Existing : Gray's Inn Road Elevation (West Facing)



Proposed : Gray's Inn Road Elevation (West Facing)





Existing : Swinton Street Elevation (South Facing)



Proposed : Swinton Street Elevation (South Facing)



Existing : Wicklow Street Elevation (North Facing)



Proposed : Wicklow Street Elevation (North Facing)











Gate Open in Daylight Hours



Gate Closed in Evening Hours



Gate Open in Daylight Hours



Gate Closed in Evening Hours





Gate Open in Daylight Hours



Gate Closed in Evening Hours



Gate Open in Daylight Hours



Gate Closed in Evening Hours



































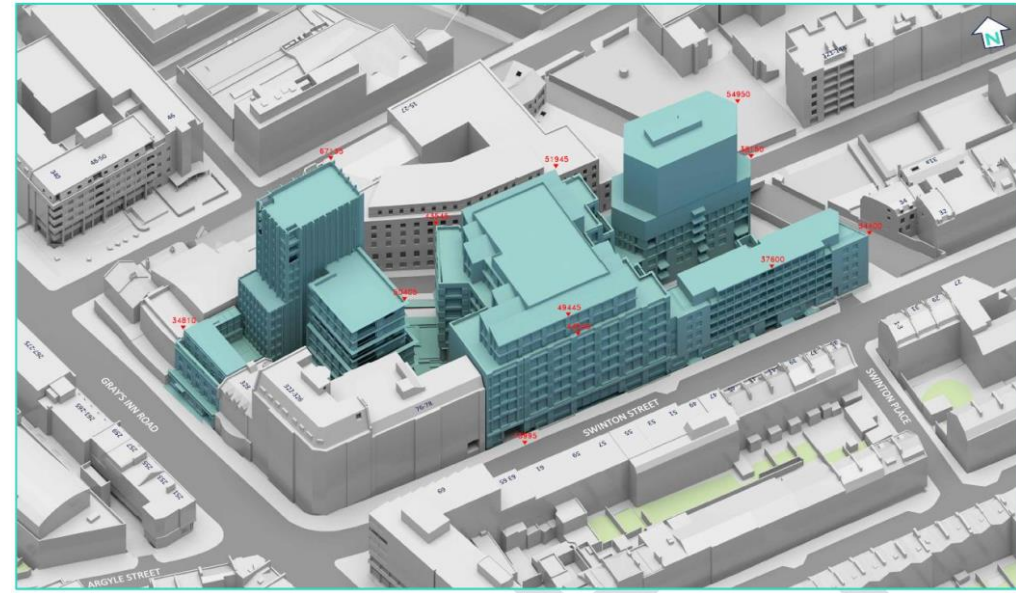
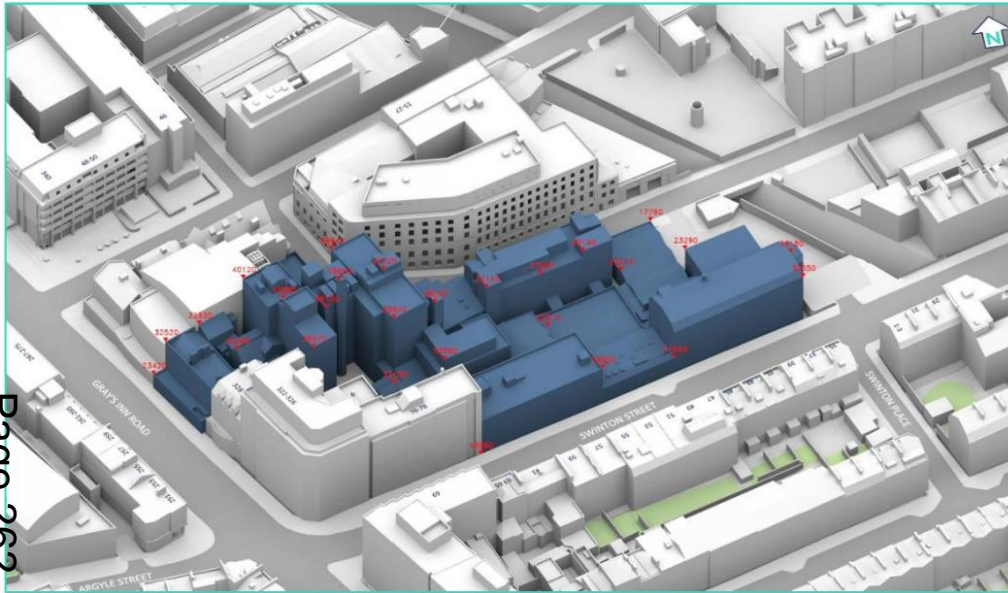




































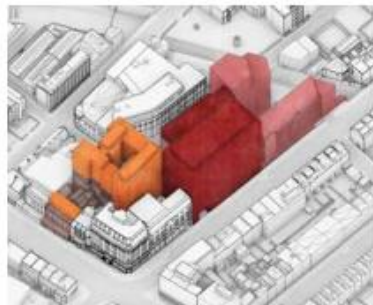






### Option 01

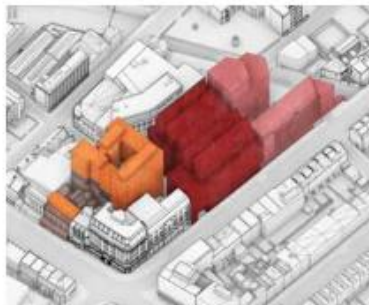
Retention of 330 Gray's Inn Road, Ward Buildings & Nurses Building



	<b>Building Use</b> <ul style="list-style-type: none"> <li>Retention of ward building creates more fragmented circulation in hotel</li> <li>Ground floor public uses become complex within retained buildings</li> </ul>
	<b>Servicing</b> <ul style="list-style-type: none"> <li>Insufficient space for rooftop plant</li> <li>Low floor to floor height issues to some buildings</li> <li>Adapting building to meet regulations challenging: energy &amp; fire</li> </ul>
	<b>Structure</b> <ul style="list-style-type: none"> <li>Limited structural capacity of the existing buildings</li> <li>Extent of structural reinforcement and remedial works not practical</li> </ul>
	<b>Townscape &amp; Heritage</b> <ul style="list-style-type: none"> <li>Retention of 4 existing buildings</li> <li>Significant external remodelling req</li> <li>Tall office building on Swinton St</li> <li>Smaller public space to hotel / office</li> <li>Increased proximity to neighbours</li> </ul>
	<b>Cost &amp; Risk</b> <ul style="list-style-type: none"> <li>Significant additional construction costs over new build due to cut &amp; carve nature of extension proposals</li> <li>Higher level of risk associated with the existing unknown condition of buildings</li> </ul>
	<b>Area</b> Area equivalent to current proposed

### Option 02

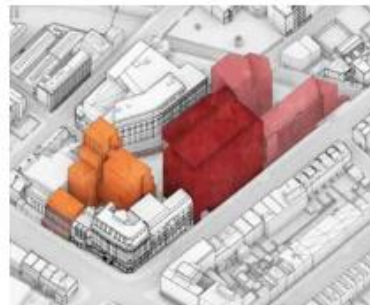
Retention of 330 Gray's Inn Road & Ward Buildings



	<b>Building Use</b> <ul style="list-style-type: none"> <li>Retention of ward building creates more fragmented circulation in hotel</li> <li>Ground floor public uses become complex within retained buildings</li> </ul>
	<b>Servicing</b> <ul style="list-style-type: none"> <li>Insufficient space for rooftop plant</li> <li>Adapting building to meet regulations challenging: energy &amp; fire</li> <li>New office allows for greater extent of rooftop services</li> </ul>
	<b>Structure</b> <ul style="list-style-type: none"> <li>Limited structural capacity of the existing buildings</li> <li>Extent of structural reinforcement and remedial works not practical</li> </ul>
	<b>Townscape &amp; Heritage</b> <ul style="list-style-type: none"> <li>Retention of 3 existing buildings</li> <li>Significant external remodelling req</li> <li>Smaller public space</li> <li>Removal of nurses building</li> <li>Increased proximity to neighbours</li> </ul>
	<b>Cost &amp; Risk</b> <ul style="list-style-type: none"> <li>Significant additional construction costs over new build due to cut &amp; carve nature of extension proposals</li> <li>Higher level of risk associated with the existing unknown condition of buildings</li> </ul>
	<b>Area</b> Area equivalent to current proposed

### Option 03

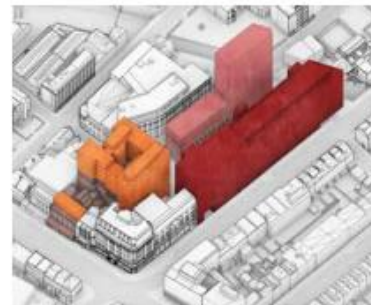
Retention of 330 Gray's Inn Road & Nurses Building



	<b>Building Use</b> <ul style="list-style-type: none"> <li>Efficient hotel layout with defined GF &amp; rooftop 'public' spaces</li> <li>Retention of existing nurse's building could limit viability for KQ occupier</li> </ul>
	<b>Servicing</b> <ul style="list-style-type: none"> <li>New hotel allows for greater servicing efficiencies</li> <li>Insufficient space for rooftop plant</li> <li>Adapting building to meet regulations challenging: energy &amp; fire</li> </ul>
	<b>Structure</b> <ul style="list-style-type: none"> <li>New build provides for greater efficiencies / structural capacity</li> <li>Extension on top of 330 Gray's Inn Road is limited</li> </ul>
	<b>Townscape &amp; Heritage</b> <ul style="list-style-type: none"> <li>Demolition of 2 existing buildings identified as positive contributors</li> <li>Retention of Original Hospital Building on Gray's Inn Road</li> <li>Tall office building on Swinton St</li> </ul>
	<b>Cost &amp; Risk</b> <ul style="list-style-type: none"> <li>Significant additional construction costs over new build due to cut &amp; carve nature of extension proposals</li> <li>Higher level of risk associated with the existing unknown condition of buildings</li> </ul>
	<b>Area</b> Area equivalent to current proposed

### Option 04

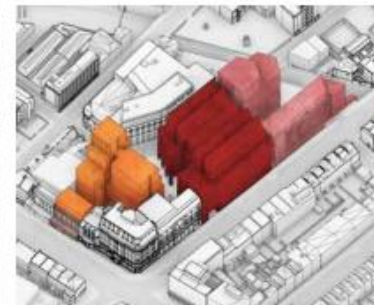
Retention of 330 Gray's Inn Road, Ward Buildings & Nurses Building



	<b>Building Use</b> <ul style="list-style-type: none"> <li>Retention of ward building creates more fragmented circulation in hotel</li> <li>Office not viable for office tenants</li> <li>Very thin residential building does not provide apartments with good aspect</li> </ul>
	<b>Servicing</b> <ul style="list-style-type: none"> <li>Adapting building to meet regulations challenging: energy &amp; fire</li> <li>New office allows for greater extent of rooftop services</li> </ul>
	<b>Structure</b> <ul style="list-style-type: none"> <li>Limited structural capacity of the existing buildings</li> <li>Extent of structural reinforcement and remedial works not practical</li> </ul>
	<b>Townscape &amp; Heritage</b> <ul style="list-style-type: none"> <li>Retention of 4 existing buildings</li> <li>Significant external remodelling req</li> <li>Tall &amp; long office building</li> <li>Residential building breaching LVMF</li> <li>Increased proximity to neighbours</li> </ul>
	<b>Cost &amp; Risk</b> <ul style="list-style-type: none"> <li>Significant additional construction costs over new build due to cut &amp; carve nature of extension proposals</li> <li>Higher level of risk associated with the existing unknown condition of buildings</li> </ul>
	<b>Area</b> Area equivalent to current proposed

### Current Proposed

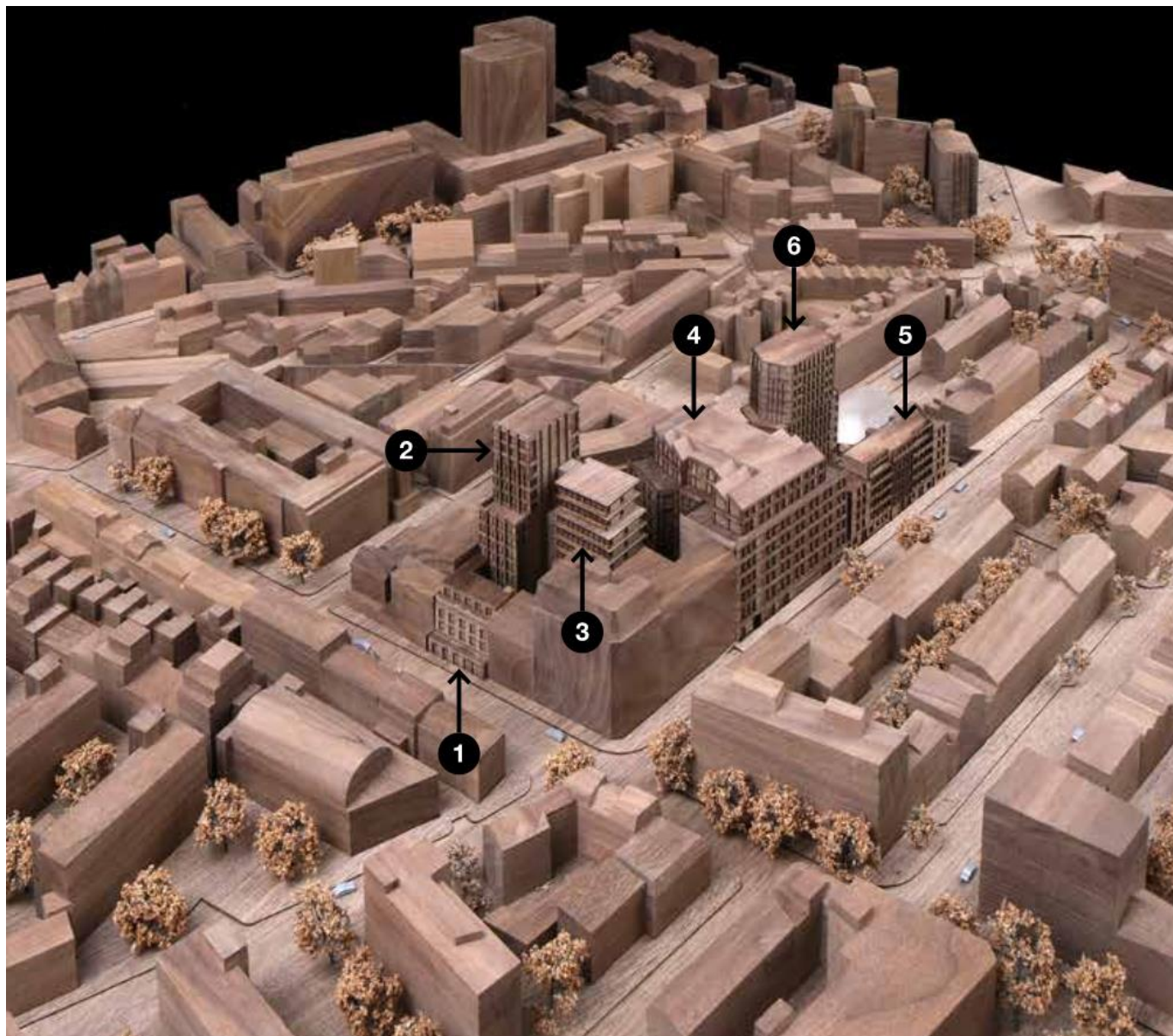
Retention of 330 Gray's Inn Road, scheme dated March 2020

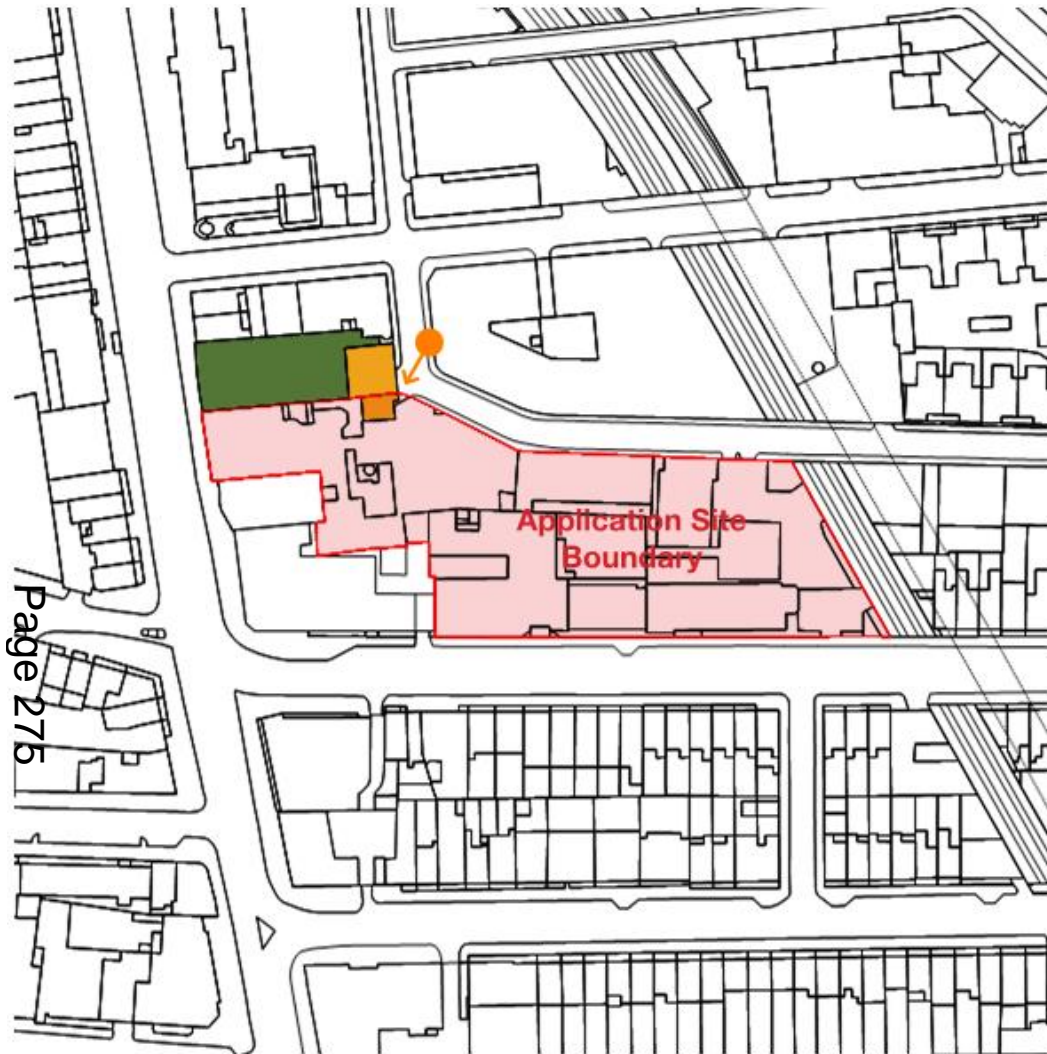


	<b>Building Use</b> <ul style="list-style-type: none"> <li>Efficient hotel layout with defined GF &amp; rooftop 'public' spaces</li> <li>Flexible regular office viable for KQ occupier &amp; potential for lab-enabled</li> </ul>
	<b>Servicing</b> <ul style="list-style-type: none"> <li>New buildings allow for greater interconnectivity for energy centre</li> <li>Allows for greater extent of necessary rooftop services</li> </ul>
	<b>Structure</b> <ul style="list-style-type: none"> <li>New build provides for greater efficiencies / structural capacity</li> <li>Extension on top of 330 Gray's Inn Road is limited</li> </ul>
	<b>Townscape &amp; Heritage</b> <ul style="list-style-type: none"> <li>Demolition of 3 existing buildings identified as positive contributors</li> <li>Retention of Original Hospital Building on Gray's Inn Road</li> <li>Lower office building &amp; reduced hotel footprint</li> </ul>
	<b>Cost &amp; Risk</b> <ul style="list-style-type: none"> <li>New-build including demolition is more economically viable than with part retention / cut &amp; carve</li> </ul>
	<b>Area</b> This is current proposed



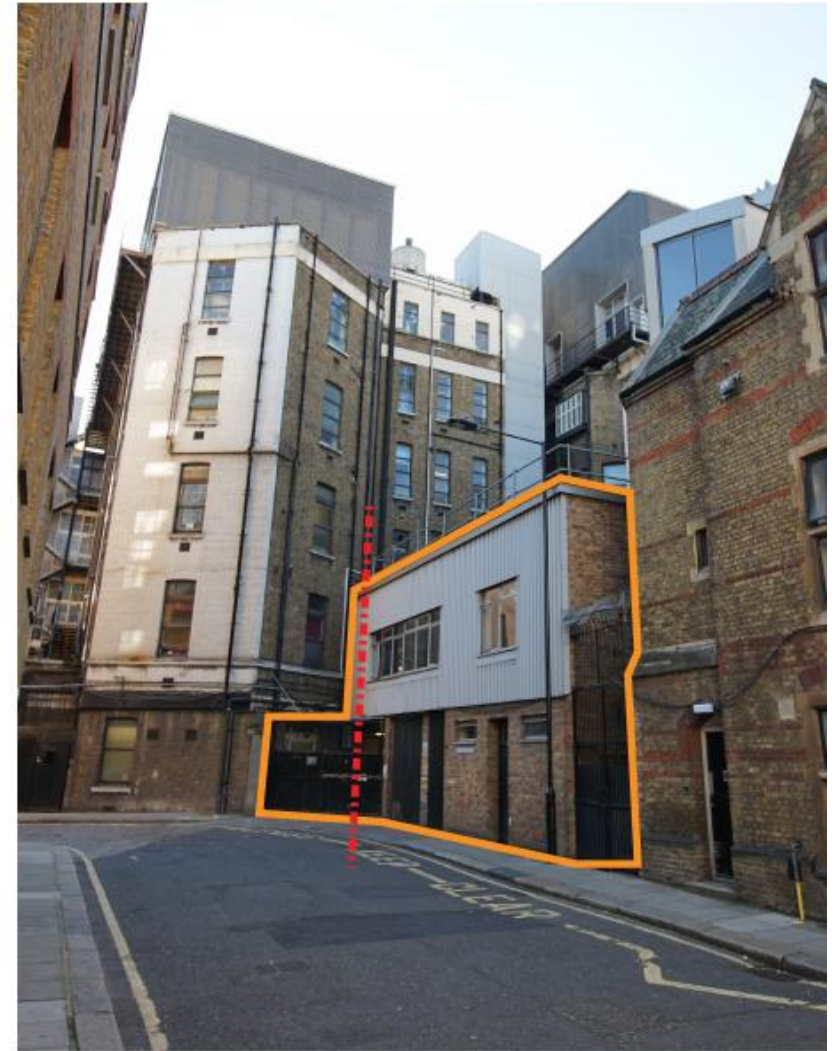






Site Plan View

- 2 storey building currently occupied by UCL straddling onto 330 Gray's Inn Road Ltd ownership
- Ear Institute (UCL)



View from Wicklow Street



