

MAYOR OF LONDON

Jonathan Markwell
Camden Council
Regeneration and Planning Development Management
Town Hall
Judd Street
WC1H 8ND

Our ref: D&P/3231/S2
Your ref: 2013/8088/P
Date: 17 April 2014

LONDON

Dear Mr Markwell,

Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008

Agar Grove Estate, Agar Grove, London NW1

I refer to your email of 14 April 2014 informing the Mayor that Camden Council is minded to grant planning permission for the above planning application. I refer you also to the notice that was issued on 8 April 2014 under the provisions of article 5(1)(b)(i) of the above Order.

The Mayor has delegated his planning powers to me and having now considered a report on this case (reference D&P/3231/02 copy enclosed), I am content to allow Camden Council to determine the case itself, subject to any action that the Secretary of State may take, and do not therefore wish to direct refusal.

Yours sincerely,



Sir Edward Lister
Deputy Mayor and Chief of Staff

cc Andrew Dismore, London Assembly Constituency Member
 Nicky Gavron, Chair of London Assembly Planning Committee
 National Planning Casework Unit, DCLG
 Alex Williams, TfL
 Charles Moran, CMA Planning Ltd., 113 The Timberyard, Drysdale Street, London N1D 6ND

Agar Grove Estate, Agar Grove

in the London Borough of Camden

planning application no. 2013/8088/P

Strategic planning application stage II referral

Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008.

The proposal

Demolition of all existing buildings and structures except Lulworth House and Agar Children's Centre (249 existing residential units and 2 retail units); and erection of new buildings ranging between 4 and 18 storeys in height along with the refurbishment and extension of Lulworth House (extending from 18 to 20 storeys in total) to provide a total of 493 residential units, comprising 240 market, 37 intermediate and 216 social rented units; 2 retail units (Class A1 / A3); business space (Class B1(a)); refuse and recycling facilities; car and cycle parking facilities; landscaping / amenity space; and associated works.

The applicant

The applicant is **Camden Council** and the architects are **Hawkins Brown/Mae and Grant Associates**.

Strategic issues

The application is not fully compliant with energy policies of the London Plan. However, on balance, taking into account all material considerations, the application is supported in line with London Plan policies.

The Council's decision

In this instance Camden Council has resolved to grant permission.

Recommendation

That Camden Council be advised that the Mayor is content for it to determine the case itself, subject to any action that the Secretary of State may take, and does not therefore wish to direct refusal or direct that he is to be the local planning authority.

Context

1 The Mayor of London received documents from Council notifying him of a planning application of potential strategic importance to develop the above site for the above uses. This was referred to the Mayor under Category 1A, 1C and 3A of the Schedule to the Order 2008: “.

2 On 7 March 2014 the Mayor considered planning report D&P/3231/S1, and subsequently advised Camden Council that the application did not comply with the London Plan, for the reasons set out in paragraph 87 of the above-mentioned report; but that the possible remedies set out in that paragraph could address those deficiencies.

3 A copy of the above-mentioned report is attached. The essentials of the case with regard to the proposal, the site, case history, strategic planning issues and relevant policies and guidance are as set out therein, unless otherwise stated in this report. Since then, the application has been revised in response to the Mayor's concerns (see below). On 3 April 2014, Camden Council decided that it was minded to grant planning permission for the revised application, and on 4 April 2014, it advised the Mayor of this decision via email. Under the provisions of Article 5 of the Town & Country Planning (Mayor of London) Order 2008 the Mayor may allow the draft decision to proceed unchanged, direct Camden Council under Article 6 to refuse the application or issue a direction to Camden Council under Article 7 that he is to act as the Local Planning Authority for the purposes of determining the application and any connected application. The Mayor has until 17 April 2014 to notify the Council of his decision and to issue any direction.

4 The decision on this case, and the reasons will be made available on the GLA's website www.london.gov.uk.

Update

Housing

5 Camden Council has imposed a suitably worded condition requiring the applicant and/or developer to submit a Financial Viability Assessment to re-appraise the affordable housing provision near completion of phase 5 and prior to the commencement of phase 6, which is welcomed.

Inclusive design

6 Generally it is considered that the scheme accords with London Plan Policy 7.2 Inclusive Environments. Lifetime Homes Standards, Wheelchair Housing standards have been conditioned and detailed layouts have been approved by Camden's Officers which is welcomed. Any alterations would need further approval from Camden's Officers which is also welcomed. Mobility Scooter storage will be provided as recommended and is secured through suitably worded condition.

Urban Design

7 Officers had recommended that a planning condition should be secured to allow the road running along the eastern edge of the site to be shared by a future development to the east. The applicant has indicated an in-principle willingness to follow such an approach. Camden Council has stated that a design code of principles can be secured via condition, which would be formally established once a subsequent scheme comes forward at this nearby site, to enable the connections between the two sites to be strengthened. This is considered acceptable.

B The applicant was asked to consider providing individual front entrances to the semi-duplex units on the ground floor of Lulworth House directly from the public realm. In response, the applicant has stated that this approach would cut off residents from the common entrance, and also compromise the quality of accommodation as part of the frontage would be lost to incorporate an entrance. The applicant's response is considered reasonable and the proposed approach is therefore accepted in this instance.

Energy

9 The applicant has provided further information on how a site heat network could be delivered and the practical implications of it, but is still proposing a block by block approach, safeguarding routes for a site wide heat network to be retrofitted at a later stage. The applicant has also rejected the suggested proposal from energy officers to include a single, permanent energy centre in phase 4 of the development (plot B). As such, the development proposal is not compliant with London Plan Policy 5.2, which requires prioritisation of decentralised energy over renewable technology, or Policy 5.6 which specifies the energy systems hierarchy to be followed.

10 The applicant has stated that the approach suggested by GLA officers would significantly increase cost by virtue of needing temporary plant equipment for the first 7/8 years of the development which would then become redundant once the permanent energy centre is built. To offset those costs, they would need to revisit the affordable housing element of the scheme, which would be counter to what the scheme is trying to achieve. They have also stressed that this project will be one of the largest Passivhaus schemes in the UK to date which will deliver sustainability benefits way beyond a traditional scheme, as well providing fuel poverty benefits for residents. Further, Camden Council's officer committee report acknowledges that a site wide network would ultimately reduce residential numbers and prevent a single decant for existing residents, which would be detrimental to the scheme and are therefore satisfied with the proposed block-by-block approach which would be future proofed to connect to the wider network in the future.

11 A reduction of 128 tonnes of CO2 per year in regulated emissions compared to a 2010 Building Regulations compliant development is expected, equivalent to an overall saving of 32%. The on-site carbon dioxide savings fall short of the targets within Policy 5.2 of the London Plan. It is expected that this shortfall is met off-site or addressed through provision of cash in lieu contribution to the relevant borough in line with London Plan Policy 5.2E.

12 However, Camden Council has acknowledged that they do not presently have carbon offset funds detailed in policy or guidance. They have also acknowledged that the inclusion of a financial contribution would have negative knock on implications in terms of scheme viability, as the proposed scheme is already in deficit of £13.93m and only the Council's own gap funding has enabled the scheme to reach break-even point. Moreover, within the independently assessed viability report, achieving Passivhaus within all new dwellings is adding a significant cost of over £5.3 million to the construction of the development.

13 Therefore, whilst acknowledging that the proposed scheme is not compliant with Policies 5.2 and 5.6 of the London Plan, in this instance, it is considered that reasonable explanations have been provided by the applicant and Camden Council to justify this.

Transport

14 At stage 1, TfL was satisfied that there would not be a significant impact on London Underground, rail or bus network capacity and considered the proposed Travel Plan, car parking and cycle parking to be acceptable.

15 The shadow section 106 heads of terms include a contribution of £189,000 payable to TfL, and the safeguarding of land, to facilitate a new cycle hire docking station on site. This is in addition to £320,000 payable to the Council secured towards upgrading local bus stops, wayfinding and pedestrian and cycling infrastructure. Furthermore, the planning conditions include a Car Parking Management Plan, Delivery and Servicing Plan and Construction Logistics Plan. All these measures are welcomed.

16 In summary, TfL therefore considers that the transport impacts of this development have been sufficiently mitigated to ensure conformity with the relevant London Plan policies.

Response to consultation

17 A total of 834 letters were sent to adjoining occupiers and a total of 10 responses were received of which 3 were in support, 5 were in objection (including 1 duplicate response) and 1 neither supporting nor objecting the proposed scheme.

18 The 5 objections received were in relation to:

- *Loss of home:* An occupier objects the proposed demolition of a home the occupier has lived in for 47 years and is worried that their home, which is close to their elderly mother, will be taken away if the proposed development goes ahead. The objector owns the house and its freehold. The applicant has confirmed that they are currently in discussions with the occupier to resolve this issue.
- *Amenity:* The size and height of proposed buildings will result in loss of daylight and sunlight for surrounding and adjacent properties including basement flats; there is no mention of provision of improved infrastructure and services.
- *Design:* The proposal constitutes over-development; the taller buildings along Agar Grove create a barrier effect and should be further reduced in height.
- *Transport:* Parking problems; additional 244 dwellings will have a huge impact on traffic and road safety as Agar Grove is not only a heavily used road and bus route, but also a residential street already crowded with existing residential parking.
- *Other matters:* further construction noise and disturbance during demolition/construction stage, concerns about increase in anti-social behaviour, lack of security presently and query about security provisions.

19 These concerns have been addressed within this report, the stage I consultation report and Camden Council's reports.

20 Other statutory consultees responded as follows:

- **English Heritage:** No comments offered on this occasion.
- **Environment Agency:** Originally objected to the proposals as the Flood Risk Assessment provided by the applicant was considered to be unacceptable. However, following submission of additional information, they have confirmed that the proposal would meet the NPPF and London Plan policies on flood risk if a condition is attached securing a detailed surface water drainage system for the site. The council has imposed a suitably worded condition to this effect.
- **High Speed 1 Limited:** HS1 have confirmed that they have no interest.
- **High Speed 2 Limited:** HS2 do not wish to raise an objection.
- **Islington Council:** No objections raised.

- **Network Rail:** No objection in principle. Camden Council has imposed two conditions and included a number a number of informatives in response to Network Rail's comments.
- **Thames Water:** No objections raised subject to a number of conditions and informatives. These have been secured through appropriately worded conditions and informatives by Camden Council.

Article 7: Direction that the Mayor is to be the local planning authority

21 Under Article 7 of the Order the Mayor could take over this application provided the policy tests set out in that Article are met. In this instance the Council has resolved to grant permission with conditions and a planning obligation, which satisfactorily addresses the matters raised at stage 1, therefore there is no sound planning reason for the Mayor to take over this application.

Legal considerations

22 Under the arrangements set out in Article 5 of the Town and Country Planning (Mayor of London) Order 2008 the Mayor has the power under Article 6 to direct the local planning authority to refuse permission for a planning application referred to him under Article 4 of the Order. He also has the power to issue a direction under Article 7 that he is to act as the local planning authority for the purpose of determining the application and any connected application. The Mayor may also leave the decision to the local authority. In directing refusal the Mayor must have regard to the matters set out in Article 6(2) of the Order, including the principal purposes of the Greater London Authority, the effect on health and sustainable development, national policies and international obligations, regional planning guidance, and the use of the River Thames. The Mayor may direct refusal if he considers that to grant permission would be contrary to good strategic planning in Greater London. If he decides to direct refusal, the Mayor must set out his reasons, and the local planning authority must issue these with the refusal notice. If the Mayor decides to direct that he is to be the local planning authority, he must have regard to the matters set out in Article 7(3) and set out his reasons in the direction.

Financial considerations

23 Should the Mayor direct refusal, he would be the principal party at any subsequent appeal hearing or public inquiry. Government guidance in Circular 03/2009 (*Costs Awards in Appeals and Other Planning Proceedings*) emphasises that parties usually pay their own expenses arising from an appeal.

24 Following an inquiry caused by a direction to refuse, costs may be awarded against the Mayor if he has either directed refusal unreasonably; handled a referral from a planning authority unreasonably; or behaved unreasonably during the appeal. A major factor in deciding whether the Mayor has acted unreasonably will be the extent to which he has taken account of established planning policy.

25 Should the Mayor take over the application he would be responsible for holding a representation hearing and negotiating any planning obligation. He would also be responsible for determining any reserved matters applications (unless he directs Camden Council to do so) and determining any approval of details (unless Camden Council agrees to do so).

Conclusion

26 Although the proposed scheme is not fully compliant with the Mayor's policies in relation to sustainable development, reasonable explanations have been provided by the applicant and Camden Council as set out in the energy section of this report to justify this.

27 It is also pertinent to note that the proposed scheme represents a significant opportunity for the Agar Grove Estate and the wider community to secure much needed new housing as part of a high quality and sustainable mixed tenure development. Further, the proposed development will make a significant contribution to Camden Council's 'Community Investment Programme' (CIP) and is considered to be of outstanding design quality and is strongly supported in terms of other strategic planning policies of the London Plan.

28 Other outstanding issues have been satisfactorily resolved and therefore, on balance, taking into account all material considerations, the proposed re-development of Agar Grove Estate is supported.

for further information, contact GLA Planning Unit (Development and Projects):

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Agar Grove Estate, Agar Grove

7 March 2014

in the London Borough of Camden

planning application no. 2013/8088/P

Strategic planning application stage 1 referral

Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008

The proposal

Demolition of all existing buildings and structures except Lulworth House and Agar Children's Centre (249 existing residential units and 2 retail units); and erection of new buildings ranging between 4 and 18 storeys in height along with the refurbishment and extension of Lulworth House (extending from 18 to 20 storeys in total) to provide a total of 493 residential units, comprising 240 market, 37 intermediate and 216 social rented units; 2 retail units (Class A1 / A3); business space (Class B1(a)); refuse and recycling facilities; car and cycle parking facilities; landscaping / amenity space; and associated works.

The applicant

The applicant is **Camden Council**, the agents are **CMA Planning Ltd** and the architects are **Hawkins Brown/Mae** and **Grant Associates**

Strategic issues

The redevelopment of the existing estate for housing, retail, business space and community facilities is supported. Concerns in regard to **inclusive design, urban design, energy** and **transport** should be addressed. Further information in relation to **inclusive design, energy** and **transport** should be provided.

Recommendation

That Camden Council be advised that while the application is generally acceptable in strategic planning terms the application does not yet fully comply with the London Plan, for the reasons set out in paragraph 87 of this report; but that the possible remedies set out in that paragraph could address those deficiencies.

Context

1 The Mayor of London received documents from Camden Council notifying him of a planning application of potential strategic importance to develop the above site for the above uses. Under the provisions of The Town & Country Planning (Mayor of London) Order 2008 the Mayor has to provide the Council with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. The Mayor may also provide

other comments. This report sets out information for the Mayor's use in deciding what decision to make.

2 The application is referable under Category 1A, 1C and 3A of the Schedule to the Order 2008:

"1A: Development which comprises or includes the provision of more than 150 houses, flats, or houses and flats

1C: Development which comprises or includes the erection of a building of...(c) ...more than 30 metres high and is outside the City of London

3A: Development which is likely to (a) result in the loss of more than 200 houses, flats, or houses and flats (irrespective of whether the development would entail also the provision of new houses or flats)"

3 Once Camden Council has resolved to determine the application, it is required to refer it back to the Mayor for his decision as to whether to direct refusal; take it over for his own determination; or allow the Council to determine it itself.

4 The Mayor of London's statement on this case will be made available on the GLA website www.london.gov.uk.

Site description

5 The site boundary encompasses a wedge-shaped 'island' of 2.75 hectares known as the Agar Grove Estate situated north-east of Camden Town. The Estate is centrally located in the borough to the east of Camden town in a predominantly residential area which comprises a mix of period (Georgian and Victorian) housing; post war municipal estates; 20th century In fill; and some remnants of light industrial activity.

6 It is bounded on the north by Agar Grove; on the south by the North London Overground railway line; on the east by Camley Street, beyond which lays the East Midlands railway line into St. Pancras Station; and on the west by Agar Place, the shortest of all the four boundaries.

7 The site comprises a 1960s Council housing estate of three and four-storey blocks, an 18-storey tower block, a children's nursery building and two blocks of flats owned separately by London & Quadrant, which do not form part of the subject proposals. The Estate comprises 249 residential homes of which 210 are social rented units; 2 are intermediate (affordable); and 37 are privately owned. The existing units are arranged in a series of blocks known as: Manston, Broadstone, Sherborne, Sturminster, Ashmore, Nettelcombe, Frampton and Abbotsbury (all 1- 4 storeys in height) and Lulworth House (18 storeys). Within the Estate, there are two small retail units of circa. 200sqm to the Agar Grove frontage.

8 The site is extremely well served by public transport services and has a public transport accessibility level (PTAL) of 6a / 5 around the perimeter. Mornington Crescent, Camden Town, King's Cross and Euston stations are within walking distance or a short bus ride away.

Details of the proposal

9 The mixed use proposal incorporates the demolition of all existing buildings and structures except Lulworth House and Agar Children's Centre (249 existing Class C3 residential units and 2 retail units) to provide:

- A total of 493 new homes (a mix of studio, one, two, three and four bed houses/apartments) arranged over a mix of new residential blocks of between 4 - 6 storeys (terraces, villas and mansion blocks) and a new 18 storey tower in addition to the refurbished Lulworth House (20 storeys)
- 253 affordable homes (216 social rent and 37 intermediate units) and 240 market homes
- A replacement cafe and convenience store, new class B1 employment space and new 455 square metres of community space
- 57 car parking spaces for blue badge holders and existing residents holding parking permits. 11 spaces provided with electric vehicle charging points. The rest of the development will be car-free.
- A total of 1,171 cycle parking spaces provided on a block by block basis.

Case history

10 The applicant engaged in pre-application discussions with GLA officers in September 2013, as part of the development of the current scheme.

Strategic planning issues and relevant policies and guidance

11 The relevant issues and corresponding policies are as follows:

- | | |
|---------------------------|---|
| • Mix of uses | <i>London Plan</i> |
| • Regeneration | <i>London Plan; the Mayor's Economic Development Strategy</i> |
| • Housing | <i>London Plan; Housing SPG; Housing Strategy; draft Revised Housing Strategy; Shaping Neighbourhoods: Play and Informal Recreation SPG; Shaping Neighbourhoods: Character and Context, draft SPG</i> |
| • Affordable housing | <i>London Plan; Housing SPG; Housing Strategy; draft Revised Housing Strategy</i> |
| • Density | <i>London Plan; Housing SPG</i> |
| • Urban design | <i>London Plan; Shaping Neighbourhoods: Character and Context, draft SPG; Housing SPG; London Housing Design Guide; Shaping Neighbourhoods: Play and Informal Recreation SPG</i> |
| • Tall buildings/views | <i>London Plan, London View Management Framework SPG</i> |
| • Access | <i>London Plan; Accessible London: achieving an inclusive environment SPG; Planning and Access for Disabled People: a good practice guide (ODPM)</i> |
| • Sustainable development | <i>London Plan; Sustainable Design and Construction SPG; Mayor's Climate Change Adaptation Strategy; Mayor's Climate Change Mitigation and Energy Strategy; Mayor's Water Strategy</i> |
| • Ambient noise | <i>London Plan; the Mayor's Ambient Noise Strategy;</i> |
| • Transport/parking | <i>London Plan; the Mayor's Transport Strategy</i> |

12 For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the area is the 2010 Camden Core Strategy, Camden Development Policies 2010-2025 and the 2011 London Plan (with alterations 2013).

13 The following are also relevant material considerations:

- The National Planning Policy Framework and Technical Guide to the National Planning Policy Framework
- The draft Further Alterations to the London Plan (2014)

Land use principle / mix of uses

Estate renewal and regeneration

14 The site is located within Inner London. The aim of London Plan Strategic Policy 2.9 'Inner London' is to realise the potential of Inner London in ways that sustain and enhance economic and demographic growth whilst improving the environment, neighbourhoods and public realm, supporting and sustaining existing and new communities, addressing deprivation and improving quality of life. This estate renewal scheme is part of Camden's 'Community Investment Programme' (CIP) which is a 15 year plan that aims to generate investment, deliver new homes and regenerate neighbourhoods; seeks to ensure investment in schools, homes and community infrastructure – objectives fully supported within the London Plan.

15 As a strategic objective, the London Plan (policy 3.14) specifically looks to resist the loss of housing, including affordable housing, unless it is replaced at existing or higher density with at least equivalent floorspace. Paragraph 3.82 of the plan gives further advice on the Mayor's approach to estate renewal and more detailed guidance is set out in the 2012 Housing SPG (5.1.9 - 5.1.15). This clarifies that there should be no net loss of affordable housing, which can be calculated on a habitable room basis and should exclude 'Right-to-Buy' properties. Replacement affordable housing can be of a different tenure mix where it achieves a better mix of provision.

16 The proposals seek to demolish the existing buildings (except Agar Children's Centre and Lulworth House which is proposed to be refurbished and extended) and replace the existing 249 residential units with 493 new residential units as a mix of affordable rent, intermediate and private sale, providing a more varied range of tenures as well as an increase in the quantum of units, the area of residential floorspace and the number of habitable rooms. This is outlined in the summary table below and in line with strategic planning policy and is welcomed.

	Social Rent	Intermediate	Market	Total residential units
Existing (lost)	210	2	37	249
Proposed (new replacement)	216	37	240	493

17 The proposed mix of uses for the provision of a replacement cafe and convenience store, new community facilities and new Class B1 employment space is supported.

Housing

Affordable housing

18 At present there are 212 affordable units on site, of which 210 are provided as social rent and 2 as intermediate. The proposals provide 253 affordable units (51%), as a split of 216 social rent and 37 intermediate, which represents a net uplift in the quantum of affordable units and an increase in affordable floorspace as follows:

- 41 net additional affordable units (6 net additional social rented units and 35 net additional intermediate units)
- 122 net additional affordable habitable rooms (42 net additional social rented habitable rooms and 80 net additional intermediate habitable rooms)
- 6,822 sq.m net additional affordable floorspace (4,616 sq.m net additional social rented floorspace and 2,206 sq.m net additional intermediate floorspace).

19 In this instance, the proposal would result in nearly equal (51:49) split between affordable and open market housing, with a net gain of 41 affordable units over the existing provision. This increase is welcome in line with London Plan policy 3.14.

20 London Plan Policy 3.11 'Affordable Housing Targets' (A) sets a strategic tenure split of 60% rented and 40% intermediate housing along with a priority for delivering affordable family housing. Camden Planning Guidance: Housing (Sept 2013) reflects the guidelines set out in CS6 and DP3 that aims for a tenure split of 60% social rent to 40% intermediate.

21 In this instance, of the 253 affordable units, at present 85% are to be provided as social rent with 15% intermediate. Although the balance of social rent to intermediate does not accord with the policy aspiration of 60:40 as set out in London Plan Policy 3.11 'Affordable Housing Targets' (A) and Camden Planning Guidance: Housing (Sept 2013) Policy CS6 and DP3, the LDF acknowledges that these guidelines will be applied flexibly taking into account the wider policy considerations set out in DP3 and, in particular, for schemes led by affordable housing as is the case with this application. The key issue is the need to re-house existing social rented tenant households, and this has been achieved. The proposals will result in an absolute uplift in all forms of affordable housing and greater diversity of tenure than currently exists within the estate.

22 The applicant has submitted a detailed viability assessment which has been independently reviewed by the Council's consultant. This confirms that the affordable provision is indeed the maximum reasonable amount that can be provided within the scheme, as indicated in policy 3.12 of the London Plan and is welcomed.

23 The independent consultant has run an appraisal based on the Council's agreed assumptions concerning costs and values. This generates a deficit of £13.93 million which has then been eliminated via 'gap funding' from the Council itself, thus leaving the scheme in a break even position.

24 Camden Council will be seeking to put in place a deferred contributions mechanism to secure additional affordable housing contributions in the event that viability improves above a certain point and the scheme generates a surplus. This is welcomed and should to be secured through a planning condition.

Housing choice / mix

25 London Plan Policy 3.8 and the associated supplementary planning guidance promote housing choice and seek a balanced mix of unit sizes in new developments.

26 The proposed housing mix by tenure is set out in the table below (taken from the submitted Planning Statement):

Table 4: Dwelling mix by tenure						
TENURE	Studio Unit / %	1bed Unit / %	2 bed Unit / %	3 bed Unit / %	4 bed Unit / %	TOTAL
Affordable	-	72 (33%)	79 (37%)	40 (19%)	25 (11%)	216
Intermediate	1 (3%)	21 (57%)	15 (40%)	-	-	37
Market	20 (8%)	98 (41%)	106 (44%)	16 (7%)	-	240
TOTAL	21 (4%)	191 (39%)	200 (41%)	56 (11%)	25 (5%)	493

27 The scheme provides a mix of units broadly in line with the dwelling size priorities of the Council and this is welcomed as it meets local need. The scheme provides 30% large social rented units which fall short of the Council's aim of 50%. The applicant has stated that this element of the scheme has been determined by the housing needs of existing residents who will be re-housed as part of the redevelopment and the brief requirements dictated by Camden Council's CIP. Although the proposals provide no family size (3 or more bedrooms) intermediate affordable family size units because of concerns over viability, the applicant has provided a significant proportion (40%) of 2 bed units which are identified as 'high priority' in the Council's dwelling mix policy.

28 The market housing mix has been dictated largely by the physical constraints of Lulworth House where a majority of the private units are located. The proposal nevertheless responds positively to the Council's 'very high' priority for 2 bedroom units (44%), which is welcomed.

Density

29 The site occupies an area of approximately 2.75 hectares and is located in an area with a public transport accessibility level of 6a / 5. London Plan Table 3.2 advises that a density of between 45 and 260 units per hectare and 200 and 700 habitable rooms per hectare would be appropriate in an area with a PTAL of 4 to 6 and urban character such as this.

30 The scheme has a proposed density of 184 units per hectare and 522 habitable rooms per hectare, falling within the density range for units and habitable rooms and is acceptable.

Children's play space

31 Policy 3.6 of the London Plan sets out that "development proposals that include housing should make provision for play and informal recreation, based on the expected child population generated by the scheme and an assessment of future needs." Using the methodology within the Mayor's supplementary planning guidance 'Providing for Children and Young People's Play and Informal Recreation' it is anticipated that there will be approximately 278 children within the development. The guidance sets a benchmark of 10 sq.m. of useable child play space to be provided per child, with under-5 child play space provided on-site. As such the development should make provision for 2,780 sq.m. of play space.

32 This development provides a total of 2,897 sq. m. as a range of play spaces which are well integrated into the wider masterplan and will provide opportunities for play and recreation in accordance with the Mayor's SPG. In addition, 4,243 sq. m has been provided as amenity open

space and 1,194 sq. m. as natural/semi-natural green space. There are no strategic concerns in relation to play space provision, and the distribution and type of spaces has been set out in the Design and Access Statement in the submitted application and this is acceptable.

Inclusive Design

33 The aim of London Plan Policy 7.2 is to ensure that proposals achieve the highest standards of accessibility and inclusion (not just the minimum). Inclusive design principles if embedded into the development and design process from the outset help to ensure that all of us, including older people, disabled and Deaf people, children and young people, can use the places and spaces proposed comfortably, safely and with dignity.

34 Generally the scheme appears to conform to Policy 7.2 however there are some areas of the current proposals either do not yet meet inclusive design principles and need further consideration or further clarification is required.

Shared Surfaces

35 Paragraph 6.37 of the London Plan emphasises the importance of providing “safe and attractive routes that are easy to navigate”, and paragraph 6.38 explains that “Walking issues should be addressed in development proposals, to ensure that walking is promoted and that street conditions, especially safety, security and accessibility for disabled people, are enhanced.”

36 When shared surfaces are proposed, the applicants should illustrate what design features will be incorporated to ensure that the areas are safe and usable for disabled people. Further information is therefore required on this element of the proposals.

37 The current design and access statement does not clearly address this factor and there is particular concern about the space adjacent the existing Agar Gove Children’s Centre. The applicant is requested to clarify how the shared space will meet Policy 7.2 and how the conflict between parents, children and cars will be addressed outside the children’s centre.

Public Realm

38 The current site has significant changes in level across the site. The landscape design and access statement states that gradients to footpaths will be in accordance with Part M, but further information is provided. Further detail is required to demonstrate that the public realm will be easily accessible and that suitable gradients will be provided. Further clarification is also required to clarify the public seating strategy for the site.

Play space

39 Children and young people need free, inclusive, accessible and safe spaces offering high-quality play and informal recreation opportunities in child-friendly neighbourhood environments. Policy 3.6 of the London Plan seeks to ensure that all children and young people have access to such provision. The applicant is encouraged to demonstrate how inclusive play has been integrated into the site wide play strategy. Further information is available in the Play and Informal Recreation SPG which supports the implementation of the London Plan Policy 3.6.

Mobility Scooter Storage

40 Given the significant number of residential units proposed, the applicant should consider providing future storage space and charging points for mobility scooters, in accordance with 2.3.7 of the Mayor’s new SPG ‘Housing’ which recommends:

“Developers and boroughs are also encouraged to make provision, with a charging facility, for mobility scooters.”

Residential Units

41 The applicant has confirmed that all new residential units will be designed to the Lifetime Homes standard and that 10% of the private residential will be wheelchair accessible or easily adaptable homes. This is welcomed and, in line with London Plan Policy 3.8 Housing Choice,

42 It is noted that due to constraints of the existing Lulworth Tower structure some of the units will not meet Lifetime Homes, which is disappointing but understandable. It is noted from drawings, though not clearly stated in the design and access statement that some of the units will not be provided with a Criterion 14 bathroom. The applicant is encouraged to ensure that the bathrooms are as close to Lifetime Homes Standards as feasibly possible and that a more detailed non-conformance statement is produced.

43 It is understood that within the affordable/social provision that the 210 units are allocated to existing tenants of the estate and where required will be fully adapted to Camden's Wheelchair Housing Standards, which is currently 1.4%. To conform to the London Plan requirements a further 8.6% will be required to be easily adaptable. The current Design and Access Statement does not clearly demonstrate the location of the easily adaptable units and further clarification is required, especially as it appears that some of the units are only accessed by one lift. In regards to this if wheelchair adaptable units are only accessed by one lift it is recommended that a condition be imposed to ensure a strict maintenance/repair procedure is put in place to ensure that residents are able to access and leave their dwelling.

Urban design

44 The design of proposed development has been commented on at pre-application stage where it was set out that the emerging proposals were generally supported. The proposed scheme is reasonably well thought out. The street-based approach provides well-defined street environments, a good mix of residential typologies and improves permeability, which is welcomed.

45 The layout creates strong building frontages along existing and new streets which provides enclosure and animation on to the public realm. The proposed street network improves the permeability of the site and the creation of streets provides a view into the development which is particularly welcomed.

46 While development knits-in comfortably with areas in the north and west, the applicant was asked at pre-application stage to ensure and that the route along the eastern edge of the site could be shared by any future development on the neighbouring site to the west and also because a good quality, safe and legible 24-hour accessible public route to Camley Street will provide direct connections to Regent's Canal and Kings Cross/St Pancras regeneration areas to the south creating an important strategic route through the area. The sharing of this route by a future development to the east should be secured through a planning condition.

47 As requested at pre-application stage, the applicant has provide a detailed ground floor layout for the development which ensures that the new streets have frontages that are active and provide sufficient level of overlooking of the public realm. Together with the new public square and a landscaped park on either side, the refurbished Lulworth Tower serves as a focal point of the site which is welcomed. By providing active frontages to the arrival square to the east the applicant has given careful consideration to the ground floor of Lulworth Tower to ensure that it engages and contributes positively to the public realm around it. The applicant is asked to consider

strengthening this approach by providing individual front entrances to the semi-duplex units on the ground floor directly from the public realm.

48 The residential layout of the scheme is of a high quality and strongly supported. The scheme has been designed to be compliant with the London Housing Design Guide. All units have been designed to meet the minimum space standards as set out in the London Plan. The proposed ground floor units have their own individual entrances facing the street and communal entrances are highly visible and can be accessed directly from the main streets. A high number of cores are provided to enable a limited number of homes to share the same landing and the number of single aspect units has been kept to a minimum. There is no north facing single aspect unit in this development which is particularly welcomed.

49 There are some single-aspect units facing the railway lines, particularly in Plot A to the south. However, the assessment as set out in the 'Noise and Vibration' report submitted with this application states that all external noise levels would meet the Council's limits and with the advised glazing, the internal noise criteria would also be met. This is therefore considered acceptable.

50 The applicant has submitted a 'Sunlight and Daylight report' that states that the scheme does not give rise to any unacceptable detrimental impact on the amenity of neighbouring properties whilst also ensuring a good level of amenity for future occupiers.

51 The architecture of the scheme is generally supported. The predominant use of brick for the proposed villa and mansion typologies reflects the residential use of the buildings whilst creating robust and hard wearing elevations which is welcomed.

Tall buildings / views

52 The overall height of the scheme presents no strategic concern. The new 18 storey tall building on the south-east corner of the site is slightly taller than the existing Lulworth Tower and is located to the south-east corner of the site, away from the main streets and conservation areas. The rest of the development is broadly 6-8 storeys in height and the impact on the adjacent conservation area is not considered to be harmful, in line with London Plan heritage policy.

53 The site sits between viewing corridors to St. Paul's Cathedral from Kenwood and Parliament Hill, with the corridor and lateral assessment area of the Kenwood View oversailing the north-eastern corner of the site. The applicants have provided further visualisations of views as requested at pre-application stage.

54 In the view from Parliament Hill to St Paul's Cathedral (2A.1), although the increased massing and change in materiality will marginally increase the prominence of Lulworth House, the building will remain below the skyline and will read as part of the general urban fabric. Whilst the new 18 storey tower (predominantly brick) is partly visible behind Lulworth House (heavily glazed) the difference in materiality will ensure the buildings are discernible as two separate elements.

55 In the visualisation from Kenwood House to St. Paul's Cathedral (3A.1), Lulworth House is visible to the right of the protected viewing corridor. The proposed 18 storey Block B appears closer to the protected vista albeit still outside the viewing corridor and consultation zone. Both the existing and proposed condition sits well below the skyline and reads as part of the general urban fabric in the middle ground of the panorama.

56 In summary, the effect on the views of St Paul's Cathedral and is not considered to cause any strategic concern.

Energy

BE LEAN

Energy efficiency standards

57 A range of passive design features and demand reduction measures are proposed to reduce the carbon emissions of the proposed development. Both air permeability and heat loss parameters will be improved beyond the minimum backstop values required by building regulations and the applicant is looking to pursue the 'Passivhaus' design standard. Other features include increased insulation and triple glazed window systems, a heat recovery ventilation system and low energy lighting. The demand for cooling will be minimised through balanced window sizes, internal blinds, external moveable shutters, balcony shading and solar control glass where necessary.

58 The development is estimated to achieve a reduction of 52 tonnes per annum (13%) in regulated CO2 emissions compared to a 2010 Building Regulations compliant development.

BE CLEAN

District heating

59 The applicant has carried out an investigation and there are no existing or planned district heating networks currently within the immediate vicinity of the proposed development. The development is, however, north of the new Kings Cross heat network. The applicant has identified two possible connection routes. However, the applicant should provide evidence of correspondence with the operators of the Kings Cross network regarding the technical and economic feasibility of connecting to the development. Issues this should cover include capacity of the Kings Cross network to supply the development, indicative timescales for expansion and projected connection costs.

60 The applicant is not proposing to install a site wide heat network. Instead, the applicant is proposing a block-by-block heating system for each phase of the site as it is developed, with a communal boiler serving each block. This approach does not facilitate straightforward connection of the development to an external district heating network, as site heat network infrastructure would have to be installed at a later date to allow connection.

61 The applicant should commit to a site heat network linking the buildings on the development. This should be heated from a central energy centre. The location and floor area of the energy centre should be provided. It is not expected that townhouses connect to the site heat network due to the higher heat distribution losses involved in supplying individual houses.

62 If the proposed phasing presents any obstacles to adopting a single energy centre this should be clearly explained in an updated version of the energy strategy.

Combined Heat and Power

63 The applicant has investigated the feasibility of CHP, but considers it not to be financially viable for this site. The development size is on the cusp of where on-site CHP would be expected, so this is accepted in this instance.

BE GREEN

Renewable energy technologies

64 The applicant has investigated the feasibility of a range of renewable energy technologies and is proposing to install solar thermal and photovoltaic panels on the roof of each block. A total of 930m² of solar thermal panels and 975m² of PV panels is proposed for the site. A layout showing the proposed location of the panels should be provided.

65 A reduction in regulated CO₂ emissions of 76 tonnes per annum (22%) is claimed through this third element of the energy hierarchy.

66 If the use of solar thermal is to continue to be pursued, the applicant should explain how this will supply heat into the site heat network (see comments above).

OVERALL CARBON SAVINGS

67 Based on the energy assessment submitted at stage i, the table below shows the residual CO₂ emissions after each stage of the energy hierarchy and the CO₂ emission reductions at each stage of the energy hierarchy.

Table: CO₂ emission reductions from application of the energy hierarchy

	Total residual regulated CO ₂ emissions (tonnes per annum)	Regulated CO ₂ emissions reductions	
		(tonnes per annum)	(per cent)
Baseline i.e. 2010 Building Regulations	396		
Energy Efficiency	344	52	13%
CHP	344	0	0
Renewable energy	268	76	22%
Total		128	32%

68 A reduction of 128 tonnes of CO₂ per year in regulated emissions compared to a 2010 Building Regulations compliant development is expected, equivalent to an overall saving of 32%.

69 The on-site carbon dioxide savings fall short of the targets within Policy 5.2 of the London Plan. In liaison with the borough the developer should ensure the short fall in carbon dioxide reductions, equivalent to 30 tonnes of CO₂ per annum, is met off-site.

Summary

70 The applicant has broadly followed the energy hierarchy. Sufficient information has been provided to understand the proposals as a whole. Further revisions and information is required before the proposals can be considered fully acceptable and the carbon dioxide savings verified.

Transport

Car parking

71 The existing fifty spaces will be re-provided for the use of existing tenants. New tenants will not be eligible for these spaces and therefore existing spaces will be phased out or converted to Blue Badge bays over time.

72 Seven Blue Badge bays are proposed overall, including the re-provision of two existing Blue Badge bays. The total number of spaces therefore equates to 55 spaces or 0.11 spaces per unit. Electrical vehicle charging points (EVCPs) are also proposed. The proposed parking is acceptable

however to ensure full conformity with London Plan policy 6.13 it is requested a car parking management plan is secured by condition to manage Blue Badge bays, EVCPs and enforcement.

73 Two car club bays are proposed however the applicant should confirm that an agreement is in place with a local operator to provide a scheme.

Cycle parking

74 The quantum of cycle parking accords with the London Plan minimum standards and equates to 574 spaces for the residential use, 13 for visitors and 10 to serve the commercial and community use. Nevertheless, the applicant should clarify their location to ensure they fully confirm to London Plan policy 6.9.

Impact assessment

75 A multi-modal impact assessment has been provided in accordance with London Plan Policy 6.3 and it is accepted that this development would not have an unacceptable impact on the local highway and bus network.

Walking and cycling

76 TfL requests that the Pedestrian Environment Review System (PERS) audit's recommendations are secured either by Grampian condition or 'shadow' legal agreement as appropriate. In addition, a contribution towards the implementation of Legible London signage in the immediate vicinity of the site is sought.

77 In accordance with London Plan policy 6.9 it is recommended that a contribution towards the Council's aspirations to intensify the local cycling network provision is secured within the 'shadow' legal agreement. Furthermore, TfL requests that land and a contribution of £189,000 to facilitate the introduction a 24 space docking point station is secured within the 'shadow' legal agreement.

Bus stops

78 The bus stop assessment should reference kerb heights to ensure the minimum thresholds are met to allow for mobility impaired users to utilise bus ramps safely.

Construction, freight and servicing

79 The Construction Logistics Plan needs to include additional information on the construction impact on the adjacent North London train line and it is requested that a condition is secured ensuring that construction does not commence until the construction methodology has been approved by both Network Rail and TfL.

80 Delivery and servicing for the residential units will occur on site and TfL considers these arrangements acceptable however it is expected that a full delivery and servicing plan is secured by condition.

Travel planning

81 The Travel Plan has been reviewed in accordance with the ATTrBuTE assessment tool and has passed. Notwithstanding this, it is expected that car club membership for residents is included as a measure. The Travel Plan and all agreed measures therein should be secured, enforced, monitored and reviewed as part of the 'shadow' legal agreement to ensure conformity with London Plan policy 6.3.

Community Infrastructure Levy

82 The Mayor has introduced a London-wide Community Infrastructure Levy (CIL) to help implement the London Plan, particularly policies 6.5 and 8.3 toward the funding of Crossrail. The rate for LB Camden is £50 per square meter. The required CIL should be confirmed by the applicant and council once the components of the development or phase have been finalised.

Summary

83 TfL has identified several strategic transport priorities in the local area as detailed above and further discussion is required to ensure compliance with the transport policies of the London Plan.

Local planning authority's position

84 Camden Council is assessing the application but supports the principle of the regeneration of the Agar Grove Estate.

Legal considerations

85 Under the arrangements set out in Article 4 of the Town and Country Planning (Mayor of London) Order 2008 the Mayor is required to provide the local planning authority with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. Unless notified otherwise by the Mayor, the Council must consult the Mayor again under Article 5 of the Order if it subsequently resolves to make a draft decision on the application, in order that the Mayor may decide whether to allow the draft decision to proceed unchanged, or direct the Council under Article 6 of the Order to refuse the application, or issue a direction under Article 7 of the Order that he is to act as the local planning authority for the purpose of determining the application (the next bit is optional) and any connected application. There is no obligation at this present stage for the Mayor to indicate his intentions regarding a possible direction, and no such decision should be inferred from the Mayor's statement and comments.

Financial considerations

86 There are no financial considerations at this stage.

Conclusion

87 Whilst the application is broadly acceptable in strategic planning terms and the principle of a mixed-use, well designed estate regeneration scheme is strongly supported, on balance, the application does not fully comply with the London Plan. The following changes might, however, remedy the above-mentioned deficiencies, and could possibly lead to the application becoming compliant with the London Plan:

- **Housing:** A deferred contributions mechanism to provide additional affordable housing contributions in the event the scheme generates a surplus should to be secured through a planning condition.

- **Inclusive design:** Further information/clarification is sought in relation to the use of shared surfaces, public realm and play space. The applicant is encouraged to consider providing future storage space and charging points for mobility scooters. A detailed non-conformance statement for units that do not meet Lifetime Homes standards is required. Within the affordable/social provision a further 8.6% homes are required to be easily adaptable and the location of such units should be clarified. If wheelchair adaptable units are only accessed by only one lift a condition should be imposed for a strict maintenance/repair procedure.
- **Urban Design:** A planning condition should be secured to allow the road running along the eastern edge of the site to be shared by a future development to the east. The applicant is asked to consider providing individual front entrances to the semi-duplex units on the ground floor of Lulworth House directly from the public realm.
- **Energy:** Evidence of correspondence with the operators of the Kings Cross network regarding the technical and economic feasibility of connecting to the development is required. Commitment to a site heat network heated from a central energy centre is required. If the proposed phasing presents any obstacles to adopting a single energy centre this should be clearly explained in an updated version of the energy strategy. The applicant should explain how the use of solar thermal (if pursued) will supply heat into the site heat network. The applicant should ensure the short fall in carbon dioxide reductions is met off-site
- **Transport:** The car parking management plan, a full delivery and servicing plan, the travel plan and the PERS recommendations should be secured along with contributions towards Legible London signage, land and a contribution of £189,000 for a 24 space docking point station and the local cycling network. An agreement is required with a local operator to provide a scheme to operate the proposed car club bays. Pre-commencement condition should be added for approval of construction methodology by both Network Rail and TfL. Further information is sought regarding location of cycle parking, bus stops assessments and construction impact on the adjacent North London train line in the Construction Logistics Plan. The required CIL should be confirmed by the applicant and council once the components of the development have been finalised.

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