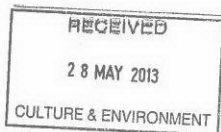


Development, Enterprise and Environment

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Your ref: 2013/1477/P
Date: 22 May 2013



Dear Mr McDonald,

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

Land bound by Fisher Street, Catton Road, and 8-10 Southampton Row, Holborn - Fisher Street over site development

I refer to the copy of the above planning application, which was received from you on 12 April 2013. On 22 May 2013 Sir Edward Lister, Deputy Mayor and Chief of Staff, acting under delegated authority, considered a report on this proposal, reference D&P/3162/01. A copy of the report is attached, in full. This letter comprises the statement that the Mayor is required to provide under Article 4(2) of the Order.

The Deputy Mayor considers that while the application is generally acceptable in strategic planning terms, the application does not comply with the London Plan. However, the possible remedies set out in paragraph 50 of this report could address these deficiencies.

The application represents EIA development for the purposes of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. The environmental information made available to date has been taken into consideration in formulating these comments.

If your Council subsequently resolves to make a draft decision on the application, it must consult the Mayor again under Article 5 of the Order and allow him fourteen days to decide whether to allow the draft decision to proceed unchanged, or direct the Council under Article 6 to refuse the application, or 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. You should therefore send me a copy of any representations made in respect of the application, and a copy of any officer's report, together with a statement of the decision your authority proposes to make, and (if it proposed to grant permission) a statement of any conditions the authority proposes to impose and a draft of any planning obligation it proposes to enter into and details of any proposed planning contribution.

Please note that the Transport for London case officer for this application is James Forrest (020 3054 7090).

Yours sincerely,



Colin Wilson

Senior Manager– Planning Decisions

cc Andrew Dismore, London Assembly Constituency Member
Nicky Gavron, Chair of London Assembly Planning Committee
National Planning Casework Unit, DCLG
Alex Williams, TfL
Fred Drabble, GVA Grimley, 10 Stratton Street, London, W1J 8JR

22 May 2013

**Land bound by Fisher Street, Catton Road, and 8-10
Southampton Row, Holborn
(Fisher Street over site development)**

in the London Borough of Camden

planning application no. 2013/1477/P

Strategic planning application stage 1 referral (new powers)

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

The proposal

Development of an eight-storey residential building above and around a Crossrail head house and intervention shaft to provide 22 residential units.

The applicant

The applicant is **Crossrail Ltd**, and the architect is **HOK Architects**.

Strategic issues

The proposal is broadly in accordance with strategic planning policy, and is supported. However, further discussion is required regarding the provision of **affordable housing, inclusive design, and climate change**.

Recommendation

That Camden Council be advised that, while the application is generally acceptable in strategic planning terms, the application does not comply with the London Plan, for the reasons set out in paragraph 50. However, the resolution of those issues could lead to the application becoming compliant with the London Plan.

Context

1 On 12 April 2013 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 until 23 May 2013 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 1C of the Schedule to the Order 2008: *"Development which comprises or includes the erection of a building more than thirty metres high and outside the City of London"*.

3 The environmental information for the purposes of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 has been taken into account in the consideration of this case.

4 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.

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

Site description

6 The 0.05 hectare site is located in Holborn, and is bound by Fisher Street to the north, a three-storey electricity substation to the east, Catton Street to the south, and a part-six, part-eight storey building to the west, which fronts onto Southampton Row. The site is currently vacant, having been cleared to facilitate construction of Crossrail infrastructure. Prior to demolition, the site was occupied by a four-storey building fronting Fisher Street, and a six-storey building fronting Catton Street. Both buildings were in commercial office use.

7 The site is bound to the west by 8-10 Southampton Row, a Grade II listed Edwardian Renaissance steel frame six-storey structure, with a two-storey pitched slate roof. The buildings located either side of 8-10 Southampton Row are also listed, and have Grade II* status, namely 2-6 Southampton Row to the south, and Central School of Arts and Crafts to the north. The application site does not fall within a conservation area, although the listed buildings fronting Southampton Row lie within Kingsway conservation area. The site is also within close proximity to Bloomsbury conservation area, which lies either side of Kingsway conservation area.

Details of the proposal

8 Crossrail Ltd is seeking full planning permission for the construction of an eight-storey building comprising 22 residential units. The building will be constructed above and around permitted Crossrail infrastructure.

Crossrail infrastructure

9 The site is owned by Crossrail Ltd, and was acquired to support the long-term operation of Crossrail. The site will house an intervention shaft below ground, in addition to a single-storey head house building, with an additional two-storey ventilation element. The 35-metre deep shaft will provide emergency access to the Crossrail tunnel between Tottenham Court Road and Farringdon, in addition to ventilation facilities. Permission for this development was granted by the Council in September 2009 under the Crossrail Act 2008. As part of this proposal, the existing buildings on the site were demolished, and the adjacent 8-10 Southampton Row building was vacated. This building is currently being used by Crossrail for temporary site offices and welfare facilities. It formally housed a public house at ground and first-floor, with residential properties above, and is expected to be converted back to residential use following the completion of the Crossrail works at the application site.

10 Under the provisions of the Crossrail Act 2008, Crossrail Ltd has an undertaking to submit a planning application for any replacement, or further development, taking place over a works site, to ensure that development opportunities above and around Crossrail infrastructure are optimised, and in order to repair any gaps created in the townscape. Without any over works development, only the single-storey head house and ventilation equipment would occupy the site, enclosed within a 3.5 metre high perimeter wall clad in anodised aluminium. The Crossrail development at the application site is expected to be completed by 2015.

11 In this instance, given that there is currently no developer with interest in this site, Crossrail Ltd is required to submit a planning application within two years of works starting on site. The site, with planning permission, will then be marketed for development, with all receipts being directed back into the Crossrail project.

12 Given that the implementation of the planning application considered here cannot commence until the Crossrail infrastructure has been completed, the applicant has applied to the Council for a ten-year planning permission.

Case history

13 There is no strategic case history for this site.

Strategic planning issues and relevant policies and guidance

14 The relevant issues and corresponding policies are as follows:

- | | |
|---------------------------|--|
| • Mix of uses | <i>London Plan</i> |
| • Housing | <i>London Plan; Housing SPG; Housing Strategy; draft Revised Housing Strategy; Shaping Neighbourhoods: Providing for Children and Young People's Play and Informal Recreation SPG</i> |
| • Affordable housing | <i>London Plan; Housing SPG; Housing Strategy; draft Revised Housing Strategy</i> |
| • Urban design | <i>London Plan</i> |
| • Access | <i>London Plan; Accessible London: achieving an inclusive environment SPG; Planning and Access for Disabled People: a good practice guide</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> |
| • Transport | <i>London Plan; the Mayor's Transport Strategy; Land for Transport Functions SPG</i> |
| • Parking | <i>London Plan; the Mayor's Transport Strategy</i> |

15 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 Council's 2010 Core Strategy, 2010 Development Policies, and 2010 Proposals Map and the 2011 London Plan.

16 The following are also relevant material considerations:

- The National Planning Policy Framework and Technical Guide to the National Planning Policy Framework.
- The Council's Site Allocations Development Plan Document (submission stage).
- The draft Revised Early Minor Alteration to the London Plan.

Principle of development

17 As set out above, the site is currently vacant, with the previous lawful use being primarily as office floorspace. The applicant proposes an eight-storey residential building comprising 22 units.

18 At the strategic level, London Plan policies support office rejuvenation within the CAZ to improve the quality and flexibility of office stock in order that it can meet the distinct needs of the central London office market. Strategic policy acknowledges the diverse range of uses that exist within the CAZ, and places particular importance on the strategically important, globally-orientated financial and business services centres within the City of London and the north of the Isle of Dogs (although formally outside the CAZ). The London Plan also recognises that the CAZ is a place where people live, and that having a range of homes within the CAZ helps to support its strategic function.

19 The previous buildings on site were acquired and demolished for the sole purpose of facilitating the development of the strategically significant Crossrail project, and without additional development the site will house only a single-storey head house building. The site is heavily constrained both by the permitted Crossrail infrastructure at and below ground-level, and by virtue of being located between a Grade II listed residential building, and a large electricity sub-station. The site does not have a main street frontage.

20 The application seeks to optimise the use of the site post transport infrastructure works in a significantly constrained context. Whilst the previous use of the site was for office purposes, the site is now vacant, having been cleared for the purposes of Crossrail delivery. Strategic policies seek to support a range of uses within the Central Activities Zone, and with regard to office use, place particular importance on the City of London and the north of the Isle of Dogs (although formally outside the CAZ). Strategic priority is also afforded to residential use, which is an appropriate land use within the CAZ. In this context, the principle of a residential building on this site is acceptable.

Housing

21 The application proposes a total of 22 residential units, comprising five one-bed units, fourteen two-bed units, two three-bed units and one four-bed unit.

Affordable housing

22 London Plan Policy 3.12 requires borough councils to seek the maximum reasonable amount of affordable housing when negotiating on individual private residential and mixed-use schemes. The Mayor's Housing SPC, together with the draft Revised Minor Alterations to the London Plan, solidify the Mayor's approach to affordable housing.

23 The proposal does not include an affordable housing contribution. The applicant states that due to the benchmark value of the site, which was acquired using compulsory purchase powers, the development costs, and the impact of the permitted Crossrail infrastructure on construction costs and the proportion of developable land available, it is not financially viable to provide any affordable housing. The applicant has submitted a financial viability report in support of this argument, which the Council is having independently assessed. At this stage it is not yet possible to determine whether the proposal accords with London Plan Policy 3.12, and further discussions with the applicant and the Council, once the results of the independent assessment of the financial viability report is known, are required.

Housing choice

24 London Plan Policy 3.8, together with the Mayor's Housing SPG, and the draft Revised Housing Strategy, seek to promote housing choice and a balanced mix of unit sizes in new developments, with particular focus on affordable family homes. Notwithstanding comments made above with regards to affordable housing, for solely private housing schemes, the Council has set out in its Development Policies Development Plan Document that the highest priority is for two-bed properties, although there remains an overall need for housing at all sizes.

25 The applicant has sought to respond to the Council's defined priorities and includes 64% two-bed units, in addition to an element of one, three, and four-bed provision. Given the nature of the current scheme, the proposed mix appropriately responds to locally identified priorities, provides a mix of unit sizes, and is acceptable. However, further discussion regarding mix of units may be required subject to the outcome of discussions regarding affordable housing.

Housing quality

26 London Plan Policy 3.5 promotes quality in new housing provision, with further guidance provided by the Mayor's Housing SPG. The applicant has confirmed that all of the units exceed the Mayor's minimum space standards, which is welcomed, and all have either balcony space or access to a private roof terrace. Whilst the proposal does include four single-aspect north-facing units, given the tight urban grain and small footprint of the development site, and the constraints arising from the permitted Crossrail infrastructure, it is acknowledged that an element of this type of unit is extremely challenging to avoid in its entirety and that the provision of these units has been limited where practicable. Furthermore, the applicant's submitted daylight and sunlight assessment demonstrates that all units will comply with the appropriate standard.

27 On balance the quality of the residential units is acceptable, and as such the application does not raise any strategic concern with regard to housing quality.

Children's play space

28 Policy 3.6 of the London Plan seeks to ensure that development proposals include suitable provision for play and recreation. Further detail is provided in the Mayor's Shaping Neighbourhoods: Play and Informal Recreation SPG. The development is predicted to be home to two children. The application does not include any dedicated play space. Given the nature of the development, which is unlikely to attract any significant amount of children, and in light of the fact that the site is not in an area identified by the Council as deficient in open space or play space, this is acceptable.

Density

29 The density of the development is 1,300 habitable rooms per hectare. This is above the upper guidance range for highly accessible central sites, as set out in London Plan Policy 3.4. As discussed in detail in the relevant sections of this report, the overall scale and massing of the proposals respond well to the local context, and the residential units are of a suitable quality and mix. The site benefits from high public transport accessibility, and does not fall within an area designated by the Council as being deficient in open space. Furthermore, it is acknowledged that a traditional density figure can be a restrictive tool for assessment in this instance, given the constrained nature of the site. On balance, the density of the application is acceptable, and appropriately optimises housing delivery in the context of the proposal and the local context.

Urban design

30 Good design is central to all objectives of the London Plan. The proposal comprises an eight-storey residential building, the ground floor of which will largely comprise a head house for Crossrail, with associated access. Without additional development the application site will be dominated by Crossrail infrastructure, which when coupled with the adjacent electricity substation, will significantly underutilise a central London site. The site does not have a main street frontage, and is bound on two sides by minor roads. The tight urban grain of the site, and the significant infrastructure within and below it, provides a challenging context for development. Furthermore, the application site is immediately adjacent to a Grade II listed six-storey building, is within Kingsway conservation area and the wider setting of Bloomsbury conservation area.

Height, bulk and massing

31 As part of pre-planning application discussions, the Council secured a number of significant changes to the design of the development, namely a reduction in the height, bulk and massing of the building, which has resulted in an improved relationship with the adjacent listed building. The changes secured are strongly supported, and Council officers have stated that they are satisfied with the overall scale of the development as submitted.

32 The building has been designed so as to recede from the adjacent listed building, particularly when viewed from Sicilian Avenue, and at the junction of Fisher Street and Southampton Row, and its faceted form serves to break its overall mass. The building does rise above the upper height of the adjacent listed building, however, given the tight urban grain of the application site the proposed building will not appear above the established roofline of the buildings fronting Southampton Row. As with its listed neighbour, the proposed building becomes increasingly recessed at its upper levels, and its height is orientated away from the listed building. Furthermore, through the addition of projecting dormer window elements and additional faceting, the proposed building has an appropriate degree of articulation at roof level to echo that of the adjoining listed building.

Materials

33 The immediate context of the site is dominated by the red or brown brick and Portland Stone buildings within the conservation area of Southampton Row to the west, and in particular the adjacent Grade II listed building. However, to the east of the site the architectural language becomes increasingly varied and less distinctive. The design approach seeks to avoid a pastiche of the surrounding heritage buildings by adopting a faceted angular form and utilising a contemporary palette of copper alloy shingles in a light brass finish, with coloured glass panels within inset balconies, and stone cladding at ground. The result is a distinctively modern building, which seeks to provide a complementary backdrop to the subdued palette of the Southampton Row buildings.

Ground floor treatment

34 The Crossrail head house provides the base to which the proposed building will be added. The head house structure is fixed and severely restricts the development opportunities at ground floor, dictating to a large extent the layout, materials and facade treatment at ground level. The base of the building will incorporate the head house louvers, the location of which are predetermined by the permitted Crossrail development, as well as access to the Crossrail infrastructure.

35 The applicant is proposing stone panelling positioned between the louvres to echo the palette of the adjacent listed building, which is an appropriate response to the context and will help to ground the building in its surroundings. The entrance lobby to the proposed residential building is positioned off Fisher Street, together with Crossrail access and bicycle storage. Entrance to the bin store, substation and additional Crossrail access is provided off Catton Street.

Views and impact on heritage assets

36 As demonstrated by the applicant's townscape heritage and visual impact assessment, the building will not appear above the roofline of buildings on Southampton Row, which fall within Kingsway conservation area, in views north and south. As detailed above, whilst the building lies immediately adjacent to a listed building, its mass has been receded and an approach taken to the palette of materials which seeks to complement the existing architecture and provide a contrasting, but not dominating, backdrop. Consequently, the proposal will not harm the setting of the listed building nor the Kingsway conservation area.

37 Although the building will be visible at the end of Sicilian Avenue, a pedestrianised shopping arcade comprised of five-storey buildings, all of which are Grade II listed and fall within the Bloomsbury conservation area, the dominant focal point terminating this vista remains the building at 8-10 Southampton Row, and particularly the ornate architectural features at the upper levels of the building which remain unimpeded against clear sky. Furthermore, given the avenue treeline which frames Southampton Row, both the proposed building and 8-10 Southampton Row are partially obscured in views from Sicilian Avenue, further mitigating any impact on the setting of the listed buildings and both conservation areas.

38 The applicant's townscape heritage and visual impact assessment illustrates the impact of the building on a number of other views, all of which demonstrate that the proposed building will not significantly harm the setting of either of the two conservation areas or listed buildings.

39 In summary, the design of the development responds appropriately to the surrounding heritage assets. The resultant contemporary building is of a high quality, responds well to the challenging context of the site, and is supported.

Inclusive design

40 In accordance with London Plan Policy 3.8, the applicant has indicated that all of the residential units will be designed to Lifetime Homes standards, and two will be designed to be wheelchair accessible, equating to 9% of overall provision. Furthermore, the proposal has been broadly designed to be accessible to all, which is supported in accordance with Policy 7.2.

41 Whilst the commitment to Lifetimes Homes and wheelchair accessible housing is welcomed, the applicant has not submitted any design detail in support of these statements, so it is not possible to determine whether the units will accord fully with the standards. The Council has requested a full Lifetime Homes assessment be submitted, which GLA officers support. However, in addition to this, the applicant should demonstrate on plan the location of the proposed wheelchair accessible units and illustrate how their design will allow for full wheelchair access. Given that the provision falls short of the strategic target of 10%, the applicant should explore whether any of the other proposed units will be able to be adapted for future occupation by a wheelchair user.

Climate change

Climate change adaptation

42 In response to strategic policies regarding climate change adaptation, the applicant has submitted a sustainability statement which demonstrates that a number of measures can be included in the completed development, including use of rainwater harvesting, using low energy lighting, energy efficient appliances, metering, and high levels of insulation, and low water use sanitary-ware and fittings. However, at this stage the applicant has not committed to the inclusion of these measures. To ensure that the application complies with strategic policies, the proposed measures outlined within the sustainability statement should be secured by the Council through conditions attached to any grant of planning permission. This should include the provision of a biodiverse roof.

Climate change mitigation

43 Whilst the applicant has demonstrated that it has broadly followed the London Plan energy hierarchy to reduce carbon dioxide emissions, the application does not comply with London Plan policies 5.2, 5.5, 5.6, and 5.7.

44 An appropriate range of passive design features, and demand reduction measures, have been included, although further information is required regarding measures to reduce the need for active cooling. Given the small scale nature of the proposed development, the provision of a combined heat and power plant is accepted as being unfeasible. However, the applicant should confirm that the building will be served by a single site-wide heat-network supplying all of the units. This should be supported by information on the location and size of the energy centre, and should be secured by the Council through condition. Furthermore, the applicant should confirm that the development will be designed so as to allow future connection to a district heating network, should one become available.

45 With regard to renewable technologies, the applicant is proposing the use of ground source heat pumps. Further information is required regarding how the ground source heat pumps will operate in conjunction with a communal heating system, which is expected to deliver domestic hot water and space heating to all units. A schematic of the proposed system, in addition to the residual regulated carbon dioxide emissions savings it will deliver, should also be provided.

Transport

46 Transport for London does not raise any outstanding strategic transport issues. The Council should note the comments it provided on 9 May 2013 regarding securing the car free nature of the development through the legal agreement, confirmation of the provision of blue badge car parking, and the requirement to provide a construction and logistics plan.

47 In accordance with London Plan Policy 8.3, 'Community Infrastructure Levy', the Mayor commenced CIL charging for developments permitted on or after 1 April 2012. It is noted that the proposed development is within the London Borough of Camden, where the Mayoral charge is £50 per square metre gross internal area. Further details can be found at: <http://www.london.gov.uk/publication/mayoral-community-infrastructure-levy>.

Legal considerations

48 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 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

49 There are no financial considerations at this stage.

Conclusion

50 London Plan policies on the Central Activities Zone, housing, urban design and inclusive design, climate change and transport are relevant to this application. Whilst the application is broadly acceptable in strategic planning terms, further discussion is required regarding the following issues:

- **Housing:** The application does not currently comply with London Plan Policy 3.12 with regard to affordable housing. Further discussion with the applicant and the Council is therefore required, following completion of the independent assessment of the applicant's financial viability report.
- **Inclusive design:** The applicant should demonstrate on plan the two proposed wheelchair accessible units, and explore whether an additional unit could be designed so as to be adaptable for future occupation by a wheelchair user, in addition to submitting further information demonstrating that the units will accord with Lifetime Homes standards.
- **Climate change:** The application does not comply with London Plan policies regarding climate change adaptation or mitigation. Further information and commitments are required with regard to the need to reduce active cooling, the use a site-wide heat network, and the proposed ground source heat pumps. The Council should secure through condition both the proposed measures outlined in the sustainability statement for climate change adaptation, and the final agreed energy strategy.

for further information, contact Development and Projects:

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