

MAYOR OF LONDON

David Fowler
Regeneration and Planning
Development Management
London Borough of Camden
5 Pancras Square
London N1C 4AG

Our ref: D&P/3711/02/MJ
Your ref: 2015/2704/P
Date: 25 July 2016

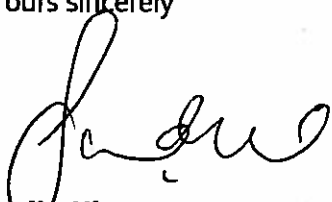
Dear Mr Fowler

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

I refer to your letter of 14 July 2016 informing me that Camden Council is minded to grant planning permission for the above planning application, subject to conditions and completion of a Section 106 agreement. I refer you also to the notice that was issued on 14 July 2016 under the provisions of article 5(1)(b)(i) of the above Order.

Having now considered a report on this case 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 or to take over the application for my own determination.

Yours sincerely



Sadiq Khan
Mayor of London

cc Andrew Dismore, London Assembly Constituency Member
Tony Devenish, Chair of London Assembly Planning Committee
National Planning Casework Unit, DCLG
Lucinda Turner, TfL
Claire Newbury, Turley, The Charlotte Building, 17 Gresse Street, London W1T 1QL

Central Somers Town

in the London Borough of Camden

planning application no. 2015/2704/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 existing buildings and the provision of approximately 2,190 sq.m. replacement school (Use Class D1); approximately 1,765 sq.m. of community facilities (Use Class D1); approximately 207 sq.m. of flexible Use Class A1/A2/A3/D1 floorspace; and 136 residential units (Use Class C3) over 7 buildings ranging from 3 to 25 storeys. Provision of 11,765 sq.m. of public open space along with associated highways works and landscaping.

The applicant

The applicant is the **London Borough of Camden**, the architects are **DSDHA, Duggan Morris, Hayhurst and Co., dRMM, and Adam Khan**, and the agent is **Turley**.

Key dates

- Pre-application meeting: 17 August 2015.
- Stage 1 considered: 25 February 2016.
- Camden Council Planning Committee: 21 June 2016.

Strategic issues summary

Affordable housing: 30% (by habitable room) social rent (44 units). The independent viability assessment shows that 14% affordable housing (20 units) is the maximum possible; however the Council is contributing £10.3M from its Affordable Housing Fund to boost the affordable units to 44. This is in addition to the residential element cross-subsidising the rebuilding of the school, community facilities and re-provision of public open space (£27M). (Paras 5-10).

Historic environment and tall buildings: Historic England have requested that the Mayor direct refusal of the application. GLA officers consider that the harm caused by the residential tower on the Grade I listed Chester Terrace and Regent's Park is 'less than substantial'. Considerable weight and importance has been given to the conservation of these highly significant heritage assets; however the proposals will result in public benefits that outweigh this harm. Design modifications to the tower and conditions appropriately respond to the concerns of the Crick Institute. (Paras 19-28)

Open space and trees: The proposals will result in a much improved area of public open space of a slightly greater area than existing. Although the loss of trees is regrettable, this has been fully justified and will be appropriately mitigated by new tree planting. (Paras 29-33)

The Council's decision

In this instance, Camden Council has resolved to grant permission, subject to conditions and completion of a 'shadow' Section 106 agreement.

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 On 20 January 2016, 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. This was referred to the Mayor under Categories 1B(c) and 1C(c) of the Schedule to the Order 2008:

- 1B(c) *“Development (other than development which only comprises the provision of houses, flats, or houses and flats) which comprises or includes the erection of a building or buildings (c) outside Central London and with a total floorspace of more than 15,000 square metres.”*
- 1C(c) *“Development which comprises or includes the erection (c) a building of more than 30 metres high and outside the City of London.”*

2 On 25 February 2016, the previous Mayor considered planning report D&P/3711/01, and subsequently advised Camden Council while the application is generally acceptable in strategic planning terms, it did not yet comply with the London Plan, for the reasons set out in paragraph 95 of that report; but that the possible remedies set out in that paragraph could address these deficiencies:

- **Affordable housing:** GLA officers support the use of receipts from the market residential element to cross-subsidise the delivery of Edith Neville Primary School, nursery, community play facilities, community hall and new public realm; however, the applicant’s viability assessment, together with the results of an independent review, should be shared with the GLA before the application is referred back to the Mayor. The local planning authority should provide clarification on how contributions will be secured. The proposal for all of the affordable housing to be social rent is acceptable in this instance, subject to the outcome of the viability assessment.
- **Inclusive design:** The access arrangements for the proposal are acceptable, apart from the need to provide Blue Badge parking spaces. The Council should secure M4(2) and M4(3) requirements by condition.
- **Transport:** The applicant should resolve issues regarding deliveries, the provision of cycle and Blue Badge parking, and pedestrian/cycling movement before it can be confirmed if the development is in accordance with London Plan transport policies.
- **Climate change:** The carbon dioxide savings exceed the target set within Policy 5.2 of the London Plan; however further passive measures should be considered in line with Policy 5.9; evidence of correspondence with the Somers Town Heat Network operator should be provided; and a roof layout showing the location of the PV on Plots 2, 5 & 6 should be provided. The approach of a separate system for space heating for Plot 7 is not supported, and the applicant should revise the heating strategy.

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, further information has been provided as discussed below, the design of the upper storeys of the residential tower have been amended to include winter gardens, and further views analyses have also been submitted (see below).

4 On 21 June 2016, Camden Council decided that it was minded to grant planning permission, subject to conditions and completion of a 'shadow' Section 106 agreement, and on 15 July 2016 it advised the Mayor of this decision. 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 the Council under Article 6 to refuse the application, or issue a direction to the Council under Article 7 that he is to act as the Local Planning Authority for the purposes of determining the application. The Mayor has until 27 July 2016 to notify the Council of his decision and to issue any direction.

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

Affordable housing

6 The proposals include the following housing:

	Market sale	Social rent	Total
One bed	42	13	55 (40%)
Two bed	44	23	67 (50%)
Three bed	6	8	14 (10%)
Total	92 (68%)	44 (32%, 30% by habitable room)	136

7 The site is currently owned by the Council. It is proposed to sell the plots that would accommodate market housing blocks (Plots 2, 3 and 7) to generate a land receipt required to fund the rebuilding of the school, community facilities and re-provision of public open space (expected to be approximately £27M). At consultation stage, given the strategic support for social infrastructure provision, the proposal to fund the new school, community facilities and public realm was considered acceptable, subject to a financial viability assessment. The applicant has submitted a viability report (by Savills) to justify not providing a policy-compliant level of affordable housing (50%). As requested at consultation stage, the Council's independent assessment (by BPS) has been provided to GLA officers. The applicant's viability appraisal shows that 14% affordable housing (20 units) is the maximum that can be delivered; however the Council is contributing £10.3M from its Affordable Housing Fund (AHF) to boost the number of affordable units to 44. Target social rents for the affordable units will be secured via the 'shadow' Section 106 agreement, with clauses specifying that the units will be provided at target rent levels in perpetuity.

8 Conditions secure that the school will be built and fully fitted out prior to first occupation of any residential units; the community hall in plot 5 and the community hub facilities in plot 1 will be built and fully fitted out prior to first occupation of more than 50% of the market residential units; the improvement works to Polygon open space will be completed prior to occupation of 50% of Plots 2 and 3; and the improvement works to Purchase Street open space will be completed prior to occupation of 50% of Plots 5 and 6.

9 The Council (as applicant) would sell the residential plots to a residential developer, and should the land sale receipt significantly exceed the currently anticipated level, then the scale of the subsidy from the AHF would be reduced, with any surplus spent on affordable housing elsewhere. As discussed below, the 'shadow' section 106 agreement will include a provision requiring that in the event of any disposal of the land, the 'shadow' section 106 agreement terms will be included in the terms of the sale transfer and the purchaser will be formally required to enter into the 'shadow' section 106 agreement as owner of the land at the point of acquisition (and hence its terms will thereafter bind the site).

10 London Plan Policy 3.11 'Affordable Housing Targets' requires that 60% of the affordable housing provision should be for social and affordable rent and 40% for intermediate rent or sale. The Council's planning policies do allow for flexibility on tenure split, and specifically state that wholly social rented schemes may be acceptable where the level of affordable housing is below its 50% target, and where high land costs and residential values make intermediate affordable housing too expensive for households who would otherwise seek homes that cost more than social rent and less than market housing. Somers Town is one such location where shared ownership intermediate provision is likely to be too expensive to provide, even within the GLA income cap. On that basis it is considered appropriate to prioritise social rented housing in this instance.

11 In conclusion, bearing in mind the cross subsidy of the market residential units to the school, community facilities, and public realm, the provision of affordable housing is considered to be the maximum reasonable amount.

Inclusive design

12 As requested at consultation stage, the Council has secured M4(2) and M4(3) requirements by condition.

Transport

13 As requested at consultation stage, alterations to cycle parking arrangements have been made in accordance with London Plan requirements. The Council has also included planning conditions to secure that the scheme is car free and residents will not be able to apply for CPZ permits, as requested. It is regrettable that only four Blue Badge spaces are provided; however it was noted at consultation stage that Blue Badge holders are able to use any parking bays within the area with no time restrictions, and the Council will consider designating specific bays on request. The 'shadow' section 106 agreement secures contributions towards pedestrian and cycling improvements as part of wider proposal of highway alterations, which are strongly supported. Final details of these enhancements have yet to be developed; however TfL should be consulted as these proposals develop in order to address the shortfall of Blue Badge parking, as well as servicing issues associated with Plot 6. Requests for a Travel Plan and a Construction Logistics Plan have been secured by condition.

14 On balance the application is in accordance with the transport policies of the London Plan.

Climate change

15 As requested at consultation stage, the applicant has explained the measures followed to demonstrate compliance with the London Plan cooling hierarchy, including locating major plant items being away from living areas, minimising the district heating infrastructure, low energy lighting, optimised window areas, internal blinds in combination with external roller shutters and balconies, solar control glazing, thermal mass incorporated into the walls, dual aspect rooms where possible and mechanical ventilation heat recovery (MVHR) units. In response to some identified overheating risks on Plot 1, the applicant has further developed the design of the housing to increase the number of openable window areas and enhance mechanical ventilation. On Plot 7, the applicant has included further passive measures including additional natural ventilation openings, alternative positioning of shutters and reduction in glazing areas.

16 At consultation stage, further information was requested on the gas absorption heat pump system proposed to provide space heating to Plot 7. The applicant has confirmed that the heat pump system will be centralised and routed through the main riser from the basement via metered heat exchangers within each flat. The applicant has also provided heating calculations, as well as an explanation on how any potential overheating issues will be addressed. As part of detailed design, the applicant should ensure that all pipework is highly insulated so as to minimise distribution losses and any likely overheating risk.

17 The applicant has provided evidence of correspondence the Somers Town Heat Network, with the estimated costs of connection and a roof layout showing the location of PV panels on Plots 2, 5 & 6.

18 Based on the energy assessment submitted a reduction of 86 tonnes of CO₂ per year in regulated emissions is expected, compared to a 2013 Building Regulations compliant development, equivalent to an overall saving of 39%. The carbon dioxide savings exceed the target set within Policy 5.2 of the London Plan.

19 As requested at consultation stage, an appropriate planning condition has been applied, requiring the details of a drainage system to be submitted and agreed by the Council.

Historic environment and tall buildings

20 A large number of objections relate to the 25 storey building proposed, including from Historic England. The justification for a tall building within the Central Activities Zone, in a highly accessible location, and adjacent to existing large-scale buildings including the Crick Institute, was accepted at consultation stage. The rationale for siting the building at the southern end of the site was also supported, so as to avoid the Phoenix Court energy centre flue contamination zone; limit over-shadowing of the new public open space; limit the extent of tree removal; respect views from the Crick Institute atrium; and to delineate a gateway space, with views into the new park. The high residential and design quality of the building was also recognised and the density of the entire site is within the appropriate London Plan density range for a site within a 'central' setting.

21 At consultation stage, based on the information provided, GLA officers considered that the proposals would cause no harm to designated heritage assets, in particular St. Pancras Station train shed. Further views were subsequently produced in response to concerns raised by objectors, which show that the very small element of the top of the residential tower will be visible over the train shed when viewed from parts of the pavement on the south side of Euston Road between Birkenhead Street and Crestfield Street. GLA officers do not consider this to cause any harm to the setting of the train shed.

22 In response to concerns raised by Historic England, additional views were produced showing the impact of the tower on the Grade I listed Regent's Park, and Grade I listed Chester Terrace on the east side of the Park, which were not available at Stage One. These show that the top 6 storeys of the tower will be visible above the roofline of Chester Terrace when viewed along Chester Road from the entrance to the Inner Circle. Historic England defines the harm caused as 'less than substantial', although it objected to the application due to the 'highest significance' of these heritage assets. Historic England has also requested the Mayor to direct refusal for this reason, and states that the Council did not sufficiently consider the international significance of these assets in determining the application.

23 The Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the tests for dealing with heritage assets in planning decisions. In relation to listed buildings, all planning decisions should "have special regard to the desirability of preserving the building or its setting or

any features of special architectural or historic interest which it possesses". The NPPF states that when considering the impact of a proposal on the significance of a designated heritage asset, great weight should be given to the asset's conservation, and the more important the asset, the greater the weight should be. Significance is the value of the heritage asset because of its heritage interest, which may be archaeological, architectural, artistic or historic, and may derive from a heritage asset's physical presence or its setting. Where a development will lead to 'less than substantial harm', the harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. Recent judgements have provided detailed consideration of the duty imposed on local planning authorities. The Court of Appeal in Barnwell Manor held that a finding of harm to a listed building or its setting is a consideration to which the decision-maker must give considerable weight and importance.

24 As Grade I heritage assets, the Terrace and the Park are clearly of considerable heritage significance, described as international significance by Historic England. According to the NPPF, the greatest weight should therefore be given to the conservation of these heritage assets. In terms of the harm caused by the residential tower, it is noted that the viewing point in question is over 400m. from the Terrace, and 1.6km. from the tower, and consequently the top 6 storeys would comprise a very small element in the view. The harm caused to the Park would be similar, as the tower would be hidden by trees from other locations in the Park. Furthermore, as the viewer approaches the Terrace, the tower would quickly disappear behind the Terrace. Consequently, GLA officers consider that any harm caused is very limited and 'less than substantial', which needs to be weighed against the public benefits. These benefits include the regeneration of the existing site, additional market and affordable housing of a much improved quality, a new high quality school and extensive community facilities, much improved public space, as well as economic and regenerative benefits to the wider area. These benefits are considered to be considerable and outweigh the harm caused. In coming to this conclusion, GLA officers have had special regard to the desirability of preserving listed buildings and their settings and have given considerable weight to the harm caused to heritage assets of the greatest significance.

25 It is also noted that the applicant considered a number of different options in terms of height, bulk and location of the tower during the formative stages of the design process. Low-rise options were considered but these were discounted given they would result in the loss of a much larger area of open space and would result in greater overshadowing of Purchase Street Open Space. Furthermore, these options would create a barrier between the open space and the street. Given Historic England's objection to the proposed tower and its impact on the Grade I listed Nash Terrace and Regent's Park, the applicant has assessed the impact on the overall viability of the scheme of removing 6 storeys from the tower, which would equate to a loss of 35% of the building's floorspace or 18 units, and a reduction of 20 affordable units (44 units to 24 units) due to less favourable viability. Historic England consider that a reduction of less than 6 storeys would still cause 'less than substantial harm' to the listed terrace. Given the less than substantial harm caused to Chester Terrace and Regent's Park and the urgent need for new housing and in particular affordable housing, GLA officers consider that the loss of 20 affordable housing units in order to remove the harm would not be justified in public benefit terms.

26 Further views were also produced in response to objections from the Twentieth Century Society. These show that the proposed residential tower will be visible in a glimpsed view from the pavement on the south side of Euston Road, over the British Library roof. However, the tower will appear behind the chimneys of the Francis Crick Institute, and both are partially screened by trees in the British Library courtyard. GLA officers do not consider this to cause any harm to the setting of the British Library.

27 The Francis Crick Institute has objected on grounds of the impact of the height and location of the residential tower on the operations of the Institute. It also raised concerns about the impact on operations from the tower due to construction, including construction of the basement and vibrations; overlooking from the tower into laboratories; and impact on air quality from emissions from the Crick's flue outlets. The Institute fears its activities may be affected by the future service of an abatement notice in the event that a nuisance arises.

28 In response to the concerns of the Institute, it is noted that the residential units in the proposed tower would be located 16.5m. from the Institute's building. This is slightly less than the 18m. between habitable rooms suggested in the Housing SPG; however there is no such guidance for distance involving non-residential uses, and the buildings would have a usual separation distance for an urban environment. Due to air quality concerns arising from the Crick Institute's use of emergency generators and the tower's proximity to its flue's, winter gardens and a filtered air supply have been introduced on the fifteenth floor and above for the residential tower. With regards to the concerns about construction impacts, a Construction Management Plan and a Basement Construction Plan have been secured by the 'shadow' section 106 agreement. A condition has also been applied to secure a Management Plan to be drawn up in consultation with the Crick Institute, which requires a package of measures to mitigate any material impact on the operation of the Crick Institute, including assessment of air quality consequences associated with use of generators in the event of total power failure; a requirement to implement any further measures/commitments needed to address specific air quality impacts; and measures to mitigate direct views into research laboratories or other parts of the building where sensitive work is undertaken.

29 Given these measures, GLA officers consider that the operation of the Crick Institute has been appropriately safeguarded; however the Institute remains concerned that there is a risk to its operations. The Institute has been meeting with the Council both before and after the Council's Committee meeting in order to arrive at a solution acceptable to all parties; however the Crick regards the current position as insufficiently progressed to be able to confirm that its objections can be withdrawn. This may involve amendments to planning conditions and section 106 agreement clauses, which may require reconsideration by the Council's Planning Committee. Should the application be reconsidered by the Planning Committee, the Council should refer the application back to the Mayor in order to consider an updated Stage II report.

Open space and trees

30 A large number of objections relate to the open space and trees. The Stage One Report noted a key objective of the scheme is to ensure that there is no net loss of public open space. Currently the site includes 11,760 sq.m. of designated public open space, although large parts of this are of poor quality and suffer from anti-social behaviour, and the proposals will result in the provision of 11,765 sq.m. of much improved public open space. The two existing open spaces will be unified to create a connected open space. The positioning of new buildings around the open space will provide a much improved definition and enclosure to the public realm, as well as allowing good levels of activity and overlooking across the site, in particular to those areas that currently suffer from anti-social behaviour due to low levels of overlooking and surveillance. The proposals to redesign the layout and landscaping of the open spaces will also improve legibility and permeability across the site, which is currently fragmented and unclear. The new open space is also designed to allow a variety of formal and informal events to take place, which aligns well with the community and school uses proposed on the site. The range of open space uses, and the proposed design and material quality, indicates that the new open space will be of exemplary quality. The Stage One Report also noted the increased play floorspace, which is expected to be of a very high standard.

31 The Stage One Report noted the significant groups of trees on the site; however none are subject to tree preservation orders. It has now been confirmed that a total of 41 trees and 4 groups of small trees are proposed to be removed, including three category 'A' trees. Removals are associated with the continued operation of the school during construction; the creation of a unified open space; and the creation of more active and overlooked edges to the open space, where problems of anti-social behaviour currently exist. The three category 'A' tree removals are on the site of the new school, the residential tower, and the community/residential building at the north-west corner of the site. Although these losses are regrettable, the application demonstrates that their loss is unavoidable and have been fully justified. In particular, the location of the residential tower has been located so as to minimise the loss of trees and limit the impact on the open space; as well as avoiding the Phoenix Court energy centre flue contamination zone, and respecting views from the Crick Institute atrium. A total of 105 trees will be retained, and 78 new trees will be planted in mitigation, with a further 10 trees proposed for neighbouring highways land.

32 An ecological assessment is provided with the application, which finds that the existing site is of limited biodiversity value, with hard and paved surfaces being predominant, and areas of close-mown amenity grassland in the two areas of public open space. The scheme aims to retain and enhance biodiversity across the site with wildlife friendly planting, wetlands, green roofs, brown roofs, vertical greening, new tree canopy, nesting and roosting features, with a meadow character to the west and woodland character to the east.

33 A condition secures detailed landscape proposals and an open space management plan. A condition also secures a public open space construction plan, which details what proportion of open space is closed during construction works, ensuring that a sufficient area of public open space remains open at all times.

34 In conclusion, the proposals will result in a much improved area of public open space of a slightly greater floorspace. Although the loss of trees is regrettable, their loss has been fully justified and will be appropriately mitigated by new planting.

Response to consultation

Representations to the Council

35 Historic England objected to the proposal due to the proposed tower, which it stated would cause 'less than substantial harm' and recommended that the application be withdrawn and alternatives considered. It stated that the proposed tower would harm the ability to appreciate and enjoy the significance of Regent's Park and some of the buildings associated with it, specifically the Grade I listed Chester Terrace, which is of the highest architectural significance, in a European and world context.

36 The Victorian Society stated that insufficient views of the proposed 25 storey tower have been included to allow its impact to be assessed. Noted that the proposals have the potential to affect the setting of numerous listed buildings and conservation areas, most notably St. Pancras Station. *(Further views were subsequently produced and have been taken into consideration.)*

37 The Georgian Group objected on grounds of the harm caused to the setting of Grade I listed Chester Terrace when viewed from the Inner Circle of Regent's Park (a Grade I Registered Landscape), one of the most important views of the park.

38 The Twentieth Century Society objected on grounds of the impact of the proposed tower on the significant architectural interest of the Grade I listed British Library; however it stated that it is not possible to assess the impact of the tower from the submitted information, with no

views from the courtyard or landscaped roof terraces. *(Further views were subsequently produced and have been taken into consideration.)*

39 The London Borough of Westminster objected on grounds that the proposed tower would be clearly visible in views from Regent's Park above the roofline of Chester Terrace, and would have a particularly harmful impact on the setting of the Regent's Park Conservation Area, upon the remainder of Regent's Park, and upon the setting of the Grade 1 listed Chester Terrace.

40 The Royal Parks objected on grounds of the height of the residential tower and its impact on views from Regent's Park and specifically from Chester Road and the Inner Circle.

41 The Francis Crick Institute objected on grounds of the impact of the height and location of the residential tower on the operations of the Institute. Also raised concerns about the impact on operations from the tower due to construction, including construction of the basement and vibrations; overlooking from the tower into laboratories; and impact on air quality from emissions from the Crick's flue outlets. The Institute fears its activities may be affected by the future service of an abatement notice in the event that a nuisance arises. Also raised concerns about the lack of additional public open space provision to account for the uplift in residential floorspace, the new design of the open space resulting in less soft-landscaped areas in an area deficient in open space.

42 Camden Council publicised the application by sending notifications to 616 neighbouring properties, as well as issuing site and press notices. The Council received 442 responses, including 376 in support and 66 objections. It also received a 1,058 signature petition in objection; a 10 signature petition requesting an extension in the consultation period; a 192 signature petition in objection; a 670 petition against the proposals (prior to submission) and a 762 signature petition in support of the proposals (prior to submission).

43 Camden Civic Society, Somers Town Neighbourhood Forum, Somers Town Community Forum, Coopers Lane Tenants and Residents Association, Goldington Estate Residents Association, Camden Town District Management Committee, Camden Disability Action, Bloomsbury Conservation Area Advisory Committee objected to the proposals.

44 Councillor Paul Tomlinson and Councillor Roger Robinson objected to the proposals on grounds of overdevelopment; heights in excess local context; loss of open space and trees; impact on wildlife; impact on daylight and privacy; air quality; lack of disabled parking; and impact on residents' parking.

45 Councillor Roger Robinson objected to the proposals on grounds of lack of affordable housing; flats not accessible by disabled people; loss of grassland and trees; lack of parking including disabled; loss of existing parking; impact on privacy and security of residents; danger of tower being located next to Francis Crick Institute and 2 railway stations; loss of community garden; flats could be erected above school; and concerns regarding consultation methodology.

46 Edith Neville Primary School and Scene and Heard (children's mentoring project) wrote in support of the application.

47 Grounds for objection included:

Open space and trees

- Loss of existing public open space, private open space, green space and play space
- Insufficient public open space for the proposed flats
- Parts of open space will be 'dead zones' around new buildings

- Loss of trees, including mature trees, and remaining trees at risk of damage during construction work and shade from new buildings
- Overshadowing
- Impact on dog walkers/dogs, not enough space for dogs
- Proposed park is overly-landscaped, park will be less functional
- Loss of wildlife, biodiversity
- Purchase Street will remain a street and the parks will not be truly connected

Design and conservation

- Height of the tower, nothing in the area is this height, sets precedent for tall buildings, tower is not within the Central Activities Zone
- Height of 9 storey building beside existing Plot 10 play facility, out of character, impact on listed buildings in areas
- Overdevelopment
- Should look at Somers Town as a whole and replace old buildings
- Impact on listed buildings, loss of views of listed buildings, impact on Grade I listed St. Pancras Station and British Library
- Impact on skyline, character of area, surrounding conservation areas
- Impact on design of Francis Crick Institute
- Moving plaque/bench will be upsetting for members of the family of the person who was killed on the estate (*The applicant has been in direct contact with the family and met with them to discuss relocating the bench. The memorial will be re-sited in an area of planting at the very southern end of Coopers Lane.*)

Proposed flats

- Not for local people, unaffordable, insufficient affordable housing, gentrification, social polarisation
- Density too high in an overcrowded area, with impact on local services

Amenity impact

- Loss of light to neighbouring development
- Loss of views
- Overlooking, loss of privacy
- Air quality, pollution, cumulative impact with Francis Crick and Phoenix Court CHP
- Wind impact from tower
- Noise from plant
- Effect on people's mental and physical health

Transport

- Loss of parking
- More pressure on disabled parking spaces
- Does not provide blue-badge parking (14 spaces required)
- Transport Assessment uses inadequate data, was done out of school times
- Increase in cyclists in the area poses a danger to residents including children, new bicycle lane is dangerous
- Increase in pedestrian traffic

Community facilities

- What will happen to Tennant's Hall, bigger hall not needed, loss of tenants and residents association (TRA) hall, a community hall is not the same as a TRA hall
- Another community facility is not necessary as there are a number in the area
- Impact on school with reduced playground
- School site could be used more efficiently

Building works

- Noise and disruption from building works, cumulative impact from building works in area
- Danger to children
- Dust and air quality
- Non-stop building works in the area
- Structural impact on listed buildings

Conflict of interest/procedural concerns

- Council is planner and developer
- Lack of transparency, should be open book on viability
- The decision has already been made
- Undermines localism and democracy
- There are alternatives to funding the school and community facilities, proposals are excessive to fund rebuilding of school
- Somers Town Neighbourhood Plan should be taken into account
- Waste of community assets
- Flawed consultation, questions were framed, poor consultation, misleading
- Cabinet not informed accurately of plans (e.g. re number of trees to be lost)
- Applicant did not respond to Coopers Lane residents

Safety and security

- Building on park will make it difficult for people to evacuate in an emergency
- The proposal's claim to improve safety and security is based on inadequate data
- Applicant has manipulated crime figures, area does not suffer high crime
- Risk of terrorism
- Easier for gangs to gather, which will decrease use of park, and increase concern for public safety

48 Grounds for support included:

- Improve quality of life and wellbeing for hundreds of children and families who are residents in Somers Town.
- Wide range of improvements and benefits, for diverse community groups, including the Community Play Project Plot 10, St Aloysius Nursery and Edith Neville Primary School.
- Application focuses on current and future demographic and the need for state of the art educational, recreational, sporting and community facilities for increasing numbers of children and families.
- Upgrade and improvement of usability and safety of public open spaces without any loss of public open space.
- Well-designed housing and additional social housing.
- State of the art educational, recreational, sporting and community facilities.

Representations to the Mayor

49 Historic England has requested the Mayor to direct refusal due to the 'less than substantial' harm caused to heritage assets of the 'highest significance' (Grade I listed Chester Terrace and Regent's Park), and states that the Council did not sufficiently consider the international significance of these heritage assets in determining the application. Historic England also highlighted that the impact of the tall building on Chester Terrace and Regent's Park were not addressed in the Mayor's Stage One report, since these additional views were only provided at a later stage.

50 The Francis Crick Institute has raised concerns about the impact of the height and location of the residential tower on the operations of the Institute. As discussed above, discussions between the Institute and the Council are ongoing; however the Institute regards the current position as insufficiently progressed to be able to confirm that its objections can be withdrawn.

51 An objection has been received from the Somers Town Neighbourhood Forum, which has also requested the Mayor to take over the application, suggesting that the Council has not properly or fairly considered the application. Grounds for objection include that the residential tower should not be built on public open space to fund community and environmental improvements; incorrect floorspace provision of community and education uses, in the wrong place; a loss of open space (public and private); excessive density; reduction in the amount of play space; harm to the historic environment; loss of daylight/sunlight to surrounding residents; loss of trees and biodiversity; lack of Blue Badge parking; and air quality impacts, including the cumulative impacts of High Speed 2, the Maria Fidelis schools consolidation project and Crossrail 2. It is noted that the air quality reports provided by the Forum were considered by Camden Council, who concluded that the applicant's air quality report was robust, had been conducted in accordance with the appropriate methodology, and had been appropriately reviewed internally by experts.

52 An objection has been made by the Regent's Park Conservation Area Advisory Committee, on grounds of the harm caused by the residential tower to Regent's Park and Chester Terrace.

53 An objection has been made by Camden Civic Society, on grounds of harm caused to Chester Terrace, St. Pancras Station train shed, and the British Library; and the building of the residential tower on the public open space to fund the new school.

54 An objection has been made to the Mayor through an open letter from the 'Somers Town Petitioners' (1,058 signatures) published in the Camden New Journal. The objection is on grounds of *"cutting down dozens of trees on Purchase Street and Polygon Road open spaces, and covering the grass with roads and paving, will have a terrible impact on our health and wellbeing"*. The objection also suggests that the residential units in the 25 storey building will be purchased by foreign investors.

55 Issues raised by objectors have been considered in this report, the Mayor's Stage One report, and the Council's Committee Report of 21 June 2016.

Shadow section 106 heads of terms

56 Planning contributions would usually be incorporated into a section 106 agreement; however in this case the applicant is the Council and as a matter of law the Council cannot enter into a section 106 agreement with itself. Nevertheless, the applications must be dealt with in a way that is consistent with the way the Council would deal with non-Council applications. Therefore, the heads of terms will be embodied in a 'shadow' section 106 agreement, which will be negotiated by separate lawyers within the Borough Solicitors Department representing the interests of the Council as landowner/applicant and the Council as regulatory planning authority.

57 The 'shadow' section 106 will include a provision requiring that in the event of any disposal of the land, the 'shadow' section 106 terms will be included in the terms of the sale

transfer and the purchaser will be formally required to enter into the 'shadow' section 106 as owner of the land at the point of acquisition (and hence its terms will thereafter bind the site).

58 The 'shadow' section 106 agreement will secure 44 social rent units, to be provided at target rent levels in perpetuity.

59 The following financial contributions are included in the heads of terms:

- £1,700,000 towards highways, pedestrian, cycling and environmental measures.
- £16,000 for Legible London signage.
- £13,560 towards Travel Plan monitoring.
- £6,485 towards tree planting.

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

60 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 One, therefore there is no sound planning reason for the Mayor to take over this application.

Legal considerations

61 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

62 Should the Mayor direct refusal, he would be the principal party at any subsequent appeal hearing or public inquiry. Government Planning Practice Guidance emphasises that parties usually pay their own expenses arising from an appeal.

63 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.

64 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 the Council to do so) and determining any approval of details (unless the Council agrees to do so).

Conclusion

65 It is considered that the scheme, with the suggested conditions and 'shadow' section 106 obligations, is compliant with the London Plan. Issues regarding affordable housing, inclusive design, transport, climate change, historic environment and tall buildings, and open space and trees have been appropriately addressed.

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

Stewart Murray, Assistant Director – Planning

020 7983 4271 email stewart.murray@london.gov.uk

Colin Wilson, Senior Manager – Development & Projects

020 7983 4783 email colin.wilson@london.gov.uk

Martin Jones, Senior Strategic Planner, Case Officer

020 7983 6567 email martin.jones@london.gov.uk

25 February 2016

Central Somers Town

in the London Borough of Camden

planning application no. 2015/2704/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 existing buildings and the provision of approximately 2,190 sq.m. replacement school (Use Class D1); approximately 1,765 sq.m. of community facilities (Use Class D1); approximately 207 sq.m. of flexible Use Class A1/A2/A3/D1 floorspace; and 136 residential units (Use Class C3) over 7 buildings ranging from 3 to 25 storeys. Provision of 11,765 sq.m. of public open space along with associated highways works and landscaping.

The applicant

The applicant is the **London Borough of Camden**, the architects are **DSDHA, Duggan Morris, Hayhurst and Co., dRMM, and Adam Khan**, and the agent is **Turley**.

Strategic issues

The proposed development of a school, residential, and community uses is strongly supported in strategic planning terms; however issues with respect to **affordable housing, transport and climate change** should be addressed before the application is referred back to the Mayor at his decision making stage. **Social infrastructure, open space, housing, historic environment, urban design and tall buildings, inclusive design, trees and biodiversity** policies are also relevant to this application.

Recommendation

That Camden Council be advised that while the application is generally acceptable in strategic planning terms, it does not yet comply with the London Plan, for the reasons set out in paragraph 95 of this report; but that the possible remedies set out in this report could address these deficiencies.

Context

1 On 20 January 2016, 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 1 March 2015 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 1B(c) and 1C(c) of the Schedule to the Order 2008:

- 1B(c) *“Development (other than development which only comprises the provision of houses, flats, or houses and flats) which comprises or includes the erection of a building or buildings (c) outside Central London and with a total floorspace of more than 15,000 square metres.”*
- 1C(c) *“Development which comprises or includes the erection (c) a building of more than 30 metres high and outside the City of London.”*

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 Central Somers Town site is approximately 2.2 hectares and comprises Polygon Road Open Space, Edith Neville Primary School and Children's Centre, and Purchase Street Open Space.

6 To the west, Polygon Road Open Space is 5,310 sq.m. in area, bordered by Chalton Street to the west, Polygon Road to the south, a pedestrianised section of Charrington Street to the east, and a path from Chalton Street to Charrington Street to the north. It is designated as public open space and made up of a small area of grass, a children's play area, and an outdoor gym. This area includes the 'Plot 10' Community Play Project, covering an area of 1,478 sq.m. It includes a single storey building for indoor play and children's activities and areas of outdoor play and playing pitches that are designated as private open space. A former public house (now in residential use) and Regent High School lie to the north, with Edith Neville Primary School to the east and residential buildings of up to five storeys, with some commercial uses to the south and east.

7 At the centre of the site is Edith Neville Primary School and Children's Centre, covering 5,900 sq.m. and bordered by Purchase Street to the east, Polygon Road to the south, the pedestrianised section of Charrington Street to the west, and the rear of Georgian terraced houses within the King's Cross St. Pancras Conservation Area to the north. The site comprises a one form entry primary school and children's centre made up of collection of panelised concrete and block single storey buildings constructed in the 1970s, which are in poor condition. A four storey house, currently used as the school keeper's house, forming the end of a Grade II listed terrace on Charrington Street, is also included within the site boundary. The school grounds drop to below street level to the south-west corner adjacent to Polygon Road and the pedestrianised section of Charrington Street. To the south and east are brick built residential

blocks dating from the 1970s of up six storeys, with Polygon Road Open Space to the west and three/four storey Georgian terraced houses to the north.

8 To the east is Purchase Street Open Space, covering 6,450 sq.m., and bordered by Purchase Street to the west, Brill Place to the south, Hampden Close to the north, and the rear of residential blocks facing onto Coopers Lane to the east. It is designated as public open space and made up of undulating grassed open space, a large number of trees, with an informal play area at its centre. A remnant of the brick coal yard wall bounds the south-west corner of the open space. A community hall, with private external garden space, is included within the site to the north. The rear gardens of two and three storey brick terraced houses, dating from the 1970s, back onto the park to the east and north. To the west are post-war residential buildings ranging from three to six storeys, and to the south is the almost complete Francis Crick Institute, rising to 48 metres on the south side and stepping down to 30 metres on Brill Place.

9 More widely, the area to the east is dominated by St. Pancras Station and railway lines, and to the south are large-scale buildings including the Crick Institute and the British Library. The areas to the north and west are generally low to mid-rise residential, with some taller blocks up to ten storeys.

10 The site does not front onto the Transport for London Road Network (TLRN) or Strategic Road Network (SRN). The nearest TLRN is the A501, 400m south of the site, while the nearest SRN is the A4200, 200m away to the west.

11 The site is highly accessible by public transport, with part of the development being adjacent to St. Pancras International Station, where national rail and underground services on the Metropolitan, Piccadilly, Victoria, Circle and Hammersmith & City lines can be accessed. London Overground, the Northern line and national rail services are also within a short walking distance at Euston station. A new Crossrail 2 station is also proposed just south of the site with new station entrances provided at both Euston and St. Pancras Stations. High Speed 2 (HS2) is also expected to begin operating from Euston Station by the mid-2020s. Ten bus routes can also be accessed within a short walking distance of the site. As such, the site records the highest possible public transport accessibility level (PTAL) of 6b.

12 There are three cycle hire docking stations within walking distance to the site, the nearest being available approximately 200m away to the north on Pancras Road. Two cycle routes also pass through the site along Polygon Road, Purchase Street and Brill Place, with dedicated cycle paths along parts of Polygon Road and Purchase Street. As part of HS2, Polygon Road, Phoenix Road/Brill Place will also form the most direct and convenient east/west pedestrian connections between Euston and St. Pancras Stations (as opposed to Euston Road). The nearest taxi rank is located outside the Midland Road entrance to St. Pancras Station.

Details of the proposal

13 The proposal involves the demolition of existing buildings on the site and the provision of a replacement school (Use Class D1) of approximately 2,190 sq.m.; approximately 1,765 sq.m of internal and external community space (Use Class D1); approximately 207sq.m of flexible Use Class A1/A2/A3/D1 floorspace; and 136 residential units (Use Class C3) in seven buildings ranging from 3 to 25 storeys. The proposals also include 11,765 sq.m. of public open space along with associated highways works and landscaping. The proposals are divided into seven plots, as follows:

- Plot 1: Community uses at ground floor (Use Class D1) of approximately 1,554 sq.m. (internal and external space), to include a children's nursery and community play facility, with 10 residential units above, up to six storeys.

- Plot 2: Nine storey building containing 35 residential units above flexible A1/A2/A3/D1 floorspace at ground level (approximately 137 sq.m.).
- Plot 3: Extension of the existing Grade II listed terrace to provide 3 three storey townhouses.
- Plot 4: Replacement primary school (Use Class D1) of approximately 2,190 sq.m. over two storeys.
- Plot 5: 20 residential units over a replacement community hall (Use Class D1) of approximately 200 sq.m., of four to six storeys.
- Plot 6: 14 residential units of three to four storeys.
- Plot 7: A 25 storey tower containing 54 residential units over flexible A1/A2/A3/D1 floorspace at ground level of approximately 70 sq.m.

Case history

14 On 17 August 2015, a pre-application meeting was held at City Hall for full planning permission for the demolition of existing buildings to facilitate the redevelopment of the site to provide 11,110 sq.m. of public open space; a replacement primary school (Class D1); a community building (Class D1) (to include a children's nursery, community place facility and community hall); with up to 10 residential units above; up to three residential units to the end of Charrington Street and the provision of up to 145 residential units across 4 separate blocks (1 x part 5/part 9 storeys; 1 x part 4 and part 6 storeys; 1 x 3 storeys; and 1 x 26 storeys); and associated highways works.

15 The GLA's pre-application advice report of 14 September 2015 concluded that the principle of a new replacement school, replacement community floorspace, together with 145 residential units and re-provided and upgraded open space was strongly supported in strategic planning terms; however the applicant was requested to ensure that issues raised with respect to housing, education, social infrastructure, open space, affordable housing, historic environment, urban design, tall buildings, inclusive design, transport, and climate change were fully addressed prior to the submission of a planning application.

Strategic planning issues and relevant policies and guidance

16 The relevant issues and corresponding policies are as follows:

- | | |
|-------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| • Social infrastructure | <i>London Plan; Social Infrastructure SPG</i> |
| • Open space | <i>London Plan</i> |
| • Housing | <i>London Plan; Housing SPG; draft interim Housing SPG; Housing Strategy; Shaping Neighbourhoods: Play and Informal Recreation SPG; Shaping Neighbourhoods: Character and Context SPG</i> |
| • Affordable housing | <i>London Plan; Housing SPG; draft interim Housing SPG; Housing Strategy</i> |
| • Density | <i>London Plan; Housing SPG; draft interim Housing SPG</i> |
| • Historic Environment | <i>London Plan</i> |
| • Urban design | <i>London Plan; Shaping Neighbourhoods: Character and Context SPG; Housing SPG; draft interim Housing SPG; Shaping Neighbourhoods: Play and Informal Recreation SPG</i> |
| • Tall buildings | <i>London Plan</i> |
| • Biodiversity | <i>London Plan; the Mayor's Biodiversity Strategy; Preparing Borough Tree and Woodland Strategies</i> |

- Inclusive design *London Plan; Accessible London: achieving an inclusive environment SPG*
- Transport *London Plan; the Mayor's Transport Strategy*
- Parking *London Plan; the Mayor's Transport Strategy*
- Crossrail *London Plan; Mayoral Community Infrastructure Levy; Use of planning obligations in the funding of Crossrail and the Mayoral Community infrastructure levy SPG*
- Climate change *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*

17 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, the 2010 Camden Development Policies, the 2013 Camden Site Allocations Plan, and the 2015 London Plan (Consolidated with Alterations since 2011).

18 The following are also relevant material considerations:

- The National Planning Policy Framework and accompanying Planning Practice Guidance.
- The 2015 draft Minor Alterations to the London Plan.

Principle of development

Residential development

19 London Plan Policy 3.3 'Increasing Housing Supply' recognises the pressing need for new homes in London and Table 3.1 gives an annual monitoring target of 889 new homes per year in Camden between 2015 and 2025. The site is also located between the King's Cross St. Pancras and Euston Opportunity Areas, which have minimum targets of 1,900 and 2,800 new homes, respectively, between 2015 and 2025.

20 The proposal for development including 136 residential units on this currently inefficiently used site would be consistent with London Plan policies and is supported.

Social infrastructure

21 London Plan Policy 3.16 'Protection and Enhancement of Social Infrastructure' supports the provision of high quality social infrastructure based on local and strategic needs assessments, and resists the loss of social infrastructure without realistic proposals for re-provision.

22 The proposal re-provides space for all educational and community uses currently on the site, as summarised below:

	Existing (GIA)	Proposed (GIA)
Edith Neville Primary School	1,451 sq.m.	2,190 sq.m.
Nursery	141 sq.m.	197 sq.m.
Community Play Facility	145 sq.m.	432 sq.m.
Community Hall	150 sq.m.	190 sq.m.
Total	1,887 sq.m.	3,009 sq.m.

23 A number of the existing buildings are in a poor state of repair and the proposal will re-provide all of these community uses within the site, including a new consolidated, purpose built Community Hub. The Community Hub will include a new nursery and community play facility, each of which will benefit from larger and higher quality internal spaces compared to their existing accommodation, as well as benefiting from private outdoor play areas for each use. A multi-use games area (MUGA) will be provided on the roof of the building, and will include changing facilities. The Community Hub will also include a flexible community space that will be able to open up onto the new park to allow for larger scale events. A new community hall to replace the existing facility is proposed on the ground floor of block 5, with entrances from both the proposed community garden and the main park path. The application demonstrates that the proposed space will be available for a wide range of groups and will be well used. It will also provide welcome activity surrounding the public spaces. This will be supplemented by two small commercial units for flexible uses on the ground floor of Plots 2 and 7, which is welcomed.

24 The re-provision of a greater level of educational and community space of significantly better quality is strongly supported.

Open space

25 London Plan Policy 7.18 'Protecting Open Space and Addressing Deficiency' resists the loss of open space unless equivalent or better quality provision is made. The application emphasises that a key objective of the scheme is to ensure that there is no net loss of public open space. Currently the site includes 11,760 sq.m. of designated public open space, although large parts of this are of poor quality and suffer from anti-social behaviour, and the proposals will result in the provision of 11,765 sq.m. of much improved designated public open space. The two existing open spaces will be unified to create a connected open space.

26 The proposal to re-provide the same area of public open space as currently exists, and to significantly improve its quality, is strongly supported. As discussed under 'urban design' below, the design of the proposed public open space is considered to be of very high quality.

Education

27 The NPPF gives the highest level of national policy support for school provision. London Plan Policy 3.18 'Education Facilities' supports enhanced new build provision, in particular to address the current and projected shortage of primary school places. Community use of facilities is also encouraged.

28 Edith Neville Primary School and Children's Centre is currently a one form entry, mixed school occupying a series of single storey buildings constructed in the 1970s. The school was built with a short life expectancy and is in a poor state of repair, making inefficient use of the site. A primary objective of the proposal is for the redevelopment of the school and children's centre to provide a replacement one form entry school, with a nursery and children's centre. The proposal would increase the internal area from 1,451sq.m. to 2,190 sq.m. The school will remain one form entry for up to 210 pupils, since a new two form entry school is included in the neighbouring King's Cross development. While short and medium term population projections show that a one form entry school will provide sufficient school places for the area, long term projections indicate that a two form entry school may be required to meet growing demands for school places in the area. The design therefore allows for future expansion of the school by adding floors to the building and the plant room and servicing has been designed to allow this. The proposal will also provide approximately 3,470 sq.m. of net external space, including hard and soft landscaped areas for a variety of age groups, an increase on the existing 3,268 sq.m. The school design includes a separate community entrance, which will allow for the school hall to be used by community groups outside of school hours.

29 The application demonstrates that the phasing of the construction of the school will minimise disruption to pupils. The nursery and the Children’s Centre will be moved into temporary accommodation during construction on the car park of the school, while the rest of the school will remain operational until the new building is completed, after which the existing building will be demolished.

30 The re-provision of much improved educational facilities is strongly supported, including expanded external space and community use. The approach to allowing future expansion of the school is also supported.

Housing

31 The proposals include the following housing:

	Market	Social rent	Total
One bed	42	13	55 (40%)
Two bed	44	23	67 (50%)
Three bed	6	8	14 (10%)
Total	92 (68%)	44 (32%)	136

Affordable housing

32 London Plan Policy 3.9 ‘Mixed and Balanced Communities’ seeks to promote mixed and balanced communities by tenure and household income. Policy 3.12 ‘Negotiating Affordable Housing’ seeks to secure the maximum reasonable amount of affordable housing.

33 The current proposals include 44 social rent units out of a total of 136, which equates to approximately 32% of the total. The introduction of an element of market housing to an area dominated by social housing is welcomed, in line with Policy 3.9. It is the applicant’s intention that the receipt from the market residential element will be used to cross-subsidise the delivery of Edith Neville Primary School, nursery, community play facilities, community hall and public realm.

34 Any financial surplus would normally be subject to the requirements of London Plan Policy 3.12 to provide the maximum reasonable amount of affordable housing, and the applicant has submitted a viability assessment to the local planning authority in support of this. London Plan Policy 8.2 ‘Planning Obligations’ provides the strategic context for planning obligations and whilst affordable housing and transport are given the highest priority at the strategic level, the need for planning obligations to fund social infrastructure, such as schools and community facilities, is also acknowledged as important. Given the strategic support for social infrastructure provision, the proposal to fund the new school, community facilities and public realm is acceptable, subject to a financial viability assessment. Mindful of the Mayor’s priorities for planning obligations and having regard to the nature of this scheme, and its potential to contribute towards the wider objectives of the Camden’s schools delivery programme, in accordance with the aims of London Plan Policy 3.18, GLA officers support such a surplus split in principle. However, the applicant’s viability assessment, together with the results of an independent review, should be shared with the GLA before the application is referred back to the Mayor. GLA officers will update the Mayor on the findings of the review, and of any further negotiations, at the Stage Two decision making stage.

35 At Stage Two, the local planning authority should provide clarification on how contributions will be secured. Planning contributions would usually be incorporated into a section 106

agreement; however in this case the applicant is the Council and as a matter of law the Council cannot enter into a section 106 agreement with itself. Nevertheless, the applications must be dealt with in a way that is consistent with the way the Council would deal with non-Council applications. Therefore, a 'shadow' section 106 agreement is expected to be negotiated by separate lawyers representing the interests of the Council as landowner/applicant and the Council as regulatory planning authority. The shadow section 106 should include a provision requiring that in the event of any disposal of the land, the shadow section 106 terms will be included in the terms of the sale transfer and the purchaser will be formally required to enter into the shadow section 106 as owner of the land at the point of acquisition.

36 London Plan Policy 3.11 'Affordable Housing Targets' requires that 60% of the affordable housing provision should be for social and affordable rent and 40% for intermediate rent or sale. However, in reflection of the relatively small number of affordable units provided, and the challenge of making intermediate tenures genuinely affordable in this central location, the proposal for 100% social rent is acceptable in this instance, subject to the outcome of the viability assessment.

Housing choice

37 London Plan Policy 3.8 'Housing Choice' encourages a choice of housing based on local needs, while affordable family housing is stated as a strategic priority. Policy 3.11 also states that priority should be accorded to the provision of affordable family housing.

38 With regard to the market housing, Camden's Policy DP5 identifies a very high need for two-bed units, and seeks to achieve a minimum of 40% two-bed units in market developments. The proposal includes 48% of the market units as two-bed units.

39 Camden's Policy DP5 also requires 50% of social rented units to have three or more bedrooms; however the proposal includes only 18%. The application includes details of Camden's current housing waiting list, which shows that 41% of demand is for two-bed units (compared to 52% proposed); 22% for one-beds (compared to 29% proposed); and 28% for three-bed (compared to 18% provided). The proposed social rented units are similar to that needed, and Camden's Housing Department has confirmed that it reflects local demand. The proposed mix is therefore supported.

Density

40 London Plan Policy 3.4 'Optimising Housing Potential' states that taking into account local context and character, the design principles in Chapter 7 and public transport capacity, development should optimise housing output for different types of location within the relevant density range shown in Table 3.2. The site is within a central location where the density matrix sets a guideline of 650-1,100 habitable rooms or 140-405 units per hectare for a PTAL of 4-6. The applicant calculates that the density of the proposal is approximately 879 habitable rooms, or 325 units, per hectare, excluding the public open space. Accounting for the mixed use nature of the proposals, this is likely to underestimate the impact of the development in terms of scale and massing, activity, and the demand for services (as discussed in paragraphs 1.3.62-1.3.63 of the draft interim Housing SPG); however the density would still be within the London Plan density matrix, demonstrates no characteristics of over-development, and is considered to meet London Plan policy.

Residential quality

41 London Plan Policy 3.5 'Quality and Design of Housing Developments' promotes quality in new housing provision, with further guidance provided by the Housing SPG. The Mayor has published draft Minor Alterations to the London Plan, which have been prepared to bring the London Plan into line with new national housing standards and car parking policy. A draft interim Housing SPG has also been published reflecting these and other changes.

42 Residential quality across the scheme appears to be high, exceeding London Plan space standards. All of the units are dual aspect, with a number being triple aspect, and all of the residential units also benefit from an area of private amenity space in the form of terraces and balconies.

Children's play space

43 London Plan Policy 3.6 'Children and Young People's Play and Informal Recreation Facilities' seeks to ensure that development proposals provide access to inclusive, accessible and safe spaces, offering high-quality play and informal recreation opportunities. Further detail is provided in the Mayor's Supplementary Planning Guidance 'Shaping Neighbourhoods: Play and Informal Recreation', which 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 a minimum.

44 The residential elements proposed indicate a child yield of 54 (made up of 55% under 5, 28% 5-11 and 16% 12+), which would result in a requirement for 540 sq.m. of playspace. The play strategy included in the application indicates a very high quality and imaginative play provision, as detailed below:

	Existing (sq.m.)	Proposed (sq.m.)
Playable green space	4,925	3,840
Doorstep play	0	1,825
Infant play	245	235
Junior play	880	610
Activity area for all ages	400	445
Outdoor gym	200	140
Community garden	375	455
Dog activity area	495	265
TOTAL	7,520	7,815

45 The proposals will also result in the enhancement of the Community Play Facility which includes private play space for children, and provision of a MUGA,. The proposed play spaces could be seen as the redistribution of existing play space; however it is recognised that much of the existing space is of a low quality and the area is not identified as deficient in play space. The introduction of 1,825 sq.m. of doorstep play where none currently exists is particularly welcomed. The proposals fully meet the requirements of Policy 3.6.

Historic environment

46 London Plan Policy 7.8 'Heritage Assets and Archaeology' states that development should identify, value, conserve, restore, re-use and incorporate heritage assets where appropriate. The proposal will have an impact on designated heritage assets, including the Grade I listed British Library, St. Pancras Station, and Kings Cross Station; the Grade II* listed St. Pancras Church with its associated Grade I and II listed mausolea and funerary monuments, and

St. Pancras Gardens, which is Grade II listed on the Register of Parks and Gardens of Historic Interest; the Grade II listed terrace at 1-7 Charrington Street and 20/21 Platt Street, Pancras Road arches, Walker House, Chamberlain House, Levita House, and St. Mary the Virgin Church; and Kings Cross St. Pancras, Bloomsbury, Camden Town, and Regent's Canal Conservation Areas. The Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the tests for dealing with heritage assets in planning decisions. In relation to listed buildings, all planning decisions should "have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses" and in relation to conservation areas, special attention must be paid to "the desirability of preserving or enhancing the character or appearance of that area".

47 The NPPF states that when considering the impact of a proposal on the significance of a designated heritage asset, great weight should be given to the asset's conservation, and the more important the asset, the greater the weight should be. Significance is the value of the heritage asset because of its heritage interest, which may be archaeological, architectural, artistic or historic, and may derive from a heritage asset's physical presence or its setting. Where a proposed development will lead to 'substantial harm' to or total loss of the significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Where a development will lead to 'less than substantial harm', the harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. Recent judgements have provided detailed consideration of the duty imposed on local planning authorities. The Court of Appeal in *Barnwell Manor* held that a finding of harm to a listed building or its setting is a consideration to which the decision-maker must give considerable weight, and that there should be a strong presumption against granting permission that would harm the character or appearance of a conservation area.

48 The applicant has provided a Heritage, Townscape and Visual Impact Assessment (HTVIA), which contains an analysis of 17 views towards the site from all directions, as agreed with Camden planning officers, including wirelines and full renders. The HTVIA also contains an assessment of the significance of the Conservation Areas and statutorily listed buildings around the site, which GLA officers consider to be appropriate. The impact on designated heritage assets and their settings will arise primarily from the 25 storey residential tower; however GLA officers consider this to be largely neutral, with some positive impacts arising from the distinctive roofline of the tower, with no harm identified. The most sensitive view (number 9) is from Euston Road, overlooking Kings Cross Station Square and the roof of St. Pancras Station train shed. The wireline view demonstrates that the residential tower will be hidden behind the train shed roof, which is welcomed, and it is noted that the tower will be 2.7 metres lower than the St Pancras Station clock tower. In coming to this conclusion, GLA officers have had special regard to the desirability of preserving listed buildings and their settings, and paid special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

49 London Plan Policy 7.8 also applies to non-designated heritage assets. No locally listed historic buildings are identified within the HTVIA and the applicant should confirm that none are affected by the proposals. Although not identified within the HTVIA, GLA officers consider the remnant of the brick coal yard wall in the south-west corner of the site to be a non-designated heritage asset, providing a reminder of the former use and history of the site. The NPPF states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application, and a balanced judgement is required having regard to the scale of any harm or loss and the significance of the heritage asset.

50 It is recognised that the existing wall significantly compromises access and overlooking in the existing open space. The application proposes to retain the wall but to make it more permeable, with two new openings to create new views and routes into the open space, and existing openings expanded to create new seating ledges and views between the open space and Purchase St. Improved lighting on both sides of the wall will enhance the wall and ensure safety at night. The wall is considered to be of relatively low significance, being only a remnant, and the harm caused to the heritage asset will be outweighed by the public benefits arising from increased pedestrian permeability and improved views into the new open space.

Urban design and tall buildings

51 The proposals were presented at pre-application stage to GLA officers and were considered to be of a high quality, which has been carried through into the submitted application. The use of five different architectural practices working together results in a diverse but complementary range of buildings. The proposals indicate a very high quality of development, and the Council should seek to maintain this quality by securing the architects through to delivery.

52 The proposal to position new buildings around a reconfigured and much improved open space is strongly supported, including community buildings and an element of commercial space with residential units above, and a new school building. This provides much improved definition and enclosure to the public realm, as well as allowing good levels of activity and overlooking across the site throughout the day, in particular to those areas that currently suffer from anti-social behaviour due to low levels of overlooking and surveillance. The re-provision of existing well-used community spaces, together with the introduction of a small element of flexible commercial space, ensures that the streetscape and public open space will be fully activated. The proposals to redesign the layout and landscaping of the open spaces will also improve legibility and permeability across the site, which is currently fragmented and unclear. The open space is also designed to allow a variety of formal and informal events to take place, which aligns well with the community and school uses proposed on the site. The range of open space uses, and the proposed design and material quality, indicates that the new open space will be of exemplary quality.

53 The Plot 1 brick-clad community/residential building in the north-east corner of the site (Adam Khan Architects) is described as a celebratory public building in the new park, incorporating a playful roof line forming the boundary to the upper level MUGA, which is echoed on the residential block, as well as distinctive arched ground floor openings. The building clearly defines the park edge and provides a good level of active frontage at ground floor level onto both Chalton Street and the new Polygon Road Open Space, while respecting the need for a degree of privacy for the user groups. The building incorporates 'shop' windows on these elevations, in the form of deep windows incorporating shelves for displaying objects. This is an innovative approach to providing a level of overlooking to the public realm, while maintaining a degree of privacy for the nursery and other children's facilities. In order to minimise any noise impacts, the MUGA has been sited to maximise distances (12-16 metres) to the Plot 1 and Plot 2 housing units and the existing housing on Chalton Street, with ground floor external play spaces in between. Furthermore, the size and number of window openings in the residential elevations facing towards the MUGA have been minimised. The six-storey element contains two residential units per core, and the drawings indicate that they will be of a high quality.

54 The adjacent brick-clad Plot 2 nine storey residential building to the east (Duggan Morris Architects) incorporates a commercial unit fronting onto the new park, which introduces a new use to the site and will help to activate the public realm. The building takes the form of two

slightly off-set blocks, which allows the introduction of additional corner units providing a high proportion of dual and triple aspect units. The main residential access is from Charrington Street, which provides activity to that street. Further to a request at pre-application stage, the application demonstrates that the benefits of having street access to the ground floor residential unit are outweighed by drawbacks, including proximity to the refuse store and loss of elevated living space, which is accepted. A maximum of five units per core are proposed at upper levels, and the drawings provided indicate that they will be of a high quality. Impacts arising from the proximity of the existing school playground, the proposed high level MUGA, and the proposed community play space have been fully considered and appropriate responses included, such as the location of living spaces, inset boundaries, and landscape screening.

55 The three Plot 3 townhouses proposed in the north-west corner of the site (Hayhurst & Co.) form a sensitive contemporary extension to the listed terrace. The rear boundary of this plot forms the boundary with the new school playground, and as requested at pre-application stage, the proposals demonstrate how views to the school will be restricted, while introducing an element of external amenity space.

56 Similar to the community/residential building to the north-west of the site, the proposed Plot 4 school (Hayhurst & Co.) incorporates 'shop' openings on some elevations, providing a level of overlooking to the public realm, while maintaining a degree of privacy. The location of the main entrance at the south-east corner of the building also provides activity and overlooking to both Purchase Street and the new park to the south. Notwithstanding this, at pre-application stage, some concerns were expressed about the ground floor elevation and boundary treatments, which had a relatively small area of active use and overlooking, and could be perceived as somewhat fortress-like. In response, significant amendments have been incorporated in the submitted scheme, including a reduction in the height of the solid boundary plinth on Charrington Street to one metre; a reduction in the height of the reception play screen fronting onto the new park; more 'shop' openings to the reception playspace onto the new park; and more openings to the Purchase Street frontage, including low-level child-scale windows. These changes are strongly supported and will allow the school to have a more open aspect to the surrounding public realm, while maintaining the required levels of privacy to the school.

57 On the opposite side of Purchase Street are the brick-clad Plot 5 and 6 buildings (Duggan Morris Architects). Plot 5 consists of six storey and four storey components and Plot 6 of four storey and three storey components, stepping down to align with neighbouring development on Coopers Lane. Plot 5 includes a re-provided community hall at lower ground level, with residential units above. The level change between Purchase Street and the existing community garden is approximately 2 metres, so the lower ground floor is set at community garden level, resulting in the ground floor being approximately 1 metre above the level of Purchase Street, allowing security and passive surveillance of the public realm. The level of the lower ground floor allows direct level access from the community hall to the re-provided community garden accessed from Hampden Close, with stepped access and a platform lift from Purchase Street, adjacent to the residential entrance. Plot 6 is located in an area of the existing Purchase Street open space that forms a hollow, visually separated from the surrounding area, which coupled with the exposed back gardens of Coopers Lane, has led to security problems and anti-social behaviour. The Plot 5 building will introduce activity and passive surveillance, which is strongly supported. Similar to Plot 2, both buildings take the form of two slightly off-set blocks, which allows the introduction of additional corner units providing a high proportion of dual and triple aspect units. Residential quality is generally high. The rear elevation of the Plot 6 block and the rear elevation of the existing Coopers Lane housing are 12 metres apart, which is less than the 18-21 metres minimum generally expected, although a small number of units are affected and the planting of new trees will mitigate this to an acceptable degree.

58 London Plan Policy 7.7 'Location and Design of Tall and Large Buildings' sets out a range of criteria for tall buildings. A building of 25 storeys by dRMM Architects is proposed as part of the scheme. Within the Central Activities Zone; in a highly accessible location; adjacent to large-scale buildings including the Crick Institute, which rises to 30 metres (equivalent to 15 storeys); and minimising the loss of open space, the rationale for siting the building at the southern end of the site is supported. The building has been sited towards the eastern end of Brill Place, so as to avoid the Phoenix Court energy centre flue contamination zone; limit overshadowing of the new public open space; limit the extent of tree removal; respect views from the Crick Institute atrium; and to delineate a gateway space, with views into the new park. Residential quality appears high, with three-four units per core, all with dual aspect. The 'scissor' design creates a distinctive top to the building in this prominent location, which provides a visually interesting contrast to the curved horizontal massing of the Crick Institute. The application includes a Wind Microclimate Study in relation to residential tower, which states that wind conditions are considered suitable, in terms of comfort, for the planned pedestrian activities. Exceptions to this are identified at the south-west entrance and the balconies on the west elevation and the Study suggests further mitigation measures may be required. The applicant should provide a response to this suggestion.

59 As noted at pre-application stage, the ground floor layout of a tall building, with a relatively small footprint, creates challenges in its relationship to surrounding public realm. The residential entrance and lobby on the north and east elevations faces the pedestrian route into the new park, while a return to the south provides some overlooking onto Brill Place. A commercial/cafe space facing onto the north and west elevations relates well to the public open space, while also sitting adjacent to Brill Place. Locating the goods lift on the southern elevation, providing direct access from the street to basement servicing, is the most logical location and is supported. The facade of the tower is made up of projecting bays and recessed balconies of glass and metal panelling, with sliding aluminium screens pierced with a design referencing DNA sampling, a reference to the Crick Institute. The highly reflective surface is intended to minimise the visual impact on the new park and the existing trees and is supported.

Trees and Biodiversity

60 London Plan Policy 7.21 'Trees and Woodlands' states that existing trees of value should be retained and any removal should be mitigated by re-provision.

61 Significant groups of trees are scattered throughout the site; however none are subject to tree preservation orders. A total of 45 trees are proposed to be removed, including three 'category A' trees. Removals are associated with the continued operation of the school during construction, the creation of a unified open space, and the creation of more active and overlooked edges to the open space where problems of anti-social behaviour currently exist. The three category A tree removals are on the site of the new school, the residential tower, and the community/residential building at the north-west corner of the site. Although these losses are regrettable, the application demonstrates that their loss is unavoidable and have been fully justified. A total of 70 trees will be retained, and 74 new trees will be planted in mitigation, with a further 14 trees proposed for neighbouring highways land. The proposals are considered to meet the requirements of Policy 7.21.

62 London Plan Policy 7.19 'Biodiversity and Access to Nature' states that development proposals should enhance biodiversity where possible.

63 An ecological assessment is provided with the application, which finds that the existing site is of limited biodiversity value, with hard and paved surfaces being predominant, and areas of close-mown amenity grassland in the two areas of public open space. Semi-mature non-

native trees provide extensive canopy cover, with a shrub layer only present in certain areas. The scheme aims to retain and enhance biodiversity across the site with wildlife friendly planting, wetlands, green roofs, brown roofs, vertical greening, new tree canopy, nesting and roosting features, with a meadow character to the west and woodland character to the east. These proposals are supported in line with Policy 7.19.

Inclusive design

64 The aim of London Plan Policy 7.2 'An Inclusive Environment' 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, including older people, disabled and Deaf people, children and young people, can use the places and spaces proposed comfortably, safely and with dignity.

65 Policy 3.8 'Housing Choice' requires all new housing to be built to 'Lifetime Homes' standards. In order to bring the London Plan into line with new national housing standards, the draft Minor Alterations to the London Plan (MALP) proposes to replace this with *"ninety percent of new housing meets Building Regulation requirement M4(2) 'accessible and adaptable dwellings'"*. Policy 3.8 also requires 10% of units to be wheelchair accessible or easily adaptable, which the draft Minor Alterations to the London Plan proposes to replace this with *"ten per cent of new housing meets Building Regulation requirement M4(3) 'wheelchair user dwellings', i.e. is designed to be wheelchair accessible, or easily adaptable for residents who are wheelchair users"*. The application confirms that the residential units have been designed in line with Building Regulation Part M, with 90% of units meeting requirement M4(2) and 10% (14 units) meeting M4(3), which are spread across units sizes and includes both tenures. The units have also been designed in consideration of Lifetime Homes Standards. The three proposed terraced houses on Charrington Street do not meet requirement M4(2) or all of the Lifetime Homes Standards, due to heritage constraints imposed by neighbouring listed buildings, which is accepted in this case. The local planning authority should secure M4(2) and M4(3) requirements by condition.

66 Level access is also provided to all non-residential floorspace, and fixed play structures within the community facilities and the public open space will be inclusive to allow for use by all children. The public open space will provide access that exceeds the design requirements of Buildings Regulations Part M. Street furniture and paving will be designed for ease of movement by all, including wheelchair users and blind and partially sighted people.

67 The lower-ground level community hall in Plot 5 incorporates stairs and a platform lift from Purchase Street, due to the changes in levels surrounding the site. Although platform lifts should be avoided wherever possible in new buildings, in this case it is accepted that level access is provided from the community garden to the rear, and a full passenger lift would be excessive for a level change of 1.7 metres.

68 Blue Badge parking bays for employees, visitors and residents to all the uses proposed, should be provided in line with London Plan Policies 3.8 'Housing Choice' and 6.13 'Parking' as well as Table 6.2. The applicant states that it is not possible to provide any parking on the site and there are no Blue Badge parking spaces proposed, although Blue Badge holders are able to park in any parking bays within the area with no time restrictions. Furthermore, the applicant states that the Council will look to designate specific bays on request. As discussed under 'transport' below, this is not an acceptable approach and the applicant should seek to convert existing underutilised spaces to provide at least 14 Blue Badge spaces, which should be sited to provide safe and convenient access to the accessible units.

Transport

69 The impact of the development upon the strategic highway and public transport network is not expected to be significant. It is also noted that the new community facilities will provide programmes and measures to help spread the intensity of drop-off and pickup throughout the morning and afternoon school peaks in the local area, which is supported.

70 The proposal will result in enhancements to pedestrian and cycle routes through the upgrading of public open space. The public realm improvements to be delivered as part of the scheme are complementary to the long-term aspirations for enhanced links between Euston and St. Pancras Stations and are supported.

71 The applicant has carried out both PERS and CERS audits for key links, crossings and routes within the vicinity of Central Somers Town. These have identified issues with the quality of some links and crossings. It is also noted that the Wind Study stated soft landscaping measures may be required along Phoenix Road/Brill Place to mitigate some microclimate issues arising from the new residential tower. As part of the development, the Council should rectify some of the identified deficiencies within the highway in light of the uplift in pedestrian and cycling movements, in accordance with London Plan Policies 6.9 and 6.10.

72 The Transport Assessment indicates a total of 217 secure cycle parking spaces will be provided as part of this scheme, which represents a total shortfall of 56 spaces (including 24 short-stay visitor spaces). After reviewing the floorspace allocated for various cycle stores across the site in conjunction with the supporting material provided, TfL is not convinced that this number will be achievable. In addition, several routes to/from the cycle stores do not meet minimum standards set out within the London Cycling Design Standards (LCDS). Overall, this is not considered to be an appropriate arrangement and the overall provision of long-stay and short-stay cycle parking spaces and supporting infrastructure is significantly below the requirements set out in London Plan Policy 6.13. Once reviewed in line with this guidance, the cycle parking should be secured by condition and/or section 111 agreement. The applicant is encouraged to expand scooter storage facilities at the school, due to their increasing popularity, particularly with younger primary students.

73 The proposal provides for a car-free development, accounting for the site's excellent PTAL rating, which is strongly supported. The applicant has also proposed that future residents and employees be exempt from applying for local parking permits, which is also supported. These arrangements should be secured via a section 111 agreement. The London Plan and the Mayor's Accessible London SPG requires 1 Blue Badge space for every accessible dwelling (10% of units), requiring 14 spaces for this proposal. No Blue Badge parking has been proposed, which is not considered to be an acceptable approach. The applicant should take this opportunity to convert existing underutilised spaces to Blue Badge spaces, which should be sited to provide safe and convenient access to the accessible units.

74 The application has provided a Framework Delivery and Servicing Plan (DSP), which is welcomed. The proposal provides for waste to be collected from the public highway, which may require the construction of some loading bays on the highway. This is acceptable, subject to the local planning authority being satisfied with these arrangements and final DSP's should be secured via section 111 agreement. Any changes to the highway should be implemented prior to completion of the relevant component of the development.

75 With regard to deliveries, no specific information has been provided as to how these can be practically accommodated for residential block C (Plot 6). The distance between the building core and the nearest on-street (proposed) or off-street loading space is over 100m, which will lead to increased dwell times within the loading bay or require vehicles to stop within the carriageway closer to the site to offload deliveries. As such, the proposal is not considered to be in accordance with London Plan Policy 6.14 and should be reconsidered.

76 A construction logistics plan (CLP) should be secured via appropriate planning conditions or obligations. A final CLP should include the cumulative impacts of construction traffic, likely construction trips generated, and mitigation proposed. Details should include site access arrangements, booking systems, construction phasing, vehicular routes, and scope for load consolidation or modal shift in order to reduce the number of road trips generated. The CLP should be submitted and approved before any works commence, including site preparation and enabling works.

77 The applicant has submitted a Framework Travel Plan, which is welcomed. Individual travel plans should be prepared for each of the major land uses post-consent and final versions should be secured, managed, monitored and enforced through the section 111 agreement.

Community infrastructure levy

78 The Mayor has introduced a London-wide community infrastructure levy (CIL) to help implement the London Plan, particularly Policies 6.5 and 8.3. The Mayoral CIL will be paid on commencement of most new development in Greater London granted planning permission on or after that date. The Mayor's CIL will contribute towards the funding of Crossrail.

79 The Mayor has arranged boroughs into three charging bands. The rate for Camden is £50 per square metre. The required CIL should be confirmed by the applicant and the Council once the components of the development have themselves been finalised.

Climate change

Energy

80 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. Other features include low energy lighting throughout all plots and mechanical ventilation with heat recovery in Plots 2, 3, 4, 5, 6 & 7.

81 The demand for cooling will be minimised through a variety of different measures across the plots, including solar control glazing (Plots 1, 3, 7), internal blinds (Plot 1), external blinds (Plot 1) and louvres (Plot 4). The applicant has undertaken dynamic overheating assessments for each of the plots using the CIBSE TM52 methodology and London Design Summer Year (DSY) weather files, which is welcomed. The dynamic overheating modelling shows that the CIBSE criteria can be met for the majority of the spaces modelled for the 1976 and 1989 weather files; however it is predicted that none of the plots will meet the CIBSE requirements under the 2003 weather file. An explanation is provided for this; however the applicant does not appear to have investigated additional measures in order to meet the requirements or improve the conditions. Further passive measures should be considered in line with Policy 5.9 to avoid the risk of overheating for all weather files, including 2003. It is noted that for Plots 2, 5 & 6 the applicant states that there is little justification for external shading due to maintenance costs; however it is therefore unclear why this is proposed for Plot 1.

82 The development is estimated to achieve a reduction of 11 tonnes per annum (5%) in regulated CO₂ emissions under the first step of the energy hierarchy ('Be Lean'), compared to a 2013 Building Regulations compliant development.

83 The applicant has identified that Somers Town Heat Network (STHN) is within the vicinity of the development and is proposing to connect to the network. The STHN is currently being developed by an ESCO with Phase 2 due to be completed in 2017. The applicant has provided a feasibility study carried out on behalf of the London Borough of Camden investigating the potential for connection to the STHN, which indicates that the network would be able to accommodate the additional loads of the proposed development. Connection to the network should continue to be prioritised and evidence of correspondence with the network operator should be provided, including confirmation that the network has the capacity to serve the new development, together with supporting estimates of installation cost and timescales for connection.

84 The applicant has confirmed that all apartments and non-domestic building uses will be connected to the site heat network. The applicant has stated that the STHN will meet the entire heat demand of the proposals and no additional back-up heating systems will be required. An indicative layout has been provided showing the proposed pipe routes to each plot from the STHN energy centre.

85 The applicant is proposing to connect to the Somers Town Heat Network, which when fully built out in 2017 will include an 890 kWe gas fired CHP unit as the lead heat source for the district heating network (60% of the total heat load). The CHP is sized to provide the domestic hot water load, as well as a proportion of the space heating. A reduction in regulated CO₂ emissions of 34 tonnes per annum (15%) will be achieved through this second part of the energy hierarchy ('Be Clean').

86 The applicant has investigated the feasibility of a range of renewable energy technologies and is proposing to install photovoltaic (PV) panels on Plot 1 (35 sq.m.), Plots 2, 5 & 6 (117 sq.m.), Plot 3 (45 sq.m.) and Plot 4 (150 sq.m.). The applicant is also proposing 150 sq.m. of glazing integrated PV panels on the south facade of Plot 7. A roof layout showing the location of the PV on Plots 2, 5 & 6 should be provided.

87 A gas absorption heat pump is proposed to provide space heating to Plot 7. The applicant states that a separate system for space heating is required due to the varying space heat load throughout the year, and that running the CHP to meet this load would not be good practice as it would not run at full load. Whilst this could potentially be the case for a building of the size of Plot 7 if considered in isolation, the CHP will be part of a wider district heating network with different building uses and will therefore have sufficient diversity to run the CHP at full load. The approach of a separate system for space heating is not supported, as following the energy hierarchy the use of the heat network should first be optimised before considering the use of renewable technologies. In addition, there is concern that separate distributions for space heating and hot water will bring extra cost and complexity, including potential overheating issues from the additional distribution pipes required. The applicant should therefore revise the heating strategy for Plot 7 to include space heating from the STHN.

88 A reduction in regulated CO₂ emissions of 41 tonnes per annum (18%) will be achieved through this third element of the energy hierarchy ('Be Green').

89 Based on the energy assessment submitted a reduction of 86 tonnes of CO₂ per year in regulated emissions is expected, compared to a 2013 Building Regulations compliant

development, equivalent to an overall saving of 39%. The carbon dioxide savings exceed the target set within Policy 5.2 of the London Plan; however, the comments above should be addressed before compliance with London Plan energy policies can be verified.

Climate change adaptation

90 The site is within Flood Zone 1 and although there are some small areas of potential surface water flooding on site, these are not significant. A Flood Risk Assessment has been undertaken and given the low level of flood risk, the proposals are acceptable in relation to London Plan Policy 5.12 'Flood Risk Management'.

91 Whilst the site itself is generally free from flood risk, areas close to the boundary have significant and extensive areas of surface water flood risk, which is most likely associated with the route of the former Fleet River. Given this, the sustainable management of surface water on this site will be an important consideration, in line with London Plan Policy 5:13 'Sustainable Drainage'. The development incorporates extensive areas of green space, permeable surfaces, as well as 955 sq.m. of green/brown roofs, and 895 sq.m. of roof terraces, which will reduce water run-off and further mitigate any potential flooding in the future. The landscape proposals target a greenfield run-off rate, which is welcomed. This overall approach is in line with London Plan Policy 5:13, however an appropriate planning condition should be attached to any planning permission, requiring the details of a drainage system that achieves a greenfield run-off rate to be achieved.

Local planning authority's position

92 The local planning authority's position is not yet known.

Legal considerations

93 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

94 There are no financial considerations at this stage.

Conclusion

95 London Plan policies on social infrastructure, open space, housing, affordable housing, historic environment, urban design and tall buildings, inclusive design, trees and biodiversity, transport and climate change are relevant to this application. The application complies with some of these policies but not with others, for the following reasons:

- **Social infrastructure:** The re-provision of a greater level of educational and community space of improved quality is strongly supported.

- **Open space:** The proposal to re-provide the same area of public open space as currently exists, and to significantly improve its quality, is strongly supported.
- **Housing:** The choice of units, residential density, and play space provision are supported.
- **Affordable housing:** GLA officers support the use of receipts from the market residential element to cross-subsidise the delivery of Edith Neville Primary School, nursery, community play facilities, community hall and new public realm; however, the applicant's viability assessment, together with the results of an independent review, should be shared with the GLA before the application is referred back to the Mayor. The local planning authority should provide clarification on how contributions will be secured. The proposal for all of the affordable housing to be social rent is acceptable in this instance, subject to the outcome of the viability assessment.
- **Historic environment:** No harm will be caused to designated heritage assets. The harm caused to non-designated heritage assets will be outweighed by the public benefits arising from increased pedestrian permeability and improved views into the new open space.
- **Urban design and tall buildings:** The design of the proposals is considered to be of a very high quality.
- **Inclusive design:** The access arrangements for the proposal are acceptable, apart from the need to provide Blue Badge parking spaces. The Council should secure M4(2) and M4(3) requirements by condition.
- **Trees and Biodiversity:** The loss of trees is regrettable; however the application demonstrates that their loss is unavoidable, has been fully justified, and will be mitigated by new planting. The scheme aims to enhance biodiversity across the site, which is welcomed.
- **Transport:** The applicant should resolve issues regarding deliveries, the provision of cycle and Blue Badge parking, and pedestrian/cycling movement before it can be confirmed if the development is in accordance with London Plan transport policies.
- **Climate change:** The carbon dioxide savings exceed the target set within Policy 5.2 of the London Plan; however further passive measures should be considered in line with Policy 5.9; evidence of correspondence with the Somers Town Heat Network operator should be provided; and a roof layout showing the location of the PV on Plots 2, 5 & 6 should be provided. The approach of a separate system for space heating for Plot 7 is not supported, and the applicant should revise the heating strategy.

96 On balance, while the application is generally acceptable in strategic planning terms, it does not yet comply with the London Plan; however the possible remedies set out above could address these deficiencies.

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

Colin Wilson, Senior Manager – Development & Projects

020 7983 4783 email colin.wilson@london.gov.uk

Justin Carr, Strategic Planning Manager (Development & Projects)

020 7983 4895 email justin.carr@london.gov.uk

Martin Jones, Senior Strategic Planner, Case Officer

020 7983 6567 email martin.jones@london.gov.uk
