

GREATER **LONDON** AUTHORITY
Development, Enterprise and Environment

Jennifer Walsh
London Borough of Camden
Town Hall
Judd Street
London
WC1H 9JE

Our ref: D&P/4352/01
Your ref: 2017/6045/P
Date: 18 December 2017

Dear Ms Walsh,

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

Gondar Gardens
Local planning authority reference: 2017/6045/P

I refer to the copy of the above revised planning application, which was received from Camden Council, on 14 November 2017. On the 18 December 2017, the Mayor considered a report on this proposal, reference D&P/4352/01. A copy of the report is attached, in full. This letter comprises the statement that the Mayor is required to provide under Article 4(2) of the Order.

The Mayor considers that the application does not comply with the London Plan and draft London Plan, for the reasons set out in paragraph 61 of the above-mentioned report; however, the possible remedies set out in that paragraph could address these deficiencies.

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

If your Council resolves to refuse permission it need not consult the Mayor again (pursuant to Article 5(2) of the Order), and your Council may therefore proceed to determine the application

without further reference to the GLA. However, you should still send a copy of the decision notice to the Mayor, pursuant to Article 5 (3) of the Order.

Please note that the Transport for London case officer for this application is Fatima Moreno Viera (020 3054 7055).

Yours sincerely,

A handwritten signature in black ink, consisting of a large, stylized 'S' followed by a horizontal line extending to the right.

Sarah Considine

Senior Manager – Development & Projects

cc Nicky Gavron, Chair of London Assembly Planning Committee
Andrew Dismore, GLA Assembly Member for Camden and Barnet
National Planning Casework Unit, DCLG
Lucinda Turner, TfL
Dominic O’Loughlen, Strutt and Parker, 13 Hill Street, London W1J 5LQ

18 December 2017

Gondar Gardens

in the London Borough of Camden

planning application no. 2017/6045/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

Partial demolition of the existing reservoir, and the erection of six 4-6 storey buildings and four 2-3 storey link buildings to include 82 extra care apartments and a 15 bed nursing home.

The applicant

The applicant is **LifeCare Residences**, the architect is **Robin Partington and Partners**.

Strategic issues

Principle of development: Confirmation is required that the scheme does not involve the loss or damage of the defined Local Open Space and the site's SINC designation is appropriately protected and enhanced (paragraph 15 to 24).

Affordable housing: The extra care accommodation constitutes C3 residential under Policy H15 of the draft London Plan and the Mayor's Housing SPG, as such a nil on-site affordable housing provision is wholly unacceptable. The applicant must provide on-site affordable housing and submit an updated viability assessment. The applicant must fully investigate the provision of grant funding and early and late stage review mechanisms must be secured as necessary in accordance with Policy H6 of the draft London Plan and Mayor's Housing and Viability SPG (paragraph 25 to 33).

Urban design: The design of the frontage to Gondar Gardens must be refined to improve its relationship with the street; the provision of verified winter views is required in order to assess the impact of height and massing; and further details of access to the SINC should be clarified (paragraph 36 to 42).

Inclusive access: The scheme must be revised to incorporate the highest standards of accessibility (paragraph 43 to 46).

Issues relating to **climate change, drainage** and **transport** also need to be addressed.

Recommendation

That Camden Council be advised that the application does not comply with the London Plan, and draft London Plan, for the reasons set out in paragraph 61 of this report; but that the possible remedies set out in that paragraph could address these deficiencies.

Context

1 On 14 November 2017, 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 must 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 3E of the Schedule to the 2008 Order:

- 3E *“Development which does not accord with one or more provisions of the development plan in force in the area in which the application site is situated and comprises the provision of more than 2,500 sq.m. of floorspace within any of the following classes in the Use Classes Order....”*

3 In this instance the scheme, pursuant to the description of development, would exceed 2,500 sq.m. in respect of Class C2 use.

4 Once Camden Council has resolved to determine the application, it is required to refer it back to the Mayor for his decision as to whether to direct refusal or allow the Council to determine it itself. The application does not need to be referred back to the Mayor if the Council resolves to refuse permission.

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

Site description

6 The site is located in West Hampstead, south of Hampstead Cemetery. The site was formerly known as 'Shoot-Up Hill Reservoir' and contained a large, covered reservoir which was decommissioned in 2002. The reservoir structure is covered with grass and surrounded by open land and trees; the combined area of the reservoir and associated open land is 1.24 hectares. The site itself is surrounded on all but one side by houses and mansion blocks with rear gardens directly abutting the site. The western boundary of the site onto Gondar Gardens is the only side which is not contained by existing development. The site boundary in this location comprises a low fence which is predominantly lined with established vegetation. Whilst the reservoir is underground, it is contained within a raised, grassed embankment. The surrounding area is predominantly residential in character.

7 The site is not within a Conservation Area and there are no listed buildings on the site or in close proximity. However, the reservoir itself is included on the Council's local list for heritage reasons (natural feature or landscape of historical and social significance) and the mansion blocks to the north and west of the western boundary of the site are both locally listed. The closest Conservation Area to the site lies 240 metres to the south east.

8 The site has an extensive planning history, although no applications have, to date, triggered a referral to the Mayor. Planning permission was initially refused for the redevelopment of the rear portion of the site, on the footprint of the former reservoir, for 16 homes by virtue of the impact of the development on the character and appearance of the site and surrounding area; ecological impact; delivery of affordable housing; housing mix and townscape impact. Planning permission was subsequently granted on appeal in November 2012 (LPA ref: 2011/0395/P, appeal ref. APP/X5210/A/11/2167190). This scheme was never implemented and has now lapsed. A separate application was made for the development of the street frontage to provide 28 homes and was subsequently refused on design grounds but granted on appeal by the Secretary of State in December 2015 (LPA Ref: 2013/7585/P, appeal reference APP/X5210/A/14/2218052). Whilst a payment in lieu was accepted in respect of the first scheme, the second frontage scheme, proposed 37% on-site affordable housing.

9 Most of the site (except for the frontage to Gondar Gardens) is designated as Private Open Space in Camden's Local Plan as well as a Site of Nature Conservation Importance (SINC) (see image 1- site 189). The Fortune Green and West Hampstead Neighbourhood Plan identifies the landscaped area surrounding the reservoir structure as Local Open Space and designates the footprint of the reservoir as site allocation 'C2'.

10 The site PTAL rating ranges from 1b-3, increasing to a 5 at the southern-most end of Gondar Gardens, where 1 is the lowest and 6 is the highest possible level of public transport accessibility. West Hampstead and Kilburn stations are within a 10 minute walk of the site, linking in with the National Rail and London Underground network.

Details of the proposal

11 The proposals are for the partial demolition of the existing reservoir structure and erection of six buildings ranging in height from four to six storeys which are connected by four link buildings which range from two to three storeys within the existing reservoir retaining walls. The development will provide 82 self-contained extra care apartments and a 15 bed nursing home along with associated communal facilities such as a restaurant, cafe, bar, lounge, cinema, pool, gym and staff accommodation. The scheme also proposes biodiversity-led landscaping incorporating sloping banks with a retention pond as well as the provision of communal external amenity space.

Case history

12 A pre-application meeting was held with the applicant on 7 September 2017 where the following issues were discussed: principle of development; affordable housing; urban design; inclusive access; sustainable development; and transport.

Strategic planning issues and relevant policies and guidance

13 For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the area is Camden Council's Local Plan (July 2017); Camden Council's Site Allocations Document (September 2013); the Fortune Green and West Hampstead Neighbourhood Plan (September 2015) and the London Plan 2016 (Consolidated with Alterations since 2011).

14 The following are relevant material considerations:

- National Planning Policy Framework;
- National Planning Practice Guidance; and

- Draft London Plan [consultation draft December 2017].

15 The relevant issues and corresponding policies are as follows:

- Principle of development *London Plan; Housing SPG*
- Housing/ affordable housing *London Plan; Housing SPG; Housing Strategy; Shaping Neighbourhoods: Play and Informal Recreation SPG; Shaping Neighbourhoods: Character and Context SPG; Affordable Housing and Viability SPG;*
- Urban design *London Plan; Shaping Neighbourhoods: Character and Context SPG; Housing SPG; London View Management Framework*
- Inclusive design *London Plan; Accessible London: achieving an inclusive environment SPG*
- Climate change and drainage *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*
- Transport *London Plan; the draft Mayor’s Transport Strategy; Mayoral Community Infrastructure Levy; Crossrail SPG*

Principle of development

Development of open space

16 A large proportion of the site (excluding the frontage) is designated as Private Open Space in Camden’s Local Plan (shown in image 1 hatched in green); and the area around the reservoir structure, also excluding the street frontage, is designated Local Open Space in the Fortune Green and West Hampstead Neighbourhood Plan (shown in Image 2 - hatched in light green). According to Camden’s Local Plan Policy A2, all public and private open spaces will be protected unless equivalent or better provision of open space in terms of quality and quantity is provided within the local catchment area. It also seeks to resist development which would be detrimental to the setting of designated open spaces.

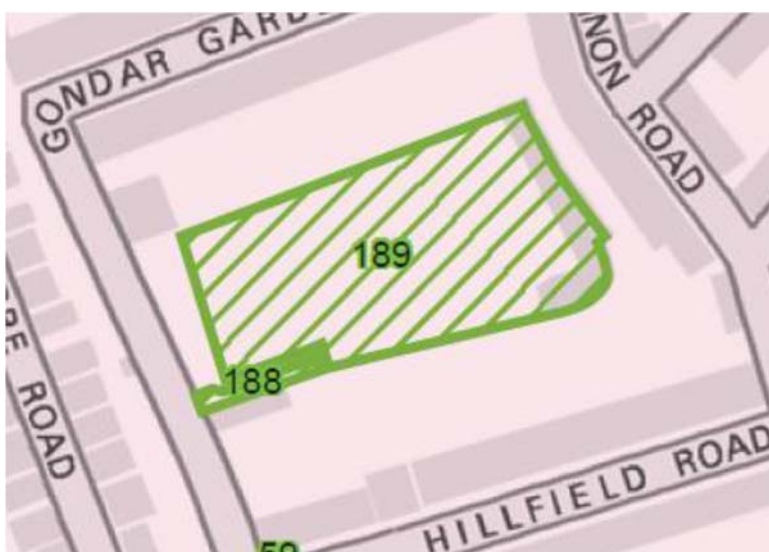


Image 1: Extract from the Camden Policies Map (printable version)

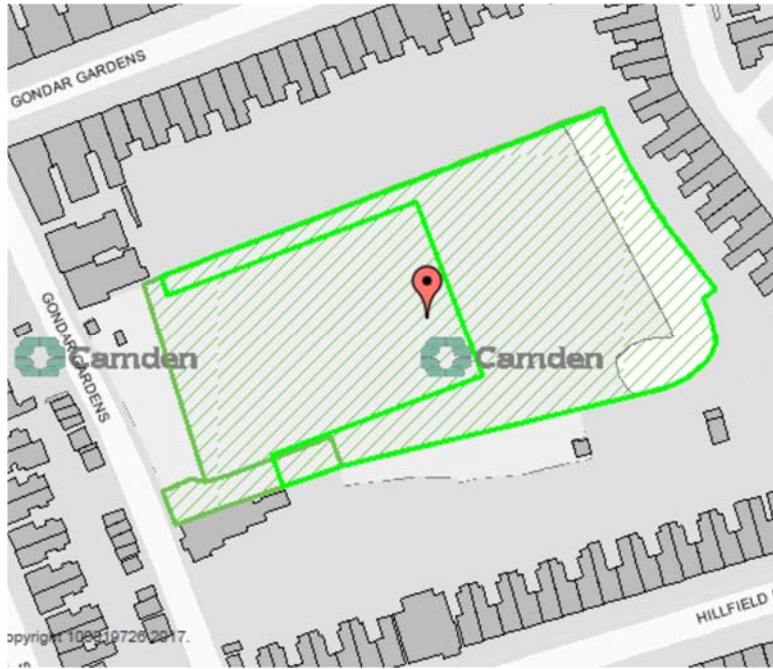


Image 2: Extract from Camden Policies Map (map browser version)

17 London Plan Policy 7.18 and Policy G4 of the draft London Plan seeks to protect open space and makes clear that the loss of open spaces must be resisted unless equivalent or better quality provision is made within the area. The principle of the redevelopment of the area of the site taken up by the former reservoir has been the subject of an appeal which established that the site, by virtue of being previously developed as a reservoir, is appropriate for redevelopment notwithstanding the open space designation. The principle of the development of the reservoir structure and frontage onto Gondar Gardens is further acknowledged in the Neighbourhood Plan site designation (Ref. C2) with the open space surrounding identified as Local Open Space which, in accordance with Policy 17 seeks to protect such spaces from significant damage, or loss, through development and any offsetting of loss within the area.

18 GLA officers understand that the proposals map associated with the Local Plan is likely to be subject to change which will provide greater clarity as to the extent to which the Private Open Space designation applies in light of the planning history on the site and the adoption of the Neighbourhood Plan. However, as it stands the proposals would involve the loss of protected open space and therefore the scheme represents a departure to the Local Plan which would make any application referable to the Mayor under Category 3E of the Mayor of London Order 2008.

19 Considering the proposals as a whole, and given the planning history context, GLA officers consider that the redevelopment of the site of the former reservoir, as defined in allocation site C2 in the Neighbourhood Plan, and street frontage is acceptable in principle. This is subject to confirmation that the scheme does not involve the loss or damage of the defined Local Open Space surrounding the reservoir and the site's SINC designation is protected and enhanced in accordance with Policy 7.19 of the London Plan and Policy G6 of the draft London Plan.

Older persons housing

20 The development will provide a 15 bed care home and 82 self contained apartments. London Plan Policy 3.8 and Policy H15 of the draft London Plan encourages boroughs to work positively and collaboratively with providers to identify sites which may be suitable for specialist older persons housing taking account of local and strategic housing need (in this regard, the annual target for specialist housing in Camden is 105 units per annum under the draft London Plan). Sites should be well connected in terms of contributing to an inclusive neighbourhood, with access to social infrastructure, health care, and public transport facilities, and proposals are encouraged to address the increasing need for accommodation suitable for people with dementia.

21 Camden's Local Plan Policy H8 states that the Council will aim to ensure that there is a sufficient supply of appropriate housing available to older people as long as there is a demonstrable need for the development and will be targeted at borough residents; be suited to the intended occupiers; accessible; contribute to a mixed community; and does not cause harm to residential amenity.

22 In this regard, as evidenced in Camden Council's Housing Need Study, there is an existing demand for such uses. The applicant has also prepared a headline planning need assessment which further supports the need for this development. Therefore, the principle of older persons housing on this site is accepted.

Definition of C2

23 Policy H15 of the draft London Plan and the Mayor's Housing SPG (paragraph 3.7.4) both make a clear distinction between C2 and C3 uses in respect of specialist older persons housing. Draft Policy H15 states that sheltered accommodation and extra care accommodation should be considered as C3 housing. More specifically, paragraph 4.15.3 defines extra care accommodation as: self-contained residential accommodation and associated facilities, designed and managed to meet the needs and aspirations of older people, and which provides 24-hour access to emergency support. Furthermore, a range of facilities are normally available such as a resident's lounge, laundry room, a restaurant, or meal provision facilities, classes, and as base for health care workers. Domiciliary care will be available to varying levels, either as part of the accommodation package or as additional services which can be purchased if required. This definition fully conforms with the design of the units and applicant's description of the extra care accommodation proposed.

24 Conversely, as set out in paragraph 4.15.3 of the draft London Plan, residential nursing care accommodation would constitute Class C2 use where accommodation is non-self contained; is for people who require additional personal or nursing care; provides communal facilities; and personal or nursing care is a critical part of the accommodation package.

25 Therefore, whilst it is accepted that the care home component of the scheme qualifies as Class C2 use subject to robust controls; the 82 self-contained extra care accommodation must be treated as Class C3 use, rather than C2 as stated in the description of development.

Housing

26 The development proposes 82 self contained extra care units with the following mix:

Unit size	Number	Habitable rooms
1 bed	7	14
2 bed	62	186
3 bed	13	52
Totals	82	252

27 In accordance with Policy H15 of the draft London Plan, specialist older persons housing comprising extra care or sheltered accommodation (Use Class C3) must deliver affordable housing in accordance with Policies H5 and H6.

28 London Plan Policy 3.12 seeks the maximum reasonable amount of affordable housing and Policy H6 of the draft London Plan and the Mayor's Affordable Housing and Viability SPG established a minimum pan-London threshold level of 35% affordable housing (without grant) with a strategic target of 50%. As stated at pre-application stage, and in accordance with strategic policy, GLA officers expect this scheme to deliver the maximum level of affordable housing on site.

29 The application proposes nil affordable housing, this is wholly unacceptable. Given the lack of affordable housing such, the application must be considered under the 'Viability Tested Route' under the provisions of Policy H6 of the draft London Plan and the Mayor's Affordable Housing and Viability SPG. A financial viability assessment has been provided which has been reviewed by GLA officers. The assessment contends that the delivery of on-site affordable housing would be unsuitable as it would have an adverse impact on market flat sales. The high service charges are also reported to hamper on-site affordable housing delivery. As a consequence of this, the applicant considers a payment in lieu to be appropriate as opposed to on or off-site affordable housing provision. In respect of the payment in lieu sum, GLA officers are of the view that the viability assessment is flawed as follows:

- The assessment of market values under the extant scheme is correct but has been understated in the proposed scheme;
- The build costs assessed for the extant scheme include elements that are understated, notably demolition and enabling works and residential fit out costs; and
- Interest rates for the developments should both be at 7%.

30 On this basis, GLA officers consider the scheme can, as an absolute minimum, viably provide the full, Camden Local Plan policy compliant payment in lieu contribution as quoted in the applicant's financial viability assessment.

31 However, notwithstanding the proposals ability to provide the full payment in lieu contribution, under the provisions of the London Plan, draft London Plan Policy H5 and the Mayor's Affordable Housing and Viability SPG, the onus is on onsite affordable housing, with off-site and cash in lieu payments only acceptable in exceptional circumstances. Whilst it is acknowledged that there are challenges associated with onsite affordable housing provision in this

instance, it would be possible to design the scheme to accommodate affordable housing in a part of the structure which does not benefit from the shared facilities (the street frontage portion for example). On this basis, the applicant GLA will work with the Council and the applicant to establish how best to incorporate affordable housing on-site. An updated viability assessment must also be provided to the GLA for review to reflect on-site affordable housing provision as appropriate.

32 Subject to these discussions, and the final affordable housing proposal, should less than 35% affordable housing be secured, early and late stage viability review mechanisms must be secured within the S106 agreement in accordance with Policy H6 of the draft London Plan and Mayor's Affordable Housing and Viability SPG. A draft of the s106 agreement must be provided to the GLA for review as soon as one is made available to ensure that the review mechanisms have been applied as required by Policy H6 and the Mayor's SPG. The applicant should also seek to secure grant funding to boost the level of affordable housing beyond 35% in accordance with London Plan Policy 3.12, the Affordable Housing and Viability SPG and draft London Plan Policy H6.

33 The Council must publish the financial viability assessment in accordance with Policy H6 of the draft London Plan and the Mayor's Affordable Housing and Viability SPG. GLA officers will ensure that the assessment is made available, to ensure transparency of information.

34 Although affordable housing would only be sought in respect of the Class C3 element of the scheme; in line with paragraph 3.51 of the London Plan, the Mayor would support the Council in seeking the application of the principles of its affordable housing policies to Class C2 uses. Particularly given that the proposed nursing home is intended to be expressly occupied by existing residents of the extra-care units, as and when their needs warrant it, and therefore could therefore be considered ancillary to the extra care accommodation.

Residential quality

35 With respect to residential standards, the self-contained apartments meet the required residential standards as contained within the London Plan, draft London Plan and Housing SPG. In line with the Housing SPG, fewer than 8 units to a floor can be accessed by a single core and private amenity space has been provided to all self-contained units in accordance with the minimum size standards; 100% of units are dual aspect; adequate daylight and sunlight is also afforded to the proposed units in line with the Housing SPG and draft London Plan Policy D4.

36 Whilst residential quality is generally high, confirmation is required that the units meet the private internal space criteria and provide adequate storage for refuse and recyclables in accordance with draft London Plan Policy D4.

Urban design

37 The majority of comments raised at pre-application stage in respect of design have not been addressed in the application submission. Policy D2 of the draft London Plan is clear that applicants should use design review processes to inform options early in the planning process; the lack of positive revisions following professional design input by GLA officers during pre-application stage is of significant concern.

Layout

38 The development of the site has the potential to activate what is currently a blank frontage onto Gondar Gardens. This opportunity has not been realised through the proposals. Further refinement is required to this frontage to create an improved street presence on Gondar Gardens and to further articulate the entrance gateway into the scheme between the two blocks.

It is understood that security arrangements make it challenging to provide individual front doors; however officers would welcome this being explored, as currently the scheme is very inward facing and, as a result, does not relate well to its surroundings.

39 In respect of the landscaping proposals, further information is requested as to how these areas will be made accessible to the public for educational visits and to whom exactly.

Quantum of development and form

40 London Plan Policy 3.4 and draft London Plan Policy D6 seek to optimise the potential of sites, having regard to local context, design principles, public transport accessibility and capacity of existing and future transport services.

41 The site benefits from a PTAL of between 1b and 3. GLA officers consider this site to be 'Urban' and therefore appropriate for densities between 200-450 habitable rooms per hectare or up to 170 units per hectare. The proposed density is given as 267 habitable rooms per hectare or 155 units per hectare. In accordance with draft Policy D6 whilst the proposals are within the ranges based on the overall PTAL of the site, the outstanding issues in respect of residential quality, inclusive access and remaining urban design concerns raised in this section of the report will need to be overcome before the density can be considered acceptable (see paragraphs 37-38 and 46-49).

42 The bulk of the scheme is obscured from the street, and the site is laid out to ensure that all but the neighbouring mansion blocks in the immediate vicinity have generous separation distances. However, the visual impact assessment submitted with the application must be updated to include the worst case scenario, winter views as requested at pre-application stage. Subject to this, the height and massing of the scheme does not raise any strategic issues.

Appearance

43 The architecture responds well to the surrounding residential context, with parts of the historic reservoir structure retained, which is particularly welcomed.

Inclusive design

44 The extra care accommodation must meet the Mayor's housing standards, including accessibility requirements in line with London Plan Policies 3.8 and 7.2, and Policies H15 and D3 of the draft London Plan and the Housing SPG. Draft London Plan Policy H15 states that specialist older persons housing (Use Class C3) should deliver accessible housing in accordance with draft Policy D5 and the highest standards of accessible and inclusive design in accordance with Policy D3 of the draft London Plan.

45 Draft Policy D3 requires development proposals to be entered and used safely, easily and with dignity by all; are convenient and welcoming with no disabling barriers, providing independent access without any additional undue effort, separation or treatment; and are designed to incorporate safe and dignified emergency evacuation for all building users. In this regard, officers remain concerned about the lack of external step free access provided within the scheme, particularly within the communal courtyards in the centre of the development. Currently, the only step free access afforded to these spaces is through the buildings themselves, which is neither convenient nor inclusive. Elsewhere, internal circulation could be further rationalised to ensure the buildings are designed to be clearly legible for residents to navigate. Fire evacuation lifts should also be provided in all cores. As an elderly housing scheme, the development must be designed to the highest standards of accessibility having

regard to the particular needs of the elderly in line with Policy D3 of the draft London Plan. The scheme must therefore be revised to incorporate these changes.

46 Policy H15 of the draft London Plan also requires suitable levels of safe storage and charging facilities for resident's mobility scooters. This provision must be confirmed.

47 In respect of Policy 3.8 of the London Plan and Policy D5 of the draft London Plan the development will deliver 15% wheelchair accessible dwellings meeting Building Regulation requirement M4(3), with the remaining units design to meet M4(2), which is in excess of the policy requirements and therefore fully supported.

Climate change

48 The applicant has broadly followed the energy hierarchy in accordance with London Plan Policy 5.2 and Policy SI2 of the draft London Plan. However, the following further information and revisions are required before the proposals can be considered acceptable: further information regarding cooling demand, overheating, clarification of the calculation methodology used, sample sheets, details of the site heat network, layout of the energy centre, further details on the CHP, and PVs.

49 An on-site reduction of 35 tonnes of CO₂ per annum is expected for the domestic buildings, equivalent to a 31% saving; this compares with a policy requirement for such developments to achieve zero carbon. The non-residential elements of the scheme will achieve a 22% saving, which again, falls short of the 35% on-site target as set out within Policy 5.2 of the London Plan and Policy SI2 of the draft London Plan. Once the outstanding matters have been addressed, and all options to minimise onsite carbon reduction have been exhausted any shortfall must be met in full through a contribution to the Borough's carbon offset fund. This must be secured within the s106 agreement. A full set of comments have been supplied direct to the Council and the applicant for further consideration.

Drainage

50 The site is within Flood Zone 1 with a low to medium risk of surface water flooding. The submitted flood risk assessment sufficiently assesses the level of flood risk and details appropriate mitigation for the site through the proposed landscaping/grading, diverting any surface or groundwater away from the development to the adjacent green space in accordance with London Plan Policy 5.12 and Policy SI12 of the draft London Plan.

51 However, the drainage proposals do not currently meet London Plan Policy 5.13 or Policy SI13 of the draft London Plan. As raised at pre-application stage, there are significant opportunities for surface water to be managed on site using surface based SuDS attenuation features such as raingardens and swales, which offer wider benefits than the geocellular storage proposed. The applicant must also explore the scope for surface based attenuation features to gravity feed to the sewer rather than be pumped, which is more sustainable.

Transport

Car parking

52 The development is proposed to be car-free with the exception of five spaces, four of which are allocated for pool cars with one space allocated for overnight visitors, which is acceptable. Residents should be exempt from parking permits in the area, except for blue badge holders. The proposal also includes the provision of a pick-up and drop-off area. However, it is unclear if this area will serve residents with mobility issues. This must be clarified.

Cycling and walking

53 The proposed provision of cycle parking spaces for staff accords with London Plan and draft London Plan standards, which is welcomed; however, the applicant should confirm eight additional short-stay spaces will be provided for visitors.

54 The applicant should undertake a pedestrian environment review system assessment to establish whether improvements are required to connect the site with local facilities such as shops and bus stops, especially taking into account the less mobile occupiers of the development but also the limited provision for travel by car.

Trip generation

55 The proposed development will not result in adverse effects on the strategic transport network.

Servicing, construction and travel plan

56 The off-street servicing proposals and the arrangements during construction are considered acceptable from a strategic perspective. These should be appropriately secured together with the submitted travel plan.

Mayoral Community Infrastructure Levy

57 In accordance with London Plan Policy 8.3 and Policy T9 of the draft London Plan, a contribution towards Mayoral Community Infrastructure Levy must be secured. The required CIL should be confirmed by the applicant and the Council once the components of the development have themselves been finalised.

Local planning authority's position

58 Camden Council officers are intending to take the application to committee in January 2018, with a recommendation for refusal.

Legal considerations

59 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. 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

60 There are no financial considerations at this stage.

Conclusion

61 London Plan and draft London Plan policies on development of open space, older persons housing, affordable housing, urban design, inclusive design, climate change and drainage, and transport are relevant to this application. The application does not comply with the London Plan, and the draft London Plan. However, the following remedies might lead to the application becoming compliant and should be addressed:

- **Principle:** Confirmation is required that the scheme does not involve the loss or damage of the defined Local Open Space and the site's SINC designation will be appropriately protected and enhanced;
- **Affordable housing:** The extra care accommodation constitutes C3 residential under Policy H15 of the draft London Plan and the Mayor's Housing SPG, as such a nil on-site affordable housing provision is wholly unacceptable. The applicant must provide on-site affordable housing and submit an updated viability assessment. The applicant must fully investigate the provision of grant funding and early and late stage review mechanisms must be secured as necessary in accordance with Policy H6 of the draft London Plan and Mayor's Housing and Viability SPG;
- **Urban design:** The design of the frontage to Gondar Gardens must be refined to improve its relationship with the street; the provision of verified winter views is required in order to assess the impact of height and massing; and further details of access to the SINC should be clarified;
- **Inclusive access:** The scheme must be revised to incorporate the highest standards of accessibility; and
- **Climate change and drainage:** Further information and revisions are required including cooling, overheating, clarification of the calculation methodology used, sample sheets, details of the site heat network, layout of the energy centre, further details on the CHP, and PVs. A carbon offset payment must also be secured within the s106 agreement. The applicant must consider SuDS attenuation features such as raingardens and swales as well as surface based attenuation features to gravity feed to the sewer.
- **Transport:** The proposals are generally acceptable from a transport perspective. Further information regarding the pick up and drop off, additional short stay cycle parking spaces are required, and a pedestrian environment review system assessment must be undertaken.

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

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