

# MAYOR OF LONDON

**David Fowler**

Regeneration and Planning  
Development Management  
London Borough of Camden  
Town Hall, Judd Street  
London WC1H 9JE

**Our ref:** GLA/4374/AP02

**Your ref:** 2017/1827/P

**Date:** 26 February 2018

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  
294-295 High Holborn, London WC1V 7JG**

**Local planning authority reference: 2017/1827/P**

I refer to your letter of 14 February 2018 informing me that Camden Council is minded to grant planning permission for the above planning application. I refer you also to the notice that was issued on 26 February 2018 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  
Nicky Gavron, Chair of London Assembly Planning Committee  
National Planning Casework Unit, DCLG  
Lucinda Turner, TfL  
Harry Manley, DP9 Ltd, 100 Pall Mall, London SW1Y 5NQ

## 294-295 High Holborn

in the London Borough of Camden

planning application no. 2017/1827/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

Erection of a 9-storey building comprising retail and office use, and 9 residential units.

### The applicant

The applicant is **CHH London** and the architect is **Independent Architects**.

### Key dates

- **Stage 1 report:** 9 October 2017.
- **Committee meeting:** 19 December 2017.

### Strategic issues summary

**Affordable housing:** A payment in lieu contribution of £672,702.50 has been secured in accordance with the Council's affordable housing payment in lieu formula. Noting the small scale nature of the residential element, and the use of the higher unit number for the purposes of the payment calculation, this approach is acceptable in this instance (paragraph 9).

**Energy and transport:** The issues raised at Stage 1 have been satisfactorily addressed either by way of additional information and/or secured through conditions or legal obligations (paragraphs 10-14).

### The Council's decision

In this instance, Camden Council has resolved to grant permission subject to conditions and a S106 legal 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 1 September 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. This was referred to the Mayor under Category 1C of the Schedule to the Order 2008:

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

2 On 9 October 2017, the Mayor considered planning report D&P/4374/01, and subsequently advised Camden Council that the application did not comply with the London Plan, for the reasons set out in paragraph 39 of the above-mentioned report.

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. On 19 December 2017, Camden Council resolved to grant permission subject to conditions and a S106 legal agreement, and on 14 February 2018 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 Camden Council under Article 6 to refuse the application or issue a direction to Camden Council under Article 7 that he is to act as the Local Planning Authority for the purposes of determining the application. The Mayor has until 27 February 2018 to notify the Council of his decision and to issue any direction.

4 The decision on this case, and the reasons will be made available on the GLA’s website [www.london.gov.uk](http://www.london.gov.uk).

## Consultation stage issues summary

5 At the consultation stage, Camden Council was advised that the application did not comply with the London Plan, for the reasons given below:

- **Affordable housing:** No affordable housing was proposed, which was wholly unacceptable. Whilst a payment in lieu was considered acceptable, given the number of units and the site’s location, a robust interrogation of the applicant’s viability was to be undertaken by GLA officers to secure the maximum amount of affordable housing.
- **Energy:** The applicant was required to explore increasing the number of photovoltaic panels, undertake further overheating analysis and provide further information on the ‘Be Lean’ savings scenario. Any remaining regulated CO<sub>2</sub> emissions had to be met through a contribution to the borough’s offset fund.
- **Transport:** Clarification was required on how mobility-impaired people would access the site, as well as arrangements on intended Blue Badge parking provision. Cycle parking had to be secured as well as a construction management plan and a full travel plan.

## Strategic planning policy and guidance update

6 On 1 December 2017, the Mayor published his draft London Plan for public consultation.

## Update

7 Since the Stage 1, the number of proposed residential units has been reduced to nine (6x1 bed and 3x2 bed units); however, the overall quantum of residential floorspace has not been reduced. GLA officers have engaged in discussion with the applicant, the Council and TfL to address the outstanding issues. In addition, various planning conditions and legal obligations are secured as part of Camden Council's draft decision and draft S106 agreement. Having regards to this, an assessment against the strategic issues raised at the consultation stage is set out below.

### Principle of development

8 At consultation stage, the redevelopment of the site to provide a mixed-use development within the CAZ was supported in line with London Plan Policies 2.10, 2.11 and 4.3. Policies SD4 and SD5 of the draft London Plan promote the provision of mixed-use schemes, with complementary residential use, in the CAZ. The proposed development involves the redevelopment of the site to provide new business headquarters for the applicant, with residential units on the upper floors that do not compromise the strategic objectives of the CAZ, and is therefore supported in accordance with the draft London Plan and London Plan.

### Affordable housing

9 A payment in lieu contribution of £672,702.50 has been secured based on Camden Council's sliding scale formula. A viability report was requested at Stage 1 to determine the maximum level of affordable housing based on a comparison of Camden Council's sliding scale formula and the viability route, in accordance with draft London Plan Policy H6 and the Mayor's Affordable Housing and Viability SPG, which make clear that applications proposing a cash in lieu contribution towards affordable housing must follow the viability tested route. A viability assessment has not been submitted; however, given the small scale nature of the residential element and overall quantum of floorspace (1,015 sq.m.), and noting the use of the higher 10-unit figure for the purposes of the calculation, the cash in lieu contribution is acceptable in this instance.

### Energy

10 Energy issues in relation to the 'Be Lean' savings scenario, overheating, a site heat network and increasing the use of photo voltaic panels were raised at Stage 1. Regarding the 'Be Lean' savings, the applicant has provided the average TER and DER figures for the domestic and non-domestic elements for each stage of the hierarchy as requested at Stage 1, and has confirmed that the communal heating and hot water system serving the domestic units, as well as the landlord heating and hot water could be connected to a district heating system. On the issue of overheating, a condition has been secured requesting an updated overheating study to be submitted prior to occupation of the building, which demonstrates that all potential passive measures have been investigated to minimise the overheating risk, prior to the incorporation of cooling. In relation to the provision of additional photo voltaic panels, the applicant has included four additional 0.32kwp panels, which have been secured by condition. A plan of the roof layout has been submitted as requested.

11 A contribution of £20,687 towards carbon off-setting has also been secured in the draft legal agreement. The applicant has confirmed that, as part of the detailed design, the building services strategy will be revisited to determine whether it is viable and appropriate for other building uses to connect to the onsite communal heating system. This is acceptable and has been secured through a planning condition.

12 The outstanding issues have been satisfactorily addressed, and the proposed development accords with draft London Plan Policies S12 and S13 and London Plan Policies 5.2 and 5.9.

### Transport

13 Transport issues relating to Blue Badge and cycle parking, and construction and travel planning were raised at Stage 1. Whilst the development will not provide any Blue Badge parking on-site, an assessment by the applicant of nearby on-street parking demonstrates that the available parking spaces are accessible to Blue Badge holders. This arrangement is acceptable. The nine short-stay cycle parking spaces requested have not been provided; however, these will be delivered on-street by the Council using the applicant's pedestrian, cyclist and environmental contribution of £15,000, which has been secured via the S106 agreement. This is acceptable and ensures the application accords with the draft London Plan and London Plan.

14 A full travel plan, construction management plan (with a monitoring fee of £19,803) and the details of the construction design and methodology have been secured through the section 106 agreement. As such, the development complies with London Plan Policy 6.13 and draft London Plan Policy T7. Camden Council should note that the discharging of the construction management plan and any highway arrangements on the Transport for London Road Network or proposed temporary alterations to the bus network and/or infrastructure must be undertaken in consultation with TfL.

15 All the outstanding issues related to transport have therefore been appropriately addressed and the scheme complies with the draft London Plan and London Plan.

## **Response to consultation**

16 The application was advertised by site and press notices, and the Council has received one response, which is a letter of objection on the behalf of the freeholders of the adjacent property at 296-302 High Holborn.

17 The representations received by the Council with regards to the application have been set out in detail in the Council's planning committee report and full copies of the individual representations have been made available to the Mayor as part of the statutory referral process. The key issues raised by the consultations are summarised below.

### Objections

- **Amenity:** Concerns about the residential amenity, particularly daylight levels received by habitable rooms, and the potential prejudicial effect of the proposed development on Lincoln House. Seeks comfort from London Borough of Camden that the daylight and sunlight availability to the bedrooms and studies within the proposed development that directly overlook the Lincoln House site will not present a constraint to the future development potential of the Lincoln House site.

### Responses from statutory and additional consultees

- **London Underground:** No objection subject to a condition on detailed design and method statements, and an informative requesting that the applicant contacts London Underground prior to the preparation of these documents.
- **Historic England (Archaeology):** No objection.

18 The issue raised in respect of amenity has been addressed in the Committee report. The Committee report sets out that Camden planning officers acknowledge that this proposal could prejudice the adjoining site at 296-302 High Holborn; however, based on pre-application discussions held with the owners of the adjoining site, the Council's planning officers have concluded, informally, that the planned extension of the building on the adjoining site would be acceptable. The conditions and informatives requested by statutory consultees have also been secured.

### **Draft section 106 agreement**

19 The draft S106 agreement includes the following provisions:

- an off-site affordable housing contribution of £672,702.50;
- a contribution of £15,000 towards pedestrian, cycling and environment;
- a contribution of £20,687 towards carbon off-setting;
- a contribution of £6,527 towards highway improvement; and,
- a contribution of £19,803 for construction management plan monitoring/implementation support.

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

20 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 planning obligations which satisfactorily addresses the matters raised at stage 1, therefore there is no sound planning reason for the Mayor to take over this application.

### **Legal considerations**

21 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. 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**

22 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.

23 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.

24 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**

25 The strategic issues raised at consultation stage regarding affordable housing, energy and transport have been satisfactorily addressed, and appropriate planning conditions have been secured. As such the application complies with the London Plan and draft London Plan, and there are no sound reasons for the Mayor to intervene in this case.

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for further information, contact the GLA Planning Team:

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## 294-295 High Holborn

in the London Borough of Camden

planning application no. 2017/1827/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

Erection of a 9 storey building comprising retail and office use, 10 residential units and associated works.

### The applicant

The applicant is **CHH London** and the architect is **Independent Architects**.

### Strategic issues summary

**Principle of development:** The redevelopment of the site to provide a mixed use development within the CAZ is supported (paragraphs 14-15).

**Affordable housing:** No affordable housing is proposed. This is wholly unacceptable. Whilst a payment in lieu may be acceptable, given the number of units and the site's location, a robust interrogation of the applicant's viability will be undertaken to secure the maximum amount of affordable housing (paragraphs 17-20).

**Climate change:** The applicant should explore increasing the number of photovoltaic panels and undertake further overheating analysis. Any remaining regulated CO<sub>2</sub> emissions must be met through a contribution to the borough's offset fund (paragraphs 28-30).

**Transport:** Clarification is required on how mobility-impaired people would access the site, as well as arrangements on intended Blue Badge parking provision. Cycle parking should be secured; and, a construction management plan and a full travel plan should be provided and appropriately secured (paragraphs 31-35).

### Recommendation

That Camden Council be advised that while the principle of development is supported in strategic planning terms, the application does not yet comply with the London Plan for the reasons set out in paragraph 39 of this report; but that the possible remedies set out in that paragraph could address these deficiencies.

## Context

1 On 1 September 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 has until 12 October 2017 to provide the Council with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. The Mayor may also provide other comments. This report sets out information for the Mayor's use in deciding what decision to make.

2 The application is referable under Category 1C of the Mayor of London Order 2008:

- *“Development which comprises or includes the erection of a building of (c) more than 30 metres high and is 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](http://www.london.gov.uk).

## Site description

5 The application site is approximately 0.032 hectare in size and is within the Central Activities Zone and the Holborn Growth Area. The site, which is vacant, is located on the southern side of A40 High Holborn, which forms part of the Strategic Road Network (SRN). It is bound to the south by Lincoln's Inn Gardens, to the east by Lincoln House and to the west by 289-293 High Holborn.

6 The site is also within the Bloomsbury Conservation Area and there are several Grade I and Grade II listed heritage assets in proximity of the site including Nos. 1-7 Stone Buildings located to the south east of the site; Western Boundary Wall, Gates and Porters Lodge within Lincoln's Inn Gardens; and, Nos. 24, 25, 26 and 28 Lincoln's Inn Fields.

7 The site is in proximity of numerous bus stops servicing a large number of high frequency routes; Holborn and Chancery Lane London Underground stations are both less than 350 metres away, and Farringdon station is also within acceptable walking distance. Consequently, the site has a public transport accessibility level (PTAL) of 6b, which is the highest possible.

8 The closest part of the Central London Cycle Grid (CLCG), Quietway 2, is 750 metres away and is linked to the site by local routes. Other parts of the CLCG, CS3 and CS6, are less than one kilometre away. There are four Cycle Hire docking stations within a 500 metre radius, with the closest one being 150 metres away at Red Lion Street.

## Details of the proposal

9 Full planning permission is sought for the erection of a 9-storey building to comprise:

- 10 residential units on levels 3-8;
- 416 sq.m. of office floorspace on levels 1-2; and,
- 251 sq.m. of retail floorspace at ground and lower ground.

## Case history

10 There is no strategic planning history; however, there is an extant planning permission for 'Redevelopment to provide basement, ground and 8 upper storeys with mixed retail (Class A1) and professional services (Class A2) use at ground floor and part basement and offices (Class B1) above.' Planning permission was first granted by Camden Council under reference number PSX0304010 in September 2003 and a series of formal amendments in 2007 were approved.

## Strategic planning issues and relevant policies and guidance

11 The relevant issues and corresponding policies are as follows:

- CAZ *London Plan; Central Activities Zone SPG;*
- Housing *London Plan; Housing SPG; Housing Strategy; Shaping Neighbourhoods: Play and Informal Recreation SPG; Shaping Neighbourhoods: Character and Context SPG;*
- Affordable housing *London Plan; Housing SPG; Housing Strategy; Affordable Housing and Viability SPG;*
- Heritage and design *London Plan; Shaping Neighbourhoods: Character and Context SPG; Housing SPG; Shaping Neighbourhoods: Play and Informal Recreation SPG;*
- Inclusive Access *London Plan; Accessible London: achieving an inclusive environment SPG*
- Sustainable development *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 Mayor's Transport Strategy*
- CIL *London Plan; Mayoral Community Infrastructure Levy*

12 For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the area is the Camden Core Strategy (2010); the Camden Development Policies (2010); the 2016 London Plan (Consolidated with Alterations since 2011).

13 The National Planning Policy Framework (NPPF) and the National Planning Policy Guidance; and, the draft Mayor's Transport Strategy are also material considerations.

## Principle of development

14 London Plan Policies 2.10 and 2.11 aim to sustain and enhance London as the iconic core of a strategically important, globally-oriented financial and business centre. Policy 2.11 further affirms the Mayor's commitment and stakeholders' obligation to seek solutions to the constraints on office provision and other commercial development imposed by heritage designations, without compromising local environmental quality. London Plan Policy 4.3 promotes the provision of offices and seeks to ensure that proposals to increase office floorspace within the CAZ include a mix of uses. Locally, the site is within the Holborn Growth Area, which is identified in Camden's Core Strategy as one of the areas with significant potential for redevelopment for housing, employment and other uses.

15 The proposal will deliver a mixed use scheme comprised of 667 sq.m. of commercial floorspace and ten residential units, and is therefore supported in strategic planning terms.

## Housing

16 The table below sets out the proposed residential schedule.

tenure	type	Number of units
private	1-bedroom	2
	2-bedroom	8
	total	10

### Affordable housing

17 London Plan Policy 3.13 requires councils to seek affordable housing provision in all residential developments providing ten or more homes; whilst Policies 3.11 and 3.12 expect the maximum reasonable amount of affordable housing to be delivered. Locally, Camden Council Policy CS6 seeks 50% affordable housing, with a tenure mix of 60% social rent and 40% intermediate.

18 Policy 3.12 of the London Plan expects affordable housing to be provided on-site, and this is reiterated in the Mayor's Housing SPG and the Mayor's Affordable Housing and Viability SPG. In order to maximise affordable housing delivery, however, it is recognised that in exceptional circumstances and where it would have demonstrable benefits, it may be provided off-site or through a cash in-lieu contribution ring fenced and if appropriate 'pooled', to secure efficient delivery of new affordable housing.

19 No affordable housing is proposed, which is wholly unacceptable. The applicant instead proposes to provide a payment in lieu contribution. This approach may be acceptable given the site's central location and associated high property values, and rent levels, and the small number of proposed units that would discourage local registered providers from investing in the property. Additionally, it is noted that the high values would make it challenging to provide intermediate homes within the GLA's income thresholds; but a higher number of larger, family homes could be provided off-site. The quantum of the financial contribution, however, is unknown and a financial viability assessment has not been submitted with the application. The Mayor's Affordable Housing and Viability SPG states that *"the starting point for determining in-lieu contributions should be the maximum reasonable amount of affordable housing that could be provided on-site as assessed through the Viability Tested Route."* Paragraph 2.64 of the SPG further makes clear that a payment in lieu based on a locally established approach may only be applicable if that contribution is higher than the level assessed via the viability tested route.

20 Without a viability assessment, a comparison of the in lieu payment derived from the locally established mechanism and the viability tested route cannot be undertaken. As such, the applicant must submit a viability report, which will be robustly tested by GLA officers to ensure that the maximum level of affordable housing is secured. An early and a late stage review will be required as set out in the Affordable Housing and Viability SPG.

### Density

21 The site has a public transport accessibility level (PTAL) of 6b and is classified as central in character. On this basis, the London Plan density matrix (Table 3.2 in support of London Plan Policy 3.4) suggests a residential density of between 650-1100 habitable rooms or 140-405 units per hectare for this site. The residential density for the proposed development is 1473 habitable rooms/526 units per hectare, which exceeds the density range set out in the London Plan. Given the residential quality and overall design as set out later in this report the density is acceptable in accordance with London Plan Policy 3.4; however, affordable housing must be provided.

## **Design and heritage**

22 The proposed layout infills the existing vacant site and will reinstate a continuous stretch of strong active frontages along this section of High Holborn, which is welcomed. With servicing on-street, a garden will be provided to the rear of the site which will complement the adjacent Lincoln's Inn Gardens and is supported. The applicant should, however, clarify how cycle storage and refuse will be split and managed across all users.

23 The height and massing of the building is consistent with the existing context and is supported. The Borough of Camden planning officers should seek to secure a high quality of design through conditions linked to facade details and material specification.

24 The residential quality across the scheme is of a high standard and will achieve the majority of the guidance criteria within the Housing SPG. Where they are not achieved, it is generally due to the constraints of the site; however, to ensure that as many units as possible have access to private amenity space, the applicant should consider the alternative approaches set out in the Mayor's Housing SPG relating to the provision of private open space on constrained sites.

25 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 the proposal on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Significance can be harm or loss through alteration or destruction of the heritage asset or development within its setting. In relation to non-designated heritage assets, the NPPF states that in weighing applications that affect non-designated heritage assets, a balanced judgement will be required.

26 As identified in paragraph 6 of this report, the site is within a conservation area and there are several other designated heritage assets within the vicinity of the site. Having regard to the statutory duties in respect of listed buildings in the Planning (Listed Buildings and Conservation Areas) Act 1990, and the relevant paragraphs in the NPPF in relation to listed buildings and conservation areas, GLA officers consider that the proposed building does not harm the settings of these heritage assets. The proposal therefore accords with London Plan Policy 7.8.

27 The proposal responds positively to London Plan Policy 3.8 and all units will meet Building Regulation requirement M4 (2) 'accessible and adaptable dwellings', and 10% will meet Building Regulation requirement M4 (3) 'wheelchair user dwellings'. This is welcomed.

## **Climate change**

### Energy

28 An on-site reduction of 10 tonnes of CO<sub>2</sub> per year in regulated emissions compared to a 2013 Building Regulations compliant development is expected for the domestic and non-domestic buildings, equivalent to an overall saving of 38%. The carbon dioxide savings do not meet the London Plan zero carbon target for domestic buildings and as such the applicant should explore increasing the number of photovoltaic panels and undertake further overheating analysis. Any remaining regulated CO<sub>2</sub> emissions must be met through a contribution to the borough's offset fund.

29 Full details of the outstanding issues relating to energy have been provided directly to the applicant and Council.

## Flood risk and drainage

30 The site lies within Flood Zone 1 and is shown to have a low risk of flooding from all other sources (surface water and reservoir); therefore, a flood risk assessment is not required. However, as this development is classified as a major application a drainage strategy is required, which should clearly state how London Plan Policy 5.13 has been addressed. This strategy should demonstrate that the drainage hierarchy has been followed, opportunities for SuDS have been maximised and details of its maintenance programme.

## **Transport**

### Car parking

31 The car-free development and restricting future residents from being eligible for parking permits for the local Controlled Parking Zone is welcomed. However, there is a lack of Blue Badge parking provision and the applicant should therefore set out intended arrangements for people with mobility restrictions to access the site by car and other modes.

### Cycling and walking

32 32 cycle parking spaces are proposed, which is compliant with the minimum standards in the London Plan and local policy. These spaces, however, are proposed as long-stay and located in the basement, which restricts their use by visitors. To comply with policy and to support active travel, a minimum of six short-stay spaces should be provided. The detailed overall arrangements should meet the London Cycle Design Standards (LCDS) and should be secured by condition. The applicant should also confirm the provision of 5% larger spaces suitable for cargo bikes, cycles used by disabled people and similar in accordance with the TfL standards.

### Trip generation

33 The development is unlikely to have a significant impact on public transport or strategic highways.

### Servicing and construction, and travel plan

34 The submission of a Servicing Analysis Technical note is welcome; and the proposed strategy, which suggests that a maximum of five vehicles would use the existing on-street loading bays daily, is considered acceptable. A construction management plan that accords with the new TfL best practice guidance, should be secured by condition. A travel plan prepared in accordance with TfL guidelines should also be secured by condition.

### Mayoral Community Infrastructure Levy (MCIL)

35 In accordance with London Plan Policy 8.3 the Mayor commenced CIL charging for developments on 1st April 2012. Within Camden, the charge is £50 per square metre. The site is also in the area where section 106 contributions for Crossrail will be sought in accordance with London Plan Policy 6.5 and the associated Supplementary Planning Guidance. In these situations, the Mayoral CIL will be treated as a credit towards the section 106 Crossrail liability and this should be reflected in the wording of the section 106 agreement. The charge under the SPG that should be secured through the section 106 is £80,761, based on 415.7 sq.m. of net additional office floorspace charged at £140 per sq.m.; and 250.7 sq.m. of net additional retail floorspace charged at £90 per sqm.

## Local planning authority's position

36 Camden Council planning officers are assessing the application and discussions are ongoing about the proposed development's potential impact on future development on the adjacent site.

## Legal considerations

37 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. 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

38 There are no financial considerations at this stage.

## Conclusion

39 London Plan policies on CAZ, affordable housing, heritage, design, inclusive access, energy and transport are relevant to this application. Whilst the principle of the application is supported in strategic planning terms, the application does not fully comply with the London Plan and the following matters should be addressed:

- **Affordable housing:** No affordable housing is proposed. This is wholly unacceptable. Whilst a payment in lieu may be acceptable, given the number of units and the site's location, a robust interrogation of the applicant's viability will be undertaken to secure the maximum amount of affordable housing.
- **Energy:** The applicant should explore increasing the number of photovoltaic panels and undertake further overheating analysis. Any remaining regulated CO<sub>2</sub> emissions must be met through a contribution to the borough's offset fund.
- **Transport:** Clarification is required on how mobility-impaired people would access the site, as well as arrangements on intended Blue Badge parking provision. Cycle parking should be secured; and, a construction management plan and a full travel plan should be provided and appropriately secured.

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

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