

MAYOR OF LONDON

Kate Henry
Regeneration and Planning
London Borough of Camden
5 Pancras Square
London
N1C 4AG

Our ref: GLA/5097/02
Your ref: 2019/4201/P
Date: 27 April 2020

Dear Ms Henry,

Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008
St Pancras Commercial Centre
Local planning authority reference: 2019/4201/P

I refer to your correspondence of 21 April 2020 informing the Mayor that the local planning authority is minded to approve planning permission for the above planning application. I refer you also to the notice that was dated 21 April 2020 under the provisions of article 5(1)(b)(i) of the above Order.

The Mayor has delegated his planning powers to me. Having now considered a report on this case (GLA ref: GLA/5097/02 copy enclosed), I am content to allow the local planning authority 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,



Jules Pipe CBE
Deputy Mayor for Planning, Regeneration and Skills

Cc: Andrew Dismore, London Assembly Constituency Member
Andrew Boff, Chair of London Assembly Planning Committee
National Planning Casework Unit, DCLG
Lucinda Turner, TfL
Alex Neal, Gerald Eve LLP 72 Welbeck Street, W1G 0AY

St Pancras Commercial Centre

in the London Borough of Camden

planning application no. 2019/4201/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

Redevelopment of the site to provide 3 buildings ranging in height up to 7 storeys and a single basement level comprising a mixed use development of light industrial floorspace (Class B1c/B8), office floorspace (Class B1), 33 residential units, and flexible retail floorspace (Class A1/A3).

The applicant

The applicant is **Camden Property Holdings Limited** and the architect is **Caruso St John Architects**.

Key dates

Stage 1 reporting: 14 October 2019

Planning Committee: 31 January 2020

Strategic issues

Principle of development: The redevelopment of the site for high density commercial led mixed uses including the re-provision of industrial floorspace is supported in principle. The quality of the replacement industrial floorspace is generally very high and in this instance the provision of mezzanines is acceptable. The provision of flexible and affordable workspace has been secured within the s106 agreement. Matters relating to co-location and 'agent of change' have been satisfactorily addressed.

Affordable housing: The provision of 50% affordable housing with a 73:27 split between LAR and Camden Intermediate Rent is welcomed. The affordable products have been confirmed as genuinely affordable. The rental levels and the necessary early stage review mechanism and associated clauses have been secured within the s106 agreement as requested.

Issues relating to **urban design, environment, noise and vibration** and **transport** have all been satisfactorily addressed.

The Council's decision

In this instance Camden Council has resolved to grant permission.

Recommendation

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

Context

1 On 27 August 2019 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 the Categories 1B and 1C of the Schedule to the 2008 Order:

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

2 On 14 October 2019 the Mayor, considered planning report GLA/5097/01, and subsequently advised Camden Council that the application did not comply with the London Plan and the draft London Plan, for the reasons set out in paragraph 78 of the above-mentioned report; but that the possible remedies set out in that paragraph of that report could address these deficiencies.

3 A copy of the above-mentioned report is attached. The essentials of the case with regard to the proposal, the site, case history, strategic planning issues and relevant policies and guidance are as set out therein, unless otherwise stated in this report.

4 On 31 January 2020, Camden Council decided that it was minded to grant planning permission for the revised application, and on 21 April 2020 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 call the application in for his own determination under Article 7. The Mayor has until 5 May 2020 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.

Update

6 At the consultation stage, Camden Council was advised that application did not yet comply with the London Plan and the draft London Plan for the reasons set out in paragraph 78 of that report, as set out below:

- **Principle of development:** The redevelopment of an underutilised non designated industrial site to provide a high density, commercial led mixed use development including the provision of retail and replacement light industrial workshop units is supported in principle. The proposed light industrial units as designed are generally fit for purpose. However, the suitability of the ground floor unit in the residential building for industrial uses is questioned and the mezzanine floors should be removed. The applicant should also demonstrate that appropriate design mitigation is proposed to ensure that the proposed industrial

uses would not be subject to unreasonable restrictions which might impact negatively on their operation. The provision of affordable and flexible workspace, including smaller units for SMEs, would also need to be addressed in line with London Plan and draft London Plan policies.

- **Affordable housing:** As the scheme would involve a net loss in industrial floorspace capacity, the threshold for meeting the Fast Track Route is 50%. The affordable housing offer is 50% with a 73:27 split between LAR and Camden Intermediate Rent which is acceptable in principle subject to confirmation that the intermediate units would qualify as genuinely affordable. On this basis the affordable housing offer is fully supported. The Council should secure an early stage review within the s106 agreement.
- **Design:** The scale and massing is supported and responds well to the surrounding context. Residential quality is generally high but the applicant must ensure that where dwellings are accessed via an internal corridor, the corridor should receive natural light and adequate ventilation.
- **Heritage:** It is considered that the scheme would not harm the setting of nearby statutorily designated heritage assets or locally listed buildings.
- **Energy:** The applicant must provide the following additional information and revisions in order to confirm compliance with London Plan, draft London Plan policies and GLA Energy Assessment Guidance: the Be Lean DER, TER and BRUKL sheets and high lean savings are claimed and need verifying; an overheating assessment; the provision of a site wide network and future connection to the district heating network; further details on the heat pumps, solar thermal and PV.
- **Flood risk and drainage:** Further details on how SuDS measures at the top of the drainage hierarchy will be included in the development, and how greenfield runoff rate will be achieved is requested along with SuDS maintenance information. The applicant should also confirm compliance with the residential consumption targets and revise the sustainability strategy to incorporate rainwater harvesting, consistent with the architectural plans and drainage strategy.
- **Urban greening:** The applicant should seek to ensure that the scheme would achieve an urban greening factor of 0.4.
- **Noise and vibration:** The noise assessment must be updated (and plans amended if necessary) to include details of any measures deemed necessary to mitigate and manage any impact that the operation of the proposed industrial uses might have on nearby noise sensitive receptors. If the potential impact on the industrial use on the affordable housing units cannot be addressed by acoustic insulation alone, an alternative more appropriate commercial use for this unit should be identified.
- **Transport:** The following key issues would need to be addressed prior to Stage 2: further discussion with TfL on the Road Safety Audit for the proposed servicing egress; the accessibility of the bus stops on Royal College Street; drawings provided to confirm the detailed design of all cycle parking will meet LCDS; a Car Park Design and Management Plan would need to be secured by pre-occupation

condition; improvements made to disabled/cycling access onto Regents Canal from the junction between Georgiana Street and St Pancras Way; the trip Generation needs updating to robustly clarify Bus / LU / Overground network capacity and gate-line impacts; and a full TfL CLP secured by pre-commencement condition.

7 Since consultation stage GLA officers have engaged in joint discussions with the applicant, the Council and TfL officers with a view to addressing the above matters. Furthermore, as part of Camden Council's draft decision and s106 agreement on the case, various planning conditions and obligations have been secured. An update against the issues raised at consultation stage is set out below.

8 Since consultation stage the Mayor has published The London Plan Intend to Publish Version (December 2019), which is now a material consideration which must be taken into account on the basis explained within the NPPF. On 13 March 2020 the Secretary of State issued a set of Directions under Section 337 of the Greater London Authority Act 1999 (as amended) and, to the extent that they are relevant to this particular application, have been taken into account by the Mayor as a material consideration when considering this report and the officer's recommendation.

Principle of development and noise/vibration

9 As reported at Stage 1, the principle of the redevelopment of the site for commercial led mixed uses including the replacement light industrial floorspace was supported in principle subject to a number of matters being satisfactorily resolved.

10 At consultation stage, GLA officers requested the removal of the mezzanine floors from the proposed light industrial units as in some instances they would result in compromised floor to ceiling heights. However, it is acknowledged that this is a non-designated industrial site; most of the industrial units would still accommodate optimal floor to ceiling heights for their use; and the existing industrial units on site also accommodate mezzanine floorspace of comparable dimensions. Furthermore, in all other respects the quality of the replacement industrial floorspace is high. Therefore, their inclusion in this instance is considered acceptable.

11 In respect of the Mayor's Intend to Publish London Plan Policy E7 part d), the applicant has comprehensively demonstrated that appropriate design mitigation has been provided to ensure that the industrial and related uses are not compromised in terms of their continued function and operational requirements. The industrial and residential elements do not share facilities or points of access and are segregated from a servicing and fire safety perspective. The public realm is well designed and will provide amenity for industrial tenants and residents alike. This space is segregated from the industrial servicing route running through the site. The commercial elements of the scheme are predominantly physically separated from the residential element in one building with the exception of the ground floor industrial and retail units.

12 The suitability of one of the light industrial units at the ground floor of the affordable housing block was questioned given the proximity of this unit to residential directly above. However, the applicant has produced an updated Noise Assessment which suggests that the sound insulation performance would be maximised for floors separating industrial and residential uses including additional build up. Furthermore, the tenants of the industrial units would be required to carry out their operations in line

with a tenant's handbook which specifies noise and vibration limits so as not to cause nuisance to adjoining occupiers. Whilst imposing restrictions on the activities of industrial tenants would not ordinarily constitute an acceptable form of mitigation, the applicant has provided a letter from an industrial property agent confirming that the restrictions proposed would not be unduly burdensome, particularly given the nature of the industrial tenants likely to occupy these units. Appropriate noise conditions have also been secured. As such, on the basis of these proposed mitigation measures and proposed conditions the use of this ground floor unit as light industrial is considered acceptable.

13 In terms of the affordable workspace offer, 20% of the total light industrial floorspace (GIA) (presently amounting to 660 sqm of floorspace) is to be designated for use by SMEs. The applicant is also required to provide an Affordable Workspace Plan which identifies how the affordable workspace would be made available on a flexible basis; how it will be fitted out; details of the affordable workspace provider; confirmation that the service charges for the workspace would be provided at costs 60% lower than the area average; and that it can accommodate a wide range of business sizes as well as meet the changing demands of those businesses. The affordable workspace would be required to be fitted out to certain minimum specifications and marketed to local businesses and SMEs. These provisions are strongly supported and are secured within the draft s106 agreement.

Affordable housing

14 The affordable housing offer of 50% with a 73:27 split between London Affordable Rent and Camden Intermediate Rent was fully supported at Stage 1 subject to confirmation that the intermediate units would qualify as genuinely affordable. The intermediate rent levels as secured within the draft s106 agreement would qualify as genuinely affordable and an early implementation review has also been secured. Therefore, the scheme would fully comply with the provisions of the Fast Track Route as set out in Policy H5 of the Mayor's Intend to Publish London Plan and are therefore fully supported.

Urban design

15 At consultation stage, it was noted that the design and massing of the building was generally supported. As requested, in response to concerns raised about the availability of light and ventilation to internal corridors, the applicant has introduced glazed doors from the staircase, thereby increasing natural lighting to these spaces, which is welcomed.

Inclusive design

16 The applicant has provided a Fire Safety Strategy produced by a qualified fire engineer, which covers the main information requirements in line with Policy D12 of the Mayor's Intend to Publish London Plan.

Environment

Energy

17 The applicant was asked to provide the following additional information and revisions in order to confirm compliance with London Plan, draft London Plan policies and GLA Energy Assessment Guidance with regards to: the Be Lean DER, TER and BRUKL sheets and high lean savings claimed needed to be verified; the provision of an overheating assessment; the provision of a site wide network and future connection to the district heating network; further details on the heat pumps, solar thermal and photovoltaic (PV) panels.

18 The applicant has since provided sufficient additional information with regards to the Be Lean performance of the development and the proposed glazing g-value is accepted. The applicant has provided sufficient evidence to justify the proposed provision of multiple heating systems as opposed to a single energy centre in this instance. A future connection to the district heat network is proposed as requested. Further details on the air source heat pumps including likely heating costs to residents have been supplied and are considered acceptable. A planning obligation is proposed to be secured requiring the submission of further details in respect of the overheating strategy. Finally, the provision of PV panels has been maximised and a carbon offset payment of £32,000 has also been secured within the draft s106 agreement in line with London Plan policy.

Flood risk and drainage

19 As requested at consultation stage, the drainage plan now includes rainwater re-use for irrigation, blue roofs and a small area of tree pits. This is considered acceptable within the site constraints. The development now complies with Policy 5.15 of the London Plan and SI.5 of the Mayor's Intend to Publish London Plan with regards to water efficiency and consumption.

Urban greening

20 The Urban Greening Factor (UGF) has been calculated as between 0.27-0.29. The applicant has provided a robust response following the request to calculate the UGF, setting out a well-considered account of the ecologically valuable elements proposed. The proposed level of urban greening is therefore considered acceptable given the industrial nature of the scheme and complies with Policy G5 of the Mayor's Intend to Publish London Plan.

Transport

21 At Stage 1, TfL welcomed the focus on improving conditions for sustainable and active travel, especially creation of a new publicly accessible east-west walking route between Royal College Street and St Pancras Way.

22 As requested, an accessibility audit of bus stops in the surrounding local areas was undertaken. All bus stops within walking distance have kerb heights which will enable ramp deployment and bus boarding by wheelchair users, except for on Royal College Street due to the presence of segregated cycle lanes. Further discussions with

TfL to clarify details of the Road Safety Audit and trip generation analysis initially submitted have also concluded satisfactorily.

23 A number of Section 106 contributions have been secured for improvements to the local walking and cycling environment including a pedestrian cycling and environment contribution; a public open space contribution; and a highways contribution, which will be used to repair any damage to footways and carriageways caused by construction of the development, and to deliver specific public realm improvements to surrounding footways already designed and shown in the application drawings.

24 Other improvement works will focus on key points for walking and cycling in the local street network, identified and assessed in the Active Travel Zone (ATZ) assessment of the Healthy Streets Transport Assessment (TA).

25 Improvements to the disabled/cycling access onto Regents Canal at the junction between Georgiana Street and St Pancras Way, 100 metres east of the site, were recommended to support this development at Stage 1 due to the findings of the application's ATZ Assessment. The transport-related Section 106 clauses are being finalised and should be sufficiently flexible to enable such improvements to be delivered by the Council in future should they be deemed necessary and feasible, which is welcomed.

26 Future occupiers of both the business and residential land uses on site will be excluded from obtaining local car parking permits unless they are disabled, and this has also been secured in the Section 106 agreement, which is welcomed. Construction Management, Deliveries and Servicing and Travel Plans have also been secured in the Section 106, along with contributions toward the Council monitoring of the construction and travel planning.

27 Confirmation was also provided by the applicant prior to determination that all cycle parking will meet London Cycling Design Standards (LCDS), and further review by the Council of the design and delivery of all cycle parking has also been secured by condition.

Response to consultation

28 Camden Council posted a site notice and issued a press notice on 28 and 29 August 2019 respectively. In total, 3 letters of objection were received. The objections received are summarised as follows:

- Scale of building is too large and out of keeping with surrounding area.
- Proposed 7 storey building opposite the Golden Lion public house is imposing.
- Overlooking and loss of daylight / overshadowing to Golden Lion public house and its outdoor seating area.
- Footpath on other side of Royal College Street been closed for months, if this goes ahead pedestrians won't be able to use the street.

- Locating new residential units in close proximity to the Royal Mail depot is likely to give rise to future amenity issues and challenges for the proposed occupiers, in particular, noise generated by activities within the yard and vehicular movements to and from the site, particularly during its early and late operational hours

Statutory and non-statutory organisations

29 Responses from statutory bodies and other organisations:

- **Historic England Archaeology (GLAAS)** – No objection
- **Thames Water** – Suggest conditions requiring the applicant to ensure sufficient water capacity is made available, measures to prevent damage to existing water infrastructure and the submission of piling details.
- **The Regent’s Network and Regent’s Canal CAAC** – objections raised on grounds that the development is out of keeping with surrounding low rise development. Loss of sky and views to the canal as a result of the development. This is the wrong building in the wrong place but the response acknowledges that the building is of high quality. Failure to consider the impact on heritage assets and no consideration to the Regent’s canal as a non-designated asset.
- **South Kentish Town CAAC** – Object on grounds of: height of the proposed buildings; does not mention being in the Fleet Valley; implications on archaeology; impacts on sunlight; new housing should not be at the expense of the historic environment; the demand for offices and additional jobs has not been identified; loss of existing open space; public realm is not improved and does not respect the existing grain of the area; not sustainable to demolish rather than refurbish the existing buildings; and unclear why the development needs a basement.
- **Camden cycling campaign** – Two responses were received, the first containing comments and the second objections. The objections related to the impact on existing cycle routes during construction; the development would prevent the delivery of a west bound contraflow lane on Pratt Street. Use of the public highway should be temporary only.

30 Issues raised by objectors have been considered in this report, the Mayor’s Stage 1 report, and the Council’s committee report of 31 January 2020. The Council’s Planning Committee resolved to grant planning permission for the reasons set out in the committee report. GLA officers consider that the consultation responses do not raise any strategic planning issues that aren’t addressed in either this report, or the consultation Stage 1 report.

Section 106 agreement

31 The draft S106 agreement includes the following provisions:

- Affordable Workspace Plan
- Employment and Training Strategy
- Package of end-use employment and training obligations
- Employment and training contribution (£399,927.465)

- Affordable housing secured on site, including rent levels and an early stage review mechanism
- Public open space contribution (£248,186.60)
- Route through open space to be left open at all times
- Landscape Management Plan
- Car-free (residential and commercial)
- Construction Management Plan (CMP)
- CMP monitoring fee (£22,816)
- Pedestrian, Cycle and Environment contribution (£460,000)
- Highways works contribution (£249,753.60)
- Strategic Level Travel Plan for office use
- Strategic Level Travel Plan review fee (£9,618)
- Local Level Travel Plan for light industrial and retail use
- Local Level Travel Plan review fee (£4,809)
- Delivery and Servicing Management Plan
- Approval in Principle for basement construction (AIP)
- AIP review fee (£1,800 per request)
- Sustainability plan
- Carbon offset contribution (£32,040)
- Energy plan
- Basement Construction Plan
- Overheating strategy
- Fire evacuation lifts

Legal considerations

32 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

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

34 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.

35 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

36 The strategic issues raised at consultation stage with respect to industrial quality and co-location, urban design, environment, noise and vibration and transport have all been adequately addressed, and having regard to the details of the application, the matters set out in the committee report and the Council's draft decision, the application complies with the London Plan and Mayor's Intend to Publish London Plan, and there are no sound planning reasons for the Mayor to intervene in this case.

for further information, contact GLA Planning Unit:

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