

17-37 William Road

Local Planning Authority: Camden
Local Planning Authority reference 2020/5473/P**Strategic planning application stage 2 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 to deliver a 15 storey (plus basement) building to provide 239 student bed spaces together with commercial floorspace at ground floor level and associated works.

The applicant

The applicant is **Euston One Limited**, and the architect is **Morris + Company**.

Key dates

GLA pre-application meeting: 5 May 2020

GLA stage 1 report: 8 March 2021

LPA Planning Committee decision: 2 September 2021

Strategic issues summary

Camden Council has resolved to refuse permission for this application. The Mayor must consider whether the application warrants a direction to take over determination of the application under Article 7 of the Mayor of London Order 2008.

Having regard to the details of the application, the matters set out in the Council's committee report and the Council's draft decision notice there are no sound planning reasons for the Mayor to intervene in this particular case and therefore no basis to issue a direction under Article 7 of the Order 2008.

Should the scheme be considered at appeal or a revised application submitted the applicant should have regard to the outstanding matters relating to student housing and affordable housing (paragraphs 30), urban design (paragraphs 31-37, transport (paragraphs 38-41) and sustainable development (paragraphs 42-45).

The Council's decision

In this instance Camden Council has resolved to refuse permission.

Recommendation

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

Context

1. On 27 November 2020 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 following Category of the Schedule to the Order 2008:

- 1C(c) “*building is more than 30 metres high and is outside the City of London.*”

2. On 8 March 2021 the Deputy Mayor for Planning, Regeneration and Skills, acting under delegated authority, considered planning report GLA/6844/01 (report available on the GLA’s public register [here](#)) and subsequently advised Camden Council:

- **Principle of development:** The principle of a student-led mixed-use development within the CAZ and Euston Opportunity Area providing affordable workspace is acceptable and complies with Policies E1, H15 and H16, subject to student accommodation and affordable workspace being appropriately secured.
- **Student accommodation:** 35% of the student bedrooms would be affordable, in line with the London Plan and Fast Track Route criteria, set out in Policy H15. A S106 obligation to enter into a nominations agreement with one or more registered higher education provider for all of the affordable student accommodation and the majority of the student accommodation should be secured.
- **Urban design and heritage:** The layout, design, public realm, and architectural quality of the scheme is supported. The site is not identified in Camden’s Local Plan as suitable for tall buildings. No harm is identified to nearby heritage assets.
- **Sustainable Development:** The combined heat and power system is not acceptable and the wider heating strategy should be revised. Further information in relation to energy efficiency, energy costs, minimising overheating risk, potential for connection to a DHN and the proposed Air Source Heat Pump system are required. The applicant should confirm the carbon shortfall in tonnes of CO₂ and the associated carbon offset payment that will be made to the borough. Further information is sought on flood risk. A Circular Economy Statement should be submitted to demonstrate how the proposals promote circular economy outcomes and aim to be net zero-waste.
- **Transport:** The proposed development would be car-free, but arrangements for disabled persons car parking should be confirmed. The impact of the construction movements needs to be discussed further with to ensure road safety during construction. Appropriate mitigation for on street accessible cycle parking provision should be provided.

3. 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 2 September 2021, Camden Council decided that it was minded to refuse permission for the application and on 9 September 2021, the Stage 2 referral was validated.

5. Under the provisions of Article 5 of the 2008 Order the Mayor may allow the draft decision to proceed unchanged; 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 or any connected application.
6. Camden Council's draft decision notice includes the following reasons for refusal:
 - The proposed development, due to the failure to provide adequate replacement employment space on the site, would fail to support growth in economic activity in Camden and result in the loss of employment opportunities within the borough contrary to Policies E1 (Economic development) and E2 (Employment premises and sites) of the London Borough of Camden Local Plan 2017.
 - The proposed development, by virtue of its height, mass, scale and footprint, would be detrimental to the streetscene, setting of the nearby listed buildings and the character and appearance of the wider area, contrary to policies D1 (Design) and D2 (Heritage) of the London Borough of Camden Local Plan 2017.
 - The proposed development, due to its height, massing, scale and location, would result in a material loss of light and outlook as well as having an overbearing impact and an increased sense of enclosure on the occupiers of Winchester Apartments and users of Netley Primary School's external amenity space, contrary to policy A1 (Managing the impact of development) of the London Borough of Camden Local Plan 2017.
 - A number of the student accommodation units within the proposed development, by reason of their poor levels of outlook, light, internal space, accessibility, external amenity space and ventilation, would fail to provide adequate internal living conditions for future occupiers, resulting in substandard accommodation contrary to policies D1 (Design), A1 (Managing the impact of development) H6 (Housing choice and mix) and H9 (Student housing) of the London Borough of Camden Local Plan 2017.
 - The proposed development, in the absence of a legal agreement to secure a car-free development, would be likely to contribute unacceptably to parking stress, environmental impacts and congestion in the surrounding area, contrary to policies T1 (Prioritising walking, cycling and public transport), T2 (Parking and car-free development), CC1 (Climate change mitigation) and DM1 (Delivery and monitoring) of the London Borough of Camden Local Plan 2017.
 - The proposed development, in the absence of a legal agreement to secure an appropriate financial contribution towards public highway works, would be likely to harm the Borough's transport and public realm infrastructure, contrary to policies T1 (Prioritising walking, cycling and public transport), T3 (Transport Infrastructure), A1 (Managing the impact of development) and DM1 (Delivery and monitoring) of London Borough of Camden Local Plan 2017.
 - The proposed development, in the absence of a legal agreement to secure financial contributions towards pedestrian, cyclist and environmental improvements in the area, would fail to mitigate the impact of the development created by increased trips, contrary to policies T1 (Prioritising walking, cycling and public transport), A1 (Managing the impact of development) and DM1 (Delivery and monitoring) of London Borough of Camden Local Plan 2017.

- The proposed development, in the absence of a legal agreement securing an Approval in Principle Report and appropriate financial contribution towards an approval in principle would fail to mitigate the impact of the basement works on the adjacent public highway contrary to policies T3 (Transport Infrastructure) and DM1 (Delivery and monitoring) of the London Borough of Camden Local Plan 2017.
- The proposed development, in the absence of a legal agreement securing a Delivery and Servicing Management Plan for the commercial element, would likely give rise to conflicts with other road users and be detrimental to the amenities of the area generally, contrary to policies G1 (Delivery and location of growth), A1 (Managing the impact of development), T3 (Transport Infrastructure), T4 (Sustainable movement of goods and materials), DM1 (Delivery and monitoring), A4 (Noise and Vibration) and CC4 (Air quality) of the London Borough of Camden Local Plan 2017.
- The proposed development, in the absence of a legal agreement for a Student Travel Plan, Strategic Level Travel Plan (student accommodation) and Local Level Travel Plan (affordable workspace) and financial contributions for the associated monitoring, would be likely to give rise to conflicts with other road users and be detrimental to the amenities of the area generally, contrary to policies G1 (Delivery and location of growth), A1 (Managing the impact of development), T3 (Transport Infrastructure), DM1 (Delivery and monitoring), A4 (Noise and Vibration) and CC4 (Air quality) of the London Borough of Camden Local Plan 2017.
- The proposed development, in the absence of a legal agreement to secure a construction management plan, construction impact bond and a financial contribution for construction management plan monitoring, would be likely to give rise to conflicts with other road users and be detrimental to the amenities of the area generally, contrary to policies G1 (Delivery and location of growth), A1 (Managing the impact of development), T3 (Transport Infrastructure), T4 (Sustainable movement of goods and materials), DM1 (Delivery and monitoring), A4 (Noise and Vibration) and CC4 (Air quality) of the London Borough of Camden Local Plan 2017.
- The proposed development, in the absence of a legal agreement securing a local employment and training package including an appropriate financial contribution, would be likely to lead to the exacerbation of local skill shortages and lack of training opportunities and would fail to contribute to the regeneration of the area, contrary to policies G1 (Delivery and location of growth), E1 (Economic development) and DM1 (Delivery and monitoring) of the London Borough of Camden Local Plan 2017.
- The proposed development, in the absence of a legal agreement securing a carbon off-set contribution; an Energy Efficiency Plan and renewable energy plan including the measures set out in the Energy Strategy; details regarding the feasibility of connecting to a decentralised energy network; and a Sustainability Plan including Design Stage and Post Construction stage BREAM assessment reports and certificates, demonstrating compliance with targets, would fail to be sustainable in its use of resources, contrary to policies CC1 (Climate change mitigation), CC2 (Adapting to climate change), CC3 (Water and flooding), CC4 (Air quality), C1 (Health and wellbeing) and DM1 (Delivery and monitoring) of the London Borough of the London Borough of Camden Local Plan 2017.

- The proposed development, in the absence of a legal agreement to secure financial contributions towards public open space, would be likely to contribute to pressure and demand on the existing open space in this area contrary to policies A2 (Open Space) and DM1 (Delivery and monitoring) of the London Borough of Camden Local Plan 2017.
 - The proposed development, in the absence of a legal agreement securing a student management plan, would fail to protect the amenities of the surrounding area contrary to policies A1 (Managing the impact of development) and DM1 (Delivery and monitoring) of the London Borough of Camden Local Plan 2017.
 - The proposed development, in the absence of a legal agreement restricting the term-time occupation of the student units to students in higher education at publicly-funded education institutions that are accessible from the development, would fail to meet the identified need for student housing in sustainable locations, and fail to provide a range of affordable, accessible and adaptable dwellings appropriate to meet wider housing needs, contrary to policies H9 (Student Housing) of the London Borough of Camden Local Plan 2017 and policy H15 (Purpose-built student accommodation) of the London Plan 2021.
 - The proposed development, in the absence of a legal agreement securing 35% or the maximum viable proportion of the student accommodation as affordable and available to students nominated by a specified education institution as needing affordable accommodation, would fail to provide a range of accommodation affordable to the student body as a whole including those with state-funded living support and recognised as in need of affordable accommodation, contrary to policy H9 (Student Housing) of the London Borough of Camden Local Plan 2017 and policy H15 (Purpose-built student accommodation) of the London Plan 2021.
7. The decision on this case, and the reasons, will be made available on the City Hall website: www.london.gov.uk

Relevant policy and guidance

8. Since consultation stage the National Planning Policy Framework (2021) has been updated and replaces the previous version published in February 2019.

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

9. The initial statutory test regarding the Mayor's power to take over and determine applications referred under categories 1 and 2 of the schedule to the Mayor of London Order 2008 is a decision about who should have jurisdiction over the application, rather than whether planning permission should ultimately be granted or refused.
10. The test consists of the following three parts, all of which must be met in order for the Mayor to take over the application: a. Significant impact on the implementation of the London Plan; b. Significant effects on more than one borough; and, c. Sound planning reasons for his intervention.

11. Parts (a) and (b) of the test identify the impact an application would have on the Mayor's policies and the geographical extent of the impact, whilst part (c) deals with the reasons for the Mayor's intervention, having regard to the Council's draft decision on the application. These tests are intended to ensure that the Mayor can only intervene in the most important cases.
12. This report considers the extent to which the statutory tests under Article 7(1) apply in this case and whether, therefore, the Mayor should direct that he is to be the local planning authority and apply the tests set out under Article 7(3) of the Order 2008.
13. Article 7(3) of the 2008 Order requires the Mayor, when considering whether to exercise his power to become local planning authority in respect of an application of potential strategic importance (PSI), to take account of certain matters. Where the proposed development falls within Category 1A of the Schedule to the 2008 Order, the Mayor is required to take account of the extent to which the relevant London Borough is achieving and has achieved its targets for new housing including affordable housing, and in respect of all categories of PSI application, the Mayor is required to take account of whether the London Borough is achieving and has achieved any other relevant development plan targets.

Policy Test 7(1)(a): Significant impact on the implementation of the London Plan

14. The proposals would result in an additional 239 student bedrooms. Camden's Local Plan at Policy H9 identifies a student housing target for Camden's target of 160 additional places in student housing per year. London Plan Policy H15 sets out in the reasoned justification that an overall strategic requirement for PBSA in London has been established through the work of the Mayor's Academic Forum, and a pan-London requirement for 3,500 PBSA bed spaces to be provided annually over the Plan period has been identified. The scheme proposes 239 new student bedrooms, this is equivalent to 149% of Camden's annual target and 6.8% of London's annual strategic target for student bedrooms. Having regard to the published record of Camden's delivery of student bedrooms in the borough (refer below), and noting a historic trend of target exceedance, GLA officers do not consider that the proposal would amount to a significant impact on the implementation of the London Plan in terms of student housing delivery.
15. The existing application site presently provides 3,693 sq.m. of commercial floorspace, of which 2,266 sq.m is office accommodation and 1,427 sq.m is basement level ancillary and storage space, although it is noted that the office floorspace is presently unoccupied and has been since 2018. By contrast, the proposed scheme would deliver 1,255 sq.m. of new flexible office (B1) floorspace, which represents a net loss of 2,438 sq.m. of total commercial floorspace (1,011 sq.m of office provides scope for the redevelopment, intensification and change of use of surplus office space to other uses (including housing), subject to consideration of the need for a range of suitable workspace including small units, flexible and affordable work spaces. In this regard, at consultation stage, the applicant provided marketing evidence that indicated the existing office floorspace is not in demand. The loss of office floorspace accords with the criteria outlined in the employment chapter of the London Plan. On this basis, the scheme as proposed would not have a significant impact on the implementation of the London Plan in terms of employment.

Policy Test 7(1)(b): Significant effects on more than one borough

16. Whilst the site is located in close proximity to the boundary with the City of Westminster, by virtue of the context, scale and nature of the proposals the scheme would not have a significant effect on more than one borough.

Policy test 7(1)(c): Sound planning reasons for intervening

17. Part (c) of the statutory test within Article 7(1) of the 2008 Order concerns whether the Mayor considers there to be sound planning reasons to exercise his power to become local planning authority in respect of the application. Having regard to fact that the proposal has not met parts (a) and (b) of the statutory test within Article 7, the details of the proposals, including the outstanding unresolved matters from Stage 1 and the assessment of the scheme as set out in this report below, the Council's committee report and draft reasons for refusal and the Council's performance against the development plan targets as set out in paragraphs 18 to 23 below it is considered that there are no sound planning reasons to intervene in this case and test (c) has not been met.

Matters the Mayor must take into account

18. As set out in paragraph 13 above, the Mayor is required to take account of whether the London Borough is achieving and has achieved any other relevant development plan targets.

Student housing

19. The London Plan at Policy H15 sets out in the reasoned justification that an overall strategic requirement for PBSA in London has been established through the work of the Mayor's Academic Forum, and a requirement for 3,500 PBSA bed spaces to be provided annually over the Plan period has been identified. The London Plan does not break this requirement down into Borough specific targets.
20. Camden's Local Plan at Policy H9 identifies a student housing target for Camden's target of 160 additional places in student housing per year. The table below sets out student housing completions from 2013-2018.

Year	Net additional student completions	% of target
2013/14	1,205	753%
2014/15	1,161	725%
2015/16	498	311%
2016/17	248	155%
2017/18	0	0%

Figure 1: Camden's Housing trajectory summary Source: Regeneration and Planning Authority Monitoring Report 2017/18

21. Further to the above, The London Plan AMR 2018/19 sets out that Camden recorded a loss of 214 rooms for year 2018/19 due to the implementation of permission 2013/0685/P).
22. Overall Camden has performed very well against its local plan target for additional student accommodation with 2,898 net completions registered since 2013/14. This averages as 483 net completions a year in the context of its target of 160 student housing units a year.

Commercial

23. As set out above and demonstrated at consultation stage, Policy E1 of the London Plan provides scope for the redevelopment, intensification and change of use of surplus office space to other uses (including housing), subject to consideration of the need for a range of suitable workspace including small units, flexible and affordable work spaces. The office floorspace on site has been vacant since 2018 and unsuccessfully marketed since 2019, as set out in the supporting Marketing and Demand report. The loss of this under utilised office floorspace and replacement with 1,255 sq.m. of affordable workspace would not represent a significant contribution to the CAZ's strategic office provision.

Conclusion

24. For the Mayor to issue a direction that he is to be the local planning authority, all relevant statutory tests must be met. As the tests have not been met, there is no basis to issue a direction under Section 2A of the Town and Country Planning Act 1990.

Outstanding issues

25. GLA officers note that various amendments to the proposed development have been undertaken following Stage 1 referral and additional information provided, including but not limited to; carbon savings, renewable technologies, energy centre, flood risk and drainage, circular economy, whole life carbon, vehicle parking, cycle storage, trip generation and fire. However, these amendments did not overcome the Council's concerns and the application has been recommended for refusal.
26. Should the scheme be considered at appeal or a revised application be submitted, the applicant should have regard to the matters set out in this report and the comments set out within the Mayor's Stage 1 planning report of 8 March 2021 (reference GLA/6844/01).
27. It is noted that as the application has been recommended for refusal and a draft Section 106 has not been agreed. As such, GLA officers consider that some issues identified at Stage 1 may be capable of being addressed via conditions or secured within a Section 106.
28. An assessment of the revised scheme and outstanding issues is discussed in the following sections.

Land use principles

29. As set out at consultation stage the principle of student-led mixed-use development within the CAZ and Euston Opportunity Area providing affordable workspace was supported in accordance with Policies E1, H15 and H16, subject to securing student accommodation and affordable workspace. In the absence of a s.106 legal agreement the student accommodation and provision of affordable housing has not been secured and thus the proposals are unacceptable in land use terms. Should the scheme be considered at appeal or a revised scheme submitted the applicant must have due regard to the above and enter into a legal agreement to secure both the student bedrooms and affordable workspace proposed.

Student housing

30. At Stage 1 the Council was advised that the offer of 35% affordable student bedrooms would be in line with the London Plan and Fast Track Route criteria. The applicant and Council were required to, through a S106 obligation enter into a nominations agreement with one or more registered higher education provider for all of the affordable student accommodation and the majority of the student accommodation should be secured. In the absence of a s.106 legal agreement the developer has not entered into a nominations agreement and the provision of affordable student bedrooms has not been secured. Accordingly, the proposals are unacceptable in this regard. Should the scheme be considered at appeal or a revised scheme submitted the applicant must have due regard to the above and enter into a legal agreement to secure both the student bedrooms and affordable bed spaces.

Urban design

31. At consultation stage the LPA was advised that the layout, design, public realm, and architectural quality of the scheme was supported. It was noted that the site is not identified in Camden's Local Plan as suitable for tall buildings. However, having regard to the townscape assessment, the height of the proposed development could have been supported. No harm was identified to nearby heritage assets.

Tall building

32. At consultation stage GLA officers considered there may be material considerations that justify a tall building on the site, subject to the additional information regarding the visual, functional, environmental and cumulative impacts of a tall building at this site which is not located within an area identified for tall buildings and is therefore not in compliance with Policy D9. As part of its draft decision notice the Council have included two reasons for refusal which relate to the height and massing of the proposals. The decision notice states:

- The proposed development, by virtue of its height, mass, scale and footprint, would be detrimental to the streetscene, setting of the nearby listed buildings and the character and appearance of the wider area, contrary to policies D1 (Design) and D2 (Heritage) of the London Borough of Camden Local Plan 2017.
- The proposed development, due to its height, massing, scale and location, would result in a material loss of light and outlook as well as having an overbearing impact and an increased sense of enclosure on the occupiers of Winchester Apartments and users of Netley Primary School's external amenity space, contrary to policy A1

(Managing the impact of development) of the London Borough of Camden Local Plan 2017.

33. GLA officers note that in respect to the effect on the streetscene the Mayor's stage 1 response set out the development would make a positive contribution in immediate views, through the replacement of the existing poor quality building, and to the local townscape and skyline, through the development of a building of high architectural quality. It was also confirmed that GLA officers were of the view that there would be no harm to the surrounding heritage assets.
34. The Council's second reason for refusal in relation to height and massing states the proposals would result in a material loss of light and outlook as well as having an overbearing impact and an increased sense of enclosure on the occupiers of Winchester Apartments and users of Netley Primary School's external amenity space. At stage 1 the Council was advised to undertake a full review of the environmental impacts as part of their assessment of the proposal as local planning authority. Should a revised scheme be submitted or this scheme considered at appeal the applicant should ensure that any necessary environmental mitigation measures are identified and appropriately secured as part of any future permission.

Quality of accommodation

35. At consultation stage GLA officers confirmed that the current layout proposes a mix of studios and dual-occupancy units with two single bedrooms sharing communal kitchens and bathroom facilities. The standard of student accommodation is very high and includes high quality access from street level (at prominent corner), with generous and welcoming lobby space, well designed interiors to units, and excellent amenity space offer (particularly at roof level). However, it was also noted that the success of the proposed amenity spaces is also subject to appropriate management and maintenance. Accordingly, management and maintenance plans should be secured within a Section 106 agreement. Measures to mitigate privacy impacts from within the courtyard to the residential dwellings, including high-quality landscaping and defensible spaces should also be secured. As part of the Council's draft decision notice it included a reason for refusal relating to the residential quality of the scheme stating a number of the student accommodation units within the proposed development, by reason of their poor levels of outlook, light, internal space, accessibility, external amenity space and ventilation, would fail to provide adequate internal living conditions for future occupiers, resulting in substandard accommodation. The quality of accommodation does not give rise to strategic concern but should a revised scheme be submitted or this scheme considered at appeal matters relating to amenity and measures to mitigate privacy must be secured as part of any future planning permission.

Fire strategy

36. At Stage 1 the applicant was advised that the outline fire strategy which had been submitted which was developed by a specialist fire consultant; did not fully address the matters outlined in Policy D5 and D12 of the London Plan concluding therefore that the strategy did not yet fully comply with policy. Since consultation stage the applicant has provided an updated fire strategy. Should the scheme be considered at appeal or a revised scheme submitted the applicant must have due regard and a fire

strategy which fully complies with the requirements of London Plan Policy D5 and D12 must be secured as part of any future planning permission.

Heritage

37. At Stage 1 GLA officers concluded that no harm would be caused to the setting and significance of the surrounding designated heritage assets. As such, the development would be in line with London Plan Policy.

Transport

38. At stage 1 the applicant and Council were advised that the proposed car free residential-led development is supported in principle. Disabled persons car parking provision should be confirmed. Trip generation for all elements of the scheme should also be clarified. The impact of the construction movements needs to be discussed further with to ensure road safety during construction. Appropriate mitigation for on street accessible cycle parking provision should be provided.

Blue-badge vehicle parking

39. Policy T6.1 of the London Plan requires residential development proposals delivering ten or more units to deliver at least one designated disabled persons parking bay for 3% of dwellings (1 space), and further demonstrate provision for an additional 7% for further demand. Commercial floorspace should also have access to at least one space. Noting that student accommodation is sui generis, the proposal will include wheelchair accessible and adaptable units potentially generating demand for disabled parking. The proposed building footprint does not enable any blue badge parking on site. Furthermore, the applicant considers that there are conveniently located on street bays that could serve the student and office elements of the scheme. . Should a revised scheme be submitted or this scheme considered at appeal, an appropriate level of blue-badge parking; either on site or on street as appropriate, should be secured as part of any future planning permission.

Construction and delivery management, student travel plan and car free agreement

40. In the absence of conditions and a legal agreement final versions of a construction logistic plan and road safety audit, student travel plan and car free agreement should be appropriately secured as part of any future planning permission.

Cycle parking provision

41. At Stage 1 it was confirmed that the proposed 180 long stay spaces and 8 short stay spaces for the student accommodation and 20 long stay and 3 short stay spaces for the affordable workspaces, and re-provision of the existing residential cycle spaces of 12 long stay spaces was in line with London Plan Policy T5 Table 10.2. The delivery of all cycle parking should be secured by condition as part of any future planning permission. Appropriate mitigation for on street accessible cycle parking provision should be provided.

Sustainable development

Energy

42. At Stage 1 based on the information provided, the non-domestic element of the proposed development was unclear and it could not be confirmed whether the development would achieve any carbon savings from energy efficiency alone compared to a 2013 Building Regulations compliant development. The applicant was instructed to model additional energy efficiency measures to meet the energy efficiency target. The hot water demand is high, and the applicant was advised it should consider the potential for wastewater heat recovery. It was also noted that the applicant was advancing a Combined Heat and Power system; however, given the scale and nature of the development this was not acceptable, as set out in Policy SI3. The applicant was advised to investigate alternative low carbon heating methods and that the proposed strategy should be revised. The applicant was instructed it should confirm the carbon shortfall in tonnes CO₂ and the associated carbon offset payment that would be made to the borough. Since Stage 1 the applicant engaged in collaborative discussions with the Council and GLA to provide additional information and revisions in respect to; non-domestic carbon savings, energy efficiency, the proposed energy centre, photovoltaic panels, district heat networks and air source heat pumps. Should a revised scheme be submitted or this scheme considered at appeal a condition securing a policy compliant energy strategy should be appropriately secured.

Flood risk and drainage

43. At Stage 1 the applicant was advised that potential for shallow groundwater beneath the site existed, which should be assessed, with appropriate mitigation measures provided if necessary. Further, the applicant was required to provide an assessment of sewer flood risk and provide appropriate mitigation measures against the potential for elevated groundwater beneath the site. Additional information was requested regarding; the surface water drainage strategy which did not comply with the Policy SI13 of the London Plan and water consumption for the scheme. Since Stage 1 the applicant has submitted additional information and clarification in respect to; the ground conditions, flood risk, surface water drainage and water consumption. Details should be secured by way of condition on any subsequent permission.

Circular economy

44. At Stage 1 the applicant was advised it must submit a circular economy statement in accordance with London Plan objective GG5 and Policy D3. Since Stage 1 the applicant has produced and submitted a circular economy statement. Should the scheme be considered at appeal or a revised scheme submitted the applicant must have due regard and a circular economy strategy which fully complies with the requirements of London Plan must be secured as part of any future planning permission.

Whole life carbon

45. At Stage 1 it was noted that London Plan Policy SI2 states that development proposals referable to the Mayor should calculate whole life-cycle carbon emissions

through a nationally recognised Whole Life-Cycle Carbon (WLC) Assessment and demonstrate actions taken to reduce life-cycle carbon emissions. The applicant was advised that a Whole Life-Cycle Carbon template (produced by the GLA) should be completed in accordance with the assessment guidance to calculate and reduce WLC emissions against the GLA's benchmarks provided in the guidance. Following Stage 1 the applicant confirmed that this would be resolved by way of planning condition. This should be secured as part of any future planning application.

Local consultation process

46. Camden Council publicised the application by sending notifications to local addresses, and issuing site and press notices. The relevant statutory bodies were also consulted. Copies of all responses to public consultation, and any other representations made on the case, have been made available to the GLA.

Responses to neighbourhood consultation

47. Following the neighbourhood consultation process Camden Council received a total of 6 responses (4 in objection and 2 neutral comments). The reasons for objection and neutral comments raised as part of the neighbourhood consultation process are collectively summarised below.

Neighbourhood objections

Land use principles

- Potential to create a negative precedent

Urban design

- Density
- Over crowding
- Height and massing
- Public realm and landscape design
- Daylight/sunlight
- Townscape and visual amenities
- Sense of enclosure

Sustainable development

- Air quality impacts
- Environmental impacts
- Pollution (including noise and air)

Transport

- Traffic
- Construction phase impacts
- Highway impacts

- Healthy streets impacts
- Cycle parking and highway impacts of cyclists

Miscellaneous

- Lack of consultation
- Lack of public/community benefit
- Health impacts to existing residents
- Cumulative impact of other development
- Noise and disturbance
- Social issues/transient communities
- Lack of supporting infrastructure (GP's surgeries etc)

Neutral neighbourhood comments

- Public realm improvements welcomed
- Amenity space questioned
- Consultation (both applicant and Council)
- Traffic concerns raised

Representations to the Mayor

48. The Mayor did not receive any direct representations.

Responses from statutory bodies and other organisations

49. The responses from statutory consultees and other organisations can be summarised as follows:

- **Thames Water:** No objection.
- **Design out Crime (London Met police):** No objection.
- **Regent's Park Estate Tenants and Residents Association (TRA):** The residents association raised objections in relation to; insufficient consultation, poor relationship to local area and townscape, height, daylight/sunlight and loss of light, relationship to existing development, overlooking, heritage impacts, viewing corridors, lack of housing.

Response to public consultation - conclusion

50. Having had regard to these representations GLA officers are satisfied that the statutory and non-statutory responses to the public consultation process, do not raise any material planning issues of strategic importance that have not already been considered in this report, or in consultation stage report GLA/6844/S1.

Legal considerations

51. Under the arrangements set out in Article 5 of the Town and Country Planning (Mayor of London) Order 2008 the Mayor has the power to issue a direction under

Article 7 that he is to act as the local planning authority for the purpose of determining the application and any connected application. The Mayor may also leave the decision to the local authority. 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

52. 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

53. Having regard to the details of the application, consideration within this report, the matters set out in Camden Council's planning report and Camden Council's draft decision notice there are no sound planning reasons for the Mayor to intervene in this particular case and therefore no basis to issue a direction under Article 7 of the Order 2008.

54. Should the scheme be considered at appeal or a revised application submitted the applicant should ensure that the outstanding matters relating to land use principles, affordable student bedrooms, urban design, sustainable infrastructure and transport are addressed accordingly; and the conditions and legal obligations contained in this report, the report reference GLA/6844/01 and the Council's committee report should be secured.

For further information, contact GLA Planning Unit (Development Management Team):

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We are committed to being anti-racist, planning for a diverse and inclusive London and engaging all communities in shaping their city.