

Block B, Agar Grove Estate

1 August 2022

Local Planning Authority: Camden

Local Planning Authority reference: 2022/2359/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

Section 73: Variation of condition 63 (approved plans), 61 (housing mix), of planning permission ref: 2013/8088/P dated 04/08/2014 (as amended by 2020/0468/P dated 16/02/2020) 2019/4280/P, to allow adjustments to Block B, including addition of second stair cores and evacuation lifts; revised unit mix; reduction in 11 units; additional cycle storage; and changes to external appearance.

The applicant

The applicant is **London Borough of Camden** and the architect is **Hawkins Brown, Mae Architects and Grant Associates**.

Strategic issues summary

Land use principles: The principle of estate regeneration was supported as part of the extant permission. The slight increase in commercial space and slight decrease in community space as a result of the reconfiguration to accommodate the additional stairs and evacuation lifts is acceptable on balance.

Housing: There will be a reduction in 11 social rent units overall due to layout changes as a result of an additional stair and evacuation lifts and changes to the size mix. This is partly outweighed by the increase in larger 3 bed units and wheelchair units within this tenure. This is considered acceptable on balance.

Urban Design: The layout changes, minor increase in height, approach to public realm and fire safety are acceptable.

Transport: A commensurate increase in blue badge spaces to reflect increase in wheelchair units should be secured. 20% of spaces should have electrical vehicle charging points with 20% passive provision. Cycle parking supported. Wayfinding improvements are encouraged to be secured.

Energy: The energy statement provided does not yet comply with London Plan Policies SI3 and SI4. Further information required in relation to energy infrastructure, heat, risk, carbon savings and net zero target.

Recommendation

That Camden Council be advised that the application does not yet comply with the London Plan for the reasons set out in paragraph 47. Possible remedies set out in this report could address these deficiencies.

Context

1. On 18 July 2022, the Mayor of London received documents from Camden Council notifying him of a planning application of potential strategic importance to develop the above site for the above uses. Under the provisions of The Town & Country Planning (Mayor of London) Order 2008, the Mayor must provide the Council with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. The Mayor may also provide other comments. This report sets out information for the Mayor's use in deciding what decision to make.
2. The application is referable under the following Category/categories of the Schedule to the Order 2008:
 - Art1 (2) Amends a previous application of potential strategic importance
 - 1A "Development which comprises or includes the provision of more than 150 houses, flats, or houses and flats"
 - IC: Development which comprises or includes the erection of a building of... (c) . . . more than 30 metres high and is outside the City of London
 - 3A: Development which is likely to (a) result in the loss of more than 200 houses, flats, or houses and flats (irrespective of whether the development would entail also the provision of new houses or flats)
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's public register: <https://planning.london.gov.uk/pr/s/>

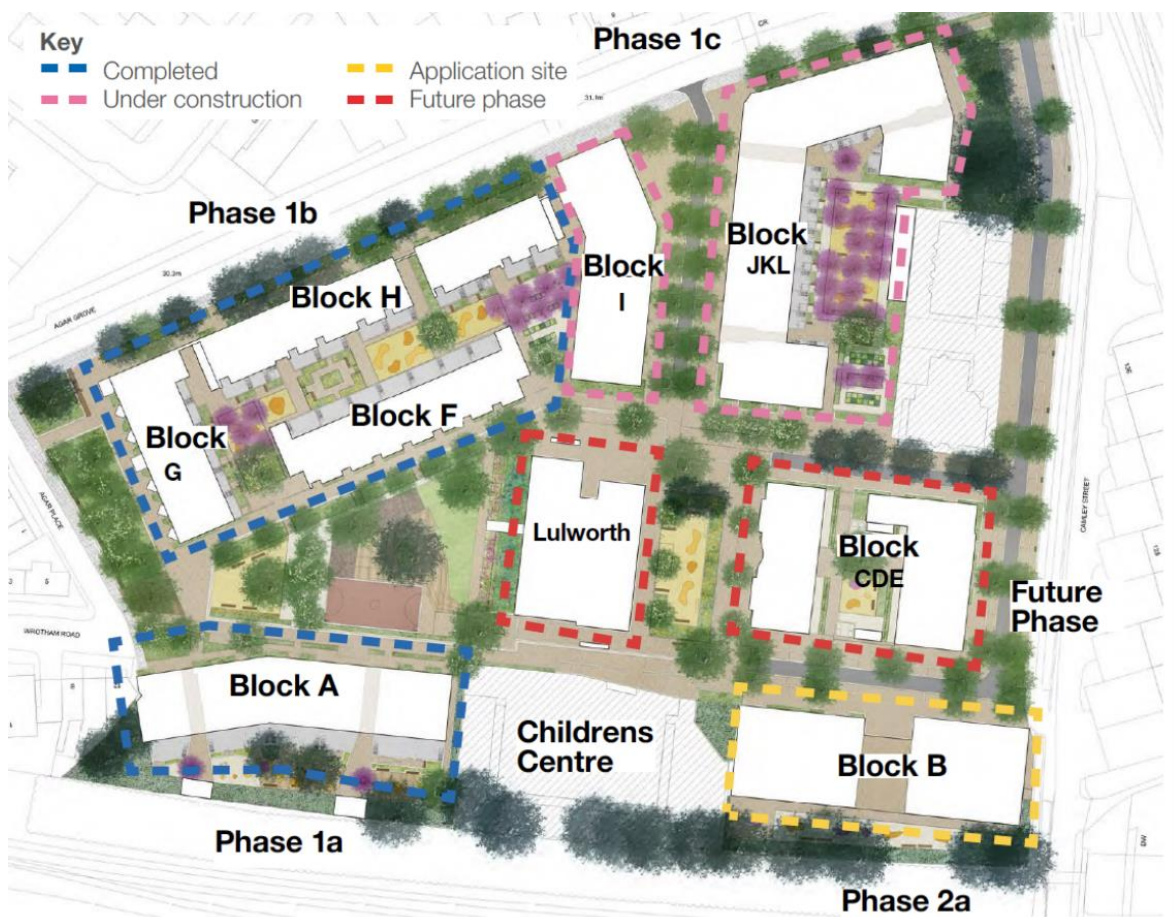
Site description

5. The site boundary encompasses a wedge-shaped 'island' of 2.75 hectares known as the Agar Grove Estate situated north-east of Camden Town. The Estate is centrally located in the borough to the east of Camden town in a predominantly residential area which comprises a mix of period (Georgian and Victorian) housing; post-war municipal estates; 20th century in-fill; and some remnants of light-industrial activity.
6. It is bounded on the north by Agar Grove; on the south by the North London Overground railway line; on the east by Camley Street, beyond which lays the East Midlands railway line into St. Pancras Station; and on the west by Agar Place, the shortest of all the four boundaries.

7. The site comprises a 1960s Council housing estate of three and four-storey blocks, an 18-storey tower block, a children's nursery building and two blocks of flats owned separately by London & Quadrant, which do not form part of the subject proposals. The Estate comprises 249 residential homes of which 210 are social rented units; 2 are intermediate (affordable); and 37 are privately owned. The existing units are arranged in a series of blocks known as: Manston, Broadstone, Sherborne, Sturminster, Ashmore, Nettelcombe, Frampton and Abbotsbury (all 1- 4 storeys in height) and Lulworth House (18 storeys). Within the Estate, there are two small retail units of circa. 200sqm to the Agar Grove frontage.

8. The site is extremely well served by public transport services and has a public transport accessibility level (PTAL) of 6a / 5 around the perimeter. Mornington Crescent, Camden Town, King's Cross and Euston stations are within walking distance or a short bus ride away.

9. There is an extant permission for the proposals, granted in 2014 for the comprehensive redevelopment of the site to provide 493 new homes, retail, business and community space, set within a series of new buildings and new landscaping.



10. There have been amendments in 2019 for minor changes to Block I and JKL to increase the overall number of units by 14 along with changes to the mix of unit types, internal layout and massing.

11. To date, Blocks A, F, G and H have been completed delivering 95 new homes, whilst construction works on Blocks I and JKL is due to complete in January 2024 delivering a further 125 new dwellings.

Details of this proposal

12. This Section 73 application includes the following amendments to Block B:
 - Addition of a second stair core and evacuation lifts within Block B in response to changing approaches to fire safety
 - An amended mix of unit types, including an increase in family sized and accessible units
 - An overall reduction in unit numbers within Block B from 105 to 94 social rent units
 - Provision of additional cycle storage to meet current policy
 - An up-dated energy strategy
 - Minor increase in overall height and changes to the elevations to reflect the new internal layout and requirements of the up-dated energy strategy

Case history

13. The following permissions are relevant:
 - August 2014: 2013/8088/P for the comprehensive redevelopment of the site to create a new mixed-tenure development comprising 493 new homes, retail, business and community space, set within a series of high-quality new buildings and landscape.
 - October 2020: 2019/4280/P amendments to facilitate a number of minor changes to Block I and JKL to increase the overall number of units by 14 along with changes to the mix of unit types, internal layout and massing.

Strategic planning issues and relevant policies and guidance

14. For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the area comprises the Camden Local Plan 2017, and, the London Plan 2021.
15. The following are also relevant material considerations:
 - The National Planning Policy Framework and National Planning Practice Guidance;

- National Design Codes

16. The relevant issues, corresponding strategic policies and guidance (supplementary planning guidance (SPG) and London Plan guidance (LPG)), are as follows:

Good Growth	London Plan
Housing	London Plan; Housing SPG; the Mayor's Housing Strategy; Play and Informal Recreation SPG; Character and Context SPG
Affordable Housing	London Plan; Housing SPG; Affordable Housing and Viability SPG; the Mayor's Housing Strategy
Urban design	London Plan; Character and Context SPG; Public London Charter draft LPG; Housing SPG; Play and Informal Recreation SPG; Good Quality Homes for All Londoners draft LPG
Inclusive access	London Plan; Accessible London: achieving an inclusive environment SPG
Sustainable development	London Plan; Circular Economy Statements draft LPG; Whole-life Carbon Assessments draft LPG; 'Be Seen' Energy Monitoring Guidance draft LPG; Mayor's Environment Strategy;
Transport and parking	London Plan; the Mayor's Environment Strategy; Mayor's Transport Strategy; Draft Sustainable Transport and Walking LPG

- On 24 May 2021 a Written Ministerial Statement (WMS) was published in relation to First Homes. To the extent that it is relevant to this particular application, the WMS has been taken into account by the Mayor as a material consideration when considering this report and the officer's recommendation. Further information on the WMS and guidance in relation to how the GLA expect local planning authorities to take the WMS into account in decision making can be found [here](#). (Link to practice note)

Land use principles

17. This application relates to changes to Block B, as part of Phase 2A of the scheme, and is therefore not considered to alter the principle for comprehensive estate regeneration which was supported as part of the extant permission 2013/8088/P in 2014.

Commercial

18. The approved scheme includes 475sqm of Class B1 business space in the base of Block B. As a result of the changes to Block B the configuration of the B1 accommodation has been amended resulting in a small increase (+64sqm) in floorspace. The site is not within a town centre and does not have an employment designation. The increase of 64 sqm is not considered significant and is therefore acceptable.

Community Use

19. London Plan Policy S1 states that development proposals that provide high quality, inclusive social infrastructure that addresses a local or strategic need should be encouraged. There is an existing small community room of 90sqm within the ground floor of Lulworth House. The approved scheme provides a new community facility in the base of Block B of 502sqm. As a result of the proposed changes to Block B, the revised layout of the new community space has reduced in area by 61 sqm to provide 441sqm.
20. Although there is a reduction in community use floorspace, the revised 441sqm is significantly more than the existing provision of 90sqm and, taking in to account the reasons for the revised layout, and the fact that the revised floor area is still likely to be sufficient to accommodate the needs of the community, the proposal is therefore acceptable on balance.

Housing

21. London Plan Policy H1 sets a ten-year housing target for Camden of 10,380 homes between 2019 and 2029, and encourages the use of brownfield sites, particularly those with existing or planned public transport access levels (PTALs) 3-6 or which are located within 800m distance of a station or town centre boundary.

22. The original application proposed 493 new homes overall. This was increased to 507 units as part of amendments agreed in 2020. To date, 95 homes have been delivered with a further 125 homes under construction.
23. The amendments include a reduction in 11 units due to design amendments as a result of the applicant's decision to provide additional stairs and evacuation lifts to align with policy requirements (such as fire safety) as well as an increase in family sized units and wheelchair units to respond better to local need. On balance this is considered acceptable.

Affordable Housing

24. London Plan Policy H4 seeks to maximise affordable housing delivery, with the Mayor setting a strategic target for 50% of all new homes to be genuinely affordable. Policy H8 requires the re-provision of at least an equivalent level of affordable floorspace and that estate regeneration that involves the loss and replacement of affordable housing should deliver an uplift in affordable housing wherever possible. Therefore, all estate regeneration schemes must go through the Viability Tested Route to demonstrate they have maximised the delivery of any additional affordable housing. This is determined by floorspace / habitable rooms rather than units.
25. The consented scheme of 507 units includes 256 affordable units which equates to 50% on a unit basis or 56% on a habitable room basis. This was considered the maximum reasonable.
26. The current phase of the development, which is subject to this application, includes changes to Block B which entirely consists of social rent units.
27. Tables 1 and 2 below sets out the changes in unit mix and tenure between the consented scheme and the proposed amendments; with Table 3 setting out the change in unit size.

Table 1: Consented

Tenure	Consented Units	Consented Hab Rooms	Consented Floorspace (sqm)
Social Rent	216 (42.6%)	709 (50%)	16,767 (45.1%)
Intermediate	40 (7.9%)	91 (6.4%)	2,515 (6.8%)
Market	251 (4.5%)	618 (43.6%)	17,899 (48.1%)
Total	507	1,418	37,210

Table 2: Proposed

Tenure	Proposed Units	Proposed Hab Rooms	Proposed Floorspace (sqm)
Social Rent	205 (41%) (-11 units)	698 (50%) (-11 hab rooms)	16,478 (44.7%) (-319 sqm)
Intermediate	40 (8%) (no change)	91 (6%) (no change)	2,514 (6.8%) (no change)
Market	251 (51%) (no change)	618 (44.1%) (no change)	17,899 (48.5%) (no change)
Total	496 units (-11 units)	1,407 hab rooms (-11 hab rooms)	36,891 sqm (-391 sqm)

28. The proposed amendments are being put forward to respond to the current housing needs of returning residents and in response to fire safety guidance. An additional staircase and change in the size mix, to provide an increase in larger family sized units and wheelchair units, have resulted in an overall reduction of 11 social rent units equating to a loss of 11 habitable rooms and 319 sqm of social rent floorspace.

Table 3: unit size

Tenure	Studio		1 bed		2 beds		3 beds		4 beds	
	C	P	C	P	C	P	C	P	C	P
Social Rent	0	0	72	70	79	60	40	50	25	25

29. Table 3 sets out how the proposals amend the size mix with a reduction in 1 and 2 bed social rent units and an increase in 3 bed units. Whilst it is acknowledged that the loss in overall social rent units, habitable rooms and floorspace is not desirable, this is partly caused by the increase in larger family 3 bed units and increase in wheelchair units within the social rent tenure, which have been increased to better respond to local need. In addition, affordable housing provision, on a habitable rooms basis, is still above 50%. It should also be noted that the changes are a result of design amendments to respond to other policy requirements (such as fire safety). On balance, then, the changes are considered to be acceptable, however, GLA officers request that the applicant and Local Planning Authority explore how the 11 social rent units could be re-provided elsewhere in subsequent phases so that design changes as a result of policy updates are not at the expense of social rent units.

Equalities

30. London Plan Objective GG1 highlights the diverse nature of London's population and underscore the importance of building inclusive communities to guarantee equal opportunities for all, through removing barriers to, and protecting and enhancing, facilities that meet the needs to specific groups and communities.
31. Furthermore, the Equality Act 2010 provides that in exercising its functions (which includes the functions exercised by the Mayor as Local Planning Authority), that the Mayor as a public authority shall amongst other duties have due regard to the need to a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the Act; b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it. The protected characteristics set out in the Equality Act are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The Equality Act acknowledges that compliance with the duties set out may involve treating some persons more favourably than others, but that this does not permit conduct that would otherwise be prohibited under the Act.
32. The protected characteristics of age and disability are particularly relevant in this application. The increase in wheelchair housing and family sized housing will help meet the needs of these protected characteristics.

Urban design

33. Chapter 3 of the London Plan sets out key urban design principles to guide development in London. Design policies in this chapter seek to ensure that development optimises site capacity; is of an appropriate form and scale; responds to local character; achieves the highest standards of architecture, sustainability and inclusive design; enhances the public realm; provides for green infrastructure; and respects the historic environment.
34. This application involves layout changes to an approved scheme as a result of the applicant's decision to provide additional stairs and evacuation lifts in response to new fire safety policy, and change in the unit mix. The units are arranged around single cores with up to five units per core. 80% of the units are dual aspect with no single aspect north-facing flats. The quality of the accommodation would still be acceptable as a result of the proposed changes.
35. The changes to the public realm and increase in active frontage along Camley Street are supported, subject to confirming the issues in paragraph 41 below.
36. Block B consists of two adjoining blocks – Block B1 at 18 storeys, and Block B2 at 7 storeys. The principle of the location and impacts of the tall building was considered acceptable as part of extant planning permission. The amendments include an increase in height of 0.75m on Block B2 to accommodate additional insulation and an increase of 2.13m on Block B1 (the lower block) to accommodate lift access to allow access to the moved generator. These increases in height are considered minor, and would not significantly alter the visual, functional, environmental or cumulative impacts of the approved tall

building. No further strategic issues in relation to London Plan Policy D9 would therefore result from the proposed changes.

37. The changes to the elevations in terms of glazing are also considered acceptable in principle subject to associated detailed energy comments.

Fire safety

38. The application is supported by a Fire Statement which complies with the requirements of London Plan Policy D12.

Inclusive access

39. An additional 11 wheelchair accessible M4(3) homes are proposed to Block B which brings the overall number of affordable wheelchair accessible homes up to 10%. This is supported.

Transport

40. The area is served by the Mayor's cycle hire scheme with the nearest docking stations at Camden Road station to the west and York Way to the East. A segregated cycle route extends along Camley Street on the eastern boundary of the site.
41. The proposals include 18 car parking spaces with 4 disabled spaces and 14 spaces allocated for existing residents. The proposed increase in wheelchair dwellings to 11 units suggests that a commensurate increase in blue badge spaces would be appropriate, and it should be confirmed how this will be provided. 20% of spaces should have electrical vehicle charging points with 20% passive provision. Occupiers should be subject to a permit free obligation.
42. Residential, community and business cycle parking meets the London Plan minimum standard in policy T5 and is therefore strongly supported. The applicant should confirm that access from the cycle stores to the Camley Street cycle route will be direct and level. The opening up and removal of the retaining wall to Camley Street is also welcomed. Wayfinding through the Legible London system is recommended to encourage active travel from the site.

Sustainable development

Energy strategy

43. The energy statement provided does not yet comply with London Plan Policies SI3 and SI4. The applicant is required to further refine the energy strategy and submit further information to fully comply with London Plan requirements. Full details have been provided to the Council and applicant in a technical memo that should be responded to in full; however outstanding policy requirements include:

- Energy infrastructure – further details on the design of district heating network connection is required, and the future connection to this network must be secured by condition or obligation;
- Managing heat risk – further details to demonstrate the cooling hierarchy has been followed
- Carbon savings - For the domestic element, the development is estimated to achieve a 69% reduction in CO2 emissions compared to 2013 Building Regulations. For the non-domestic element, a 35% reduction is expected.
- Net zero target - The development falls short of the net zero-carbon target in Policy SI2, although it meets the minimum 35% reduction on site required by policy. As such, a carbon offset payment is required to be secured. This should be calculated based on a net-zero carbon target using the GLA's recommended carbon offset price (£95/tonne) or, where a local price has been set, the borough's carbon offset price. The draft s106 agreement should be submitted when available to evidence the agreement with the borough.

Local planning authority's position

44. Camden Council planning officers are currently assessing the application. The application is expected to be considered at a planning committee meeting in August.

Legal considerations

45. Under the arrangements set out in Article 4 of the Town and Country Planning (Mayor of London) Order 2008 the Mayor is required to provide the local planning authority with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. Unless notified otherwise by the Mayor, the Council must consult the Mayor again under Article 5 of the Order if it subsequently resolves to make a draft decision on the application, in order that the Mayor may decide whether to allow the draft decision to proceed unchanged; or, direct the Council under Article 6 of the Order to refuse the application; or, issue a direction under Article 7 of the Order that he is to act as the local planning authority for the purpose of determining the application (and any connected application). There is no obligation at this 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

46. There are no financial considerations at this stage.

Conclusion

47. London Plan policies on affordable housing, social infrastructure, urban design transport and energy are relevant to this application. Whilst the proposal is supported in principle, further discussions may be required in relation to energy strategy.

- **Land Use Principles:** The principle of estate regeneration was agreed as part of the extant permission. The slight increase in commercial space and slight decrease in community space as a result of the reconfiguration to accommodate the additional stairs and evacuation lifts is acceptable on balance. London Plan Policy H8 and S1.
- **Housing and affordable housing:** There will be a reduction in 11 social rent units overall due to layout changes as a result of an additional stair and evacuation lifts, and changes to the size mix. This is partly outweighed by the increase in larger 3 bed units and wheelchair units within this tenure, and is therefore considered acceptable on balance.
- **Urban Design:** The layout changes, minor increase in height, approach to public realm and fire safety are acceptable.
- **Transport:** A commensurate increase in blue badge spaces to reflect increase in wheelchair units should be secured. 20% of spaces should have electrical vehicle charging points with 20% passive provision. Wayfinding measures are strongly encouraged.
- **Energy:** The energy statement provided does not yet comply with London Plan Policies S13 and S14. Further information required in relation to energy infrastructure, heat, risk, carbon savings and net zero target.

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

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