

Mount Pleasant Sorting Office

in the London Boroughs of Islington and Camden

planning applications no. 2013/3807/P & P2013/1423/FUL

Planning application

Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008 (“the Order”); and, Town and Country Planning (Environmental Impact Assessment) Regulations 2011.

The proposal

Comprehensive redevelopment across two application sites in buildings up to 15 storeys comprising 681 residential units, 4,260 sq.m. of office space, 2,250 sq.m. retail and community space, with parking, landscaping and public realm works.

Conservation Area consent has also been sought for demolition of all buildings and structures within the Calthorpe Street Site.

The applicant

The applicant is **Royal Mail Group** and the architects are **AHMM, Fielden Clegg Bradley, Allies and Morrison**, and **Wilkinson Eyre Architects**.

Recommendation summary

The Mayor, acting as Local Planning Authority for the purpose of determining this application,

- i. grants conditional planning permission in respect of the applications 2013/3807/P & P2013/1423/FUL for the reasons set out in the reasons for approval section below, and subject to the prior completion of a section 106 legal agreement;
- ii. grants conservation area consent in respect of the application P2013/1425 for the reasons set out in the reasons for approval section below, and subject to the grant of planning permission;
- iii. delegates authority to the Assistant Director - Planning and the Director of Development, Enterprise and Environment to: issue the planning permissions and conservation area consent; agree, add, delete or vary, the final detailed wording of the conditions and any additional informatives as required; negotiate, agree the final wording, and sign and execute, the section 106 legal agreement;

- iv. delegates authority to the Assistant Director - Planning and Director of Development, Enterprise and Environment to refuse planning permission, if by 19 December 2014, the section 106 legal agreement has not been completed;
- v. notes that approval of details pursuant to conditions imposed on the planning permissions will be submitted to, and determined by, Islington and Camden Council, and by Islington Council in the case of the conservation area consent; and,
- vi. notes that Islington Council and Camden Council will be responsible for the enforcement of the conditions attached to the respective permissions.

Drawing numbers and documents

Existing plans					
00_07_001	P2	11159_MP_(00)_P001	P2	11159_MP_(00)_P011	P2
00_07_010	P2	11159_MP_(00)_P002	P2	11159_MP_(00)_P012	P1
00_07_020	P1	11159_MP_(00)_P003	P1		
00_07_021	P1	11159_MP_(00)_P010	P2		
00_07_030	P1				
Proposed plans – Calthorpe Street					
00_07_099	P2	00_07_157	P1	00_07_211	P1
00_07_100	P2	00_07_158	P1	00_07_212	P1
00_07_101	P2	00_07_159	P2	00_07_213	P1
00_07_102	P2	00_07_160	P1	00_07_214	P1
00_07_103	P2	00_07_161	P1	00_07_215	P1
00_07_104	P2	00_07_162	P2	00_07_216	P1
00_07_105	P2	00_07_163	P1	00_07_217	P1
00_07_106	P2	00_07_164	P1	00_07_220	P1
00_07_107	P2	00_07_165	P2	00_07_221	P1
00_07_108	P2	00_07_166	P1	00_07_222	P1
00_07_109	P2	00_07_167	P1	00_07_223	P1
00_07_110	P2	00_07_168	P2	00_07_224	P1
00_07_111	P2	00_07_169	P1	00_07_225	P1
00_07_112	P2	00_07_170	P2	00_07_226	P1
00_07_119	P2	00_07_171	P1	00_07_227	P1
00_07_120	P2	00_07_172	P2	00_07_250	P1
00_07_121	P2	00_07_173	P1	00_07_251	P1
00_07_122	P2	00_07_174	P2	00_07_252	P1
00_07_123	P2	00_07_175	P1	00_07_253	P1
00_07_124	P2	00_07_176	P2	00_07_254	P1
00_07_125	P2	00_07_177	P1	00_07_255	P1
00_07_126	P2	00_07_178	P2	00_07_256	P1
00_07_127	P2	00_07_179	P1	00_07_257	P1
00_07_128	P2	00_07_180	P2	00_07_258	P1
00_07_129	P2	00_07_181	P1	00_07_259	P1
00_07_130	P2	00_07_182	P1	00_07_260	P1
00_07_131	P2	00_07_183	P2	00_07_301	P1
00_07_132	P2	00_07_184	P1	00_07_302	P1
00_07_139	P2	00_07_185	P1	00_07_303	P1
00_07_140	P2	00_07_186	P2	00_07_304	P1
00_07_141	P2	00_07_187	P1	00_07_305	P1
00_07_142	P2	00_07_188	P1	00_07_306	P1
00_07_143	P2	00_07_189	P2	00_07_501	P1
00_07_144	P2	00_07_190	P1	00_07_502	P1
00_07_145	P2	00_07_191	P1	00_07_503	P1
00_07_146	P2	00_07_192	P1	00_07_504	P1
00_07_147	P2	00_07_193	P1	00_07_505	P1
00_07_148	P2	00_07_194	P1	00_07_506	P1
00_07_150	P2	00_07_195	P1	00_07_510	P1
00_07_151	P1	00_07_196	P1	00_07_511	P1
00_07_152	P1	00_07_197	P1	00_07_512	P1
00_07_153	P2	00_07_198	P1	00_07_513	P1
00_07_154	P1	00_07_199	P1	00_07_514	P1
00_07_155	P1	00_07_201	P1		
00_07_156	P2	00_07_202	P1		
		00_07_210	P1		
Proposed plans – Phoenix Place					
11159_MP_(00)_P001	P2	11159_P1_(00)_P114	P2	1660 P2 (00) P023	P2
11159_MP_(00)_P002	P2	11159_P1_(00)_P150	P1	1660 P2 (00) P100	P2
11159_MP_(00)_P003	P1	11159_P1_(00)_P151	P1	1660 P2 (00) P101	P2

11159_MP_(00)_P010	P2	11159_P1_(00)_P152	P2	1660 P2 (00) P102	P2
11159_MP_(00)_P011	P2	11159_P1_(00)_P153	P2	1660 P2 (00) P103	P2
11159_MP_(00)_P012	P1	11159_P1_(00)_P154	P2	1660 P2 (00) P104	P2
11159_MP_(00)_P015	P2	11159_P1_(00)_P155	P2	1660 P2 (00) P105	P2
11159_MP_(00)_P098	P2	11159_P1_(00)_P156	P2	1660 P2 (00) P106	P2
11159_MP_(00)_P099	P2	11159_P1_(00)_P157	P2	1660 P2 (00) P107	P2
11159_MP_(00)_P100	P2	11159_P1_(00)_P158	P1	1660 P2 (00) P108	P2
11159_MP_(00)_P1 01	P2	11159_P1_(00)_P159	P2	1660 P2 (00) P109	P2
11159_MP_(00)_P114	P2	11159_P1_(00)_P160	P2	1660 P2 (00) P110	P2
11159_MP_(00)_P103	P1	11159_P1_(00)_P161	P2	1660 P2 (00) P111	P2
11159_MP_(00)_P200	P1	11159_P1_(00)_P162	P2	1660 P2 (00) P150	P1
11159_MP_(00)_P201	P1	11159_P1_(00)_P163	P1	1660 P2 (00) P151	P1
11159_MP_(00)_P300	P1	11159_P1_(00)_P164	P2	1660 P2 (00) P152	P1
11159_MP_(00)_P301	P1	11159_P1_(00)_P165	P2	1660 P2 (00) P153	P1
11159_P1_(00)_P020	P1	11159_P1_(00)_P166	P2	1660 P2 (00) P154	P1
11159_P1_(00)_P021	P1	11159_P1_(00)_P167	P1	1660 P2 (00) P155	P1
11159_P1_(00)_P022	P1	11159_P1_(00)_P200	P2	1660 P2 (00) P156	P1
11159_P1_(00)_P023	P1	11159_P1_(00)_P201	P2	1660 P2 (00) P160	P2
11159_P1_(00)_P098	P2	11159_P1_(00)_P202	P2	1660 P2 (00) P161	P2
11159_P1_(00)_P099	P2	11159_P1_(00)_P203	P1	1660 P2 (00) P1 62	P2
11159_P1_(00)_P100	P2	11159_P1_(00)_P300	P1	1660 P2 (00) P200	P2
11159_P1_(00)_P101	P2	11159_P1_(00)_P301	P1	1660 P2 (00) P201	P2
11159_P1_(00)_P102	P2	11159_P1_(00)_P302	P2	1660 P2 (00) P202	P2
11159_P1_(00)_P103	P2	11159_P1_(00)_P303	P2	1660 P2 (00) P203	P2
11159_P1_(00)_P104	P2	11159_P1_(00)_P400	P1	1660 P2 (00) P300	P2
11159_P1_(00)_P105	P2	11159_P1_(00)_P401	P1	1660 P2 (00) P301	P2
11159_P1_(00)_P106	P2	11159_P1_(00)_P402	P1	1660 P2 (00) P302	P2
11159_P1_(00)_P107	P2	11159_P1_(00)_P403	P2	1660 P2 (00) P401	P1
11159_P1_(00)_P108	P2	11159_P1_(00)_P404	P2	1660 P2 (00) P402	P1
11159_P1_(00)_P109	P2	11159_P1_(00)_P500	P1	1660 P2 (00) P403	P2
11159_P1_(00)_P110	P2	1660 P2 (00) P010	P1	1660 P2 (00) P500	P1
11159_P1_(00)_P111	P2	1660 P2 (00) P020	P2		
11159_P1_(00)_P112	P2	1660 P2 (00) P021	P2		
11159_P1_(00)_P113	P2	1660 P2 (00) P022	P2		
Landscaping plans					
00_07_050	P2	00_07_606	P2	LL435_MP_(00)_150	P5
00_07_051	P3	00_07_607	P2	LL435_P1_(00)_151	P2
00_07_601	P2	00_07_608	P2	LL435_P1_(00)_100	P2
00_07_602	P2	LL435_MP_(00)_040	P3	LL435_P2_(00)_100	P2
00_07_603	P2	LL435_MP_(00)_050	P2	LL435_P2_(00)_110	P2
00_07_604	P2	LL435_MP_(00)_100	P2		
00_07_605	P2	LL435MP(00)114	P3		
Submitted documents – Calthorpe Street					
Planning Application Form, Land Ownership Certificate A and Agricultural Holdings Certificates The Covering Letter Design and Access Statement: Volume 2: Calthorpe Street Development Calthorpe Street Waste Management Plan Calthorpe Street Framework Travel Plan Calthorpe Street Operational Waste Plan Calthorpe Street Sustainability Statement including Code for Sustainable Homes Pre-Assessment and BREEAM Pre-Assessment; Calthorpe Street Energy Strategy including Overheating Report					
Submitted documents – Phoenix Place					
Planning Application Form, Land Ownership Certificate B and Agricultural Holdings Certificates; The Covering Letter;					

Design and Access Statement: Volume 3: Phoenix Place Development;
Phoenix Place Waste Management Plan;
Phoenix Place Framework Travel Plan;
Phoenix Place Operational Waste Plan;
Phoenix Place Sustainability Statement including Code for Sustainable Homes Pre-Assessment and BREEAM Pre-Assessment;
Phoenix Place Energy Strategy including Overheating Report

Submitted documents – both schemes

Planning Statement which includes the Economic and Regeneration Statement and draft Section 106 Heads of Terms for both sites;
Design and Access Statement: Volume 1: Mount Pleasant;
Environmental Statement: Volume 1: Main Text;
Environmental Statement: Volume 2: Figures;
Environmental Statement: Volume 3: Townscape, Visual and Built Heritage Assessment;
Environmental Statement Volume 4A comprises the following appendices:

- Appendix 2.1: EIA Scoping Report;
- Appendix 2.2: EIA Scoping Opinions, Subsequent Clarifications and Consultation Responses;
- Appendix 2.3: Ecological Appraisal;
- Appendix 3.1: Tree Survey;
- Appendix 11.1: Air Quality Monitoring Study; and
- Appendix 11.2: Air Quality Modelling Study.

Volume 4B comprises the following appendices:

- Appendix 9.1: Transport Assessment;

Volume 4C comprises the following appendices:

- Appendix 12.1: Buried Heritage (Archaeology) Desk - Based Assessment;
- Appendix 13.1: Preliminary Environmental Risk Assessment;
- Appendix 13.2: Desk-Based Explosive Threat Assessment;
- Appendix 14.1: Flood Risk Assessment;
- Appendix 15.1: Wind Tunnel Testing: Wind Microclimate Study; and
- Appendix 17.1: Cumulative Schemes;

Volume 4D comprises the following appendices:

- Appendix 13.1 Preliminary Environmental Risk Assessment; and
- Appendix 13.2 Desk-Based Explosive Threat Assessment.

Volume 4E comprises the following appendices:

- Appendix 16.1: Principles of Daylight and Sunlight and Institute of Lighting Engineers Guidelines; and
- Appendix 16.2: Drawings of Assumed Future Baseline, Development Scenarios and Cumulative Scenario.

Volume 4F comprises the following appendices:

- Appendix 16.3: Detailed Analysis Results of the Daylight and Sunlight Amenity within the surrounding residential properties for each of the Development Scenarios.

Volume 4G comprise the following appendices:

- Appendix 16.4: Detailed Analysis Results of the Hours in Sun Overshadowing Assessment; and
- Appendix 16.5: Detailed Analysis Results of the Transient Overshadowing Assessments.

Environmental Statement Non-Technical Summary;
Public Realm and Playspace Strategy;
Housing Statement;
Internal Daylight and Sunlight Assessment;

Residential Travel Plan;
Delivery and Servicing Plan;
Framework Construction Logistics Plan;
Parking Management Plan;
Health Impact Assessment;
Community Involvement Report.

Introduction

1 Having assumed authority to determine these planning applications, this report sets out the matters that the Mayor must consider in forming a view over whether to grant planning permission or not and to guide his decision making at the upcoming representation hearing. This report includes a recommendation from GLA officers, as set out below.

Officer recommendation - reasons for approval

2 The Mayor, acting as the local planning authority, has considered the particular circumstances of these applications against national, regional and local planning policy, relevant supplementary planning guidance and all material planning considerations. He has also had regard to the Islington Council committee report dated 10 March 2014 and the Camden Council committee report dated 27 February 2014, the recommendations that Councils subsequently agreed, together with subsequent correspondence received from both Councils. The reasons set out below are why these applications are acceptable in planning policy terms:

- I. The principle of a residential led mixed use development is strongly supported by both strategic and local planning policy. In accordance with policies for the CAZ, the proposals will bring forward an identified large development site with a mixed use scheme that includes office accommodation, affordable work space and with jobs also being generated by the retail floor space, thereby catering for a range of occupiers in accordance with London Plan Policy 2.10 and contributing towards the London Plan targets for job creation. The proposed development would provide much needed housing for which there is an identified and well-documented need. The proposal is therefore supported in land use terms in accordance with the London Plan policies 2.10, 2.11, 3.3, 3.16, 3.17, 3.18, 4.2, Islington Core Strategy policies CS7, CS13, Islington Development Management Policy DM5.2, Finsbury Local Plan policies BC2, BC6 and BC8, BC45, Camden Core Strategy Policies CS1, CS3, CS9, Camden Development policies DP1, DP13, and the Mount Pleasant SPD.
- II. The scheme would provide 681 residential units, of which 163 would be affordable. Overall, the scheme would make a significant contribution to housing delivery targets for the area. Based on current values and costs and projected values and costs, the scheme delivers the maximum reasonable amount of affordable housing. The current 23.9% offer is not reliant on grant funding; a range of rent levels are secured for the affordable rented units; and the shared ownership units would meet income thresholds, thereby addressing two Councils' concerns that the affordable units be genuinely affordable to local residents. Two review mechanisms would be secured, one triggered if the development is not implemented within a certain timeframe and the second to be carried out regardless, prior to commencement of the latter phases. On this basis, the applicant has demonstrated compliance with London Plan Policy 3.3, 3.11, 3.12, Policy CS12 of Islington Council's Core Strategy, and Policy CS6 of Camden Council's Core Strategy.
- III. Overall the masterplanning principles are well-considered, the design and appearance is of a high quality, with strategic views and the designated and non-designated heritage assets, and their significance remaining unharmed. The scheme includes well-defined public and private spaces, amenity and play spaces, and landscaping elements that are well integrated in the surrounding streets and movement network. As such the proposal complies with the design policies contained within chapter seven of the London Plan, Policy CS9 of Islington Council's Core Strategy, Islington Council's Development Management Document Policy DM2.3, BC9 in the Finsbury Local Plan, Camden Council Core Strategy Policies CS9, CS14, Development Management Policies DP24 and DP25, Camden Planning Guidance 1 and the Mount Pleasant Supplementary Planning Document.

- IV. The proposed development is well considered in access terms, and will comply with the relevant inclusive design housing standards. As such, the scheme complies with London Plan Policies 3.8 and 7.2 and Policy SC12 of Islington Council's Core Strategy, Policy DM2.2 of Islington Council's Development Plan Document, Camden Council's Core Strategy CS1 and CS6, Development Management Policy DP5 and Camden Planning Guidance 2.
- V. The proposed development would be of a high standard of sustainable design and construction, minimising carbon dioxide emissions, using energy efficiently and including renewable energy in accordance with the energy hierarchy. The development would deliver urban greening, biodiversity and sustainable urban drainage benefits over the existing situation at the site. As such the scheme complies with the policies contained with chapter 5 of the London Plan, Policy CS10 of Islington Council's Core Strategy, chapter 7 of the Islington Council's Development Management DPD, Camden Council Core Strategy Policies CS13 and CS18, and Development Management Policies DP22 and DP23.
- VI. With respect to the impact on neighbourhood amenity: the proposed development would not result in a significant loss of sunlight to neighbouring residential properties, however, in a number of cases there would be noticeable and material impacts on daylight - having considered these impacts GLA officers are of the view that they would be acceptable within a central urban context of this kind; the overshadowing impacts associated with the proposal are acceptable; issues of privacy and overlooking have been mitigated through design; issues of noise and disturbance would be adequately mitigated through planning conditions. As such the proposed development complies with London Plan policies 7.6, 7.14 and 7.15, policy CD7 of the Core Strategy, Policies DM2.1 and DM6.1 of Islington Council's Development Management Plan, Policy BC2 of the Finsbury Local Plan, and in relation to Camden, Policy CS5 of the Core Strategy and Camden Planning Guidance 6.
- VII. The proposal for a mixed use development in a highly accessible location would represent a pattern of development that would reduce the need to travel, particularly by car. Moreover, the quantum of proposed car parking is acceptable subject to a suitable framework of controls including a car parking management plan, permit free agreement, electric vehicle charging point, travel plan and car club spaces. The proposal strikes an appropriate balance between promoting new development and encouraging cycling, walking and public transport use. As such the proposed development complies with the policies contained with chapter 6 of the London Plan, policies CS10, CS18 of Islington Council's Core Strategy, chapter 8 of Islington Council's Development Management Development Management Plan and Policy BC6 of Islington Council's Finsbury Local Plan, Camden Core Strategy Policy CS11 and Development Policy DP16 in particular.
- VIII. The Environmental Statement (ES) provides an assessment of the likely significant effects of the proposal during the construction and operational phases. The documents comply with the relevant regulations in terms of their scope and methodology for assessment and reporting. They also appropriately respond to Development Plan policy, supplementary planning guidance and the representations made. As is usual for a major development of this nature there are potential environmental impacts and, where appropriate, mitigation has been identified to address adverse impacts. The general residual impact of the development is considered to range from negligible to minor beneficial throughout most of the site. There are some adverse residual effects as a result of the development and these have been identified in the assessments and taken into account in the consideration of the application together with the representations made by third parties. Given the urban context of the site, the environmental impact of the development is acceptable given the general compliance with relevant British Standards, London Plan and local policy standards.

- IX. Appropriate, reasonable and necessary planning conditions and planning obligations are proposed to ensure that the development is acceptable in planning terms and the environmental impacts are managed. Accordingly there are no, or insufficient, grounds to withhold planning consent on the basis of the policies considered and other material planning considerations.

Recommendation

3 That the Mayor acting as Local Planning Authority, grant planning permission and conservation area consent in respect of applications, subject to prior completion of a section 106 legal agreement, and the inclusion of planning conditions and informatives, as summarised below. The detailed wording of conditions and informatives are set out in the draft decision notice appended to this report.

4 That the Mayor agrees that the Assistant Director – Planning and the Director of Development, Enterprise and Environment be delegated the authority to issue the planning permissions and conservation area consent and agree, add, delete or vary the final wording of the conditions and informatives as required.

Section 106 Legal agreement

- Affordable housing: 163 units (23.9% of overall units) to be affordable, with 60% affordable rent (blended affordable rented FMRV discount of 44% with no unit exceeding 60% of FMRV) and 40% shared ownership;
- Review mechanism (1): In the event that the enabling works have not been substantially implemented within 3 years of the date of the decision, an updated viability assessment shall be submitted in order to establish if additional affordable housing can be provided. The detailed wording of such a planning obligation shall be delegated to the Assistant Director of Planning in consultation with the Councils and the applicant;
- Review mechanism (2): A viability assessment shall be submitted prior to the last two sections of development commencing in order to establish if additional affordable housing can be provided. The detailed wording shall be delegated to the Assistant Director of Planning in consultation with the Councils and the applicant;
- Linkages and phasing: a link between the two sites shall be secured, ensuring that the schemes do not come forward in isolation and the wider masterplan objectives come forward in a timely manner. The detailed wording of any planning obligations that link phases of development in the scheme and occupation of units shall be delegated to Assistant Director of Planning in consultation with the Councils and the applicant.

Phoenix Place (financial contributions)

- Open space contribution - £23,309 (based on open space provision across site);
- Community facilities – £658,560;
- Health contribution - £439,974;
- Education facilities: £915,791;
- Travel Plan: £5,729;
- Pedestrian, cycle and environmental contribution: £500,000 - of which £20,000 is for Legible London Signage [£20,000, £110,000 is for a Cycle Hire Docking Station (25 spaces) and £60,000 for Bus Stops Improvements; the balance to be used for Camden led pedestrian and cycle improvements in the vicinity of the Phoenix Place site.

Phoenix Place (other obligations)

- Public realm and highways works to be delivered through a s278 agreement to be set out in a detailed design, essential items and improvements programme (indicative costings to be provided by Camden Council based on landscape and highway masterplan); timetable for payment;
- Employment and training: methodology regarding calculation of number of apprenticeships and training placements and/or in lieu payments to be agreed;
- Details of contractors to be used during Construction Period to be submitted; applicant to work in partnership with Kings Cross Construction;
- Code of Local Procurement;
- Residents Parking Permits restrictions (with exemptions for blue badge holders)
- Car Parking Management Plan – including the proposed RMG staff car park; EVCP charging points to be provided; details of car park operation; provisions relating to blue badge parking;
- Servicing and Delivery Plan;
- Construction Management Plan;
- Travel Plan coordinator to be appointed;
- Submission of Travel Plan (to be monitored and reviewed);
- Highways works: indicative timetable to be submitted and;
- Phoenix Place redesign;
- Phoenix Place level plans to be submitted for approval;
- s38 Highways Act 1980 Agreement if and when required;
- Safeguarded Area to be kept free from permanent structures for 1 x 25 cycle docking stations and access given to TfL for installation;
- Estate Management Plan;
- Open Space Delivery Plan;
- Publicly Accessible Areas – to remain open (save in circumstances TBC);
- Accessible Accommodation Plan;
- Energy: future proofing DEN linkage and linking sites;
- Energy efficiency plan and sustainability plan;

Calthorpe Street (financial contributions)

- Bus Stop Contribution: £80,000;
- Construction Monitoring: £39,873;
- Cycle Hire Contribution: £110,000;
- Employment and Training End Use Contribution: £47,700;
- Legible London Contribution: £20,000;

Calthorpe Street (Other Contributions)

- Public realm and highways works to be secured through a s278 agreement to be set out in a detailed design, essential items and improvements programme (indicative costings to be provided by Islington Council based on landscape and highway masterplan); timetable for payment and completion set out;
- Employment and Training Code;
- 23 work placements to be provided at London Living Wage at developer's cost (provision to include some flexibility as to how 23 x 13 week placements can be delivered);
- Code of Construction Practice compliance and submission of CoCP response document;

- Submission of a Construction Logistics Plan (including a traffic management plan);
- Resident's Parking Bays restrictions (with exemption for blue badge holders, or for those holding a Resident's Parking Permit for at least one year prior to occupation of a dwelling);
- Wheelchair accessible dwellings: allocation of parking bays to be agreed;
- Submission of a Car Parking Management Plan – including EVCP charging points to be provided; details of car park operation; provisions relating to blue badge parking;
- Submission of a Servicing and Delivery Plan (excluding RMG operations);
- Appointment of a Travel Plan Co-Ordinator;
- Submission of Travel Plan (including monitoring and review, excluding RMG operations);
- Safeguarded Area to be kept free from permanent structures for 1 x 25 cycle docking stations and access given to TfL for installation as and when required;
- Section 38 Highways Act 1980 Agreement if and when required;
- Submission of Estate Management Plan and Open Space Delivery Plan;
- Publicly Accessible Areas to remain open to public;
- Energy: future proofing district heating and cooling connection and linking sites;
- Energy efficiency plan and sustainability plan;
- Submission of Green Performance Plan;
- Affordable Workspace: two units to be provided for B1 use for 10 years (with rent and service charges to be set out and management regime); details regarding the change of use from flexible A1/D1 uses to B1 for a temporary period of 10 years to be set out;
- Compliance with Employment and Training Code.

Transport for London

- Crossrail Contribution of £298,920 to be specified (taking account of any Mayoral CIL credit);
- Section 278 Agreement to be entered into;
- Section 38 Agreement to be entered into;
- Timetable to be agreed with TfL to carry out works on Farringdon Road works.

Other miscellaneous

- GLA solicitor fees in preparing the S106 agreement;
- Islington and Camden legal costs in preparing the S106 agreement;
- Islington and Camden Council S106 officer fees for monitoring compliance with the S106 agreement;
- All payments to be index linked to the decision date;
- The ongoing involvement of the current architects (or of similar calibre) for detailed design and build stage.

5 That the Mayor agrees that the Assistant Director – Planning and the Director of Development, Enterprise and Environment, be delegated authority to negotiate, sign and execute the above mentioned legal agreement.

Conditions to be secured ¹

- Commencement
- Approved plans list

¹ Draft conditions have been prepared and have been published concurrently to this report; this list provides a summary of both draft notices condition headings

- Section plan
- Archaeology
- Site contamination
- Piling method statement/ methodology
- Water supply
- SUDS
- Basement Excavation
- Construction Environmental Management Plan
- Acoustic treatment to roof
- Temporary arrangements
- Groundborne noise
- Sound insulation including glazing
- Air quality
- Fixed plant and roof level structures
- Materials – further details and samples
- Privacy screens/glazing scheme
- Energy/carbon dioxide reduction
- Connection to Future District Network
- Comfort Cooling Details
- Air quality objectives
- Air quality – residents exposure
- BREEAM
- Waste management and facilities
- Cycle storage
- Roof level structures
- Disabled parking spaces
- Cycle parking provisions
- Landscaping, including maintenance
- Green/brown roofs
- Bird/Bat boxes
- Window cleaning apparatus
- Ad hoc apparatus
- Lifetime Homes
- Inclusive design
- Security and general lighting strategy
- Emergency or standby plant noise
- Play spaces
- Flues and extraction
- Electrical substation
- CCTV, lighting and security lighting
- Temporary marketing suite
- Boundary treatment
- Fixed plant
- Code for Sustainable Homes
- Amalgamation/subdivision of units
- Rainwater/greywater recycling
- Community use secured
- Restriction of uses permitted within D1 and D2 use class

- Change of use of commercial units
- Hours of operation
- Unobstruction of entrances and circulation
- Servicing arrangements
- Basement parking – barriers
- Car parking provisions
- Glazing
- Extensions and alterations – PD rights removed
- Boundary treatment – PD rights removed
- Water consumption
- Flipping of units

Informatives

- S106
- Phasing definitions
- Superstructure definition
- CIL requirements
- Thames Water comments
- London Underground
- English Heritage
- Noise – courtyard design
- MPSO employee travel plan

Conservation area consent condition

- Commencement
- Approved plans
- Submission of demolition management plan
- Construction contract submitted

6 That the Mayor notes the approval of details pursuant to conditions imposed on the planning permissions will be submitted to, and determined by, Islington Council and Camden Council.

7 That the Mayor notes the approval of details pursuant to conditions imposed on the conservation area consent will be submitted to, and determined by, Islington Council.

8 That the Mayor notes that Islington Council and Camden Council will be responsible for the enforcement of the conditions attached to the respective permissions.

Publication protocol

9 This report has been published seven days prior to the Representation Hearing, in accordance with the GLA procedure for Representation Hearings. Where necessary, an addendum to this report will be published on the day of the Representation Hearing. Draft decision notices have also been published. This report, any addendum, draft decision notices and the Mayor of London's decision on this case will be made available on the GLA website:

<http://www.london.gov.uk/priorities/planning/public-hearings/mount-pleasant-sorting-office>

Site description

10 The scheme relates to two parcels of land within the London Boroughs of Islington and Camden, bounded by Rosebery Avenue and Mount Pleasant to the south, Gough Street to the west, Calthorpe Street to the north and Farringdon Road to the east.

11 Royal Mail Group (the applicant) has been undertaking a rationalisation programme for its mail processing operations across London, with sorting offices at Rathbone Place and Nine Elms being closed and consolidated onto the application site. Modernisation and refurbishment works have taken place in the main building, with the international distribution being moved off site.

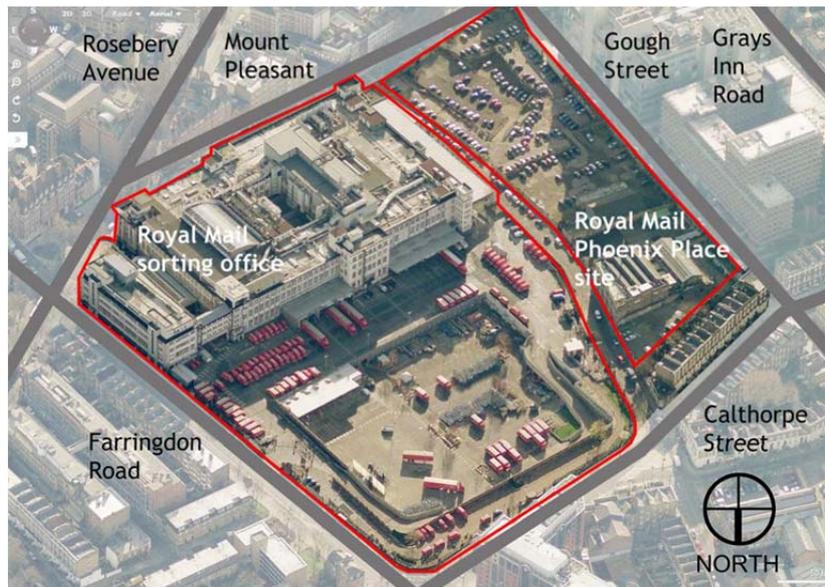


Fig 1: Aerial photo of site viewed from north (source: submitted Design and Access Statement)

12 For the purposes of the planning submission, the site has been divided into two, with Phoenix Place running between the parcels of land, and its centre line forming the administrative boundary between the two authorities. The Calthorpe Street site to the east (2.36 ha) is within Islington (LBI), and the Phoenix Place site (1.17 ha) is to the west, is within Camden (LBC). The Royal Mail Group (the applicant) undertakes operations at present on the site, with the Mount Pleasant Sorting Office (MPSO) adjacent to the site but outside the application boundary. It provides sorting facilities for mail, including the Central London Mail Centre, some international distribution operations and the City Delivery Office in a four storey building that fronts Mount Pleasant and Farringdon Road. The sorting office operates 24 hours a day, including at weekends, and currently employs approximately 1,500 people.

13 The 'Calthorpe Street' site is bounded by Farringdon Road, Calthorpe Street, Phoenix Place with the retained MPSO located to the southern end of the site (but outside the application boundary). The site is located within the Rosebery Avenue Conservation Area and presently contains a surface car park and servicing yard for RMG operations. The yard comprises of two levels with parking and loading areas connected by ramps, and accommodates approximately 300 operational vehicles. The lower level is known as the 'Bath Tub' and is some four metres lower than the Farringdon Road frontage. The existing main vehicle entrance and exit point is located on Farringdon Road, with an exit point also onto Phoenix Place, and a further (basement) exit point located on the corner of Phoenix Place and Mount Pleasant (but outside the application site boundary). Beneath the site is the underground Mail Rail depot. This ceased operation in May 2003 but with tunnels and infrastructure still remaining. There are several trees located across the site, protected by virtue of being within the Conservation Area.

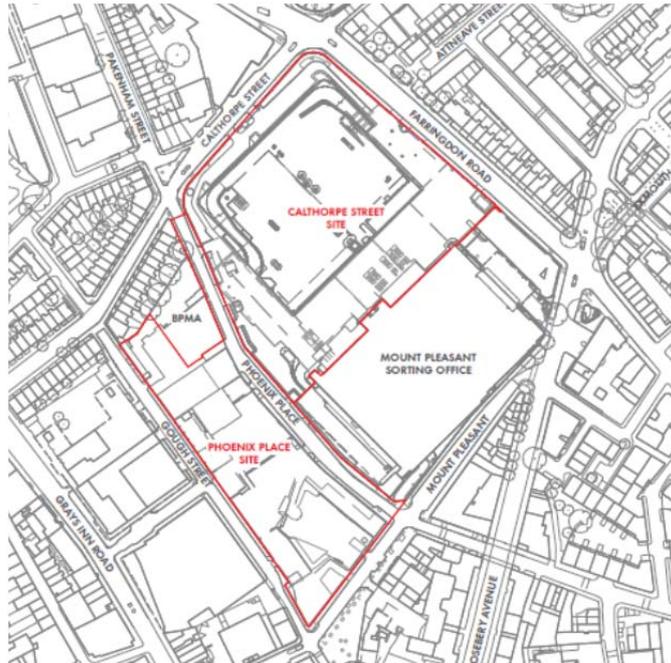


Fig 2: Site Plan (source: submitted DAS)

14 The 'Phoenix Place' site is bounded by Phoenix Place, Calthorpe Street, Gough Street and Mount Pleasant and is used as a car park for Royal Mail staff employed at the sorting office, with a small collection of low scale industrial buildings also present. Its northern extent is bounded by the rear wall of an existing building (Calthorpe House) along with the rear boundaries of properties at 26-32 Calthorpe Street. Calthorpe House is the intended new home for the British Postal Museum and Archive (BPMA), presently located in the MPSO. The site currently provides approximately 220 parking spaces as indicated on submitted plans. Whilst the Phoenix Place site is not located within a conservation area, it sits adjacent to the Bloomsbury Conservation Area (which is to the west and north), with the Hatton Gardens Conservation Area directly to the south. The boundary of the Rosebery Avenue Conservation Area, as described above, runs along Phoenix Place to the north-east.

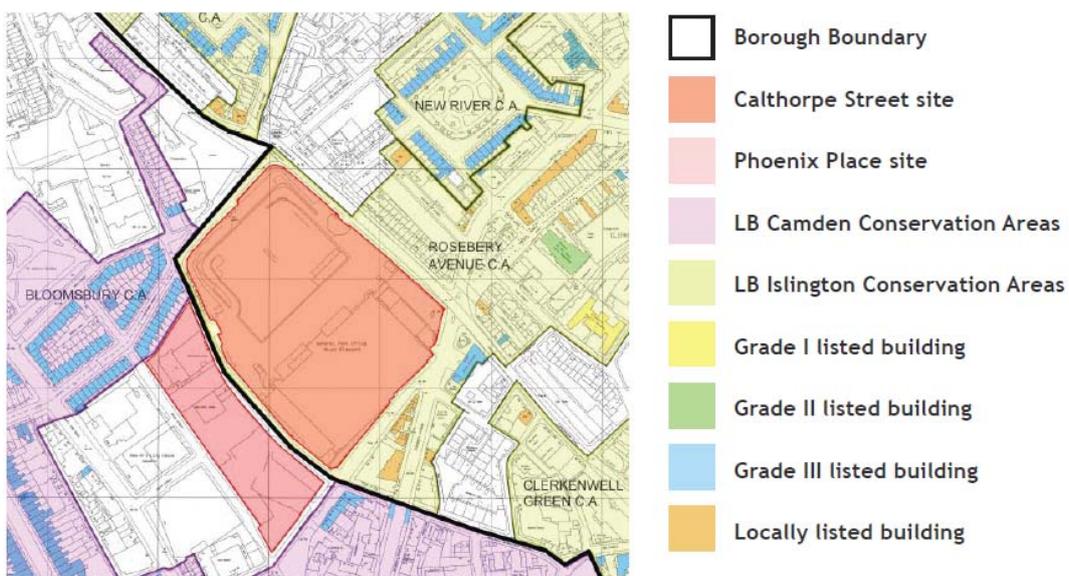


Fig 3: listed buildings and conservation areas in area (source: submitted DAS)

15 The surrounding area is mixed in character, comprising largely residential and commercial uses in a range of building types dating back to the 19th Century. Calthorpe Street features Georgian terraced housing, including Grade II listed buildings, along with a 3-storey public house (the Pakenham Arms) a 2-storey industrial building, and the 9-storey Holiday Inn directly to the north on the corner with Farringdon Road, constructed in the late 1980's. Along the east side of Farringdon Road are terraced properties split into flats and 4-storey purpose built blocks of flats. To the west of the Phoenix Place site, there are modern office buildings on the opposite side of Gough Street - the ITN building being the tallest, rising to ten storeys (approximately 35 metres AOD). In the southern corner, facing Gough Street and Mount Pleasant, the site forms an apex, with an area of public realm directly opposite flanked by a 10-storey block of flats, known as Laystall Court. There is a school (the Christopher Hatton Primary School) behind this, located off Laystall Road/Rosebery Avenue. Along Mount Pleasant there is a mix of commercial and mixed use buildings, including retail units and flats, ranging in height from three storey terraces to a 7-storey mansion block. The listed Apple Tree Public House sits opposite the Phoenix Place junction with Mount Pleasant, on the corner of Warner Street. The Clerkenwell Fire Station, a listed building is directly opposite the MPSO front entrance, on the corner of Rosebery Avenue and Farringdon Road.

16 In terms of other planning designations, the site is within the Central Activities Zone, Crossrail Central London Charging Area and within the Farringdon Area of Intensification. The site is also within two designated viewing corridors as set out in the Mayor's London View Management Framework, which protect London Panorama views of Central London and St Paul's Cathedral from Parliament Hill (2A.1) and Kenwood House (3A.1). The culverted Fleet River runs directly under Phoenix Place, but does not place any constraints upon the site development (aside in relation to planting/landscaping opportunities). The topography of the site varies – sloping downwards from 18 metres AOD at the north-eastern end of the site to 13 metres at the south on Mount Pleasant. There are no listed buildings within the site, but there are several in the area as noted above, the nearest being the Georgian houses in Calthorpe Street, properties on Mount Pleasant and the Clerkenwell Fire Station.

17 Transport: The A201, Farringdon Road is part of the Transport for London Road Network (TLRN) whereas the other roads within or adjacent to the application boundary are part of the respective borough highway network.

18 The site is in Zone 1, with the nearest station at Farringdon, approximately 600 metres to the south-east, providing access to underground services on the Metropolitan, Hammersmith & City and Circle lines respectively and National Rail services. It will also benefit from Crossrail services from 2018. Other stations within reasonable walking distance of the site are: Chancery Lane underground station (650 metres) and Kings Cross rail and underground (1 km). Nine bus routes operate within reasonable walking distance of the site – the 17, 19, 38, 45, 46, 55, 63, 243 and 341. Specifically, route 63 stops adjacent to the site frontage on Farringdon Road.

19 There are five cycle hire docking stations within a reasonable walking distance of the site. The nearest of those is located in Margery Street, approximately 50 metres to the north of the site.

20 As such, it is estimated that the southern and western parts of the site achieve an excellent public transport accessibility level (PTAL) of 6b, whereas the northern part of the site, adjacent to Calthorpe Street achieves a PTAL of 5 (on a scale of 1 to 6 where 1 represents the lowest level and 6, the highest).

Details of the proposals

21 The owner of the site, Royal Mail Group (the applicant) has developed a masterplan that proposes demolition of existing buildings and comprehensive redevelopment of two sites falling in

two boroughs – Camden and Islington. Two separate detailed planning applications have been submitted for the proposed development, one described in the application documents as Calthorpe Street (CS), and the other as Phoenix Place (PP). Conservation area consent is also being sought for the demolition works on the Calthorpe Street site. The applications are accompanied by an Environmental Statement.

22 The scheme proposes construction of a series of 10 buildings ranging in height from three to fifteen storeys (maximum 48.5 metres high or 63 metres AOD) to contain residential, office, retail and community floor space. In total, 681 residential units are proposed (total floorspace of 76,738 sq.m.) comprising 336 units on the Calthorpe Street site (38,015 sq.m. GIA), with 345 units on the Phoenix Place site (38,723 sq.m. GIA). Non-residential uses comprise: 4,260 sq.m. (GIA) of office space with 2,250 sq.m. (GIA) of flexible retail and community floor space.

23 Residential car parking is proposed across the two sites at basement level, totalling 119 spaces. The scheme also includes re-provision of 254 spaces for RMG operational parking and 196 staff parking spaces, providing beneath the existing MPSO and within new basement spaces beneath both sites. The masterplan also includes provision of energy centre, waste and storage areas, cycle parking, public realm, open space, alterations to the public highway and excavation and enabling works including a new acoustic roof to enclose the service yard of the sorting office, a new ramp structure and the creation of new basement levels.

24 More specifically, the scheme is made up of five main elements in four building ‘plots’, together with enabling works that are connected to the retained MPSO operations, described below.

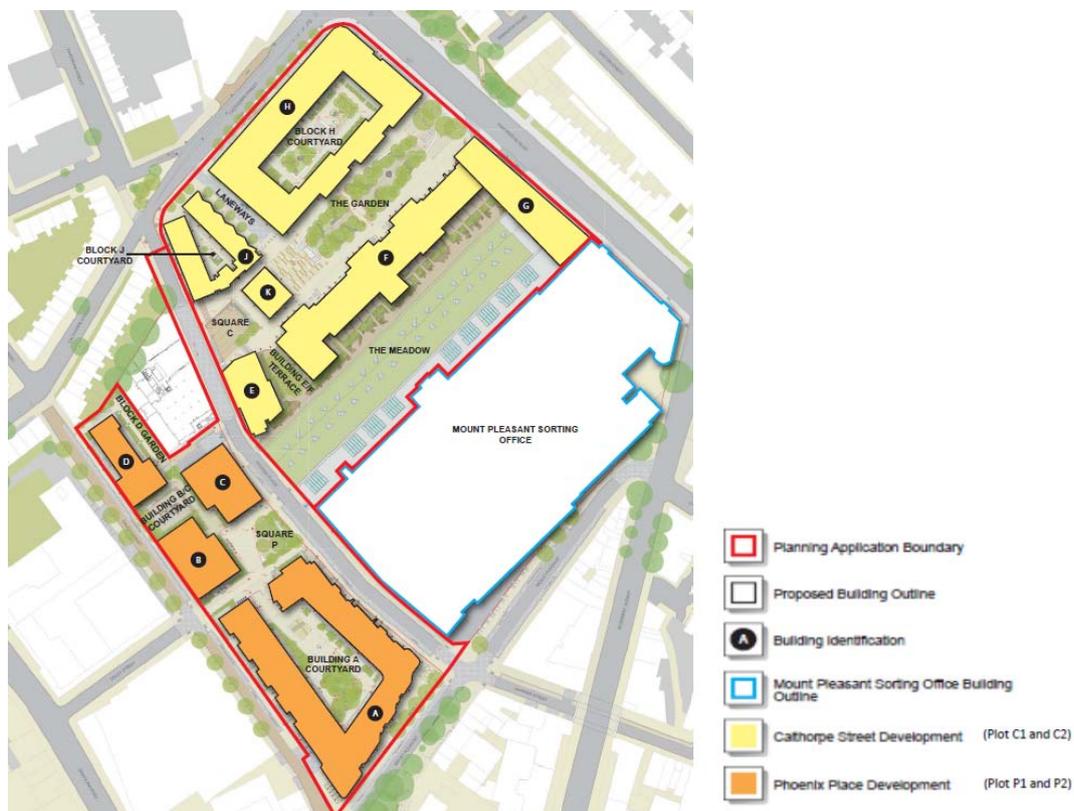


Fig 4: Site layout plan (source: submitted Environmental Statement)

Calthorpe Street (Islington)

25 The development would comprise six buildings (known as Buildings E, F, G, H, J and K as indicated in Figure 2) in two plots – C1 and C2. As noted above, 336 flats are proposed, comprising 85 one-bed, 189 two-bed, 41 three-bed and 21 four-bed units. The commercial uses comprise: 4,260 sq.m. (GIA) of office space and 1,428 sq.m. (GIA) of retail and community uses.

26 Plot C1 has been designed by Allies and Morrison Architects, comprising three buildings (H, J, K) with two areas of publicly accessible open space – ‘The Garden’ and ‘Square C’, and a new private road ‘The Laneway’. Plot C2 is designed by Wilkinson Eyre, and is located south of The Garden, adjacent to the MPSO, comprising three buildings (E, F, G).

27 Conservation area consent is required for demolition of the existing buildings and structures on the site to enable the redevelopment.

28 Plot C1 – Block H: This comprises a perimeter block on the Farringdon Road and Calthorpe Street Corner, measuring 85 metres along the Calthorpe Street frontage and 45 metres along the Farringdon Road with a central courtyard measuring 1,313 sq.m. This building would be eight storeys at its highest point, stepping down to seven storeys along Farringdon Road and down to six storeys along Calthorpe Street. The south-west corner would be four storeys. The building would provide flexible commercial floor space in two units on the Farringdon Road street frontage, with 144 residential units.

29 Plot C1 – Block J: Block J comprises two 4 storey buildings that form a triangular/wedge with linked walkways, located on the corner of Calthorpe Street and Phoenix Place. It would contain 33 residential units, with flexible ground floor commercial floor space (two separate units) facing on to The Square.

30 Plot C1 – Block K: Block K comprises a 3 storey pavilion building located centrally between Square C and The Garden. It would contain ground floor flexible use and four flats above.

31 Plot C2 – Block E: Block E comprises a 12 storey rectangular building fronting Phoenix Place, the tallest element in the Calthorpe Street element at 62.10 metres AOD. It contains services, lobby entrance and a flexible commercial unit at ground floor level, with 40 flats above.

32 Plot C2 – Block F: This is a long rectangular block of between 7 and 9 storeys that runs along the boundary with the MPSO service yard, fronting The Garden. It is linked to Block E at ground and first floor, with a communal terrace at Level 2 separating them at upper floor level. At the Farringdon Road end, it is linked to Block G, separated at ground floor by an undercroft service entrance to the MPSO service area. It would contain four flexible commercial units at ground floor with 115 flats accessed via four cores. There are private and communal terraces along the boundary with the MPSO at Level 2, overlooking the planted acoustic roof of the service yard.

33 Plot C2 – Block G: Block G comprises a part 4-storey, part 5-storey office building fronting Farringdon Road, adjacent to the MPSO. It would provide all of the 4,260 sq.m. proposed office space (B1a use class) in the scheme.

34 Basements: The scheme includes the provision of a car-lift at ground floor level adjacent to the Laneway, providing access to the basement beneath blocks H and J. This would accommodate 65 residential parking spaces (17 of which would be allocated as wheelchair accessible parking spaces) together with the energy centre, plant and services. Secure residential cycle parking is also proposed in the basement, comprising 438 residential spaces, in a mix of 2-tier racks and Sheffield Stands.

35 The Royal Mail access on to Farringdon Road would be relocated 15 metres south of its current position, with an undercroft in Block G providing the new entrance point. This would provide access to the service area for MPSO, beneath a new acoustic roof (described below), with an exit point on Phoenix Place. In total 14,150 sq.m. of servicing space would be provided (currently 22,169 sq.m.) It would also provide ramps to a new basement of 5,024 sq.m. located beneath The Garden and Buildings H, J and K. In total, 254 parking spaces for RMG operations would be provided within the newly configured servicing area and basement.

36 Landscaping and public realm: Across the Calthorpe Street site, a series of amenity spaces are proposed for public use and for residents. In total, 5,124 sq.m. of public realm at ground level is proposed, including The Garden (3,500 sq.m.), a public square (Square C) between Buildings E, J and K (882 sq.m.), and The Lane (738 sq.m.). Secure communal space for residents would be provided in the internal courtyard to Block H (1,313 sq.m.) and the terrace to Block E and F (1,446 sq.m.). These areas would comprise a mix of hardsurfacing, soft landscaping/planting, with playable space throughout and dedicated play equipment provided in The Gardens. Communal roof terraces totalling 530 sq.m. are also proposed. The south side of The Gardens would be a shared space with service vehicles.

37 The service yard for the MPSO would be covered with a lightweight acoustic roof, which forms part of the enabling works, described below. This would be planted with wild flowers, to form a meadow for biodiversity purposes. Due to its lightweight nature, it would not be accessible to the public.

38 Off-site landscaping/enhancement works in front of Sherston Court on the east side of Farringdon Road opposite to The Gardens, are shown as indicative proposals on the plans. Whilst they do not form part of the application itself they could be delivered by Islington Council using their CIL contribution. Indicative highways works, including new footways and road surfacing around the site, including Farringdon Road, Rosebery Avenue, and Mount Pleasant are also shown on the plans and would be delivered through separate s278 agreement with Islington Council and/or TfL.

39 A total of 30 residential visitor cycle spaces and 54 spaces for the commercial uses would also be provided in publically accessible areas.

Phoenix Place (Camden)

40 This development would comprise four separate buildings (known as Buildings A, B, C and D) in two plots. Plot P1 (Building A) is designed by Alford Hall Monaghan Morris and Plot P2 (Buildings B, C and D) is designed by Fielden Clegg Bradley Studios. In total, 345 flats are proposed, comprising 5 studios, 91 one-bed, 176 two-bed, 69 three-bed and 4 four-bed units.

41 A pedestrian route named 'The Walk' extends across the site, from Phoenix Place to Coley Street (to the west), dividing the two plots. An area of open space, 'Square P' adjoins this. The topography and level changes across the site slope gently from 17.50 metres AOD in the northern part of the site to 13.35 metres AOD in the southern part along Mount Pleasant. This means that there is full storey height difference between some of the blocks.

42 Plot P1 – Block A: This is a U-shaped courtyard block (open at its northern end), fronting Gough Street, Phoenix Place and Mount Pleasant. It contains seven residential cores (A1 to A7), with a range of building heights - the lowest being 5 storeys on the corner of Phoenix Place and Mount Pleasant. It then steps up to 15 storeys (63.28 AOD) at the site's southern apex, on the corner of Gough Street and Mount Pleasant. This is the tallest building on the overall site. Block A would provide 214 flats, with flexible commercial space (604 sq.m. GEA) at ground floor level fronting Mount Pleasant.

43 Plot P2 – Block B: Building B is a 10 storey residential block fronting Gough Street. It would contain 63 flats arranged around a central core, sharing a main entrance foyer with Block C from Square P. Lower ground floor flats have secondary access to The Walk.

44 Plot P2 – Block C: Fronting Phoenix Place, between Square P and the BPMA, this block is 8 storeys arranged around a central core containing 46 flats.

45 Plot P2 – Block D: This block comprises a residential block of between 5 and 6 storeys fronting Gough Street, sitting against the boundary with Calthorpe Road properties and the BPMA. It would contain 22 flats.

46 Basements: A two-storey basement would extend beneath Plot P1, with ramp access from Gough Street. The lowest level would contain 196 staff parking spaces for MPSO staff, and extends beneath Square P. The upper level is smaller, and would contain 40 residential parking spaces (including 11 wheelchair accessible spaces) with plant, servicing, energy centre and cycle storage provision. It would also contain the lower levels of duplex flats facing Phoenix Place.

47 Noting the level changes, Plot P2 has the main entrance foyer and flats at lower ground floor level, with sub-basement servicing and residential parking for 14 vehicles (of which 6 would be disabled parking bays).

48 The scheme includes provision of 432 cycle spaces for the residents of Buildings A, B, C and D, all of which would be provided in the basement in 2-tier stands or lockers.

49 Landscaping and public realm: Amenity spaces within the Phoenix Place development would be provided in the form of courtyards, Square P, roof terraces and balconies. This includes: 1,820 sq.m. of public open space in Square P (664 sq.m.), The Walk (417 sq.m.), and along Mount Pleasant (676 sq.m.); and communal garden space of 2,687 sq.m. for residents in Block A Courtyard (1,352 sq.m.), Block BCD Courtyard (674 sq.m.), and Gardens P2 (350 sq.m.). Communal roof space totalling 785 sq.m. is also proposed. These areas would comprise a mix of hardsurfacing, soft landscaping/planting, with playable space throughout and dedicated play equipment for occupiers provided in the Block A and Block BCD Courtyards.

50 Phoenix Place itself, which would remain as public highway is proposed to be re-surfaced with, with planting and landscaping in large containers where possible, recognising the underground constraints.

51 Landscaping/enhancement works to The Green, south of the site at the junction of Mount Pleasant and Elm Street and at the junction of Pakenham Road and Calthorpe Street (beside the Pakenham Arms) are shown as indicative proposals on the plans. Highways works outside the application boundary (including works to Gough Street) would be the subject of a separate s278 agreement between the applicant and Camden Council.

52 Visitor cycle spaces comprising 46 residential spaces and 34 commercial spaces would be provided within publically accessible areas.

Materials

53 Materials for the buildings across the two sites would typically comprise brick cladding in various shades, reconstituted stone, areas of glazing, metal and brick balconies, window shades, vertical fin and solid panel balustrades. Stained timber boards would be used for roof terrace decks, balconies and landscape features.

Enabling development

54 The scheme includes enabling works that have been and continue to be undertaken in order to accommodate the consolidation operations and create a development site. Some of the works are specifically associated with enabling the MPSO to continue 24 hour operations alongside the proposed residential-led development, including relocation, reorganisation, burying/capping of functions that occur on the existing open land that is the subject of the applications. The specific works attributed to the development itself and which form part of the development costs are summarised as:

- Moving all parking associated with MPSO into an extended basement beneath the MPSO and building a concrete slab at ground floor level over part of the existing 'Bathtub' to create a superstructure frame/platform for construction of Buildings E, F and G, extending beneath these buildings and The Gardens;
- Construction of a lightweight acoustic roof spanning across the existing loading bays between the first floor level (north-western elevation) of the MPSO to the second floor level (above ground) of proposed Buildings E, F and G. This would enclose the service yard above the existing basement (Loading Dock) that would contain the loading and unloading of HGV, parking spaces, re-fuelling and maintenance facilities;
- Relocating vehicular access 15 metres south of its current location on Farringdon Road, providing access to a new ramp serving the MPSO basement, ground floor loading bays, and parking areas;
- Relocating the ventilation shaft and the escape stair from the underground infrastructure;
- Upgrading of facade of MPSO, for visual and acoustic attenuation purposes (works have been completed already);
- A two-storey basement extending beneath Building A on the Phoenix Place development; the lowest level basement, which would accommodate the Royal Mail staff parking, also extends under the Square P;
- Reworking the existing basement under the MPSO to allow for operational vehicles to be unloaded; additional ventilation and the removal of some significant structure to create roadways;
- Construction of an enclosed and separately ventilated collection hub space to create an environment for RMG staff separate from the vehicle unloading areas;
- Reorganisation of the priority services unloading bays to allow operational vehicle movement.

55 The applicant has set out the costs of these works that would be apportioned as construction costs for the purposes of viability. It is noted that the single storey basement extending beneath Buildings H, J and K, from Farringdon Road to Phoenix Place does not form part of the enabling works package.

Phasing

56 The scheme would come forward in three phases – comprising (a) the enabling works, (b) the Phoenix Place scheme and (c) the Calthorpe Road scheme. The applicant has provided details

of indicative phasing programme for the proposed development described as “Likely Scenario 1 – Fastest Programme Option” for the purposes of assessing impacts and in terms of testing viability but there are various development programmes that could take place over various timescales i.e Phoenix Place, then enabling works then Calthorpe Street, or enabling works, Calthorpe Street then Phoenix Place. The applicant has sought to indicate a possible scenario for the purposes of assessment of impacts and viability assessment. For the purposes of these planning applications, and any associated conditions and/or planning obligations, the works are described as follows:

57 Enabling Works: the capping over of the Royal Mail service yard including the construction of the acoustic roof / meadow;

58 Phoenix Place Development: comprising Section 1, which is southern part of the Phoenix Place (Plot P1) site including Block A; and Section 2, which is the northern part of the Phoenix Place (Plot P2) site including Blocks B, C and D;

59 Calthorpe Street Development: comprising Section 3, which is the southern part of the site (Plot C2) including Blocks E, F, G and K and to include (if this section comes before Section 4): all of the energy centre, SUDS, refuse facilities, wheelchair accessible car parking spaces, cycle parking spaces, service vehicle route and ‘The Garden’ including the playspace; and Calthorpe Section 4: and the northern part of the site (Plot C1) including Blocks H, J and K the Laneway, the Service Lane, Square C and ‘the Garden’ and to include (if this section comes before Section 3): all of the energy centre, SUDS, refuse facilities, wheelchair accessible car parking spaces, cycle parking spaces, service vehicle route and ‘The Garden’ including the playspace.

60 As part of any planning permission that may be granted, there would need to be certain links secured by way of legal agreement to ensure that the developments are not delivered in isolation. This is discussed further below in paragraphs 205 to 209. A permission that enables the development to begin within five years has been sought for each application but officers are recommending that this be set at the standard three years.

Relevant planning history

61 The Mount Pleasant Sorting Office was opened in 1889 on the site of a former prison (Coldbath Fields). From the 1920s to 2003 it was connected to other Royal Mail sites via the London Post Office Railway, known as Mail Rail.

62 To date, there have been various planning applications submitted for minor development associated with the on-going Royal Mail operations. This includes elevational alterations and modest extensions to the MPSO, and in relation to works to Calthorpe House. Most recently, planning permission was granted by Camden Council in 2012 for change of use of Calthorpe House to the proposed BPMA, with ground floor cafe, associated extensions and alterations (ref 2012/1897/P). An application has recently been approved (12 September 2014) by Islington Council for the Royal Mail Workshops and basement mail rail depot to provide exhibition space, rail ride and conference facilities associated with the proposed BPMA across the road (ref P2013/3484).

Current application

63 A series of pre-planning application meetings were held with the GLA at City Hall to discuss the proposals with the applicant and Council planning officers. Separate pre-application discussions took place jointly with the two Councils and also with TfL.

64 The pre-application advice issued by GLA officers supported the redevelopment of this site for a residential-led mixed use development and suggested masterplanning principles were welcomed. Notwithstanding this, the applicant was advised further discussions in relation to affordable housing, layout and detailed design matters, public realm, strategic transport contributions, energy and inclusive design would be expected as the proposals moved forward.

65 Stage 1: On 10 July 2013 Islington Council and Camden Council notified the Mayor of London that the planning applications had been submitted and were of potential strategic importance, referring theme under Categories 1A, 1B, and 1C of the Schedule to the Mayor of London Order 2008.

66 On 3 September 2013 the Mayor considered a GLA planning report reference: D&P/3032a&b/01, dealing with both applications. This report advised Islington Council and Camden Council that *“The principle of a residential led mixed use development in the Central Activities Area is in accordance with strategic objectives for this highly accessible location, and would benefit London’s World City status. The masterplanning principles, architecture, form and scale of development are well considered and of a high quality in principle and would not harm local or strategic views. The residential quality of the scheme is high, with an appropriate housing mix and play space. The affordable housing is still the subject of discussion and negotiation to ensure the maximum reasonable amount would be delivered. Other strategic issues such access, sustainability, residential quality and transport are generally acceptable, subject to clarification and further information being provided as detailed in the report.*

67 Stage 2: On 21 January 2014, following a request from the applicant that the Mayor recover the planning applications for his determination (received on 10 January 2014), the Mayor considered a GLA planning report reference D&P/3032a&b/02. The report concluded that having regard to the details of the applications, the development is of such a nature and scale that it would have a significant impact on the implementation of the London Plan and there are sound planning reasons for the Mayor to intervene in this case and issue a direction under Article 7 of the 2008 Order that he would act as the Local Planning Authority for the purpose of determining the applications. The Mayor agreed this recommendation.

68 The two Councils wrote to GLA officers in response to the applicant’s request setting out why the Mayor should not take over the planning applications. The Councils considered that the call-in request was premature and unjustified, and the prompt conclusion of the borough’s detailed assessment of the applications, prior to Stage 2 referral to the GLA, would be the most efficient and effective way forward. The Councils both noted that the principle of a mixed use development is supported, but that there are a range of outstanding matters, including impact upon amenity, quality of accommodation, detailed massing issues, and unresolved objection relating to subterranean impact and detailed highway concerns that remained outstanding. They also noted that further work was required to reach a conclusion in relation to affordable housing and viability, noting that there have been delays in this respect, which they state were due largely to the failure of the applicant to respond to detailed queries raised by the Councils and external consultants. These comments were taken into consideration in the Mayor’s decision to take over the applications

69 Stage 3: As the applications were called-in at the request of the applicant, prior to determination by the two Councils, this removed their decision-making powers on the applications. In accordance with standard protocol on Planning Inspectorate call-in appeals, the Councils reported the applications to their respective committees after the Mayor took them to seek a steer on what decision Members would have made, had they retained their powers and to guide officer negotiations in the lead up to the Mayor’s representation hearing. These are detailed as follows:

Camden Council position (post call-in)

70 Following the call-in by the Mayor, at its planning committee meeting of 27 February 2014, Camden Council made a resolution to object to the proposed development in its current form and requested that if matters raised by officers are unable to be satisfactorily addressed prior to determination, that planning permission be refused. The reasons given were:

- 1. That the application fails to demonstrate that the maximum reasonable amount of affordable housing, taking into consideration the individual circumstances including development viability, the availability of public subsidy and in particular the implications of phased development, including provisions for re-appraising the viability of schemes prior to implementation of later phases*
- 2. That application should be brought forward only as part of the wider site proposals, including enabling works and residential led development within the Islington borough site, ensuring that adequate linkages and restrictions on commencement / occupation are secured between tenures and phases.*
- 3. That the proposed quantum of private residential car parking is excessive and the development should be modified to substantially reduce this level.*
- 4. That the development would exert a materially harmful impact on neighbouring amenity to those residential properties identified within this report and should therefore be modified to overcome this impact.*
- 5. That the proposed development does not, in the identified instances, demonstrate the necessary standard of living environment and should be modified in the manner described.*
- 6. That full and proper regard should be had to all other identified deficiencies and other matters set out within this report, such as those relating to archaeological impact, highways related design modifications, planning conditions, s106 provisions and the securing of development in accordance with approved plans and information.*

71 Camden Council also offered comments in relation to the Calthorpe Street application within Islington as follows:

- 1. That the height, mass, position of blocks E & F would result in harm to listed terraces on Calthorpe Street & Wren Street, and to the Bloomsbury Conservation Area, and should be revised accordingly*
- 2. That the Islington application also fails to demonstrate that the maximum reasonable amount of affordable housing, taking into consideration the individual circumstances including development viability, the availability of public subsidy and in particular the implications of phased development, including provisions for re-appraising the viability of schemes prior to implementation of later phases*
- 3. That the Islington application should also be brought forward only as part of a the wider site proposals, including residential led development within the Camden borough site, ensuring that adequate linkages and restrictions on commencement / occupation are secured between tenures and phases.*
- 4. That the proposed quantum of private residential car parking is excessive and the development should be modified to substantially reduce this level.*

5. That all other matters set out within this report relating to the Islington scheme where impacting upon or relating to the Camden development and the surrounding locality within the London Borough of Camden, whether relating to planning conditions, s106 provisions and the securing of development in accordance with approved plans & information

Islington Council position (post call-in)

72 Islington Council considered the planning permission at its committee meeting of 10 March 2014. It recommended that had Islington Council as the local planning authority been allowed to determine the application, that it would have refused permission for the following reasons:

1. *Failure to provide the maximum reasonable amount of affordable housing, taking into consideration the individual circumstances including development viability, the availability of public subsidy and in particular the implications of phased development, including the absence of adequate provisions for re-appraising viability prior to implementation of later phases. The councils' viability consultants have demonstrated that the scheme and viability assessment submitted by the applicant does not optimise overall viability and has the effect of suppressing the level of affordable housing provision the scheme can deliver. The report identifies key areas of concern, which include (amongst others): reliance on historic residential sales value data (new build sales values have subsequently increased by c.30%); a hypothetical delivery arrangement including timings of costs and values that have a particularly negative impact on cash-flow to the significant detriment of viability; an inappropriately high site value and a failure to properly apply Islington Core Strategy 2011 affordable housing Policy CS12G., The proposal therefore is in conflict with London Plan (2011) Policy 3.12, Islington Core Strategy (2011) Policy CS12G and the Planning Obligations SPD 2013.*

2. *The proposed height, mass and position of blocks E and F would result in harm to the setting of statutory listed terraces within Calthorpe Street & Wren Street and to the wider setting of the Bloomsbury Conservation Area. The proposed development could be contrary to Islington's Finsbury Local Plan (2013) Policy BC9, Islington's Core Strategy (2011) Policy CS9, Development Management Policies (2013) Policy DM2.3 and policies 7.4 and 7.7 of the London Plan 2011.*

3. *The proposal provides 65 basement, residential car parking spaces (excluding the provision of 17 wheelchair accessible unit spaces) provide for unsustainable forms of transport and promotes reliance on the private motor vehicle contributing towards congestion and adding to poor air quality within this Air Quality Management Area (AQMA). Whilst the applicant contends that the removal of residential car parking would unacceptably impact on the scheme's financial viability it is not considered that a robust viability case has been made. The proposal therefore fails to comply with Core Strategy (2011) Policy CS10 and Development Management Policies (2013) Policy DM8.5A that states all additional homes will be car free.*

4. *The proposed relocated the Sorting Office entrance (around 15 metres south of the current location) will pass through the proposed Block G. Access diagrams and vehicle tracking show that vehicles are likely to overrun the kerb, cross the Farringdon Road centre line and may come into conflict with the proposed pedestrian refuge. The proposed development would therefore give rise to vehicle-vehicle and vehicle-pedestrian conflicts.*

5. *The proposal fails to justify not achieving the SUDS 'greenfield run-off rates' that is required. The provision of car parking at the expense of a policy compliant level of sustainable urban drainage within this 'Critical Drainage Area' is not supported by evidence, including a lack of viability evidence. It is considered that based on the current information*

and scheme design, the proposals fail to adequately address London Plan (2011) policies: 5.3 and 5.13, Core Strategy (2011) Policy CS10E, Development Management Policies (2013) Policy DM6.6 'Flood Prevention', Finsbury Local Plan (2013) Policy BC6Aii and the Environmental Design SPD (2013).

6. The scheme proposes comfort cooling that amounts to 15% of the schemes total CO2 emissions, without sufficient justification and therefore fails to accord with policies 5.3Ca and 5.9B of the London Plan 2011, and policies CS10 of the Core Strategy and Policy DM7.5 of the Development Management Policies (2013). Additionally, the scheme has a very high lighting demand, with lighting amounting to 22% of the schemes CO2 emissions. The applicant has failed to engage fully in discussing lower energy options to address this, therefore contributing towards the schemes failure to achieve the (proxy) 30% (total) CO2 emissions reduction target against Part L, 2010 Building Regulations.

7. The applicant has refused to offer any reduction on rental levels for the allocated 'affordable' workspace units to ensure these small units would be affordable to small start up businesses. The proposal is therefore contrary to Islington's Core Strategy (2011) Policy CS13, Finsbury Local Plan (2013) policies BC6 and BC8.

8. The proposed development would result in a demonstrable and harmful impact upon the daylight and sunlight receipt of neighbouring residential properties, in particular those of Farrington Road. The proposal would therefore be contrary to Islington Development Management policies (2013) Policy DM2.1 and London Plan (2011) Policy 7.6.

9. The application should be brought forward only as part of the wider site proposals, including residential led development on the Camden Borough Site, ensuring that adequate linkages and restrictions on commencement / occupation are secured between tenures and phases.

73 Islington Council also made reference to the following informatives:

1. The housing mix (13 x 4 bedroom social rent units) due to the material consideration that included the extremely high cost of these units and the pricing out of local people due to benefit / welfare caps makes this number of 4 bedroom units in this part of the borough particularly undesirable. On-going negotiations and a redesigned mix would be sought had the applications remained with Islington Council as the Local Planning Authority.

2. Employee Travel Plan: It is understood that the Royal Mail operations at this location currently are not supported by an employee travel plan. Whilst not part of the masterplan proposals, the proposed intensification of the site would benefit from measures to manage travel demand and are therefore strongly encouraged. Similarly, it appears that whilst some parts of Royal Mail operations are signed up to TfL's Freight Operator Recognition Scheme (FORS), the Mount Pleasant site is not. Whilst the applicant has refused to agree to this being included as part of the s106 agreement, further discussion between the applicant and GLA is requested.

74 In relation to the conservation area consent, Islington Council advised that had it, as the local planning authority been allowed to determine the application, that the planning committee would have been asked to refuse consent on the grounds of prematurity, in the absence of an acceptable redevelopment (planning) proposal for the reasons for refusal listed above.

75 Islington Council offered the following observations on the Phoenix Place application in Camden:

1. *The Camden Application fails to demonstrate it will provide the maximum reasonable amount of affordable housing, taking into consideration the individual circumstances including development viability, the availability of public subsidy and in particular the implications of phased development, including the absence of adequate provisions for re-appraising viability prior to implementation of later phases. The councils' viability consultants have demonstrated that the scheme and viability assessment submitted by the applicant does not optimise overall viability and has the effect of suppressing the level of affordable housing provision the scheme can deliver. The report identifies key areas of concern, which include (amongst others): reliance on historic residential sales value data (new build sales values have subsequently increased by c.30%); a hypothetical delivery arrangement including timings of costs and values that have a particularly negative impact on cash-flow to the significant detriment of viability; and an inappropriately high site value. The proposal therefore is in conflict with London Plan (2011) Policy 3.12.*

2. *The proposed quantum of private residential car parking within the Camden Site Application provides for unsustainable forms of transport and promotes reliance on the private motor vehicle contributing towards congestion and adding to poor air quality within this Air Quality Management Area (AQMA). Whilst the applicant contends that the removal of residential car parking would unacceptably impact on the scheme's financial viability it is not considered that a robust viability case has been made.*

3. *The Camden Application Site should be brought forward only as part of the wider site proposals, including enabling works and residential led development on the Islington Borough Site, ensuring that adequate linkages and restrictions on commencement/occupations are secured between tenures and phases.*

76 In recommending that the Mayor take over the applications, GLA officers noted the desire to maintain a close working relationship with Camden and Islington officers in determining the applications. This was so as to ensure that local issues are fully considered, to ensure that the Mayor benefits from the background knowledge and expertise of Council officers in respect of this site and its surrounding neighbourhoods, and relationships that have been built up with consultees, so as to secure significant local benefits through conditions and s106 obligations attached to any planning permission (should it be granted).

77 Project meetings: Following the recovery of the applications by the Mayor, there have been a series of project meetings held between the applicant, GLA officers and Council officers to discuss the above concerns and attempt to address them where possible. Further information has been provided by the applicant on certain aspects, additional consultation carried out and a series of section 106 based meetings have also been held in the lead up to the hearing. Viability discussions have also taken place. The outcome of these various discussions are set out in the relevant sections of this report.

78 Site visit: The Mayor undertook an accompanied site visit on 28 May 2014, with GLA and TfL officers, representatives from the two Councils, and the applicant team.

79 Regulation 22 re-consultation: A re-consultation was carried out by the Mayor in May 2014, in accordance with Town and Country Planning Act (EIA) Regulation 22. This was in relation to proposed amendments by the applicant to plans and the Environmental Statement in relation to: Phoenix Place road surface treatment and landscaping; responding to borough highways comments; update Farringdon Road / Rosebery Avenue Traffic Flow Comparison Notes; clarifying daylight/sunlight analysis and methodology; and setting out additional geo-archaeological investigation works on Phoenix Place.

Relevant legislation, policies and guidance

80 In determining this application the Mayor must determine the applications for planning permission in accordance with the requirement of s.70(2) of the Town and Country Planning Act 1990 and s.38(6) of the Planning and Compulsory Purchase Act 2004. In particular the Mayor is required to determine the applications in accordance with the development plan unless material considerations indicate otherwise. The development plans for present purposes comprise the 2011 London Plan, Islington Core Strategy (2011), the 2002 Islington Unitary Development Plan (saved and retained policies), Islington Development Management DPD, Site Allocations DPD, Finsbury Local Plan DPD (all 2013); Camden Council Core Strategy (2010), Camden Council Development Policies (2010), and 2010 Proposals Map. The Mayor is also required to have regard to national planning policy in the form of the NPPF and NPPG, as well as supplementary planning documents and, depending on their state of advancement, emerging elements of the development plan and other planning policies.

81 The relevant material planning considerations relate to: land use principle (mixed use development, public realm, Use Class B floorspace); housing and delivery of affordable housing (including tenure, mix, density, quality); design (including urban design, public realm, play space, views, heritage); inclusive design; sustainable development; transport and car parking provision; and, mitigating the impact of development through planning obligations. The relevant planning policies and guidance at the national, regional and local levels are as follows:

National planning policy and guidance

82 The National Planning Policy Framework (NPPF) provides the Government's overarching planning policy, key to which, is a presumption in favour of sustainable development. The NPPF defines three dimensions to sustainable development: an economic role contributing to building a strong, responsive and competitive economy; a social role supporting strong, vibrant and healthy communities; and, an environmental role contributing to protecting and enhancing our natural, built and historic environment. The relevant components of the NPPF are:

- 1. Building a strong, competitive economy;
- 4. Promoting sustainable transport;
- 6. Delivering a wide choice of high quality homes;
- 7. Requiring good design;
- 8. Promoting healthy communities;
- 10. Meeting the challenge of climate change, flooding and coastal change;
- 11. Conserving and enhancing the natural environment; and
- 12. Conserving and enhancing the historic environment.

83 The Government and the Inspectorate have accepted the Mayor's view that the London Plan is the London expression of the NPPF. This is now reflected in the London Plan through the Revised Early Minor Alterations, published 11 October 2013.

84 On 6 March 2014 the Government published new Planning Practice Guidance as part of an internet-based national guidance resource. The Planning Practice Guidance has superseded and cancelled various circulars, good practice guides and Chief Planning Officer's letters (including the 2009 Circular and guidance note on The Protection and Management of World Heritage Sites). For the avoidance of doubt, the new Planning Practice Guidance has been taken into account in the assessment of this application.

Regional planning policy and guidance

85 The London Plan 2011 is the Spatial Development Strategy for Greater London. The relevant policies within the London Plan are:

- Policy 1.1 Delivering the strategic vision and objectives for London;
- Policy 2.10 Central Activities Zone – strategic priorities;
- Policy 2.11 Central Activities Zone – strategic functions;
- Policy 2.12 Central Activities Zone – predominantly local activities;
- Policy 2.13 Opportunity Areas and Intensification Areas;
- Policy 3.3 Increasing housing supply;
- Policy 3.4 Optimising housing potential;
- Policy 3.5 Quality and design of housing developments;
- Policy 3.6 Children and young people’s play and informal recreation facilities;
- Policy 3.7 Large residential developments;
- Policy 3.8 Housing choice;
- Policy 3.9 Mixed and balanced communities;
- Policy 3.10 Definition of affordable housing;
- Policy 3.11 Affordable housing targets;
- Policy 3.12 Negotiating affordable housing;
- Policy 3.13 Affordable housing thresholds;
- Policy 4.1 Developing London’s economy;
- Policy 4.2 Offices;
- Policy 4.3 Mixed use development and offices;
- Policy 4.12 Improving opportunities for all;
- Policy 5.1 Climate change mitigation;
- Policy 5.2 Minimising carbon dioxide emissions;
- Policy 5.3 Sustainable design and construction;
- Policy 5.5 Decentralised energy networks;
- Policy 5.6 Decentralised energy in development proposals;
- Policy 5.7 Renewable energy;
- Policy 5.9 Overheating and cooling;
- Policy 5.10 Urban greening;
- Policy 5.11 Green roofs and development site environs;
- Policy 5.12 Flood risk management;
- Policy 5.13 Sustainable drainage;
- Policy 6.1 Strategic Approach;
- Policy 6.3 Assessing the effects of development on transport capacity;
- Policy 6.5 Funding Crossrail and other strategically important transport infrastructure
- Policy 6.9 Cycling;
- Policy 6.10 Walking;
- Policy 6.12 Road network capacity;
- Policy 6.13 Parking;
- Policy 7.1 Building London’s neighbourhoods and communities;
- Policy 7.2 An inclusive environment;
- Policy 7.3 Designing out crime;
- Policy 7.4 Local character;
- Policy 7.5 Public realm;
- Policy 7.6 Architecture;

- Policy 7.7 Location and design of tall and large buildings;
- Policy 7.8 Heritage assets and archaeology;
- Policy 7.14 Improving air quality;
- Policy 7.15 Reducing noise and enhancing soundscapes;
- Policy 8.2 Planning obligations; and,
- Policy 8.3 Community Infrastructure Levy.

86 The Revised Early Minor Alterations (REMA) to the London Plan were published for public consultation in June 2012, with the Examination in Public Panel Report published in August 2013. On 11 October 2013, the Mayor published the REMA and from this date, the REMA are operative as formal alterations to the London Plan and form part of the development plan for Greater London (referred to herein as 2013 Alterations)

87 The approach arising from these REMA policies has been carried forward unchanged in the draft Further Alterations to the London Plan (FALP), which were the subject of an Examination in Public in September 2014. The Inspector's report is expected later this year. The FALP have been prepared primarily to address key housing and employment issues emerging from an analysis of census data released since the publication of the London Plan in July 2011, and which indicate a substantial increase in the capital's population. The FALP also:

- develop the concept of the London Plan as the 'London expression of the National Planning Policy Framework';
- provide a robust, short to medium term planning framework to provide a clear 'direction of travel' for the longer term, recognising that this may well have to be reviewed;
- deal with minor changes in terms of fact;
- respond to changes in national policy;
- provide support for the Mayor's Housing and other strategies; and
- where relevant address other advice to the Mayor e.g. from the Outer London Commission.

Mayoral Community Infrastructure Levy and Crossrail SPG (2013)

88 The Mayor introduced a London-wide community infrastructure levy (CIL) to help implement the London Plan, particularly policies 6.5 and 8.3 on 1 April 2012. It is paid on commencement of applicable new development in Greater London granted planning permission on or after that date. The Mayor's CIL contributes towards the funding of Crossrail.

89 The Mayor has arranged boroughs into three charging bands. The rate for both Camden and Islington is £ 50 per sq.m. (based on gross internal area). The required CIL charge will be confirmed once the components of the development, or phase thereof, have themselves been finalised. Hence the need to ensure that any Crossrail SPG contribution, referred to below is specified in the section 106 agreement.

90 London borough councils are also able to introduce CIL charges which are payable in addition to the Mayor's CIL. The status of the respective Islington and Camden Council CILs is set out below.

91 The site is identified as within the Central London Charging area as set out in the London Plan SPG 'Use of Planning Obligations in the Funding of Crossrail and the Mayoral Community Infrastructure Levy'. This states that contributions should be sought in respect of hotel, office or retail developments which involve a net increase in floorspace of more than 500sqm (Gross Internal Area – GIA). For retail development in the Central London charging area, the charge is £140 per square metre for offices, £90 for retail and £61 for hotels.

Other Mayoral Supplementary Planning Guidance

92 The following published supplementary planning guidance (SPG) is also relevant:

- Housing SPG (2012);
- Shaping neighbourhoods: play and informal recreation SPG (2012);
- Planning for equality and diversity in London SPG (2007);
- Sustainable design and construction SPG (2006);
- Control of Dust and Emissions SPG;
- Accessible London: achieving an inclusive environment (2004);
- London View Management Framework SPG (2012); and
- Land for Industry and Transport SPG (2012).

93 The following draft SPGs are also relevant:

- Social Infrastructure SPG (public consultation draft, May 2014);
- Shaping Neighbourhoods: character and context SPG (public consultation draft, February 2013);
- Sustainable design and construction SPG (public consultation draft, April 2014); and
- Accessible London SPG (public consultation draft, April 2014).

94 The Mayor has personally produced a ‘2020 Vision - The Greatest City on Earth; Ambitions for London’ (CD/C2.12), outlining his aspirations for London and its residents, in terms of economic prosperity and how the challenges of population growth and the need for significantly more housing will be tackled. His ambitions include: securing London as the best place to invest and do business on the planet, building on its financial prowess and investing in tech and med hubs – areas in which London can lead the world; delivering the biggest home-building drive for a generation providing homes that Londoners can afford; opening up Opportunity Areas for homes and jobs, creating new neighbourhoods and tackling social exclusion, and creating vibrant, safe, attractive, green town centres and streets bustling with life and business. Whilst not a statutory planning document, this document highlights the Mayor’s priority for creating new jobs, homes, and neighbourhoods, which inevitably bring into focus Central London sites that are in opportunity or intensification areas.

Islington Council planning policy

95 Islington Council’s adopted Core Strategy (2011), Development Management Policies (2013), Finsbury Local Plan (2013) and Site Allocations (2013) provide the local policy approach for the Borough. The relevant policies are:

Islington Core Strategy

- | | |
|---------------|--|
| • Policy CS7 | Bunhill and Clerkenwell; |
| • Policy CS8 | Enhancing Islington’s Character; |
| • Policy CS9 | Protecting and enhancing Islington’s built and historic environment; |
| • Policy CS10 | Sustainable design; |
| • Policy CS11 | Waste; |
| • Policy CS12 | Meeting the housing challenge; |
| • Policy CS13 | Employment Spaces; |
| • Policy CS14 | Retail and services; |
| • Policy CS15 | Open space and green infrastructure; |

- Policy CS16 Play space;
- Policy CS18 Delivery and infrastructure;
- Policy CS19 Health Impact Assessments; and
- Policy CS20 Partnership Working.

Development Management

- Policy DM2.1 Design;
- Policy DM2.2 Inclusive design;
- Policy DM2.3 Heritage;
- Policy DM2.5 Landmarks;
- Policy DM2.7 Telecommunications and utilities;
- Policy DM3.1 Mix of housing sizes;
- Policy DM3.4 Housing Standards;
- Policy DM3.5 Private Outdoor space;
- Policy DM3.6 Play space;
- Policy DM3.7 Noise and vibration;
- Policy DM4.1 Maintaining and promoting small and independent shops;
- Policy DM4.3 Location and concentration of uses;
- Policy DM4.8 Shopfronts;
- Policy DM4.12 Social and strategic infrastructure and cultural facilities;
- Policy DM5.1 New business floorspace;
- Policy DM5.4 Size and affordability of workspace;
- Policy DM6.1 Healthy development;
- Policy DM6.2 New and improved public open spaces;
- Policy DM6.5 Landscaping, trees and biodiversity;
- Policy DM6.6 Flood prevention;
- Policy DM7.1 Sustainable design and construction;
- Policy DM7.3 Decentralised energy networks;
- Policy DM7.4 Sustainable design standards;
- Policy DM7.5 Heating and cooling;
- Policy DM8.1 Movement hierarchy;
- Policy DM8.2 Managing transport impacts;
- Policy DM8.3 Public transport;
- Policy DM8.4 Walking and cycling
- Policy DM8.5 Vehicle parking
- Policy DM8.6 Delivery and servicing for new developments
- Policy DM9.1 Infrastructure;
- Policy DM9.2 Planning obligations; and
- Policy DM9.3 Implementation.

Finsbury Local Plan – AAP for Bunhill and Clerkenwell

- Policy BC6 North Clerkenwell and Mount Pleasant;
- Policy BC8 Achieving a balanced mix of uses;
- Policy BC9 Tall buildings and contextual considerations for building heights; and
- Policy BC10 Implementation.

Site Allocations DPD

- Policy BC45 Mount Pleasant Sorting Office

96 Also relevant are the following Islington Council's supplementary planning documents:

- Inclusive Design in Islington (2014);
- Environmental Design SPD (2012);
- Inclusive Landscape Design SPD (2010);
- Planning Obligations (section 106) SPD (2013);
- Streetbook SPD (2012);
- Urban Design Guide SPD (2006);
- Islington Development Viability and Discussion Paper (September 2014); and
- Rosebery Avenue Conservation Area Design Guidelines.

Islington Community Infrastructure Levy

97 London borough councils are able to introduce Community Infrastructure Levy (CIL) charges which are payable in addition to the Mayor's CIL. Islington Council's draft CIL examination hearing took place on 14 January 2014. The Inspector's report on Council's proposed charging was published on 13 March 2014, and was found to be sound. Islington Council CIL came into effect on 1 September 2014. The Islington CIL charging schedule sets a rate of £300 per sq.m. for housing, £80 per sq.m. for offices and £175 sq.m. for retail.

98 Whilst the applicant's initial financial viability appraisal did not factor in Islington's CIL, more recent affordable housing discussions that have taken place since the Mayor took over the application have been carried out on the basis of two scenarios – one with the Islington CIL applying to the Calthorpe Street element of the scheme and one without. The Islington CIL generates an additional cost to the scheme of over £5 million, which the applicant has addressed through a review of the affordable housing provision. This is discussed further below.

Camden Council planning policy

99 Camden Council's adopted Core Strategy (2011), Development Management Policies (2011), Site Allocations (2013) and Planning Guidance (2011/13) provide the local policy approach for the Borough. The relevant policies are:

Core Strategy

- Policy CS1 Distribution of growth;
- Policy CS3 Other Highly Accessible Areas;
- Policy CS5 Managing the impact of growth and development;
- Policy CS6 Providing Quality Homes;
- Policy CS8 Promoting a successful and inclusive Camden economy;
- Policy CS9 Achieving a Successful Central London;
- Policy CS10 Supporting community facilities and services;
- Policy CS11 Promoting sustainable and efficient travel;
- Policy CS13 Tackling climate change/higher environmental standards;
- Policy CS14 Promoting high quality places and conserving our heritage;
- Policy CS15 Protecting & improving parks/ open spaces; encouraging biodiversity;
- Policy CS16 Improving Camden's health and well-being;

- Policy CS17 Making Camden a safer place;
- Policy CS18 Dealing with waste and encouraging recycling; and
- Policy CS19 Delivering and monitoring the Core Strategy.

Development Management

- Policy DP1 Mixed use development;
- Policy DP2 Making full use of Camden's capacity for housing;
- Policy DP3 Contributions to the supply of affordable housing;
- Policy DP5 Homes of different sizes;
- Policy DP6 Lifetime Homes & Wheelchair Housing;
- Policy DP12 Supporting strong centres/managing town centre uses;
- Policy DP13 Employment premises and sites;
- Policy DP15 Community and leisure uses;
- Policy DP16 Transport implications of development;
- Policy DP17 Walking, cycling and public transport;
- Policy DP18 Parking standards and limiting the availability of car parking;
- Policy DP20 Movement of goods and materials;
- Policy DP21 Development connecting to the highway network;
- Policy DP22 Promoting sustainable design and construction;
- Policy DP23 Water;
- Policy DP24 Securing high quality design;
- Policy DP25 Conserving Camden's heritage;
- Policy DP26 Managing the impact of development on occupiers and neighbours;
- Policy DP27 Basements and lightwells;
- Policy DP28 Noise and vibration;
- Policy DP29 Improving access;
- Policy DP30 Shopfronts;
- Policy DP31 Public open space and outdoor sport and recreation facilities; and
- Policy DP32 Air quality and Camden's clear zone.

DPD Site Allocations (2013)

- Site 24: Phoenix Place.

Camden Planning Guidance (CPG) 2011/13

- CPG 1 Design;
- CPG 2 Housing;
- CPG 3 Sustainability;
- CPG 4 Basements;
- CPG 6 Amenity;
- CPG 7 Transport; and
- CPG 8 Planning Obligations.

Camden Community Infrastructure Levy

100 In 2012, the Council undertook the first round of consultation on a preliminary draft charging schedule setting out proposed rates for different areas and land uses. A second round of consultation was undertaken in 2013, but was subsequently withdrawn following advice from the

Planning Inspector that its differential charging regime for housing schemes was not lawful. A further round of consultation was undertaken in June and July 2014. No date had been set for an Examination in Public at the time of writing. The draft charging schedule that has been submitted to the Examiner sets the following rates for this area: £150 per sq.m., with £45 per sq.m. for offices and £25 per sq.m. for retail uses.

Mount Pleasant Supplementary Planning Document (SPD)

101 A SPD for the site was jointly prepared by the two Councils, with cooperation from Royal Mail Group. It was adopted in 2012, and supersedes a previous planning brief prepared by Camden Council for the Phoenix Place side of the site. The SPD sets out the relevant planning policies that should be addressed by redevelopment proposals for the site, any planning and design issues specific to the site, and some of the key information expected in any future planning application.

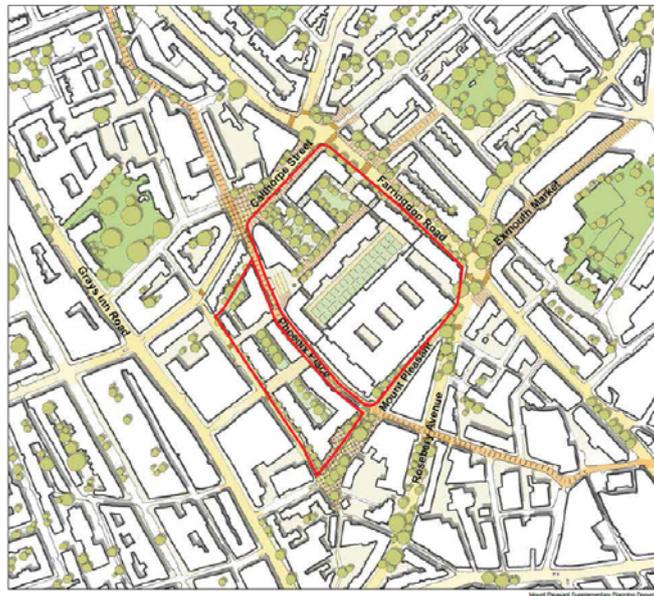


Fig5: Extract from SPD showing block size plan of possible neighbourhood (source: page 26 of Mt Pleasant SPD)

Response to consultation

102 As part of the planning process the two Councils have carried out consultation in respect of these applications. The applications were publicised by sending notifications to approximately 6,400 addresses in the vicinity of the site, and issuing site and press notices. The consultation also included all relevant statutory bodies. All consultation responses received in response to Camden and Islington Council's local consultation process, and any other representations received by Camden, Islington Council and/or the Mayor of London in respect of this application at the time of writing this report, are summarised below. The Mayor has had all consultation responses made available to him in either electronic or hard copy. This includes responses to an Environmental Impact Assessment Regulation 22 consultation carried out by the Mayor in relation to additional information received subsequent to him taking over the application.

Statutory consultees responses to Islington and Camden Council

103 Greater London Authority (including Transport for London): The Mayor's consultation stage comments (GLA report ref: D&P/3032a&b/01) and the Mayor's stage II decision (GLA report ref: D&P/3032/02) are set out in those reports and summarised in the 'Relevant case history' section above.

104 Transport for London: Commented as part of the stage 1 reporting above, and also provided a separate detailed response to both the boroughs, setting out issues in relation to car parking and access, trip generation and mode split, highway impact, walking and cycling, cycle hire, buses, London Underground, travel planning, Crossrail and CIL. Specific issues around the proposed layout of the new RMG vehicle entrance point, junction capacity at Rosebery Avenue/Farringdon Road were required, enhancement and improvement of cycle routes, bus stops, and provision of cycle docking points were set out, along with a number of suggested conditions and s106 obligations. The detailed consideration of these points is set out in the Transport section below.

105 English Heritage: Raises no objection to the Phoenix Place scheme, confirming that the scheme broadly reflects discussion and advice offered to date and concluding that the application should be determined in accordance with national and local policy guidance, and on the basis of specialist conservation advice.

106 In their response to Islington Council, whilst welcoming redevelopment, objections have been raised in relation to the Calthorpe Street scheme, particularly in relation to the proposed height and bulk of Blocks E, F and G and their resultant impact on the setting of numerous heritage assets in particular views of these proposed buildings which would be seen above the listed terraces in Guilford Street and Calthorpe Street (within Camden). The conclusion of EH that the buildings *'provide a new and dominant feature within this C19 view that contrasts with the clean Georgian lines of the foreground terraces. This impact is considered to cause significant harm to the setting of the Bloomsbury Conservation Area and to the listed terraces'*. EH also notes that Building E in particular would break the similar uniform Listed terrace on Wren Street, with the uppermost 5 storeys of that block being visible - appearing *'as a dominant element that is seen to rise to almost twice the height of the modest foreground buildings'* in views from St Andrews Gardens. EH advises that this harm needs to be carefully weighed against any public benefits, in accordance with policies 133 and 134 of the National Planning Policy Framework, before coming to a decision. It advises that a scheme that is in accordance with the heights set out within the Mount Pleasant SPD is noted to be liable to *'reduce or remove'* such impacts.

107 To conclude, EH has advised that although concerns are raised, and Islington Council was urged to address the raised concerns, it recommended that the application is *'determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice'* and therefore does not constitute a formal objection to the scheme that would require a subsequent approval of the scheme to be referred to the Secretary of State).

108 English Heritage (Greater London Archaeological Advisory Service): When responding to the borough consultation, GLAAS recommended that further assessment and evaluation be undertaken, noting that the submitted Environmental Statement (ES) required some clarification in relation to the presence of potential Civil War defences is not considered, as records indicate the likelihood that they *'probably ran close to or through the site'*. The ES did note that site has a high potential for *'palaeo-environmental riverine deposits'* though GLAAS noted that there had not been any field evaluation to test and map that potential. As such, GLAAS in responding to the Councils at that time, GLAAS raised a holding objection to the scheme on this basis.

109 Following this, further borehole investigations were carried out by the applicant's consultant and reported to GLAAS in April 2014, and GLAAS agreed that no further geo-archaeological work was required prior to permission being granted. It was concluded that suitably worded conditions would be appropriate in relation to investigation works being carried out prior to commencement of development to establish the presence/survival of English Civil War Defences.

110 Natural England: Makes reference to standing advice and relevant policies in relation to protected species, local wildlife sites and biodiversity enhancements and whilst a specific

assessment has not been undertaken, notes various aspects of the scheme for which assessment and conditions may be appropriate.

111 Environment Agency: A response was provided to Islington Council only, setting out requirements for a detailed surface water drainage scheme, based on the agreed Flood Risk Assessment prepared by the applicant. This includes requirements for restrictions on run-off and surface water storage, and advice is provided on the information requirements.

112 Thames Water: No overriding objections raised but notes the requirement for a condition in relation to waste water and surface water drainage and water supply infrastructure, piling design, SUDS, interceptors, trade effluent and fat traps. Notes that the existing water supply infrastructure has insufficient capacity, such that a condition requiring submission of an impact study would be necessary. A condition requiring a piling method statement is also required.

113 Metropolitan Police Crime Prevention Design Officer: A meeting was held between officers and the applicant, with issues raised in relation to design of hard landscaping, preventative measure for the central public park, building lines, and formal surveillance. The applicant has prepared a Crime Impact Assessment that has been commented on, with issue raised around seating and recesses.

114 Design Council/Commission for Architecture and the Built Environment: Whilst advice was not provided at application stage, written feedback was provided to the applicant following a presentation in March 2013, and note: *"We recognise the indisputable benefits of opening up this site for Londoners to enjoy and applaud Royal Mail for initiating this valuable regeneration, with a clear commitment to delivering a scheme of the highest design quality. This significant development could make an extraordinary contribution to Islington and Camden and we offer general support for the principles it promotes. We think the design team has successfully captured the spirit of this diverse and historic part of London. We support the density and mix of development envisaged."* Comments were provided in relation to site planning, urban form and massing, and sustainability.

115 London Underground Limited: Has commented with respect to its statutory infrastructure protection only. Advised that there are no objections in principle but notes number of potential constraints due to its proximity to underground tunnels and infrastructure. Should the development be recommended for approval conditions are suggested relating to approval of all foundations, basement, ground floor and other below ground structures prior to works commencing.

116 London Fire and Emergency Planning: No objections were raised, noting that the documents provided suggest compliance with the requirements of Approved Document B regarding fire-fighting access and construction, and that fire hydrants are located within 20 metres of the site.

117 British Waterways: Advised that it did not have comments to make on the application.

118 Camden and Islington Public Health Team: This is a recently merged team that has assumed previous NHS responsibilities that are now with local authorities. The Public Health team has made a number of observations on the scheme in relation to increasing the affordable housing, s106 contributions and obligations in relation to employment and wages, signage for public transport, cycle routes and open space, an outdoor gym, a public toilet and ensuring that the residential quality and wellbeing for new occupiers is acceptable in terms of vibration, shading, ventilation and shading, for instance.

Individual objection letters

119 Letters were sent by Islington Council to approximately 3,000 adjoining and nearby properties in June 2013. Camden Council sent out 3,368 letters to local addresses. Site notices were displayed around the site and press notices published in the Islington Tribune and Camden New Journal. At the time of reporting the applications to their respective committees, Islington Council reports that it had received 47 responses (actual number is 40) and Camden Council received 103 responses. All responses were provided to the GLA subsequent to the decision to take over the application and have been made available to the Mayor in advance of the hearing.

120 In relation to the main concerns and issues raised in the objection responses to the two Councils, these are summarised as follows:

121 Land use principles: There is a lack of public amenities proposed; scheme would put strain on local resources; the site should accommodate a secondary school instead; no nursery is included; supermarket should be provided; workshops should be provided; too much commercial space is proposed; office floor cannot compete with other offices coming forward; empty shops will prompt crime and vandalism; affordable rents should be secured; insufficient open space proposed; affordable housing provision is too low; the land should be turned into open space.

122 Design and Heritage: The overall design ethos and masterplanning approach is flawed; the massing, height and scale of development is excessive and out of keeping/out of proportion with area; density is too high; proposal dominates the surrounding area, listed buildings and conservation areas; no precedent for the heights; building heights should be reduced (a maximum of 9 storeys and average of 5 storeys is suggested); fortress type development that is inward looking; 15-storey element would be overbearing; any tall buildings should be more centrally located on Phoenix Place; architectural style and layout is poor, bland, generic, incongruous to neighbourhood and contrary to guidance; design and layouts do not open up the site; inadequate open space and green space is proposed; proposed spaces are poorly designed and too small; The Garden is ill-conceived and wrongly located; scheme ignores presence of River Fleet; there is wasted space, scheme should build out over The Meadow; the connectivity and routes are poorly conceived.

123 Residential amenity: Overshadowing impact to surrounding properties; loss of daylight and sunlight to surrounding properties; noise and air pollution resulting from increased RMG and other traffic movement around site; noise impact from RMG operations; dust nuisance from construction; impact upon local amenity space from influx of new residents; wind tunnel effect from new buildings; the residential quality of the scheme would be poor; the public spaces and walkways would increase risk of crime; deliveries from commercial uses would cause noise and disturbance to residents; the Phoenix Place underground parking entrance on Gough Street would disrupt neighbours.

124 Transport and traffic: Layout is dangerous and HGVs would impact upon pedestrian and cyclist safety; amended servicing arrangements would impact upon traffic flow; roads are already dangerous and heavily used; insufficient parking space proposed; parking for families is still likely to be required; shift workers may need a car as cannot rely on public transport; pressure would be placed on existing on-street spaces; basement parking is unacceptable; increase in traffic movement from services, delivery, residents, visitors, cycles, pedestrians; vehicle and pedestrian safety hazard resulting from the position of the proposed Royal Mail entrance; better bus route along Farringdon Road is required; design changes sought to improve visibility and traffic space; route should be provided diagonally through the site; Royal Mail vehicles already impact upon safety – an alternative entrance should be considered; Royal Mail should provide electric vehicles; postal vans should not be able to utilise local roads – their routes would only be along arterial routes; construction traffic would be disruptive; insufficient cycle parking;

125 Other environmental impacts: Strain on water supply and sewage disposal; surface flooding; underground watercourses may impact upon foundations; the scheme should use heat from the MPISO to supply local housing; concerns about ground contamination – tests should be carried out on ground conditions to establish if there is a bomb risk, or whether industrial waste and archaeological remains are present

126 Section 106/affordable housing: There is a lack of amenities proposed, and lack of clarity regarding s106 or CIL payments; the increased population necessitates expansion of medical and school facilities; queries regarding the amount of money to be paid for local facilities, including nurseries, playspace, community facilities, GP premises; local residents should be consulted on how monies are spent; affordable housing provision is too low – 50% should be provided and social housing should be prioritised; new secondary school on Wren Street, Corams Fields would be worthy beneficiaries of CIL / s106 funds

127 Other issues: Inadequate consultation with residents; poor presentations from RMG; disruption during construction; lengthy build out that would be disruptive; scheme architects should be retained for detailed design and build out.

Petition

128 A petition with 63 names (mainly from persons residing at approx. 45 addresses on Calthorpe Street, Wren Street and Pakenham Street) was submitted, citing support in principle for affordable housing, but raising concerns in relation to: density, external materials, crime issues, wind tunnel effects, loss of sunlight, daylight and privacy, road safety and congestion, noise pollution, ground contamination, construction noise, subsidence, provision of a school, highway network, harm to strategic views of St Paul's Cathedral. The petition has been provided to GLA officers and has been made available to the Mayor in advance of the hearing.

Letters of support

129 Camden Council received two letters of support, and four letters offering support for the detailed scheme, subject only to the scheme securing a significantly higher amount of affordable housing, contributions to local school facilities and the incorporation of reference to the historic Fleet River. Islington received one response providing general comments and one that raised no objections.

Other borough consultees responses, including residents groups

130 Mecklenburgh Square Residents Association: The MSRA have expressed 'considerable concern and reservations about the proposals' and cannot support the applications as they stand. The scheme is an overdevelopment and the heights proposed are 'not in keeping with the general scale of the area'. The submission material is not considered to have properly assessed the impact of the additional residents / users of the site on 'transport and amenities'.

131 Laystall Court Tenants & Residents Association: Support is provided in principle to the redevelopment of the site, though the LCTRA have 'many grave concerns about what is being proposed'. The objections principally relate to: heights, open space, access to open space, privacy and overshadowing, loss of daylight and sunlight, density, impact upon Christopher Hatton Primary School and 1A Children's Centre, outlook, microclimate, construction noise and disturbance, parking, and traffic congestion

132 Calthorpe Street Residents Association: The CSRA recognises the need for housing, though states that their preferred use of the site would be for a secondary school. The main areas of

objection to the detailed form of the application are in relation to lack of social infrastructure proposed, level of affordable housing, density, layout, overshadowing, loss of daylight, open space (amount and design), junction widths, permeability, route widths, design/architectural merit, impact of bike lanes, vehicular access, proposed uses (workshops rather than offices should be provided), subsidence/vibration, retention of traffic calming measures, water services infrastructure, archaeology, ground contamination and investigations.

133 The CSRA also request to know how much s106 money would be made available for 'social provision', noting that the development would generate a need for nursery / playgroup provision, playspace, community hall / meeting space / youth space. Reference is also made to the potential relocation of GP services from the local Finsbury Health Centre (Pine Street EC1), and the need for this development to include the possible relocation of such facilities to the site.

134 Wilmington Square Society: Objects to the scheme, advising that it should be office led in order to address concerns about density, crime and shortage of jobs and social facilities in Islington. Considers that the proposals are unsympathetic to the neighbouring listed buildings and undermine the character of the conservation area. The Society considers that aims of the Mount Pleasant SPD are not met, in that the proposals: are not appropriate to the local context; do not promote high quality design for buildings and public spaces which enhance the historic significance of the site and its surroundings; and do not protect and enhance both Camden's and Islington's built and historic environment. Concerns also raised about the increase in capacity of RMG operations in relation to noise and air pollution, together with the impact of the altered vehicle entrances, additional traffic and deliveries.

135 The Society support the proposal showing Attneave Street planted with trees on both sides of the Street to provide a green link between Wilmington Square and the green spaces proposed on the Mount Peasant site. They also acknowledge and welcome Royal Mail's statements that contributions towards improvements at Wilmington Square, outside Pakenham Arms and the junction Calthorpe Street and Phoenix Place are proposed. Seeks conditions regarding details of planting and pedestrianisation, improvement to railings, creation of a second gate

136 Amwell Society: Accept concept of a development on the site but raise concerns about: the height of buildings; provision of recessed balconies; proposed materials; crime and security; amount of non-residential uses and ground floor active uses; landscaping - street furniture and clutter needs to be kept to a minimum; cycle and pedestrian safety – shared surfaces; pollution from traffic; overprovision of parking space; community facilities such as a swimming pool, gym or medical centre should have been considered in scheme; s106 contributions secured for essential public amenities, and towards the four corners.

137 London and Middlesex Archaeology Society: The Committee raised no objections to the principle of development but did raise particular concerns in relation to the blocks along Calthorpe Street opposite the Holiday Inn Hotel (parts of Block H) where the scale of development is detrimental to Margery Street. Similarly there are concerns about Block E – and Block C (part of P2), on the opposite side of Phoenix Place – because of their impact on Calthorpe Street. Also notes that the railings, piers and lodges around Mount Pleasant were of an earlier date than the main building and needed to be retained as part of any landscape scheme.

138 Ward Councillors: Cllr Awale Olad (Camden Holborn and Covent Garden Ward) has written an objection, recommending that planning permission be refused, noting that the scheme would greatly impact residents in Laystall Court and Calthorpe Street. Local services, schools and GPs will also be put under great pressure and the failure to identify the site for use as a secondary school is highlighted. An objection to the lack of social housing was also raised (offered at a time when the higher initial 19/20% indicative level was proposed).

139 Internal consultees: Borough officers have provided comments in relation to policy, access, community safety, environmental health, noise, licensing, air quality, drainage, transport, housing, sustainability, trees, urban design and waste. The points raised have been considered in the body of the report and are reflected in the suggested conditions.

Representations made to the Mayor of London

140 Re-consultation exercise: The Mayor took over the planning applications in January 2014. Since that time, as set out in paragraph 81 a re-consultation exercise took place in May 2014 in relation to some details of the scheme that had been updated since the original consultation exercise. Letters sent to all those consulted by the Councils when the applications were first submitted, in addition to all those who had responded to the planning applications thus far. This consultation was undertaken by the Councils on behalf of the Mayor. A press notice was posted in both the Islington Tribune and Camden New Journal, and site notices erected.

141 Responses: The Mayor and/or GLA officers have received approximately 110 emails or letters as a result of the consultation exercise. The majority of the objections reiterate concerns raised with the Councils at the initial consultation stage, as detailed above in relation to: the vision and design ethos; design; architecture; density; heights; layouts; relationship with surrounding neighbourhoods; open space provision; public realm; routes and connectivity; low levels of affordable housing and wheelchair housing; office provision; provision of affordable workspace; retail uses would impact existing local businesses; strain on infrastructure and local amenities such as schools, GPs; location of underground parking entrances; traffic/pedestrian/cyclist safety; impact upon public transport; parking is too high; conversely, would cause parking stress; pollution; impact upon nearby school; impact upon daylight and sunlight; impact upon skyline. These responses have been made available to the Mayor for viewing.

142 In relation to the amended plans that were produced earlier this year, concerns have been raised about the pedestrian routes and that removal of the proposed central reservation access across Farringdon Road makes crossing unsafe. Concerns are raised about the impact of the removal on The Garden green-connections that are aspired to. The proposed amendments to the treatment of Phoenix Place and landscaping plans are considered to be a token gesture, with the view that the road would remain a rat-run, dividing the site in two.

143 Other issues were raised about the consultation process, also detailed above. One objector has raised issues regarding air quality impacts from Royal Mail operations and that the Mayor has a duty under the Equality Act to consider this. Several objections raise concerns about the Mayor taking over the applications, and that they should have been left with the Councils to determine. This is not considered to be material at this stage. Others raise concerns about the potential for Royal Mail Group to sell the site with an inflated land value. Other than in the context of affordable housing viability, which is addressed below, the issue of possible future sale of the site is also not considered material.

144 There has been a significant amount of press regarding the proposals and as a result of comments made by the Mayor during public questioning, objectors voiced concerns that the Mayor had pre-determined the applications. Having obtained a legal view it has been clarified that the Mayor has merely reiterated comments made when he was consulted at Stage 1 in relation to design and that this did not amount to pre-determination.

145 Other correspondence: In addition, the Mayor has received approximately 10 emails or letters since January 2014, which include reiteration of objections to the scheme, and requesting that he reconsider his decision to take over the applications.

146 Mount Pleasant Association (MPA): The MPA is a community group of local residents and stakeholders living and working around the proposed development. The group is in the process of formulating a neighbourhood development plan under the Localism Act 2011, and has been involved in the planning process on this scheme. GLA officers and the Deputy Mayor have met with the group on several occasions to discuss their concerns and their alternative vision, which have been presented through objection letters, press articles and their own website. No neighbourhood plan has been consulted on or published to date.

147 Individually, members have raised concerns which are detailed in paragraphs 122 to 128 above, but to summarise the MPA objections, these relate to: height, bulk and massing; incorrect density calculations; scheme has impermeable boundaries and is 'fortress-like'; that the east/west route is misconceived and fail to recognise desire lines from Kings Cross to the river and Angel to the West End; increased noise and congestion from RMG vehicle movements; pedestrian safety at risk from proposed transport solution; overshadowing to surrounding properties; failure to acknowledge presence of the River Fleet; failure to incorporate more recent changes around provision of a secondary school, junction studies on Farringdon Road, new developments, and in relation to the closure and sale of Clerkenwell Fire Station by LFEPA. The group is critical of the Mount Pleasant SPD in terms of the block layouts it suggests.

148 The MPA has more recently engaged with Create Streets and an architect (Francis Terry), who have worked up an alternative proposal for the site. Described as a "21st Century circus", it has been suggested that the scheme could deliver more homes, higher numbers of affordable housing and more office, retail and green space. This scheme has been publicised in the media but it is understood that no pre-application discussions or applications have been submitted to the Councils thusfar.

149 Emily Thornberry MP: The local MP has written to the Mayor on several occasions expressing concerns about the application. In particular, concerns have been raised about the Mayor's decision to take over the planning applications, and that this should have been left with the Councils. The letters also refer to: the quantum of affordable housing and that this is not being maximised; and concerns around the sale of Clerkenwell Fire Station and that the Mayor has a prejudicial interest. Following comments made by the Mayor at a LBC State of London debate in June 2014, the MP also made claims that that the Mayor had pre-determined the applications. In relation to this point, the MP wrote to the Secretary of State asking that he step-in and take action to remove the Mayor's decision making powers on the applications. The Secretary of State has not thus far done so.

150 Assembly Members: The Assembly Members for the constituencies that include Camden and Islington wrote to the Mayor at the time of the call-in request, urging him to allow the Councils to determine the applications in view of the fact that it is only a matter of weeks between then (January 2014) and the Council committee dates (February and March 2014). Over the past months several questions have been raised about the scheme from them and other Assembly Members at Mayor's Question Time. The local Assembly Members also canvassed the area seeking residents views on the scheme.

151 Labour Party (Holborn & St Pancras Constituency): Advises that it has passed a motion that condemns the interference by the Mayor in the planning applications and that the site should come forward for housing, with 100% affordable housing reserved for local people.

Borough communications

152 As set out in paragraph 69 above, having been notified of the applicant's request that the Mayor take over the applications, the two Councils jointly wrote to the Mayor setting out their

concerns with the scheme and the reasons why they felt that he should not take them over. These matters were taken into consideration when the Mayor made his decision.

153 The Deputy Mayor for Policy and Planning has met with Camden's Leader, Cllr Hayward and Islington's Executive Member for Housing and Development, Cllr Murray to discuss their concerns. This followed requests to meet with the Mayor, who had to decline so as to not fetter his decision making role.

154 Again as noted above, since taking over the applications there have been a series of meetings between the applicant team, the Council and GLA officers about outstanding issues at the point the Mayor took the applications over. Of particular concern to the Council were issues around affordable housing, viability, linkages and section 106 obligations deemed necessary to make the scheme acceptable. This process has sought to address concerns raised in the officer reports to the respective committees and reasons for refusal cited by the two Councils. A series of position notes and correspondence have come forward from the two Councils during this time, culminating in a joint representation to the Mayor, dated 16 September 2014. The key issues raised by the Councils and their consultants are discussed in the body of the report under the various topic headings.

155 Regulation 22 amendments: The two Councils have also responded to the proposed amendments, also raising concerns about the revised plans for Phoenix Place for highways reasons and in terms of inclusive design in particular. Islington Council has strong concerns about the removal of the central reservation on Farringdon Road, in relation to highways safety and the Green chain connections.

Representations of support

156 The Mayor received two responses setting out support for the applications, with both expressing a keenness for development of the existing sites. Several of the objectors comment that they do not oppose the principle of redevelopment.

Representations summary

157 All the representations received in respect of this application have been made available to the Mayor in printed form however, in the interests of conciseness, and for ease of reference, the issues raised have been summarised in this report as detailed above.

158 The main issues raised by the consultation responses, and the various other representations received, are addressed within the material planning considerations section of this report, and, where appropriate, through the proposed planning conditions, planning obligations and/or informatives outlined in the recommendation section of this report.

Environmental Impact Assessment

159 Planning applications for development that are covered by the Town and Country Planning (Environmental Impact Assessment) Regulation 2011 are termed "EIA applications". The requirement for an EIA is based on the likelihood of environmental effects arising from the development. The proposed development is considered to be Schedule 2 development likely to have significant effects on the environment by virtue of factors such as nature, size or location. Consequently, the application is considered to form an EIA application and it has been necessary that an Environmental Statement be prepared in accordance with EIA Regulations.

160 The applicant submitted a Scoping Report (dated 29 October 2012) outlining the scope of the Environmental Statement (ES) at pre application stage. Following consultation with the relevant

consultation bodies, Islington and Camden Council issued a joint assessment and opinion on 14 December 2012 and 8 January 2013 respectively. The Scoping Opinion confirmed that the scheme constituted EIA development and set out advice and instructions in relation to the methodology of the assessment. It identified a range of potential effects that would need to be included in the ES that was required to be submitted with the applications.

161 The submitted ES been divided into four volumes covering the 1) main assessment text; 2) figures; 3) townscape, heritage and visual impact and 4) technical appendices (including transport assessment, heritage, flood risk, microclimate, explosion risk, daylight, sunlight and overshadowing. The statement included qualitative, quantitative and technical analysis of the impacts of the development on its surrounding environment in physical, social and economic terms. Each planning application is assessed individually and cumulatively. Development Scenario 1 considers both schemes, Development Scenario 2 is for the Islington proposals, and Development Scenario 3 is for the Camden proposals. The assessment is based on a 20% affordable housing provision, comprising 77 social rent units (68%) and 55 shared ownership units (32%).

162 Under the various subject headings, this report refers to the content and analyses contained with the ES and upon its findings and conclusions.

Material planning considerations

163 Having regard to the site and the details of the proposed development, relevant planning policy at the local, regional and national levels; and, the consultation responses and representations received, the principal planning issues raised by the application that the Mayor must consider are:

- Land use principles (CAZ, Farringdon and Smithfield Intensification Area, mixed use development, offices, retail, employment, residential uses)
- Housing (including affordable housing, housing tenure, mix and density);
- Design (including urban design, views, the historic environment, listed buildings, conservation area consent);
- Inclusive design;
- Residential amenity (including daylight and sunlight, overshadowing, visual amenity, privacy/overlooking; noise/disturbance; and air quality);
- Sustainability (including climate change mitigation and adaptation, including sustainable drainage);
- Transport, including parking provision;
- Other environmental impacts; and
- Mitigating the impact of development through planning obligations.

164 These issues are considered within the sections that follow.

Land use principles – mixed use redevelopment

165 The site is located in the Central Activities Zone and Farringdon Intensification Area. The southern part of the CS site is within an Employment Priority Area. The principle of redevelopment must be considered in the context of the London Plan and borough policies relating to the above designations as well as the NPPF, together with other policies relating to mixed-use development, employment, offices, and retail uses. In terms of the “loss” of the Royal Mail uses on the site, this is acceptable, with MPSO operations being consolidated and incorporated into the remaining site and buildings by virtue of the enabling works. The principle of redevelopment has been agreed through the adoption of the Mount Pleasant SPD, which sets out the aspirations for regeneration of

the site through the implementation of a comprehensive masterplan. In terms of the proposed uses, the following is noted:

166 The NPPF identifies a set of core land-use planning principles which should underpin both plan-making and decision-taking. Those of particular relevance to the site are that planning should:

- proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs;
- encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value;
- promote mixed use developments, and encourage multiple benefits from the use of land in urban and rural areas;
- actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable.

Central Activities Zone

167 This area covers London's geographic, economic and administrative core and includes the southern part of Islington. London Plan policies 2.10 and 2.11 identify, among other policy considerations, that the Mayor will enhance and promote the unique international, national and London-wide roles of the CAZ, supporting the distinct offer of the zone based on a rich mix of local as well as strategic uses, forming the globally iconic core of one of the world's most attractive and competitive business locations. The strategic priorities and functions focus on bringing forward development capacity, delivering high quality design and providing for a range of occupiers and mix of uses. Paragraph 2.46 of the London Plan makes clear that *"It will be important to ensure an adequate supply of office accommodation and other workspaces in the CAZ/Isle of Dogs suitable to meet the needs of a growing and changing economy"*. Policy 2.12 (*Central Activities Zone – Predominately Local Activities*) seeks to identify, protect and enhance predominantly residential neighbourhoods within CAZ, and elsewhere develop sensitive mixed use policies to ensure that housing does not compromise CAZ strategic functions.

168 Camden's Core Strategy Policy CS1 reinforces the London Plan, seeking to focus Camden's growth in suitable areas, promoting the most efficient use of land and high density development in Central London, defined Growth Areas, and other highly accessible locations.

169 Islington's Core Strategy identifies the whole of the 'Bunhill and Clerkenwell' area as within CAZ. Policy CS7 sets out that it is the borough's most important employment location and also highlights that it is home to a large number of residents. Employment led development and housing growth are encouraged, and in particular opportunities for mixed development at Mount Pleasant are noted. The Core Strategy that the Bunhill and Clerkenwell area may need to accommodate an additional 14,000 B-use jobs and around 3,200 new homes by 2025 (1,615 in years 1 – 5; 514 in years 6-10; and 1,032 in years 11-15) and in this respect an AAP (detailed below) has been prepared.

170 As well as falling within the CAZ, the site is located within 'Inner London' for which specific guidance is set out in Policy 2.9 of the London Plan. The policy seeks to sustain and enhance the economic and demographic growth while also improving its distinct environment, neighbourhoods and public realm; sustaining and supporting existing and new communities; addressing its unique concentrations of deprivation, and improving quality of life and health for those living, working, studying or visiting there.

171 The principle of a high density, mixed use development that includes housing, offices, and other ground floor commercial uses in a location of high public transport accessibility is consistent with London Plan CAZ policies and the two Councils local policies, which seek to enhance and promote a mix of uses, bringing forward development capacity whilst respecting, sustaining and enhancing its distinctive environment and heritage. The introduction of office floor space would make a contribution towards the important strategic business and financial role of the CAZ. The proposed development includes flexible space at ground floor for shops, cafes, restaurants, bars, leisure or community, uses fronting on to the public spaces and pedestrian routes. The scheme creates an appropriate level of active frontage with uses to serve the new residential and office populations, as well as visitors to and through the site, in accordance with London Plan Policy 2.10A (f). In accordance with policies for the CAZ, this proposal brings forward a large development site with a mixed use scheme that includes office accommodation, with jobs also being generated by the retail floor space, thereby catering for a range of occupiers in accordance with London Plan Policy 2.10 and contributing towards the London Plan targets for employment growth.

172 The introduction of residential uses to the site provides much needed housing, and would strengthen the residential neighbourhood of this part of Central London. It would also help strengthen the viability of the commercial uses that are proposed and ensure that a deliverable scheme is coming forward. The scheme proposes improvements to public transport, walking and cycling, and the public realm proposals would enhance the local environment, improving north-south and east-west connections. The incorporation of different uses on the same site or in the same neighbourhood, helps to create an attractive sense of place, reducing the need to travel between different activities (such as living and working or shopping and healthcare), and making the best use of scarce land, in accordance with national, regional and local policies. On this basis, the proposed scheme is in accordance with policies 2.10 and 2.11 of the London Plan, as appropriate development for the CAZ (and Inner London).

Farringdon/Smithfield Intensification Area

173 The Farringdon/Smithfield area is specifically identified as Area 36 on map 2.4 and supporting Policy 2.13 (*Opportunity Areas and Intensification Areas*) of the London Plan as an 'intensification area' given the potential improvements that the forthcoming Farringdon Crossrail station would add to its existing excellent public transport accessibility. Intensification areas are defined in the London Plan as typically built-up areas with good existing or potential public transport accessibility that can support development at high densities. They have significant capacity for new jobs and homes but at a level below that which can be achieved in 'opportunity areas.'

174 To meet those objectives, Policy 2.13 (A) states, amongst other things, the Mayor's commitment to: (c) Ensure that his agencies (including Transport for London) work collaboratively and with others to identify those opportunity and intensification areas that require public investment and intervention to achieve their potential growth. Policy 2.13(B) requires development proposals within opportunity areas and intensification areas to: *Support the strategic policy directions for the opportunity areas and intensification areas set out in Annex 1 to the London Plan, and where relevant, in adopted opportunity area planning frameworks.*

175 Table A1.2 (*Intensification Areas*) of Annex 1 describes the Farringdon/Smithfield intensification area as an area of 23 hectares with an indicative capacity of 2,500 new jobs and a minimum of 850 new homes. These estimates were derived from a range of sources, including the London Employment Sites Database for employment and the London Strategic Housing Land Availability Assessment (SHLAA) for homes; they will be tested through the preparation of planning frameworks and/or local development frameworks. The supporting text states that this is an area with potential for intensification on a number of sites and broader improvements to the public

realm and mix of uses, supported by Crossrail and Thameslink enhancements at Farringdon. It notes that the scale of additional development capacity is dependent on operational rail requirements, the degree of station renewal and improvements to the transport and interchange capacity.

176 The provision of 671 flats would make a significant contribution towards achieving the housing targets for the Intensification Area, making up 79% of the indicative capacity. In relation to jobs, the provision of office and flexible retail/community floor space across the overall scheme would generate approximately 309 direct jobs, which equates to approximately 12% of the London Plan jobs target for the Intensification Area. A total of 185 indirect jobs are envisaged. Furthermore the retention of the Mount Pleasant Sorting Office within an enhance operation environment would protect and consolidate this important employment resource, whilst releasing brownfield land for development.

Islington Finsbury Local Plan

177 This document comprises an area action plan for Bunhill and Clerkenwell. The site allocations in the plan cover over 53 hectares, and provide for over 2,300 homes, office development creating over 8,500 jobs, around 1.8 hectares of new or improved open space, and over 7,800 sq.m. of additional community floor space.

178 Policy BC6 refers to North Clerkenwell and Mount Pleasant and sets out that the area will be enhanced as a focal point for the wider community, through the comprehensive redevelopment/refurbishment of the sorting office for a range of uses and improvement of the area's community facilities. Drawing on the CAZ and other London Plan land use policies, the policy seeks: retention of mail activities; provision of around 700 residential units (of which 245 are social rented); a mix of employment uses including offices and small and affordable workspaces (approximately 22,500 sq.m. of new office floor area and 9,500 sq.m. of workspace for smaller business and start ups); new shops, cafes and restaurants (3,500 sq.m.); new community infrastructure; and new and enhanced public open space (4,000 sq.m. sought for the area).

179 Policy BC6A makes specific reference to the Mount Pleasant Sorting Office and sets out the desire for a masterplan that links the Camden and Islington parts of the site as an integrated scheme and incorporates a new museum for the Royal Mail. It also seeks: a high quality public realm surrounding and throughout the site that blends seamlessly with the wider public realm, and which incorporates a substantial amount of new, fully accessible public space, semi-private green and amenity space, play space, biodiversity-rich space, sustainable drainage, cycle parking and cycle hire facilities; pedestrian priority routes that connect with major pedestrian routes in the wider area and with internal and external public spaces; the provision of a mix of uses, which define and lend character to different parts of the site, and which include facilities for both residents and visitors, as well as small shops and workspaces; delivery and service vehicle access accommodated in a manner that minimises the impact of traffic movements on the wider area, and provision of an energy centre on-site or connection to a Decentralised Energy network. Other site allocations associated with the policy include Clerkenwell Fire Station, the NCP Carpark on Farringdon Road and Finsbury Health Centre.

180 As set out in other parts of this report, the scheme overall meets the objectives of BC6 in relation to placemaking principles for the MPSO. In terms of the scheme's contribution towards the indicative jobs targets in the AAP, the office provision in the Calthorpe Street scheme would contribute towards 18% of the of the new office floor area quantum sought in Policy BC6, it would contribute 40% towards the floor space targets for shops, cafes etc., and the approximately 5,000 sq.m. of public open space far exceeds the public open space quantum sought for the wider area. The provision of 336 units accounts for approximately 50% of the housing target sought for the area (detailed further below).

181 Policy BC8 sets out the aspirations to achieve a balanced mix of uses for the Bunhill and Clerkenwell Area, to include commercial, retail, leisure, and light industry/workshops, as well as affordable space. As set out above and below, the scheme achieves a balanced mix of uses that has the support of the two Councils. A small part of the Calthorpe Street that includes the enclosed service and delivery yard is within an 'Employment Priority Area (General). The retention of this for MPSO operations is in accordance with this policy.

182 The MPSO (Calthorpe Street site) is also a Site Allocation (BC45) in the Finsbury Local Plan. This sets out the allocation and justification for the site as *"Mixed use redevelopment of the site, retaining the sorting office function, and incorporating new buildings providing for a mix of residential, business, retail/leisure and community uses, alongside a substantial amount of public open space. Commercial space should be provided for smaller businesses"*. As set out in this report, the scheme is in accordance with these policy objectives.

183 Islington Council, in its report to Planning Committee concludes that the *"proposed mix of uses are appropriately located in terms of providing active frontages and streets and locating residential uses to quieter or higher up positions from streets. The publicly accessible open spaces are well located and designed and the level of provision exceeds the requirements of the area specific requirement for the North Clerkenwell and Mount Pleasant key area within the Finsbury Local Plan. The residential elements of the scheme are supported subject to consideration of quality, mix and affordable housing provision (financial viability)"*. No reasons for refusal are cited by Islington Council in relation to land use principles.

Camden Council Site Allocations Development Plan Document

184 Phoenix Place is identified in the Site Allocations DPD (Site 24) as particularly suitable for a primarily housing led development. The guidance confirms that it is *"suitable for mixed use development, primarily residential, which could include other uses such as business, community and retail uses, which makes efficient use of this highly accessible Central London location and also helps to meet the operational needs of Royal Mail"*. A series of criteria are set for development, including: comprehensive development alongside the Islington section of the site; maximising the potential for the site to provide new housing; fulfilling the operational requirements of the Royal Mail and access to employment opportunities for local residents; providing other appropriate uses, including employment, cultural or community uses; providing a range of new open spaces; improving linkages across the wider area; respecting the character of Conservation Areas and listed buildings; managing servicing and traffic movements; providing infrastructure for supporting local energy regeneration and/or connections to existing or future networks where feasible.

185 The Council, in reporting the scheme to its Planning Committee concludes that *"the proposed Camden scheme and wider development is considered to fall within the preferred scope of site use encouraged by its local plan policies"*. It goes on to state that *"the absence of office / employment use within the Camden scheme is not considered to be objectionable, given the greater advantages to the Farringdon Road placement and the need to look at the range of uses on both borough sites in a holistic manner"*. No reasons for refusal are cited by Camden Council on grounds of the land uses proposed. The policy expectations for this site allocations are considered to be met.

Mount Pleasant SPD

186 The Mount Pleasant SPD was prepared jointly by the two Councils, in cooperation with Royal Mail and their advisors. Paragraphs 4.2.2 to 4.2.9 sets out its aims which include the:

- Delivery of a significant number of new homes, particularly affordable housing, much of which would be homes suitable for families;
- Encourage new employment floorspace and require new business floorspace to be flexible to meet future business needs;
- New development to complement the existing successful local retail economy and support a good range of goods and services for the people who live, work and study in the area;
- Provide suitable community facilities within the development to meet the needs of residents or contribute towards the improvement and extension of existing community facilities in the vicinity of the site; and
- Provide open space and seek to improve and enhance connectivity to existing and adjacent green/open spaces, provide new inclusive play space, and explore opportunities for developing housing amenity spaces into play facilities.

187 As noted above and elsewhere, the scheme has been the subject of extensive pre-application discussions with the two Councils in order to ensure the delivery of the objectives set out in the SPD, and the SPD itself was developed in consultation with the applicant. The Councils, in making their resolutions on the schemes, did not recommend refusal of the applications on land use principles. Other principles set out in the SPD, in relation to delivery of affordable homes design, connectivity, open space are addressed elsewhere in this report. Overall, the scheme is in accordance with the principles established in the SPD.

Commercial floor space - office and flexible uses

188 Acknowledging that a mixed-use development is acceptable in principle, in terms of the details of the office provision, a total of 4,260 sq.m. is proposed for Block G, fronting Farringdon Road. Of the 2,250 sq.m. (GIA) of flexible floor space proposed, 1,428 sq.m. is contained in 11 units on the ground floor in Buildings E, F, H, J within the Calthorpe Street scheme, whilst 822 sq.m. is proposed in five units at the ground floor in Buildings A, fronting Mount Pleasant within the Phoenix Place scheme. The applicant is seeking permission for a range of uses for these units, comprising retail (Class A1), cafe or restaurant (Class A3), community (Class D1) or leisure (Class D2).

189 In addition to the above policies, Policy 4.2 of the London Plan states that the Mayor will *“support the management and mixed use development and redevelopment of office provision to improve London’s competitiveness and to address the wider objectives of this plan...”*. Part A(d) of this strategic policy seeks *“increases in the current stock where there is authoritative, strategic and local evidence of sustained demand for office-based activities”*. Policy 4.8 refers to the provision of retail facilities, with Policy 2.10 seeking support and improvement to the retail offer in the CAZ.

190 Camden Core Strategy Policy CS8 sets the overall strategy for growing Camden’s economy, identifying the need for provision of office floor space in Central London and Growth Areas to meet the forecast demand of 615,000 sq.m. to 2026. The policy seeks a mix of employment facilities and types, including the provision of facilities suitable for small and medium sized enterprises, such as managed, affordable workspace. It also seeks to support local enterprise development, employment and training schemes for Camden residents. Core Strategy Policy CS7 highlights the need for around 27-31,000 sq.m. of new retail floorspace in the borough by 2026.

191 Islington Council also sets out in Policy CS13 of the Core Strategy that new employment floor space is appropriately located in the CAZ, requiring a range of unit types and sizes, and that jobs and training opportunities are provided. Policy BC8(I) of the Local Plan sets out the design requirements for new business floorspace, seeking flexibility and separation from residential uses. Micro and small workspaces/retail spaces are encouraged under BC8(J), with active frontages on

major and key streets/routes. A healthy retail and service economy is sought under CS14, with local shopping areas and coherent pedestrian environments being provided. Policy DM4.1 of the Development Management DPD sets out requirements for small shop units in major housing developments with suitably worded conditions required to ensure amalgamation is prevented.

192 In terms of the office provision, the arrangement of the office building, with two separate entrances and access cores gives flexibility in the absence of an end-user at this point in time. As noted above, Camden Council accepts the absence of office accommodation in PP on the basis that it is better located on Farringdon Road, acknowledging the noise and air quality levels from traffic and the MPSO operations (through the night in particular).

193 It is noted that the Government has suggested that it intends to remove the current exemption of Central Activity Zone from the permitted development rights to convert offices to residential. Should this exemption be lifted, then there is a concern that the offices in this proposed development could convert to residential use without needing planning consent. There is a concern that this could have implications in terms of the mix and balance of uses, loss of jobs and offices and in terms of residential amenity. With this in mind, a condition is being proposed to remove such permitted development rights should there be a change in legislation regarding office conversion in the Central Activities Zone.

194 The provision of retail uses in small flexible spaces at ground floor level is appropriate in this location and would not be of a scale that would compete with other shopping frontages. Camden Council confirms in its committee report that as an undefined range of potential non-residential uses, it is considered to be appropriate to reserve a degree of control over the mixture of uses that would be delivered, with a minimum level of A1 to be established and a defined upper limit on A3 floorspace. A condition has been agreed in principle.

195 Islington Council notes that the provision of community (Class D1) is included in the scheme, but raises concerns that such uses may be priced or competed out of occupying any of the units. As such, the applicant has agreed to a restriction on the use of two of the units for D1 floor space only (184 sq.m. unit in Block K and 110 sq.m. unit in Block F), to be secured by way of condition. The Council also notes that there would be concern about certain assembly and leisure uses such as places of worship, music halls, concern halls or dance halls due to amenity impacts and any such uses should be the subject of a separate planning application. As such, a restriction on the types of D2 uses that could take place in the flexible units would be appropriate and ensure that the aspirations of the Mount Pleasant SPD in relation to community uses are carried through.

Affordable Workspace

196 As noted above, several Islington Council policies set out expectations in relation to micro and small enterprise or affordable workspace. Generally the Council seeks 20% of office floor space be secured as such, which in this case would equate to approximately 850 sq.m. The Council has to date accepted the principle of 6% provision in this instance, acknowledging the impact that a higher provision would have in terms of scheme viability and the applicant had previously identified four units within Block F that could be provided as such. The Council in reporting to Committee set out an expectation of a rental terms of years 1-5 rent free and years 6-10 at 50% of market rent, which when reporting had not been agreed by the applicant. On this basis, the absence of this agreement formed a reason for refusal by Islington Council. Since that time, there have been further discussion and section 106 negotiations regarding this point. One aspect has been that the units identified by the applicant are in fact retail units, which Islington Council has confirmed would not meet an identifiable need and is not the type of unit sought by its policies (aimed at affordable workshops and workspace).

197 On this basis, two units fronting Farringdon Road (totalling 243 sq.m.) have been identified and agreed as suitable alternative units to be secured as affordable workspaces for a period of 10 years. The applicant, together with the Council agree this, as do GLA officers. The applicant has confirmed that the proposed facility would be 'ready for occupation' and finished to a basic standard (to an amount capped at £210,000). The applicant has suggested that these be leased without premium at a peppercorn rent plus service charge/estate charge throughout their term of 10 years, the charge reflecting that of the other retail units within the development. In discussions about this point to date, Islington Council has previously expressed concern about the level of service charges that may be imposed, but having considered the size of the units, the fact that they would have differential rates to office and residential units (largely due to lack of access to lifts and basements), the applicant's proposal is considered to be reasonable and appropriate, and would be secured through the section 106 agreement.

198 Officer led discussions would continue subsequent to any resolution by the Mayor regarding the precise wording of this obligation in relation to the level of fit out and management of this space, including terms regarding the applicant's ability to hold a veto over potential occupants of the affordable workspace. A planning condition would need to be imposed in relation to this space, as the planning application and accompanying plans propose flexible A1/D1 use for this space. In order to reflect the position which has been agreed and which overcomes the Council's concerns, these units would need to be restricted to a B1 use. The Mayor has power through the imposition of a condition to secure this notwithstanding that by doing so the authorised use of those units would differ from that shown on the application plans so long as by doing so no prejudice would result. In GLA officer view, having reviewed comments made on the application and having regard to the very modest scale of the change when seen in the context of the development and to the fact that Islington Council has agreed to this mechanism as a means of overcoming what otherwise would be an objection, imposing such condition would not lead to any prejudice to any individual or organisation who has or may wish to have commented on the application. Moreover, it is not considered that the minor modification which would be achieved by this condition necessitates a request for any further environmental information or any other modification to the environmental statement. The Mayor is therefore recommended to require the imposition of a condition to achieve this result on any planning permission he may grant.

Employment and training

199 Islington Council has set out in its report to committee a requirement for 23 work placements during the construction phase of the development, lasting a minimum of 13 weeks, or a fee £5,000 per placement not provided (up to a total of £115,000) to be paid to Islington Council. A requirement that the developer/contractor pay wages (at London Living wage level), with the Council's Construction Works Team recruiting for and monitoring placements is suggested. These terms have been agreed by the Council and the applicant and would be carried forward into a section 106 agreement.

200 Camden Council notes its expectation that £55,500 be secured towards recruitment of 37 twelve month construction apprentices. In addition it would normally seek 21 x two week work placement opportunities. Whilst the latter is agreeable to the applicant, they set out that the provision of 37 twelve month placements is not workable due to the anticipated construction programme. Furthermore the suggested in-lieu payment of £285,000 has not been accounted for in the financial viability appraisal and would impact upon other financial contributions being secured. On this basis, it is offering the same methodology that is being applied for Islington's work placements. Camden has most recently suggested that it would agree to 37 apprentices or equivalent, some based on full frameworks and other on a six month framework.

201 It is considered that this aspect would benefit from further discussion between the GLA, Councils and Applicant in order to ensure that an appropriate (and achievable) level of work

placements and apprenticeships are achieved across the scheme as a whole and thereafter reflected any planning permission to be granted and/or accompanying in a planning obligation. Whilst some section 106 drafting has taken place, GLA officers recommend that the Mayor agree that an employment and training strategy should be secured through a planning obligation, or if appropriate a condition, and that delegated authority be given the Assistant Director (in consultation with the Deputy Mayor for Planning if necessary) to determine the form of this obligation or condition following further discussion with the Applicant and the Councils.

Residential use

202 The Mayor has identified through his 2011 London Plan (and 2013 Alterations), and accompanying SPGs and vision documents, the acute need for more homes to be built in London. Recent census figures reveal that London's population has grown by 12% since 2001, with an increase of approximately one million people above that which was projected. The population is also expected to grow by a further one million people up to 2020.

203 London Plan policy 3.3 identifies the pressing need for more homes in London, setting a London-wide housing delivery target of 32,210 additional homes per year up to 2021. Table 3.1: 'Annual average housing provision monitoring targets 2011 – 2021' sets out each of the boroughs minimum 10 year target and annual monitoring target for housing supply.

Conclusion

204 The principle of a residential led mixed-use redevelopment is strongly supported by both strategic and local planning policy. In accordance with policies for the CAZ, this proposal brings forward a large development site with a mixed use scheme that includes office accommodation, affordable work space, thereby catering for a range of occupiers in accordance with London Plan policy 2.10 and contributing towards the London Plan targets for job creation. The proposed development would provide much needed housing for which there is an identified and well-documented need. In considering the report at Stage 1, strong support was expressed for a residential led, mixed use development, noting that there was no strategic level protection for commercial based uses on this site. Both Councils, in reporting the applications to their respective Planning Committees, did not raise objections to the scheme in terms of land use principles or the proposed mix of uses.

Phasing and linkages

205 As set out in paragraphs 60-65 above, the scheme would come forward in three phases – comprising the enabling works, the Phoenix Place scheme and the Calthorpe Road scheme. An indicative phasing for the proposed development described as "Likely Scenario 1 – Fastest Programme Option" has been provided by the applicant to assist in understanding the reasonable timeframes for delivery of the phases. This has also been used to benchmark the financial viability appraisal.

206 The two Councils have set out that certain linkages are necessary between the two planning applications and that schemes should be brought forward only as part of the wider site proposals. They seek to ensure that adequate linkages and restrictions on commencement / occupation are secured between the two sites and regarding the occupation of private units in advance of affordable units and delivery of open space, for instance. The absence of any confirmed or agreed linkages at the time of committee reporting resulted in both Councils recommending refusal on these grounds. The Councils assert that if the sites are sold to two separate developers the absence of any linkages means that the Councils are not assured of comprehensive delivery.

207 The applicant is offering a link between the two schemes that would see no commencement of the Phoenix Place scheme until a binding contract is in place for the delivery of the Enabling works. The applicant states that any other links that for instance, requiring no occupation of residential units in Phoenix Place prior to completion of the Enabling works, as sought by the Councils, would create market risk, construction risk, and impact upon financing and return. It may make securing future development partner(s)/purchaser(s) more problematic.

208 Given the holistic viability appraisal undertaken, the Phoenix Place scheme carries some of the costs of the enabling works on the Calthorpe Street site and its viability has been impacted on by these abnormal costs. GLA officers recognise and agree with the Councils that there should be appropriate linkages secured between the two parts of the development site so as to ensure that the overall scheme is carried out in accordance with the masterplan. GLA officers would wish to avoid a situation where the Phoenix Place scheme comes forward without a commitment to undertake the enabling works at Calthorpe Street as this is a key element in the overall viability position. With the enabling costs being split across the two sites, such a scenario would result in a lower level of affordable housing being delivered at Phoenix Place than would otherwise have been the case. Additionally, the enabling works are needed to deliver key aspects of the wider masterplan, including the amenity and open spaces.

209 There have been a number of discussions at the project meetings to date regarding linkages, however this matter is considered to benefit from further discussion between the GLA, Councils and Applicant in order that a detailed scheme to secure the requisite phasing and linkages can be discussed and hopefully agreed and thereafter reflected any planning permission to be granted and/or accompanying in a planning obligation. GLA officers recommend that the Mayor agree that a phasing and linkage strategy should be secured through a planning obligation or if appropriate a condition and that delegated authority be given the Assistant Director (in consultation with the Deputy Mayor for Planning if necessary) to determine the form of this obligation or condition following discussion with the Applicant and the Council.

Housing

210 London Plan Policy 3.3 confirms the pressing need for more homes in order to promote opportunity and provide a real choice for all Londoners in ways that meet their needs at a price they can afford. Part B of this policy states that the Mayor will seek to ensure that the housing need identified in paragraphs 3.17 and 3.18 of the London Plan is met, particularly through provision consistent with at least an annual average of 32,210 net additional homes across London. The FALP increases this projection to 42,000. London Plan Table 3.1 sets a target for Islington Council to deliver a minimum of 1,170 new residential units a year until 2021. Table A4.1 sets out that of the 1,170 units, 922 net completion of conventional supply is expected. Camden has a target of a minimum of 665 homes, of which 500 are conventional supply. The FALP sets out new targets for the period to 2025 with Islington Council's annual monitoring target increasing to 1,264 homes (of which 1,023 is conventional supply²), and Camden Council's increases to 889 additional homes (743 conventional supply¹). The two Councils Core Strategy, local plans, site allocations and the Mount Pleasant SPD prioritise housing in terms of land uses, seeking delivery of a significant number of new homes in this central, accessible location order to achieve the London Plan targets.

211 The delivery of 681 new housing units on this site would be a clear benefit not only to housing delivery at the borough level, but also that of London as a whole. The 336 residential units within the Calthorpe Street site would contribute 29% to Islington Council's annual average target and 2.9% of its 10 year minimum target. The 345 units within the Phoenix Place site would

² As set out in Table 3.20 of London Strategic Housing Land Availability Assessment (SHLAA) 2013 (Average annual conventional capacity identified in the 2013 SHLAA compared to average annual conventional delivery and average annual conventional approvals).

contribute 52% towards Camden’s annual housing target, and 5.2% of its 10 year minimum target. Further details of the housing provision are discussed below. It is acknowledged that the two Councils have provided a good output of housing over the past five years in light of the recession, with Islington on track to achieve its targets, whilst Camden is falling short. However, given that the London Plan sets out the average annual housing targets for each borough until 2021 as a minimum level for delivery, the mixed use development of this site in the form proposed supports policy documents from a local to national level. No objections have been raised by the Councils regarding the level of housing being proposed.

Housing mix

212 London Plan Policy 3.8 (as altered) and the associated supplementary planning guidance promote housing choice, seek that new developments offer a range of housing choices, in terms of the mix of housing sizes and types, taking account of the housing requirements of different groups and the changing roles of different sectors, including the private rented sector, in meeting these.

213 Policy CS12 of Islington Council’s Core Strategy, paragraph 3.14 (which supports Policy DM3.1) and table 3.1 of Islington Council’s Development Management Plan Document are relevant in this instance. This sets out a high demand for 2-bed market units, and larger affordable rented units, with the highest demand for intermediate being 1-bed units. Policy BC6 of the Finsbury Local Plan looks to achieve a range of types and sizes of housing, and that 80% of (social) rented units are of 3 bedrooms or more.

214 Camden Council Core Strategy Policy CS6(k) seeks a range of self-contained homes of different sizes to meet the Council’s identified dwelling size priorities. Development Policy DP5 sets out a Dwelling Sizes Priorities Table, which identifies the different dwelling size priorities for the range of tenures. This highlights a very high demand for 2-bed market units and 4-plus bed affordable rented units in particular, with lower demand for 1-bedroom affordable rent and market units. All development is expected to provide a mix of large and small homes.

215 As a result of affordable housing negotiations (detailed below), the dwelling mix has altered since the application was submitted, and the following is now proposed:

Table 1: Calthorpe Street – Unit Summary

Unit Type	Private	% of tenure	Int	% of tenure	Affordable Rent	% of tenure	Total	Units type as % of total
Studio	0	0	0	0	0	0	0	0
1-bed	56	22%	28	54%	1	3%	85	25%
2-bed	157	62%	4	38%	28	41%	189	56%
3-bed	37	14%	0	4%	4	7%	41	12%
4-bed	5	2%	0	3%	16	48%	21	7%
Total	255		32		49		336	100%
% of total	75.9%		9.5%		14.6%			

Table 2: Phoenix Place – Unit Summary Table

Unit Type	Private	% of tenure	Int	% of tenure	Affordable Rent	% of tenure	Total	Units type as % of total
Studio	5	2%	0	0	0	0	5	2%
1-bed	71	26%	19	37.5%	0	0	89	26%
2-bed	150	58%	12	37.5%	15	31%	179	52%
3-bed	34	13%	2	25%	33	67%	68	20%
4-bed	3	1%	0		1	2%	4	1%
Total	263		33		49		345	
% of total tenure	76.2%		9.5%		14.2%			

Table 3: Overall Mount Pleasant – Unit Summary

Unit Type	Private	% of tenure	Int	% of tenure	Affordable rent	% of tenure	Total	(% of units overall)
Studio	5	1%	0	0	0	0	5	1%
1-bed	127	24%	47	72%	1	1%	174	25%
2-bed	307	60%	16	25%	43	44%	368	54%
3-bed	71	13.5%	2	3%	37	38%	109	16%
4-bed	8	1.5%	0	0	17	17%	25	4%
Total	518		65		98		681	100%
% of total by tenure	76.1%		9.5%		14.4%			

216 At Stage 1, it was set out that confirmation should be provided from the respective Council housing teams that the determined mix reflected local needs and borough housing requirements. Having reported the applications to committee, the Council officers have assessed the housing mix in their respective reports. It is noted that both assessed the schemes on the basis of a social rented rather than affordable rented accommodation as detailed above.

217 Islington Council reported that the housing mix (which remains the same as above in terms of overall unit size/mix) was broadly in line with the housing needs of the borough and was considered to be largely acceptable, with the exception of the larger social rented, where concerns were raised in relation to their affordability and an informative was included in its recommendation setting out that the provision of 13 x 4 bedroom social rented units would be undesirable in terms of affordability. The applicant was asked to alter the mix to reduce the number of 4-bed social rented units and increase the number of 3-beds.

218 Since then, there has been a change to the tenure and an overall increase in affordable units, which has resulted in an increase in the number of affordable units, including the number of 4-bed units. However, as set out below, the rent levels are set at an average of 44% of full market

rent level (including service charges) in order to assure affordability for when units are passed on to any Registered Providers. On this basis, the provision of four-bed units in the affordable rented sector would be welcomed in terms of meeting housing needs of larger families.

219 It is noted that the Phoenix Place scheme mix set out in Table 2 differs slightly to that reported by Camden Council with reference to provision in terms of the mix (the officer report assesses 5 x studio, 91 x 1 bed, 176 x 2 bed, 69 x 3 bed, 4 x 4 bed). Camden Council noted concerns regarding the mix within the social rent and intermediate tenures and that the affordable housing tenure as proposed at that time was contrary to Policy CS6 and DP5 but did not cite this as a “reason for refusal” in its final recommendation.

220 In terms of the overall housing mix, as set out in Table 3, the scheme proposes a range of unit sizes, with 20% comprising 3-bed plus units. Of the affordable rented units, 55% would be 3-bed plus and of the market units, the largest allocation would be 2-bed, as expected by both Council’s policies. The applicant has provided justification in relation to affordability issues around the larger intermediate units (as detailed below) to address concerns raised by Islington Council. The applicant has also sought to address each of the borough’s individual housing needs by providing more intermediate 3-bed units in PP scheme than CS scheme, for instance, and no studios being provided in CS scheme (where Islington states it does not have an identified need). Having considered the above, and the viability position set out within the affordable housing section below, GLA officers are content that the proposed housing mix accords with the key objectives of London Plan policies 3.8 and 3.11, together with borough policies DM3.1 and DP5, and meets an identified housing need.

Affordable housing and financial viability

221 The London Plan affordable housing policies as revised by the 2013 Alterations, state under Policy 3.11 that the Mayor will, and boroughs and other relevant agencies and partners should, seek to maximise affordable housing provision and ensure an average of at least 13,200 more affordable homes per year in London over the term of this Plan. In order to give impetus to a strong and diverse intermediate housing sector, 60% of the affordable housing provision should be for social and affordable rent and 40% for intermediate rent or sale. Priority should be accorded to provision of affordable family housing.

222 London Plan Policy 3.12, as revised, requires that the maximum reasonable amount of affordable housing should be sought when negotiating on individual private residential and mixed use schemes. Negotiations on sites should take account of their individual circumstances including development viability, resources available from registered providers (including public subsidy), the implications of phased development including provisions for re-appraising the viability of schemes prior to implementation (‘contingent obligations’), and other scheme requirements. The NPPF is also relevant, stating under paragraph 173 that to ensure viability, the costs affordable housing, standards, infrastructure contributions should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing developer so as to ensure the development is deliverable.

223 Under Policy 3.12 it is set out in paragraph 3.71, that in *“estimating provision from private residential or mixed use developments, boroughs should take into account economic viability and the most effective use of private and public investment, including the use of developer contributions. Boroughs should evaluate these appraisals rigorously, drawing on the GLA development control toolkit and other independent assessments which take account of the individual circumstances of a site, the availability of public subsidy and other scheme requirements. Boroughs are encouraged to review and bring forward surplus land in their ownership to maximise their contribution to affordable housing provision, including the provision of land to registered providers on a nil cost or discounted basis.”*

224 Policy CS12 of Islington Council's Core Strategy is also relevant. It seeks 50% of all new housing built in the borough to be affordable. In relation to individual sites it seeks the maximum reasonable amount of affordable housing, especially social rented housing, taking into account the overall borough wide strategic target. Islington Council expect that many sites will deliver at least 50% of units as affordable, subject to a financial viability assessment, the availability of public subsidy and individual circumstance on site.

225 Camden Council sets out its affordable housing policy under CS6 of the Core Strategy. This seeks ensure that 50% of the borough-wide target for additional self-contained homes is provided as affordable housing. In accordance with the London Plan, the borough seeks to negotiate a contribution based the maximum reasonable amount of affordable housing under the specific circumstances of the site, including the financial viability of the development. The affordable housing target of 50% is based on the total addition to housing floorspace. The tenure split sets out a guideline of 60% social rented housing and 40% intermediate affordable housing.

Stage 1 reporting

226 When the Mayor considered the application at Stage 1, it was noted that the applicant had developed the scheme and based its assessment on an indicative affordable housing offer comprising approximately 20% affordable housing (132 affordable units made up of 77 social rented and 55 shared ownership units). At that point it still needed to be demonstrated that the maximum reasonable amount was being proposed through independent analysis of the applicant's confidential financial viability appraisal (Gerald Eve Viability Report) that was submitted with the application and that further clarification and finalisation of the offer being required before the application was reported back at Stage 2. It was also noted that the appropriateness or otherwise of a review mechanism also required further discussion. The applicant made clear that the affordable housing offer was subject to on-going viability discussions and subject to change.

227 Prior to the application being submitted, it is noted that viability appraisal work had commenced and the two Councils had jointly appointed DVS, an arm of the Valuation Office Agency to undertake the necessary independent assessment of the applicant's financial viability appraisal. Discussions between them, the two Councils and applicant's financial advisor, Gerald Eve were on-going, and issues around site value, development costs and sales values in particular were raised as points of contention that required resolution. The methodological approach the applicant has adopted for the value of the site was of particular concern to the two Councils. The applicant has used RICS Guidance Note definition of Site Value, whereas Islington Council's preference is that an alternative approach is adopted (using Existing Use Value plus premium).

228 On this point, the Housing SPG notes under paragraph 4.2.23 that *"there are a range of valuation methodologies that can be used to assess viability in particular cases, and the usefulness and robustness of a particular approach in providing a basis for informed decision making is the key criterion for deciding which to use in each case"*. As such, rather than commenting on the merits or otherwise of the different approaches, from the perspective of the London Plan and the Mayor's Stage 1 consideration, it needed to be demonstrated that the provision of affordable housing was being maximised and that a logical, transparent and accurate assessment of inputs and outputs for the development was being made.

Post Stage 1/pre Mayoral take over

229 In order to move the scheme along and reach a satisfactory conclusion on affordable housing and viability, further dialogue and information exchanges between the applicant and the two Councils took place (and where appropriate, GLA officers) following the Stage 1 consideration. It was during this time that the Councils had appointed a second viability consultant, BPS to supplement the initial work undertaken by DVS. Both Councils continued to express their concern

regarding the approach taken by the applicant to land value, which they considered failed to correctly apply affordable housing policy. In turn, they raised concern with the DVS initial conclusions provided in September 2014, again about application of policy, market land transactions and a range of other issues. BPS were appointed to investigate and report on outstanding issues of concern to the Councils, that they considered had not been adequately addressed by DVS.

230 During this period, the applicant formalised its affordable housing offer (dated 1 October 2013). This set out that the submitted planning scheme with 20% affordable housing resulted in a 10.4% Internal Rate of Return³, whilst a target IRR of 20% had been included within the Gerald Eve Viability Report. The applicant therefore advised that with an IRR of 18% (i.e. below the target of 20%), the scheme could afford approximately 12% affordable housing and not the 20% set out in the application documents. The applicant also analysed the effect on the financial model, if the social rented product was substituted with an affordable rented product. The result of this analysis suggests that applying an affordable rent model, at a blended rent of 60% of Full Market Rental Value (FMRV) and maintaining an IRR of 18%, the scheme would be able to afford 16.3% affordable housing.

231 In relation to the move from social rent and affordable rent, this results in an increase in provision because affordable rent generates higher rent levels. Social rent has guideline target rents determined through the national rent regime. Affordable rent is subject to rent controls that require a rent of no more than 80% of the local market rent (including service charges). Hence more affordable housing can be provided through the affordable rent model as it generates more income. In this case the applicant has driven down affordable rent levels to below 60% of full market rent – higher than target rent but lower than the 80% cap.

232 Therefore, based on this analysis, the applicant was offering two options: either 71 affordable units (39 social /32 intermediate) for each site, equating to 12% based on habitable rooms for Islington and 12% net internal area for Camden; or alternatively 111 affordable units (74 affordable rent / 37 intermediate) based on units using the 60% of FMRV assumptions. It is these scenarios on which the two Councils made their conclusions in reporting the applications to their planning committees some months later, and which was the offer at the time the Mayor decided to take over the applications.

233 Both Councils, in their report to respective planning committees cite a reason for refusal, stating that the scheme fails to provide the maximum reasonable amount of affordable housing, taking into account the individual circumstances including development viability, the availability of public subsidy and the implications of phased development, noting the absence of a review mechanism being secured for later phases.

234 Islington Council goes on to state that the applicant's viability assessment does not optimise overall viability and has the effect of suppressing the level of affordable housing provision that can be delivered. Reference is made to residential sales data being historic, the negative impact of the suggested delivery impacts on cash flow, the high site value and a failure to apply Islington's affordable housing policy in the way it expects.

Post take over – current offer and scrutiny of the applicant's viability position

235 When considering the scheme at Stage 2, and making a decision to take over the applications, it was noted that the final affordable housing provision was still to be confirmed due

³ The rate of interest (expressed as a percentage) at which all future cash flows (positive and negative) must be discounted in order that the net present value of those cash flows, including the initial investment, should be equal to zero. It is found by trial and error by applying present values at different rates of interest in turn to the net cash flow. It is sometimes called the discounted cash flow rate of return. In development financial viability appraisals the IRR is commonly, although not always, calculated on a without-finance basis as a total project IRR (source: RICS Guidance).

to on-going viability testing that was taking place. The Mayor was not charged with making a decision regarding the affordable housing offer and in considering the decision to take over the applications, it was confirmed that it still needed to be demonstrated that the maximum reasonable amount was being secured, in accordance with London Plan Policy 3.12 in particular.

236 In their subsequent reporting to their respective committees, the two Councils reported the schemes on the basis of the October 2013 affordable housing offer of 10.4% (based on units) or 11.9% (based on habitable rooms) with a split of 55% social rent and 35% shared ownership (based on units). Both raised objections to the schemes on the basis of the affordable housing offer.

237 Given the degree of disagreement between the Councils' consultant and the applicant over various aspects of the viability information and the apparent impasse that had been reached, GLA officers commissioned the services of another viability consultant, GVA to undertake an independent assessment of the applicant's financial viability appraisal, also drawing on the analysis undertaken by the two consultants commissioned by the Councils to date. As noted previously, key issues over which there was disagreement include assumptions used in the applicant's toolkit, sales values and growth, land value, build costs and required profit levels.

238 The GLA's viability consultant was asked to provide a commentary on the following points:

- Is the Applicant's Site Value benchmark reasonable?
- Do the proposed residential revenue assumptions (sales values as at today) appear reasonable?
- Do the proposed residential growth rates adopted by the applicant over the scheme lifetime appear reasonable?
- Does the proposed development timeline and phasing strategy appear reasonable for delivery of a financially viable scheme?
- Does the Applicant's outturn position having regard to both a present day and growth basis in terms of the maximum reasonable level of affordable housing appear reasonable?
- What mechanisms are required for securing the maximum reasonable amount of affordable housing from the scheme given the intention to sell the site on, and in light of the phasing and linkages between the two sites?

239 As a result of this analysis and discussions with the applicant, GLA officers and the Councils' consultants, with whom the questions were shared, GVA provided initial comments on a number of the applicant's assumptions. This included site value, private residential sales, growth rates and the development timeline and phasing strategy. The applicant was requested to review its viability appraisal taking into account the GLA consultant's suggested revised figures around sales values, growth rates, and timing of land payments in particular. The adoption of Islington Council's CIL charging schedule on 1 September 2014 also needed to be considered, whereby an additional amount of approximately £5 million would have to be accounted for.

240 Following a review of these points by the applicant, which involved adjustments being made to its FVA, by moving up sales and growth rates, a revised affordable offer was put forward in June 2014. This offer comprised a total of 166 units, which equated to 24.4% by unit with an IRR of 20%, thereby meeting the target rate of return. In the pre-CIL offer the mix would have comprised 60% affordable rent and 40% intermediate units. In the post-CIL scenario, discounted market sale units (DMS) were suggested, changing the split to 35% affordable rent, 41% intermediate and 24% DMS but maintaining the overall quantum of units (166).

241 GLA officers, together with the two Councils, advised the applicant at this time that DMS units would be an undesirable product in this location due to the likely sales values of flats and that they would not deliver genuinely affordable homes to Londoners. The applicant consequently

presented a further affordable housing offer (dated 7 July 2014), again comprising a ‘with’ and ‘without’ Islington CIL outcome. Again the headline 166 affordable units would be maintained in both scenarios however the ‘with-CIL’ offer would have altered the tenure split, resulting in the provision of 35% affordable rent and 65% intermediate. Were CIL not to be applied, the applicant would have provided the same amount of affordable housing, but would instead have “flipped” the tenure and provided 59% affordable rent and 41% intermediate. The rent levels for the affordable rent would also have moved – from an average 40% of full market rent values in pre-CIL to 48% post-CIL.

242 The GLA consultant in forming view on viability (which was based on 166 affordable units with a 60:40 split) has reviewed a number of inputs including: residential market values; house price forecasts (growth rates); benchmark site value (including existing use value, sale and leaseback, land sale comparables and a policy compliant valuation); and the development timetable and phasing strategy. The consultant has scrutinised the applicant’s information, assessed work undertaken by the Councils’ consultant(s) and established a series of their own assumptions. This has also drawn on their own experience of working on schemes across London. As a result of this review, some of the initial concerns raised in May have fallen away. Other points have been carried through and the applicant has been asked to prepare revised updated appraisals based on these revised assumptions.

243 In answering the set of questions set out in paragraph 231 above, the GLA consultant has concluded that the overall provision of 166 affordable units represents the maximum reasonably viable based on both current values and costs and on projected values and costs. The consultant concurs that review mechanisms are also appropriate (detailed below).

244 With Islington’s CIL now in place (as at 1 September 2014), as well as having undertaken further scrutiny of the rent levels as a result of queries from the two Councils, the total CIL payment that would be due (reduced by £1.2m) and the final conclusions of the GLA viability consultant, the applicant has subsequently set out a range of tenure splits that could be delivered based on a sliding scale of overall delivery. GLA officers have concluded that the scenario that delivers 60% affordable housing and 40% shared ownership would be appropriate in terms of policy compliance.

245 This scenario that would see a reduction in the overall number of affordable units by 3 from the previous offer, but a change to the tenure split to provide 60% affordable rent and 40% shared ownership. The affordable rent discount that would be the basis of any future agreement with a Registered Provider would be an average of 44% (including service charges). This revised offer has been agreed by officers as representing the maximum reasonable amount of affordable housing that can be provided. Any further comments from the GLA consultant regarding the revised offer of 163 affordable units (split 60:40) that arises from the application of Islington CIL will be reported verbally to the Mayor.

246 To summarise, the current offer (dated 17 September 2014) before the Mayor comprises the following:

Affordable units	Calthorpe Street	Phoenix Place	Total
Intermediate	32	33	65
Affordable rent	49	49	98
% of totals	24.1%	23.6%	23.9%
% of totals by habitable room	24.2%	25.9%	25%

% of totals by Floorspace (NSA)	22.1%	24.4%	23.2%
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Table 4: Affordable Housing breakdown

247 Having considered the information submitted by the applicant and reviewed by the GLA consultant, officers are satisfied that the above affordable housing offer represents the maximum reasonable amount of affordable housing, taking into the individual circumstances of the site and the need to encourage rather than restrain residential development. As stated above, the GLA consultant has concluded that this is the maximum reasonably viable amount of affordable housing that can be achieved. On this basis, it has been established that the scheme is delivering the maximum reasonable amount of affordable housing, in accordance with London Plan policy 3.12. This also accords with both Councils' Core Strategies which also set out that the maximum reasonable amount of affordable housing is expected, subject to financial viability assessment. This is also in accordance with the NPPF which sets out that development should provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable.

248 The details of the affordable housing would be secured in any section 106 agreement, should permission be granted. This would include details of affordable housing definitions, fit out, transfer/lease to a Registered Provider, the income thresholds for the intermediate accommodation, and the retention of the affordable units at the proposed rent levels in perpetuity, for instance.

Islington and Camden Council position

249 The two Councils have raised significant concerns around the credibility of the applicant's position on affordable housing to date. A position note dated 16 September 2014 has been prepared, reiterating concerns raised in meetings and correspondence to dated, both prior to and subsequent to the Mayor taking over the applications. They consider that the maximum reasonable amount of affordable housing has not been secured, and that significantly more than 24.4% affordable housing could be delivered in in this scheme. They suggest that between 30% and 42% affordable housing with a policy compliant tenure split could be viably achieved, a figure established by their own viability consultant's assessment.

250 These conclusions are largely based around the view that the applicant has underestimated current residential sales values, residential growth rates and have overestimated site value. The apportionment of enabling works allocated to the proposed development rather than to existing MPSO operations is also questioned. The key issues raised with the information that the applicant is using to establish its affordable housing position are around: base land value; the development programme (particularly timing of land payments); sales values and forecast growth; growth; excessive enabling costs; and the absence of evidence supporting the suggested affordable housing values (rent levels, service charges, capital value). The report has been made available to the Mayor.

251 Overall, the Councils and their consultant are critical of the process and approach taken by the applicant in relation to financial viability, modelling, inputs and the detail that has been provided to the Councils and GLA in relation to this, particularly updated development appraisal. This is in the absence of access to the bespoke model prepared by the applicant's consultant being made available to parties. The suggested tenure split and affordability of the units in this location is also of concern. Questions are also raised around transparency and the level of interrogation undertaken by GLA officers and their consultant.

252 As it currently stands, the Councils consider that any recommendation to approve the scheme would be contrary to policy and national guidance and the Mayor would be in breach of his

statutory duties based on the degree of substantive issues that remain disputed, gaps in information and justification in relation to affordable housing, viability, review mechanisms and linkages. On this basis, they have asked that the Mayor's decision be deferred until such a time as they are resolved. GLA officers are satisfied that the issues raised have been sufficiently dealt with as a result of the series of meetings held to date, or can be suitably addressed through discussion at the hearing and/or imposition of appropriately worded conditions or section 106 obligations as set out in the report. Taking the key points raised in their position statement, the following is noted:

253 Applicant's FVA: The Councils' consultant is critical of the approach being taken by the applicant in relation to the development viability assessment process, and that it is fundamentally flawed, and based on an approach that is contrary to National Planning Practice Guidance. In response, as noted in the Mayor's Housing SPG, it makes reference to the Affordable Housing Development Control Toolkit (Three Dragons) but notes that other financial appraisal methodologies may be applicable, such as Argus Developer or HCA Development Appraisal Tool, especially in the case of longer term and phased developments. The key issue is that *"to ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable."* The Housing SPG confirms that either 'Market Value or 'Existing Use Value plus' based approaches can address this requirement; their appropriate application depends on specific circumstances. The applicant's toolkit does this, and GLA officers are satisfied that it is an appropriate toolkit to use in the circumstances of this proposed development. The GLA consultant has not challenged the methodology used.

254 Site value: Neither the applicant or the Councils have placed a reliance on Existing Use Value nor this is not contended. The Councils do however, consider that at 200% above Existing Use Value, the Base Land Value used by the applicant and level of return far exceeds typical inputs and prioritises landowner payments at the expense of affordable housing. They claim that as RMG (the applicant) own the site, and there would be no extinguishment of the existing use (as would normally be the case when ensuring that land value provides a return greater than existing use value), that this in effect is returned to the applicant as an additional financial benefit. The Councils consider that the enabling costs should be taken off the Existing Use Value because enabling works preserve the operation of the MSPO, by virtue of the capping over of operations and that the bulk of this cost should be aimed at preserving the existing use, not facilitating a residential development.

255 In response, the GLA consultant's has challenged the suggested Base Land Value assumptions of the applicant and the impact of a sale and leaseback valuation that it has applied. The GLA consultant observes that it is open to debate as to what discount a purchaser might make to take into account these enabling costs (noting that many sites give rise to some such cost) and/or to reflect a potential extended timetable for the scheme in the light of the enabling works and has not suggested that the enabling costs be discounted from the Base Land Value, contrary to the Councils view. Based on other land sales around London, the GLA consultant has suggested a Base Land Value that is 11% lower than the applicant's assumption. This is somewhat higher than the benchmark that the Councils consultant considers to be appropriate. In conclusion, the adjusted Base Land Value suggested by the GLA consultant is considered to a reasonable site value benchmark for assessing the scheme. GLA officers are satisfied that it is appropriate and reasonable to rely on the conclusions given by the Mayor's own consultants in respect of this point.

256 Affordable housing values: Detailed comments are made about the affordable housing assumptions and values that have been made by the applicant in support of their offer, such that it cannot be demonstrated that it achieves the maximum reasonable amount of affordable housing.

257 In response, GLA officers note that as this scheme would move forward with a house builder and a registered provider (RPs), many of the detailed points around affordability would be matters to be agreed through any future contract entered into over the delivery of the units. The GLA consultant has reviewed the assumptions by the applicant, and concludes that the price per square foot for the affordable housing is reasonable and that a reasonable forecast of sales, rents and costs is set out.

258 Development Programme: The two Councils have continued to raise concerns about the suggested timetable for delivery and that as set out by the applicant, represents an undue delay and artificially exacerbates the period of negative cashflow. Concerns are raised about the assumptions that there would be a lump sum rather than staged payments by a future purchaser and that a different cashflow programme could result in more affordable housing being delivered.

259 In response, the GLA consultant has reviewed the development timetable and phasing strategy in detail as part of their analysis, has sought revised modelling, and noted that whilst it is possible to conceive a faster delivery rate than that adopted, this does hinge on there being no delay to the enabling works, which would be outside of the control of the developer. For this reason, the GLA consultant concludes that the applicant's timetable represents a reasonable programme, and that any change in circumstances can be addressed through the mid-point review mechanism.

260 Application of CIL: Islington Council's CIL now applies to the CS development, at a cost of just over £5.3 million. The applicant has added this as a "cost" to the development, that has a negative impact upon the level/type of affordable housing being proposed and this has been accepted by the GLA consultant. The Councils contend that the implications of CIL should fall on land value and be factored in to the future sale price of the site. Reference is made to the NPPG, which states that "land or site value should reflect policy requirements and planning obligations and, where applicable, any Community Infrastructure Levy Charge".

261 During the consideration of both Islington's CIL and the Mayoral CIL, it has generally been agreed by parties that there will be a short term impact upon scheme viability as developers take time to adjust to this additional burden. This is also acknowledging that the viability analysis for this development had been drawn up prior to submission of Islington's draft charging schedule to the Planning Inspectorate and the Mayor took it over prior to the Inspector issuing his report. It is unreasonable to expect the market to act so quickly to changing circumstances, with the date of the hearing less than 7 months since the Inspector's report was released and just over a month since it was adopted (the adoption date being confirmed in June 2014). Furthermore, the GLA consultant also notes that as the consultant to Camden Council in relation to its CIL adoption where he has advised that a figure of £150 per sq.m., is appropriate for this location, he is of the view that Islington's CIL is high and that this would invariably have a burden upon viability.

262 IRR/Profit: Another point that the Councils have raised is around the assumed target profit level that the applicant has adopted. The Councils have noted that the applicant had considered an 18% IRR to be tolerable when earlier viability review analysis was taking place and are of the opinion that this is the figure that should be adopted now. Effectively in doing so, it would secure the additional affordable housing that the Councils suggest can be achieved in this proposed development.

263 To confirm the applicant has always made clear that the target project IRR for this scheme should be 20% in recognition of the development pipeline, complexity of the scheme, cost of funding and financing and inclusion of growth forecasts to secure the level of affordable housing proposed. A 20% IRR reflects the growth rates adopted in the FVA. The GLA consultant was not asked to provide a view on this point. Rather GLA officers have taken a view based on comparable

schemes (as suggested in the NPPG a rigid approach to assumed profit levels should be avoided and comparable schemes or data sources reflected wherever possible).

264 As the strategic authority, the GLA have sight of a large amount of schemes where viability is in question, and an IRR of 20% on a scheme of this scale and nature is deemed reasonable, and a level that would incentivise development to proceed. More recently the Secretary of State accepted that at the Shell Centre, located on the South Bank, which proposes a similar number of residential units in a series of blocks, with similar sales forecasting, an IRR of 20% would be appropriate.

265 Comments on GVA conclusions: In relation to the GLA consultant's findings, the Councils' consultant has set out their concerns about the changes in position on a number of points that has occurred between the initial views of May 2014 and the finalised report of August 2014. This is around: growth rates; conclusions on site/land value (more than 200% above Existing Use Value); views regarding the impact of CIL; conclusions on programme and timing of land payments; conclusions on sales values; the apportionment of enabling costs; profit levels; and relevance of a sale and leaseback.

266 A meeting has been held between the parties to discuss these concerns and the GLA consultant maintains their position in relation to conclusions around viability and that the scheme cannot reasonably deliver more affordable units based on the information they have assessed. On certain issues where there were initial comments and concerns raised, the GLA consultant notes that having reflected on other schemes, discussed the points with the various consultants involved, certain concerns raised initially have fallen away and GLA officers are content that the final report is a reasonable assessment of the schemes financial viability.

Review mechanism

267 Noting that this scheme comprises two planning applications, to be built out in phases, the requirement for a review mechanism has been a consideration during the financial viability review process. This is acknowledging Policy 3.12, as stated above, and the following paragraph 3.75, which confirms that viability re-appraisals may be used to ensure that maximum public benefit is secured over the period of development, and that account needs to be taken of economic uncertainties and in respect of schemes presently anticipated to deliver lower levels of affordable housing. Paragraph 4.4.42 of the Mayor of London's Housing SPG (2012), goes on to states that where schemes are built out in phases, "*consideration should be given to a re-appraisal mechanism which specifies the scope of a review of viability for each phase*". In terms of general principles, a review mechanism sets out requirements to re-evaluate the viability of a scheme at a certain point in time or in phases, refreshing and updating inputs and assumptions that are relevant at that time. If a scheme is more financially viable than when approved then the review mechanism would normally trigger the provision of additional affordable housing, either on site, off site or in the form of financial contributions towards affordable housing elsewhere.

268 The lack of commitment to a phased review was cited by Islington Council as one of its reasons for recommending refusal of the application and is detailed below:

"In the absence of an agreed mechanism for the future review of the financial viability of the proposal, the applicant has failed to demonstrate that the proposal will provide the maximum reasonable amount of affordable housing taking into account of the borough wide strategic target. The proposal is contrary to Policy 3.12 of the London Plan 2011, and Policy CS12 of the Islington Core Strategy 2011"

269 The GLA consultant in assessing the applicant's financial viability appraisal notes that two opportunities for review have been discussed with the applicant - the first review would take place

if the enabling works have not been substantially implemented within 3 years of the grant of planning consent. The second review would be conducted prior to the implementation of the last two stages of residential development, whether it be the development of Phoenix Place (Phases 1 & 2) or of Calthorpe Street (Phases 4 & 5). The GLA consultant confirms that this arrangement provides the Councils with a reasonable and appropriate opportunity to obtain additional affordable housing should the timetable for development be delayed and/or the viability of the scheme materially improve.

270 To date there has been some discussion regarding how the proposed review mechanisms should be formulated. The applicant suggests that a pre-commencement condition is triggered on the substantial completion of the enabling works i.e. if these are not completed within 3 years, a viability review is required. In this respect, a construction methodology and phasing plan has been submitted for this "Phase 3" Enabling Works. This sets out three stages – the first comprising piling in the undercroft and converting the Letter Office Building (MPSO) basement, the second comprising moving vehicles in to the Letter Office Building basement, widening the North Road and constructing the ramp structure, and the third involving the construction of the acoustic roof and covering of the "Bathtub".

271 It is noted that the boroughs consider that the pre-implementation review trigger should be if the first residential phase is not substantially implemented within six months of any planning permission being granted. They do not agree that it should be linked to implementation of the enabling works and that it would "fall away" once this achieved. It is acknowledged that pre-implementation reviews are intended as an incentive to deliver housing and to discourage stalling of development however conversely, given the complexity of the enabling works and build out programme, a six month timeframe would not be achievable for this scheme. As noted above, the GLA viability consultant has advised that, subject to detailed wording, the imposition of a review mechanism if the enabling works have not been implemented within 3 years of the grant of planning permission is acceptable. Having regard to that advice and to all the other information in respect of this issue (including that produced by the Councils), a review mechanism tied to the enabling works is considered by officers to be reasonable in relation to triggering a pre-commencement review mechanism.

272 The applicant has set out that 'Substantial Implementation' for the purposes of the pre-commencement review mechanisms would involve creating substructure basement and piling for the residential element (Plot C2) above. Officers agree that this provides a suitable trigger for a review mechanism and that if these works are completed within three years then an updated viability appraisal would not need to be submitted.

273 In relation to a mid-point review, all parties are in agreement with the principle of this and that it would be undertaken as a matter of course prior to the implementation of the final two sections of development (whether they be Phoenix Place or Calthorpe Street).

274 It is noted that there are specific and technical details of the review mechanisms that have been discussed to date at the project meetings between the applicant, GLA officers and Council officers and consultant. This includes details of when the uplift is triggered (the IRR rate and site value assumptions), how this is divided between the boroughs and the applicant, what the "cap" would be and how any additional affordable contribution would come forward in terms of delivery of additional units. There are also other cascade mechanisms that might also be usefully included if grant funding or New Homes Bonus becomes available, for instance.

275 As is standard procedure for planning committees making resolutions on planning applications, the precise wording of such planning obligations are generally reserved for consideration as part of any section 106 negotiation subsequent to any approval, and this has been the practice for other call-in applications determined by the Mayor. Officers are therefore

suggesting that this aspect of the scheme is not debated or resolved at the hearing, and is delegated to the Assistant Director (or Deputy Mayor, if deemed appropriate) to agree the precise wording of the review mechanisms and indeed other details, aspects and drafting of the obligation. Needless to say, review mechanisms that are effective and equitable and ensure the maximum reasonable amount of affordable housing over the life of the development would be assured.

Conclusions

276 In conclusion on matters relating to review mechanisms, officers are entirely satisfied that these review mechanisms are required to ensure that a maximum level of affordable housing is secured over the lifetime of the development. Review mechanisms are effective, equitable and entirely conventional means to secure this objective. The details as to how these review mechanisms are expressed is a matter which requires further discussion between the GLA, the Councils and the Applicant. The Mayor is therefore recommended to resolve to grant planning permission subject to a planning obligation that provides for a review mechanism with the detail of which to be subject to discussion and ultimately determination by the Assistant Director of Planning (and Deputy Mayor for Planning if deemed appropriate).

277 In terms of the overall affordable housing offer, based on current values and costs, and on projected values and costs, the scheme is considered to deliver the maximum reasonable amount of affordable housing. The current offer is not reliant on grant funding and provides for a range of rent levels within the affordable rented tenure, and differing levels of equity for the intermediate accommodation, to be passed on to a Registered Provider in due course. On this basis, the applicant has satisfactorily demonstrated compliance with London Plan Policy 3.12, Policy CS12 of Islington Council's Core Strategy and Policy CS6 of Camden's Core Strategy .

Affordable housing tenure split

278 London Plan Policy 3.9 seeks to promote communities that are mixed and balanced in terms of tenure, and ensure that large scale developments foster social diversity, redress social exclusion and strengthen communities. To assist with the delivery of these objectives London Plan Policy 3.11 seeks a strategic tenure split of 60% social/affordable rent and 40% Intermediate. Islington Core Strategy Policy reinforces these principles, whilst applying a respective borough-wide tenure split of 70%/30%. Camden Council sets out under Core Strategy Policy CS6 sets guidelines of 60% social rented and 40% intermediate affordable housing for negotiations on the nature of affordable housing on individual schemes.

279 As set out within table 4 above, the applicant's updated offer provides a tenure split of 60% affordable rent and 40% intermediate units, with the affordable rent level being a blended rate at an average of 44% of market rent. This accords with the strategic tenure splits sought in the London Plan and also that set out in Camden Council's Core Strategy. Whilst this does not comply with Islington's expectations of 70:30, having considered the local context, GLA officers are satisfied that the proposed tenure split delivers ensures the delivery of the maximum reasonable amount of affordable housing, and given the numbers that are proposed would continue to support the creation of a balanced community in accordance with the associated aims of local and regional policy. This is also taking into account 2011 Census Data, which indicates that in both Holborn and Covent Garden Ward and Clerkenwell Ward where the sites are located, there is at least 42% social rented accommodation at present, above the London average of 24%.

280 As can be seen in Tables 1 to 3, a range of unit sizes and rent levels would be secured for the affordable rented tenure, and a range of unit sizes proposed for the intermediate housing, that would fall within the income eligibility threshold (upper limit of £74,000). As set out above, the affordable rent units have been benchmarked against an average of 44% of FMRV, in order to ensure affordability when delivered by a subsequent Registered Provider. The tenure split and unit

sizes as proposed would deliver a range of affordable homes to Londoners for renting and providing a mix of tenures to meet local needs, in accordance with London Plan and the two Councils affordable housing policies.

Density

281 London Plan Policy 3.4 requires development to optimise housing output for different locations taking into account local context and character, the design principles in Chapter 7 and public transport capacity. Policy CS12 of Islington Council's Core Strategy, paragraph 3.2 of Islington Council's Development Management Policies, and Camden Council's Core Strategy Policy CS1 require development to follow the densities in the London Plan; acknowledging that high density development is needed to accommodate the projected population growth in the borough.

282 Table 3.2 within the London Plan provides net residential density ranges to guide development. The public transport accessibility level (PTAL) of the site ranges from 5 to 6b, (6b being the highest on the density range). The site lies in a 'Central' setting, as defined by the London Plan. Table 3.2 of the London Plan sets out a range of 650 – 1,100 habitable rooms per hectare (hr/ha) which, depending on the number of habitable rooms per dwelling equates to a range of 140 to 405 units per hectare.

283 At Stage 1, it was reported that a density of between 469 hr/ha (for the CS site) and 822 hr/ha (for the PP site) was proposed. Having reviewed this point, taking account of the non-residential uses, including the office area, areas of public highway, using a net residential area for the CS site, the density is actually closer to 740 hr/ha. For the PP site, using a net site area that discounts the areas of public highway, the density rises to 1,077 hr/ha. As such, the average density is closer to 900 hr/ha, which still falls within the density range in the London Plan.

284 When considering the PP scheme alone, this is at the upper end of the range, but as noted in the supporting text to Policy CS1 notes *'the Council will expect densities towards the higher end of the appropriate density range in the matrix unless it can be demonstrated that the specific circumstances of a development mean this is not appropriate.'* (para 1.23). In relation to the CS site, this is kept lower by virtue of the amount of public realm and the extent of The Meadow (4,910 sq.m.), above the servicing yard, which is included within the site boundaries. Some objectors consider that including The Meadow in the site boundary distorts the density of the scheme, however even were it discounted from the net residential area, the density for the CS site would be approximately 900 hr/ha and still fall within the range set out in the London Plan.

285 Overall, in the context of the Central London location, the surrounding urban grain and constraints imposed by strategic views, and the high quality of the design and residential quality, the density levels are acceptable in this instance, with no objections raised by the Councils in relation to the density proposed for the scheme.

Urban design, heritage and views

286 The NPPF (at paragraph 56) states that good design is a key aspect of sustainable development and is indivisible from good planning. Paragraph 63 states that, in determining applications, great weight should be given to outstanding designs which help raise the standard of design more generally in the area. In achieving the Mayor's vision and objectives relating to neighbourhoods and architecture, Chapter 7 of the London Plan sets out a series of policies about the places and spaces in which Londoners live, work and visit. Policy 7.1 sets some overarching design principles for development in London, Other relevant design policies in this chapter include specific design requirements relating to: inclusive design (Policy 7.2); designing out crime (Policy 7.3); local character (Policy 7.4); public realm (Policy 7.5); architecture (Policy 7.6); tall and large

scale buildings (Policy 7.7); heritage assets (Policy 7.8); heritage-led regeneration (Policy 7.9); World Heritage Sites (Policy 7.10); and strategic views (policies 7.11 and 7.12). These are discussed more specifically below.

287 In relation to local policies, CS9 of Islington's Core Strategy sets out a number of criteria in relation to architecture and urban design, whilst Policy CS7 refers to specific design elements important to Bunhill and Clerkenwell. Chapter 2 of Islington Council's Development Management Document includes borough policies in relation to design, inclusive design and heritage whilst Policy BC6 and site allocation BC45 within the Finsbury Local Plan set out more specific key design objectives for the site. BC9 sets out local criteria for tall buildings, confirming that this particular site is not suitable for buildings over 30 metres. Design Guidance for the Rosebery Avenue, New River and Clerkenwell Green Conservation Areas is set out in Islington's Conservation Area Design Guidance (CDAG) documents.

288 Camden Council Core Strategy Policy CS14 sets out criteria for high quality places and conserving heritage, with more detailed policies set out in the Development Policies DPD (DP24 and DP25). Camden's Planning Guidance SPG, sets out a range of assessment criteria for tall buildings. Design Guidance for the Bloomsbury and Hatton Garden Conservation Areas is set out in the Bloomsbury Conservation Area Appraisal and Management Strategy and the Hatton Garden Conservation Area Statement.

289 The Mount Pleasant SPD carries through the design aims and objectives within in the above policies, setting a number of design based objectives adopted by the two Councils. These include:

- Create a new neighbourhood with a clear network of streets, open spaces and buildings each with their own character;
- Integrate the new neighbourhood into the local area, considering the historic character of the surrounding buildings and their uses;
- Open up the site with improved connections east-west, with connections across from Farringdon Road through to Gough Street, through Coley Street to Gray's Inn Road being envisaged;
- Create a new mixed use neighbourhood with a mix of uses including new homes, with amenity space, employment, cultural, retail and recreation uses;
- Provide a vibrant streetscape – with high quality, well designed new buildings that provide increased levels of activity and integrate the new neighbourhood into the surrounding areas;
- Create new public open spaces for local people for a variety of uses including recreation and play;
- Integrate the new neighbourhood with the retained sorting office – appropriate mitigation will be needed to protected adjacent land uses including new homes provided on the site; and
- Enhance the four corners of the site.

290 The scheme has been considered in detail at pre-application stage, during the initial Stage 1 consideration by the Mayor, and by the two Councils in reporting the applications to Committee. Taking the issues in turn, the following is noted:

Strategic views

291 Policies 7.11 and 7.12 of the London Plan establish the London View Management Framework (LVMF), which seeks to designate, protect and manage twenty seven views of London and some of its major landmarks. The views designated by the London Plan are classified in four ways. They are panoramas across substantial parts of London ('London Panoramas'); views of landmarks framed by objects in the landscape ('Linear Views'); broad prospects along the river Thames ('river Prospects'); or views of the urban townscape ('Townscape Views'). Each view has specific characteristics that contribute to an appreciation of London at the strategic level.

292 In accordance with Policy 7.12, new development is expected to make a positive contribution to the characteristics and composition of the Designated Views and in this respect, the Mayor has developed an LVMF SPG (March 2012), which seeks to provide a method to understand and protect these characteristics in the foreground, middle ground and background of the views, and the landmark buildings within them. It also seeks to protect and enhance the place from which the view is seen. Policy 7.12B states that development in the foreground and middle ground of a designated view should not, be overly intrusive, unsightly or prominent to the detriment of the view.

293 Part of the application site lies in the protected vista of the designated panorama from Parliament Hill to St Paul's Cathedral (LVMF 2A.1) and from Kenwood House to St Paul's Cathedral of (LVMF 3A.1). Development in this panorama is expected to ensure that St Paul's Cathedral and its western towers remain recognisable. In this respect, the applicant has undertaken a detailed assessment of the scheme upon the skyline, and a Townscape and Visual Impact Assessment has been submitted as part of the Environmental Statement. Accurate visualisations from all relevant points set out in the LVMF SPG (March 2012) have been provided, together with assessments of the potential impact on the viewer's ability to recognise and appreciate the strategically important landmark(s). The height and form of the buildings have been influenced by the viewing plane.

294 In the view from Kenwood House (LVMF 3A.1) the development would neither breach the threshold planes of the Landmark Viewing Corridor or the Wider Setting Consultation Area of the Protected Vista and its impact on the strategic view would be slight. In the view from Parliament Hill (LVMF 2A.1) there would be a small, 4 metre intrusion into the Wider Setting Consultation Area to the west of the viewing corridor, but this would be seen against the existing backdrop of the city's roofscape, including the profile of Guys Tower and would not harm the vista or the ability of the viewer to recognise and appreciate St Paul's Cathedral in the view.

295 In conclusion and as set out in the Stage 1 report the development would not harm key strategic views as identified in the LVMF and is considered to be acceptable and to comply with policy 7.11 and 7.12 of the London Plan.

Design - Stage 1 reporting

296 When considering the scheme at Stage 1, it was observed that the masterplan is well integrated with the City, with routes, streets and spaces working well with the surrounding urban grain. The block layout of the scheme provides enclosure over the publicly accessible courtyards and good definition of surrounding streets and spaces, which is welcomed. The creation of new public open space at the Gardens is particularly welcome in an area in which open space is at a premium. This space will be well overlooked by the proposed residential units and follows a rich local tradition of residential square typologies. The Gardens would integrate well with the local space network, including Wilmington Square Gardens located to its east.

297 Other interventions around the periphery of the site including widening footways and additional street planting were noted, and that these made the most of spaces such as the entrance

to the Christopher Hatton Primary School on Mount Pleasant. The creation of new public spaces and routes through what is currently a relatively impenetrable site was supported.

298 The height of the buildings vary from 4 storeys up to 12 storeys along Phoenix Place and 15 storeys in the south west corner of the site, along Mount Pleasant. At Stage 1 it was noted that the heights exceed the guidance in the SPG, and there were initial concerns about the scale of development, however further work was undertaken by the applicant in preparing GGIs illustrating the views of the development from the surrounding streets that illustrated that the development would fit into the townscape.. The locations selected for the taller elements enable the mass to be achieved without disrupting views or the fine grain of the area. The new public space created at the centre of the site is enclosed by buildings of a range of heights from 4 to 9 storeys, with 7 being the predominant shoulder height and this should provide a well-proportioned sense of enclosure to the space. Along Farringdon Road the tallest building blocks are at 8/7 storeys and 6 storeys - a similar scale to existing commercial buildings that front the street including the existing Post Office building. Overall, it was concluded that the scheme would achieve a good fit within its context and the variety of heights and building types would give it a very "London" character.

299 In accordance with London Plan tall buildings policies, it was observed that a significant amount of detail has been provided regarding the appearance of the taller elements of the scheme in order to demonstrate that the development will be of an outstanding architectural quality. Local and strategic views have also been provided, with accurate visualisations to demonstrate how the scheme fills the gap created by the existing condition. The predominant material finish is brick reflecting the extant Georgian and Victorian vernacular in the area.

300 In views along Calthorpe Street, it was observed that the use of brick for the external elevations and the stepping down of the buildings scale to 4 storeys ensures the development has a good fit with the setting of the Bloomsbury Conservation Area and it was concluded that there would be no harm caused to the conservation area. In views from St Andrews Gardens, the development would appear behind an existing two story terrace of listed buildings, but would be seen in the context of a 6 story inter-war residential building that flanks one side of the park and substantial and mature tree planting and in this context is not considered to harm the setting of the buildings. In views along Wren Street from its junction with Calthorpe Street, a combination of site topography and perspective enables the taller 10 to 15 storey buildings to be accommodated in the townscape without having an overbearing impact on the four storey listed Georgian Terraces on the south side of Calthorpe Street or their setting. It was noted that there would be some slight harm to the setting of listed buildings in Calthorpe Street in the view along Guildford Street as the skyline of the existing terraces currently has no modern development visible in their backdrop. Overall, it was considered that the applicant has demonstrated that the scheme would have a good fit with its setting and whilst there are some views that would compromise heritage assets to a degree, these have been kept to a minimum.

301 Through the design evolution, the architects have presented design changes to site P1, where the block has been broken down to reduce overshadowing and provide views into and out of the central courtyard, with the massing re-distributed. When considering earlier iterations, it was considered that the notion of a perimeter and mansion block concept had not been fully resolved but this is now achieved, with clarification provided about the detailed design of the ground floor layouts of blocks B and C and in particular how the residential design of those flats at ground level related to adjacent street spaces and the change in level over the site, particularly along Gough Street. The work undertaken at street level and in terms of articulating the massing is welcomed. Further work has also been undertaken to the building lines of the commercial units on Mt Pleasant. The extent of the staggered saw-tooth shop fronts has been reduced, and the streetscene views are less harsh than previously and present a calmer rhythm that should work well with the delicate setting of the listed Queen Anne terrace opposite.

302 Overall, at Stage 1, it was noted that the scheme works well in terms of dealing with the change of levels along Gough Street, and the level change can be accommodated without having large blank frontages on the street elevations.

Borough comments

303 In reporting the Phoenix Place application to committee, Camden Council did not raise objections to the scheme on design grounds although the officers report confirms that they share the view of English Heritage "*that significant harm would be caused to the setting of the Bloomsbury Conservation Area and to the listed terraces*" in respect of the impact of block E,F and G on the listed terrace at Calthorpe Street (para.6.3.56) . Islington Council raised objections in relation to the proposed height, mass and position of blocks E and F and that this would result in harm to the setting of statutory listed terraces within Calthorpe Street & Wren Street and to the wider setting of the Bloomsbury Conservation Area. Islington also objected to the impact of the proposals on the setting of the grade 2 listed terrace at Wren Street in the view from St Andrews Gardens as well as the harmful impact on the setting of the park and the Bloomsbury Conservation Area, as did English Heritage. The latter considered that the development would cause significant harm to the setting of St Andrews Gardens, the Bloomsbury Conservation area and the setting of the listed buildings on Wren Street. As set out above it is acknowledged that some harm would result to the setting of the listed buildings in Calthorpe Street but it is considered this harm is outweighed by the wider public benefits of the scheme, not least the improvements to permeability through the site and the provision of new public space. In respect of the view from St Andrews Gardens it is not considered that the development results in harm to any of the heritage assets in that view for reasons set out in the heritage section below.

Layout and site strategy

304 The existing site comprises largely of car parking and has been a gap site for more than 20 years. As noted in the Camden report the site is "*unkempt, disorderly and industrial in appearance*" (para.6.3.4) and the Islington Report notes at that "*the boundary treatment to the site is considered to be imposing and to lend the site a somewhat fortress like appearance*" (para. 8.6) (although officers also note that the wall structures provide a limited positive contribution to the Rosebery Avenue Conservation Area). Whilst its open nature does allow for views across the site, the site itself largely detracts from the areas townscape and from the character and appearance of surrounding conservation areas. The aspirations of the SPG are to repair this gap in the urban fabric and to integrate the site with a wider area from which it is largely physically disconnected. The applicant has had regard to these aspirations and the masterplan team have, as set out in the Stage 1 report successfully addressed these aspirations, albeit without slavishly following the indicative plan shown in the SPG.

305 Both boroughs were supportive of the overall layout and site strategy and both the boroughs note that:

"The layout of buildings around the site provide widened pavements to all streets and locate active ground floor frontages to the busiest and noisiest roads. The public open spaces have been designed with input from 'Publica' based on in depth research into the 'gaps' of play space and youth provision in the area and designed to provide key 'character and use functions' to make each space identifiable and usable for all ages.

The site offers some 50% of its area as open space, in the form of either public or communal amenity space (excluding roof areas), whilst providing active frontages and perimeter layout desired by all adopted planning policies and a clear distinction between public and private areas maximising the opportunity for overlooking and natural surveillance.

The layout of the site was based on a study of the urban block sizes, shapes and arrangements in the wider area as illustrated within the Townscape and Visual Assessment report. The urban form and layout therefore has considered the historic character of the surrounding building layouts. The proposals are considered to create a new neighbourhood with a clear framework of streets, open spaces and buildings, each with their own character. The layouts and arrangements of buildings make it clear what spaces are accessible to all, what spaces are for the occupants of the buildings that surround those spaces and those spaces that are entirely private. This part of the design is considered to be a notable improvement from the SPD layout where ambiguity of what spaces were for or who could access them existed.

Whilst there may be alternative site layouts achievable for this site, the site layout and master planning design principles proposed accord with the core planning objectives within the SPD, the site allocation and area specific policies and are well considered and result in a very high quality layout." (para. 6.3.10-6.3.13 Camden Report, para 9.31-9.33 Islington Report).

306 These views expressed by the Councils in respect of layout largely reflect the Stage 1 comments and officers concur with them.

307 The Design Council (CABE) provided a response to the pre-application scheme on 4 April 2013 (the scheme was in the form it was submitted to planning in at that time) and provided the following comments in relation to site planning: *"We acknowledge the careful thought that has informed the disposition of accommodation across the site; to both help it integrate with its diverse surroundings and to create the best possible environment for residents. In our view, this part of London can support a development of the proposed density and think a case could be made for a higher density still. The site diagram also clearly distinguishes between spaces for residents and those for the public at large. The influence of the London square typology is clearly visible in their design. We welcome the provision of a substantial new square onto Farringdon Road, a major public benefit of the scheme. We appreciate the design team's studies in support of a new crossing in this location to enhance pedestrian connections to Wilmington Square. The public spaces proposed for Phoenix Place should bring welcome relief to this street frontage. The proposed pedestrian route linking Coley Street to Phoenix Place should also support east-west connections."*

308 English Heritage commented: *"In principle, English Heritage welcomes the redevelopment of this site. The basin has historically formed a large visual and physical barrier between the surrounding urban areas, many of which are historic in nature and are designated as conservation areas and contain numerous listed buildings. The proposed urban design layout and new linkages between the surrounding streets are welcomed and considered appropriate"*.

309 There has been criticism of the plan layout from local residents groups in that it is fundamentally flawed, that the routes created across the site have little regard to the surrounding street pattern and location of open spaces and that the resulting built form is alien to the street based nature of surrounding development. This is considered to be an unjustified criticism of the scheme. As noted in the Stage 1 report the plan provides for clear delineation of public and private space, edges the streets and squares with residential development that overlook and provide activity onto those spaces and provides a clear and legible street based layout that fits well with the grain and orientation of surrounding streets and with the geometry of the retained Post Office building. The layout is unforced and provides an efficient, effective and optimised balance of public and private amenity with the new public spaces between Farringdon Road and Phoenix Place and at the junction of Coley Street and Phoenix Place being particularly positive aspects of the scheme.

Height and massing

310 The SPD set out indicative building heights for the site with low rise (up to 4 storeys) at the northern end of the site, medium rise (typically 4-8 storeys) towards the middle of the site and higher rise (typically up to 10 storeys) towards the southern end of the site.

311 The scheme has broadly followed this guidance with lower rise buildings located to the north of the site and the tallest buildings located to the south. The tallest buildings proposed for the scheme at 12 and 15 storeys go beyond the height envisioned in the guidance. Nonetheless overall the proposed height mass and bulk of the scheme is considered to relate well to the scale of surrounding development and the topography of the site as set out in the Stage 1 report.

312 Within the Calthorpe Street site Blocks J and K are at 4 storeys, reflecting the scale of the Georgian terrace buildings on Calthorpe Street, Block H then steps up to 6 storeys and 8 storeys onto Farringdon Road, reflecting the scale of the adjacent Holiday Inn and the larger scale of commercial buildings on Farringdon Road. Block G on the south side of the new square comprises four taller elements of 8, 9 and 12 storeys that punctuate a largely 7 storey block. The scale of this block onto Farringdon Road, at 5 storeys plus plant room reflects the scale of the retained Post Office Building.

313 In respect of Block H, the Islington committee report notes that, *“Objections have been received against the height, massing and detailed design of Block H in particular. This building stands at 8 storeys in height, which is within the range of building heights that was identified as suitable within the adopted ‘Mount Pleasant’ SPD and is not greater in height than the existing Holiday Inn building. Whilst the Holiday Inn building is the tallest building in the surrounding context, it is nevertheless part of the context and the proposal seeks to draw the eye away from that building through very high quality design and articulated elevations of a high quality. This building is designed in a way that would activate the street edge at ground floor level and at all levels above introducing active surveillance. Its intricate detailing within the elevations provides a counter balance against the poorly articulated Holiday Inn building, without introducing greater height”* (para 9.49-50). GLA officers share the view that Block H is well considered within its townscape setting is not over scaled and would not detract from the character and appearance neighbouring conservation areas.

314 The new square is enclosed by buildings ranging in height from 4 to 12 storeys the predominant height being 7 to 8 storeys and the space would have a well-judged degree of enclosure and definition appropriate to its urban location. Whilst the 9 and 12 storey elements go beyond the guidance set out in the SPG in most aspects of the scheme they do not cause any harm and provide well considered variety to the streetscape. The exception to this is the view from Calthorpe Street which is considered in detail in the heritage section.

315 Within the Phoenix Place development, Blocks D (the northernmost block) rises to 4 and 5 storeys reflecting the scale of the listed Georgian terrace at Calthorpe Street. Blocks B and C - at 10 and 8 storeys, are of a scale with 122 Gray's Inn Road and the ITN building which they face across Gough Street. The blocks are set out at a diagonal to each other to create public and private amenity space including a new pocket square at the junction of Coley Street with Gough Street. The 8 storey block to the south of the Post Office Museum site which provides a transition from the scale of Calthorpe Street. As set out in the SPG the height of the development increases to the south as the site topography drops down to Mount Pleasant.

316 Block A comprises the tallest buildings on the site. Adjacent to the ITN building on Gough Street the building rises to 8 storeys. This provides a relatively tight street enclosure along Gough Street although this is punctuated by Coley Street and the garden space created between blocks B, C and D. Along Phoenix Place the height of the building steps from 4 storeys, at the junction of

Mount Pleasant and Phoenix Place (this is to allow for daylight and sunlight penetration into block A) to 12 storeys at the junction of Coley Street. This latter block sitting in the centre of the scheme has little impact on the surrounding areas. With the 12 storey block opposite on the Calthorpe Street site this building contributes to a varied and dynamic skyline in views along Phoenix Place.

317 The tallest element to the scheme is in block A at 15 storeys to the south of the site. This is located at the junction of Elm Street, Mount Pleasant and Gough Street and at this point the intersection forms a slightly wider open space, referred to as The Green in the application. There are two taller buildings immediately to the south at Laystall Court (44m) and Mullen Tower (50m). However Building A would be taller than both - rising to 63m. The tallest part of the building steps down towards the east to five storeys and to the north along Gough Street drops to 8 storeys. In views westward along Mount Pleasant, the building does not appear overly bulky out of place and as stated in the Stage 1 report would not have an overbearing relationship to the 4 storey of early Georgian terrace opposite which is already seen in the context of buildings with a variety of ages, styles and scale. Objections have been raised about the building overshadowing existing development to the south, but as that is to the south of the tower, the Environmental Statement demonstrates that it would not have any adverse effect in terms of over shadowing.

318 Local views have been thoroughly assessed by the applicant's townscape consultant, and both Councils have carried out detailed analysis in their committee reporting and are of the view that the general height mass and bulk of the scheme is acceptable, and fits within the local context, a view shared by GLA officers. This is with the exception of the impact of blocks F and G on the listed Terrace at Calthorpe Street and on the Bloomsbury Conservation Area and the impacts of the scheme in views from St Andrews Gardens. This is considered in more details in the Heritage section below.

Architecture and detailed design

319 The unifying architectural approach taken by the various practices working on the scheme can be typified as the "New London Vernacular" comprising primarily brick finishes, with clearly articulated window openings set in a regular grid pattern that picks up the proportions and solid to void ratios of much of the surrounding residential and commercial development. The detailed design is of the highest quality and provides for variation and interest within the overall design discipline. This gives the wider development a very London character.

320 The material finishes across the site are predominantly brick and this provides a unifying theme. The applicant has proposed a muted palette of materials so as to keep some consistency throughout the site, all of which are of the highest quality. The predominant material proposed to be used is brick. The colour, type and use of brick would vary according to the specific context and design of each building. The bricks would be in the traditional buff, red and brown, reflective of material studies undertaken for the surrounding context. The applicant has stated that a variety of mortar colours between buildings could be adopted. A variety of secondary materials is proposed for each building to help create distinct characters within that overall consistent master plan for materiality.

Heritage

321 Criterion D of Policy 7.8 of the London Plan states "*Development affecting heritage assets and their setting should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail*". The supportive text explains that development that affects the setting of heritage assets should be of the highest quality of architecture and design, and respond positively to local context and character. Policy CS9 of the Islington Council's Core Strategy and policies DM1 and DM3 of Islington Council's Development Management Document are relevant, as

well as Camden Council policies. These policies seek new development to make a positive contribution to the local character and distinctiveness of an area. Within Conservation Areas and their settings and the setting of Listed Buildings to be of high quality contextual design so that they conserve or enhance a conservation areas significance. In particular new development within the setting of a listed building which harms its significance will not be permitted unless there is a clear and convincing justification and substantial harm will be strongly resisted.

322 The Mayor is required by section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 ("Listed Buildings Act") to have special regard to the desirability of preserving the setting of listed buildings.

323 Pursuant to section 72 of the Listed Buildings Act, the Mayor must also give special attention to the desirability of preserving or enhancing the character or appearance of the conservation areas which may be affected by the proposed development.

324 The site is located within a Conservation Area, and there are several in the surrounding area, some of which include Listed Buildings. The plan in Fig 2 above from the applicant's Design and Access Statement illustrates the conservation areas in the context of the site, and it is concluded that none of these would be harmed by the proposed development, and indeed the scheme improves the setting noting the existing operations that are currently in-situ.

Listed Buildings

325 In the Stage 1 report it was acknowledged that there would be "some slight harm" to the listed terrace at Calthorpe Street in views from Guildford Street and that other heritage assets adjacent to the site would not be harmed by the proposals. English Heritage, Camden and Islington note that whilst the majority of heritage assets would not be harmed by the development, the impact on the Grade 2 listed buildings at Calthorpe Street view would be significantly harmful (whilst Camden also shared a concern it did not form a reason for refusal in their report). As set out above there is a requirement to have special regard to the desirability of preserving the setting of listed buildings. In this instance whilst in the particular view being considered the roof of the terrace is seen against uninterrupted skyline, the scale and architectural treatment of the building visible above the skyline is such that it would not unduly draw attention to itself and would not dominate the view or the setting of the listed buildings. It is only considered to create some slight harm to the setting of the terrace rather than the significant harm the boroughs and English Heritage consider it to cause.

326 Acknowledging that there is some harm caused and that therefore special regard must be had to this impact, regard must also be had to the public benefits the scheme would bring. As set out above the scheme would bring considerable public benefits, changing the current fortress and closed like nature of the site to one that is open and integrated with the surrounding street pattern and would contribute to the permeability of the site and general pedestrian movement across the wider area. In doing so the site would have a much better relationship to majority of adjacent heritage assets improving the settings of both conservation areas and listed buildings. In addition to these significant urban design and heritage benefits the scheme would also deliver a significant quantum of housing, including affordable housing and of jobs, both in the existing Post Office building and in the ground floor retail uses, which in their turn would reinforce the existing retail offers in the surrounding conservation areas. On this basis the slight harm to the setting of the listed terrace on Calthorpe Street is acceptable.

327 English Heritage and Islington also consider that in the view east across St Andrews Gardens the proposals would create significant harm to the setting of the gardens, the grade 2 listed two storey Wren Street terrace and the Bloomsbury Conservation Area, because of the scale of development rising to twice the height of the terrace and the introduction of irregular lines and a

staggered skyline in direct contrast to the clean and regular lines of the listed buildings. There are already buildings of contrasting scales within this view such as Langton Court House, a 6 storey inter war block of flats visible to the left of the view and Trinity Court a 10 storey Art Deco block of flats visible to the right. In addition the views middle and foreground comprise substantial shrubbery and mature tree planting. Given the varied nature of the extant context and setting and given the scale of the proposals visible in the view and their detailing the proposals are not considered to harm the setting of the listed terrace, the park or the Conservation Area.

328 Concerns have been raised by residents about the scale of the 15 storey element of block A which is opposite a terrace of Grade 2 listed buildings on Mount Pleasant. The setting of the terrace is very mixed in terms of the scale and period of buildings which can be seen within the context of the terrace and given that very mixed townscape setting and the high quality of design of block A it is not considered to harm the setting of those listed buildings or the setting of the Hatton Garden Conservation Area.

Conservation Areas

329 Part of the site is within the Rosebery Avenue Conservation Area and to the west it is adjacent to the Bloomsbury Conservation Area and to the south the Hatton Garden Conservation Area. For reasons set out in this section of the report the scheme is not considered to harm the setting of those Conservation Areas, with the exception of some slight harm caused to the setting of the Bloomsbury Conservation Area in views of Calthorpe Street from Guildford Street (a harm which is considered to be outweighed by wider public benefits). The scale of the scheme has been carefully considered as has the approach to detailed design which would complement the scale and character of adjacent conservation areas and would overall enhance the setting of the Hatton Garden and Rosebery Avenue Conservation Areas. The slight harm to the Bloomsbury Conservation Area would be outweighed by wider public benefits including the contribution the master plan would make to delivering the design aspirations of the London Plan and local plans.

Conservation Area Consent

330 The applicant has also sought conservation area consent for the demolition of structures within the Calthorpe Street site, which is within the Rosebery Conservation Area. This comprises the brick pillars, low and high brick walls and cast iron railings and gates that enclose the entire site; two vehicle ramp structures in the north and north west of the site; various small cabin, store, vent and shaft housing structures located around the site; and tree and planter structures located around the site. All of the structures with the exception of the boundary brick pillars and cast iron gates are considered to contribute neutrally to the character and appearance of the Rosebery Conservation Area, their loss are not therefore restricted by planning policy. The Council concluded in its report that granting conservation area consent would be premature in the absence of an acceptable redevelopment (planning) proposal.

331 Islington Council, in its committee report, notes that the boundary treatment to the site is imposing and to lend the site a somewhat fortress like appearance. Whilst these are not necessarily positive attributes, the boundary treatment does lend a particular character to the site and the Rosebery Avenue Conservation Area. These structures provide a limited positive contribution to the Conservation Area.

332 It notes the National Planning Policy Framework (paragraph 134), policies CS7 and CS9 of the Islington Core Strategy, and policy DM2.3 of the Development Management Policies, which confirm that buildings that contribute positively to the character and appearance of a conservation area should be retained. Where the loss of buildings or structures would have a less than substantial

harm on the significance of a conservation area, the buildings loss should be weighed against the public benefits of the proposal, including securing the optimum viable use.

333 Islington Council has observed that the loss of the boundary treatment to this site would cause less than substantial harm to the significance of the Rosebery Avenue Conservation Area. Whilst the boundary treatment to the site is considered to have historic merit and interest, they comment that these features invoke a fortress like impenetrable character to the site. The comments about the scheme opening up and connecting the townscape either side of this site are supported by GLA officers, noting that this is a clear development objective within all adopted policies. Small minor buildings within the lower 'bathtub' of the site are barely visible from public viewpoints at present and it is agreed that their loss would have a neutral impact on the conservation area. Overall, GLA officers consider that the opening up of this site and provision of improved connections is welcomed, and that the loss these structures would not cause any harm to the character or significance of the Rosebery Avenue Conservation Area. Furthermore the schemes deliver the optimum viable use of the site when compared to the current arrangements and bring improvements to the setting of the conservation area.

334 With the scheme being acceptable and recommended for approval, a condition would be imposed to ensure that a contract for the development of the site is secured prior to the demolition of these structures. The loss of the boundary treatment would therefore accord with the aims of the NPPF, and would also accord with policies CS7 and CS8 of the Islington Core Strategy, policy DM2.3 of the Development Management Policies document, policies BC6 and BC45 of the Finsbury Local Plan. If the recommendations are not agreed by the Mayor, the absence of a supported redevelopment proposal the granting of Conservation Area Consent would be premature.

Landscaping and planting

335 Most of the open space within the site boundaries is within the applicant's ownership and would remain under private ownership and management on completion of the proposed schemes. Phoenix Place is also within the planning application boundary and would be subject to environmental improvements as part of the development but would remain adopted highway, under the control of Camden Council.

336 Detailed landscaping plans have been provided by the applicant's landscape consultants (Camlins) with careful attention given to public realm treatment, areas of open space (including public, communal, and private spaces), and play space provision. The existing sites are bereft of any planting and the applicant is proposing planting both within the site and on adjacent streets, representing a marked improvement visually and in terms of biodiversity, through use of native plants in most cases. All of the details provided in terms of landscaping and planting are welcomed, and would be secured by way of condition.

337 Some discussion has taken place over the life of the application and at pre-application stage in relation to Phoenix Place treatment in particular. As stated above, this is public highway but importantly knits the two development sites together. Some revisions have been sought to address residents' concerns about the potential for this route to remain a rat-run and the failure to acknowledge the presence of the River Fleet running beneath it. In this respect, this road is heavily constrained due to the presence of various utilities, which limits opportunities in terms of planting in particular. The updated plans that have been produced by Camlins, whilst welcomed in terms of the attempt to reflect the presence of the River Fleet, provide more planting and produce a surface treatment that clearly signals that pedestrians have priority (rather than vehicles) have generated some concern from the Councils, particularly in terms of the proposed shared surface treatment, footpath widths, tree planting, and the potential implications in terms of accessibility and inclusive design. In addition they have been criticised as tokenism by residents groups, and TfL has observed some concerns.

338 Recognising the desire to link the two sites through the surface treatment of the road, factoring in the proposed new British Postal Museum for directly opposite The Garden, and the outstanding concerns raised by the Councils which own Phoenix Place (and for which Camden Council is the highways authority), it is considered that a revised design would be suitably dealt with by way of a detailed condition for later approval.

339 The proposals are also set out areas outside the planning application boundary, developed in consultation with the Councils and Transport for London, noting that the public highway adjacent to the sites is in poor condition in several places. These proposals are presented as indicative only to show how the surrounding streetscape could be upgraded and enhanced. These do not form part of the planning applications, comprising areas of adopted highway for instance and would be subject to section 278 agreements, should permission be granted, and either paid for and carried out by the Council or carried out by the applicant. Both Councils have set out their support for the proposed public realm improvements around the site, subject to further consultation, details and costings being established, and secured through the section 278, in turn secured by way of the section 106 agreement. A public realm and maintenance strategy would be secured as part of any section 106 agreement, setting out arrangements for management, maintenance and servicing of the public realm.

Designing out crime

340 Policy 7.3 of the London Plan seeks to ensure that measures to design out crime are integral to development proposals and be considered early in the design process. A number of criteria are set out in (B) about reducing opportunities for criminal behaviour and contributing to a sense of security without being overbearing or intimidating. Islington Council DM2.1 and Camden Council CS17 reflect the London Plan, seeking to reduce crime through good design.

341 A crime impact assessment has been submitted by the applicant, which looks at Secure by Design principles for each plot, public realm design for security and any requirements in terms of a security management plan. The applicant has engaged in discussions with the Metropolitan Police (Crime Prevention) officers where advice has been provided in relation Secure by Design principles in terms of doors, windows, access control, lighting, and CCTV in particular. Plans are provided showing the types of door access arrangements, including electronic controlled communal entrances, and electronic shutters to vehicle gates. Cycle storage would be secure and split into groups with assigned access rights. In terms of public realm, recesses are avoided and entrances communal spaces and landscaping features are proposed so as to deter anti-social behaviour. CCTV would be installed, and lighting would meet relevant British Standards. Detailed consideration of how the public realm and landscaped spaces would be designed to feel safe, deter anti-social behaviour, be overlooking is all set out. A security management plan has also been drafted.

342 Overall, the applicant's commitments to promoting safety and security are welcomed, and conditions are proposed in order to secure the details suggested in the crime impact assessment and security management plan.

Conclusion

343 In summary, the masterplanning principles are well-considered, with clearly defined public and private spaces that are carefully integrated in the surrounding streets. The proposals would create streets and squares familiar to Londoners and would be a "mixed" form of development in the sense that the heights of the buildings would vary across the site, a characteristic common to central London. The two individual schemes are acceptable on their merits, and together achieve a high quality of placemaking. Whilst the mass of the buildings varies across the site an architectural unity is provide by the buildings appearance, with brick finishes throughout and clearly defined

window openings in the "London Vernacular" style. Overall this is a well-considered scheme that will add positively to London's character and will comply with the relevant development plan policies set out in paragraphs 286 to 289 above.

344 The applicant's commitment to ensuring a high standard of design quality is welcomed and maintaining the various architects, or those of similar calibre as the project architects on the scheme post planning would be secured by way of condition.

Standard of accommodation

345 Policy 3.5 within the London Plan seeks to ensure that housing developments are of the highest quality internally, externally, and in relation to their context and to the wider environment. Table 3.3, which supports this policy, sets out minimum space standards for dwellings. The Mayor's Housing SPG builds on this approach, and provides further detailed guidance on key residential design standards including unit to core ratios, and the need for developments to minimise single aspect dwellings (particularly those that are three-bedroom, north facing or exposed to an increased level of noise).

346 Islington Core Strategy Policy CS12 identifies that to help achieve a good quality of life the residential space and design standards will be significantly increased from their current levels. The Islington Development Management Policies DM3.4 sets out the detail of these housing standards, and in particular notes that new residential units are expected to be dual aspect and where they are not, the design must demonstrate how a good level of ventilation and daylight would be provided.

347 Camden Policies CS6 and DP26 set out how development should meet the needs of its users, requiring the same tests applied to the protection of amenities to surrounding occupiers and residents to be broadly applied in the same way to those using the development.

Unit sizes and layouts

348 The proposed units have been designed to reflect the London Plan and Housing SPG standards, with all units meeting or exceeding minimum unit sizes, room sizes and floor to ceiling heights. The majority of units are dual aspect or have corner aspect, with a number of units also being triple aspect. The scheme has been set out to avoid single aspect north facing units, and the limited number of units that have a northerly aspect (Blocks H and F) generally comprising through flats. There are no more than eight units per core, with dual lifts for each core. The architects have sought to provide as many units as possible that have direct access from the street, and lobbies have been appropriately located near to the street, with secure entrances. Whilst not all internal corridors would receive natural light and ventilation, given the number of cores proposed, this is accepted. The study model of the internal courtyard demonstrates that the walkway system will produce an acceptable residential quality. This element of the scheme is supported.

349 As observed by Islington Council in reporting the scheme, inventive solutions have been adopted to help overcome the provision of single aspect units, noting the relationship with the MPSO and capped over service yard. This includes provision of generous flat sizes, full height windows and acceptable floor to ceiling flats.

350 Private amenity space: For Phoenix Place, in Block P1, 82% have private amenity spaces which exceed Housing SPG dimensions. A further 8% have external private balconies that are slightly short of the Housing SPG dimensions, and where there is a shortfall, Juliet balconies are also proposed in alternate external openings. A total of 10% do not have external balconies due to design constraints, and have a Juliet balcony to each external opening in lieu. For Block P2, there 39% that only benefit from Juliet balconies, whilst the balance have external balconies that exceed

minimum dimensions. The provision of Juliet balconies does not meet the Mayor's LHGD in terms of open space, but it is acknowledged that these units are provided with more generous living spaces and also benefit from access to communal rooftop terraces that provide generous shared amenity space.

351 For Calthorpe Street, all units benefit from private amenity space that exceed minimum dimensions. In some cases balconies are provided on two facades. The exception to this is one 1-bed (private) unit in Block E (Plot C2) which falls short. It benefits from access to the semi-private communal garden on the level above. There are also 10 units in Block H (Plot C1) where private amenity space falls short by 1.1 sq.m. due to the desire to maintain internal light levels to these units. There are two other units where wintergardens fall slightly short of the overall size standard but the depths exceed 1.5 metres and would provide useable amenity spaces. The units that do not have private amenity space are generally oversized, internalising that space to provide units that exceed London Plan minimum standards

352 It is apparent that the applicant has given due consideration to the baseline and good practice standards within the Mayor's Housing SPG, in relation to entrances, circulation, aspect, layout and space standards. Where there are shortfalls in relation to private amenity space, in some limited circumstances, these are justified, with communal spaces provided or more generous sized units proposed.

Daylight, sunlight, overshadowing

353 As part of the application documents, the applicant has prepared an internal daylight, sunlight and overshadowing report, that looks to ascertain whether the proposed development would provide an acceptable standard of accommodation for proposed residents. This analyses the Average Daylight Factor (ADF) to habitable rooms. ADF is defined as "*a ratio of total daylight flux incident on a reference area to the total area of the reference area, expressed as a percentage of outdoor illuminance on a horizontal plane, due to an unobstructed sky of assumed or known illuminance distribution*". The BRE Guidelines suggest a bedroom should have an ADF of 1%, a living room 1.5% and a kitchen 2%. If a given room meets its relevant criterion, then it will be regarded as having adequate daylight. For sunlight, it assesses Annual Probably Sunlight Hours (APSH) as was done for surrounding properties, and in terms of overshadowing, it looks at the impact of surrounding buildings and proposed buildings on amenity spaces.

354 Islington Council, in reporting on this aspect of the scheme, concludes that where there are shortfalls against the BRE Guidelines, that these could be deemed acceptable due to nature of the rooms, and because it is inevitable that rooms on lower floors in high density developments can be lower than the upper levels. Where there are shortfalls, these are either minimal (0.2% below BRE target of 1.5% for living rooms) or limited largely to kitchens that are joined to living rooms (where the latter complies). Sunlight levels are observed as acceptable. In relation to the courtyards, it is noted that there would be overshadowing to Block H, such that it would not receive any sun at the equinox. Roof top amenity spaces are proposed, and Islington Council considers that this balances such a shortcoming. No reasons for refusal are cited on these grounds.

355 In reporting on the PP scheme, Camden Council has raised concerns about some of the findings in the applicant's report, particularly units fronting Gough Street, which face the large ITN office building opposite. Revisions have been requested for the ground floor units in Block P1 to address this, flipping them around to reverse the rooms and their aspect. A reason for refusal is cited on these grounds in the absence of these revisions. In relation to sunlight, Camden Council concludes that the scheme has been laid out in such a way to maximise sunlight penetration, taking into account site layout and relationship with surrounding buildings.

356 As part of the independent review of the methodology, assumptions and conclusions of the applicant's daylight and sunlight report (detailed below), GLA also asked GVA Schatunowski Brooks to undertake a review of this aspect of the scheme.

357 The conclusion reached was that properties that upper ground units facing Gough Street would achieve ADF values of 0.6% and 0.7%, somewhat lower than the 1.5% ADF value suggested in the BRE Guidelines for living rooms. In switching living rooms with bedrooms in these units, the impact would be less apparent, as for bedrooms there is a lower value sought of 1%. The applicant has agreed to a condition that would see the detailed layout of Units A1.01.02; A1.01.03; A2.01.01; and A2.01.02 reversed so that the living rooms face the courtyard, where higher ADF levels can be achieved. On balance, it is concluded that the daylight levels to these units would be acceptable, and Camden Council's objections are addressed.

358 Overall, the applicant has sought to maximise daylight and sunlight entry through the massing, staggering and setbacks, providing rooftop amenity spaces, light materials, large windows and designing flat layouts in order to benefit most from light entry, for instance. This is in the context of large buildings to the west, busy roads and the existing MPSO operations. As a result, the scheme meets ADF values set out in BRE Guidelines for over 90% of rooms. In the case of the CS site, only 6 of the rooms falling short are living rooms or living/kitchen/dining rooms and the lowest performing of these still achieves 1.3% ADF (just short of the 1.5% ADF recommended for a living room). The remaining rooms falling short are either: bedrooms - the worst performing of which still achieves 0.7% ADF (where 1.0% ADF is recommended), or studies - the worst performing of which still achieves 1.3% ADF (where 1.5% ADF is recommended). As confirmed above, a condition to flip the units in question in the PP scheme is recommended (subject to this not involving the loss of larger, affordable housing units).

Outlook and privacy

359 The nature of the scheme with its courtyard type arrangements is such that careful attention has needed to be paid throughout the design process in order to avoid mutual overlooking of habitable rooms, noting that there are certain points where there are windows of between 7 and 10 metres apart. The applicant has indicated areas where obscure glazing privacy screens would be appropriate to address this, screens between balconies. Conditions have been drafted to secure implementation of these features prior to occupation. Camden Council has specifically sought a condition regarding obscure glazing and higher level opening only windows where there are certain pinch points and distances of under 10 metres, which is considered reasonable in order to protect future residents amenity.

Open space and play space

360 London Plan Policy 3.5 sets out expectations in relation to quality and design of housing development, to include public, communal and open spaces. Policy 3.6 requires developments that include housing to make provision for play and informal recreation, based on the expected child population generated by the scheme and an assessment of future needs. Guidance on the application of this policy is set out in the 'Shaping Neighbourhoods: Children and Young People's Play and Informal Recreation SPG'.

361 Islington Council Policy DM14: 'Play Space' states that all major developments are required to make provision for play of 5 sq.m. per child of informal / private play space based on anticipated child yield. All development with more than 200 units where a specific need has been specified in the DPD are required to provide on-site publically accessible formal child space, working towards The London Plan standard of 10 sq.m. per child. Core Strategy policy CS7 'Bunhill and Clerkenwell' states that major development proposals will be required to improve the public realm, provide ample private / semi private and public open space, incorporate space for nature. BC6 also refers to

providing fully accessible public space and play space. More specifically, Policy DM6.2 (part A) states that developments in excess of 200 residential units or 10,000sqm gross external floorspace are required to provide on-site publicly-accessible public open space, which shall be provided in addition to private amenity space and landscaping and shall be fully publicly accessible, without any restrictions and maintained in perpetuity.

362 Camden Council sets out under CS16 the requirement for new inclusive play space as part of new developments. DP31 seeks to ensure the quantity and quality of open space is secured in new development, with reference made to CPG6, which sets out that for residential development, 9 sq.m. of open space per occupier should be provided, with 2.5 sq.m. of play space per child. CP8 refers to seeking contributions for public open space contributions.

363 The Mount Pleasant SPD also refers to providing high quality and inclusive public spaces for local people both on the site and its four corners. There are also a series of principles about opening up the site with new and improved streets that connect the site with the surround neighbourhood.

364 The landscaping proposals for the schemes have defined a number of spaces, from public spaces such as The Gardens, Square C, The Lane, The Walk, and the Phoenix Place neighbourhood square through to the communal spaces for residents of the relevant block and private terraces for individual flats. Design briefs are provided for each space in terms of character and identity, setting the aspirations for how it may be used. In terms of the quality of these spaces, the applicant has provided a robust and thorough assessment and detailed landscaping plans for these spaces, and the retention of a specialist landscape consultant throughout is commended, in terms of demonstrating that a suitable high quality public realm and private spaces are delivered. Details of the landscaping and public realm works would be secured by way of condition.

365 In terms play space specifically, the play strategy that has been provided by the applicant assesses existing spaces for the range of ages, the routes to them from the site, and the intended use of the spaces on the site itself. When considering the scheme at Stage 1, it was noted that age-related playable spaces, incidental spaces, and multifunctional areas for all ages was being proposed, and that the scheme exceeds the requirements of the Mayor's SPG. In reporting the applications to their respective committees both Camden and Islington officers confirmed that that the amenity and open space proposed in the schemes were acceptable, including the play space provision.

366 To confirm, using the Mayor's SPG, the scheme would generate a child yield of at least 180 (92 on CS and 86 on PP), of which 72 would be under-5. As such, to meet the SPG, at least 720 sq.m. of dedicated play space for under-5s would be expected to be provided as doorstep play. The scheme proposes a total of 4,120 sq.m. of playable amenity space across the site, with dedicated play features proposed for The Gardens, Square P and Block A courtyard and incidental/multifunctional playable space proposed for Block H courtyard, Block E/F terrace, Square P Blocks B/C/D communal space and Square C. Of this, the applicant has confirmed that 1,660 sq.m. of the space would be doorstep play space for under-5s. In relation to older children, again there is provision made in the scheme, for instance ping pong tables.

367 As noted above, each space has a design brief set out of the types of landscaping, play features, planting and surfacing that might be suitable. This shows that it would be possible to achieve credible, creative and generous play facilities for the residents of the scheme and visitors. This is subject to robust conditions that secure details of these spaces and ensure the minimum requirements for play spaces are provided. This is so as to ensure that the scheme aspirations set out in the play strategy are delivered and that on build out, it does not revert to more corporate and over landscaped spaces that lack sufficient play opportunities.

368 In terms of a financial contribution towards open space, a figure of £441,025 would normally have been generated by the Phoenix Place element given there is an under-provision on that site (the Islington CIL being used for any demands from the Calthorpe Street development). During section 106 negotiations to date, there have been discussions around consolidating the two sites in terms of open space provision, thereby reducing the requirement for a contribution to £23,309. Camden Council has not agreed to this and considers that this off-set would only be appropriate if there was a secure link between the Phoenix Place site and the open space being provided in the Calthorpe Street scheme. With the linkages point being the subject of future discussions, should the Mayor resolve to grant permission, this point would be expected to be addressed then, with the Assistant Director of Planning agreeing the terms, in consultation with the applicant and Camden Council.

Wind / Micro Climate

369 Chapter 15 of the ES assesses the microclimatic impact of the proposed development on pedestrian comfort using the Lawson Comfort Criteria which explore the ability to undertake various outdoor activities (sitting, walking strolling etc.) in various weather conditions throughout the year. The chapter concluded the residual impact on the environment would range between negligible to moderate positive impacts.

Noise

370 The impact of Royal Mail vehicles and 24 hour operations are the main source of noise and vibration likely to impact upon future residents. The office use of the building directly above entrance yard addresses this to some extent, however it would be necessary for noise and vibration conditions in relation to foundations and servicing to be provided. This would include conditions in relation to acoustic glazing and trickle vents and details of plant equipment and associated levels / attenuation.

371 In order to protect the amenity of future residents and existing residents from the proposed ground floor commercial activities, which potentially include restaurant uses, planning conditions in relation to extraction, hours of operation and deliveries would be appropriate.

372 In terms of courtyard noise, this would most appropriately be dealt with at the time of considering landscaping materials and planting, ensuring that there are noise dampening measures put in place to protect the amenity of residents. The southern block to PP site and Blocks J and H in the CS site would be most susceptible

Inclusive design

373 London Plan Policy 7.2 requires that all future development meets the highest standards of accessibility and inclusion, and that the design process has considered how everyone, including disabled and Deaf people, older people, children and young people, will be able to use the places and spaces that are proposed. Policy 7.6 requires that buildings and structures meet the principles of inclusive design. London Plan Policy 3.8 expects all new housing to meet Lifetime Homes standards and 10% to be wheelchair accessible or easily adaptable for wheelchair users. London Plan Policy 4.12 seeks to improve employment opportunities for Londoners by removing barriers to employment.

374 Camden Council Core Strategy CS6 seek a variety of housing types suitable for different groups, including families, people with mobility difficulties, older people, homeless people and vulnerable people. The relevant local policies are Islington Council's Core Strategy Policy SC12, which requires all new housing to comply with flexible home standards as set out in Islington's

Accessible Housing SPD. Policy DM2.2 of Islington Council's Development Management document is also relevant, setting out requirement for inclusive design in new development, requiring development to provide for ease of and versatility in use; \deliver safe, legible and logical environments; produce places and spaces that are convenient and enjoyable to use for everyone; and bring together the design and management of a development from the outset and over its lifetime. In February 2014, Islington Council adopted its Inclusive Design in Islington SPD; this replaces the Accessible Housing SPD.

375 The application is accompanied by an access statement for each of the development sites, and the overall masterplan, covering the principles of inclusive design, access across the site and into buildings, external spaces and landscaping, pedestrian routes, vertical circulation and drop off points. The provision of new spaces and routes across this vast site is positive in urban design and public realm terms, and providing new quieter routes for local residents. When reporting the application at Stage 1, it was noted that there were aspects of the scheme that would be required in relation to the location of accessible units and provision of routes across the landscaping areas. Detailed discussions have taken place with the two Councils access officers on detailed aspects of the scheme. These have been reported in the respective committee reports, but it is noted that neither of the two Councils raised objections or cited reasons for refusal in relation to inclusive design. Taking the key issues in turn:

Lifetime Homes/ Wheelchair accessible Units

376 The applicant confirmed that all residential units would be designed to the Lifetime Homes standards, with typical floor plans provided setting out how the 16 points will be met. The updated accommodation schedule shows the allocation of wheelchair units across both developments, including their tenure and unit sizes. In total, 80 units (11.7%) would be provided as wheelchair accessible or easily adaptable, and these are spread across a range of tenures and unit sizes. A condition requiring that wheelchair-accessible or easily-adaptable units be provided in each phase of the development prior to the first occupation of each phase is proposed.

377 The proposals have been designed to meet the London Plan, and Camden and Islington Council's policies on inclusive design, the Mayor's Accessible London SPG and Wheelchair Accessible Housing Best Practice Guide and the superseded Islington Accessible Housing SPD. However, it is noted that the applicant has not yet provided detailed layouts of these units. As such floorplans at a scale of 1:50 would need to be submitted to and approved in writing on a phase-by-phase basis for every wheelchair-accessible and easily-adaptable unit type prior to any work commencing on the relevant phase to ensure each individual unit complies with both strategic and local accessibility policies. As part of this approval of floorplans, assessment of the allocated residential units hereby approved should be made by the applicant against the Wheelchair Accessible Homes standards set out in Inclusive Design in Islington (2014 SPD), London Borough of Camden's Wheelchair Housing Design Brief 2010 and the Wheelchair Housing Design Guide (Habinteg Housing Association, 2006) where they are applicable.

378 In relation to Islington's SPD, this was adopted in February 2014, some nine months after the scheme was submitted. Whilst it is not considered reasonable to require the entire scheme to be designed to meet this new guidance the applicant should endeavour to meet the new criteria where possible. As such GLA officers have included within the standard access condition a requirement for the applicant to provide an assessment of the units against the wheelchair accessible standards in Islington Council's Inclusive Design SPD 2014 demonstrating that reasonable endeavours have been made by the applicant to meet these standards. This should set out proximity of units to drop off points, and clarify that adapting units would not reduce residential quality, for instance, which were raised as particular concern to Islington Council's access officer.

Landscaping/pedestrian routes

379 As observed during the Stage 1 reporting, there are some level changes across the site, and underground infrastructure limits the depth of basement parking, which results in some areas of public and private landscaped areas and entrances being more difficult to design as step-free. The applicant has explained efforts made to achieve level and step-free routes where possible, ensuring that the landscaping design attempts to make all areas as accessible as possible. Where stepped routes are unavoidable, alternative routes via ramp are also available, with gradients generally of 1:28 or greater available nearby.

380 Islington Council's access officer has raised some concerns to date about the design of 'The Laneway' and the need to ensure clearly defined and protected pedestrian route along the vehicular access routes and approach the controlled barriers. On this basis, has been agreed that an updated, alternative layout be provided by way of detailed condition that reduces shared surface options for this space, for the protection of pedestrians. Given the range of uses and level of activity, a careful strategy will be required at detailed design stage, particularly in relation to street furniture and outdoor spaces to ensure that pedestrian mobility is not impaired. Landings, seating and resting points would be set out in the detailed hard landscaping plans required by way of condition.

381 To address concerns raised by Islington Council regarding need for clearly defined vehicle routes for serving and delivery vehicles within 'The Garden', a condition setting out requirements to provide details of the public realm, including further details of how the landscape design will delineate between the vehicular service area and pedestrian areas is suggested.

382 Around the Central Garden/Square C, there are various servicing and delivery arrangements that would take place, and there would be a need to ensure that the detailed design and layout of the space is arranged so as to enable pedestrians to read the space and move around freely. The landscaping condition would require details to be set out regarding this, and it is also recommended that the framework and servicing plan for the sites clearly identify safety for pedestrians where the public realm is shared with vehicles.

383 This is also the case for Phoenix Place, where concerns have been raised about the most recent landscaping plans, in terms of the width of the pavements, planter positions and the proposed surfacing treatment, including granite setts. Again detailed plans would need to be prepared and works undertaken through a section 278 agreement, secured by section 106 agreement and condition in order to address concerns raised by the Council and TfL on this point.

Car parking

384 Of the total residential parking provision of 117 spaces, there would be 17 accessible parking bays in the Calthorpe Street element and 11 in the Phoenix Place element. London Plan Policy 3.8 sets out that 10% of units should be wheelchair accessible or adaptable and table 6.2 sets out parking standards, referencing the Wheelchair Housing Design Guide, which seeks one accessible bay per wheelchair unit. With the provision of 28 accessible bays, the scheme proposes a 35% provision. Given that there is an overall parking ratio of 0.17, a reduced provision of accessible bays in this Central London location is acceptable.

385 Given that a complement of designated bays cannot be provided at first occupation, it is suggested that an approved parking management strategy sets out details of how supply and demand for these spaces would be managed. The strategy would need to set out what mechanisms would be used to ensure that additional provision can be made quickly and easily. This is expected to mean managing bays through leasing arrangements so that they can be assigned to Blue Badge holders as necessary, reflecting the actual demand or identifying additional off-site capacity. Discussions have taken place to date regarding section 106 provision relating to transfer of spaces

to Registered Providers (in the case of accessible or adaptable affordable rented units), and leasing of other bays. Further discussion would be expected regarding the detailed wording of these planning obligations and associated conditions following a resolution from the Mayor.

386 The parking management strategy of allocation of mobility scooter storage, taxi drop-off and community transport points should also be subject to this management plan.

Neighbouring amenity impacts

387 A core principle of the NPPF is to always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. London Plan Policy 7.6 states that the design of new buildings should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings in relation to privacy, overshadowing, wind and microclimate. This is particularly important for tall buildings. London Plan Policy 7.15 and the subsequent draft policy in FALP seek to reduce and manage noise associated with development.

388 Policy DM2.1 (part A) of Islington Council's Development Management DPD states that for development to be considered acceptable it must provide a good level of amenity, including consideration of noise and the impact of disturbance, hours of operation, privacy, direct sunlight and daylight, amenities of existing residents, and of future residents of proposed developments. It refers to the British Research Establishment's Site Layout Planning for Daylight and Sunlight (BRE Guidelines) under paragraph 2.13 in terms of guidance on achieving good sunlighting and daylighting. DM2.1 identifies that to protect privacy, there should be distance of 18 metres between habitable windows, but notes that this does not apply across the public highway. Policy BC9 of Islington Council's Finsbury Local Plan states that proposals for tall buildings must not have adverse environmental effects at ground level, nor overshadow neighbouring habitable rooms or formal public spaces. Policy CS7 'Bunhill and Clerkenwell' of the adopted Core Strategy states that major development proposals within the Mount Pleasant area will "be required to improve the public realm...and must not result in detrimental microclimatic effects or overshadowing of existing quality public open space...".

389 Camden Council's Policy CS5 sets out requirements to fully consider impact upon occupiers and neighbours, with particular reference to: privacy and overlooking; overshadowing and outlook; daylight, sunlight and artificial light levels; noise and vibration; odour, fumes and dust; and microclimate. It sets out that appropriate attenuation measures will need to be included. DP26 refers specifically to achieving acceptable levels of sunlight and daylight, also making reference to BRE Guidelines. Planning guidance Policy CPG6 builds upon the Core Strategy with specific reference to amenity, and does note the need to view results flexibly, taking into account special circumstances of sites.

390 The Mount Pleasant SPD confirms under paragraph 4.2.13 that "Building heights will be assessed against a range of design issues, including...the potential for unacceptable overshadowing, loss of privacy to habitable rooms and loss of direct sunlight and daylight." Taking each of the key neighbour impacts in turn, the following is noted:

Daylight and sunlight assessment

391 The applicant has submitted a full daylight/sunlight assessment within the Environmental Statement (ES), which considers the impact of the proposal upon existing adjoining properties and also the resultant daylight and sunlight levels within the proposed residential units and public spaces. The applicant has also set out supplementary illustrative data to show the impact upon adjacent properties. The analysis is based on BRE Guidelines with specific reference to Vertical Sky

Component and No Sky Line criteria. It also assesses average daylight factor (ADF) for the proposed properties being built (detailed above under paragraphs 354 to 359 above).

392 Vertical Sky Component (VSC): This method of assessment is a “spot” measurement of daylight, taken at the mid-point of a window. It represents the amount of visible sky that can be seen from that reference point from over and around the obstruction in front of the window. That area of visible sky is expressed as a percentage of an unobstructed hemisphere of sky and therefore represents the amount of daylight available for that particular window. As it is a “spot” measurement taken on the outside face of the window, its shortcoming is that it takes no account of the size or number of the windows serving a room, or the size and layout of the room itself. The same VSC value will be achieved for a small porthole window as for a fully glazed window wall. This is why the BRE Guidelines require Daylight Distribution to be measured in conjunction with VSC. The maximum VSC value is almost 40% for a completely unobstructed vertical wall or window. A window may be adversely affected if its VSC measured at the centre of the window is less than 27% and less than 0.8 times its former value.

393 No Sky Line Criteria (NSL): The NSL Contour is a line that divides those areas of the working plane (usually 850mm above floor level) in a room which can receive direct sky light through the window and therefore represents those parts within the room where there is a direct sky visibility. Where large parts of the working plane lie beyond the No Skyline, the internal natural lighting conditions will be poor regardless of the VSC value, and where there is significant movement in the position of the No Skyline Contour following a development, the impact on internal amenity can be significant and supplementary electric lighting may be required. A room may be adversely affected if the daylight distribution (NSL) is reduced beyond 0.8 times its existing area.

394 Average Probable Sunlight Hours (APSH): In relation to sunlight and overshadowing, the ES sets out an analysis of APSH of windows which face the site and are located within 90° of due south (as per the application of the BRE Guidelines). A window may be adversely affected if a point at the centre of the window received for the whole year, less than 25% of the APSH including at least 5% of the APSH during the winter months (September 21 to March 21) and less than 0.8 times its former sunlight hours during either period, and for existing neighbouring buildings, if there is a reduction in total APSH which is greater than 4%.

395 To confirm, the BRE Guidelines are intended for building designers, developers, consultants and local planning authorities. The advice it gives is not mandatory and should not be used as an instrument of planning policy. Of particular relevance, it states: *“This guide is a comprehensive revision of the 1991 edition of Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice. It is purely advisory and the numerical target values within it may be varied to meet the needs of the development and its location.”*

396 The applicant’s assessment sets out an analysis of a number of existing buildings around the site, providing a professional judgement as to whether a potential effect to each of the rooms /windows assessed would be beneficial or adverse, and of either minor, moderate or substantial significance. It clarifies that effects considered minor are those which are slight and are localised effects of no significance. Where effects are considered moderate adverse, these are limited effects which may be considered significant. Effects considered substantial in significance are those which are considerable and of more than local significance or in breach of recognised acceptability, legislation, policy or standards.

397 Daylight: The ES concludes that 75% of the windows (1,227 in total) would either retain a VSC of at least 27% or retain a VSC which is at least 0.8 times its former value, thereby meeting BRE Guidelines criteria in regards to VSC. The potential effect with regard to daylight availability on the following properties is therefore concluded as being negligible:

- Margery Court;
- 4-15 Attneave Street;
- 96-106 Farringdon Road (even);
- 43 Rosebery Avenue;
- 11-23 Mount Pleasant (odd);
- 1 Rosebery Court;
- 45 Mount Pleasant;
- 1-51 Rosebery Square;
- Mullen Tower;
- 1-26 Churston Mansions;
- 45-49 Calthorpe Street (odd); and
- Union Tavern.

398 For the remaining properties assessed, which failed to meet the BRE Guidelines criteria for VSC, further analysis in terms of NSL was carried out by the applicant's consultant, as detailed in the ES. This further analysis found there to be a potential adverse impact upon the following properties:

- Charles Simmons House;
- Sherston Court;
- Farringdon Road (114-140, 142-146 [even], 160 & 162);
- 51-53, 55, 57 Mount Pleasant;
- 1-2 Mews House;
- Laystall Court, and
- 20-50 Calthorpe Street (even).

399 The impact upon 23-43 Calthorpe Street, 37-48 Elm Street and 1-3 Pakenham Street was found to be negligible as a result of the NSL testing.

400 Having been reviewed at an officer level, both Councils in reporting the applications to committee highlighted areas where it was considered that the scheme would have a harmful impact upon residential amenity of adjacent properties in relation to daylight entry, to warrant a reason for refusal on these grounds. Camden Council concludes that the scheme would have a seriously harmful impact upon habitable rooms in Laystall Court and 55/57 Mount Pleasant in particular. Islington Council, in reporting on the scheme, highlights the degree of VSC and daylight distribution losses where there are moderate to substantial impacts, particularly properties on Farringdon Road. It concludes that in the absence of significant public benefits arising from the proposal these impacts cannot be weighed in the balance.

401 Sunlight: The applicant's study analyses 636 windows in 17 adjacent properties, and it was found that 89% would meet the BRE Guidance for APSH.

- Sherston Court;
- 142-146 Farringdon Road (even);
- 96-106 Farringdon Road (even);
- 43 Rosebery Avenue;
- 1-2 Mews House;
- 37-48 Elm Street;
- 1-26 Churston Mansions;
- 23-43 Calthorpe Street;
- 45-49 Mount Pleasant; and

- Union Tavern

402 The report notes that as a result of the development, a reduction in sunlight availability could be found at the following properties:

- Charles Simmons House (minor adverse significance);
- 160 & 162 Farringdon Road (minor adverse significance);
- 4-15 Attneave Street (minor adverse significance);
- 114-140 Farringdon Road [even] (minor to moderate adverse significance);
- 1-51 Rosebery Square (minor adverse significance);
- 20-50 Calthorpe Street [even] (minor to moderate adverse significance);
- 1-3 Pakenham Street (minor adverse significance);

403 Neither of the Council planning officers, in reporting the applications to committee, found that there would be demonstrable harm in relation to sunlight, so as to warrant a reason for refusal on these grounds. The key findings in the applicant's assessment of daylight impact are that the architectural features of the existing buildings, proximity and orientation to the site, the position of the sun during winter months, as well as the fact that this is a presently vacant site in a dense urban setting, are such that it accords with BRE Guidance.

Independent review

404 As noted above, in the interests of providing the Mayor with assurance with respect to the robustness of the submitted assessment and acknowledging the borough objections to this aspect of the scheme, the GLA retained GVA Schatunowski Brooks to undertake independent review of the methodology, assumptions and conclusions of the applicant's daylight and sunlight report. The results have been assessed against the standards and objectives of the two Councils' policies in respect of impact on the amenity enjoyed by existing neighbouring dwellings and a review of the quality of the light that will be enjoyed by future occupants of the completed development. A GLA officer assessment of the impact of the scheme on daylight and sunlight, supported by the associated findings of the independent review, are set out below.

405 When considering the findings of the assessment, GLA officers have had regard to the site's central urban context and BRE's advice that the numerical guidelines it provides are not mandatory, and should be interpreted with a reasonable degree of flexibility – taking into account site context and the nature of the situation in which they are being applied. It is also recognised that the existing site is relatively undeveloped and void of buildings compared to its surroundings, and as a result, the buildings around the site currently enjoy relatively good levels of natural light for a central urban area.

Methodology and assumptions

406 The independent review confirms that the analytical tool used by the applicant to assess the daylight and sunlight data is suitably accurate. The information has been built up from topographical and 2D elevation survey drawings, which should provide an accurate layout plan of the distances and ground level heights. It is noted that a number of the internal layouts for the neighbouring properties have been estimated in the absence of internal measurements and planning drawings, which can contribute towards a slight margin of error. Internal floor to cill, cill to head, and floor to ceiling heights have been estimated however it is recognised that in practice the recording of such measurements may not always be practical/feasible (due to the necessity to access private property). Indeed, the independent review acknowledges that estimations of this sort are by no means uncommon. For the transmittance value of glazing, GIA have adopted a coefficient of 0.64 with a maintenance factor of 8. These values are generally accepted as a

reasonable for double glazing when values are not known. For internal reflectance within rooms, GLA have adopted an average internal reflectance of 0.5, which is also an accepted value where internal finishes are not known.

407 Having considered the points above in conjunction with the broader conclusions of the independent review, GLA officers are of the view that whilst the above factors may contribute towards a slight margin of error within the applicant's assessment – the methodology and assumptions used by the applicant are fair and reasonable in this case.

408 The assessor also acknowledges that the existing site is relatively under-developed due to the large parking area and that the buildings around it therefore enjoy relatively good levels of natural light under existing conditions. They concur with the applicant's view that the numerical targets and percentage reduction factors in the BRE guidelines should be applied flexibly in order to reflect the general pattern and scale of development in these parts of the boroughs.

409 For general guidance, whilst the BRE guidelines recommend a target value of 27% VSC where measured on an absolute scale, that value is derived from a low density suburban housing model. In an inner city urban environment, VSC values in excess of 20% should be considered as reasonably good and that VSC in the mid-teens should be acceptable. However, where the VSC value falls below 10% so as to be in single figures, the availability of direct light from the sky will be poor and therefore internal lighting conditions are therefore also likely to be poor even where there are large windows.

410 The BRE guidelines also contain a permissible percentage reduction factor and advise that a percentage loss of 20% is acceptable. The 20% factor of reduction has been established through research undertaken at the Building Research Establishment and represents the approximate level of reduction that can be made before the change in lighting conditions becomes materially noticeable. In the present circumstances, as the existing site is under-developed, a greater degree of percentage reduction can be applied. That higher percentage will depend upon the absolute value of existing lighting conditions, but in general terms the percentage reduction can be increased to around 30% with an upper threshold of 40%. That is, where existing lighting conditions are reduced by more than 40% of their existing value, not only will the change in conditions be significant, they will usually be serious and unacceptable.

Analysis

411 The independent review has verified the applicant's conclusion that the proposed development will reasonably satisfy BRE guidelines for daylight and sunlight with respect to the following properties:

- 96-106 Farringdon (even only);
- 43 Rosebery Avenue;
- Union Tavern;
- 45-49 Calthorpe Street (odd);
- 23-43 Calthorpe Street (Camden);
- 37-48 Elm Street (Camden);
- 1-3 Pakenham Street (Camden);
- 1-26 Churston Mansions;
- 45 Mount Pleasant (The Apple Tree);
- 11-27 Mount Pleasant (odd);
- Mullen Tower, Mount Pleasant (Camden);
- Margery Street;
- 1 Pakenham Street (Camden);

412 Accordingly, GLA officers are satisfied that the development would not have a material impact on these properties.

413 However, in accordance with the findings of the applicant's assessment, and the independent review, it is necessary to consider the impact on the properties in more detail:

- 1-16 Charles Simmons House;
- 160 Farringdon Road;
- 162 Farringdon Road;
- Sherston Court, 16 Attneave Street;
- 4-15 Attneave Street;
- 142-146 Farringdon Road;
- 130, 132, 134, 136, 138 and 140 Farringdon Road;
- Laystall Court
- 55/57 Mount Pleasant

414 As noted above, the applicant's daylight and sunlight assessment has examined three measures of diffuse daylight: VSC; ADF; and NSL; with one measure of sunlight (APSH). The applicant's appliance of these particular daylight and sunlight assessments was supported by the independent review.

- *Charles Simmons House*

415 This is a four story residential building directly north of the site, on the junction of Farringdon Road, Kings Cross Road and Margery Street, opposite the proposed 8-storey Block H. This building has 24 windows on the main elevation, with a central grouping of six windows that are topped by projecting balconies and a further four located on a set back element of the building. The applicant's results show that there would be increased daylight losses to these windows with balconies above them, but that 50% of the windows overall would retain complying daylight values.

416 The independent study observes that the results provided do not provide alternative values to enable it to be established if it is these canopies that obstruct light to the building or if it is the proposed development (the "canopy effect"). However, extrapolating the information from the unobstructed ground floor windows and applying the same principle to the first and second floor windows, if not for the obstructions, these windows would suffer loss ranging from approximately 13% to 27%, compared to the guidelines value of 20%. When applying a degree of flexibility as previously stated, the consultant advises that the BRE guidelines are satisfied.

417 For NSL, the results confirm that the majority of rooms would retain at 0.8 of their former value. Where they do not, the rooms suffer losses of 25.2%, 27.1% and 28.1% which are in excess of guidelines, but within the flexible parameters suggested. Also, all of the rooms in question retain daylight to at least 70% of the room area and therefore the rooms would remain adequately lit.

418 For sunlight, the reports confirm that all windows would satisfy the BRE guidelines by either retaining 25% annual and 5% winter sunlight or 0.8 of their former value, with the exception of the windows obstructed by balconies above. These windows would suffer losses of up to 60% with the balconies in place, however by extrapolating the data again, loss of no greater than 20% could be expected. With this in mind, given the existing constraints of the balconies, the GLA consultant considers the adequate sunlight would be retained to this property with the proposal implemented. Islington Council confirms that it is satisfied regarding the losses that would occur, noting that the site is earmarked for redevelopment and as such, future designs would be expected to maximise daylight receipt through design.

- *160 Farringdon Road*

419 This is a three-storey Victorian building with mansard roof, adjacent to the corner of Farringdon Road and Margery Street, opposite proposed Block H. It contains a shop unit at ground floor and flats above. The VSC results confirm that there would be losses of up to 46% to the property. In the existing situation, all windows exceed 27% guidelines value – not typical for such an inner-city environment. The proposed situation results in absolute VSC values ranging from 18.9% to 23.97%, with the majority in excess of 20%. The conclusion of the consultant is that whilst there would be a noticeable reduction in VSC levels, the values that remain would be adequate in the context of the location.

420 For NSL results, there are two rooms in the property where there would be a significant and noticeable loss of daylight – with reductions of 59.5% and 57.9%, resulting in the daylight lit area of the rooms reducing from over 90% to approximately 40%. Whilst there are two rooms facing the development that would retain at least 50% NSL, the two rooms that would reduce to 40% would have a noticeable impact that fails to satisfy the BRE guidelines.

421 For sunlight, the APSH results confirm that all windows would retain 25% annual and 5% winter sunlight value and the consultant confirms that BRE guidelines are satisfied.

- *162 Farringdon Road*

422 This is a 3-storey Victorian property with mansard roof, adjacent to no. 160, directly on the corner of Margery Street (opposite Block H). It contains a ground floor restaurant and flats above. Out of 15 windows, eight would retain 27% VSC or 0.8 the former value. Seven would have VSC reduced by approximately 40% although the retained absolute values range from 19.72% to 24.72%, which is considered by the consultant to be good in the context of the location. The NSL results confirm that all rooms would retain 0.8 of their former value and therefore the BRE guidelines are satisfied.

423 For sunlight, the APSH results confirm that all 11 windows tested would retain annual sunlight values in excess of the guideline value of 25% or 0.8 the former value. Whilst winter sunlight figures show that there would be three windows that would suffer losses greater than 50% of their former value, two of these would suffer such a small loss they would not be noticeable. For the third window that would suffer an absolute loss (from 13% to 0%) in the context of the property as a whole, the consultant confirms that adequate sunlight would be retained.

- *Sherston Court*

424 This is a four-storey block of Council built flats, between no. 160 and 4-15 Attneave Street. It is set back from Farringdon Road, opposite proposed block H. For daylight VSC results confirm that the majority of windows would suffer reductions in excess of the 20% guideline. However, these reductions are no greater than 28.48%, which, whilst noticeable, would be within tolerance previously specified. Also, the majority of windows in question would retain absolute values between 20% and 27%, therefore the consultant considers that these would retain good daylight in the context of the location.

425 The NSL results confirm that there would be noticeable reductions to approximately 50% of rooms tested ranging from 21% to 43%. However, the consultant notes that as existing values are very good and are not typical for an inner-city location; therefore even with significant and noticeable reductions all rooms will retain daylight to over 50% of the room area. Therefore it should be considered that this property retains adequate daylight.

426 For sunlight, the APSH results confirm that all windows tested will retain the BRE Guideline values of 25% annual and 5% winter sunlight.

- *4-15 Attneave Street*

427 This is a four-storey Council housing block, sitting perpendicular to Farringdon Road, directly opposite the position of the Garden. For daylight, the results confirm that all properties would satisfy the BRE guidelines, by either retaining 27% VSC or 0.8 of their former value for both VSC and NSL.

428 For sunlight, the APSH results confirm that all but one window retain absolute guideline value for both annual and winter sunlight. The one window that does suffer a loss would retain 16% annual sunlight, deemed to be acceptable for this location. The loss of winter sunlight is below 4% of the absolute value and should not be noticeable and the consultant confirms that the property would retain adequate sunlight.

- *142-146 Farringdon Road*

429 This is a four-storey Council block of flats facing Farringdon Road, directly opposite the five-storey office building (Block G). For daylight, the VSC results indicate that 75% of the windows tested would fall short of the BRE guideline criteria, with reductions ranging from approximately 27% to 44%. However, the consultant notes that the existing daylight values are very good as a result of the open nature of the existing site and therefore, whilst the reductions would be noticeable, the retained daylight levels to these windows should still be considered good in the context of the site, with absolute VSC values ranging from 19.48% to 26.84%.

430 In terms of NSL results, existing daylight levels will be excellent, due to the open nature of the application site at present. There would be noticeable losses to rooms facing the proposed development, even when applying a degree of flexibility (allowing for a reduction of 40%), with 11 of the 24 rooms tested exceeding this value, with reductions ranging from 44.2% to 58.8%, which the GLA consultant observes should be considered significant and serious. However, as the existing values are untypically high, the reduced NSL values shown still equate to approximately 40% of the room area. Since the planning submission, the applicant's consultant has been able to ascertain the internal arrangement of this property and the rooms have been found to be approximately 25% more shallow than tested. On this basis, it is reasonable to assume that there will be daylight penetration to greater than 50% of the room and therefore the rooms should be considered this property will retain adequate sunlight.

431 For sunlight, the APSH results confirm that all windows tested will retain the BRE Guideline values of 25% annual and 5% winter sunlight.

- *124-140 Farringdon Road*

432 This terrace comprises nine separate four-storey Victorian town houses, with habitable rooms at basement, ground, first and second. These sit directly opposite the existing RMG delivery and servicing yard, where Block G would be built. Access has been granted to a number of properties since the application submission and revised findings produced by the applicant, namely in relation to revisions to a number of lower ground floor room areas. The GLA consultant notes that as these properties presently have an open aspect across the car park with unusually good daylight levels, the percentage reductions could be considered misleading. Therefore it is noted that greater onus should be placed on the retained absolute values, whilst accepting greater percentage losses.

433 The VSC results indicate that there would be significant reductions to windows at basement level, that in themselves, should be considered serious and unacceptable. However, the GLA consultant notes that these windows are more sensitive to change due to their height in relation to the development site. Also the three windows at each basement level serve a single room and as such their combined contribution would help mitigate the NSL reductions.

434 Whilst the impact to the VSC values at the floors above would be noticeable, these reductions are generally limited to the upper tolerance of between 30% and 40%. The majority of the windows would retail absolute VSC values of 19% or greater and as such, the GLA consultant observes that these windows could be considered to retain adequate daylight following the construction of Block G.

435 For NSL, the results following further analysis of rooms, shows that all properties would retain adequate daylight levels to all rooms at ground floor and above, due to the excellent existing daylight levels. The GLA consultant notes that the basement rooms to no. 134, 136, 138 and 140 Farringdon Road would retain NSL values of 67.3%, 67.4%, 68.4% and 75.9% respectively, and therefore would remain adequately lit.

436 In relation to the balance of the rooms (located at basement level to no. 122 – 132), again these rooms enjoy very good daylight distribution under existing conditions, but following the scheme would retain NSL values of 39.7%, 38.5%, 39.4%, 43.5%, 42.5% and 42.2%, respectively. The GLA consultant notes that these impacts should be considered noticeable and serious, and to remain adequately lit, one would expect these rooms to retain a minimum 50% NSL. The applicant has confirmed that for no. 122, 124, 126, and 160, these basement rooms are bedrooms. For no.128, the room is a study for the larger house. The use of the room for no.132 is unknown. BRE guidelines suggest that daylight to bedrooms is “less important” and that whilst 50% might be a minimum NSL value for a main habitable room, the values to these basement rooms may be acceptable if they are secondary spaces. For all but no.132, this is the case and a reduced NSL value is justified.

437 Having considered the above, in light of the fact that there is a single room with an unknown use, in the balance of the larger scheme, the benefits of the scheme in terms of the design and layout out Block G, is considered to outweigh this harm, as detailed elsewhere in this report.

438 For sunlight, when considering the APSH results in the context of the room to which to serve, the vast majority will retain 25% annual and 5% winter sunlight. It should therefore be considered that the rooms to these properties retain adequate sunlight.

- *55 and 57 Mount Pleasant*

439 These properties are four-storey residential terrace houses, facing north-west directly overlooking the existing Phoenix Place car park, thereby enjoying untypically good levels of daylight for this city location.

440 For daylight, the VSC and NSL results confirm that the lower ground windows/rooms are unlikely to suffer a noticeable loss of daylight, retaining approximately 0.8 of their former value. This is because the windows in question are below pavement level and would therefore have a restricted view of the proposals.

441 At ground floor, where the rooms have full view of the development site, both the VSC and NSL tests indicate very significant and noticeable reductions of greater than 40%. However, as these rooms are untypically well lit, a significant percentage reduction is almost inevitable with the development in place. Therefore, the GLA consultant advises that reliance on the reductions can be

misleading and greater onus should be placed on the absolute values retained. At ground floor, the absolute values retained would be approximately 15% VSC, and whilst low, the GLA consultant notes that they are not dissimilar to what might be expected in the local vicinity and therefore should not be viewed as unacceptable. The NSL values for both of the rooms are approximately 50%, which whilst low, are on the cusp of what is deemed acceptable.

442 At first and second floors, the absolute VSC values retained range from between 15.53% to 19.57% and the GLA consultant considers this adequate for the location. The NSL values indicate that the reductions to three of the four rooms would not be noticeable by virtue of retaining 0.8 of their former value. The remaining room would retain daylight to 74% of the room area and would therefore remain well lit. The GLA consultant concludes that whilst some rooms only retain the minimal standards, when applied flexibly in the context of the site, the property should be considered to retain adequate daylight.

443 For sunlight, in accordance with the BRE Guidelines, whilst windows of all orientations should be considered, only those that face within 90° of due south have reasonable expectation of sunlight. As this property does not contain any such windows that face toward the development, the detailed APSH test is not required and no further consideration has been given.

- *Laystall Court*

444 This property is an 11-storey block of flats, with windows facing predominantly north-west across the existing staff car park on Phoenix Place. As a result of this open aspect, the properties currently enjoy untypically good levels of daylight for this dense city location. With this mind, the GLA consultant observes that any buildings placed on the site, commensurate with the massing of neighbouring properties, is likely to cause significant percentage reductions. As such, greater onus should be placed on the value retained values rather the percentage reduction.

445 For daylight, the VSC results indicate that only the windows to the upper floors and those that look more predominately west would retain greater than 0.8 of their former value. The majority of the remaining windows would meet the more flexible criteria of up to 40% loss or 0.6 of their former value. However, six windows do not meet this criterion and these would suffer losses ranging from 41.69% to 45.02% which the GLA consultant notes is very significant. Saying that, it is appropriate to consider the absolute VSC values retained and these range from 16.89% to 18.31%. Whilst these levels are relatively poor when compared to the VSC guideline target value of 27%, the GLA consultant considers that this may be adequate in the context of the location, especially as it is understood that four of these six windows serve bedrooms.

446 For the NSL results, once again, whilst there is 2/3 very significant percentage reductions per floor, these rooms are almost totally daylit in the existing situation, which is untypical for the location. Therefore, once again, it is appropriate to consider daylit areas retained – in this case these remain at approximately 50% of the room area. Half of the rooms in question are also bedrooms and therefore deemed as “less important”. Therefore, whilst these losses will be noticeable and very significant, the GLA consultant concludes that this could be considered acceptable, considering the mitigating factors.

447 For sunlight, in accordance with the BRE Guidelines, whilst windows of all orientations should be considered, only those that face within 90° of due south have reasonable expectation of sunlight. As this property does not contain any such windows that face toward the development, the detailed APSH test is not required and no further consideration has been given.

Conclusions on daylight and sunlight

448 Having considered the nature of the site and the surroundings, a judgement has been made to apply a greater degree of flexibility to the BRE guidelines in assessing the impact of this proposed development. The main factors for the applying greater flexibility are:

- The site is under-developed in terms of height and massing in its existing conditions;
- The existing neighbouring buildings are of substantially greater height and massing than used for setting the targets in the BRE Guidelines;
- A neighbouring dwelling contains habitable rooms at basement/lower ground floor level, partially obstruction and/or below the development site level.
- A neighbouring dwelling has projecting amenity balconies which affect the availability of daylight.

449 The GLA consultant observes that even taking these factors into account and applying reasonable degree of flexibility, the proposed development would result in material losses in daylight entry to properties at 124-140, 142-146 and 160 Farringdon Road, Laystall Court, and 55 and 57 Mount Pleasant. Having considered the mitigating factors, a number of these rooms could be considered to remain adequately lit, retaining 50% NSL to each main habitable room.

450 There are rooms that fall below this – the first floor flat to 160 Farringdon Road and basement rooms to 124 to 132 Farringdon Road. Having reviewed the changes to the scheme that would be required in terms of ‘cutbacks’ to retain at least 50% NSL, in the case of 124-132 Farringdon Road, this would require the removal of the top floor and setting back of the floor below for half of the office building (Block G). Noting that a number of the rooms at basement are “*less important*” bedrooms or a study for a house, officers consider that the implications in terms of streetscape, design, noise attenuation and office floor layout that would come from reducing the height, outweigh this harm. In the case of 160 Farringdon Road, as observed by the GLA consultant it is almost inevitable that there will be one or two rooms that fall below the recommendations when providing a new development of this magnitude and therefore seeking cutback to Block H solely for these rooms is not considered to outweigh the harm caused in design terms.

451 GLA officers acknowledge that it can be difficult to meet the recommended daylight and sunlight standards for all residential units in the centre of London where there is a strong demand for accommodation of all types and where high density development is encouraged by local and national planning policies. It is acknowledged any substantial development of the site, in order to meet policy aspirations, would be likely to have some impact on living conditions for existing residential occupiers given the undeveloped nature of the site at present.

452 When considering the information available, having reference to BRE guidelines, the site context, policy led development aspirations, that the BRE criteria are intended to be applied flexibly, and help rather than constrain design, on balance the scheme is considered to be acceptable in relation to daylight and sunlight impacts.

Overshadowing, light pollution and solar glare

453 The applicant’s ES also looks at the impact of the scheme in terms of overshadowing impact to the above listed properties. The BRE Guidelines suggest that where large buildings are proposed, it is useful and illustrative to plot a shadow plan to show the location of shadows at different times of the day and year: March 21, June 21 and December 21. The ES concludes that there would be some impact as a result of the unusually open nature of the site at present however,

the shadow would move quickly throughout the day, not remaining in one place for very long. On this basis, there are no objections to the proposal in terms of overshadowing impact. The borough officers, in reporting the applications have not raised objections on these grounds.

454 It is noted that objectors have raised concerns about the impact upon local community uses, in particular the Christopher Hatton School which sits to the south of the PP site, the tallest element being the nearest. The ES studies have found that there would be no material harm caused to the playground in particular, during the winter period, noting the orientation and distances between them.

455 In terms of light pollution, the ES defines this as any light emitting from artificial sources into spaces where it is unwanted, such as spillage of light from office or commercial buildings onto streets, or, into residential accommodation, such as bedrooms, where this would cause nuisance to the occupants. The ES notes that none of the residential properties adjacent to the site are located within 20 metres of the proposed offices. Therefore, it concludes that any potential light trespass as a result of the schemes would be negligible. In addition, the applicant notes that any future external lighting would be designed in accordance with ILE recommendations. As such, it is accepted that quantitative assessment of light pollution in this instance is not necessary in this instance.

456 In relation to solar glare, as the elevations would not be predominantly glazed, but rather consist of punched windows within a solid facade, any instances of solar glare would occur only for a very short time and can therefore be considered as negligible. As such, the applicant concluded that was not considered necessary to include a quantitative assessment of solar glare. There are no outstanding concerns in relation to this point.

Visual amenity and privacy

457 Islington Council, in reporting on this aspect notes that all neighbouring properties are located on opposite sides of the public highway, and that in policy terms there is no unacceptable overlooking caused to any neighbouring residential habitable rooms as a result of these proposals. Camden Council also raises no objections, noting that the relationship between the proposed blocks and the existing buildings are similar to those found across London. Having assessed the distances and window position of surrounding buildings, it is apparent that proposed development is not likely to have an adverse impact upon the outlook or privacy of existing neighbouring properties.

Noise, odour and fumes

458 The scheme includes a mix of residential and office/commercial uses that are not in themselves activities that generate noise disturbances that cannot be controlled by way of planning conditions (in relation to servicing, opening hours, plant and mechanical equipment etc.). The enclosure of the MPSO operations with the proposed lightweight deck would attenuate noise disturbance caused by servicing and 24 hour activity by Royal Mail.

459 As observed by the applicant's ES and reported by the Councils, there potential for the new vehicle access points along Farringdon Road to lead to an increase in noise, with the enclosed ramp amplifying noise. As noted in paragraph 10.217 of the ES, internal surfaces of the access point will need to be treated to increase absorption and reduce this effect. A condition securing details of acoustic dampening material use would be appropriate to address this.

460 Disturbance in term of noise and dust from construction works would need to be controlled, noting that a number of objectors have raised concerns about this element of the scheme. A construction management plan would be appropriate to address this, secured through the conditions or s106 agreement, particularly noting that works relating to the installation of the

acoustic roof would need to take place outside of normal working hours so as to not disrupt Royal Mail operations. This would need to take into consideration GLA's dust guidance, BS5228, LBI's Code of Construction Practice and any other relevant guidance is requested. This should tie in with the Construction Logistics Plan requested by TfL to be secured by legal agreement.

461 In relation to plant noise, it is noted that ventilation equipment is proposed, and Islington Council's Acoustic Officer observes that a further report detailing the proposed plant will need to be carried out at a later date with plant specifications and noise predictions. The ES notes that a +5dB(A) character correction should be included in any assessment. A 'fixed plant' condition should be applied to all normal plant. For plant used purely for on a standby or emergency basis, a bespoke condition is recommended to secure a written code for the management of noise from emergency plant and equipment, which shall identify measures to reduce the impact of the noise on the surrounding community.

462 In relation to odours and noise from restaurant uses, as noted previously, these would need to be controlled through suitably worded conditions regarding extraction, hours of use and servicing, for instance.

463 Several of the objection responses set out concerns in relation to noise disturbance arising from residents and users of the proposed development. As observed by Camden Council officers, a development of the scale and intensity proposed would lead to an increase in movements of people and vehicles, though the resultant levels would not lead to an increased background noise level excessive for a central London location.

464 Camden Council has also reported on requests made by occupants of Laystall Court for s106 payments to allow for the improvement or upgrading of windows within that property, which are regarded to be particularly susceptible to noise (and dust) ingress. As concluded by Camden officer, the improvement of poorly performing materials within neighbouring buildings is not considered to constitute a necessary obligation, as defined by the Community Infrastructure Levy Regulations.

Wind / Micro Climate

465 Chapter 15 of the ES assesses the likely impact of the scheme upon the local wind microclimate, within and surrounding the site. In particular, it looks at pedestrian comfort using the Lawson Comfort Criteria, which explore the ability to undertake various outdoor activities (sitting, walking, strolling etc.) in various weather conditions throughout the year. The applicant has concluded the residual impact on the environment would range between negligible to moderate positive impacts and no mitigation measures are required. This is accepted.

Conclusion

466 The assessment above has been based on the information provided by the applicant, analysis by borough officers and in the case of daylight and sunlight, independent advice provided to GLA officer. It is concluded that on balance, given the context and limited scale of impact, that the proposal would not result such a level of sunlight or daylight loss to neighbouring residential properties to warrant alteration to or rejection of the scheme. Furthermore, the overshadowing impacts associated with this development are acceptable; issues of privacy and overlooking have been mitigated through design; and issues of noise and disturbance would be adequately mitigated through planning conditions.

Sustainability and climate change

467 London Plan climate change policies, set out in Chapter five, collectively require developments to make the fullest contribution to the mitigation of, and adaptation to, climate change, and to minimise carbon dioxide emissions. London Plan Policy 5.2 sets out an energy hierarchy for assessing applications, London Plan Policy 5.3 ensures future developments meet the highest standards of sustainable design and construction, and London Plan policies 5.9-5.15 promote and support the most effective climate change adaptation measures including passive thermal regulation, urban greening, and water management.

468 London Plan Policy 5.10 promotes urban greening, such as new planting in the public realm and multifunctional green infrastructure, in order to contribute to the adaptation to, and reduction of, the effects of climate change. Within the CAZ this policy seeks to increase the amount of surface area greened by at least five per cent by 2030. London Plan Policy 5.11 seeks to ensure that major development proposals are designed to include roof, wall and site planting, especially green roofs and walls where feasible. London Plan Policy 7.19 seeks to ensure that wherever possible, development proposals make a positive contribution to the protection, enhancement, creation and management of biodiversity.

469 Camden Council sets out requirements for climate change mitigation and adaptation, minimisation of carbon dioxide emissions and contributions to water conservation and sustainable urban drainage under Policies CS13, CS18, DP22, and DP23. Camden also has a Sustainability SPD (CPG3) which sets out requirements in relation to energy statements, efficiency, CHP, renewable energy and sustainability measures.

470 Policy CS10 of Islington Council's Core Strategy, chapter 7 of the Islington Council's Development Management DPD and Islington Council's Environmental Design SPD are also relevant in the assessment of the scheme. CS10Part A is specifically noted as this sets out a requirement for reductions in regulated and unregulated carbon dioxide emissions of 40%, which is beyond the requirements of the London Plan (which only refers to regulated emissions). Policy CS15 states that biodiversity will be protected and enhanced across the borough (E) and that a greener borough will be created by (F) maximising opportunities for planting, green roofs and green corridors that connect green spaces across the Borough.

Energy strategy

471 The applicant has submitted an energy strategy for each of the sites, and is proposing to reduce carbon dioxide savings by 42% for the CS site and 40% for the PP site. In reporting the application at Stage 1, it was observed that the scheme broadly followed the energy hierarchy, with a range of passive design features and demand reduction measures proposed, and district heating, CHP and renewable energy sources, and that the 40% savings against 2010 Building Regulations appeared to be achieved. There did remain outstanding issues that required resolution before it could be confirmed that the scheme was fully accordance with the London Plan and since that time further discussion has taken place. This related to details of regulated carbon savings, exploration of providing a single energy centre, and information about the renewable energy technology proposed (open loop ground source system).

472 Islington Council in its committee report raised specific concerns about the carbon emissions that would come about from the proposed comfort cooling. It cites a reason for refusal on the grounds that the scheme proposes comfort cooling that amounts to 15% of the schemes total carbon dioxide emissions, without sufficient justification. It sets out that in achieving 25% reductions (factoring in both regulated and unregulated emissions) the scheme fails to accord with Policies 5.3Ca and 5.9B of the London Plan 2011, Policies CS10 of the Core Strategy and Policy

DM7.5 of the Development Management Policies (2013). Additionally, it notes that the scheme has a very high lighting demand, with lighting amounting to 22% of the scheme’s carbon dioxide emissions. The Council concludes that the applicant has failed to engage fully in discussing lower energy options to address this, therefore contributing towards the schemes failure to achieve the (proxy) 30% (total) carbon dioxide emissions reduction target against Part L, 2010 Building Regulations.

473 Camden Council concludes that the application is acceptable in relation to energy, subject to suitably worded planning obligations secured in the Section 106 agreement.

474 Taking the issues in turn, the following is noted:

475 Energy efficiency (Be Lean): As observed at Stage 1, the scheme proposes a range of passive design features and demand reduction measures reduce the carbon dioxide emissions of the proposed development. Both air permeability and heat loss parameters will be improved beyond the minimum backstop values required by Building Regulations. Other features include low specific fan power, variable speed drives and energy efficient lighting. The demand for cooling will be minimised through optimised facade design and shading features. The Phoenix Place element is estimated to achieve a reduction of 7% in regulated carbon dioxide emissions compared to a 2010 Building Regulations compliant development; whilst the Calthorpe Street element is estimated to achieve a reduction of 9% in regulated carbon dioxide emissions compared to a 2010 Building Regulations compliant development. When combined, the figures confirm compliance with the target set in policy 5.2 of the London Plan.

	regulated	savings	%
	tCO2	tCO2	
BR 2010	1236		
energy efficiency	1133.2	102.8	8%
CHP	786.4	346.8	31%
renewables	747.7	38.7	5%
Total (cumulative)	0	488.3	40%

476 District heating – CHP and provision of two energy centres (Be Clean): The applicant is proposing to install a heat network for each development, with an energy centre located in the basement of each, serving the office building and all flexible use units as well as the residential units. As noted in the table above, the CHP units would result in a reduction in regulated carbon dioxide emissions of savings of around 31%. At Stage 1, it was requested that the applicant investigate the potential for both parts of the development to be fed by a single energy centre. The two Councils also sought further information on this aspect.

477 The applicant has responded on this point, stating that the order of phasing of the schemes and the over sizing of the engines (and inefficiencies) ruled out the provision of a wider CHP system to serve the two sites. The applicant also considered: the additional electricity provision and if it could be locally utilised; thermal distribution losses and pressure drops; thermal storage volumes (and space implications); flue design and air quality implications; and bore hole system integration phasing. Clarification has also been provided to confirm that there would be no significant benefits in aggregating the loads due to the similar profiles of the sites, with the thermal load representing approximately 50% of each site’s regulated carbon emissions. It has tested whether a single engine with a slightly higher electrical efficiency could be provided, but this would result in a small theoretical increase in carbon savings of less than 3%.

478 Both Councils have accepted the justification for not providing a combined, single CHP system in this instance. GLA officers agree that a case could be made for having two energy centres in this particular instance, noting the divisibility of the sites by the road, and number of servicing arrangements already taking place beneath it. It is agreed that the minimal extra carbon savings that are likely to be achieved in consolidating the two into a single plant and that the scheme is meeting the London Plan carbon reduction target, this is accepted. These circumstances are such that it is not considered that this creates a precedent for other phased schemes.

479 The applicant has agreed that the engines would be designed to be able to connect to a future District Energy Network (DEN) should one become available in the future, and this would be secured by s106 obligation. In this instance, because the site is not within 500 metres of an existing DEN, there is not a requirement to connect now or pay a financial contribution the connection charge as set out in local policy. But should one come to within 500 metres of the site prior to occupation, section 106 discussions to date have looked to require reasonable endeavours to be made to connect to it. The s106 would also set out requirements to use reasonable endeavours to create a shared energy network (i.e. if technically and economically feasible and result in carbon savings), in which the energy centres would be linked to form a local area network with the capability of supplying heating and cooling to the developments and any neighbouring developments that may come forward.

480 Islington Council has sought further details including information on the insulation levels targeted for distribution pipework, valves and flanges to protect against overheating and information on the secondary side design. This could most appropriately be confirmed through the submission of details by way of condition. Details of whether either under floor heating or oversized radiators would be used to enable optimum efficiency for the CHP would also be expected to be detailed by way of condition.

481 Ground source heat pumps (Be Green): The applicant has investigated a range of renewable energy technologies, with the preferred option being an open loop ground source heat pump system that would provide active cooling and an element of the heat demand not supplied by CHP. This would result in a reduction in regulated carbon dioxide emissions of at least 5%. The applicant has provided a note explaining how the ground source heat pump systems would be integrated with the district heating system and CHP. The heat pumps are designed to pre-heat the water before the CHP is activated. The system is also designed to improve the efficiency of the centralised cooling. Whilst this approach does not strictly follow the energy hierarchy (which requires to optimise the use of CHP before the introduction of renewables) and this would normally be resisted in light of the fact that it goes some way to reducing the carbon impact of the active cooling measures (discussed below) and because the Councils appear supportive of its inclusion, this solution is accepted.

482 Overheating, heating and cooling: Islington Council has raised an objection to the CS scheme on the grounds that comfort cooling (air conditioning) is proposed, noting that this amounts to 15% of the scheme's total carbon dioxide emissions. Its policy DM7.5 sets out a sequential cooling hierarchy that seeks measures at the top of the hierarchy to the fullest extent possible before considering heat control measures such as comfort cooling. The Council considers that the applicant's justification for this, based on marketability of flats and therefore viability, is not sufficient justification. This is keeping in mind that further groundwork assessment could reveal that ground source systems for cooling are found to be unfeasible, and may further impact carbon savings.

483 The applicant has undertaken some further assessment, including dynamic thermal modelling and has demonstrated compliance with Islington Council's cooling hierarchy with passive measures (including glazing, articulated facades, with balconies, overhangs and external shading), provision of dual aspect units and ventilation measures (including boosted mechanical ventilation)

before considering active cooling. An overheating assessment has also been prepared to fully address the issue and demonstrate that overheating risk can be contained with the measures proposed. The study suggests that the provision of operable windows (except where noise would outweigh the benefits), retractable shading and mechanical heat recovery to help provide further mitigation against overheating. The Council has sought that these be secured by way condition requiring the submission of an updated energy strategy. Such a condition is proposed.

484 On the basis that the applicant has prioritised passive design measures, that it only represents approximately 3% of the regulated emissions (which could be met through the provision of GSHP), and would not drop the overall savings to below London Plan requirements (25% savings on 2010 Building Regulations), the case for provision of mechanical cooling is accepted in this instance. This is also acknowledging in the absence of such cooling, any reduction in sales values would impact upon scheme viability, which is discussed above. At a strategic level, the resulting cooling demand for the domestic element is in line with other referable schemes that have been considered to comply with the cooling hierarchy.

485 Overall, the applicant has provided justification for the provision of mechanical cooling along with a summary of the proposed cooling strategy against the hierarchy contained with London Plan policy 5.9 and Islington Council's Development Management policy DM7.5. If it is found that GSHP is not viable, there is an opportunity to review the carbon savings that can be achieved by way of the suggested conditions.

486 Unregulated emissions: In addition to the energy demand created by comfort cooling, Islington Council has highlighted concern about the amount of energy demand generated by communal lighting and other unregulated emissions. For instance, lighting would account for 22% of the total site carbon dioxide emissions. Having reviewed this point, the GLA energy officer is of the view that the lighting demand does not seem excessively high, given that the development includes a sizable office and retail element. The applicant's argument that the SAP methodology is not sensitive enough to account for savings from LED lighting and controls is accepted.

487 As noted above, Islington Council has raised objections on the basis that the scheme fails to achieve 30% reductions in regulated and unregulated savings relative to 2010 Building Regulations as required by CS10 and DM7.5. The London Plan, which predates the DPD, requires 25% regulated savings on all schemes submitted pre July 2015 – the scheme exceeds this, and as noted above meets the current 40% London Plan target. Given that unregulated emissions are difficult to control, the applicant has sought an exception to Islington's policy and that the 5% shortfall be accepted. There may have been scope to overcome this shortfall with a carbon off-setting contribution, but it has been agreed that none is due on this scheme. This is because Camden does not have a similar charge and because financial viability is being considered across the whole site, any such payment could unduly impact upon the affordable housing delivery for Camden in particular.

488 Conclusion: Overall, it is considered that the applicant has satisfactorily demonstrated compliance with the London Plan and Camden Council requirements in relation to energy strategies. Whilst there are some shortfalls against Islington Council's requirements in relation to unregulated emissions and comfort cooling, the applicant has sought to minimise its requirements through passive design and conditions requiring the submission of an updated energy strategy and a fall-back position if GSHP are not feasible. Commitments in terms of linking to any future DEN and establishment of a shared energy network are also secured in the draft heads of terms.

Sustainability Strategy

489 The applicant has submitted a Sustainability Statement for each site, that sets out a number of climate adaptation measures proposed in the design and construction process and an assessment

against the Mayor's essential and preferred standards. Commitments to BREEAM and Code for Sustainable Homes, green and brown roofs, water use and supply, flood risk and sustainable urban drainage systems, biodiversity and waste. Taking each of the measures in turn, the following is noted:

490 BREEAM/Code for Sustainable Homes: The applicant has set out its commitment to achieving Code Level 4 for the homes, and a shell and core BREEAM 'Very Good' for the non-residential units. It notes that it would be possible to achieve "Excellent" based on the fit out of the future occupiers. A pre-assessment for each building type has been carried out to show how the minimum levels would be achieved, and the applicant has agreed to a condition securing this.

491 It is noted that Islington Council's report states that the later phases of development would be required to meet Code for Sustainable Homes Level 5 to comply with Policy DM7.4 of the Development Management DPD. However, criterion A) of Policy DM7.4 does not refer to phased developments; it states major new-build residential developments are required to achieve Code 4 for Sustainable Homes or equivalent up to 2016. As this application is made before 2016, Code Level 4 is policy compliant and a condition as requested by Islington Council is therefore not proposed.

492 Green and brown roofs: The applicant is proposing the inclusion of a range of roofs across the development, from brown roofs that can be used for PVs and other plant, through to low fertility meadows and intensive green roofs for garden planting. This is as detailed in amended drawing 00_07_051 P3. The roof canopy structure above the Royal Mail sorting yard would provide additional planting of just under 5,000 sq.m. These measures would contribute to urban greening in the CAZ, and contribute towards biodiversity enhancement and surface water attenuation.

493 Water use demand: The applicant has set out a number of measures that would be incorporated into the scheme, including greywater recycling, rainwater harvesting, water metering, and use of water efficient appliances and fittings. In relation to the CS scheme, it is noted Policy CS10 of Islington Council's Core Strategy goes beyond the Code for Level 4 and requires residential schemes to achieve a water efficiency target of 95 litres of water or less per day. The applicant has confirmed that it intends to achieve 90 litres per person per day or fewer. This is welcomed and has been secured by condition. For PP, it is proposed to set this at 105 litres, in line with Code Level 4 and the London Plan. Conditions would be imposed setting out these targets.

494 Biodiversity: The sites are mostly hard standing, used for car parking and loading. The existing vegetation are of low ecological value. The applicant has set out a landscaping strategy for the site, which includes the planting of native species, introduction of brown and green roofs, as noted above, as well as a green wall to PP Block D. Conditions are proposed to secure bird and bat boxes as part of the landscaping proposals in order to help establish habitats and encourage wildlife to the site.

495 Sustainable Urban Drainage (SUDS) and flooding: The applicant has carried out a flood risk assessment and considered surface water run-off, and necessary mitigation measures. Whilst it is concluded that the site is at low risk of flooding from seas, rivers, surface water and sewers, the site could be prone to surface water flooding due to its urban character, with few permeable surfaces. As such, measures are appropriate to minimise surface water flood risk in this scheme.

496 The applicant is proposing rainwater attenuation measures of the green roofs, planting and landscaped areas, with surface water-run off attenuated by tanks, in order to meet the Mayor's standard of 50% attenuation (50% reduction in the rate of surface water runoff in the event of a 1 in 100 year storm).

497 Islington Council has raised concerns to date regarding the failure of the scheme to achieve SUDS 'greenfield run-off rates' as required by Policy DM6.6, which seeks a runoff rate of 8 litres/second/hectare. At a minimum, it seeks a 50 litre/second/hectare, which reflects a 1 in 100 year flood plus 30% allowance. This is acknowledging that the site is located in a 'Critical Drainage Area'. It cites this as a reason for refusal in its report to Committee.

498 The applicant has advised to date that in order to achieve this it would require a doubling of attenuation, for which there is insufficient capacity in the basement, noting the presence of car parking and other plant. Further green roofs have been provided in an effort to increase storage capacity, but Islington Council has continued to object to the proposal in the absence of sufficient justification to justify the reduced run-off rates. The applicant confirms that achieving this would impact upon viability, by virtue of removal of basement parking, which generates a value in the sale of the spaces. Given the viability is already constrained, it is accepted that the removal of parking spaces in order to accommodate further attenuation measures is a balancing act. In light of the fact that it is difficult to achieve greenfield run-off rates in such an urban context that already concreted, that the scheme would represent a significant improvement compared to existing, in terms of surface water run-off, it is concluded that an appropriate level of mitigation measures are proposed to minimise the risk of water pollution and no other SUDS measures over and above that proposed are required. This is acknowledging that the applicant is meeting the Mayor's 50% attenuation standard. Appropriately worded conditions are secured in relation to the details of these measures.

499 Materials: The applicant has set out commitments in relation to use of reclaimed timber where possible (80%), and for non-reclaimed, it comprises FSC certified materials. Use of materials with a target of 10-15% recycled content is also suggested. The applicant has committed to preparing a Green Performance Plan, which would be secured in the s106 agreement.

500 Conclusion: The proposed development would be of a high standard of sustainable design and construction, minimising carbon dioxide emissions by following the first step of the energy hierarchy to secure connection to an existing heat network. The development would deliver urban greening, biodiversity and sustainable urban drainage benefits over the existing situation at the site. A green performance plan is required to be submitted as part of any planning permission setting out how the scheme would promote on-going sustainability in operation.

Transport

501 Chapter 6 of the London Plan sets out the Mayor's policies on transport. Policy CS10 of Islington Council's Core Strategy supports sustainable transport choices through new development by maximising opportunities for walking, cycling and public transport uses. Policy CS18 of Islington Council's Core Strategy and chapter 8 of Islington Council's Development Management DPD are also relevant to transport; and policy BC6 of Islington Council's Finsbury Local Plan refers to the creation of high quality public realm, pedestrian priority routes and the accommodation of delivery and services vehicle access in a manner that minimises the impact of traffic movement on the wider area. Similarly policy CS11 of Camden's Core Strategy promotes the delivery of sustainable transport choices in order to support Camden's growth, reduce the environmental impact of travel, and relieve pressure on the borough's transport network. Policy DP 16 of Camden's Development Policies DPD considers the transport implications of development and seeks to ensure that development is properly integrated with the transport network and is supported by adequate walking, cycling and public transport links.

502 The Mount Pleasant SPD, referred to above, includes the design objective of creating east-west links through the site to deliver connections to the surrounding area. It also states that the

development of this site should be predominately car free, noting that Royal Mail need to retain operational parking

503 The main transport issues of relevant to this scheme are considered to be: capacity on the public transport network, impacts on the local and strategic highway network including car and cycle parking, walking and cycling routes, cycle hire, pedestrian crossings, arrangements for access and servicing as well as the adequacy of supporting measures including the travel plan.

504 The submitted transport assessment estimates that the full development of the site (including the Royal Mail enabling works) would generate 1588 two-way person trips per day by all modes of transport. Of those, the underground network would cater for 238 (19.2%), the rail network 66 (6.5%), the bus network 183 (17.4%), private vehicles 41 (10%), walking 961 (34%) and cycling 55 (10.1%) trips per day respectively.

Car parking

505 Since the initial Stage 1 consultation stage, TfL has worked with the applicant to resolve outstanding transport issues that were raised at the time. The majority of issues relating to transport were also considered to be acceptable or resolvable through condition or section 106 by both Camden and Islington Councils. However, both Councils included a deemed reason for refusal relating to car parking:

506 Camden “ *That the proposed quantum of private residential car parking is excessive and the development should be modified to substantially reduce this level*”

507 Islington; “*The proposal provides 65 basement, residential car parking spaces (excluding the provision of 17 wheelchair accessible unit spaces) provide for unsustainable forms of transport and promotes reliance on the private motor vehicle contributing towards congestion and adding to poor air quality within this Air Quality Management Area (AQMA). Whilst the applicant contends that the removal of residential car parking would unacceptably impact on the scheme’s financial viability it is not considered that a robust viability case has been made. The proposal therefore fails to comply with Core Strategy (2011) policy CS10 and Development Management Policies (2013) policy DM8.5A that states all additional homes will be car free*”

508 Essentially, both boroughs have adopted development management policies: Camden (DP 18) and Islington (DM8.5) requiring all new developments to be car free, except for essential drop-off, operational and wheelchair-accessible parking.

509 Overall, the development includes 119 residential parking spaces as set out in the table below:

Plots/area	Disabled parking spaces	Standard parking spaces	Total parking	Ratio to units
Calthorpe Street C1 and C2 (shared basement)	17 spaces	48 spaces	65 spaces	0.19
Phoenix Place P1	11 spaces	29 spaces	40 spaces	0.18
Phoenix Place P2	6 spaces	8 spaces	14 spaces	0.11
Total	34 spaces	85 spaces	119 spaces	0.17

510 The above level of proposed parking is considered compliant with London Plan policy 6.13 and table 6.2, which advises that ‘*All developments in areas of good public transport accessibility*

should aim for significantly less than 1 space per unit. The applicant also advises that the proposed ratio is considerably lower than current car ownership levels in this area; 2011 census data revealed that Camden and Islington have car ownership levels of 0.48 and 0.41 respectively. Furthermore, it should be noted that 136 of the proposed dwellings would have 3+ bedrooms. The applicant is therefore prepared to restrict the allocation of the parking spaces to the family sized and wheelchair accessible units and this can be ensured through a car parking management plan. It should also be noted that the overall ratio of proposed parking is lower than that recently permitted for a comparably large-scale residential development at the City Forum site in Islington, some 1.3 kilometres away. The Mayor was the local planning authority for that application and it was concluded that a parking ratio of 0.25 spaces per dwelling was acceptable.

511 TfL is satisfied that subject to a suitable framework of controls including a car parking management plan, permit- free agreement, electric vehicle charging points (20% active provision and 20% with passive provision), travel plans and allocation of car club spaces that this level of residential parking strikes an appropriate balance between promoting new development and encouraging cycling, walking and public transport use. These would be set out by way of condition or section 106 obligation.

512 In addition, it is noted that currently the Phoenix Place site provides around 220 Royal Mail staff car parking spaces in an unmade and unmarked surface car park. The applicant proposes to replace this with 196 stacker spaces within the lower basement to building P1, relocating vehicular access from Phoenix Place to Gough Street. This represents a decrease of 24 spaces from the current level. To justify the position where a substantial quantum of parking is reprovided, the applicant has advised that the intensification of Royal Mail operations would result in staff numbers increasing from 1,890 to 2,970 people, representing a 57% expansion overall and an increase of 83% in the early shift (06.00 to 14.00 hours). As recommended at the pre application stage, the applicant undertook a parking accumulation study of its facilities, which revealed at the time of the study, the maximum occupation of 156 vehicles occurred between 09.00 and 11.00, which coincides with the early shift. Parking permits are issued to staff on a needs basis with priority given to those who work the early and late night shifts. Whilst Camden Council has not objected to the level of staff parking, they have queried whether it is sufficient to meet expected demand, particularly in respect of the early morning shifts. Based on the incremental planned increase in staff levels and the associated trip patterns, the proposed quantum is considered to be reasonable and unlikely to lead to significant overspill parking or peak hour vehicle trips.

513 No off street parking is proposed to serve either the office or retail elements, though the on street spaces would be provided on Phoenix Place (13 spaces and two loading bays) and on Mount Pleasant (9 spaces and a loading bay) as well as the potential creation of up to 16 spaces on the east side of Gough Street. It is not clear whether these spaces would be pay and display or residents permit spaces. They would nonetheless be subject to detailed design to be delivered through the section 278 agreement with Camden Council as local highway authority.

514 In relation to the existing Royal Mail operations, both the Councils request an obligation requiring adoption of a workplace travel plan as well as encouraging RMG to sign up to TfL's Freight Operator Recognition Scheme (FORS). At present, the operations are not supported by one and whilst it is acknowledged by the Councils that the existing operations are not part of the masterplan proposals, they consider that the intensification of the site would benefit from travel planning and FORS membership. Whilst that may be the case, the intensification of the Royal Mail operations are not being determined as part of these applications, moreover they have largely been completed. Various discussions at the project meetings between the Councils, applicant and GLA officers have taken place on this point. Having considered this point, it is concluded that it would be unreasonable and beyond the scope of this case to impose such an obligation but it is suggested that an informative be included as part of any decision notice encouraging the applicant to investigate measures to manage travel demand and sustainable freight.

Cycling

515 The proposals include 872 residential cycle parking spaces with a further 76 visitor spaces to be provided in the public realm areas. The 474 spaces proposed within the Phoenix Place site exceed Camden Council's minimum requirement of 438 spaces and are therefore considered sufficient. The Calthorpe Street site however, includes 438 spaces which falls 212 spaces short of the 670 spaces required by the standards set out in appendix 6 to Islington's Development Management DPD (which equates to 1 space per bedroom). The applicant has therefore offered double height/stacked parking with the aim of achieving that standard and a condition has been recommended to that effect.

516 In addition, a total of 50 cycle parking spaces are proposed for the commercial uses, to be located within public realm areas of the site. This is marginally below the 51 spaces required by London Plan standards, though full compliance can be achieved through detailed design secured by condition.

517 Recent initiatives to improve conditions for cycling in Central London include the proposals for two continuous, largely segregated cycle routes. One of these, the North-South Cycle Superhighway would run between Elephant & Castle and Kings Cross. The section north of Farringdon Station is planned to connect to a new 'Quietway' back street style route, which is likely to extend along Phoenix Place. This section of the route will be designed and delivered by Camden as local highway authority. The applicant has produced an updated indicative highway/landscaping scheme for Phoenix Place that unfortunately neither the two Councils nor TfL consider safe or acceptable for cyclists and/or pedestrians. For example, the design currently includes continuous and level granite setts with a central channel, which would be likely to be hazardous. TfL is also concerned that the layout does not provide sufficient carriageway width and could therefore create a 'pinch point' for cyclists. These proposals should therefore be treated as indicative and an appropriate sum identified with the section 106 agreement to enable Camden Council to deliver a suitable scheme at the detailed design stage through a section 278 agreement.

518 The existing cycle hire docking stations in the local area have limited capacity to accommodate the anticipated usage arising from this development. The initial preferred option was for a 50 point docking station on Mount Pleasant (which is Islington highway) close to the junction with Phoenix Place. This location has the advantage of being centrally located to an existing station. Noting the respective boroughs preference for two separate stations, this location is now only expected to deliver a 25 point docking station. The applicant has reviewed other possible options and subject to detailed design, it appears that a 25 point station could also be constructed within the Phoenix Place site. The delivery of this station would need to be phased in line with the adjacent public realm and footway works to ensure no conflict with any on street parking and loading arrangements. The cost of delivering two stations is also greater and therefore the section 106 agreement would need to provide for a contribution of £220,000 rather than the £185,000 initially requested for TfL's construction and highway reinstatement costs. The section 106 agreement would also need to include an obligation for the applicant to safeguard the docking station area for at least 5 years from implementation of this phase and to grant a lease to TfL when required, at nil cost.

Access and servicing

519 Currently, the main vehicular access to the Royal Mail site is off Farringdon Road. Vehicles can enter and exit the site via this access, operating an anti-clockwise direction through the site. This route also leads to an 'exit only' access on Phoenix Place opposite Calthorpe House. There is a vehicle entry on the corner of the Mount Pleasant/Phoenix Place junction leading to the basement loading area (which serves the EC1 postcode area). The egress from the basement is also on

Phoenix Place. The entrance and exit to the Royal Mail staff car park is also off Phoenix Place, controlled by a barrier.

520 The proposed development and ‘enabling works’ described above necessitate a number of changes to access to both sites. They include the proposed relocation of the Royal Mail access onto Farringdon Road, providing access to a basement ramp. The relocated entrance would be 15 metres south of its current position and would require the relocation of the taxi rank further south. TfL and Islington Council objected to the initially submitted layout as it showed that vehicles would overrun the kerb, cross the Farringdon Road centre line and create a pinchpoint at the proposed pedestrian refuge. As this design issue remained unresolved, it formed one of Islington Council’s deemed reasons for refusal.

521 The applicant has subsequently explored various design options which reveal that with the physical constraints on this part of Farringdon Road, it would not be feasible to relocate the entrance and still provide a pedestrian refuge. Having reviewed the various scenarios, the option that is likely to be taken forward for detailed design through a section 278 agreement with TfL is unlikely to include the pedestrian refuge. Whilst Islington Council’s desire to enhance pedestrian links and “Green Chain” between the development and Wilmington Square are strongly supported in principle, all options to retain it in a safe and workable design have been exhausted. Furthermore, the relocated entrance will enable the removal of a vehicle egress onto Phoenix Place, which is supported given the cycling proposals referred to above. Accordingly, the “no pedestrian option” for the new Farringdon Road access is now recommended, as it would enable two articulated vehicles to enter and leave the site simultaneously. They require the relocation of the taxi rank, shortening of the bus cage and footway renewal proposals along Farringdon Road, which are generally acceptable in principle and should be secured through a section 278 agreement with TfL as highway authority.

522 The existing signal controlled crossings in place to the north-west at the junction of Calthorpe Street/Margery Street/Farringdon Road and to the south-east at the junction of Rosebery Avenue/ Farringdon Road, near Exmouth Market will also remain in-situ and they already provide safe crossing for pedestrians. Whilst the proposed location of The Garden open space and route in the Calthorpe Street site would have created a potential desire line to the suggested new pedestrian refuge, it is unworkable in highways safety terms for the reasons stated above. On balance, its absence does not undermine the overall scheme in terms of its layout and design principles or connectivity, noting the very close proximity of two signalised crossings, which operate satisfactorily at present. As noted, these ‘Two Corner’ junctions may also benefit from upgrades to improve pedestrian and cyclist as well as increase capacity, as described below.

Vehicular traffic

523 The impact of vehicular traffic from the proposed developments (including the Royal Mail intensification) on the junctions at Farringdon Road/Margery Street/Calthorpe Street, Royal Mail access and Rosebery Avenue/Farringdon Road were modelled using TRANSYT software. The results from the TA indicated that the Farringdon Road northbound and Rosebery Avenue eastbound approaches to that junction would experience the highest degree of saturation, of 107% and 100% respectively in the weekday PM peak period. Consequently the applicant was asked to look at how they would mitigate such impacts. They advised that as the modelling was undertaken at the pre application stage, using very robust assumptions about the effect of changes to Royal Mail operations, they would collect current traffic flows to compare with their estimations. They presented additional data from November 2013 and May 2014, which indicates that, observed traffic levels were actually lower than their predicted future baseline.

524 That being the case, the impact on junction capacity would not be so significant as to justify wider modelling or mitigation. Local priority highway junctions at Mount Pleasant/Phoenix

Place, Phoenix Place/Calthorpe Street, Mount Pleasant/Rosebery Avenue/Coldbath Square and Mount Pleasant/Gough Street were also modelled using PICADY software. The results indicate that they would also operate with sufficient capacity during the future peak periods.

Pedestrians

525 The proposed development is forecast to generate 619 and 961 two-way walk trips during the morning and evening peak periods respectively. Walking is therefore a significant proportion of overall trip generation and reflects the low level of proposed parking as well as the location of the site in Central London. The development would therefore place additional demand on local pedestrian routes as well as generate demand for new routes within the site itself. The layout of both the Phoenix Place and Calthorpe Street site provide east-west pedestrian links. The route through the Phoenix Place site would be laid out as a pedestrian extension to Coley Street. Similarly there would be two pedestrian links through the Calthorpe Street site via a series of laneways, squares and gardens leading to Farringdon Road. Regrettably, these routes could not be aligned with a pedestrian refuge across Farringdon Road, as explained above but this does not undermine the value of the links through the site. Although the routes through the site are expected to remain in private ownership, there would be section 106 obligations needed to ensure that they are publicly available at all times.

526 The footways in the surrounding area vary in width, with the majority of them being at least 2 metres wide. The exception being some sections of the western side of Phoenix Place, which reduces to only 1.7 metres. The applicant has tabled an indicative highway plan that identifies sections of Phoenix Place and Farringdon Road that would be widened by dedication of land within the application site as public highway. A section 38 agreement with the respective highway authority would therefore be required. The plans also indicate where the applicant would renew footways along Mount Pleasant, Calthorpe Street and Farringdon Road. The design of these areas of public highway is currently subject to discussion with the respective highway authorities and the agreed works would need to be delivered through a section 278 agreement. Indicatively, the reinstatement works to Mount Pleasant have been estimated at £110,000. This does not allow for any improvement works, which would be separately costed subject to detailed plans. The proposed works to Phoenix Place are currently being reviewed by Camden Council but initial estimates suggest that the package of works would cost approximately £2.4 million. There are also a number of detailed design issues, referred to above and therefore final costs have not been established. As the works would be undertaken 'in kind' through a section 278 agreement, any costs and the proposals would need to remain indicative and would be subject to further consultation and detailed design.

527 The submitted transport assessment also included an analysis of access to the site and principal destinations for pedestrians and cyclists. It also included a comprehensive audit of walking routes using the Pedestrian Environment Review System (PERS) methodology. The audit concludes that the local pedestrian environment is generally well designed but that there is some room for improvement, such as improved wayfinding and the footways on Phoenix Place referred to above. Following discussions with the applicants it has been agreed that measures to address the deficiencies in walking routes and Legible London signage, identified through the audit, could also be taken forward by Camden Council with the section 106 contribution of £500,000 secured towards pedestrian, cycling and environmental improvements within the vicinity of the site. As Islington Council now collects CIL for public realm and local highways improvements, a specific section 106 contribution in that regard is not necessary.

528 In addition to the public realm improvements set out above, TfL initially sought section 106 funding for improvements on the TLRN at the Farringdon Road/Rosebery Avenue and Farringdon Road/Calthorpe Street junction. As noted above, both junctions would benefit from improved pedestrian and cycling facilities and whilst the latter junction is now part of TfL's Central London

Cycle grid, there is a need for improvements at both locations, also noting the reliance on these for safe east-west crossing through the site in the absence of the suggested pedestrian refuge in front of The Garden. Furthermore, the desirability of upgrading of the 'Four corners' adjacent to this site was also identified in the Mount Pleasant SPD. TfL's initial request was for £300,000 per junction. Since the adoption of the Islington CIL, the Islington sum can no longer be secured through section 106 contributions. Furthermore it is noted that having regard to the PERS assessment, Camden Council have identified a range of pedestrian/cycle upgrades on their highway network within the vicinity of the site that will be funded using the £500,000 contribution referred to above. As a result, TfL is now exploring its own alternative means of funding to improve the Islington junctions using its Regional Programme and other sources in connection with the development of the N/S cycleway improvements.

529 As such, Islington Council is asked to prioritise this work in its CIL fund allocations. The Council has indicated that any works required beyond those that may be undertaken by TfL as part of the N/S cycleway improvements could come from future CIL receipts in respect of other development that is expected in this area.

Doors opening on to the highway

530 Camden Council officers note that the Phoenix Place element includes a number of external doors which would open outwards on to the public realm at the southern end of the Gough Street frontage and also at various locations on the Phoenix Place frontage. Whilst the Council would generally resist such proposals, noting the effective footway width at these locations would be wider than the rest of Gough Street and Phoenix Place and that the doors would not be intensively used or could be redesigned, this is acceptable. A condition securing details of this would be appropriate. Similarly they highlight the safety implications of lightwells on the Gough Street frontage and details of railings or other means of safeguarding pedestrians should be secured by condition.

Bus capacity

531 The transport assessment forecasts that there would be 151 and 183 two-way bus passenger trips in the morning and evening peak periods respectively, although it is observed that the assessment should have assigned those trips by route and by direction. Nonetheless even if all bus trips were assumed to be taken the peak direction, there is sufficient capacity on the bus network in this area to accommodate demand from this scheme. The impact of those trips would not therefore require mitigation.

532 The submitted PERS assessment did nevertheless reveal that seven nearby bus stops require upgrading to full accessibility standards in order to accommodate addition development demand. A capped contribution of £20,000 per stop (or £140,000) is therefore suggested for inclusion in the draft section 106 agreement, split proportionally between the number of bus stops located in the respective boroughs.

Crossrail and Mayoral CIL

533 The site is identified as within the Central London Charging area as set out in the London Plan SPG 'Use of Planning Obligations in the Funding of Crossrail and the Mayoral Community Infrastructure Levy'. This states that contributions should be sought in respect of hotel, office or retail developments that would involve a net increase in floorspace of more than 500 sq.m. (Gross Internal Area – GIA). For retail development in the Central London charging area, the charge is £140 per square metre for offices and £90 for retail.

534 The Calthorpe Street development includes 4,260 sq.m. (GIA) of office floorspace and 1,428 sq.m. of flexible retail/commercial/community floorspace. Similarly the Phoenix Place site would deliver 822 sq.m. of flexible commercial space. Assuming that the proposals ultimately deliver the upper limit of office, retail and commercial floorspace indicated, the total Crossrail contribution would be £1,011,900. Paragraph 4.21 of the Crossrail SPG advises that in such locations where the Mayoral CIL charge is likely to be greater, only the CIL would be payable. Paragraph 4.22 also advises that where a liability may not be fixed at the point a planning obligation is signed, any s106 agreement should include a review mechanism to ensure that when that information is available, the principle that the CIL would act as a credit should be applied.

Other Transport Mitigation

535 There are a number of other mitigation measures outlined in the two Councils' committee reports and the Mayor's Stage 1 report, that would be necessary to make the scheme accord with the London Plan. They includes on street blue badge parking, parking management plan and safeguarding London Underground infrastructure. The proposed section 106 agreement would also need to secure residential and workplace travel plans, as appropriate, covering all proposed uses and to be prepared in accordance with TfL guidance. Similarly a delivery and service plan would also be secured in order to manage the impact of those activities on the road network. The applicant has also submitted a construction logistics management plan, that would need to be developed in order to manage travel demand during the construction phase with particular regard to the impact on the proposed cycle quietway on Phoenix Place. All of these measures have been included in the draft conditions and section 106 agreement prepared to date in consultation with the Councils. On this basis, the scheme is in accordance with London Plan policy 6.14.

Conclusion

536 The proposals for a high density residential led mixed use scheme in a very accessible location accords with the London Plan policy of encouraging such development in locations that give rise to pattern of development that minimise the need to travel, particularly by car. Furthermore the quantum of proposed car parking across the two sites is considered reasonable having regard to other recent development in Central London, London Plan policy and to the need to strike an appropriate balance between promoting new development and encouraging sustainable travel. The proposed access arrangements to the site including the relocated Royal Mail access onto Farringdon Road are acceptable subject to detailed design and safety auditing.

537 Subject to a suitable framework of controls and mitigation secured through section 106 agreement, the transport impacts of this development are in accordance with strategic and local transport policies and the reasons for refusal cited by Islington and Camden Council on parking grounds are not endorsed.

Other environmental issues

Air quality

538 London Plan Policy 7.14, Policy DM6.1 of Islington Council's Development Management DPD, Camden Core Strategy Policy CS9 and Development Policy DP32 are relevant for air quality, noting that both sites are within an Air Quality Management Area.

539 The applicant has submitted an assessment of the proposal on air quality, set out in chapter 11 of the Environmental Statement. This looks at the impacts of demolition and construction, and traffic generated by the scheme, and emissions relating to car parks and heating plant in particular. It also identifies the residential receptors nearest the sites. It is noted that a number of objections

have been received from local residents about air quality, largely from the traffic movements that do and would continue to take place around the site.

540 It concludes that for the completed and occupied development, negligible to minor adverse effects in terms of annual mean nitrogen dioxide (NO₂) levels, and negligible effects in terms of annual mean PM10 (particulate matter) levels. It also sets out the mitigation measures proposed including cycle parking, electric vehicle charging points and the implementation of a travel plan to reduce the number of single vehicle trips associated with the development. The scheme includes mechanical ventilation for residential units, particularly those fronting Farringdon Road, and winter gardens are also intended to mitigate the poorer air quality along this frontage. Conditions are proposed to secure these details.

541 Islington Council has raised objections to the proposed level of car parking on the basis that that it would contribute towards congestion and add to poor air quality. It notes that conditions would be appropriate to control noise and air quality impacts from Royal Mail operations, plant noise and nearby road noise and pollution. The two Councils have also sought to secure a travel plan and freight operator plan for existing Royal Mail operations, which are presently absent. The applicant has resisted this due to the shift work of staff and nature of the operations and on the basis that these works are not the subject of the application. It is agreed that it would be difficult to impose a requirement on works that are not the subject of the application, a s106 obligation that looks at an adapted travel plan may be appropriate. This is discussed in the transport section above.

542 Having reviewed the applicant's air quality study, it is considered that whilst the proposed development may have some impact in terms of emission from traffic and the proposed heating plant, these could be mitigated through suitable worded conditions in relation travel planning, mechanical ventilation, and controls over the demolition and construction process. It is not suggested that these matter would justify refusal of planning permission for an otherwise acceptable form of development.

Archaeology

543 London Plan Policy 7.8 supports the protection of archaeological and cultural heritage assets. In addition Islington Council's DM2 and Camden Councils CS9, CS14, and DP25 are of relevance to archaeological interest and remains.

544 The applicant has submitted an archaeology report as part of its ES (Chapter 12). This comprises a desk-based assessment of the potential buried heritage on and within a 350 metre radius of the site, looking at the impact of demolition and construction works in particular. The report notes that the PP site is partly located in an Archaeological Priority Area (APA), with the designation relating to the late medieval and post-medieval expansion of the City of London from its Roman and medieval core. This covers the northern part of the site. No part of the CS site is within an APA.

545 The report concludes that a programme of geo-archaeological survey, comprising borehole testing be carried out in advance of demolition. As set out in paragraph 109 above, following consultation with English Heritage (GLAAS), deficiencies were found with the submitted information and the applicant was asked to undertake further analysis including field investigations to ensure that no harm to archaeological assets would occur as a result of the proposed development. At the time of reporting to Camden's Committee, this aspect was still outstanding and a holding objection was in place from GLAAS. On this basis, the Council set this out as a particular deficiency in its recommendations. Since that time, GLAAS have received updated survey information from the applicant, that confirms fairly negative results from the investigation such that no further investigation is required prior to approval. Concerns remain regarding the possible

presence of English Civil Defences, and it has been agreed that any investigation into this can be carried out through the imposition of a suitable worded condition. The suggested draft conditions include requirements for survey work as part of excavation and foundation work.

Waste

546 In addition to the two Councils' requirements for schemes to include facilities for the storage and collection of waste and recycling, the Mount Pleasant SPD states that "the Waste Management Plan for the site should indicate: a) The estimated volumes and types of waste produced by the development; b) The size and location of waste and recycling stores and how recyclable material and other waste will be delivered to these stores; c) The equipment specified for containing the waste; and d) The proposed collection point and the method for transferring waste to this location...".

547 The applicant has prepared an operational waste strategy for the two sites, setting out the number of waste storage facilities required for the scheme. For both schemes, there are basement waste storage rooms, accessed by residents, and in the case of Blocks C1 and C2 in CS site, there would be a waste holding area at ground floor level. Some of the blocks would be managed by a building management company that would take responsibility for transfer of containers on delivery days. The retail units would be subject to a commercial contract in accordance with borough procedure, and the office block would have a separate waste storage room to be collected (not from Farringdon Road – Red Route). The applicant has committed to diversion of 85% of construction waste generated by the project away from landfill, which would be expected to be set out in the green performance plan.

548 The location and capacity of the dedicated refuse and recycling facilities/chambers are as well as their management have been developed in consultation with the respective waste teams. It is still considered appropriate that a waste management strategy is secured by way of condition, noting that lifts would be used to bring bins to ground level (from basement) on collection days, for instance, and the requirements for management team to facilitate this. The approved waste management plan would capture the details of the design, layout and servicing arrangements of the facilities.

Basements and contaminated land

549 Camden Council has specific policies in relation to basement and subterranean development. Policy DP27 and CPG4 are of relevance: DP27 sets out that the Council will only support development that 'does not cause harm to the built and natural environment and local amenity, and does not result in flooding or ground instability. Development is required to: maintain the structural stability of the building and neighbouring properties; avoid adversely affecting drainage and run-off or causing other damage to the water environment; and avoid cumulative impacts upon structural stability or the water environment in the local area. The Council will consider whether schemes: harm the amenity of neighbours; lead to loss of open space or trees of townscape or amenity value; provide satisfactory landscaping, including adequate soil depth; harm the appearance or setting of the property or the established character of the surrounding area; and protect important archaeological remains.

550 The applicant has submitted a basement impact assessment, which supports other work undertaken as part of the ES studies into groundwater flows and flooding, contamination, surface water drainage, and archaeology. The studies have found that groundwater flows would not be sufficiently impeded to cause an increase in groundwater levels and flooding. Whilst piling could potentially create contamination pathways, given that the underlying shallow aquifers already have contact with Made Ground, it is not expected that the scheme would impact upon groundwater

activity. Given the location of sewers is known, there would no impact upon these as a result of piling and excavation and noting that Thames Water requires submission of a piling method statement to protect underground water utility infrastructure, any potential impact could be mitigated. It is noted that applicant's ground conditions assessment observes that the area was bombed during World War 2, and therefore it would be necessary to address this as aspect as part of the pre-commencement site contamination studies required by way of condition. The requirement for an archaeology investigation would protect any remains that could be found beneath the Mad Ground. A piling method statement is required to protect London Underground infrastructure, which would also assess ground movement, vibration and noise from piling and foundation works. As noted above, surface water would be discharged to the existing sewer via new connections, details of which would be secured by condition.

551 Overall, it is considered that the various conditions required to be undertaken prior to commencement of development would address any impacts of ground works and excavation and ensure that concerns around ground stability, pollution and flooding in particular are assessed. Camden Council, in reporting the scheme, observes that the basement element of the proposed development would not cause harm, aside from noting the outstanding archaeological concerns that were an unresolved issue at the time of reporting.

Mitigating the impact of development through planning obligations

552 The NPPF states that *"Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition."* At the regional level, London Plan Policy 8.2 sets out the Mayor's priorities for planning obligations, and states: *"Affordable housing; supporting the funding of Crossrail where this is appropriate (see Policy 6.5); and other public transport improvements should be given the highest importance"*. At the local level Camden Council's Planning Guidance (8), Islington's Planning Obligations (S106) SPD and its Community Infrastructure Levy provide the basis for determining planning obligations when considering planning applications for development in the two boroughs.

553 Pursuant to the consideration within the previous sections of this report, and in line with the policy context set out above, GLA officers propose to secure a number of planning obligations required to appropriately mitigate the impact of this development. A full list of the obligations is provided under paragraph 4 above, and where appropriate there is detailed consideration given in the relevant topic section of the report. Where appropriate, GLA have provided an additional commentary below to support the consideration within this report and to inform the detailed drafting of a section 106 agreement. In this respect, it is noted that whilst initially proposed, most of the financial contributions suggested in Islington Council's committee report have fallen away, due to the introduction of its CIL on 1 September 2014. These financial obligations would now be secured through its CIL collection programme.

Affordable housing

554 As discussed in the housing section of this report, GLA officers propose that 163 affordable units, comprising 98 affordable rent units and 65 shared ownership units be secured. Details of affordable housing definitions, fit out, transfer/lease to a Registered Provider, the income thresholds for the intermediate accommodation, and the retention of the affordable units at the proposed rent levels in perpetuity, would be set out in the section 106 agreement.

555 GLA officers propose two review mechanisms - one if the Enabling Works have not been substantially implemented within three years of the date of consent and another before the final

two phases of residential development commence. Noting that the detailed wording of the review mechanisms are not agreed by the Councils, the section 106 detailed wording would be delegated to the Assistant Director for determination after the hearing.

Site linkages and phasing

556 Two separate planning applications have been submitted for the scheme, but in terms of masterplanning, viability and delivery, the schemes have been considered in a holistic way. For this reason, linkages between the two sites would need to be secured, to address issues around comprehensive delivery of the scheme. Discussions have taken place to date but are not yet finalised and as such, the detailed wording of a phasing and linkages strategy shall be the subject of section 106 discussions subsequent to any resolution by the Mayor.

Affordable workspace

557 Two affordable workspace units on the corner of Farringdon Road and Calthorpe Street are intended to be converted to B1 office use for a temporary period of 10 years. The applicant has agreed that it would fit-out these units to the required specification requested by the Council. The applicant is offering the affordable workspace units as leased spaces without premium at a peppercorn rent plus service charge/estate charge throughout their term. The service charge/estate charge would reflect that of the other retail units within the development. It is noted that the retail unit service charges differ from office and residential units, noting that they do not benefit from access to lifts and basements.

558 The cost of this fit-out is estimated to be £210,000 and the applicant is seeking that this be capped in the section 106. Islington Council has not agreed to this point. It is suggested that the detailed wording be delegated to the Assistant Director of Planning to determine in consultation with the applicant and the Councils.

Employment and training

559 The provision of work placements and apprenticeships are proposed during the construction phase of development are proposed. The obligation would seek to be flexible in order to respond to the detailed build out/construction programme once it is known. As such an employment and training strategy would be established. This would set out requirements to comply with an employment and training code and require that wages are paid at London Living Wage levels, for instance.

560 Consultation with Kings Cross Construction, for example would be expected to ensure that 20% of construction work force are local residents, and a local procurement code, including "Meet the Buyer" events would be established.

Transport and public realm improvements

561 As discussed in the transport section of this report, the development would provide £500,000 to Camden Council for pedestrian cycle and environmental improvements. The Islington CIL could also be ring-fenced for this purpose. Footway improvements and other highways works proposed by the applicant on Gough Street, Farringdon Road, Calthorpe Street, Phoenix Place and Mount Pleasant (surrounding the site) would also be secured and carried out by way of a section 278 agreement with the relevant highway authority.

562 The applicant is also required to mitigate the impact of additional public transport trips through a £140,000 contribution for bus stop upgrades, £220,000 for two new cycle hire docking

stations, Legible London signage. The scheme will also be subject to a framework of controls including comprehensive travel and car parking management, on-site parking allocations, restrictions on on-street parking, construction logistics, parking and deliveries, travel plans, appointment of a travel plan co-ordinator, and maintenance arrangements.

563 A wheelchair accessible accommodation plan would be provided by the applicant setting out details regarding the allocation of accessible parking spaces in the proposed development, linked to a car park management plan to address changing demand and allocation/leasing of parking bays.

Community facilities and health

564 A contribution of £658,560 towards community facilities in Camden is required to mitigate the impacts of the Phoenix Place development. Islington Council would be expected to mitigate such impacts of the Calthorpe Street development through its CIL levy.

565 A contribution of £439,974 towards improvements in healthcare provision within Camden is proposed to mitigate the impacts of the Phoenix Place Scheme. Islington Council would be expected to mitigate any such impacts of the Calthorpe Street development through its CIL levy.

Open space

566 As set out in paragraph 369, the amount of contribution that would be secured in the Phoenix Place scheme Based on the open space provision provided on the site, and the employment of a dual borough open space contribution, a total of £23,309 secured towards public open space improvements in the vicinity of the Phoenix Place development. If there

567 Publically accessible areas would be subject to an estate management plan and open space delivery plan, and would be expected to remain open to the public, except in limited specified circumstances, for instance maintenance.

Education

568 Based on Camden Council's CPG8 Education calculations, it is proposed that £915,791 is secured as a contribution towards improving capacity and expanding education provision in Camden to accommodate additional children. The Islington contribution is now secured through its CIL

Sustainability

569 As discussed in the energy strategy section of the report, commitments to connect to any future district network, and connection between two energy centres are proposed, if technically and economically viable (including the cost of connection and occupiers energy bills). Energy efficiency plans, sustainability plans and a green performance plans would also be secured.

Community Infrastructure Levy and Mayoral CIL

570 In line with the Crossrail SPG, the sum of £1,011,900 will be specified in the section 106 agreement, allowing for any CIL credit to be taken into account.

Retention of architects

571 It is proposed that a section 106 clause be included to retention of the current architects at detailed design and build out stage, in order to ensure the quality of architecture demonstrated in the applications is realised.

Legal considerations

572 Under the arrangements set out in Article 7 of the Order and the powers conferred by Section 2A of the Town and Country Planning Act 1990 the Mayor is the Local Planning Authority (LPA) for the purposes of determining this planning application.

573 Section 35 of the Greater London Authority Act 2007 inserts section 2F into the Town and Country Planning Act 1990 a requirement that for applications the Mayor takes over, the Mayor must give the applicant and the LPA the opportunity to make oral representations at a hearing. He is also required to publish a document setting out:

- who else may make oral representations;
- the procedures to be followed at the hearing; and,
- arrangements for identifying information, which must be agreed by persons making representations.

574 The details of the above are set out in the Mayor's Procedure for Representation Hearings which reflects, as far as is practicable, current best practice for speaking at planning committee amongst borough councils.

575 In carrying out his duties in relation to the determination of this application, the Mayor must have regard to a number of statutory provisions. Listed below are some of the most important provisions for this application.

576 Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that in dealing with such an application the authority shall have regard to:

- a) The provisions of the development plan, so far as material to the application;
- b) Any local finance considerations, so far as material to the application; and
- c) Any other material consideration.

577 Section 70(4) defines "local finance consideration" as:

- a) A grant or other financial assistance that has been, or will or could be, provided to a relevant authority by a Minister of the Crown; or
- b) Sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy.

578 In this context "grants" might include the Government's "New Homes Bonus" - a grant paid by Central Government to local councils for increasing the number of homes and their use.

579 These issues are material planning considerations when determining planning applications or planning appeals.

580 Furthermore in determining any planning application and connected application, the Mayor is required by section 38(6) of the Planning and Compulsory Purchase Act 2004 to have regard to the provisions of the Development Plan (which in London consists of the London Plan, the Borough Local Plans and any Neighbourhood Plans as appropriate) so far as is material to the application and to any other material considerations. The Mayor must determine the application in accordance with the Development Plan unless material considerations indicate otherwise.

581 Other guidance, which has been formally adopted by Islington Council, Camden Council and the GLA (e.g. Supplementary Planning Documents and Supplementary Planning Guidance), will also

be material considerations of some weight (where relevant). Those that are relevant to this application are detailed in this Representation Hearing report.

582 Officers are satisfied that the current report to the Mayor has had regard to the provision of the development plan. The proposed section 106 package has been set out and complies with the relevant statutory tests, adequately mitigates the impact of the development and provides necessary infrastructure improvements.

583 As regards Community Infrastructure Levy (CIL) considerations, the Mayoral CIL payment associated with this development is estimated to be up to £6m. Crossrail.

584 In accordance with his statutory duty in section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 the Mayor shall have special regard to the desirability of preserving Listed Buildings, their settings and any features of special architectural or historic interest which they possess. The Mayor is also required to give special attention to the desirability of preserving or enhancing the character or appearance of the conservation areas which may be affected by the proposed development (section 72 of the of the Planning [Listed Buildings and Conservation Areas] Act 1990).

585 Where the Mayor takes over an application, he becomes responsible for the section 106 legal agreement, although he is required to consult the relevant Borough(s). In this instance, there have been a series of lawyer led meetings to discuss the section 106 content, and it has progressed on a number of key issues, whilst others remain outstanding at this point in time. Both the Mayor and the Borough(s) are given powers to enforce planning obligations.

586 When determining these planning applications, the Mayor is under a duty to take account of the provisions of the Human Rights Act 1998 as they relate to the development proposal and the conflicting interests of the applicant and any third party affected by, or opposing, the application, in reaching his decision. Planning decisions on the use of land can only be taken in line with the Town and Country Planning Acts and decided in accordance with the development plan unless material considerations indicate otherwise.

587 The key Articles to be aware of include the following:

- (a) Article 6 - Right to a fair trial: In the determination of his civil rights and obligations... everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law.
- (b) Article 8 - Right to respect for private and family life: Everyone has the right to respect for his private and family life, his home and his correspondence.
- (c) Article 1 of the First Protocol - Protection of property: Every person is entitled to the peaceful enjoyment of his possessions.

588 It should be noted, however, that most Convention rights are not absolute and set out circumstances when an interference with a person's rights is permitted i.e. necessary to do so to give effect to the Town and Country Planning Acts and in the interests of such matters as public safety, national economic well-being and protection of health, amenity of the community etc. In this case this Representation Hearing report sets out how this application accords with the Development Plan.

589 Regulation 122 of the Community Infrastructure Levy Regulations 2010 states that a section 106 planning obligation may only constitute a reason for granting planning permission for the development if the obligation is necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development. These are now statutory tests.

590 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.

591 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.

592 With regard to age, disability, gender reassignment, pregnancy and maternity, race religion or belief, sex and sexual orientation there are no identified equality considerations.

Conclusion

593 As detailed above Section 38(6) of the Planning and Compensation Act 2004 requires the decision to be determined in accordance with the Development Plan unless material considerations indicate otherwise.

594 When assessing the planning application the Mayor is required to give full consideration to the provisions of the Development Plan and all other material considerations. He is also required to consider the likely significant environmental effects of the development and be satisfied that the importance of the predicted effects and the scope for reducing them, are perfectly understood.

595 When considering the proposals, GLA officers have had special regard to the desirability of preserving the setting of listed buildings in the vicinity of the proposed development and they have given special attention to the desirability of preserving or enhancing the character or appearance of the conservation areas adjacent and near to the site.

596 In preparing this report, officers have taken into account the likely environmental impacts and effects of the development and identified appropriate mitigation action to be taken to reduce any adverse effects. In particular, careful consideration has been given to the proposed conditions and planning obligations which would have the effect of mitigating the impact of the development.

597 This report has considered the material planning issues associated with the proposed development in conjunction with all relevant national, regional and local planning policy, and has found that the proposed development is acceptable in terms of land use principle (mixed use development, public realm, Use Class B floorspace); housing (tenure, mix, density, quality, play and amenity space); design (including urban design, public realm, views, heritage); inclusive design; sustainable development; environmental issues; transport; and, mitigating the impact of development through planning obligations.

598 Accordingly, the recommendations set out at the beginning of this report are proposed.

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