### Strategic planning application stage 1 referral (new powers)


### The proposal

Over-station development at Farringdon West Crossrail station, to provide approximately 1,050 sq.m of retail space and 17,466 sq.m of office accommodation.

### The applicant

The applicant is **Cardinal Lysander** in conjunction with **Crossrail**, and the architect is **John Robertson Architects**.

### Strategic issues

Strategic issues for consideration are the principle of the proposed development; housing; urban design; tall buildings and strategic views; access; transport; climate change mitigation and energy and Community Infrastructure Levy.

### Recommendation

That Islington Council be advised that while the application is generally acceptable in strategic planning terms the application does not comply with the London Plan, but that the possible remedies set out in paragraph 78 of this report could address these deficiencies.

### Context

1. On 8 October 2012 the Mayor of London received documents from Islington Council notifying him of a planning application of potential strategic importance to develop the above site for the above uses. Under the provisions of The Town & Country Planning (Mayor of London) Order 2008 the Mayor has until 14 November 2012 to provide the Council with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. The Mayor may also provide other comments. This report sets out information for the Mayor’s use in deciding what decision to make.

2. The application is referable under Category 1c of the Schedule to the Order 2008.
Once Islington Council has resolved to determine the application, it is required to refer it back to the Mayor for his decision as to whether to direct refusal; take it over for his own determination; or allow the Council to determine it itself.

The environmental information for the purposes of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 has been taken into account in the consideration of this case.

The Mayor of London’s statement on this case will be made available on the GLA website www.london.gov.uk.

**Site description**

The site is above and next to elements of Farringdon Crossrail and extended Thameslink station, which be in full use by 2017. The site is adjacent to the proposed station’s western entrance on Cowcross Street, and is opposite the existing Farringdon station building (for Underground and Thameslink trains) and its main entrance.

The site was previously occupied by a twelve–storey office building, orientated east–west along Cowcross Street, with retail on the ground floor frontages of Cowcross Street (northern elevation) and Farringdon Road (western elevation).

The site is within the London Borough of Islington, but is also close to the London Borough of Camden (which is on the western side of Farringdon Road, opposite the site) and the City of London, which has its boundary on Charterhouse Street, approximately 50m to the south. It is also within the Farringdon Smithfield Intensification Area as designated within the London Plan, and inside two identified viewing corridors as denoted within the London View Management Framework (and its draft replacement). Listed buildings are in the vicinity although none abut the site. Many of the surrounding buildings are within conservation areas, although this site is not within such an area.

For transport purposes the application site is bounded by A201 Farringdon Street, part of the Transport for London Road Network (TLRN) to the west, Cowcross Street to the north, office development to the south and railway alignment to the east. The nearest section of the Strategic Road Network (SRN) is the A40 Holborn Viaduct, 270m to the south of the site.

A total of 9 bus routes (8, 17, 25, 35, 45, 63,242, 243, 521) operate within a 450m walking distance of the site. The bus network is therefore accessible from Farringdon Road, Charterhouse Street, Holborn Viaduct and Clerkenwell Road.

The site is served by two London Underground stations. Farringdon is located opposite the site and provides access to the Metropolitan, Circle and Hammersmith and City line. In addition, Chancery Lane is located 300m away to the south west of the site providing access to the Central line. The site has been estimated to have a Public Transport Accessibility Level (PTAL) of 6b, on a scale of 1-6 where 6 is most accessible.

The site is served by the Mayor’s Barclays Cycle Hire scheme. A total of 8 docking stations can be accessed from within 300m of the site. The nearest docking station is Hatton Garden, 200m away to the west of the site.
Details of the proposal

13 The proposed development comprises a seven-storey building incorporating lower ground, ground and mezzanine, six upper floors plus plant enclosure. The building uses comprise B1 employment/office space, with two (class A1/A2/A3) retail units at ground floor level.

14 The building will be orientated around the station’s ticket hall and access areas at the proposed lower ground, ground and first floor levels. The site will be used until 2017 for construction purposes, and building will not be possible until this time, although a slab may be constructed above the station once works have progressed, to allow construction of the building at a suitable time, without an unsuitably detrimental impact on the railway, or the unnecessary closure of surrounding streets for construction works use.

Case history

15 The application has been subject to three pre-application meetings and the most recent advice reports were issued on 13 July 2010 and 7 October 2011.

Strategic planning issues and relevant policies and guidance

16 The relevant issues and corresponding policies are as follows:

- Mix of uses: London Plan
- Economic development: London Plan; the Mayor’s Economic Development Strategy; Employment Action Plan
- World city role: London Plan
- Urban design: London Plan
- Tall buildings/views: London Plan, Revised View Management Framework SPG
- Historic Environment: London Plan; World Heritage Sites SPG; Circular 07/09
- Regeneration: London Plan; the Mayor’s Economic Development Strategy
- Transport: London Plan; the Mayor’s Transport Strategy; Land for Transport Functions SPG, Land for Industry and Transport SPG
- Crossrail: London Plan; Mayoral Community Infrastructure Levy; Crossrail SPG
- Parking: London Plan; the Mayor’s Transport Strategy
- Retail/town centre uses: London Plan
- Employment: London Plan; Industrial Capacity SPG; draft Land for Industry and Transport SPG
- Access: London Plan; Accessible London: achieving an inclusive environment SPG; Planning and Access for Disabled People: a good practice guide (ODPM)
- Equal opportunities: London Plan; Planning for Equality and Diversity in London SPG; Equal Life Chances for All (Mayor’s Equalities Framework); Equalities Act 2010
- Ambient noise: London Plan; the Mayor’s Ambient Noise Strategy
- Air quality: London Plan; the Mayor’s Air Quality Strategy
- Sustainable development: London Plan; Sustainable Design and Construction SPG; Mayor’s Climate Change Adaptation Strategy; Mayor’s Climate Change Mitigation and Energy Strategy; Mayor’s Water Strategy
For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the area is the Islington Core Strategy (February 2011), saved policies of the 2002 Islington Unitary Development Plan and the 2011 London Plan.

The following are also relevant material considerations:

- The draft Revised Early Minor Alteration to the London Plan

Mix of uses: employment and retail uses

The proposed mix of use incorporates 17,466 sq.m. of office and 1,050 sq.m. Central Activities Zone which promotes employment and retail use (CAZ policy 2.10, 2.11 and 2.12) and the Farringdon Smithfield Area for Intensification.

Table 1: Cardinal Tower proposed and original floorspace

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Former Cardinal Tower, pre-demolition (sq.m GEA)</th>
<th>Proposed Area (sq.m. GEA)</th>
<th>Net Change (sq.m. GEA)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Office (class B1)</td>
<td>17,752</td>
<td>17,466</td>
<td>-286</td>
</tr>
<tr>
<td>Retail (class A1/A2/A3)</td>
<td>1,590</td>
<td>1,050</td>
<td>-540</td>
</tr>
<tr>
<td>Total</td>
<td>19,342</td>
<td>18,516</td>
<td>-826</td>
</tr>
</tbody>
</table>

The application proposals (table 1) will result in a net loss of 286 sq.m. of office floorspace. The retail proposals will result in a similar net loss of 540 sq.m. of floorspace. It is however accepted that the site re-development has allowed for the new Crossrail station and related infrastructure to be delivered which is a major strategic transport project (London Plan policy 2.11 (h)). Furthermore in this case an increase in floorspace could only be accommodated through increase in building height, which would have strategic and local design implications which is outlined in the section on urban design (paragraphs 33-34). In land use terms the use and floorspace proposals appear to achieve an optimal use of the site.

The office proposals are based on a modern flexible and efficient floorplate compared to the demolished office building which contained long corridors and small individual office units. The new building will meet current market demand and contribute to the modernisation of existing office stock which is supported by London policy 4.2 (c). Furthermore the office space will be located in a highly accessible strategic transport hub being accessible to the City-wide labour market and global markets which are strategic priorities of London Plan policy 2.10 (c) and (f) and policy 4.2 (a) and (b).

The application proposes two retail units (with ground and mezzanine levels), with the larger opening onto Cowcross Street and positioned next to the station to enable an opening to be provided into the entrance lobby in the future. A smaller unit is proposed on Farringdon Road contributing to the activation of the street frontage and overall a good proportion of the ground frontage will be offered for retail uses. Although the site does not face a CAZ frontage, this provision will contribute to activity within the central plaza and at the site edges, and is supported.

The CAZ and Area of intensification policy seeks to improve residential provision within mixed use schemes to contribute to areas’ housing needs and the applicant has stated that it has a
strong design constraint case for non inclusion of housing within the building use mix. Strategically the approach towards other Crossrail station sites within London has been to allow single use buildings above ground floor level – this has often been due to limited opportunities for multiple cores at ground floor level (enabling separate access to various uses). Where there has been more than one station proposal within a local authority, it has been possible to enable a mix of uses across various sites – for example, provision of employment space above one site may be balanced by provision of residential accommodation above another. However, as this is the only Crossrail station site within Islington, this opportunity does not exist. The limited opportunities for core access at ground floor level (as a result of the requirements of the Crossrail station infrastructure) results in a single use building. This principle is accepted as the revised post-pre-application layout demonstrates the constraints on accommodating ground floor uses.

24 At the pre-application stage officers were of the view that an offsite contribution to the provision of residential use may be appropriate, subject to Islington Council’s negotiations with the applicant on contributing to the aims of the area for intensification and meeting the requirements of CAZ policy – subject to viability considerations. The applicant’s planning statement contains no information on this issue and the applicant should confirm how this issue is being addressed and whether further discussion has been held with Islington Council on an offsite housing contribution.

25 The lengthy development timeframe of this application is acknowledged – the ground floor slab is likely to be the only element of the building constructed prior to 2017, necessitating a long-life permission should the application be approved. The slab will be used as a staging site during station construction, then as a platform during construction on the application site.

26 It is important to ensure that local residents and businesses benefit from jobs created by this proposal, as set out in London Plan policy 3B.11. Initiatives to create training opportunities for local people and to address other barriers to employment should be formalised through the section 106 agreement between Islington Council and the applicant. The section 106 agreement should include provision to enable local people to access the jobs to be created during construction and in the commercial and retail components of the development once completed. Further information should also be provided on any existing arrangements through construction partners or Islington Council’s employment and training initiatives that will be employed as part of this scheme.

Urban design

27 The application had two pre-application meetings and a number of issues were raised in relation to the concept and approach to the building design. Subsequent revisions prior to the second pre-application meeting addressed a number of the design concerns raised and further revisions are contained in the submitted application.

Layout & functionality

28 The basement, ground and mezzanine floors and top floor/ roof layouts are strongly influenced by the accommodation of the integrated ticket hall and Crossrail infrastructure. The ground floor allows for two retail units (with mezzanine level) and entrance foyer which wrap around the centrally positioned building service core and lifts to the upper floors. Given the constraints of accommodating the Crossrail infrastructure this appears to be a logical and robust solution.

29 The office floorplates on floors 2-6 are based around the central service core and are based on a flexible floor plan which can meet a variety of market needs which is particularly important given the length of the required consent and no fixed occupier. The seventh floor and roof
accommodate the buildings plant needs and are a response to the limited available basement area and provide a functionally solid solution. The plant and 6th floor offices are treated in the same manner forming a glazed box and this approach is beneficial to the overall building form.

30 The degree of ground floor activation is relatively good given the extensive area of inactive frontage resulting from the accommodation of Crossrail infrastructure, with the inclusion of a mezzanine level to some extent compensating for the loss of retail floorspace on the ground floor. It is accepted the design of the building layout has been strongly influenced by the need to accommodate the Crossrail station and infrastructure. It is however, disappointing a more elegant solution could not have been found to the location of the Crossrail plant areas facing onto Farringdon Road (approved by Crossrail Act, schedule 7), through a more integrated design solution between the station and development of the new Cardinal House building.

Massing, scale and activation

31 The application proposals are for a building of a much reduced scale from earlier design iterations and the now demolished Cardinal House. At the pre-application stage the reduced scale was supported as it is beneficial to the local environment and the strategic position of the building in the wider development context. Further revisions have been made to the upper floors which are of benefit to the overall building mass and reduce bulkiness at the upper level.

32 In the immediate context the revised design helps to preserve the setting of the listed building opposite and makes a strong contribution to the setting and character of the intersection and the station area. The demolition of the original Cardinal Tower has allowed for a less dominant building to be established and has brought greater emphasis to the listed corner building turret of 25-27 Farringdon Road to become a more prominent landmark.

33 The stepping back of the massing as a design feature is aimed at responding to the differing scale street character of Farringdon Road and Cowcross Street. Both the stepping back and angling of the facade creates a more prominent corner feature which is enhanced by the contrasting materials. At pre-application stage comment was made on the prominence of this corner and its role in marking the interchange. The design has evolved and provides a stronger feature to street, it is however suggested that use could be made of the blank abutments of the protruding stepped back floors through public art features indicating it is a landmark for Crossrail and a major city interchange. In relation to the ground floor entrance the applicant should respond to issue raised in paragraph 42 on the inclusiveness of the design approach taken. Furthermore, as indicated at the pre-application stage a lighting strategy would greatly enhance landmark nature of the location most notably at the corner and the roof pavilion.

34 The facade treatment at the ground floor level is reflective of layout constraints on Farringdon Road and this has led to the otherwise blank facade area of the Crossrail infrastructure being treated through a public screen at ground floor level on the Farringdon Road frontage. At the pre-application stage it was agreed this provided interest on the inactive frontage, but should be resilient to traffic pollution and able to be easily maintained.

35 The finalised design has set back the shop units within a colonnade which provides a solution to the issue raised at the pre-application stage concerning overspill and is welcome.

Strategic views
36 London Plan policies 7.10 and 7.11 set out the Mayor’s approach to protecting the character of strategic landmarks as well as London’s wider character. The site is within strategic viewing corridors, as identified within the London View Management Framework (LVMF) sitting within views 2A.1, 3A.1 and 6A.1. At the pre-application stage it was highlighted that the proposed height of the building was very close to the recommended datum levels as identified in the specific corridors. The revision of the building design, and specifically the reduction in scale proposed in the application compared to earlier design iterations, greatly reduce the site’s strategic impact on the defined strategic views:

- View 2A.1 Parliament Hill: The building sits to the left of St Paul’s Cathedral with stepped massing drawing the building away from central cathedral dome. It falls within the wider foreground context blending with the existing cityscape and not detracting from the prominence of the peristyle drum dome of St Paul’s cathedral.

- View 3A.1 Kenwood – the viewing Gazebo: The building will sit in the foreground of St Paul’s cathedral but below the prominent feature of the peristyle drum dome and will blend in with the existing horizontal form of buildings aided by the glazed upper portions of the building.

- View 6A.1 Blackheath – the Point: the applicant has not submitted views from this position which is with the LVMF March 2012, this view should be provided.

37 The plant at roof level forms the upper storey of a two-storey glazed ‘cap’ element, set back from the main facades and its design has been further revised since the pre-application stage and this is welcome as it provides a more delicate appearance with less bulk than the pre-application design iteration.

**Local views**

38 At the pre-application stage it was accepted that the reorientation of the building to a north-south axis, compared with the previous building’s east-west arrangement, is a better response to the local views context. While this may have some detrimental impact on the local townscape, this is the most appropriate provision in terms of views down Farringdon Road and local views towards St Paul’s Cathedral, especially from Turnmill Street.

**Materials and articulation**

39 The palette of materials is supported as they provide a sufficient level of quality in this important location.

**Design and biodiversity**

40 The applicant has included a green roof terraces in the building set backs and this feature is welcome.

**Conclusion**

41 Overall is a well designed scheme that responds positively to a very constrained site.

**Access**

42 The use of revolving doors is a concern, and although side pass doors are stated to be proposed in addition to the revolving doors none are illustrated on the plans, it is debatable whether this approach to the entrance arrangements would conform with London Plan Policy 7.2
‘An Inclusive Environment’ as they exclude some groups of people, and requires them to use an alternative entrance and more inclusive entrance arrangements should be considered.

43 It is not entirely clear how access to the ground floor disabled persons toilet will work in terms of the lobby dimensions and door swings on and off the lobby, and whether the door from the main reception area is capable of swinging back far enough. The lobby should be designed in accordance with Figure 10 of BS8300:2009 + A1:2010, or the applicant could look into whether a lobby is needed to the disabled persons toilet.

44 The drop off and collection point needs to be suitably designed i.e. with kerbs for taxi ramps, and correctly designed dropped kerbs for people who require them. Its location is also not clear on the plans, and additional information on this feature should therefore be provided.

**Sustainable energy**

45 The applicant has broadly followed the energy hierarchy to reduce carbon dioxide (CO2) emissions. Sufficient information has been provided to understand the proposals as a whole. The proposals are broadly acceptable; however, further information is required before the CO2 savings can be verified.

**Be Lean - energy efficiency standards**

46 A range of passive design features and demand reduction measures are proposed to reduce the CO2 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 energy efficient lighting and a building management system (BMS). The demand for cooling will be minimised through façade design and solar control glazing.

47 The development is estimated to achieve a reduction of 53 tonnes per annum (15%) in regulated CO2 emissions compared to a 2010 Building Regulations compliant development, as shown in the table below.

**Be clean - district heating**

48 The applicant has identified that the Citigen district heating network (DHN) is within the vicinity of the development and is proposing to connect to the network. Connection to the network should continue to be prioritised and evidence of continued correspondence with the network operator should be provided.

49 The applicant is proposing to install a building heat network. However, the applicant should confirm that all building uses will be connected to the heat network. A drawing showing the route of the heat network should be provided.

50 The site heat network will be supplied from a single energy centre in the basement. Further information on the floor area of the energy centre should be provided. The applicant should confirm that should connection to the Citigen DHN not be feasible then capacity to connect to a DHN in future will be provided.

**Combined Heat and Power (CHP)**

51 If connection to the Citigen DHN is feasible the applicant is proposing to utilise the 15.8 MW gas fired CHP unit at the Citigen energy centre as the lead heat source for the building heat network. This CHP will provide the domestic hot water load, as well as space heating. A reduction
in regulated CO2 emissions of 54 tonnes per annum (18%) will be achieved through this second part of the energy hierarchy (see table below).

52 If connection to the Citigen DHN is not feasible then conventional gas-fired boilers will be installed in the energy centre at the development. The applicant has investigated the feasibility of CHP. However, due to the size and nature of the heat load, CHP is not proposed. This is accepted in this instance. In this case no savings in regulated CO2 emissions will be achieved.

Be green - renewable energy technologies

53 The applicant has investigated the feasibility of a range of renewable energy technologies and is proposing to install 276 sq.m. of solar photovoltaic panels on the roof of the building.

54 A reduction in regulated CO2 emissions of 18 tonnes per annum (7%) will be achieved through this third element of the energy hierarchy (see table below).

Overall carbon dioxide savings

55 Based on the energy assessment submitted at stage I, the table below shows the residual CO2 emissions after each stage of the energy hierarchy and the CO2 emission reductions at each stage of the energy hierarchy.

Table: CO2 emission reductions from application of the energy hierarchy

<table>
<thead>
<tr>
<th></th>
<th>Residual regulated CO2 emissions (tonnes per annum)</th>
<th>Regulated CO2 emissions reductions tonnes per annum</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Baseline i.e. 2010 Building Regulations</td>
<td>357</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Energy Efficiency</td>
<td>304</td>
<td>53</td>
<td>15</td>
</tr>
<tr>
<td>CHP (with connection to Citigen DHN)</td>
<td>250</td>
<td>54</td>
<td>18</td>
</tr>
<tr>
<td>Renewable energy</td>
<td>232</td>
<td>18</td>
<td>7</td>
</tr>
</tbody>
</table>

56 If the development is connected to the Citigen DHN, a reduction of 125 tonnes of CO2 per year in regulated emissions compared to a 2010 Building Regulations compliant development is expected, equivalent to an overall saving of 35%.

57 In this case the CO2 savings exceed the targets set within Policy 5.2 of the London Plan. However, if connection to the Citigen DHN is not feasible then the on-site CO2 savings (71 tonnes of regulated CO2 per year – savings of 20%) fall short of the targets within Policy 5.2 of the London Plan.

58 While it is accepted that there is little further potential for CO2 reductions onsite, in liaison with the borough the developer should ensure the short fall in CO2 reductions, equivalent to 18 tonnes of CO2 per annum, is met off-site through a tariff payment.

Transport

59 TfL was initially directly consulted by Islington Council on this application in June 2012 and subsequently provided initial detailed comments. Since then, negotiations between TfL and the applicant have occurred and the following has now been agreed in principle. Given that the site is
Walking and cycling

60  TfL, in conjunction with Islington and Camden councils, have undertaken a review of the cycling and pedestrian facilities on Farringdon Road and consequently a contribution towards a schedule of identified works to improve pedestrian and cyclist safety, priority and accessibility was requested. The applicant has offered £10,000, which is an acceptable contribution, and will be pooled together with contributions from other development forthcoming within the area.

Bus stops

61  To comply with London Plan policy 6.7 ‘Better Streets & Surface Transport’ and to promote inclusive access for all users of the proposed development the applicant has undertaken an audit of the two closest bus stops to the site (bus stops ‘A’ and ‘B’ located on Farringdon Road). The applicant has offered £20,000 to implement the schedule of works identified, which is welcomed.

Cycle hire

62  Taking into consideration the demand for the Mayor’s Barclays Cycle Hire Scheme in the area, and given that it will directly benefit the scheme, mitigation measures towards the future phase of intensification and extension of the scheme will be sought. In line with London Plan policy 6.9 ‘Cycling’ further discussions on this matter would be welcomed.

Cycle parking

63  A total of 81 cycle spaces are proposed located at ground level. The applicant has agreed to increase this provision to 116 in line with the draft minor alterations to the London Plan which is again welcomed.

Car parking

64  In recognition of the excellent accessibility, no car parking is proposed, which is supported. The applicant has however been made aware that the London Plan requires at least one accessible on or off street car parking bay. The applicant has responded outlining that neither the service yard (which is shared by Crossrail, and the dimensions of which are fixed by the Crossrail Act 2008), nor the local streets are able to accommodate any accessible parking. Taking this into account it is considered that the application is, on balance, in conformity with London Plan policy 6.13 ‘Parking’.

Delivery and servicing

65  TfL considers the servicing proposals to be satisfactory, however, a delivery and servicing plan (DSP) and construction and logistics plan (CLP) should both be secured by condition to ensure full conformity with London Plan policy 6.14 ‘Freight’.

Travel planning
66 A full workplace Travel Plan has been submitted which is welcomed. However, this has been reviewed in accordance with the Transport for London's assessment tool ATTrBuTE, and has failed as it is incomplete. Further work is required to complete the plan before it can be deemed acceptable, which can be undertaken at the implementation stage. The travel plan will need to be secured, enforced, monitored, reviewed and funded through the s106 agreement to ensure conformity with London Plan policy 6.3 ‘Assessing Effects of Development on Transport Capacity’.

**Crossrail**

67 The site falls within the Crossrail charging zone. The mechanism for contributions towards Crossrail has been set out in the Mayor’s Supplementary Planning Guidance (SPG) ‘Use of planning obligations in the funding of Crossrail’ (July 2010) and the London Plan.

68 Paragraph 4.28 of the SPG states that for sites which were previously developed and which have been cleared, floorspace of the same use class which was demolished not longer than five years prior to the date of submission of an application should be taken into account in establishing the baseline for calculating the net additional floorspace. Having referred to the net change of land use on site, as outlined within the Planning Statement, TfL can confirm that no Crossrail charge is required and that the proposals are in conformity with London Plan Policy 6.5 ‘Funding Crossrail and Other Strategically Important Transport Infrastructure’.

**Summary**

69 No objection is made to the proposed development in principle. A number of matters raised through liaison between and the applicant have been agreed; and Islington Council should ensure the above mentioned contributions and conditions are secured. Notwithstanding this, further discussion on how the scheme will facilitate the Mayor’s Barclays Cycle Hire Scheme is still required.

**Community Infrastructure Levy**

70 The Mayor has introduced a London-wide Community Infrastructure Levy (CIL) to help implement the London Plan, particularly policies 6.5 and 8.3. The Mayoral CIL formally came into effect on 1 April 2012, and it will be paid on commencement of most new development in Greater London that was granted planning permission on or after that date. The Mayor’s CIL will contribute towards the funding of Crossrail.

71 The Mayor has arranged boroughs into three charging bands. The rate for Islington is £50/sq.m. The required CIL should be confirmed by the applicant and council once the components of the development or phase thereof have themselves been finalised. See the 2010 regulations: [http://www.legislation.gov.uk/ukdsi/2010/978011492390/contents](http://www.legislation.gov.uk/ukdsi/2010/978011492390/contents) as amended by the 2011 regulations: [http://www.legislation.gov.uk/uksi/2011/987/made](http://www.legislation.gov.uk/uksi/2011/987/made)

72 London borough councils are also able to introduce CIL charges which are payable in addition to the Mayor’s CIL. Islington has yet to adopt a scheme. See the council’s website for more details on progress of CIL adoption.

73 The site is within the area where section 106 contributions for Crossrail will be sought in accordance with London Plan policy 6.5 and the associated Supplementary Planning Guidance (SPG) ‘Use of planning obligations in the funding of Crossrail’ (July 2010).
In these situations, the Mayor’s CIL charge (but not the borough’s) will be treated as a credit towards the S106 liability. The practical effect of this will be that only the larger of the two amounts will normally be sought. As the CIL charge will not be confirmed until development is about to commence, the s106 agreement will need to be worded so that if the s106 contribution based on the assumed CIL proves incorrect the contribution is adjusted accordingly (assuming it is still more than the CIL). Other contributions towards the mitigation of transport impacts may also be sought in accordance with London Plan policy and with relevant legislation.

Local Authority Position

Islington Council are seeking off-site housing contribution as highlighted in paragraph 24 this requirement is supported and should be included in the s106 agreement.

Legal considerations

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

Financial considerations

There are no financial considerations at this stage.

Conclusion

The application complies with some of these policies but not with others and on balance does not comply with the London Plan; the reasons and the potential remedies to issues of non-compliance are set out below:

- **Principle of development**: the mix of uses is acceptable, although the applicant should continue discussion with Islington Council over the issue of off-site housing contribution.

- **Urban design**: in context on the constraints of accommodating the Crossrail ticket hall and infrastructure the design is generally acceptable. The applicant is encouraged to further refine the options for the office main entrance. Consideration should be given to creating features of the abutments of the protruding facade and lighting regime for the roof to help indicate landmark location of key London interchange.

- **Tall building and views**: the reduced height has helped to alleviate impacts on strategic views of the LVMF, but the applicant should provide the omitted view analysis requested.

- **Access**: further work is required for the development design to be compliant with London Plan in relation to the design of the building entrance.
• **Energy:** depending on the adopted option it is accepted that there is little further potential for CO2 reductions onsite, in liaison with the borough the developer should ensure the short fall in CO2 reductions, equivalent to 18 tonnes of CO2 per annum, is met off-site.

• **Transport:** No objection is made to the proposed development in principle. All mentioned contributions and conditions should be secured. However further discussion on how the scheme will facilitate the Mayor’s Barclays Cycle Hire Scheme is still required.
for further information, contact Planning Decisions Unit:

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