

## Regent's Park Estate

in the London Borough of Camden

planning application no. 2015/3076/P

### Strategic planning application stage II referral

Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008.

### The proposal

Two-phased mixed use development to provide 116 residential units (Class C3), community facility (Class D1) and retail and commercial space (Class A1/A3/A4) across 8 plots including on green/open space in plots 2,3 and 4. Development would range from 3 storeys to 11 storeys in height, with associated landscape and public realm works, reorganisation of car parking and associated infrastructure works, following demolition of Dick Collins Hall, Victory Public House, and the Cape of Good Hope Public House. All in association with High Speed 2 proposals.

### The applicant

The applicant is Camden Council, and the architects are Matthew Lloyd Architects and Mae Architects.

### Strategic issues

Strategic issues raised at Stage I have been satisfactorily resolved and the planning application is supported in line with London Plan policies.

### The Council's decision

In this instance Camden Council has resolved to grant permission.

### Recommendation

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

## Context

1 On 26 June 2015 the Mayor of London received documents from Camden Council notifying him of a planning application of potential strategic importance to develop the above site for the above uses. This was referred to the Mayor under Category 1C of the Schedule to the Order 2008: Development which comprises or includes the erection of a building...(c) more than 30 metres high and is outside the City of London".

2 On 6 August 2015 the Mayor considered planning report D&P/3609/01, and subsequently advised Camden Council that the application did not comply with the London Plan, for the reasons set out in paragraph 88 of the above-mentioned report; but that the possible remedies set out in that paragraph could address those deficiencies.

3 A copy of the above-mentioned report is attached. The essentials of the case with regard to the proposal, the site, case history, strategic planning issues and relevant policies and guidance are as set out therein, unless otherwise stated in this report. Since then, the application has been revised in response to the Mayor's concerns (see below). On 3 September 2015, Camden Council decided that it was minded to grant planning, and on 15 September 2015, it advised the Mayor of this decision via email. Under the provisions of Article 5 of the Town & Country Planning (Mayor of London) Order 2008 the Mayor may allow the draft decision to proceed unchanged, direct Camden Council under Article 6 to refuse the application or issue a direction to Camden Council under Article 7 that he is to act as the Local Planning Authority for the purposes of determining the application and any connected application. The Mayor has until 28 September 2015 to notify the Council of his decision and to issue any direction.

4 The decision on this case, and the reasons will be made available on the GLA's website [www.london.gov.uk](http://www.london.gov.uk).

## **Update**

5 All outstanding issues raised at Stage I have been satisfactorily resolved as set out below.

### Housing:

6 In the event where HS2 plans change and the proposals are postponed or are abandoned, Camden Council has secured an appropriately worded condition (Condition 42 of the draft decision notice) requiring the applicant to submit an 'Affordable Housing Plan' to Camden Council for approval, prior to the implementation date.

### Strategic Views

7 The applicant has undertaken a more detailed assessment of View 5A.2 and confirmed that the proposed building will not be visible in this view. The applicant has confirmed that the site is situated at the far end of the view and that there are a number of existing buildings in front that will shield the proposed building. These include the existing buildings around Euston Station and a number of buildings further forward in the foreground. As the proposed scheme will not be visible, officers are satisfied that it will not have an adverse impact on the composition of View 5A.2.

### Energy

8 The applicant has provided further information and addressed all issues raised in the Stage I report. These are set out below.

9 The applicant has stated that the performance and construction build ups have been collectively reviewed by the design team. The applicant has provided an example build up for the wall which achieves the target U-value. The applicant has also stated that the thermal bridging performance has been discussed at length and after this exercise the target y-value was relaxed. The applicant is advised to ensure that the thermal bridging performance is reviewed during the detailed design stage in order to ensure that the target value is maintained.

10 The applicant has stated that all dwellings will be mechanically ventilated in order to address air quality concerns and that all the dwellings have been designed to meet fresh air requirements. In addition, residents will be able to open the window at their discretion.

11 The applicant has provided the total carbon emission figures for the application.

	<b>Total residual regulated CO<sub>2</sub> emissions</b>	<b>Regulated CO<sub>2</sub> emissions reductions</b>	
	<b>(tonnes per annum)</b>	<b>(tonnes per annum)</b>	<b>(per cent)</b>
Baseline i.e. 2013 Building Regulations	206		
Energy Efficiency	188	18	9%
CHP	188	0	0%
Renewable energy	148	40	19%
<b>Total</b>		58	28%

12 The applicant has stated that there is no further documentary evidence regarding the development of energy networks in the area. However, the applicant has stated that the communal systems in the area were identified through records research, meetings with Camden Council representatives and site surveys.

13 The applicant has stated that the cost analysis was undertaken against a simple baseline and that connection to the existing systems was determined to be technically unviable. The applicant has also stated that the plant room at the Rothay plant was inspected and it was determined that the life expectancy of the current plant is expected to be between 10 and 15 years.

14 The applicant has confirmed that the two larger buildings (Newlands 24 units and Former One Stop Shop 32 units) will be designed for connection to a future district heating network.

15 The applicant has confirmed that the 671 sq. m. refers to the net roof area for PV. The size of the array is anticipated to be 150kWp.

16 All outstanding information in relation to energy has been provided by the applicant, and officers conclude the application is in compliance with the London Plan.

#### Sustainable drainage

17 Camden Council has secured an appropriately worded condition (Conditions 23 of the draft decision notice) to reduce the existing surface water run-off by at least 50%.

### **Transport for London's comments**

18 At Stage 1, Transport for London (TfL) requested funding for Legible London signage and cycle hire and asked for various conditions and S106 obligations.

19 Funding for legible London signage will form part of the S106 obligations. In the HS2 'abandonment' scenario as defined in the s106 an £80,000 contribution to cover the extension of an existing cycle hire docking station is provided for in the agreement to reflect demand from the increased number of homes on the estate compared to a with HS2 scenario.

20 The agreed conditions and S106 obligations include a requirement for a Travel Plan, Service Management Plan covering deliveries and servicing, occupier exemption from parking permits in a Controlled Parking Zone, and cycle parking. With respect to cycle parking, 215 cycle spaces are

now proposed which accords with London Plan (2015) policy. The development is car free and this is secured in the planning decision.

## Response to consultation

21 A total of 1,587 letters were sent to adjoining occupiers and a total of 36 responses received of which 1 was in support and the others having a mixture of comments and objections.

22 A summary of these responses by sites is provided below:

- *Cape of Good Hope*: Concerns around height and size of proposed buildings, loss of daylight, overlooking and loss of privacy, loss of property value, lack of car parking for increased number of residents.
- *Rydal Water*: Concerns around loss of amenity open space, loss of daylight, increased risk to health, increase in pollution levels, lack of car parking for new residents, increased pressure on school places.
- *Newlands*: Concerns around loss of privacy, loss of sunlight, increased noise disturbance from people and children, and due to proximity to HS2 construction works, loss of open space and mature trees, new commercial space at ground level will cause noise and act as potential crime spot, impact on existing wildlife.
- *Robert Street Car Park*: Concerns around loss of daylight, loss of privacy, loss of car parking for existing residents.
- *Dick Collins Hall*: Concerns around height of proposed building with recommendation to reduce building height by two storeys, concerns around damage to setting of the conservation area and Grade II listed building, increased risk to health due to noise disturbance for night shift workers due to proximity to HS2 construction works.
- *Victory Public House*: Concerns around proximity to existing buildings, loss of value for existing properties, overlooking and loss of privacy, loss of daylight, impact on environment, security, uncertainty around leaseholder service charges, loss of views, size of refuse storage.
- *Open Space works at Stanhope Street and Robert Street*: Support for council staff and architects who attended public exhibitions, concerns around noise disturbance due to ball games, loss of open space, loss of privacy, gravel stones could be used to hurt people, loss of railing will affect the character of gardens.
- *Other*: Concerns around access to public transport during construction, loss of trees and open space, increased noise disturbance due to construction works in addition to HS2 works and suggestion to cancel planning permission if HS2 does not progress.

23 These concerns have been addressed within this report, the stage I consultation report and Camden Council's reports.

24 Other statutory consultees responded as follows:

- *HS2*: No response received.
- *Historic England*: No objection.

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

25 Under Article 7 of the Order the Mayor could take over this application provided the policy tests set out in that Article are met. In this instance the Council has resolved to grant permission with conditions and a planning obligation, which satisfactorily addresses the matters raised at Stage I, therefore there is no sound planning reason for the Mayor to take over this application.

### **Legal considerations**

26 Under the arrangements set out in Article 5 of the Town and Country Planning (Mayor of London) Order 2008 the Mayor has the power under Article 6 to direct the local planning authority to refuse permission for a planning application referred to him under Article 4 of the Order. He also has the power to issue a direction under Article 7 that he is to act as the local planning authority for the purpose of determining the application and any connected application. The Mayor may also leave the decision to the local authority. In directing refusal the Mayor must have regard to the matters set out in Article 6(2) of the Order, including the principal purposes of the Greater London Authority, the effect on health and sustainable development, national policies and international obligations, regional planning guidance, and the use of the River Thames. The Mayor may direct refusal if he considers that to grant permission would be contrary to good strategic planning in Greater London. If he decides to direct refusal, the Mayor must set out his reasons, and the local planning authority must issue these with the refusal notice. If the Mayor decides to direct that he is to be the local planning authority, he must have regard to the matters set out in Article 7(3) and set out his reasons in the direction.

### **Financial considerations**

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

28 Following an inquiry caused by a direction to refuse, costs may be awarded against the Mayor if he has either directed refusal unreasonably; handled a referral from a planning authority unreasonably; or behaved unreasonably during the appeal. A major factor in deciding whether the Mayor has acted unreasonably will be the extent to which he has taken account of established planning policy.

29 Should the Mayor take over the application he would be responsible for holding a representation hearing and negotiating any planning obligation. He would also be responsible for determining any reserved matters applications (unless he directs the council to do so) and determining any approval of details (unless the council agrees to do so).

### **Conclusion**

30 All outstanding issues have been fully addressed and the proposals are now in compliance with London Plan policies.

31 The proposed scheme successfully achieves its key objective of re-providing homes that will be lost as a result of HS2 within Regents Park Estate. The proposed layout and typologies represent a good example of sensitive estate renewal and will contribute to enhancing the character of the estate.

32 Therefore, taking into account all material considerations, the proposed scheme is supported in accordance with the London Plan.

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for further information, contact GLA Planning Unit (Development & Projects Team):

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# Regent's Park Estate

in the London Borough of Camden

planning application no. 2015/3076/P

## Strategic planning application stage 1 referral

Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008.

## The proposal

Two-phased mixed use development to provide 116 residential units (Class C3), community facility (Class D1) and retail and commercial space (Class A1/A3/A4) across 8 plots including on green/open space in plots 2,3 and 4. Development would range from 3 storeys to 11 storeys in height, with associated landscape and public realm works, reorganisation of car parking and associated infrastructure works, following demolition of Dick Collins Hall, Victory Public House, and the Cape of Good Hope Public House. All in association with High Speed 2 proposals.

## The applicant

The applicant is Camden Council and the architects are Matthew Lloyd Architects and Mae Architects.

## Strategic issues

The re-provision of housing lost as a result of HS2 within the existing estate together with re-provision of community facilities and new retail/commercial uses is supported. Concerns in regard to **housing, strategic views, energy, sustainable drainage** and **transport** should be addressed.

## Recommendation

That Camden Council be advised that while the application is generally acceptable in strategic planning terms, the application does not comply with the London Plan, for the reasons set out in paragraph 88 of this report; but that the possible remedies set out in that paragraph could address these deficiencies.

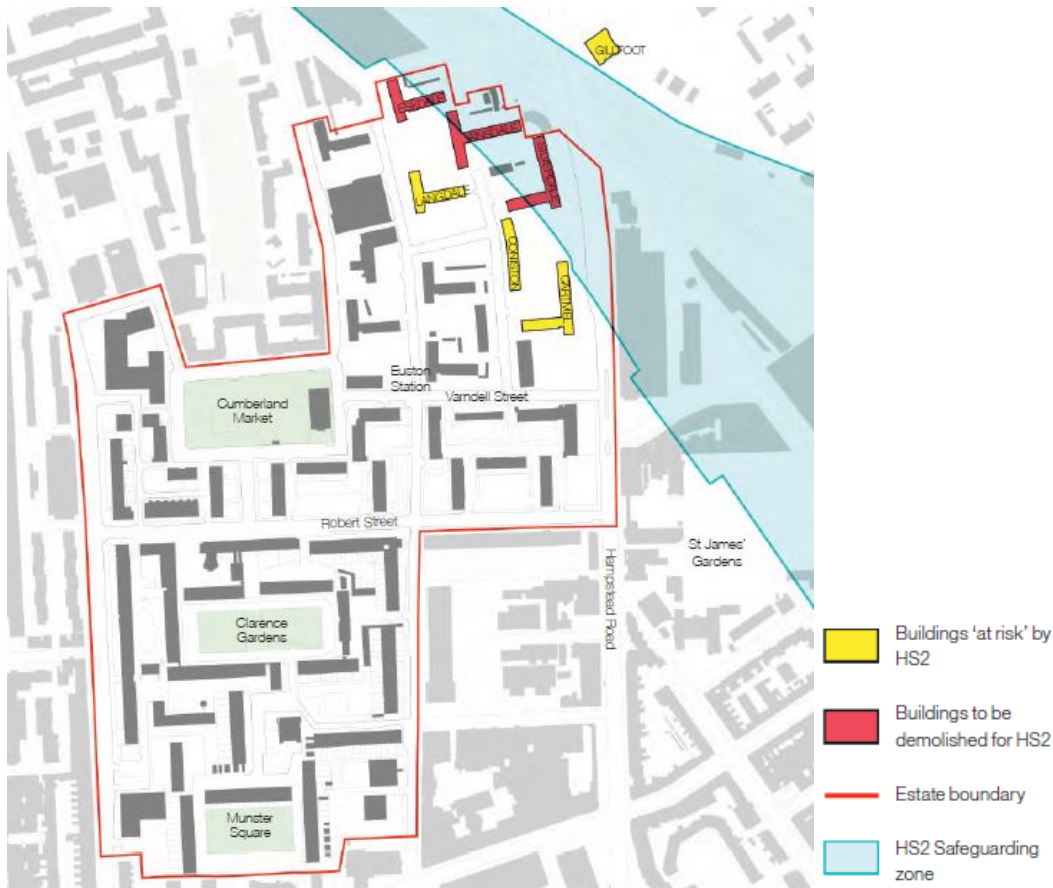
## Context

1 On 26 June 2015 the Mayor of London received documents from Camden Council notifying him of a planning application of potential strategic importance to develop the above site for the above uses. Under the provisions of The Town & Country Planning (Mayor of London) Order 2008 the Mayor has until 6 August 2015 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.



## Details of the proposal

8 The proposals for the Government's High Speed 2 (HS2) rail link will have a major impact, in particular on the north-eastern part of the estate, where three existing council-owned housing blocks ('red blocks') and a number of homes on nearby Melton Street and Cobourg Street will need to be demolished in order to allow for the construction of the high speed railway tracks and expanded Euston Station.



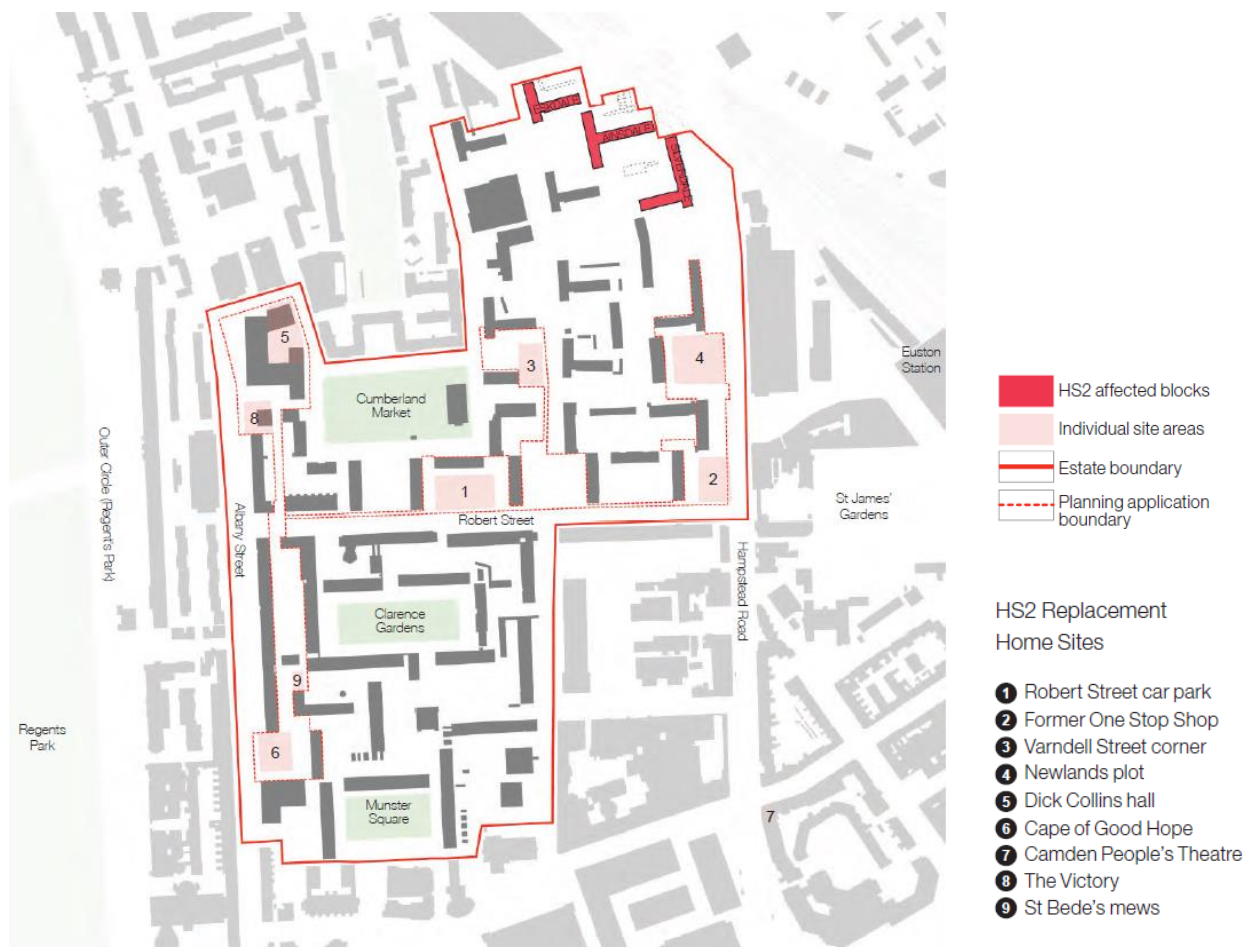
**Figure 2: Plan showing 'red blocks' to be demolished and the HS2 safeguarding line**

9 The powers to build and operate HS2 scheme are being sought through the High Speed 2 Rail Bill (HS2 Bill). The HS2 Bill seeks deemed planning permission for the railway and associated works which will be granted if the Bill is enacted. Camden Council as planning authority will then consider certain matters of detail relating to such works. Therefore, the demolition of the existing residential blocks does not form part of this application as it will be dealt with through the HS2 Bill.

10 The HS2 proposals would result in a loss of 182 homes in three existing three housing blocks - Eskdale, Ainsdale and Silverdale (Red Blocks) and a number of properties on Cobourg Street and Melton Street. Of these, 136 units are social rented and 24 are resident leasehold units for which the Council is seeking to provide replacement homes. In addition, due to concerns over the habitability of some homes adjacent to the HS2 construction zone, the Council is seeking to provide 4 replacement units to cater for those worst affected. Thus the Council intends to provide a total of 164 replacement homes within the estate.

11 Of these 164, 70 replacement homes are to be provided with HS2 funding at the nearby Netley development which includes a new school and housing. This scheme thus seeks to re-provide the remaining 94 units.

12 This proposal also includes provision for an additional 22 homes to provide an amount of resilience into the replacement homes programme, and flexibility in the future to meet changes in household composition and/or any increase in demand. Thus a total of 116 homes are proposed.



**Figure 3: Regent's Park Estate - Proposed development sites**

13 In summary, this mixed use proposal incorporates the following:

- A total of 116 new and replacement homes (a mix of one, two, three, four and five bed units) on plots 1, 2, 3, 4, 5, 6, 8 and 9, in eight new buildings of between 3 and eleven storeys;
- Demolition of Dick Collins Hall, the Victory Pub and the Cape of Good Hope pub on plots 5, 8 and 6 respectively;
- 106 affordable homes (77 social rented and 29 intermediate) and 10 market units.
- A replacement community facility of 334 sq. m. and 432.5 sq. m. of new and replacement commercial space (A1/A3/A4).
- Parking provision for existing units maintained at existing ratio and new units will be car free except for two blue badge spaces.

## Case history

14 The applicant engaged in pre-application discussions on 20 April 2015 with GLA officers as part of the development of the current scheme.

## Strategic planning issues and relevant policies and guidance

15 The relevant issues and corresponding policies are as follows:

- Housing *London Plan; Housing SPG; Housing Strategy; draft Revised Housing Strategy; Shaping Neighbourhoods: Play and Informal Recreation SPG; Shaping Neighbourhoods: Character and Context SPG*
- Affordable housing *London Plan; Housing SPG; Housing Strategy; draft Revised Housing Strategy*
- Density *London Plan; Housing SPG*
- Urban design *London Plan; Shaping Neighbourhoods: Character and Context SPG; Housing SPG; Shaping Neighbourhoods: Play and Informal Recreation SPG*
- Mix of uses *London Plan*
- Transport *London Plan; the Mayor's Transport Strategy;*
- Crossrail *London Plan; Mayoral Community Infrastructure Levy; Use of planning obligations in the funding of Crossrail and the Mayoral Community infrastructure levy SPG*
- Parking *London Plan; the Mayor's Transport Strategy*
- Access *London Plan; Accessible London: achieving an inclusive environment SPG;*
- Tall buildings/views *London Plan, London View Management Framework SPG*
- 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*

16 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 2010 Camden Core Strategy, the Unitary Development Plan and the London Plan (Consolidated with Alterations since 2011).

17 The following are also relevant material considerations:

- The National Planning Policy Framework, Technical Guide to the National Planning Policy Framework and National Planning Practice Guidance.
- The Camden Core Strategy/Site Allocations/Development Policies
- The Euston Opportunity Area Planning Framework (Euston OAPF)/ Euston Area Action Plan (EAP)

## Principle of development

### Estate Renewal and Regeneration

18 The primary purpose of this planning application is to re-provide 94 homes lost as a result of HS2 proposals in the Euston Area, as infill developments within Regent's Park Estate. In addition the scheme will provide an additional 22 new units to provide an amount of resilience into the replacement housing programme and provide flexibility to meet changes in household composition and any increase in demand from resident leaseholders.

19 The Euston Area Plan (EAP) states that around 160 new homes could potentially be provided as infill housing developments within Regents Park Estate and identifies sites where such

infill development would be suitable. The sites proposed for development in this application are in line with the sites identified within the EAP, which is welcomed and supported.

20 The provision of new small scale ground floor commercial units is also supported.

## **Housing**

21 As a strategic objective, the London Plan (Policy 3.14) specifically looks to resist the loss of housing unless it is replaced at existing or higher density with at least equivalent floorspace. The HS2 proposals will result in a loss of approximately 9,494 sq. m. of residential floorspace (182 residential units). This scheme will re-provide 9,434 sq. m. of residential floorspace (116 units) and the Netley scheme, which is also part of the replacement housing programme, will provide 5,411 sq. m. of affordable floorspace (70 units). Therefore, there will be a net uplift in terms of total residential floorspace, which is welcomed and supported.

### Affordable Housing

22 This scheme provides a net uplift in terms of affordable floorspace as it re-provides 8,606 sq. m. of affordable floorspace compared to a loss of approximately 6,777 sq. m. This is in addition to the approximately 5,411 sq. m. of affordable floorspace provided by the Netley development.

23 London Plan Policy 3.11 and 3.12 seeks to maximise affordable housing provision, having regard to current and future requirements for affordable housing targets and the need to promote mixed and balanced communities. Camden Councils Core Strategy sets a target of 50% of new homes to be affordable.

24 The proposed scheme will provide a total of 106 affordable units (91%), as a split of 77 social rent and 29 intermediate, which represents a net uplift in the quantum of affordable units. It is acknowledged that a high proportion of affordable units within this scheme is a result of re-housing affected residents within the estate, and therefore accepted in this instance.

25 Within the affordable element, 73% of units are proposed to be social rented and 27% for intermediate. Although the balance of social rent to intermediate does not accord with the policy aspiration of 60:40 as set out in London Plan Policy 3.11 and Camden Core Strategy Policy CS6, it is acknowledged that these guidelines will be applied flexibly. The key issue in this instance is the need to re-house existing households, and this has been achieved.

26 Within the 22 additional homes component of the scheme, 55% (12) of the units are proposed to be affordable, of which 58% (7) of will be social rent and 42% (5) intermediate affordable, which is supported and welcomed.

27 Given the current uncertainty around HS2, the applicant states that if for any reason HS2 does not go ahead, then then the mix of tenures in the scheme will be changed so that the homes within this scheme are provided as 50% affordable floorspace (including social rent and intermediate affordable) and 50% private floorspace. The applicant has proposed a mechanism to deal with such a situation through a provision in the affordable housing plan and in the shadow S106 agreement. Whilst this is acceptable in principle, GLA officers ask that a copy of the shadow S106 agreement be provided for review when the application is referred back to the GLA at Stage II.

### Housing choice / mix

28 London Plan Policy 3.8 and the associated supplementary planning guidance promote housing choice and seek a balanced mix of unit sizes in new developments.

29 The proposed unit mix of unit types by percentage is set out in the table below:

**Replacement homes (%):**

	1 bed/studio	2 bed	3 bed	4 bed	5 bed
Social Rented	37.1	21.4	30	10	1.4
Intermediate	16.7	58.3	20.8	0	4.2

**Additional homes (%):**

	1 bed	2 bed	3 bed	4 bed	5 bed
Social Rented	28.6	14.3	14.3	14.3	28.6
Intermediate	40	40	20	0	0
Private	10	10	80	0	0

30 Within the replacement homes element of the scheme, 41.4% of the social rented units are provided as large family units which falls slightly below the aim set in the priority table' for 50% larger homes. The intermediate provision in the replacement homes provides 4.2% larger homes, which falls short of the aim of 10% set in the priority table.

31 However, it is acknowledged that the proposal has been designed to meet very specific mix set by the housing need of the affected homes and that this has been discussed and agreed with Camden planning officers during pre-application discussions.

32 Within the additional homes component, 57.1% of social rented units and 20% of intermediate units have been provided as larger homes which meet and exceed the aims set out in the priority table.

33 The proposed dwelling mix is therefore supported in line with London Plan policies.

Density

34 Using indicators provided in the density matrix set out in table 3.2, the London Plan Policy 3.4 aims to optimise housing potential of sites, especially in locations with good public transport accessibility. In this instance, a density of between 45 and 260 units per hectare and 200 to 700 habitable rooms per hectare would be appropriate in an area with PTAL of 6a and urban character such as this.

35 The scheme has a proposed density of 127 dwellings per hectare and 410 habitable rooms per hectare, falling within the density matrix range for units and habitable rooms.

Open Space

36 The scheme involves some development on currently low quality open spaces that are not part of London's strategic open space network. These spaces are not designated open spaces or identified on the Council's Core Strategy Proposals Map. Nevertheless, London Plan Policy 7.18 states that the value of green infrastructure not designated as local open space is considered to be a material consideration.

37 The proposals involve a loss of 1081.15 sq. m. of open space to building footprints, which will be offset by a gain of 1033.4 sq. m. of open space created by reclaiming space currently occupied by car parks and unused service roads. Thus, there will a net loss of 47.75 sq. m. of open space.

38 The applicant has sought to mitigate the loss of open space by minimising building footprints and creating new open spaces either on or adjacent to the development sites. This includes the creation of a new public square on Robert Street and a new play-garden on Newlands

Plot. Additional estate spaces that are in close proximity to the development sites have been identified for improvements to enhance their role and setting within the estate, which is welcomed.

39 Overall, the applicant's approach to open space mitigation within the estate is broadly in line with the approach set out in strategic principle EAP5 of the Euston Area Plan, and is therefore supported.

### Children's play space

40 Policy 3.6 of the London Plan sets out that "development proposals that include housing should make provision for play and informal recreation, based on the expected child population generated by the scheme and an assessment of future needs." Using the methodology within the Mayor's supplementary planning guidance 'Providing for Children and Young People's Play and Informal Recreation' it is anticipated that there will be approximately 112 children within the development. The guidance sets a benchmark of 10 sq.m. of useable child play space to be provided per child, with under-5 child play space provided on-site. As such the development should make provision for 1118 sq.m. of play space.

41 This development will deliver 1,040 sq. m. of new play space which falls slightly short of the GLA requirement. However, this provision should be seen in the wider context of the estate which contains a number of areas for play such as Cumberland Market and Munster Square. Regent's Park (District Park), the largest open space in Camden is in close proximity to the estate, providing formal and informal play and recreation space for all age groups. Therefore, taking these into account, the provision of play space is supported.

## **Social Infrastructure**

42 London Plan Policy 3.1 and 3.16 seeks to ensure that development proposals protect and enhance facilities that meet needs of particular groups and states that proposals involving loss of these facilities without adequate justification or provision of replacement should be resisted.

43 The proposed scheme includes demolition of the Dick Collins TRA Hall (330 sq. m.) which is currently located to the north-west edge of the estate and its re-provision in a new hall of 334 sq. m. on the ground floor of the proposed block at Robert Street Car Park. The new space is centrally located and has been designed in consultation with the Regent's Park TRA to improve existing provision by providing flexible spaces that can be used by a wider section of the community. The existing facility would only be demolished after the new facility is functional in its new location. This is welcomed and supported.

44 The existing Silverdale TRA hall, which is located at the base of the 'Red Blocks' will also be demolished as part of HS2 proposals. This facility is not currently used as a TRA hall, but as a Motorcycle Club. The applicant has stated that there is a requirement for HS2 to replace the Motorcycle Club use elsewhere and as such, the replacement of this facility does not form part of this application.

## **Urban design**

45 The proposed development broadly follow the indicative layouts and design criteria set out for Regents Park Estate within the EAP and are very well thought through with a good mix of residential typologies and well defined street frontages that are active and provide sufficient level of overlooking into the public realm.

46 The layout creates strong building frontages along existing streets and junctions which improves the street environment but also the access, usability and definition of new and existing

open spaces. A number of active uses are proposed at ground floor along the main routes of Hampstead Road, Robert Street and Albany Street.

47 The overall massing is in keeping with the wider context of the estate and the addition of slightly taller elements at corners improves legibility and wayfinding.

48 The scheme has been designed to be compliant with the Mayor's Housing SPG, and all units have been designed to meet the minimum space standards as set out in the London Plan. There are no single aspect units in the scheme which is particularly welcomed and strongly supported.

49 The proposed ground floor units have their own individual entrances facing the street and communal entrances are highly visible and can be accessed directly from the main streets. The small building footprints have enabled a limited number of homes to share the same landing.

50 The architecture of the individual infill blocks is thoughtful, with simple and elegant elevations. The predominant use of brick for the proposed typologies reflects the residential use of the buildings whilst creating robust and hard wearing elevations which is strongly supported and welcomed.

## **Tall buildings / views**

### Tall Buildings: Newlands site

51 The EAP sets a general building height of around 15-18 metres for the Newlands site. The applicant has stated that the proposed building will be around 38 metres high, which is taller than the parameters set out in the EAP.

52 The 11 storey Newland building will be located in close proximity of a potential new entrance to Euston Station from Hampstead Road, as set out in the EAP if the HS2 proposals go ahead. This location also marks the junction of Hampstead Road with a key east-west route (Varndell Street to Polygon Road) which seeks to connect and improve access between Kings Cross St. Pancras, Euston Station, Regent's Park Estate and Regent's Park. Further, this building faces on to Hampstead Road, where on the other side of the road, the EAP sets a height parameter of around 30 metres. Officers consider that this tall building, together with Rydal Water would balance the massing on either side of the road and add sense of scale and enclosure onto Hampstead Road. The building also serves to mark the north-eastern edge of the estate. Therefore, this building is considered to be an appropriate response to its setting and future context.

53 As part of HS2 proposals, the level of Hampstead Road, and potentially as a result that of Varndell Street may be raised. Therefore, this block has been sensibly designed to provide double height commercial units with open street frontage at the ground floor to enable dual level access to the units.

### Strategic Views:

54 The proposed height of The Newlands building will be +61.5m above Ordnance Datum.

55 This building is directly under Landmark Viewing Corridor 2B.1 (Parliament Hill to Palace of Westminster). The applicant has stated that the lowest point of intersection of the viewing corridor with the site is approximately +61.5m above Ordnance Datum, which is approximately the same as the level of the viewing corridor, and therefore the development would not intrude into this view.

56 This building will be close to Landmark Viewing Corridor 4A.1 (from Primrose Hill to St. Paul's Cathedral). The lowest point of intersection of the viewing corridor with the site is approximately +62.5m (+/- 25mm) above Ordnance Datum. Therefore the proposed development will not intrude in this view.

57 It also lies in the Background Assessment Area of 5A.2 (Greenwich Park Wolfe Statue to St. Paul's Cathedral). The applicant has not assessed this view, but the LVMF indicates an approximate point of intersection of between +53m and + 53.6m above Ordnance Datum, meaning the building could be visible in the background of St. Paul's Cathedral. The applicant should confirm if the building will be visible in this view. If so, the applicant should submit a wireline visualisation of this view to enable officers to assess its effect on the view as a whole, in line with London Plan Policy 7.12 which states that development proposals in the background of a view should give context to landmarks and not harm the composition of the view as a whole.

## **Energy**

58 The applicant has broadly followed the energy hierarchy. Sufficient information has been provided to understand the proposals as a whole. Further revisions and information are required before the proposals can be considered acceptable and the carbon dioxide savings verified.

### **BE LEAN**

#### Energy efficiency standards

59 A range of passive design features and demand reduction measures are proposed to reduce the carbon 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 energy lighting and mechanical ventilation with heat recovery.

60 The applicant is proposing high performance envelope significantly beyond building regulation requirements, this is welcomed. The applicant should provide further details to demonstrate that the wall U-value and thermal bridging performance are achievable for the development. The applicant should note that the thermal bridge performance for accredited construction details is not guaranteed, an assessment of the likely y-value should therefore be undertaken to check whether the value proposed in the energy statement is achievable. The carbon emission results should be updated where necessary.

61 The applicant has undertaken dynamic thermal modelling to assess the overheating risks using CIBSE guide methodology. The report concludes that with the ventilation strategy of openable windows overheating is not expected. The applicant should, however, confirm whether there are any dwellings where window opening may not be possible due to security, noise or air quality issues.

62 The applicant should provide the required tables detailing the total site wide carbon emissions in tonnes per annum for each stage of the energy hierarchy. The carbon emissions for the refurbishment should be provided in a separate table. See Table 1 and Table 2 in the latest GLA assessment guidance for the required format:  
<https://www.london.gov.uk/sites/default/files/GLA%20guidance%20on%20preparing%20energy%20assessments%20April%202015.pdf>

63 Sample SAP worksheets (both DER and TER sheets) and BRUKL sheets including efficiency measures alone should be provided to support the savings claimed.

## BE CLEAN

### District heating

64 The applicant has carried out an investigation and there are no existing district heating networks within the vicinity of the proposed development. The development is however situated within a District Heating opportunity area, and within the vicinity of the potential Euston Road heat network extension, as identified in the Euston Area Plan. The applicant has investigated connecting to potential networks and existing communal heating systems in the Regent's Park Estate, including a cost and carbon analysis of connection. It was concluded that connection to existing communal plant or the Euston Road network is not viable. The applicant should provide evidence of correspondence with the local energy officer demonstrating that the current progress of networks in the area has been investigated.

65 The applicant has provided indicative capital costs for connection to the existing communal plant; however no cost comparison has been given against a standalone solution. The applicant should therefore provide a whole life cost comparison for connection to an existing communal system/or new communal heating system and an individual heating solution (see appendix 2 of the GLA energy assessment guidance). The applicant should also investigate whether any of the existing ageing plant at Rothay can be updated as part of the redevelopment work.

66 The development consists of 3 to 32 dwelling buildings spread out across the Regent's Park Estate. The applicant is proposing that the six buildings below 15 dwellings will be heated by an individual heating solution. With the two larger buildings (Newlands 24 units and Former One Stop Shop 32 units) the applicant is proposing a communal heating system. The applicant should ensure that the communal heating solutions are designed to allow for future connection to a district heating network.

### Combined Heat and Power

67 The applicant has investigated the feasibility of CHP. However, due the intermittent nature of the heat load, CHP is not proposed. This is accepted in this instance.

## BE GREEN

### Renewable energy technologies

68 The applicant has investigated the feasibility of a range of renewable energy technologies and is proposing to install Photovoltaic (PV) panels. The applicant has identified that the total available roof space for PV is 671sq.m. The applicant should confirm if this area estimate is active PV panel area or physical roof space, the applicant should also confirm the anticipated size of the PV array (in kWp).

69 The applicant should provide the required tables detailing the total site wide carbon emission reduction in tonnes per annum for 'be green' stage of the energy hierarchy.

## OVERALL CARBON SAVINGS

70 The total side wide carbon emission savings for each stage of the energy hierarchy has not been provided in the energy statement. However, based on the energy assessment submitted at stage I, the applicant is not expecting to meet the 35% reduction requirement from Part L 2013 of Policy 5.2. The total carbon emissions savings in tonnes per annum for each stage of the hierarchy should be provided. See Table 1 and Table 2 in the latest GLA assessment guidance for the required format:

<https://www.london.gov.uk/sites/default/files/GLA%20guidance%20on%20preparing%20energy%20assessments%20April%202015.pdf>

71 The comments above should be addressed before compliance with London Plan energy policy can be verified.

## **Flood Risk and sustainable drainage**

72 The site is within Flood Zone 1, although some areas are shown to be at risk from surface water flooding.

73 Parts of the site and the wider catchment area are shown to have extensive surface water flood risk. Therefore the inclusion of sustainable drainage measures in line with London Plan Policy 5:13 will be an important aspect of the consideration of these proposals.

74 The FRA states that the proposals will reduce the existing surface water run-off by at least 50% through the use of green/brown roofs, soft landscaping and sub-surface attenuation tanks.

75 Given the nature and location of the proposals, this approach is considered to comply with London Plan Policy 5:13 and should be secured via an appropriate planning condition.

## **Transport**

76 High Speed 2 would require physical changes to the TLRN including raising its level, of which account is taken in the application scheme.

### Network impact

77 While TfL is satisfied that the development proposals are unlikely to have a negative impact on the capacity of either public transport or the TLRN, there are however, a few issues which need to be addressed, as further detailed below.

### Road network

78 TfL would expect a Delivery and Service Plan (DSP) and a Construction Logistics Plan (CLP) to be secured by condition to appropriately manage any potential adverse effects. TfL notes that there are changes to Varndell Street and Hampstead Road proposed as part of this application which would result in this street becoming a cul de sac with no vehicular access onto/off Hampstead Road. Whilst TfL supports this proposal, the developer should be reminded that a S278 agreement will be required with both TfL and Camden and the detailed design should ensure that there is no adverse effect upon the flow of traffic, pedestrians or cyclists along Hampstead Road and that links with the TLRN are maintained for cyclists and pedestrians on Varndell Street.

### Walking and cycling

79 To comply with London Plan (2015) standards, cycle parking should be increased to a minimum of 215 spaces in total for all elements of the scheme and including short stay visitor provision. Cyclist facilities should be provided for staff of the commercial and community uses proposed.

80 To further support way-finding in the area, TfL requests, £4231 for Legible London way-finding signage. This will fund the installation of two fingerposts to promote the east-west connection along Robert Street and to enable pedestrians and cyclists to locate local stations and the nearby Regent's Park.

81 In addition given the likely demand from this development especially in the context of an existing shortage of available docking points in the area; TfL considers that a site specific s106 contribution of £80,000 to fund the extension of an existing cycle docking station along Hampstead Road is justified.

#### Car parking

82 The 22 new units proposed will be car free except for two Blue Badge spaces. Parking provision for the replacement housing will be at the existing ratio. These proposals are acceptable in the circumstances. TfL requests that the s106 agreement provides for the exemption of new residents from securing Controlled Parking Zone (CPZ) parking permits. TfL notes that there is an existing CPZ. To comply with the London Plan 20% of the car parking spaces should have active provision for electric vehicle charging and a further 20% passive provision, which should be secured by condition

#### Travel planning

83 The travel plan should be secured through the s106 agreement. It should contain ambitious targets particularly relating to the uptake of cycling, given the proximity of the site to good cycle links including those on Hampstead Road The full travel plan should be secured, enforced, monitored and reviewed as part of the S106 agreement.

#### Community Infrastructure Levy (CIL)

84 In accordance with London Plan policy 8.3 the Mayor commenced CIL charging for developments on 1st April 2012. Within the London Borough of Camden, the charge is £50 per square metre.

### **Local planning authority's position**

85 Camden Council is currently assessing the application but supports the principle of re-providing lost homes within Regents Park Estate.

### **Legal considerations**

86 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. 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**

87 There are no financial considerations at this stage.

## Conclusion

88 Whilst the application is broadly acceptable in strategic planning terms and the principle of re-providing lost homes on infill sites within Regent's Park Estate as part of a well-designed scheme is strongly supported, on balance, the application does not fully comply with the London Plan. The following changes might, however, remedy the above mentioned deficiencies, and could possibly lead to the application becoming compliant with the London Plan:

- **Housing:** If HS2 does not proceed, a mechanism to deal with such a situation through a provision in the affordable housing plan and a shadow S106 agreement should be secured.
- **Strategic Views:** The applicant is asked to confirm if the tall building on Newland's plot would be visible in View 5A.2 and if so should provide an illustration showing its effect on the view.
- **Transport:** Cycle parking should be increased to a minimum of 215 spaces; cyclist facilities should be provided for staff of the commercial and community uses proposed; 20% of the car parking spaces should have active provision for electric vehicle charging and a further 20% passive provision.
- **Energy:** Provide further details to demonstrate that that the wall U-value and thermal bridging performance are achievable for the development; confirm whether there are any dwellings where window opening may not be possible; provide the required tables detailing the total site wide carbon emissions in tonnes per annum for each stage of the energy hierarchy; provide evidence of correspondence with the local energy officer demonstrating that the current progress of networks in the area has been investigated; provide a whole life cost comparison for connection to an existing communal system/or new communal heating system and an individual heating solution; investigate whether any of the existing ageing plant at Rothay can be updated as part of the redevelopment work; ensure that the communal heating solutions are designed to allow for future connection to a district heating network.
- **Sustainable drainage:** The proposals to reduce the existing surface water run-off should be secured via an appropriate planning condition.

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