Strategic planning application stage 1 referral (new powers)


The proposal

Outline planning permission for access only (siting of buildings, design and external appearance and landscaping will be determined at the reserved matters stage) is sought for a mixed-use development comprising approximately 137 residential, 600 sq.m. community uses, 7,500 sq.m. employment (B1 business space) and 0.42 hectares of public open space.

The applicant

The applicant is National Grid Property Ltd, and the architect is Richard Partington Architects.

Strategic issues

The scheme is for mixed-use development, including social rented town house accommodation, on a currently under-utilised site, close to Merton town centre with generous provision of open space. The outstanding strategic issues relate to energy and climate change.

Recommendation

That Merton Council be advised that the application does not comply with the London Plan, for the reasons set out in paragraph 67 of this report; but that the possible remedies set out in paragraph 69 of this report could address these deficiencies.

Context

1 On 26 November 2008, the Mayor of London received documents from Merton 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 7 January 2009 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 1B.1 c) of the Schedule to the Order 2008: “Development (other than development which only comprises the provision of houses, flats, or
houses and flats,) which comprises or includes the erection of a building or buildings outside Central London and with a total floorspace of more than 15,000 square metres.”

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

Site description

4 The site is irregular in shape and extends for approximately six hectares, but because of the gasholder and its restrictions, the total developable area of the site is 3.97 hectares (see figure 1). The site is located on Western Road and is also accessible from Seaton Road and Miles Road. It is approximately 400 metres west of Mitcham town centre and is bounded by residential uses and open space. The most distinguishing feature of the site is the gasholder, which remains outside the application boundary on the most northern edge. A gas pressure reduction system building is also located in the centre of the site, but does not form part of the application.

5 The site was used as a gasworks until the 1960’s and then as an office for National Grid regional services, but has been vacant since March 2006. A total of 6,826 sq.m. of office space and 1,982 sq.m. of warehouse storage floorspace is contained on the site at present with 294 car parking spaces. These buildings have been demolished in preparation for redevelopment of the site.

Figure 1 site boundary (source: design and access statement Oct 2008)
6 The A236 Western Road and nearby A217 Holborn Road/London Road are both part of the Strategic Road Network. Western Road connects with the Transport for London Road Network at its junction with the A24 Merantum Way just over one kilometre from the site.

7 The site has a public transport accessibility level ranging from 3 in the eastern part of the site to 2 in the western half, on a scale of 1 to 6 where 6 is most accessible. Bus route 152 serves the site directly on Western Road, while a further 10 routes (including 2 night buses) serve Mitcham town centre within a 400 metre walk from the site. Tramlink services (Wimbledon branch) are available from stops at Phipps Bridge and Belgrave Walk, approximately an 800 metre walk from the western end of the site. The nearest Underground station is Colliers Wood (Northern Line), approximately 1.6 kilometres from the site.

Details of the proposal

8 The National Grid is seeking outline planning permission (access only) for a mixed-use development comprising approximately 137 residential, 600 sq.m. community uses, 7,500 sq.m. employment (B1 business space) and 0.42 hectares of public open space.

9 The layout of buildings and uses is based on the zone limitations published by the Health and Safety Executive for development adjacent to gasholders.

Case history

10 The application represents a revised planning application previously considered by the former Mayor in September 2006. The former Mayor supported the principle of development, but raised concern regarding density, housing mix, affordable housing, energy and transport (including car and cycle parking). In May 2008, Merton Council resolved to refuse the application (06/0984) against officer recommendation. The refusal was issued in July 2008 stating the following reasons:
“The access arrangements for the proposed development would fail to comply with the Western Road/Miles Road Planning Brief (which requires the principal vehicular accesses to the site to be from Western Road/Portland Road) which would be to the detriment of the amenities of occupier of Seaton Road and Miles Road by reason of additional traffic.”

11 The application has been revised to address the concerns of the planning committee and to address those comments made by the former Mayor at the consultation stage. The main changes are summarised below:

- There would be no vehicular access into the site from Seaton Road with the exception of pedestrian and cycle access.
- There would be no vehicular access into the site from Miles Road with the exception of pedestrian and cycle access.
- Primary vehicular access to residential development and associated parking would be from Portland Road.
- Secondary vehicular access to residential development and associated parking would be from Western Road.
- A design code has been provided to ensure minimum design standards will be carried through to the detailed design stages at the reserved matters application stages.

12 The merits of the application and the revisions to the previous refusal are now considered below.

**Strategic planning issues and relevant policies and guidance**

13 The relevant issues and corresponding policies are as follows:

- **Housing**  
  London Plan; PPS3; Housing SPG; Providing for Children and Young People’s Play and Informal Recreation SPG
- **Affordable housing**  
  London Plan; PPS3; Housing SPG
- **Density**  
  London Plan; PPS3; Housing SPG
- **Urban design**  
  London Plan; PPS1
- **Mix of uses**  
  London Plan
- **Regeneration**  
  London Plan; the Mayor’s Economic Development Strategy
- **Transport**  
  London Plan; the Mayor’s Transport Strategy; PPG13
- **Parking**  
  London Plan; the Mayor’s Transport Strategy; PPG13
- **Employment**  
  London Plan; PPG4; draft PPS4; Industrial Capacity SPG
- **Access**  
  London Plan; PPS1; Accessible London: achieving an inclusive environment SPG; Wheelchair Accessible Housing BPG; Planning and Access for Disabled People: a good practice guide (ODPM)
- **Equal opportunities**  
  London Plan; Planning for Equality and Diversity in Meeting the spatial needs of London’s diverse communities SPG; Diversity and Equality in Planning: A good practice guide (ODPM)
- **Sustainable development**  
  London Plan; PPS1, PPS Planning and Climate Change Supplement to PPS1; PPS3; PPG13; PPS22; the Mayor’s Energy Strategy; Sustainable Design and Construction SPG
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 2003 Merton Unitary Development Plan and the London Plan (Consolidated with Alterations since 2004).

The following are also relevant material considerations:


**Principle of development**

The site is located close to Merton town centre, identified as a District Centre within the London Plan. The site is not a Strategic Industrial Location but the historic use is for office and warehouse use and therefore forms a local employment site in terms of the established use. The Merton UDP identifies the site for mixed use development subject to the preparation of a planning brief. The planning brief was produced and adopted in June 2005. Also of relevance to the local policy context is the Council’s SPG on Mitcham Urban Village. The overarching approach in both documents is to redevelop the site for a mix of uses whilst retaining an employment element on site.

The former Mayor previously supported the principle of mixed-use development, as did Merton Council Officers and Merton Council Members, who did not raise the principle of development as a concern when resolving to refuse planning permission in July 2008. The proposals include up to 7,500 sq.m. flexible B1 business space. The residential component of the proposals comprises slightly less of the site in terms of area (1.77 hectares allocated for residential use compared with 1.78 hectares for employment use) but more in terms of estimated floor space. This is a reflection of guidance and comments issued by the Health and Safety Executive in terms of land uses and density arrangements around gasholders.

During the previous consultation stage the Health and Safety Executive was in the process of revising guidance on development around gasholders. An initial objection was lodged by the Executive based on the revisions to its guidance on developing adjacent to gasholders sites.

**Health and Safety Executive’s role**

Local Planning Authorities are required to consult the HSE about certain proposed developments in the vicinity of major hazard sites before making a decision to grant planning permission or not. In the early 1990s, the Health and Safety Executive established a consultation zone of 60 metres around hazardous installations and it provided advice on any proposed development within this 60 metre zone.

When the HSE is consulted by a Local Planning Authority it will respond that it ‘advises against’ or ‘does not advise against’ the granting of planning permission on health and safety grounds that arise from the possible consequences of a major accident at the hazardous installation. The planning authority takes this advice into account when it makes a decision on the planning application.

The HSE’s role is purely advisory and, unlike the Mayor’s powers, it has no power to direct refusal of planning permission. Although planning authorities have discretion over the weight they attach to the HSE’s advice, current government guidance to planning authorities says “in view of their acknowledged expertise in assessing the off-site risks presented by the use of hazardous
substances, any advice from HSE that planning permission should be refused for development for, at or near to a hazardous installation or pipeline should not be overridden without the most careful consideration”

22 In discussions with the HSE, the applicant has revised the proposals to comply with the current guidance and as such the following restrictions to development have been agreed:

**Inner Zone** (up to 78 metres from centre of holder)
- No public open space
- No residential development
- Light industrial buildings
- No industrial buildings over 1.5 storeys, 600 sq.m. and occupied at a density over one person per 30 sq.m.

**Middle Zone** (151 metres from centre of holder) – sensitivity level 1-2 permitted.
- No public open space.
- 30 dwelling units.
- 7 light industrial buildings.
- No industrial buildings over 1.5 storeys, 1,300 sq.m. and occupied at a density over one person per 30 sq.m.

**Outer Zone** (209m from the middle of the holder – sensitivity level 1-3 permitted.
- 0.45 ha of public open space.
- 107 dwellings.
- No commercial development.
- Public open space is not to attract more than 1,000 people in one gathering.

23 The location adjacent to the town centre supports more intense development for a mix of uses including housing. The limitations highlighted by the HSE in terms of density, both for the commercial uses and residential uses steers more intense and higher density development away from the gasholders. The proposal has had to accommodate this approach to satisfy the concerns raised by the HSE. This limits the density of both the commercial and residential uses proposed, however, not to the detriment of maximising the potential of the site in this context (see also density section). The proposal remains employment focused in terms of land area and is consistent with the aspirations of London Plan policy 3B.2 and London Plan housing and regeneration objectives.

**Housing**

24 London Plan Policy 3A.10 requires borough councils to seek the maximum reasonable amount of affordable housing when negotiating on individual private residential and mix-use schemes. In doing so, each council should have regard to its own overall target for the amount of affordable housing provision. Policy 3A.9 states that such targets should be based on an assessment of regional and local housing need and a realistic assessment of supply, and should take account of the London Plan strategic target that 35% of housing should be social and 15% intermediate provision, and of the promotion of mixed and balanced communities. In addition, Policy 3A.10 encourages councils to have regard to the need to encourage rather than restrain

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1 Planning Circular 04/00 - Planning controls for hazardous substances
residential development, and to the individual circumstances of the site. Targets should be applied flexibly, taking account of individual site costs, the availability of public subsidy and other scheme requirements.

25 Policy 3A.10 is supported by paragraph 3.52, which urges borough councils to take account of economic viability when estimating the appropriate amount of affordable provision. The ‘Three Dragons’ development control toolkit is recommended for this purpose. The results of a toolkit appraisal might need to be independently verified.

26 Where borough councils have not yet set overall targets as required by Policy 3A.9, they should have regard to the overall London Plan targets. It may be appropriate to consider emerging policies, but the weight that can be attached to these will depend on the extent to which they have been consulted on or tested by public examination. Merton Council has set a borough wide target in the Preferred Options for the Core Strategy of 50% affordable housing with a target split set at 70/30 social rent/intermediate. The Council has also set a 30% site-specific target in the Preferred Options for the Core Strategy. This approach is yet to be tested at examination in public. The UDP policy HN1 (affordable housing) has expired by direction from the Secretary of State (effective from 27 September 2007) and therefore the key development control policy is London Plan policy 3A.10, as described above.

27 The housing offer put forward represents 33% by habitable rooms with the break down of units as follows:

<table>
<thead>
<tr>
<th>Table 1 Bedroom size mix</th>
</tr>
</thead>
<tbody>
<tr>
<td>2-bed</td>
</tr>
<tr>
<td>social rent</td>
</tr>
<tr>
<td>shared ownership</td>
</tr>
<tr>
<td>market</td>
</tr>
<tr>
<td>total</td>
</tr>
</tbody>
</table>

28 The applicant has submitted a financial appraisal in the form of a Three Dragon toolkit appraisal. Officers have scrutinised the merits of the submission. There are substantial remediation costs as part of the redevelopment proposals and reinstatement of mains gas lines. Wandle Housing Association has confirmed funding will be available to support the mix of units proposed. GLA officers have assessed the approach put forward by the applicant and are satisfied that the proposal represents the maximum reasonable amount of affordable housing in this case.

29 The housing mix will provide a range of larger, 3 and 4-bedroomed, accommodation in the social rented component of the scheme. The ten 4-bedroom townhouses as social rent are particularly welcome and will provide generous accommodation space with private back gardens, which has been illustrated in the design code, within the design and access statement. This will contribute to a strategically identified need for larger family social rented accommodation across London.
Density

30 Policy 3A.3 of the London Plan aims to maximise the potential of a site taking account of local context, London Plan design principles and public transport capacity. Table 3A.2 of the London Plan provides a framework for assessing density. The scheme provides a density of 300 habitable rooms per hectare. The site has a public transport accessibility level of 3 and lies in an urban location. The density matrix guides a range of 200 to 450 habitable rooms per hectare in such locations. The density proposed is therefore comfortably within the guidance found within the London Plan matrix, whilst the site could accommodate additional density, the provision of town house and social rented family accommodation is supported given the needs identified locally and across London in terms of strategic need. The density is also based on guidance set out by the HSE.

Urban design

31 Good design is central to all objectives of the London Plan and is specifically promoted by the policies contained within Chapter 4B which address both general design principles and specific design issues. London Plan Policy 4B.1 sets out a series of overarching design principles for development in London. Other design policies in this chapter and elsewhere in the London Plan include specific design requirements relating to maximising the potential of sites, the quality of new housing provision, tall and large-scale buildings, built heritage, views, and the Blue Ribbon Network.

32 The outline nature of the application results in very limited detail, however, the applicant has responded positively to GLA officer advice through a set of design principles, illustrated in a design code that will inform any subsequent reserved matters application. This includes key urban design principles including surveillance of the street, open space detail and townhouse layouts typologies. The approach is supported, however, further detail on flat layouts (1, 2 and 3 beds) and elevation quality needs to be provided to ensure that the design code is robust enough to inform the subsequent detailed design stage.

Changes to the access arrangements

33 The amended layout from the previous application now prevents vehicular access from Seaton Road north, and from Miles Road coming from the south. These were the two principal concerns raised by local residents at the consultation stage on the previously refused application. The objections were based on concern regarding increased traffic movements through these residential roads and an apparent infringement from the guidance within the planning brief regarding principal access points. In design terms the new arrangements restricts the vehicular permeability of the site, however pedestrian and cycle links will be retained, which is supported.

34 Residents of the new block adjacent to Miles Road to the south of the site now have to travel through the site and between the open space and new residential blocks. This revised layout arrangement in terms of movement is disappointing as vehicles now cut between the houses and the open space area. This can be partially mitigated by identifying this route as a pedestrian priority area or similar (home zone). This design response is a result of the alterations required to address the Council’s reasons for refusal.

35 There are improvements to the block layout in particular the parking court to the west of the site, which is now well surveyed with a perimeter block being achieved. The same should be considered for the block adjacent to Miles Road and the block facing the open space. This would improve security by bringing the parking court out in view of the front of the block and the open space improving surveillance. A similar pedestrian priority arrangement should be considered.
similar approach should also be considered for the business park. Overall the layout is, however, reasonably well considered, but could be improved with these minor alterations to block layouts.

Inclusive design and access

36 London Plan Policy 4B.5 requires applicants to meet the highest standards of accessibility and inclusion, and to be accompanied by an access statement illustrating how the principles of inclusive design will be met. There is no clear commitment to achieving an inclusive environment as part of the proposed development. Limited commentary is provided and there is no commitment to achieving ‘lifetime homes’ standard or provision of wheelchair accessible housing.

Design summary

37 The design parameters set out in the design code are welcomed, however this should be extended to include inclusive design principles and further detail regarding elevation quality and flat layouts (1, 2 and 3 beds). The code should be explicitly referred to within the planning permission to ensure consistency at the subsequent reserved matters stage. The layout has improved and whilst the alterations to the road permeability do not raise strategic design concerns they limit the options for movement around the site. Further work should therefore be submitted to ensure consistency with London Plan design and access policy, in particular policy 4B.1 and 4B.5.

Children’s play space

38 Policy 3D.13 of the London Plan sets out that “the Mayor will and the boroughs should ensure developments that include housing 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 88 children within the development. The guidance sets a benchmark of 10 sq.m. of useable child playspace to be provided per child, with under-5 child playspace provided on-site. As such the development should make provision for 880 sq.m. of playspace.

39 This development proposes to layout a park and open space of approximately 4,200 sq.m. This significantly exceeds the normal requirement for open space provision for development at this density. The Council will need to ensure that the section 106 includes clear and robust management plan regarding the future management and maintenance of the park and areas of open space.

Energy

40 London Plan policies 4A.4 and 4A.7 require the submission of an energy demand assessment along with the adoption of sustainable design and construction methods, demonstration of how heating and cooling systems have been selected in accordance with the Mayor’s hierarchy and how the development will minimise carbon dioxide emissions, maximise energy efficiencies, prioritise decentralised energy supply, and incorporate renewable energy technologies, with a target of 20% carbon reductions from on-site renewable energy.

41 The applicant has submitted an energy strategy, which is based on two options for the whole of the site.

Option 1: Space will be set aside for use by Merton Council to install operate and maintain a pyrolysis/combined heat and power system (CHP). The area to be provided will be negotiated with
Merton Council. It will be located in a position to ensure future connection to the “Merton Energy Action Area” district heating scheme, access and connection with electrical infrastructure.

Option 2: A site wide combined heat and power system will be installed to initially provide the base heating load of the site. The combined heart and power plant will be designed so that it can connect to the “Merton Energy Action Area” district heating scheme when it becomes available. Merton Council will then expect the developer to consider the feasibility of installing a larger combined heat and power system or second combined heat and power system to accommodate a proportion of the peak heat load. The percentage of electricity required to be generated by renewable technology will be in proportion to the site wide carbon reduction achieved through the use of combined heat and power.

42 Given the outline nature of the proposals the section 106 agreement will form the key delivery mechanism for securing sustainable design and construction methods, appropriate carbon savings and key heat and power infrastructure within the development. Whilst the principle of the applicant’s and the Council’s approach is broadly supported the wording above is ambiguous and the draft section 106 document (clause 3.10.3 and 3.10.4) refers only to the requirement to submit a strategy to the Council for approval and for the approved strategy to be implemented as agreed.

43 The text and wording should be based on the following approach:

- Clear commitment to carbon reduction through design measures (a percentage saving target, beyond building regulations requirements, should be stated).
- Clear commitment to site wide combined heat and power with a commitment to linking into Merton Energy Action Area as and when it comes forward.
- Clear commitment to a reduction in carbon dioxide emissions through the use of renewable energy technologies (with target percentage saving having factored in passive design measures and carbon savings from the CHP and having regard to the 20% target for renewables).

44 The above commitments need to be refined within the section 106 agreement and the GLA would welcome further discussion with the Council and the applicant to agree appropriate wording to ensure consistency with London Plan energy policies.

Climate change mitigation/adaptation

45 The London Plan climate change policies as set out in chapter 4A collectively require developments to make the fullest contribution to tackling climate change by minimising carbon dioxide emissions, adopting sustainable design and construction measures, prioritising decentralised energy supply, and incorporating renewable energy technologies with a target of 20% carbon reductions from on-site renewable energy.

46 The policies set out ways in which developers must address mitigation of, and adaptation to, the effects of climate change. Policies 4A.2 to 4A.9 of the London Plan focus on how to mitigate and adapt to climate change. In particular policy 4A.9 promotes the approach to minimise overheating and the contribution to heat island effects; minimise solar gain in summer; contribute to flood risk reductions, including applying sustainable drainage principles; minimise water use and protect and enhance green infrastructure. Specific policies cover overheating, living roofs and walls and water.
Overheating (Policy 4A.10)

47 The passive design measures will be illustrated at the detailed design stage, however the principle of dual aspect accommodation is illustrated within the design code, within the design and access statement. As set out in the energy section of this report a clear commitment to energy saving measures through efficient design will be required to ensure consistency with London Plan energy and climate change policies.

Living roofs and walls (Policy 4A.11)

48 Intensive green roofs have been considered and will provide private and community spaces for the residential elements of the development. This is likely to increase the thermal insulation levels of the roofs, reduce the amounts of rain water run off and help to improve the local air quality whilst proving a visually attractive green area. This should be conditioned by Merton Council as part of any subsequent approval.

Flooding (4A.12), sustainable drainage (4A.14) water use (4A.16)

49 The flood risk assessment has only recently been received by the GLA and requires detailed scrutiny to ensure there are no strategic flood risk issues. The previous comments submitted by the Environment Agency raised no objection to the methodology in the assessment of risk or the remediation strategy proposed.

50 Policy 4A.16 sets a maximum water use target of 105 litres per person per day for residential dwellings. Rainwater and grey water recycling is proposed and incorporation of water efficient features. The overall approach is broadly consistent with the water policies in the London Plan, however a maximum water target is not mentioned within the sustainability strategy, this should be secured by condition by Merton Council.

Transport for London’s comments

Car parking

51 The application proposes to provide 1 car parking space per residential unit and 1 car parking space per 110 sq.m. of employment floorspace (68 spaces), of which 5% will be designated as blue badge parking spaces and should be designed to meet accessibility specifications. Although this level of car parking is considered to be high given the public transport accessibility level and to the amenities of Mitcham town centre, this was accepted as part of the previous application and is within London Plan standards as set out in Annex 4. TfL therefore accepts the car parking proposals for this site.

Cycle parking

52 The applicant has proposed to provide 1 cycle parking space per residential unit and 1 cycle parking space per 250 sq.m. of B1 employment space, which is in line with TfL’s cycle parking standards for these uses. However, cycle parking will also be required for the community space and the provision of some cycle parking for the open space is requested. All cycle parking must be of a type that allows for secure cycle parking practices. TfL can provide additional information on this matter. TfL expects that the cycle parking will be secured as part of any planning permission.

Cycling & walking

53 Although vehicular access has been amended as part of this revised application, the proposals to create new pedestrian and cycle access to the site via Miles Road and Seaton Road...
have remained unchanged. TfL welcomes the proposals for cycling and pedestrian access to and through the site as it significantly improves permeability in the area.

**Delivery and servicing management**

54 A delivery and servicing plan will be required in order to minimise the impact of servicing vehicles on the local highway network and Mitcham town centre, particularly during peak hours. This should seek to minimise the number of delivery and servicing vehicles.

**Construction management**

55 A construction logistics plan will be required in order to minimise the impact of construction traffic on the local highway network and Mitcham town centre. This should seek to minimise the number of construction vehicle movements on the road network, particularly during peak hours, and should also take the likely cumulative construction movements of any other nearby developments into consideration. A construction management plan should be prepared in line with the London Freight Plan and agreed with TfL and conditioned as part of any planning permission for this scheme.

**Travel plan**

56 A framework travel plan has been produced which will address the residential and employment uses separately; this is welcomed. TfL also welcomes the measures set out in the travel plan, particularly the provision of pre-loaded Oyster cards and car club membership to residents and an Emergency Ride Home programme for employees. The travel plan should be iTRACE compliant and secured, enforced, monitored and reviewed as part of the Section 106 agreement.

**Impact mitigation**

57 Following discussions from the previous application, a package of measures and contributions has been agreed to mitigate the transport impacts of the development. TfL welcomes the developer’s commitment to funding improvements to nearby bus stops, if necessary, to meet London Bus Initiative accessibility standards. The developer has also proposed to fund local parking controls and management and is providing a 5.5 metre strip of land along Western Road to facilitate future public transport improvements; these are also welcomed.

**Summary**

58 In summary, TfL has no objection to the development provided that the cycle parking, travel plan, construction logistics plan, delivery and servicing plan, and agreed impact mitigation measures are all appropriately secured as part of any planning permission.

**London Development Agency’s comments**

59 The development of this mix use scheme on this vacant brownfield site is supported in principle given the potential regeneration benefits. This application would contribute to meeting objectives set out in London’s Economic Development Strategy in delivering health, sustainable, high quality communities and urban environments.

60 The inclusion of 7,500 spm of business floorspace is supported by the LDA given that the site is allocated for office use in the adopted UDP (Policy MI.1). In accordance with London Plan policy 3B.2 the applicant should ensure that the B1 elements of the scheme seek to introduce a
range of premises of different types, sizes and costs to meet the differing sectors of the local economy.

61 The Council should be satisfied that there will not be excess demand on social infrastructure and community facilities as a result of the number of households this proposal will deliver, in accordance with London Plan policy 3A.18 which seeks the protection and enhancement of social infrastructure and community facilities. Should there be a need for additional social facilities as a result of this proposal; the developer should be asked to contribute to the provision of any additional infrastructure required as part of any section 106 agreement negotiations.

62 The LDA welcomes the applicant’s commitment towards contributions to local employment and training initiatives in accordance with London Plan policy 3B.11 (Improving the employment opportunities for Londoners). The Council should ensure that local residents and businesses benefit from jobs created by this proposal during construction. Initiatives to create training and employment opportunities for local people and address other barriers to employment should be formalised through a Section 106 agreement between the applicant and the Council. This should also include local opportunities for residents and businesses during construction, including in the supply of goods and services and sub-contracting.

63 The LDA would welcome a discussion with the Council with regards to the above issues as appropriate. Subject to the resolution of other issues raised in this report the LDA supports this application in principle.

**Local planning authority’s position**

64 The officer recommendation is unknown.

**Legal considerations**

65 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**

66 There are no financial considerations at this stage.

**Conclusion**

67 London Plan policies on employment, housing, housing mix, density, urban design energy and transport are relevant to this application. The application complies with some of these policies but not with others, for the following reasons:

- Principle of development (compliant): The proposal will provide more efficient use of redundant site providing a mix of employment and residential uses adjacent to the town centre.
• Housing (compliant): The proposal offers 33% affordable housing and a mix of larger family town houses within the social rented component of the scheme. The financial model has been submitted which suggests the offer represents the maximum reasonable amount of affordable housing in this case.

• Urban design (non-compliant): The proposal is submitted in outline and the detail has been reserved for further consideration at the reserved matters application stage. A set of key urban design principles has been illustrated within the design and access statement. This is intended to inform the reserved matters application. Whilst this is the case, some further work is required to ensure the code is robust to deliver design quality. There is also no clear reference to achieving an inclusive environment in terms of design and access, or commitments to lifetime homes and wheelchair housing.

• Energy (non-compliant): The current commitments within the section 106 are not clear. The wording in the strategy is ambiguous and does not clearly following the energy hierarchy within the London Plan.

• Climate change adaptation/mitigation (non-compliant): A commitment to the water use target set out in policy 4A.16 has not been provided. Further scrutiny of the Flood risk assessment will be required to ensure there are no strategic flood risk matters arising as a result of the development.

• Transport (compliant): The proposals are London Plan compliant subject to the cycle parking, travel plan, construction logistics plan, delivery and servicing plan, and agreed impact mitigation measures being appropriately secured as part of any planning permission.

On balance, the application does not 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:

• Energy: Further discussions regarding the wording of the section 106 and percentage carbon reduction commitments need to be established to ensure compliance with London Plan energy policies.

• Urban design: Further design work is required regarding inclusive design and access and commitment to achieve lifetime homes and 10% wheelchair housing as a minimum. In addition further detail on flat layouts and elevation quality is required to strengthen the design code in order to secure a high quality development at the detailed design stage.

• Climate change adaptation/mitigation: Condition/commitment requiring minimum water use target of 105 litres per person per day. Further comment from the GLA regarding flooding will be provided.

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