

Western District Office, 35-50 Rathbone Place

in the City of Westminster

planning application no. 11/04673/FULL

Strategic planning application stage 1 referral (new powers)

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

The proposal

Redevelopment of the existing Royal Mail site to provide a mixed use scheme comprising 90 residential units and office and retail space within two blocks up to 8 storeys.

The applicant

The applicant is **Royal Mail Group** and the architect is **PLP**.

Strategic issues

The principle of the redevelopment of the site to provide a mixed-use development is accepted. In broad terms the scheme complies with London Plan policy, however, further information is required on **affordable housing, housing mix, climate change** and **transport**.

Recommendation

That Westminster City Council be advised that 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 paragraph 90 of this report could address these deficiencies.

Context

1 On 3 June 2011 the Mayor of London received documents from Westminster 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 July 2011 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 of the Schedule to the Order 2008:

1B "Development (other than development which only comprises the provision of house, flats, or houses and flats) which comprises or includes the erection of a building or buildings in Central London (other than the City of London) and with a total floorspace of more than 20,000 square metres"

3 Once Westminster City Council has resolved to determine the application, it is required to refer it back to the Mayor for his decision as to whether to direct refusal; take it over for his own determination; or allow the Council to determine it itself.

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

Site description

5 The site is bound by Rathbone Place to the east and Newman Street to the west, with adjoining buildings to the south and north. It is currently occupied by a large 1960s commercial building facing onto Rathbone Place with a large open car park facing onto Newman Street.

6 The building on the site is currently occupied by Royal Mail and used for mail centre, sorting office, and delivery operations. In addition, the complex sits above and is connected to the Mail Rail sub-level postal tunnel system connecting to Paddington in the west and Whitechapel in the east.

7 At present there is no pedestrian access through the site whilst the A40 Oxford Street forms part of the Strategic Road Network (SRN) and is located approximately 60m to the south of the site. The nearest Transport for London Road Network is the A501 Euston Road which is approximately 800m from the site.

8 The site is located 150m from Tottenham Court Road London Underground station which is served by the Central and Northern lines and will be served by Crossrail services in the future. Further London Underground stations including Oxford Circus and Goodge Street are also within easy walking distance of the site. 13 bus routes, including many 24 hour routes and night buses, can be accessed from either Oxford Street or Tottenham Court Road providing access to a variety of locations across London. Hence, the site has an excellent public transport accessibility level of 6b on a scale where 1 is low and 6 is high.

Details of the proposal

9 The proposals comprise the following:

- Demolition of the existing building on the site;
- Construction of a new, mixed use, development comprising residential, office and retail accommodation in two blocks;
- New public realm on the western edge of the site and a new cross route running south-west to north-east;
- An arcade and colonnade which links through Perry's Place south to Oxford Street (subject to the development plans of the landowners of the adjacent sites).

10 The northern block will contain residential accommodation above ground floor, with retail on its south-eastern and south-western frontages to the new public space and through route, whilst the southern block will provide more ground floor retail accommodation, with office accommodation above accessed from a ground floor entrance lobby.

11 Two basement levels will provide additional retail space, parking, servicing and plant space. Servicing areas for both the office/retail and parking/servicing areas for the residential will be accessed from a ramp onto Rathbone Place whilst the Mail Rail infrastructure and access is to be preserved within the new development.

Case history

12 The applicant sought pre-application advice from the GLA and met with officers on 27 January 2011. An advice report was issued on 23 February 2011 that highlighted a number of issues that needed to be resolved prior to the submission of an application. Strategic issues highlighted in the pre-application advice included:

- Urban design
- Access
- Affordable housing
- Housing quality
- Housing mix
- Child playspace
- Transport
- Energy

Strategic planning issues and relevant policies and guidance

13 The relevant issues and corresponding policies are as follows:

- Principle of development *London Plan; PPS1*
- Affordable housing *London Plan; PPS3; Housing SPG, Housing Strategy*
- Housing *London Plan; Interim Housing SPG*
- Density *London Plan; PPS3; Housing SPG; Interim Housing SPG; Housing SPG EiP draft*
- Urban design *London Plan; PPS1*
- Child play space *London Plan; Housing SPG; Providing for Children and Young People's Play and Informal Recreation SPG*
- Access *London Plan; PPS1; Accessible London: achieving an inclusive environment SPG; Planning and Access for Disabled People: a good practice guide (ODPM)*
- Transport *London Plan; the Mayor's Transport Strategy; PPG13*
- Parking *London Plan; the Mayor's Transport Strategy; PPG13*
- Crossrail *London Plan Alteration; Crossrail SPG*
- Sustainable development *London Plan; PPS1, PPS1 supplement; PPS3; PPG13; PPS22; draft PPS Planning for a Low Carbon Future in a Changing Climate; the Mayor's Energy Strategy; Mayor's draft Climate Change Mitigation and Adaptation Strategies; Mayor's draft Water Strategy; Sustainable Design and Construction SPG*

14 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 City of Westminster Core Strategy 2011 and saved policies from the City of Westminster Unitary Development Plan 2007 and the London Plan (Consolidated with Alterations since 2004).

15 The following are also relevant material considerations:

- The draft replacement London Plan, which underwent Examination in Public in 2010 and upon which the Panel has now reported is a relevant material consideration of significant weight.

Principle of development

16 The principle of a mixed-use development on the site is accepted and is supported by policy 3B.3, which seeks a mix of uses including housing within the Central Activities Zone (CAZ). London Plan policy 3B.2 seeks the renovation and renewal of London's office market offer with CAZ. This is reinforced with the site's location in the Tottenham Court Road Opportunity Area.

17 London Plan Policy 3B.3 promotes mixed-use development, and states that "*Within the Central Activities Zone... wherever increases in office floorspace are proposed they should provide for a mix of uses, including housing*". This is supported by draft replacement London Plan Policy 2.11. The Council also requires the provision of housing, equivalent to the uplift in commercial floorspace, as part of office and retail developments through its Unitary Development Plan (saved policies) and its adopted Core Strategy.

18 The uplift in office floorspace as part of the application therefore triggers a requirement for housing. The commercial uplift would be 18,791sqm although the residential provision would only be 17,288sqm, a shortfall of 8%. The applicant has put forward an argument for accepting a lower level of residential provision in this instance based on the inclusion within the scheme of a significant level of public realm improvements which, under the Core Strategy policies, can sometimes be accepted in lieu of full policy-compliant residential provision.

19 Whilst there are no strategic issues in relation to the quantum of land use provision, given any alteration may have implications to the rest of the scheme, discussion on this issue should be carried out with GLA and Westminster City Council officers prior to Stage II.

Housing

Affordable housing

20 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 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.

21 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.

22 Westminster City Council's UDP requires developments involving 25 or more new residential units to provide 30% affordable housing. The Core Strategy is seeking 22% affordable housing in new developments up to 2012 based on floorspace as opposed to unit numbers.

23 The applicant has submitted a viability assessment that factors in the full Crossrail contribution which has resulted in the scheme delivering 17 affordable units equating to a 19% affordable housing provision. This provision should be calculated by floor area in line with Westminster's housing policies.

24 The table below sets out the proposed accommodation by tenure and unit size:

	Studio	1 Bed	2 bed	3 bed	4 bed	5 bed	Total
Affordable	1 (6%)	1 (6%)	4 (24%)	8 (47%)	3 (18%)	0 (0%)	17 (100%)
<i>Intermediate</i>	1 (9%)	1 (9%)	4 (36%)	5 (45%)	0 (0%)	0 (0%)	11 (100%)
<i>Social Rent</i>	0 (0%)	0 (0%)	0 (0%)	3 (50%)	3 (50%)	0 (0%)	6 (100%)
Market	0 (0%)	16 (22%)	34 (47%)	21 (29%)	1 (1%)	1 (1%)	73 (100%)
Total	1 (1%)	17 (19%)	38 (42%)	29 (32%)	4 (4%)	1 (1%)	90 (100%)

25 The financial appraisal submitted will need to be independently assessed by Westminster City Council before the provision of affordable housing within the scheme can be considered to be in compliance with the London Plan.

Housing mix

26 London Plan Policy 3A.5 encourages a full range of housing choice. This is supported by the London Plan Housing Supplementary Planning Guidance, which seeks to secure family accommodation within residential schemes, particularly within the social rented sector, and sets strategic guidance for councils in assessing their local needs. Policy 3.12 of the draft replacement London Plan states that within affordable housing provision, priority should be accorded to family housing. Recent guidance is also set out in the draft revised interim Housing Supplementary Planning Guidance (October 2009) and draft replacement London Plan policy 3.8, which seeks to widen housing choice.

27 The provision of 4 and 5 bed units within the scheme is welcomed, particularly the 4 bed affordable units. It is considered that the high proportion of 2 and 3 bedroom units will provide a good mix of housing type within the area.

Housing quality

28 Policy 3.5 of the draft replacement London Plan introduces a new policy on the quality and design of housing developments. Part A of the draft policy states that housing developments should be of the highest quality internally, externally and in relation to the wider environment. Part C of the draft policy states that new dwellings should meet the dwelling space standards set out in Table 3.3, have adequately sized rooms and convenient and efficient room layouts. Part E of the draft policy states that the Mayor will provide guidance on implementation of this policy including on housing design for all tenures.

29 Whilst the Mayor's interim London Housing Design Guide applies to grant funded housing and London Development Agency development, its guidelines are considered by the Mayor to be

30 The residential element of the proposal is located on the northern block above retail units and is accessed either directly from Rathbone Place or from the proposed Newman Place.

31 The number of cores per unit and the high proportion of dual aspect units within the proposal is welcomed. However, there is concern over the arrangement of entrances to the private units in that they are accessed from a foyer that runs along the rear of the retail units with an entrance from the proposed Newman Place. This arrangement relies on good management and concierge services and an arrangement where each of the three cores accessed directly from the street would add to the activity along the cross route as well as Newman Place.

32 Whilst the design and access statement states that the flats have been designed to meet the London Housing Design Guide, insufficient information has been provided on the floorspace of flats, both in terms of room sizes and overall unit size. A statement of conformity should be submitted demonstrating how the space and layout standards within the design guide have been met within the scheme.

Density

33 London Plan policies 4B.1 and 3A.3 outline the need for development proposals to achieve the highest possible intensity of use compatible with local context, the design principles of the compact city, and public transport accessibility. Table 3A.2 of the London Plan provides guidelines on density in support of policies 4B.1 and 3A.3. However, as highlighted above, the consultation draft replacement London Plan policy 3.4 and Table 3.2 moves away from 'maximise' to 'optimise' taking into account all those matters in existing policy but with greater emphasis on local context and design principles.

34 The density matrix within the London Plan establishes three areas for development being central, urban, and suburban. The site is located within a central area which is defined as those with very dense development, a mix of different uses, large building footprints and typically four to six storeys, and located within 800 metres of an International, Metropolitan, or Major town centre.

35 The applicant should confirm the residential density of the proposal, based on the net residential site area (as set out in the Interim Housing SPG paragraph 3.35), in order to provide a realistic assessment of density.

36 Notwithstanding the results of the above analysis, it is acknowledged that the transport accessibility, town centre location and the built context could support a relatively high-density development on the site, compatible with the design principles of Policy 4B.1. Compliance with other policies, particularly those relating to design quality, social infrastructure, open space and play space, is also necessary.

Urban design

37 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



Permeability

38 The proposal significantly increases the permeability of the area by creating a number of routes that break up an otherwise long and impermeable block. The introduction of the cross-route is particularly beneficial; it is well lined with active uses on both sides and is likely to become a well-used and attractive new route. Other proposed routes are also strongly supported, however there are a number of issues that need to be resolved to ensure their quality. These are outlined in the following paragraphs.

39 The South East Link is a route that runs perpendicular from Rathbone Place to the Arcade, then linking to the New Public Square and Newham Street. Whilst the ambition to create this route is welcome, there is concern over its quality as it will be flanked to the south by the rear of existing developments and to the north with the service access of the proposed office block. This arrangement provides very little overlooking or activity to animate the route and provide a critical amount of activity to make it safe and attractive. Consideration needs to be given to how this route can be improved by encouraging pedestrian activity through locating entrances to upper storeys and small retail units along it.

40 The masterplan suggests the creation of the South-west link along the southern boundary of the site. Whilst the increased permeability that this would create is welcome, the quality of the route is subject to how the future surrounding buildings relate to it. Drawings provided indicate that the northern edge of this route will be flanked by the retail unit of the proposed development. However, there is concern that if a single tenant occupies the unit, it will have a single entrance located on Newman Place and the South-west link will not be well addressed. There is also

41 The ambition to continue the alignment of Perry's Place linking to the proposed development is strongly supported. However, the layout of the ground floor of the proposed development would result in this route terminating at what appears to be servicing and plant room areas. If this route is created, views from Oxford Street are critical to encourage people to use it, so further consideration of what terminates this route is necessary.

42 In summary, whilst the aspiration to increase the permeability through the area is welcome, this needs to be tempered with consideration of the quality of these routes. Active uses and entrances to buildings ensure that routes are safe and well used and should be located wherever possible along public routes.

Legibility

43 Whilst the site is not situated at a strategically important location to require significant land marking, the proposed Newmans Place will become an important public space in the wider area and should be clearly articulated as such. The provision of trees on the edge of the space will play an important role in doing this, highlighting the presence of the space from Oxford Street and Newman Street and is strongly supported

All routes in the proposal are straight and provide long views to where they terminate. This approach is welcome as it ensures that the development will be easy to find your way around for locals and visitors alike.

Height and massing

44 The height of the proposal is in keeping with the overall height of buildings in the surrounding area and does not raise any concerns. The changes to the mansard roof are welcome and officers are satisfied with the proposed roofscape.

45 The building's mass follows a traditional tripartite arrangement articulating a distinct ground, middle and top sections. This approach is welcome as it creates a distinct human scale at ground level and clear articulated roof space.

Open space

46 The development proposes the creation of a small triangular public square along the edge of Newman Street. This is a welcome addition to the public realm network in the area; it is well orientated, a good size and lined with active uses on all sides providing good overlooking and animation. There is no concern with regards to the success of this space, however further detail with regards to its landscaping and materials is necessary to ensure it conforms with accessibility requirements and that it will be long lasting and be low maintenance.

Views impacts/elevations

47 There are two distinct elevational treatments to the building: the outer shell-like elevation, characterised by a masonry grid with recessed windows facing Newman Street and Rathbone Place, and an internal elevation facing the cross-route, made of metal and glass fins. Whilst the outer elevations are conservative and attempt to blend in with the surrounding area, the inner elevations are more vibrant, with brightly coloured glass along the commercial buildings and a more toned

48 The applicant has provided a comprehensive document illustrating renderings from a range of views from around the site. An assessment of these views illustrates how that the proposal does not have any significant negative visual impact on any of the conservation area or the setting of surrounding listed buildings.

49 A visual impact assessment has also been done for the LVMF vistas 4A.2, 2B.1, 2A.2. The existing Royal Mail building penetrates the viewing plane from Parliament Hill however the proposed development, which has a reduced height, does not rise above the plane and has no significant impact on any of these vistas.

Conclusion

50 In summary the design of the proposed development is strongly supported. The location and alignment of the routes will result in significant improvement to the permeability of the area, the height and massing of the building ensures the development blends seamlessly into the existing urban fabric and the provision of the new square will be a major asset to the local community. Resolving the issues outlined above would ensure that any possible concerns are ironed out at this early stage.

Child play space

51 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.”

52 Using the methodology within the Mayor’s supplementary planning guidance ‘Providing for Children and Young People’s Play and Informal Recreation’ the estimated child yield for the development based on the indicative outline housing mix is 32, the SPG sets out that 10 sq.m. of useable child playspace should be provided per child, with under-5 child playspace provided on-site. As such, 320 sqm of child playspace is required.

53 The applicant has stated that play space is to be incorporated into the residential courtyard although the area has not been identified. The quantum proposed should be provided that identifies the play space in comparison with the communal amenity space within the development.

Inclusive design

54 The aim of London Plan Policy 4B.5 (Policy 7.2 in the draft replacement London Plan) is to ensure that proposals achieve the highest standards of accessibility and inclusion (not just the minimum) and given the size and nature of this development it should seek to better minimum access standards.

55 The scheme proposes 10% wheelchair units and all flats are to be built to Lifetime Homes standards which is welcomed.

Transport for London comments

Crossrail

56 London Plan policy 3C.12A and the associated Supplementary Planning Guidance (SPG) 'Use of planning obligations in the funding of Crossrail' (July 2010) set out the mechanism for contributions towards Crossrail. The SPG states that contributions should be sought if the proposal includes uplifts in floorspace for office (B1), retail and hotel uses and the cumulative uplift in such floorspace of more than 500sqm. Based on the indicative floorspace figures set out in the material submitted, the Crossrail contribution requirement would be as follows.

Land Use	Existing (sqm)	Proposed (sqm)	Net change (sqm)	Crossrail charge per sqm (£)	Crossrail charge (£)
B1 Office	8,291	26,678	18,387	137	2,519,019
Retail	0	4,455	4,455	88	392,040
Total Crossrail charge payable on commencement to TfL					2,911,059

Crossrail 2 safeguarding

57 The site falls within the area safeguarded for Crossrail 2 and supporting infrastructure around Tottenham Court Road London Underground station as set out in the Safeguarding Direction issued by the Secretary of State for Transport on 30th June 2008. As it currently stands, the scheme cannot be built due to Crossrail 2 safeguarding and, as such, the applicant will need to liaise with Crossrail in order to resolve this issue prior to Stage II. Given the potential implications of alterations to the scheme, GLA and Westminster City Council officers should be involved in any discussion on this issue.

Trip generation

58 The trip generation methodology is considered to be acceptable and forms an appropriate basis for determining the impact of the proposed development on the transport network, in accordance with TfL's Transport assessment best practice guidance (April 2010), as referenced in replacement London Plan policy 6.3.

Highways arrangements and pedestrian links

59 The proposed diagonal pedestrian links through the site and the creation of an open space on the Newman Street side of the development will result in a significant improvement in the pedestrian environment and are therefore supported. The proposal to relocate the pedestrian crossing over Newman Street to the south of the junction with Eastcastle Street will compliment the new links and is supported. TfL consider that it would be appropriate to provide new Legible London posts as part of the proposals and suggest that these are funded through the section 106 agreement.

60 The proposed vehicle access arrangements are considered to be broadly acceptable. TfL has no objection to the proposal to create a localised two-way section on Rathbone Place from Gresse Street to the development's vehicle access to increase options for vehicles exiting the site.

Car parking

61 The developer is proposing 63 residential car parking spaces including eight accessible disabled spaces which equates to 0.7 spaces per unit. Given the high level of public transport accessibility, central location and proximity to a wide range of work, leisure and educational destinations, TfL consider that it would be more appropriate for there to be a lower parking provision and would request that this is considered in accordance with London Plan policy 6.13.

62 Given the location of existing car club bays it is not strictly necessary for a car club bay to be created within the development site but TfL suggests dialogue with Westminster City Council on securing funding towards car club membership and / or securing an additional on-street bay nearby if there is limitations on the capacity of the existing vehicles.

Cycling

63 TfL support the proposals for cycle parking to be in excess of the London Plan minimum standards for all three land uses. The mix of cycle parking types and the inclusion of spaces at street level is welcomed, as are the proposals for showers and lockers.

64 TfL welcomes the proposal for land to be made available within the public realm for a Barclays Cycle Hire docking station. A £132,000 section 106 contribution is also required towards implementation of the docking station.

Impact on public transport

65 The results of the trip generation assessment are such that the impact of the proposed development would not result in a noticeable impact on the bus network and no mitigation measures will be required.

66 The number of additional passengers on London Underground services and on the future Crossrail line is low as a proportion of the total capacity of the services and, on this basis, the impact would not be significant and no mitigation measures are required.

Travel plan

67 The Travel Plan documents are of a good standard and have passed the ATTrBuTe assessments and are therefore considered to be satisfactory. The final documents should be secured as part of the section 106 agreement.

Servicing and construction

68 the delivery & servicing plan (DSP) is considered to be acceptable and the final document should be secured through the s106 agreement or via an appropriate planning condition.

69 TfL welcome the submission of a construction logistics plan (CLP) and are satisfied that the impact of construction works upon the Transport for London road network (TLRN) and the strategic road network (SRN) will be minimal. The CLP should be formalised through the section 106 agreement or an appropriate planning condition.

Traffic Management Act

70 Should this application be granted planning permission, the developer and their representatives are reminded that this does not discharge the requirements under the Traffic Management Act 2004. Formal notifications and approval may be needed for both the permanent highway scheme and any temporary highway works required during the construction phase of the development.

Summary

71 The proposed development is considered to be generally acceptable and could be successfully accommodated with the current transport network, but does not currently comply with the London Plan. The net floor area of the development is such that a Crossrail charge of £2,911,059 is required. In addition, the site is currently safeguarded for Crossrail 2: Chelsea-Hackney and associated infrastructure and further work is required to address this. The car parking for the residential element is higher than necessary and consideration should be given to reducing it. There will be an improvement in the pedestrian environment and a contribution should be secured for the implementation of a cycle hire docking station.

Climate change mitigation

72 Policies 4A.1 to 4A.8 of the London Plan focus on how to mitigate climate change, and the carbon dioxide reduction targets that are necessary across London to achieve it.

73 The applicant has broadly followed the energy hierarchy. Sufficient information has been provided to understand the proposals as a whole; however, further information is required before the carbon savings can be verified.

BE LEAN

Energy efficiency standards

74 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 and other features include mechanical ventilation with heat recovery and energy efficient lighting.

75 The development is estimated to achieve a reduction of 125 tonnes per annum (13%) in regulated carbon dioxide emissions compared to a 2010 Building Regulations compliant scheme.

BE CLEAN

District heating

76 The applicant states that the University College London's Gower Street campus operates a district heating scheme with a combined heat and power (CHP) plant. There is also an existing district heating system at Rockefeller House and at University College London Hospital Cleveland Street. However these are too far away to facilitate connection and no connection is therefore proposed at this time.

77 The applicant has, however, provided a commitment to ensure that the development is future proofed to allow connection should a network become available.

78 The applicant states that all uses (i.e. office, retail, residential) will be served from a single plant room located in the basement of the proposed development.

Combined Heat and Power

79 A 70kWe gas fired CHP is proposed as the lead heat source which will meet the site's domestic hot water demand and approximately 20% of the space heating demand. A reduction in

Cooling

80 Passive design features will be provided; for example, external shutters will be provided on the residential building to enable occupants to drastically reduce the amount of solar gains penetrating the spaces and active cooling will be provided using chillers.

BE GREEN

Renewable energy technologies

81 500sqm of photovoltaics (PV) is the preferred renewable energy source and a roof plan has been provided which identifies the potential location. A reduction in carbon dioxide emissions of 22 tonnes per annum (3%) will be achieved through this third element of the energy hierarchy. The applicant should provide a firm commitment to adopting PV.

Overall savings

82 The estimated regulated carbon emissions of the development are 736 tonnes of carbon dioxide per year after the cumulative effect of energy efficiency measures, CHP and renewable energy has been taken into account. This equates to a reduction of 204 tonnes of carbon dioxide per year in regulated emissions compared to a 2010 Building Regulations compliant development, equivalent to an overall saving of 22%.

Climate change adaptation

83 London Plan policy 4A.3 seeks to ensure future developments meet the highest standards of sustainable design and construction, and policy 4A.9 identifies five principles to promote and support the most effective adaptation to climate change. These are to minimise overheating and urban heat island effects; minimise solar gain in summer; incorporate sustainable drainage systems; minimise water use; and protect and enhance green infrastructure. Specific policies relate to overheating (4A.10), living roofs and walls (4A.11) and sustainable drainage (4A.14). Further guidance is provided in the London Plan Sustainable Design and Construction SPG. Policies 5.3, 5.9 to 5.13, 5.15 of the draft replacement London Plan are also relevant. In particular draft replacement London Plan policy 5.10-Urban greening sets out that *'The Mayor seeks to increase the amount of surface area greened in the Central Activities Zone by at least five per cent by 2030, and a further five per cent by 2050.'*

84 The development is targeting water consumption of 105 litres of water per person per day for the residential and 1.5-4.4 cubic metres per person per year in the office element. This is acceptable. The applicant should confirm whether rainwater harvesting or grey water recycling is proposed and if not provide justification. No green/brown roofs are provided as part of this development and whilst this was not raised at the pre-application stage, given the advanced stage of the draft replacement London Plan, this should be reconsidered.

Local planning authority's position

85 The Local Planning Authority's position is not known at this point in time.

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 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

87 There are no financial considerations at this stage.

Conclusion

88 London Plan policies on affordable housing, housing, urban design, access, transport, and climate change are relevant to this application. The application complies with some of these policies but not with others, for the following reasons:

- **Affordable housing:** confirmation is required that the maximum reasonable amount is being provided.
- **Housing quality:** further information is required.
- **Urban design:** proposal is broadly supported although further information is required.
- **Transport:** Crossrail contributions are required; Crossrail 2 safeguarding; the level of parking is excessive; further information is required.
- **Climate change mitigation and adaptation:** further information is required.

89 Whilst the application is broadly acceptable in strategic planning terms, on balance, the application does not comply with the London Plan.

90 The following changes might, however, remedy the above-mentioned deficiencies, and could possibly lead to the application becoming compliant with the London Plan:

- **Affordable housing:** the financial appraisal should be independently assessed.
- **Housing quality:** the applicant should submit a statement with reference to the layout and space standards within the London Housing Design Guide
- **Urban design:** the applicant should address the issues raised in paragraphs 39-42 in this report in relation to the success of the routes through the site
- **Transport:** a Crossrail contribution of £2,911,059 and Cycle Hire Docking station contribution of £132,000 is required; resolution of the Crossrail safeguarding of the site is

- **Climate change:** the applicant should confirm their commitment to the provision of the stated PV renewable energy source. The provision of green/brown roofs should be reconsidered.

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