Strategic planning application stage II referral (new powers)

The proposal
Development of a higher education facility comprising approximately 5,528 sq.m. of teaching accommodation and 541 student rooms. With 376 sq.m. of flexible A1/A3 use at ground floor, 352 cycle parking spaces and a new public space.

The applicant
The applicant is INTO University Partnership/SCAPE Living and Stephen Marshall Architects LLP.

Strategic issues
The Mayor previously raised issues relating student accommodation, urban design, inclusive design, climate change and transport. These matters have now been satisfactorily resolved and the proposed application is acceptable in strategic planning policy terms.

The Council’s decision
In this instance Hackney Council has resolved to grant permission.

Recommendation
That Hackney 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 18 November 2012 the Mayor of London received documents from Hackney 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 1B and 1C of the Schedule to the Order 2008:

1B “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.”.
On 19 December 2012 the Mayor considered planning report PDU/2851/01, and subsequently advised Hackney Council that the application did not comply with the London Plan, for the reasons set out in paragraph 79 of the above-mentioned report; but that the possible remedies set out in paragraph 80 of that report could address these 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 7 March 2012 Hackney Council decided that it was minded to grant planning permission for the revised application, and on 14 March 20012 it advised the Mayor of this decision. 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 Hackney Council under Article 6 to refuse the application or issue a direction to the 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 27 March 2012 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.

Update

5 At the consultation stage Hackney Council was informed that whilst the application was broadly acceptable in strategic planning terms, on balance, the application did not comply with the London Plan for the following reason:

- **Principle of development:** On balance, the principle of the development is acceptable and complies with London Plan Policy. The Council should secure the applicant’s commitment to let the proposed student accommodation to INTO University students and, only if there is insufficient demand, to students outside of that institution.

- **Urban design:** The proposed development is well designed but further consideration is required to ensure that the development complies with London Plan design policy.

- **Inclusive access:** Further information is required to determine whether the application complies with London Plan inclusive design policy.

- **Climate change:** The carbon dioxide savings exceed the targets set within Policy 5.2 of the London Plan, however, further information is required to ensure the development complies with London Plan climate change policy.

- **Urban greening:** The application complies with London Plan Policy 5.10.

- **Transport:** Further work and information is required to determine whether the application complies with the London Plan Policy.

6 However, the consultation report stated that the following changes might remedy the above-mentioned deficiencies, and could possibly lead to the application becoming compliant with the London Plan:

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1C “Development which comprises or includes the erection of a building that is more than 30 metres high and is outside the City of London.”
• **Principle of development:** The Council should secure the applicant’s commitment to let the proposed student accommodation to INTO University students and, only if there is insufficient demand, to students outside of that institution.

• **Urban design:** Consideration should be given to having the access to the south-eastern core from the eastern aspect of the building and access to the refuse area from the southern elevation and it would be preferable that all of the upper units are south facing as it would allow them to benefit from direct sunlight.

• **Inclusive design:** The applicant should commit to meeting the best practice room fit out asset out in its Access Statement. It should also confirm the number and location of the proposed blue badge parking bays on Brunswick Place.

• **Climate change:** The applicant should investigate whether there are any existing or planned district heating networks within the vicinity of the proposed development and provide a commitment to ensure that the development is designed to allow future connection to a district heating network. The applicant should also confirm that all non-domestic building uses, as well as the student bedrooms, will be connected to the site heat network and that the site heat network will be supplied from a single energy centre. Further information on the floor area and location of the energy centre should also be provided.

• **Transport:** Further discussion is required regarding the location and provision of dedicated blue badge parking spaces. The applicant should provide a £189,000 contribution towards the Mayor’s Cycle hire scheme, £15,000 toward legible London and further discussion are required regarding a contribution towards improvement to Old Street Roundabout. The applicant should clarify the location of visitor cycle parking and undertake a pedestrian comfort assessment. It should also revise the draft travel plan and produce a delivery and servicing plan and construction logistic plan, all of which should be secured via the Section 106 agreement.

**Principle of development**

7 At the consultation stage, the Council was required to secure the applicant’s commitment to let the proposed student accommodation to INTO University students and, only if there is insufficient demand, to students outside of that institution.

8 The Council has confirmed that it will include a clause within the Section 106 agreement that will restrict the use of the accommodation to a defined list of educational institutions with first priority for INTO students studying at the Corsham Street campus and this is welcomed.

**Urban design**

9 Previously, the applicant was asked consider an additional access to the south-eastern core from the eastern aspect of the building and access to the refuse area from the southern elevation.

10 The applicant has responded that a key intention of the proposal is to provide active frontages at ground floor level and number of different layouts were explored with the Council during the pre-application stage. It states that the position of the bin store access at the eastern end of the building corresponds with the proposed on street loading position on Baches Street, which it would be undesirable to relocate to Brunswick Place from a highways perspective.

11 It also considers that the eastern end of the building provides an appropriate level of activity and visual interest particularly through the large glazed atrium / lecture room and public art space.
The consultation reports also stated that it would be preferable that all of the upper units are south facing as it would allow them to benefit from direct sunlight.

In response, the applicant states that whilst it is acknowledges that there are a number of north facing ‘rooms’ within the scheme, the living accommodation is designed to function as a series of ‘houses’ formed by clusters of student bedspaces which have shared communal living and break out spaces such that all occupiers will have the benefit of multiple aspects as part of their wider living environment.

It states that all bedrooms have large areas of glazing in the form of a projecting window seat which will provide very good levels of daylight along with east and west aspect, whilst the additional windows have been incorporated into the corridors at upper level so that the north facing rooms are accessed by routes which have large windows providing additional daylight and a southerly aspect.

The design issues raised were relatively minor and the applicant’s justification of the layout is accepted and understood. In addition, it is accepted that the corridors outside the upper levels north facing rooms will be relatively private and the space and south-facing window seat could be utilised by the students in the adjacent rooms. The application now complies with London Plan design policy.

Inclusive design

The applicant should commit to meeting the best practice room fit out asset out in its Access Statement. It should also confirm the number and location of the proposed blue badge parking bays on Brunswick Place.

The applicant has confirmed it is happy to meet the best practice wheelchair accessible room fit out and this has been secured via the Section 106. agreement. The application now complies with London Plan inclusive design policy.

Climate change

At the consultation stage, the applicant was required to investigate whether there are any existing or planned district heating networks within the vicinity of the proposed development and provide a commitment to ensure that the development is designed to allow future connection to a district heating network. It was also required to confirm that all non-domestic building uses, as well as the student bedrooms, will be connected to the site heat network and that the site heat network will be supplied from a single energy centre. Further information on the floor area and location of the energy centre was also requested.

In response, the applicant has carried out a desktop study and determined that there are no local heating networks within the vicinity of the site suitable for connection in the immediate term. However, the services strategy has been devised to enable future connection to a district heating network. It has also confirmed that all areas of the building will be served by the onsite heat network and from the central energy centre. It has also confirmed the location and size of the energy centre, which is welcomed.

The application now complies with London Plan energy policy.

Transport

At stage one the car free nature of the scheme was welcomed, but the applicant was required to indentify the potential location of disabled bays within the immediate vicinity of the development. In response, the applicant undertook parking beat surveys that showed that at least
The provision of 352 on site cycle parking spaces for the residents of the development is welcomed. In addition, the applicant was required to identify on or off site cycle facilities for visiting students and is therefore working with Hackney Council to provide additional stands within the surrounding streets. This will be secured as part of the public realm strategy for this development which is noted and accepted.

In order to mitigate the impact of anticipated cycle hire demand from this development, TfL requested a contribution of £189,000 towards the implementation of a new docking station in the vicinity of Pitfield Street/Old Street junction. Regrettably, TfL’s request was not considered justified as Hackney Council consider that cycle demand can be more appropriately met through the provision of on street visitors stands.

As the development will be car free, various measures to improve the public realm and to encourage walking, including a contribution towards TfL’s public realm and traffic improvement scheme for Old Street roundabout, were requested. Although Hackney Council generally supports the principle of securing public realm improvements, it considers that in this instance, public realm improvements in the immediate vicinity of the site are a priority. The Council also expect that contributions towards Old Street improvements are more likely to come from other development sites closer to the roundabout itself. As such, £200,000 has been secured for Hackney Council to implement local public realm improvements. In addition to funding potential disabled parking spaces and visitor cycling facilities, this sum will provide footway improvements, CCTV and tree planting. In addition, £15,000 has been secured for the provision of Legible London wayfinding. This approach is supported as being consistent with London Plan policy 6.10.

Other matters that have been addressed through appropriate planning conditions or section 106 agreement include travel plan, construction management plans, delivery and service plan including measures to manage the student arrival and departure period.

Whilst it is disappointing that a contribution towards the cycle hire scheme could not be secure, the scheme largely complies with London Plan transport policy and this is acceptable in this instance.

**Response to consultation**

Hackney Council displayed a site notice, placing an advert in the local press and sent 230 letters to surrounding occupiers. The Council received 18 representations, of which 13 were letter of objection, one was for comments, and four were letters of support.

The main reasons for objection are disruption due to construction; impact on skyline; noise impact from students and construction; loss of historical buildings; increased pollution; impact on environment; impact on traffic and roads; parking; large concentration of students in the area who do not pay council tax and cause an demographic imbalance; overlooking and loss of residential privacy; impact on local services; impact on public transport; economic benefits have been overstated.
The main reasons for support are the need to regenerate the area; benefits of improved lighting and useful commercial activity; improvements to the public realm; and education need in Hackney.

**Statutory consultees**

30 English Heritage states that the London stock brick warehouses/industrial buildings on the site can be considered to be heritage assets, having a degree of significance meriting consideration in planning decisions. It states that these buildings form a coherent and pleasing streetscape with the warehouses on the north side of Corsham Street.

31 It considers the proposed demolition of these buildings and the resultant proposed scheme to be a missed opportunity to incorporate these characterful buildings into a redevelopment and that these buildings could have been the centrepiece for a heritage-led regeneration of the site. It states that PPS5 policy HE7.4 requires local planning authorities to take into account the desirability of sustaining and enhancing the significance of heritage assets and of utilising their positive role in place-shaping.

32 It also quotes PPS5 policy HE7.5 which states that local planning authorities should take into account the desirability of new development making a positive contribution to the character and local distinctiveness of the historic environment. English Heritage is concerned that the proposed development has not taken sufficient account of the character of the historic environment and its local distinctiveness. It encourages revision to a smaller scale and height as well as the incorporation of the Corsham Street warehouse into the redevelopment.

33 English Heritage states that it wishes for its concerns to be taken into account by the Council and that full regard is taken of PPS5.

34 Hackney Council considers these comments and the heritage value of the existing buildings in its committee report. It states that whilst the existing warehouses form part of Hackney’s historic environment, the buildings do not have a statutory listing, they are not local listed and they are not within a conservation area. Furthermore, the site has not been recommended as part of an ongoing review of sites for Local Listings by the Hackney Society with English Heritage and the site was not included in a potential Conservation Area proposed in the 2006 Cabinet approved Conservation Area Review. The Council state that “overall, the proposal is considered acceptable and accords with all pertinent local, regional and national policy with respect to its design and consideration of context.”

35 **Officer comments:** English Heritage has not objected to the proposal but has urged the Council to consider the heritage value of the site. The Council has fully considered the heritage value of the existing buildings and officers agree with its conclusion that the proposal complies with PPS5.

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

36 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**

37 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
Financial considerations

38 Should the Mayor direct refusal, he would be the principal party at any subsequent appeal hearing or public inquiry. Government guidance in Circular 03/2009 (‘Costs Awards in Appeals and Other Planning Proceedings’) emphasises that parties usually pay their own expenses arising from an appeal.

39 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.

40 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

41 At the consultation stage, outstanding issues were raised in relation to student housing, urban design, inclusive design and transport. As described in this report, these issues have now been satisfactorily addressed by the applicant. The application now complies with the London Plan.

for further information, contact Planning Decisions Unit:
Colin Wilson, Senior Manager – Planning Decisions
020 7983 4783  email colin.wilson@london.gov.uk
Justin Carr, Strategic Planning Manager (Development Decisions)
020 7983 4895  email justin.carr@london.gov.uk
Gemma Kendall, Case Officer
020 7983 6592  email gemma.kendall@london.gov.uk
Strategic planning application stage 1 referral (new powers)


The proposal

Development of a higher education facility comprising approximately 5,528 sq.m. of teaching accommodation and 541 student rooms. With 376 sq.m. of flexible A1/A3 use at ground floor, 352 cycle parking spaces and a new public space.

The applicant

The applicant is INTO University Partnership/ SCAPE Living and Stephen Marshall Architects LLP.

Strategic issues

The main issue is whether the proposed educational use and student accommodation is appropriate on this site within the CAZ and whether the loss of the existing employment space is justified.

Further information is required regarding urban design, inclusive design, climate change and transport.

Recommendation

That Hackney 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 79 of this report; but that the possible remedies set out in paragraph 80 of this report could address these deficiencies.

Context

1 On 18 November 2011 the Mayor of London received documents from Hackney 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 29 December 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 and 1C of the Schedule to the Order 2008:
1B “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.”

1C “Development which comprises or includes the erection of a building that is more than 30 metres high and is outside the City of London.”

3 Once Hackney 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 0.43 hectare site is located in Shoreditch, northeast of the Old Street roundabout. Hackney Council designates the site as priority employment land. The site is within the Central Activities Zone and is also within the City Fringe Opportunity Area, as identified in the London Plan.

6 The site is surrounded by low rise commercial development to the north, south and east, in buildings of varying age dating 20th century to the 1980s. To the west of the site a development comprising student accommodation, hotel, and B1a office space is currently under construction and will vary between 8 and 17-storeys in height. The wider area is a characterised by a mix of residential and commercial uses.

7 The rectangular site comprises an entire perimeter block bound by Corsham Street, Baches Street and Brunswick Place. There is currently around 6,500 sq.m. of built floorspace on the site which is primarily business and light industrial uses. The applicant states that some of the occupiers may be using their premises for residential purposes but that there are no authorised residential units on the site.

8 East Road, located 40 metres to the west, forms part of the Strategic Road Network, and the A501 City Road, part of the Transport for London Road Network, located 60m to the south-west. Ten bus routes operate within 400 metres of the site. Old Street underground station (Northern Line and First Capital Connect rail services) lies 125 metres to the south. Accordingly the site has a Public Transport Accessibility Level (PTAL) of 6a (out of a range of 1 to 6, where 6 is excellent).

Details of the proposal

9 The applicant is seeking full planning permission for 5,528 sq.m. of new education/teaching space and a 541 student accommodation rooms in a single building which is between two and eleven storeys. The proposal also includes:

- 376 sq.m. of flexible retail/restaurant space
- Cycle parking;
- A new area of public space;
- Amenity space in the form of roof terraces for the use of the students.
Case history

10 A pre-application meeting was held on 26th October 2011.

Strategic planning issues and relevant policies and guidance

11 The relevant issues and corresponding policies are as follows:

- CAZ
  - London Plan
- Education
  - London Plan; Ministerial statement August 2011
- Student accommodation
  - London Plan
- Employment
  - London Plan; PPS4; Industrial Capacity SPG
- Urban design
  - London Plan; PPS1
- Inclusive design
  - London Plan; PPS1; Accessible London: achieving an inclusive environment SPG; Planning and Access for Disabled People: a good practice guide (ODPM)
- Climate change
  - London Plan; PPS1, PPS1 supplement; PPS3; PPG13; PPS22; draft PPS Planning for a Low Carbon Future in a Changing Climate; Mayor’s Climate Change Mitigation Strategy; Mayor’s Climate Change Mitigation and Energy Strategy; Mayor’s Water Strategy; Sustainable Design and Construction SPG
- Transport
  - London Plan; the Mayor’s Transport Strategy; PPG13;

12 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 Hackney Core Strategy and the 2011 London Plan.

13 The draft City Fringe Opportunity Area Planning Framework is also a material planning consideration.

Principle of development

CAZ and the loss of priority employment land

14 The site is located within the Central activities zone (CAZ), the City Fringe opportunity area and it is designated a priority employment area in Hackney’s Core Strategy.

15 London Plan Policy 2.10 ‘Central activities zone- strategic priorities’ seeks to enhance and promote the unique international, national and Londonwide role of the CAZ and it supports its rich mix of local and strategic uses. Policy 2.11 ‘CAZ- strategic function’ also recognises the mixed nature of much of the CAZ and seeks to ensure development complements and supports the clusters of other strategically important, specialised CAZ uses including academic uses. The London Plan recognises that employment and particularly the office-based business sector is likely to grow in the CAZ and additional floorspace is likely to be required, but it does not resist the loss of employment floorspace in the CAZ and supports the renewal or conversion of employment floorspace where appropriate.

Hackney Council’s Core Strategy (2010) states that “in Priority Employment Areas Business (B1), Hotels (C1) and Non-residential (D1) Institutions will be the preferred uses. C1 and D1 uses will only be allowed in priority employment areas with a PTAL score of 5 or above or priority employment areas adjacent to the identified town centres”. It goes on to say that “residential...
(C3) uses may be acceptable in PEAs, as long as auxiliary to business, hotel and non-residential institutions development.”

16 The provision of a new higher education facility is compatible with the aspirations set out in the London Plan for the CAZ. However, whilst the D1 use is in line with Hackney’s policy regarding priority employment areas, it is disappointing that the proposal will result in the loss of 6500 sq.m. of employment floorspace within the CAZ which will not be replaced.

17 At the pre-application stage the applicant was asked to provide further justification regarding the loss of employment land. The applicant states that much of the accommodation on the site is not suitable for modern business needs and that many of the buildings are approaching the end of their economic life. It also states that the current arrangement is highly inefficient with a plot ratio of 1.5:1 and the site is under-utilised. The applicant states that the site owner is working with the existing tenants to relocate them to alternative sites within the local area and that the proposed educational use will provide more jobs on the site than there is currently.

18 The proposed redevelopment of this currently under-utilised CAZ site conforms with strategic planning policies relating to the aspiration to intensify development and promote a mix of uses in Opportunity Areas, particularly in areas that are highly accessible by public transport. Whilst the loss of employment space it disappointing, the proposed loss has been adequately justified and, taking into account the social and educational benefits of the proposed development, the loss is on balance acceptable.

Loss of residential accommodation

19 The applicant states that whilst the lawful use of the site falls within Use Class B1- B8, there are a number of occupiers who may be using their premises for residential purposes. However, there are no authorised residential units within the site.

20 London Plan Policy 3.14 resists the loss of residential accommodation unless it is replaced at existing or higher densities. Whilst this development may result in the loss of unauthorised residential units, the units have never been granted planning permission and may not comply with relevant panning, building or environmental health standards, and, as such, the loss of these unauthorised units are not considered a strategic issue.

Student housing

21 London Plan policy 3.8h states that strategic and local requirements for student housing meeting a demonstrable need are to be addressed by working closely with stakeholders in higher and further education and without compromising capacity for conventional homes.

22 The London Plan recognises in paragraph 3.52 that London’s universities make a significant contribution to its economy and labour market and that it is important that their attractiveness and potential growth are not compromised by inadequate provision for new student accommodation. It also recognises that the provision of purpose-built student housing may reduce pressure on other elements of the housing stock currently occupied by students, especially the private rented sector. The SHLAA/HCS has identified capacity for over 17000 student places 2011-2021.

23 Paragraph 3.53 sets out that addressing the demands for student accommodation should not compromise the capacity to meet the need for conventional dwellings, especially affordable family homes, or undermine policy to secure mixed and balanced communities. It recognises that this may raise particular challenges locally and especially in parts of inner London where almost three quarters of the capacity for new student accommodation is concentrated. Student
The development is proposed as part of a multi campus higher education hub for East London. The first stage of which is currently under construction in Mile End. The teaching space will be used by students belonging to INTO University, which will offer courses in partnership with other established universities. The applicant states that the proposed student accommodation will be primarily available to students of INTO University and, whilst it expects demand from the University’s own students to exceed the available rooms, if this is not the case, only then will the rooms be let to students outside of the institution. This is welcomed and the proposal is therefore unlikely to subject to the requirements of affordable housing policy. This commitment should be secured within the s106 agreement.

In summary, the redevelopment of this highly accessible but under-utilised site within the CAZ and City Fringe opportunity area is supported. The development of a new higher education facility is compatible with the aims of the London Plan for the CAZ. Furthermore, the proposed student accommodation will be primarily used by students of INTO University and this is supported and should be secured as part of any future s106 agreement. It is disappointing the existing employment floor space will not be re-provided but on balance, the positive social and education benefits of the proposal outweigh the loss of employment uses in this instance. Whilst the loss of residential accommodation is against London Plan Policy, as the accommodation is not authorised and may not comply with relevant standards, this is not considered to be a strategic issue.

On balance, the principle of the development is acceptable and complies with London Plan Policy. The Council should secure the applicant commitment to let the proposed student accommodation to INTO University students and, only if there is insufficient demand, to students outside of that institution.

Urban design

Good design is central to all objectives of the London Plan, in particular the objective to create a city of diverse, strong, secure and accessible neighbourhoods to which Londoners feel attached whatever their origin, background, age or status. Policies contained within chapter seven specifically look to promote development that reinforces or enhances the character, legibility, permeability and accessibility of neighbourhoods by setting out a series of overarching principles and specific design policies related to site layout, scale, height and massing, internal layout and visual impact.

The proposed development is well designed, maximising the potential of the site, responding well to its surrounding context and adding to the public realm network of the area.

Site Layout

The site is bound by streets on all sides creating a good sized urban block big enough to accommodate a perimeter block typography with development providing frontage on all four sides and an internal private space which is welcomed.

Ground Floor Layout
30 Each of the uses within the building have their own individual entrance at street level which, as outlined in the pre-application note, is strongly supported. This contributes to distributing activity around the block making surrounding streets feel attractive and well used. The separate entrances to the student cores are particularly welcomed.

31 Entrances are distributed on all but the east side of the block making this the least active at ground level. The provision of administrative offices on this location instead of the cycle parking is welcomed, this will provide good levels of activity on to the public realm making the need for the public art display zone unnecessary. Consideration should also be given to having the access to the south-eastern core from the eastern aspect of the building and access to the refuse area from the southern elevation. This would encourage further activity on this least active side of the block preventing it from coming across as the rear of the building.

Upper floor layouts

32 At the pre-application stage, concerns regarding the orientation of the units on the upper floors of the development were raised. Different iterations have shown these either all south or all north facing. The current proposal shows the southern blocks with north facing units and the northern block with south facing units. Having all units south facing is preferable as it would allow them to benefit from direct sun light and should be considered. The introduction of windows on the external walls of the one sided corridor is welcomed.

33 The layout of rooms along the central corridor creates an efficient floor plan but risks having a monotonous and institutional feel. The provision of windows at the end of the corridors and window seats along them is welcomed as it improves the quality of these spaces.

Open spaces

34 Three different types of open spaces are proposed, the widened public realm, the courtyard between the two main elements of the building and the roof gardens, all of which are welcomed.

35 The additional public realm is particularly welcomed, however its success is strongly tied to the uses proposed on the ground floor facing on to it. The location cafes and restaurants along here is strongly supported as it will ensure the space is active and well used. Ensuring a logical continuity with the new public realm associated with the new development on East Road is also important.

36 The space proposed on the roof of the two storey podium between the two blocks of student accommodation has the potential to provide a useful and attractive communal space for students. Its location is such that it is both secure and private which is welcomed.

Height and Massing

37 The massing of the proposed building consists of a two storey podium on top of which two separate three and five storey linear blocks of accommodation sit. Four taller elements of between nine and thirteen storeys are located towards each corner.

38 The height and massing of the proposal respond well to both its context with higher elements located to the west and south, in response to neighbouring building, and gradually reducing in height towards the north and east to response to the lower buildings on this side of the street.

Appearance
The use of brick on the base of the building is welcomed as it reflects the industrial heritage of the area. The articulation of the separate vertical elements, clad in aluminium perforated panels, is also supported as it creates a distinctive contrast between the vertical elements and the buildings brick base. The detailing of the building should ensure that glimpses of these vertical elements are provided to ensure that they are read as going through the base of the building all the way to ground level, rather than just sitting on the brick base.

In summary, whilst the proposed development is well designed, further consideration is required to ensure that the development complies with London Plan design policy. Consideration should also be given to having the access to the south-eastern core from the eastern aspect of the building and access to the refuse area from the southern elevation and it would be preferable that all of the upper units are south facing as it would allow them to benefit from direct sunlight.

Inclusive design

Inclusive design principles if embedded into the development and design process from the outset help to ensure that all of us, including older people, disabled and deaf people, children and young people, can use the places and spaces proposed comfortably, safely and with dignity. The aim of London Plan Policy 7.2 is to ensure that proposals achieve the highest standards of accessibility and inclusion, not just the minimum. The applicant should therefore seek to design a scheme that is exemplary in terms of inclusive access. Furthermore, educational establishments have a duty under the Equalities Act 2010 to ensure that their facilities and services are accessible for disabled students.

The Access Statement explains the design rationale behind the application and demonstrate how the principles of inclusive design, including the specific access needs of disabled people, have been integrated into the proposed development from the outset and this is welcomed.

The larger L-shaped accessible student rooms are well designed and of a good size which is welcomed. Most accessible rooms also have access to more than one lift core with is also supported. However, whilst the Access Statement sets out both the minimum and the best practice room fit out, it does not commit the applicant to providing the best practice equipment/fit out. The applicant should commit to meeting the best practice fit out set out in its Access Statement.

The applicant is not intending to provide specific disabled parking bays within the development. The Access Statement states that blue badge parking will be provided on Brunswick Place. The number and location of these bays should be provided.

Further information is required to determine whether the application complies with London Plan inclusive design policy. The applicant should commit to meeting the best practice room fit out asset out in its Access Statement. It should also confirm the number and location of the proposed blue badge parking bays on Brunswick Place.

Climate change

The London Plan climate change policies set out in Chapter 5 collectively require developments to make the fullest contribution to the mitigation of, and adaptation to, climate change, and to minimise carbon dioxide emissions. London Plan Policy 5.2 ‘minimising carbon dioxide emissions’ sets out an energy hierarchy for assessing applications, London Plan Policy 5.3 ‘Sustainable design and construction’ ensures future developments meet the highest standards of sustainable design and construction, and London Plan Policies 5.9-5.15 promote and support effective adaptation to climate change. Further detailed policies on climate change mitigation and
Energy efficiency standards

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 natural ventilation for student areas and teaching spaces on the building perimeter. The demand for cooling will be minimised through the use of a night ventilation strategy to pre-cool the teaching spaces and solar shading will be used in certain areas where required.

The development is estimated to achieve a reduction of 38 tonnes per annum (5.5%) in regulated carbon dioxide emissions compared to a 2010 Building Regulations compliant development.

District heating

The applicant should carry out an investigation to determine whether there are any existing or planned district heating networks within the vicinity of the proposed development and provide a commitment to ensure that the development is designed to allow future connection to a district heating network should one become available.

The applicant is proposing to install a site heat network. However, the applicant should confirm that all non-domestic building uses, as well as the student bedrooms, will be connected to the site heat network.

The applicant should confirm that the site heat network will be supplied from a single energy centre. Further information on the floor area and location of the energy centre should also be provided.

Combined Heat and Power

The applicant is proposing to install a 150 kWt gas fired CHP unit as the lead heat source for the site. The applicant should seek to optimise the size of the CHP in relation to the heat demand. Currently, a reduction in regulated carbon dioxide emissions of 108 tonnes per annum (16%) will be achieved through this second part of the energy hierarchy.

Renewable energy technologies

The applicant has investigated the feasibility of a range of renewable energy technologies and is proposing to install 320 sq.m. of solar photovoltaic (PV) panels on areas of roof not allocated to plant, terraces and gardens.

A reduction in regulated carbon dioxide emissions of 26 tonnes per annum (5%) will be achieved through this third element of the energy hierarchy.

The estimated regulated carbon emissions of the development are 511 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 172 tonnes of carbon dioxide per year in regulated emissions compared to a 2010 Building Regulations compliant development, equivalent to an overall saving of 25.2%. The carbon dioxide savings exceed the targets set within Policy 5.2 of the London Plan.

In summary, the carbon dioxide savings exceed the targets set within Policy 5.2 of the London Plan, however, further information is required to ensure the development complies with London Plan climate change policy. The applicant should investigate whether there are any existing or planned district heating networks within the vicinity of the proposed development and provide a commitment to ensure that the development is designed to allow future connection to a district heating network. The applicant should also confirm that all non-domestic building uses, as well as the student bedrooms, will be connected to the site heat network and that the site heat network will be supplied from a single energy centre. Further information on the floor area and location of the energy centre should also be provided.

Urban greening

The London Plan recognises the role of urban greening in helping London mitigate and adapt to climate change. London Plan Policy 5.10 ‘Urban greening’ promotes and supports urban greening, such as new planting within the public realm and is states that new developments should integrate green infrastructure from the beginning of the design process, including tree planting, green roofs and walls and soft landscaping. It continues that major developments, particularly in the CAZ, should demonstrate how green infrastructure has been incorporated.

The applicant has provided a comprehensive landscaping design statement which identifies the site as being in an area deficient in open space. The applicant has sought to address this through creating a new public space to the west of the building and a number of private/semi private amenity spaces for the students in the form of roof terraces, which is welcomed. The applicant intends to plant a number of street trees within the public space and around the southern and eastern boundaries of the site and this is supported. Large concrete planters containing Privet hedge and shrub planting will be used extensively on the roof terraces.

The application complies with London Plan Policy 5.10.

Transport

As the site is highly accessible, the car-free nature of this proposal in welcomed and in line with London Plan policy 6.13. In order to discourage student car use and encourage sustainable modes, an obligation within the proposed section 106 agreement heads of terms should restrict resident access to parking permits.

As the development will accommodate about 260 employees, 541 resident students and a further 700 visiting students, the applicant should identify the potential location of blue-badge bays within the immediate vicinity of the development. The Council should consider the conversion of existing shared use bays for the exclusive use of disabled persons in order to meet the likely demand from this scheme. Given that 5% of the student accommodation units will be designed for wheelchair occupancy, the dual use of existing parking bays in Brunswick Street will not be adequate. As stated above, the applicant should indentify the number and location of proposed blue badge bays.

The conclusions of the trip rate and mode share assessment in accordance with London Plan policy 6.1 are supported and no specific mitigation is required for the increased demand in bus or underground capacity.
The provision of 352 cycle parking spaces for the resident students and for staff is welcomed in accordance with the minimum standard set out in London Plan policy 6.9. In order to determine whether on site provision and the proposed additional stands on Corsham Street will be sufficient to meet demand from the estimated 700 visiting students, the applicant should clarify the location and number of additional stands that will be provided. On-site changing facilities and showers should also be provided for all staff.

The predicted number of visitors to the development is also likely to increase pressure on the nearby cycle hire docking station. The effect of this is likely to be that the nearest stations will either be completely full or empty for much of the day. The most appropriate way to mitigate this impact will be to provide a new docking station in the vicinity of the development. TfL is therefore investigating the vicinity of the Pitfield Street / Old Street junction for a new docking station of approximately 30 docking points. Further discussions with the borough officers will be necessary in order to identify a suitable location. Nonetheless, a contribution of £189,000 is sought in order to mitigate the impact of additional cycle hire demand in line with London Plan policy 6.9.

The scale of proposed development is likely to increase significantly the number of walking trips within the vicinity of the site and the Old Street Roundabout area. In accordance with London Plan policy 6.10, the applicant should undertake a pedestrian comfort assessment which considers the ease of accessibility of routes to nearby public transport and local amenities. The results of such an assessment will help to determine the level of improvements that should be secured with this development in addition to any contributions secured from other nearby schemes.

The scheme should also promote improved wayfinding in accordance with the ‘Legible London’ initiative and in line with London Plan policy 6.10. A contribution of £15,000 for a pair of signs is requested and further discussions about this matter are welcomed.

The submission of a draft travel plan for the higher education campus, the content of which has been reviewed by TfL in accordance with ATTrBuTE assessment tool is welcomed. Regrettably, the draft travel has failed the assessment. In order to comply with TfL guidelines for residential and workplace travel planning, additional information should be provided on who will be responsible for the monitoring. Furthermore targets must be set for the time period three and five years after occupation. The travel plan should be secured, funded and monitored through the s106 agreement. Additionally, a delivery and servicing plan should be secured with the travel plan. Measures outlined in the transport assessment to manage student arrival and departures at the beginning of term are particularly welcomed. These measures should be incorporated into the delivery and servicing plan.

A construction logistic plan should also be secured by condition. The construction logistic plan should identify efficient and sustainable measures that will be undertaken during construction of the development.

The development site is located with the Crossrail, Central London Contribution Area. However, the theoretical charge that would be paid by the existing B1 uses on the site would be greater than that attributable to any of the proposed uses. Accordingly, a Crossrail contribution will not be sought.

TfL is currently developing feasibility studies and concept designs for a major improvement scheme at Old Street Roundabout to address the poor quality environment and traffic layout. The total cost of the scheme is expected to be around £11m. Old Street roundabout is the focus of several public space, planning and regeneration strategies, which identify improvements needed to the public realm around the application site, as well as enhancing its accessibility. As the Old Street interchange will provide the focus for most public transport trips to and from the proposed
Further work and information is required to determine whether the application complies with the London Plan Policy. Further discussion is required regarding the location and provision of dedicated blue badge parking spaces. The applicant should provide a £189,000 contribution towards the Mayor’s Cycle hire scheme, £15,000 toward legible London and further discussion are required regarding a contribution towards improvement to Old Street Roundabout. The applicant should clarify the location of visitor cycle parking and undertake a pedestrian comfort assessment. It should also revise the draft travel plan and produce a delivery and servicing plan and construction logistic plan, all of which should be secured via the Section 106 agreement.

**Community Infrastructure Levy**

In accordance with London Plan policy 8.3, the Mayor of London proposes to introduce a London-wide Community Infrastructure Levy (CIL) that will be paid by most new development in Greater London. Following consultation on both a Preliminary Draft, and then a Draft Charging Schedule, the Mayor has formally submitted the charging schedule and supporting evidence to the examiner in advance of an examination in public. Subject to the legal process, the Mayor intends to start charging on 1 April 2012. Any development that receives planning permission after that date will have to pay, including:

- Cases where a planning application was submitted before 1 April 2012, but not approved by then.
- Cases where a borough makes a resolution to grant planning permission before 1 April 2012 but does not formally issue the decision notice until after that date (to allow a section 106 agreement to be signed or referral to the Secretary of State or the Mayor, for example).

The Mayor is proposing to arrange boroughs into three charging bands with rates of £50 / £35 / £20 per square metre of net increase in floor space respectively (see table, below). The proposed development is within the London Borough of Hackney where the proposed Mayoral charge is £35 per square metre. More details are available via the GLA website [http://london.gov.uk/](http://london.gov.uk/).

Within London both the Mayor and boroughs are able to introduce CIL charges and therefore two distinct CIL charges may be applied to development in future. At the present time, borough CIL charges for Redbridge and Wandsworth are the most advanced. The Mayor’s CIL will contribute towards the funding of Crossrail.

<table>
<thead>
<tr>
<th>Mayoral CIL charging zones Zone</th>
<th>London boroughs</th>
<th>Rates (£/sq. m.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Camden, City of London, City of Westminster, Hammersmith and Fulham, Islington, Kensington and Chelsea, Richmond-upon-Thames, Wandsworth</td>
<td>£50</td>
</tr>
<tr>
<td>2</td>
<td>Barnet, Brent, Bromley, Ealing, Greenwich, Hackney, Haringey, Harrow, Hillingdon, Hounslow, Kingston upon Thames, Lambeth, Lewisham, Merton, Redbridge, Southwark, Tower Hamlets</td>
<td>£35</td>
</tr>
</tbody>
</table>
Local planning authority’s position

Hackney Council’s position is unknown.

Legal considerations

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

Financial considerations

There are no financial considerations at this stage.

Conclusion

London Plan policies on are relevant to this application. The application complies with some of these policies but not with others, for the following reasons:

- **Principle of development:** On balance, the principle of the development is acceptable and complies with London Plan Policy. The Council should secure the applicant’s commitment to let the proposed student accommodation to INTO University students and, only if there is insufficient demand, to students outside of that institution.

- **Urban design:** The proposed development is well designed but further consideration is required to ensure that the development complies with London Plan design policy.

- **Inclusive access:** Further information is required to determine whether the application complies with London Plan inclusive design policy.

- **Climate change:** The carbon dioxide savings exceed the targets set within Policy 5.2 of the London Plan, however, further information is required to ensure the development complies with London Plan climate change policy.

- **Urban greening:** The application complies with London Plan Policy 5.10.

- **Transport:** Further work and information is required to determine whether the application complies with the London Plan Policy.

Whilst the application is broadly acceptable in strategic planning terms, on balance, the application does not comply with the London Plan. The following changes might, however, remedy
• **Principle of development:** The Council should secure the applicant’s commitment to let the proposed student accommodation to INTO University students and, only if there is insufficient demand, to students outside of that institution.

• **Urban design:** Consideration should be given to having the access to the south-eastern core from the eastern aspect of the building and access to the refuse area from the southern elevation and it would be preferable that all of the upper units are south facing as it would allow them to benefit from direct sunlight.

• **Inclusive access:** The applicant should commit to meeting the best practice room fit out asset out in its Access Statement. It should also confirm the number and location of the proposed blue badge parking bays on Brunswick Place.

• **Climate change:** The applicant should investigate whether there are any existing or planned district heating networks within the vicinity of the proposed development and provide a commitment to ensure that the development is designed to allow future connection to a district heating network. The applicant should also confirm that all non-domestic building uses, as well as the student bedrooms, will be connected to the site heat network and that the site heat network will be supplied from a single energy centre. Further information on the floor area and location of the energy centre should also be provided.

• **Transport:** Further discussion is required regarding the location and provision of dedicated blue badge parking spaces. The applicant should provide a £189,000 contribution towards the Mayor’s Cycle hire scheme, £15,000 toward legible London and further discussion are required regarding a contribution towards improvement to Old Street Roundabout. The applicant should clarify the location of visitor cycle parking and undertake a pedestrian comfort assessment. It should also revise the draft travel plan and produce a delivery and servicing plan and construction logistic plan, all of which should be secured via the Section 106 agreement.

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for further information, contact Planning Decisions Unit:

**Colin Wilson, Senior Manager - Planning Decisions**
020 7983 4783    email colin.wilson@london.gov.uk

**Justin Carr, Strategic Planning Manager (Development Decisions)**
020 7983 4895   email Justin.carr@london.gov.uk

**Gemma Kendall, Case Officer**
020 7983 6592    email gemma.kendall@london.gov.uk