

5-6 Almeida Street and 128-130 Upper Street

in the London Borough of Islington

planning application no. P09774

Strategic planning application stage II 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

Demolition of 5 Almeida Street and erection of a 6-storey building to provide 78 residential units, 5,587 sq.m. retail floorspace and 859 sq.m. office space with associated access and landscaping

The applicant

The applicant is **Seagar House**, and the architect is **CZWG**.

Strategic issues

Islington Council has resolved to approve planning permission for this application. The Mayor must consider whether the application warrants a direction to direct refusal of the application under Article 6 of the Mayor of London Order 2008.

The issues raised at Stage 1 have, on balance, been satisfactorily addressed and having regard to the details of the application, the matters set out in the Council officers' report and the Council's draft decision notice, there are **no sound planning reasons for the Mayor to intervene** in this particular case.

Recommendation

That Islington 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.

Context

1 On 26 June 2009 the Mayor of London received documents from Islington Council notifying him of a planning application of potential strategic importance to develop the above site for the above uses. This was referred to the Mayor under Category 3E of the Schedule to the Order 2008: "*Development - (a) which does not accord with one or more provisions of the development plan in force in the area in which the application site is situated; and (b) comprises or includes the provision of more than 2,500 square metres of floorspace for a use falling within any of the following classes in the Use Classes Order — (i) class A1 (retail)*".

2 On 5 August 2009 the Mayor considered planning report PDU/2476/01, and subsequently advised Islington Council that the application did not comply with the London Plan, for the reasons set out in paragraph 68 of the above-mentioned report; but that the possible remedies set out in paragraph 70 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. On 22 April 2010 Islington Council decided that it was minded to grant planning permission, and on 11 May 2010 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 or direct Islington Council under Article 6 to refuse the application. The Mayor has until 26 May 2010 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 Islington Council was advised that the application did not comply with the London Plan, for the reasons set out in paragraph 68 of the above-mentioned report; but that the possible remedies set out in paragraph 70 of that report could address these deficiencies. Addressing each of these points in turn, the following is noted:

Retail floor space

6 At the initial consultation stage, further information was requested in relation to the scale of the proposed units, the sequential test and the impact on the local shopping centre.

7 A retail impact assessment has been undertaken, in accordance with the requirements of PPS4. This suggests that there is a need for additional floorspace generally at Angel Town Centre, and that it is presently constrained by a lack of clear opportunities for growth. Islington Council concludes that the effect of the proposed floorspace within the development would not have a substantial effect upon the Angel Town Centre, and would satisfy the need for further retail space. It is also noted that Islington Council is proposing to extend the Angel Town Centre boundary to encapsulate a large portion of Upper Street and Essex Road, including the application site, as detailed within its Development Management Policies DPD (Issues and Options Draft - October 2009).

8 On this basis, the previous concerns raised have been addressed and the scheme complies with London Plan policies 2A.8, 3D.1 and 3D.2 in relation to town centres.

Employment

9 During the Stage 1 consultation, it was requested that the applicant provide details of how the proposals will incorporate measures to encourage local employment and to provide flexible and affordable workspaces.

10 The draft section 106 agreement includes a requirement for work placements during construction and a contribution towards training and support for local people obtaining employment relating to the end uses.

11 The office floor space is of open plan design, with good floor to ceiling heights, which would appeal to a broad range of occupiers. There is also a possibility of this space being utilised by the adjoining Almeida Theatre, and connections can easily be accommodated through new openings. Almeida Theatre has provided confirmation that this is acceptable.

12 As such, the matters raised at Stage 1 have been satisfactorily addressed and the proposal accords with London Plan policies 3B.2 and 3B.11.

Housing

13 At Stage 1, further discussions were required so as to be satisfied that the proposals will deliver 'the maximum reasonable amount' of affordable housing and to justify the proposed unit mix.

14 The scheme proposes 50% affordable housing, which is in line with the requirements of Islington Council and the strategic objectives of the London Plan and as such, a financial viability assessment has not been carried out. The tenure split would be 60% social rented and 40% shared ownership. Islington Council's housing officer welcomes the affordable housing offer, and raises no objections to the location, design, dwelling mix or tenure. The affordable housing is secured in the draft section 106 agreement.

15 In light of the scale of the development, and on the basis that the affordable housing offer, including the mix and tenure, meets local needs and is in accordance with Islington Council policies, the scheme is acceptable and in accordance with policy 3A.9 and 3A.10 of the London Plan.

Urban design

16 At the initial consultation stage, concern was raised about the impact on the Upper Street Conservation Area and adjoining listed buildings and as such, verified images were requested. There were also concerns raised regarding the internal environment, and details of materials, lighting, and access to this area were requested, together with a rationale for the secondary access. It was also noted that several of the units would not have access to a terrace or balcony, and would be north-facing single aspect units. Shading of the roof terrace was also raised as a concern.

17 Since then, GLA officers have further discussed the layout of the residential units and courtyard spaces and agree that the proposal will provide a good standard of residential quality. The applicant has also submitted further A3 images illustrating the proposal, including before and after images of local views. As such the proposal complies with design policies of chapter 4B of the London Plan.

Children's playspace

18 During the initial consultation, it was noted that there was a lack of dedicated children's playspace provided on site.

19 Since then, the applicant has committed to providing additional playspace within the proposed central courtyard, as indicated on drawing 1598-3-P-200-006 rev D. In total, 192 sq.m. of child play space would be provided, which is of ample size to accommodate sufficient playspace for under 5's . The provision of this space will be secured by condition, and in addition, a financial contribution towards open space improvements nearby is also included.

20 On this basis, the proposal complies with policy 3D.13 of the London Plan.

Inclusive design and access

21 At Stage 1, further information was sought as to how the scheme would meet the Lifetime Homes criteria and create an inclusive environment.

22 The applicant has submitted plans P-1001, P1002 and P1002 that show how the 16 Lifetime Home principles would be applied to typical flat layouts. Islington Council has also imposed a condition regarding the inclusion of two lifts per core, level thresholds, and step free access. This is in addition to conditions securing eight blue badge parking spaces, eight wheelchair/wheelchair accessible units (10%) and Lifetime Homes Standards across the scheme. Despite the irregular shape of the units, the applicant states that the dwellings would be able to meet these standards. As such the proposal complies with policies 3A.5 and 4B.5 of the London Plan.

Climate change

23 At the initial consultation stage, the proposals were found to be acceptable in principle, subject to further information being provided in relation to carbon savings, district heating, heat exportation, cooling and the proposed open loop system. It was also noted that the application failed to demonstrate how the Mayor's preferred and essential standards would be met in relation to sustainable design and construction.

24 The applicant has subsequently provided further information, including details of testing carried out for ground source heat pumps, and confirmation that there is sufficient plant space available for the combined heat and power system (CHP). Conditions have been imposed by Islington Council to secure provision of the CHP and ground source heat pumps. Should the latter be found to be no longer viable, provision is made to secure alternative renewable technologies to meet the targets. Islington Council has also imposed conditions securing brown/green roofs, and BREEAM standards, which satisfies previous concerns regarding the lack of sustainable design and construction measures. On this basis, the proposal complies with policies 4A.1 to 4A.21.

Transport for London's comments

25 At the initial consultation stage, further information was requested in relation to trip analysis, a travel plan, and footway re-instatement works

26 TfL is satisfied that the majority of the strategic transport issues that were raised at Stage 1 will be dealt with by condition or section 106 agreement such as secure cycle parking and the provision of a travel plan, service and delivery plan and construction logistics plan. Although the provision of 63 parking spaces was initially considered unnecessary for a development in a highly accessible location, this level is within London Plan standards and as such is considered reasonable. Furthermore, the borough has secured other conditions to minimise additional vehicular trips such as the restriction of access to on street parking permits and that the basement parking areas shall be prevented from being linked to a larger adjacent basement car park.

27 The draft section 106 agreement provides £43,350 towards the implementation of a pedestrian crossing and streetscape improvement scheme at Upper Street. Although TfL initially requested a £150,000 contribution, it is recognised that the remaining sum has already been secured from the neighbouring development and this is therefore welcomed. A total of £171,600 has also been secured for highway reinstatement works. Most of this sum will be allocated to the borough for their highway, though TfL will require a portion of it for the reinstatement of the TLRN at Upper Street, and this will be secured through a section 278 agreement.

28 On this basis, the proposal complies with London Plan policies 3C.1, 3C.21, 3C.22, 3C.23 and 3C.25 relating to transport.

Response to consultation

29 The application was advertised by site and press notices and consultation letters, which were sent to 565 neighbouring properties.

30 A total of six responses were received as a result of the consultation process, with concerns raised in relation to the following:

- Poor design, in stark contrast to surrounding buildings and conservation area;
- Excessive density of residential element;
- No contribution to local community;
- Object to inclusion of drinking establishment in proposal;
- Impact upon water infrastructure and water pressure;
- Development should be car free, as would have an adverse impact upon traffic flow.

31 One of the letters was from the Almeida Theatre, in support of the scheme in that it would ensure the provision of a rehearsal and administrative space for the theatre.

32 The local MP welcomed the affordable housing offer but stated that a higher proportion of social rented accommodation was appropriate.

33 Other statutory consultees responded as follows:

CABE: No comments have been offered.

Metropolitan Police: No concerns raised with the development following the improvement to the design of the entrance.

Thames Water: No objections raised to the development.

Theatres Trust: Originally objected to the scheme, but this was subsequently withdrawn.

English Heritage: No objections raised to the development, and consider that it should be determined in accordance with national and local policy guidance.

34 In relation to the objections raised by local residents, matters relating to urban design, density and transport have been dealt with in this and the previous report.

35 Matters relating to impact upon local amenities are not in this instance strategic planning matters and have been assessed by Islington Council in their committee report.

Legal considerations

36 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. The Mayor may also leave the decision to the local authority. In directing refusal the Mayor must have regard to the matters set out in Article 6(2) of the Order, including the principal purposes of the Greater London Authority, the effect on health and sustainable development, national policies and international obligations, regional planning guidance, and the use of the River Thames. The Mayor may direct refusal if he considers that to grant permission would be contrary to good strategic planning in Greater London. If he decides to direct refusal, the Mayor must set out his reasons, and the local planning authority must issue these with the refusal notice.

Financial considerations

37 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.

38 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.

Conclusion

39 Having regard to the details of the application, the matters set out in the committee report and the Council's draft decision notice, this mixed-use scheme is acceptable in strategic planning terms. The application has been amended to include additional child play space and further information has been submitted regarding urban design, access, affordable housing, climate change and transport. These amendments address all the outstanding issues that were raised at Stage and as such, there are no sound reasons for the Mayor to intervene in this particular case.

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planning report PDU/2476/01

5 August 2009

5-6 Almeida Street

in the London Borough of Islington

planning application no. P090774

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

Demolition of 5 Almeida Street and erection of a 6-storey building to provide 79 residential units, 5,587 sq.m. retail floorspace and 859 sq.m. office space with associated access and landscaping.

The applicant

The applicant is **Seagar House**, and the architect is **CZWG**.

Strategic issues

The principle of a **mixed-use development** on this **out-of-town centre** site is accepted. It is not clear that the requirements of **PPS6** relating to **retail provision** have been fully met or that the site will deliver the '**maximum reasonable amount**' of **affordable housing**.

Further information is required on the **employment opportunities** that will be created. Dedicated children's playspace provision should be provided and further information is required on the **urban design** and **access/equal opportunities** elements.

Further information is also required in relation to the **climate change mitigation and adaptation** and **transport** elements.

Recommendation

That Islington Council be advised that the application does not comply with the London Plan, for the reasons set out in paragraph 69 of this report; but that the possible remedies set out in paragraph 71 of this report could address these deficiencies. The application does not need to be referred back to the Mayor if Islington Council resolves to refuse permission, but it must be referred back if it resolves to grant permission.

Context

40 On 26 June 2009 the Mayor of London received documents from Islington Council notifying him of a planning application of potential strategic importance to develop the above site for the above uses. Under the provisions of The Town & Country Planning (Mayor of London) Order 2008 the Mayor has until 6 August 2009 to provide the Council with a statement setting out

whether he considers that the application complies with the London Plan, and his reasons for taking that view. The Mayor may also provide other comments. This report sets out information for the Mayor’s use in deciding what decision to make.

41 The application is referable under Category 3E of the Schedule to the Order 2008: *“Development - (a) which does not accord with one or more provisions of the development plan in force in the area in which the application site is situated; and (b) comprises or includes the provision of more than 2,500 square metres of floorspace for a use falling within any of the following classes in the Use Classes Order — (i) class A1 (retail)”*.

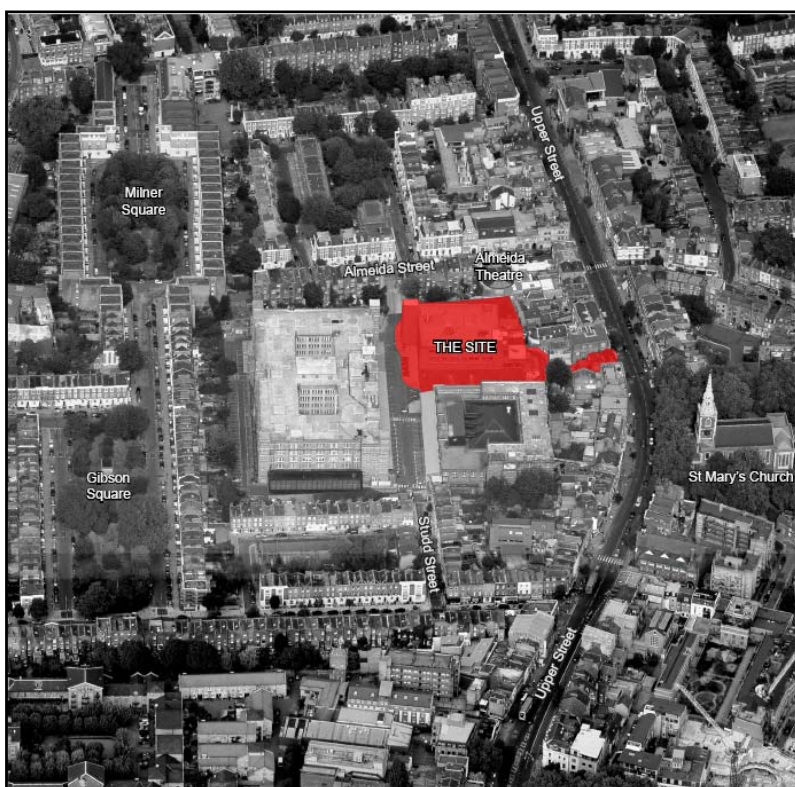
42 Once Islington Council has resolved to determine the application, it is required to refer it back to the Mayor for his decision, as to whether to direct refusal; or allow the Council to determine it itself, unless otherwise advised. In this instance if Islington Council resolves to refuse permission it need not refer the application back to the Mayor.

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

Site description

44 The site is landlocked behind existing properties which front Almeida Street to the north; Upper Street to the east; Moon Street to the south and Gibson Square and Milner Street to the west. The site is part of the larger former Royal Mail sorting office site. The surrounding uses are mainly residential, with some commercial uses along the Upper Street frontage and office uses towards the Angel end. The church and gardens of St Mary are located opposite the site and the site falls within the Upper Street Conservation Area; with the Barnsbury Conservation Area to the north.

Figure 1: the proposed development site (source: Design and Access Statement by CZWG architects)



45 The site is on the west side of the A1 Upper Street which is part of the Transport for London road network. Vehicular access to the site is from Studd Street and Almeida Street, both of which are borough roads. The nearest station is Essex Road, which is 625 metres to the east of the site and provides access to First Capital Connect rail services. Other nearby stations include Angel, 750 metres to the south served by the city branch of the Northern line, and Highbury & Islington, 850 metres to the north served by the Victoria Line, Overground (North London line) and First Capital Connect services. The closest bus stops are immediately adjacent to the site on Upper Street. They serve four routes; 4, 19, 30 and 43. The site is in a highly accessible location with a public transport accessibility level of approximately 6b (in a range of 1 to 6 where 6 is excellent).

Details of the proposal

46 This application proposes the demolition of 5 Almeida Street and erection of a building consisting of part 5/part 6/part 7/part 8 storeys with two basement levels to provide:

- 5,587sqm retail (Class A1) use - including flexible retail (Class A1)/restaurant use (Class A3) use, 150sqm Drinking establishment (Class A4)
- 859sqm office (Class B1)
- 78 flats (27 x 1 bed, 39 x 2 bed, 10 x 3 bed).
- Alteration and extension of 129 Upper Street, with associated access and landscaping. Conservation Area Consent has also been sought for this application.
- Provision of 63 parking spaces.

Case history

47 It is understood that there are two extant permissions on the remainder of the site for buildings 'A' and 'B', which Islington Council granted in 2005. However no information has been provided on these consents and this should be supplied to ensure the current application can be fully understood within the wider context of the site.

Strategic planning issues and relevant policies and guidance

48 The relevant issues and corresponding policies are as follows:

- Housing *London Plan; PPS3; Housing SPG; Providing for Children and Young People's Play and Informal Recreation SPG*
- Urban design *London Plan; PPS1*
- Retail *London Plan; PPS6; PPG13*
- Employment *London Plan; PPG4; draft PPS4; Industrial Capacity SPG*
- Access/equal opportunities *London Plan; PPS1; Accessible London: achieving an inclusive environment SPG; Wheelchair Accessible Housing BPG; Planning for Equality and Diversity in London SPG; Diversity and Equality in Planning: A good practice guide (ODPM)*
- Transport *London Plan; the Mayor's Transport Strategy; PPG13;*
- Climate change *London Plan; PPS1, PPS Planning and Climate Change Supplement to PPS1; PPS3; PPG13; PPS22; the Mayor's Energy Strategy; Sustainable Design and Construction SPG*
- Noise *PPG24; London Plan*

49 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 2002 Islington Unitary Development Plan and the London Plan (Consolidated with Alterations since 2004).

50 The Islington Core Strategy is not yet sufficiently progressed to be taken into account as a material consideration.

Principle of development

51 The Islington UDP notes the Almeida Street Post Office site, as a key development opportunity. Given the previous consents on the site the principle of mixed-use development on the site is acceptable.

Retail

52 London Plan policies 2A.8, 3D.1 and 3D.2 seek to support town centres, and to encourage retail, leisure and other related uses to locate within them. The proposed development site is an out-of-centre location and as such, the applicant has submitted a retail impact assessment in support of the application. In line with paragraph 3.9 of PPS6, the retail impact assessment includes a needs test for out of town centre development which is not supported by a development plan. Officers have reviewed this document and have raised the following issues; the scale of the proposed units, the sequential test and the impact on the local shopping centre.

53 The application includes fewer small retail units and shifts the balance towards one larger unit and some smaller ones - this could influence the impact assessment, design scale, and traffic etc and further explanation should be given as to why this composition of units has been chosen for the site – along with an indication of potential end users.

54 It is not clear from the assessment that the applicant has properly addressed the scope for disaggregation in applying the sequential test. Some of the retail units within the development could be accommodated sequentially elsewhere in either the nearby local centres or the Major centre at Angel. In addition, no information seems to have been provided on the impact on the nearby local centres which are specifically protected in the local UDP. It is likely that the proposed development will have a negative impact on these centres and this should be taken into consideration.

55 There is also concern at the proposed narrow entrance to the retail facility, which appears to be very restrictive compared with the size of the proposed retail units and the anticipated footfall for units of this kind. Given the lack of information regarding the proposed uses on the remainder of the site (although it is understood that retail uses are proposed on the adjacent site) further information should be provided on whether there is a cumulative retail impact in this location and how the two retail locations would interact.

56 The applicant notes that there is an intention to expand the town centre boundary to include this site, however this is unlikely to take place until at least 2010 and would mean a significant expansion to the existing Angel town centre boundary.

57 Some further information is required to determine compliance with London Plan policies 2A.8, 3D.1 and 3D.2.

Employment

58 London Plan policy 3B.11 aims to improve the skills and employment opportunities for Londoners. Further information should be provided on the employment elements of the scheme and initiatives that will be used to ensure that local people are able to benefit from both the construction and operational elements. Policy 3B.2 of the London Plan states that the Mayor will seek the provision of a variety of type, size and cost of office premises to meet the needs of all sectors, including small and medium sized enterprises and the applicant should provide information on whether consideration has been given to providing affordable workspace within the development. Further information should also be provided to clarify the nature of any potential link to the Almeida Theatre.

59 Some further information is required to determine compliance with London Plan policies 3B.11 and 3B.2.

Housing

60 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 70% of housing should be social and 30% 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.

61 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

62 Where borough councils have not yet set overall targets as required by Policy 3A.9, they should have regard to the overall London Plan targets. It may be appropriate to consider emerging policies, but the weight that can be attached to these will depend on the extent to which they have been consulted on or tested by public examination. As Islington is some way off adopting its Core Strategy and the UDP pre-dates the London Plan, the London Plan policy of 'maximum reasonable amount' will apply on this site.

63 The scheme proposes 46% affordable housing (48% by habitable rooms). No viability appraisal has been submitted and there is no indication of whether social housing grant has been applied for in relation to this scheme. Further discussions are therefore required with the applicant to ensure that the maximum reasonable amount of affordable housing is being secured as required by strategic planning policy.

64 Table 1 below sets out the proposed accommodation mix in greater detail.

Table 1: Proposed housing mix

Unit Type	Unit Tenure			Total by Unit Type	Total by Unit Type (%)	Housing SPG
	Market	Affordable				
		Intermediate	Social			
Studios	0	0	0	0	0%	1%
1-bed	18	4	5	27	35%	31%
2-bed	19	9	11	39	50%	
3-bed	5	2	5	12	15%	38%
4-bed	0	0	0	0	0%	30%
Total by Tenure	42	15	21	78	100%	100%
Total by Tenure (%)	54%	19%	27%	100%		
Tenure split		42%	58%			

Mix of units

65 The London Plan Housing Supplementary Planning Guidance 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. The proposed unit mix will provide an overprovision of 2-bedroom units and no 4-bedroom units and fails to meet strategic planning guidance. The unit mix should therefore be revised or justification based on local housing need provided.

Tenure split

66 The proposed tenure split is not in line with strategic planning guidance and should be further justified.

Density

67 London Plan Policy 3A.3 outlines 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 with public transport accessibility. Table 3A.2 of the London Plan provides guidelines on density in support of policy 3A.3. Table 3A.2 provides a guidance range of 650-1100 habitable rooms per hectare for urban sites with a PTAL rating of four to six. The density of the proposed development will be 489 habitable rooms/hectare and this is within the acceptable range.

Children’s play space

68 Policy 3D .13 of the London Plan sets out that “the Mayor will and the boroughs should ensure developments that include housing make provision for play and informal recreation, based on the expected child population generated by the scheme and an assessment of future needs.” Using the methodology within the Mayor’s supplementary planning guidance ‘Providing for Children and Young People’s Play and Informal Recreation’ it is anticipated that there will be approximately 30 children within the development. The guidance sets a benchmark of 10 sq.m. of useable child playspace to be provided per child, with under-5 child playspace provided on-site. As such the development should make provision for 300 sq.m. of playspace.

Table 2: Projected child occupancy

Age split			Total by age split
0-5	5.2	6.2	12.0
05-11	2.4	9.2	11.4
12+	1.2	6.6	7.4
	8.86	22	30.86

69 No provision has been made for children’s playspace within the landscape proposals for the scheme and this should be addressed to ensure compliance with London Plan policy 3D.13. Where capacity is constrained, provision for the 0-5 years age group should be made on site with the remainder secured as part of a section 106 agreement to improving play facilities in the surrounding area.

Urban design

70 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. In addition to Chapter 4B, London Plan policies relating to density (3A.3) and sustainable design and construction (4A.3) are also relevant. Design polices 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 and views.

Figure 2: View towards the proposed development (source: Design and Access Statement by CZWG architects)



Site context

The application site is located within the Upper Street Conservation Area and a conservation area impact assessment has been carried out to support the application. The proposed development

would be contemporary in appearance but the assessment does not provide sufficient detail for officers to be convinced that it would, in line with the requirements of PPG15, preserve or enhance the character and setting of the conservation area or listed building to the rear of the site. The applicant should provide further detailed verified images of the proposed development, including near views from the entrances from Studd Street and Almeida Street that identify the existing and proposed buildings and demonstrate that the proposal would comply with the above policy test and the relevant London Plan policies.

Layout and arrangement

71 The applicant has provided a design and access statement in support of the application but this lacks sufficient information understand the proposals in the context of the wider Royal Mail sorting office site. Further, detailed information on the approved plans for the adjacent buildings is required, particularly in relation to the potential linkages to building 'B' to the south of the application site and to the Almeida Theatre to the north of the site. It is not clear what function these linkages would provide or how effectively they would allow the application site to integrate with the wider area.

72 The concept of creating an intimate retail court accessed via a narrow passage from Upper Street could be successful but further detailed explanation is required to be confident of that this would be the case. In particular, further access to the central space via building 'B' and/or from the 'Central Boulevard' is necessary for the permeability of the block and to ensure the necessary level of pedestrian footfall to support the proposed retail units. The design of the proposed sculpture/entrance sign is critical to ensuring the narrow passageway entrance is legible from Upper Street and further details of the internal environment, including materials and lighting should be provided. Further details on the management, delivery and servicing arrangements for this area and the B1 office space are also critical to demonstrate that it would be viable and safe and secure at all times.

Figure 3: Upper Street entrance to retail (source: Design and Access Statement by CZWG architects)



73 The rationale for and operation of the secondary access to the office space and residential cores adjacent to the neighbouring garage should also be explained, as should the creation of potential links to the Almeida Street Theatre. The residential access taken directly from the 'Central Boulevard' is well positioned but the secondary access taken via a passageway and long hallway is

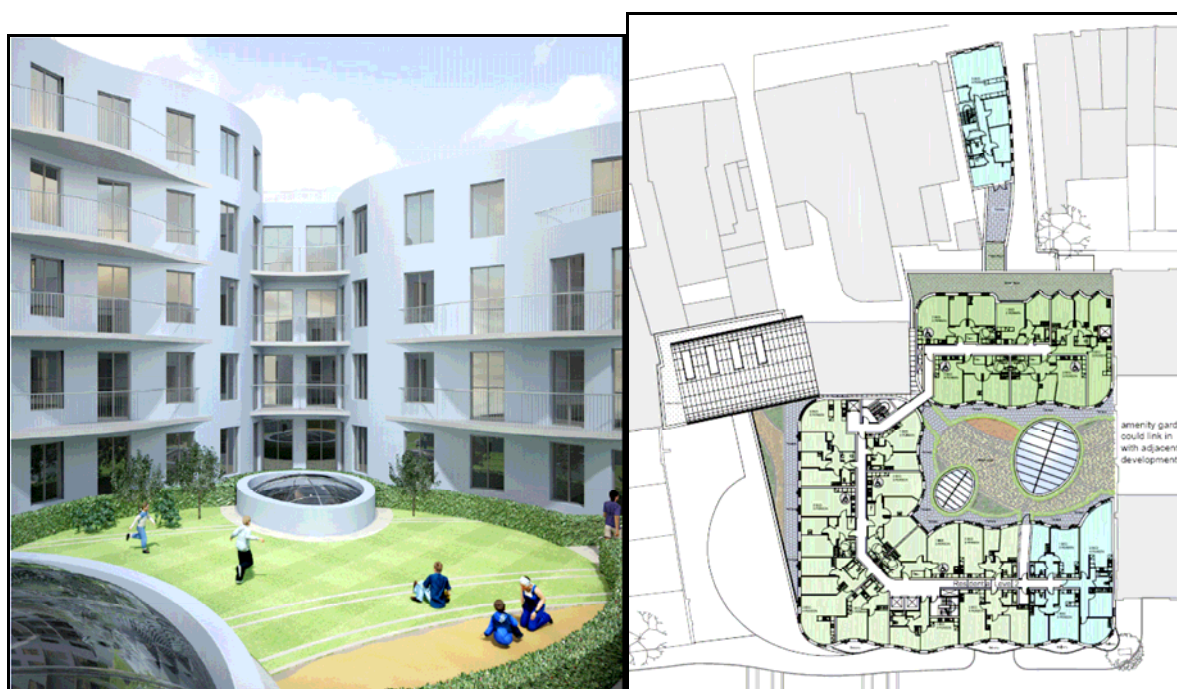
less successful. The applicant should consider alternative solutions that would create a clear and direct access to this core, possibly through the space currently occupied by retail unit R2 to the new passageway. In addition, the complicated access arrangements and level changes in retail unit 'R5' should be simplified and the changes in level accommodated in a inclusive, safe and secure manner as required by the London Plan.

Scale, bulk and massing

74 The distribution of scale and massing across the site attempts, with some success, to reconcile the differing scales of the surrounding buildings. This is done by stepping the scale back from 2-5 storeys where the building would abut the 3-4 storey development fronting Upper Street and Almeida Street, to 7-8 storeys on the 'Central Boulevard' in response to the grand scale of the Edwardian industrial buildings opposite. There is, however, concern about the immediacy of the relationship between the proposal and some of the buildings fronting Upper Street and the Council should ensure that the amenity of existing and proposed dwellings would be satisfactory.

75 The site would be intensively developed and rely extensively on roof space for the provision of amenity space. The principal space would be open to the south which is positive in terms of daylight and sunlight penetration throughout the year but other roof top spaces, particularly the north facing terraces may be heavily overshadowed much of the time. Further detail on the daylight and sunlight modelling for the scheme is necessary to ensure that it would be satisfactory.

Figure 4: the proposed podium deck (source: Design and Access Statement by CZWG architects)



Residential quality

76 The arrangement of the residential accommodation over the retail provision requires the use of a u-shape to accommodate a light well in the podium deck. This deck doubles as amenity space, with those units at the podium level benefiting from direct access to terraces located at this level. Communal access is achieved through two entrances at podium level. Almost all flats at higher levels benefit from balconies with the exception of two single aspect north-facing units and the east facing units on the northern part of the 'u' and the two eastern facing units on the eastern part of the 'u' form at the third floor level. This should be addressed to ensure that all units have

access either to terraces or balconies. Confirmation should also be provided that these balconies are of a depth which will be capable of accommodating, for example, a table and chairs.

77 Generally, on plan the units seem to be of a good size but the applicant should confirm that they will comply with the standards set out in the Mayor's draft Housing Design Guide. The applicant should also work to maximise the number of dual aspect flats in the scheme in line with this guidance, particularly where this would lead to the removal of north facing, single aspect flats. The applicant should consider making those north facing single aspect flats at first floor level into maisonettes or scissor units with access direct access to the podium amenity space.

78 There are several matters which require further clarification to ensure compliance with London Plan policies relating to design.

Access/equal opportunities

79 Policy 4B.5 of the London Plan expects all future development to meet the highest standard of accessibility and inclusion. This, together with the Supplementary Planning Guidance 'Accessible London: achieving an inclusive environment' underpins the principles of inclusive design and the aim to achieve an accessible and inclusive environment consistently across London.

80 The Design and Access statement does not provide sufficient detail with regards to how the proposal has approached inclusive design and access from the outset. Some of the blue badge parking bays appear to be far from the basement lifts and should be reconsidered to ensure appropriate provision for blue badge holders.

81 An explanation of the public realm and communal courtyard spaces and their detailed design must be provided to ensure that the design is appropriate to those with impaired mobility and/or vision. The applicant has indicated that all units will be designed to 'Lifetime Homes' standards but has not demonstrated how each of the 16 Lifetime Homes standards have been addressed on plan. Typical flat layouts and plans of wheelchair and Lifetime Homes units should be provided to illustrate the relevant features. The applicant has indicated that 10% of the habitable rooms will be allocated as wheelchair accessible, however, the London Plan sets out that 10% of all units should be accessible and the applicant should confirm that it will meet this requirement.

82 The quality of the architectural expression holds potential, however the applicant has not provided sufficient information to demonstrate that the proposal represents a design that is attractive to look at, is accessible and usable for all users, is sustainable durable and adaptable, or that it provides appropriate levels of amenity for residents, including children and young people. In addition the complicated access arrangements are likely to present particular problems for those with impaired mobility. As such the proposal does not fully comply with London Plan policies 4B.1 'Design principles for a compact city, ' or London Plan policy 4B.5 'creating an inclusive environment.'

Climate change

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

4A.2 to 4A.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 this.

Baseline carbon dioxide emissions (policy 4A.4 of London Plan)

84 The baseline emissions for the development have been estimated to be circa 1,420 Tonnes CO₂ per annum although it is not clear how they relate to building regulations 2006 requirements.

Energy efficiency standards (policy 4A.3 of the London Plan)

85 The applicant has proposed a series of demand reduction measures to reduce carbon emissions beyond the baseline emissions and this is welcomed. These include low energy lighting and lighting controls, more stringent insulation and air tightness standards than those required by current building regulations, etc. which result in estimated carbon savings of 24% beyond the baseline emissions. However it is not clear how the carbon savings have been calculated or how they relate to building regulations 2006 minimum requirements.

District heating (policies 4A.5 and 4A.6 of the London Plan)

86 The applicant, in conversation with Islington Council, has concluded that there are no nearby heat networks to which the scheme could connect. It is understood that an onsite single heat network supplied with plant installed in a unique energy centre would be used. However, further information is required in relation to the proposed infrastructure that would be required to implement a communal heat network, i.e. space for the energy centre.

Combined Heat and Power (Policy 4A.6)

87 The applicant has explored the viability of using combined heat and power. Two scenarios have been looked at:

- In the first scenario a 55 kWe CHP plant supplies 80% of the hot water requirements of the site and would reduce carbon emissions by a further 6%.
- In the second scenario a 300 kWe would be able to reduce carbon emissions of the site by 59%. This scenario assumes that heat would be exported beyond the scheme boundaries. The energy centre would then need to account for any additional space required for this larger capacity engine.

88 The proposals to export heat beyond the development boundaries are welcome. It would be useful if the applicant provides details of specific opportunities identified to export heat to and whether space allowance for a larger energy centre than otherwise would be required, have been considered as part of this option.

Cooling (Policies 4A.6 of the London Plan)

89 There is little information in relation to the cooling requirements of the scheme. Further information is required to describe the design measures that are being considered to minimise the need for active cooling. The energy strategy should also state where in the development the active cooling need will exist and how those needs would be efficiently provided.

Renewable energy technologies (policy 4A.7)

90 The use of an open loop system that abstracts water from an aquifer for pre-heating and pre-cooling of water is being proposed. The application has stated that previous borehole drilling

of the site yielded a flow rate of water available of 25 litres/second. The applicant has concluded that this option could reduce carbon emissions by a further 15% although it is not very clear how the proposed open loop system would be integrated with the proposed combined heat and power and heat network supplying the development.

91 Additionally, 150 sq.m. of photovoltaic panels could be used to reduce carbon emissions by a further 2% although this option has subsequently been disregarded.

Overall, the proposals are acceptable in principle, but this is subject to the submission of further information and clarification to ensure compliance with London Plan policies 4A.1 to 4A.7.

Sustainable Design and Construction

92 The applicant has submitted a sustainability statement but this does not set out how the application will meet the Mayor's preferred and essential standards as required by the Sustainable Design and Construction SPG. This should be provided before the application is referred back to the Mayor to ensure compliance with London Plan policies 4A.8 to 4A.22.

Noise

93 London Plan policy 4A.20 on reducing noise and the Mayor's Ambient Noise Strategy provide the main policy guidance for such proposals along with PPG 24. In particular, 4A.20 requires that noise impacts on or from development should be minimised and that noise sensitive development should be separated from major sources of noise wherever practicable.

95 The noise report provided has applied PPG 24 Noise Exposure Categories to a situation where it appears that noise from the adjacent Citroen garage and workshop is the dominant source. PPG 24 states that its Noise Exposure Categories should not be applied to cases where the dominant source is industrial in character. Nevertheless, the noise measurements provided do not give rise to strategic noise concerns and Islington will be able to set appropriate conditions to protect the amenity of the future occupants.

Transport

96 In recognition of the site's excellent accessibility and to accord with London Plan policy 3C.23 parking strategy, Transport for London (TfL) considers the provision of 39 residential and 29 retail car parking spaces excessive. Furthermore the area is close to the Central London Charging Zone boundary and suffers from serious traffic congestion for most of the day. TfL would therefore support a car free approach for the site, save for the provision of the 8 disabled parking spaces that are proposed. TfL would also support measures to restrict access to on-street parking permits by residents and business associated with this development.

97 In order to properly assess any impact on the transport network in accordance with London Plan policy 3C.2 'matching development to transport capacity', the developer should revise the trip generation analysis. The use of survey data from retail parks is currently considered inappropriate for the retail part of this development as retail parks have trip characteristics that are very different from a city centre development. For example it is likely to severely underplay the level of walking trips that would normally be associated with this location. For more representative data, town centre food retail sites should be used. In order to properly understand the impact of this development, non-car based trips should be disaggregated into walking cycling, bus, tube, rail and taxi modes. Upon receipt of the above information, TfL will provide further comments on the likely impact of the proposals on the transport network.

98 TfL expects that the additional demand from walk trips, particularly in connection with the proposed retail use, will necessitate improved pedestrian facilities. In order to accord with London Plan policy 3C.21 'improving conditions for walking', TfL proposes that an additional crossing should be provided directly adjacent to the new pedestrian entrance to the site on Upper Street and subsequently seeks a £150,000 contribution towards its implementation, together with associated footway and highway works.

99 TfL welcomes the provision of 138 cycle spaces as this complies with TfL's cycle parking standards and London Plan policy 3C.22 'improving conditions for cycling'.

100 In order to manage travel demand and to accord with London Plan policy 3C.2 'matching development to transport capacity', TfL expects the development to be accompanied by a framework travel plan outlining measures for the retail, office and residential units. The outline plan submitted is not currently in line with TfL guidance as it does not provide targets for mode shift, lacks detail on marketing and does not state how the travel plan will be secured or funded.

101 In order to minimise vehicular traffic in the peak and to accord with London Plan policy 3C.25 'freight strategy', TfL expects the development to be accompanied by a construction logistics plan and a delivery and service plan. They should be secured by planning condition. Amongst other things the service and delivery plan should assess and plan for the servicing requirements of the retail use which could include the use of a 16.6 metre articulated vehicle.

102 The developer will be required to enter into a section 278 agreement with TfL as highway authority for footway reinstatement works on the Transport for London road network. This should be secured by the section 106 process.

103 There are a number of matters which require further attention to ensure compliance with London Plan policies 3C.2, 3C.21, 3C.22, 3C.23 and 3C.25 relating to transport.

Local planning authority's position

104 Islington Council supports the principle of the development but it yet to reach a formal opinion on the scheme.

Legal considerations

105 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. 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

106 There are no financial considerations at this stage.

Conclusion

107 London Plan policies on retail, employment, housing, children's playspace, urban design, access and equal opportunities, climate change, noise and transport are relevant to this application. The application complies with some of these policies but not with others, for the following reasons:

- **Retail:** insufficient information has been provided to determine compliance with London Plan policies 2A.8, 3D.1 and 3D.2.
- **Employment:** insufficient information has been provided to determine compliance with London Plan policies 3B.11 and 3B.2.
- **Housing:** it is not clear that the proposals comply with London Plan policy 3A.9 relating to affordable housing provision.
- **Children's playspace:** no dedicated provision has been made for children's playspace within the scheme and this does not comply with London Plan policy 3D.13.
- **Urban design:** there are several matters which require further clarification to ensure compliance with London Plan policies relating to design.
- **Access and equal opportunities:** the proposal does not fully comply with London Plan policies 4B.1 'Design principles for a compact city, ' or London Plan policy 4B.5 'creating an inclusive environment.'
- **Climate change:** insufficient information has been provided to determine compliance with London Plan policies 4A.1 to 4A.21.
- **Noise:** the proposals comply with London Plan 4A.20.
- **Transport:** there are a number of matters which require further attention to ensure compliance with London Plan policies 3C.2, 3C.21, 3C.22, 3C.23 and 3C.25 relating to transport.

108 On balance, the application does not comply with the London Plan.

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

- **Retail:** further information should be provided in relation to the scale of the proposed units, the sequential test and the impact on the local shopping centre.
- **Employment:** further information should be provided on how the proposals will incorporate measures to encourage local employment and to provide flexible and affordable workspaces.
- **Housing:** further discussions will be necessary with the applicant to confirm whether the proposals will deliver 'the maximum reasonable amount' and to justify the proposed unit mix.
- **Children's playspace:** dedicated provision for children's playspace should be made within the scheme.
- **Urban design:** there are several matters which require further clarification to ensure compliance with London Plan policies relating to design.
- **Access and equal opportunities:** further information should be provided on how the typical plan layout will meet the Lifetime Homes criteria and create an inclusive environment.

- **Climate change:** further information is required to supplement the energy strategy and a checklist should be submitted to demonstrate how the proposal will meet the requirements of the Sustainable Design and Construction SPG.
- **Transport:** further information there are a number of matters which require further attention to ensure compliance with London Plan policies relating to transport.

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