

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 26 January 2016	Classification For General Release	
Report of Director of Planning		Ward(s) involved Regent's Park	
Subject of Report	St Johns Wood Delivery Office, 30 Lodge Road, London, NW8 8LA.		
Proposal	Development of existing vacant sorting office and associated hardstanding on site. Erection of 10 storey building comprising 49 residential units and ancillary floorspace (Class C3), provision of 54 car parking spaces, waste management areas, cycle parking and chp facility within basement, public realm works and access to car lifts from Lodge Road.		
Agent	Mr Tom Vernon		
On behalf of	Regal Homes		
Registered Number	15/08211/FULL	Date amended/ completed	10 September 2015
Date Application Received	18 August 2015		
Historic Building Grade	Unlisted		
Conservation Area	Outside of the nearby St John's Wood Conservation and Regents Park Conservation Areas which run along St John's Wood Road and Park Road respectively.		

1. RECOMMENDATION

1. Subject to the concurrence of the Mayor of London, grant conditional permission subject to a S106 legal agreement to secure:

- i) A financial contribution of £5,446'560 towards the City Councils affordable housing fund (index linked and payable upon commencement of development.
- ii) Payment for the cost of highways works necessary to facilitate the development including the reinstatement of pedestrian highway.
- iii) Provision of basement car parking on an un-allocated basis.
- iv) To carry out the development in accordance with a car stacker maintenance and management plan to be submitted.
- v) Replacement street tree in the event that it is not retained.
- vi) Monitoring costs

2. If within six weeks of the resolution to grant conditional permission the S106 planning obligation has not been completed or there is no immediate prospect of the planning obligation being completed, then

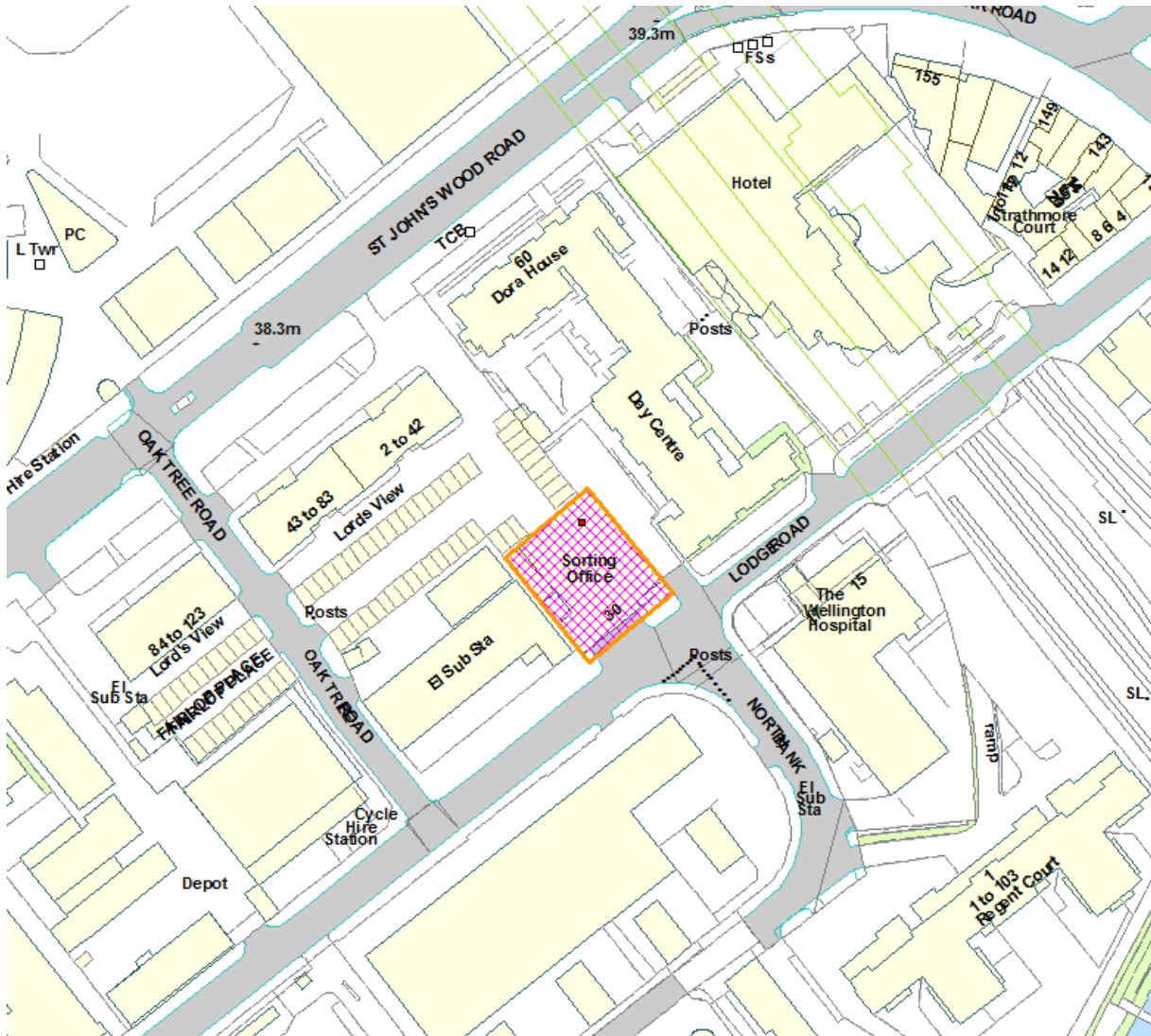
- a) The Strategic Director shall consider whether it would be possible and appropriate to issue

permission with additional conditions attached to secure the benefits listed above. If so, the Strategic Director is authorised to determine and issue such a decision under Delegated Powers; however, if not b) The Strategic Director shall consider whether permission should be refused on the grounds that it has not proved possible to complete a S106 planning obligation within an appropriate timescale, and that the proposal is unacceptable in the absence of the benefits which would have been secured; if so, the Strategic Director is authorised to determine the application and agree appropriate reasons for refusal under Delegated Powers.

2. SUMMARY

Permission is sought to redevelop this two-storey Royal Mail sorting office building with a ten-storey building to provide 49 private residential units with balconies and terraces and associated car and cycle parking. The proposal has been amended during the course of the application to address concerns of officer's and the Mayor with respect to the number of family sized unit sizes, quantity of cycle spaces and accessible units and car parking spaces. The residential development would provide 49 good quality residential with an element of family sized units along with external amenity space and car and cycle parking. A financial contribution of over £5m is proposed as a payment in lieu of providing affordable housing and has been independently verified as the maximum viable contribution that the scheme can afford. The proposal is also notwithstanding objections from three local residents, considered to be acceptable in design and townscape, amenity and transportation terms and accords with the relevant Unitary development Plan (UDP) and Westminster's City Plan: Strategic Policies (City Plan). As such the application is recommended favourably, subject to conditions and a S106 legal agreement to secure the affordable housing contribution matters relating to transport and the highway.

3. LOCATION PLAN



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4. PHOTOGRAPHS



5. CONSULTATIONS

GREATER LONDON AUTHORITY

The application is generally acceptable in strategic terms, but does not fully comply with the London Plan, but remedies could address the deficiencies.

City Council should seek more family housing units; No affordable housing on site, but the constraints should not be obstacles at least to provide intermediate units. Any independent review of the applicants viability assessment should be provided to the GLA prior to stage 2 referral; Layout of ground floor should be revisited to enable passive surveillance and details of architectural principles and facing materials should be secured to ensure highest standards of design and place making are delivered;

Whilst proposed density is higher than that suggested in the London Plan it is acceptable in this instance; The provision of play space at roof level within the community amenity space is welcomed; the 105 wheelchair accessible units should be annotated as such; As the units are not expected to overheat application should consider omitting air conditioning units to maximise carbon savings; details of the proposed operation of the CHP should be secured.

Travel plan, delivery and service plan (DSP) and construction logistics plan (CLP) should be secured by condition; cycle parking should be increased and should include short stay provision; Travel plan should also secure funding for cycle hire membership for each residential unit; encourage reduction in car parking; provision of blue badge parking and of electrical vehicle charging points (EVCP's) should accord with the London Plan. Residents should be exempt from applying for parking permits, car club membership should be secured for each residential unit and a car park management plan should be required. A payment of £50 per square metre should be secured fro CIL.

TRANSPORT FOR LONDON

Lodge Road forms part of the Transport for London Road Network

Provision of off street car parking at a ratio of 1:1 is excessive and should be reduced and provision made for wheelchair accessible parking and electric vehicle charging points provided. A car parking management plan should be secured by condition

Residents should also be exempt from applying for parking permits.

25 year car club membership is welcomed.

87 cycle parking spaces expected along with sufficient size lift for bike access to basement.

Expect Travel plans and Delivery and Service Plan (DSP) Expect a delivery and service plan (DSP) and Construction and Logistics Plan (CLP) to be required by condition to manage effect on road network. Request that construction vehicles FORS silver accredited. From September 2015 all vehicles of 3.5 tones entering London must be fitted with side guards and mirrors to safeguard cyclists.

Considering further matters including servicing and vehicular access arrangement particularly during demolition and construction, whether a financial contribution for Legible London signage to improve legibility of walking routes in the vicinity. Updated comments on these matters is to be provided with GLA comments.

HISTORIC ENGLAND

Application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.

ROYAL PARKS

Any response to be reported verbally.

THE GARDENS TRUST (GARDEN HISTORY SOCIETY)

Any response to be reported verbally.

THAMES WATER

Require details of a drainage strategy for any on and off site drainage work and piling method statement to be agreed in liaison with Thames Water.

Request applicant informed of the following, encouraged to incorporate a non-return valve or other suitable device to avoid the risk of backflow at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions and Groundwater Risk Management Permit from Thames Water will be required for discharging ground water into a public sewer. General advice on water pressure
No objection to water infrastructure capacity

ENVIRONMENT AGENCY

No comment

WARD COUNCILLORS

Any response to be reported verbally.

ST JOHNS WOOD SOCIETY

No objection.

ST MARYLEBONE SOCIETY

No objection, defer to City Council Conservation officer.

HOUSING MANAGER

No objection, a financial contribution of over £5m as a payment in lieu of affordable housing will allow the City Council to deliver more affordable homes elsewhere, potentially around 10- 20 rather than 3 on site.

HIGHWAYS PLANNING MANAGER

Generally acceptable, apart from insufficient cycle storage and conditions and planning obligations recommended. Provision is made of cycle storage for 42 cycles at ground floor level, contrary to policy requirement for 87 spaces (also of concern to TFL). A Revised cycle storage capacity is suggested to be required by condition.

The provision of 54 off street car parking spaces with electrical vehicle charging points within basement (car stacker system) for 52 residential units to be provided on an allocated basis is acceptable subject to details to be required by condition. The vehicle access arrangement also allows a vehicle to wait off the highway and enter and exit the site in a forward direction.

Servicing of the site is proposed from the highway utilising yellow line on Lodge Road. Whilst not ideal or consistent with policy, given the location, quantum and nature of development, this arrangement does not raise objection.

Waste and recycling provision is satisfactory.

The proposal reduces the width of the vehicular crossover, improving the environment for pedestrians which is welcomed and to be secured by legal agreement.

BUILDING CONTROL

Structural method statement is considered acceptable. An investigation of existing structures and geology has been undertaken and found to be of sufficient detail. The existence of groundwater, including underground rivers, has been researched and the likelihood of local flooding or adverse effects on the water table has been found to be negligible. The basement is to be constructed using piled walls with internal RC retaining walls which is considered to be appropriate for this site. The proposals to safeguard adjacent properties during construction are considered to be acceptable.

ENVIRONMENTAL HEALTH

Any response to be reported verbally.

ARBORICULTURAL OFFICER

Any response to be reported verbally.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS

No. Consulted: 710

Total.No.of Replies: 4 responses (2 from Lords View, 1 from the Pavilions, 1 from Central & Cecil of Dora House)

Land use

Good to see site developed for housing

Overdevelopment- concerned at the number of high rise buildings in an area bordered by St John's Wood Road, Park Road, Lodge Road. All planning applications and proposed planning applications should be considered in context and not isolation.

Amenity

Following planning consent for medium and high rise buildings at 36-44 Lodge Road and the intention to replace Dora House with tall buildings on Lodge Road and 60 St John's Wood Road, the erection of another tower in this locality would result in major over-development and have an adverse impact on quality of life for residents.

Any structure over 3-4 storeys will block light and overlook Pavilions.

A detailed survey is required to show the cumulative effect of all the proposed buildings on wind turbulence and microclimate in this part of St John's Wood, as there could be significant impacts for residents and pedestrians.

Design

The area is an important entry point to St John's Wood and the conservation and the proposed clutch of high rise buildings is out of context

Structure that exceeds 3-4 storeys will block light and overlook flats within the pavilion apartments, 34 St John's Wood Road.

Transportation

Lodge Road is a narrow road and not suited to the large number of additional cars.

Traffic jams are frequent, especially when visitors of the mosque seek to park.

Will add to traffic congestion.

Other

Central and Cecil welcome the redevelopment of the site and the buildings residents will be important neighbours to the proposed new Dora House and its residents. Proposed scheme is a welcome addition to Lodge road offering high quality housing in addition to the wider regeneration of the area. The constructive and collaborative working relationship between the developer (Regal Homes) and Central and Cecil has resulted in two buildings that are complementary of each other and will significantly enhance the street scape. Confident that the relationship will continue and will result in a co-ordinated approach to construction logistics and minimum disruption during development Satisfied that the proposed buildings will not cause any unacceptable sunlight and daylight issues to Central and Cecil Dora House Regeneration proposals and support the application.

ADVERTISEMENT/SITE NOTICES: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

The existing 2-storey detached brick building was previously occupied by Royal Mail as a sorting office and the site has a dropped kerb and some off street parking to the front. It is unlisted and lies outside of the nearby St John's Wood Conservation and Regents Park Conservation Areas which run along St John's Wood Road and Park Road respectively. To the north/north west lies Lords View and to the west lies EDF site which is currently under redevelopment for residential purposes. To the east is Dora House (60 St John's Wood Road) which provides sheltered housing for the elderly and to the south is a further EDF site and North Bank.

6.2 Recent Relevant History

30 Lodge Road

15/05094/EIAOP

Request for Screening Opinion pursuant to Regulation 5 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (amended 2015) in connection with the redevelopment of the site of the former (now vacant) St John's Wood Delivery Office, 30 Lodge Road, St John's Wood, London NW8 8LA

Not required 19 June 2015

13/11559/EIAOP

Request for Screening Opinion pursuant to Regulation 5 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 in connection with the redevelopment of the land at Dora House, No. 60 St John's Wood Road and St Johns Wood Road Mail Delivery Office, 30 Lodge Road.

Not required 2 December 2013

Dora House, 60 St John's Wood Road

Pending application for demolition of the existing building and redevelopment to provide two buildings: Building 1 comprising one basement level, ground and twelve upper floors

containing car parking, plant, sheltered accommodation (Class C3) and ancillary communal areas; Building 2 comprising three basement levels, ground and ten upper floors containing plant, car parking, residential accommodation (Class C3) and ancillary leisure; reconfigured vehicular and pedestrian access together with landscaping and other works in association with the development. (15/09769/FULL).

36-44 Lodge Road

Planning permission was granted on 12.08.2013 for Demolition of existing structures and development of buildings extending between five and 12 storeys comprising 132 self-contained private and affordable residential flats (85 private and 47 intermediate affordable housing units), ancillary leisure and gym facility, 103 car parking spaces and 258 cycle spaces with associated landscaping and ancillary works.(09/09773/FULL). This was followed by a number of amending applications. The development has been implemented.

7. THE PROPOSAL

Permission is sought for the demolition of the existing building and the construction of a new 10-storey building with a double height basement to provide 49 self-contained private residential flats with balconies and communal terrace. The double basement is proposed to accommodate 54 car parking spaces within an automated system accessed from ground level with associated plant. The ground floor also accommodates a reception area, 78 cycle spaces, waste and recycling, a small sub-station, resident's gym and a single flat.

The application has been amended since original submission to provide a better mix of unit sizes (6 family sized units instead of 3), which has resulted in a reduction the proposed number of units to 49 (from 52), increase in cycle parking to 78 (from 42) and further annotation of plans to indicate the location of accessible car parking spaces and wheelchair accessible units.

8. DETAILED CONSIDERATIONS

8.1 Land Use

The site has become surplus to Royal Mail's requirements and has consequently been sold to a private developer. The principle of redeveloping this site to provide additional residential accommodation is acceptable in principle in land use terms in accordance with Policy H3 of our Unitary Development Plan (UDP) and S14 of Westminster's City Plan – Strategic Policies (City Plan).

Residential

The proposed new private residential accommodation would comprise of 49 self-contained flats in the form of 15x1 bedroom, 28x2 bedroom, 6x3 bedroom units, within 5600m² (GEA) of floorspace accessed via a single staircase and lift core. This mix of unit sizes including only 12% of the units as family sized falls short of the 33% requirement

under policy H5 of our UDP and S15 of our City Plan, although it is recognized that this level has been increased from the originally proposed 6%.

It is acknowledged that this policy can be applied flexibly as the applicant suggests, but there must be justification to do so. The justification brought forward by the applicant is that the proposed unit mix is reflective of the location of the application site and its constrained footprint. The applicant has also refers to the emerging City Management policy and its direction of travel towards requiring a lower provision of family sized units (25%) and acknowledging that residential units with two bedrooms (3-4 habitable rooms) can provide homes for smaller families with children and thus contributing to the provision of homes for families in Westminster.

It is acknowledged that the footprint of the site is somewhat constrained and the ability to provide gardens and ground floor amenity space limited. Given the direction of travel of the City Council's emerging policy to potentially reduce the levels of family sized units in new developments from 33% to 25% and to take account of two bedroom units as provision for homes for smaller families within Westminster, the overall mix of unit sizes is considered acceptable in this particular case.

The proposed residential units are of a good size between 53m²-137m² and all but one are dual aspect and would receive adequate ventilation, daylight and sunlight, privacy and outlook. During the course of the application, the applicant was asked to consider removing the isolated single aspect ground floor unit which is located adjacent to the reception area and gym. The applicant considered it key to the viability to retain this unit. Whilst it is single aspect it incorporates 2.6m high glazing and is set back from the external public domain with low level hard and soft landscaping. The overall residential environment, whilst not ideal, is not considered to be so unacceptable to warrant withholding permission.

Furthermore, each residential unit would benefit from external amenity space in the form of a balcony and access to a 148m² communal roof terrace. The overall quality of the residential environment created for future occupiers is considered to be acceptable and accords with policy ENV13 of the UDP and S28 of the City Plan.

Given the proposal is for less than 50 units and does not create an anticipated child population of more than 10 children, there is no policy requirement for the development to provide for play and open space. Notwithstanding this, the applicant is proposing 48m² of playspace within one of the communal roof gardens which is welcomed.

Affordable Housing

The creation of 5600m² (GEA) of additional residential floorspace requires the provision of 1840m² or 23 units of affordable housing under policy H4 of our UDP and S16 of our City Plan, with reference to our Interim Guidance Note- Affordable Housing Policy. However no on or off site affordable housing is proposed. The applicant suggests that it is not practical or viable for affordable housing to be provided on site due to scheme design, potential management of units, service charges and overall financial viability and further that there are no available or appropriate donor sites.

The applicant also suggests that a full policy complaint payment in lieu of affordable housing of £9,769,480 is unviable. In support of this stance the applicant has submitted a financial viability report by Gerald Eve LLP, which has been independently assessed by Lambert Smith Hampson (LSH) on behalf of the City Council.

The conclusions of this independent assessment indicates that in considering the opportunity to provide affordable housing on site, it is possible that the scheme could cross fund 3x3bedroom affordable housing units on site or alternatively that the scheme could afford a financial contribution of £5'439.000 in lieu of the provision of affordable housing. The City Council's Housing Manager has advised that such a contribution could allow the City Council to deliver considerably more units (around 10- 20 units rather than 3) on site and on this basis and in this case, he supports the provision of a payment in lieu.

After negotiation, the applicant has agreed to pay £5'439.000, which is the maximum contribution that the City Council's independent consultant considers that the scheme can viably support. For the reasons set out above, the affordable housing offer is considered to meet our policy requirements. Whilst a carbon offset payment is of £7,560 is offered (see section 6.10) to meet the schemes shortfall in carbon reduction, given the viability of the scheme, it is considered that all available contributions should be made to the affordable housing fund, which would provide a total contribution of £5,446'560.000.

8.2 Townscape and Design

Lodge Road and the buildings to the north and south of it all lie outside a conservation area. The nearest conservation areas to the site are the St John's Wood Conservation Area which lies to the north (north of St John's Wood Road) and the Regent's Park Conservation Area to the east (east of Park Road). Virtually all the buildings which face onto Lodge Road are post-war in date and none are listed, the exceptions to this being the 1830s grade II listed Church of Our Lady, at the junction of Lodge Road with Lisson Grove and some 250m to the west of the application site; and the 1930s Strathmore Lodge at the junction with Park Road, which is an unlisted building and lies approximately 100m to the east of the application site. The only other building on Lodge Road which is not from the post-war period is the current building on the application site – a 1930s former Postal Sorting Office. This is a two-storey structure with a red brick façade and is of minimal architectural distinction.

Minimal architectural distinction and coherence is a term that could be applied to Lodge Road as whole. As already indicated it is largely faced by buildings of post war date, but added to this, the scale and use of buildings on the street is varied, with the overall effect being a very disjointed street of relatively low townscape merit.

The proposal is to demolish the current building on the site and to provide a replacement residential building comprising two levels of basement, ground floor and nine upper storeys. The ground floor is designed as a podium and occupies most of the site plot and above this the upper floors rise in a cruciform plan, thus creating projecting and recessed elements, which allow a greater surface area to the facades, which in turn allows more windows and balconies.

The ground floor plinth will be faced in brick and the upper floors will be clad in cast metal. The metal cladding will feature a wavy leaf motif and will have a light bronze colour. The residential accommodation will typically comprise 6 flats per floor grouped around a central core, with each flat having access to at least one balcony. There are roof terraces proposed above the podium at first floor level; and at roof level. The roof also contains a zone for plant and for photovoltaic panels.

The proposal is considered acceptable in design terms. While the proposed building is substantially taller than the existing building on the site, the proposal should be considered in the context of a very varied area of townscape and a changing context.

The proposed building would lie immediately to the east of the redevelopment scheme at 36-44 Lodge Road which is approved to have an 8 storey building (62.30m AOD) adjacent to 30 Lodge Road. Immediately to the east of the application site is Dora House, currently a four storey building towards Lodge Road, but currently the subject of re-development proposals and further to the east is the Danubius Hotel, which is approximately 14 storeys in height (77.89m AOD). Finally on the south side of Lodge Road is Wellington Hospital Platinum Medical Centre which is approximately 7 storeys in height (58.85m AOD). In this townscape context where there is no prevailing building height and where there are taller existing buildings, the proposed 10 storey building (72.78m AOD) mediating between that of 36-44 Lodge Road and the Danubius Hotel is considered acceptable.

In terms of detailed design and materials, it is considered that the current townscape within Lodge Road, with its variety of building ages, uses, heights and materials, allows for a degree of design independence and the opportunity for innovative architecture which can introduce a new point of interest to the street. The use of brick and cast metal are materials of proven quality and durability but will need to be secured by condition to ensure that the quality is maintained through to the construction phase. The use of cast-metal as the principal facing material is more unusual, but the modelling of the building and the wavy leaf motive, which creates depth and texture to the finish all offer the potential for an attractive and visually stimulating new building. It is considered that the tonal finish of the cast metal is important to ensure that it still responds to its context and this should be secured by condition.

The application has included a townscape and visual impact assessment and this has demonstrated that the proposed development will not have an adverse impact on designated heritage assets (i.e. listed buildings and conservation areas). When seen in the context of the Church of Our Lady the new building is at some distance away and would not significantly alter the scale of background development, when looking obliquely along Lodge Road and would not harmfully affect its setting. When viewed from Regent's Park (and within the Regent's Park Conservation Area) the building would not project above the tree line and would be lower than the Danubius Hotel. Finally, because the proposed building is lower than Lord's View 1 and the Danubius Hotel, the views from the north (within the St John's Wood Conservation Area) would be negligible, because where the building can be glimpsed it will appear lower than most of the buildings which face onto St John's Wood Road.

The proposal is considered to accord with design policies S25 and S28 of our City Plan; and DES 1, DES 4, DES 9, DES 10 and DES 12 of our UDP. Subject to the recommended conditions to secure samples of facing materials, brickwork panels, details

of cast metal cladding, detailed drawings of windows and doors including car park entrance doors and gates, brick podium and services terminations.

The applicant is not proposing to provide public art as part of the proposed redevelopment, due to the small footprint of the site. Notwithstanding this, given the interesting detailed metalwork to the façade of the building, which could be considered to provide interest to the public, it is not considered necessary to require public art in this particular case.

8.3 Residential Amenity

Daylight and sunlight

The potential impact of the proposed redevelopment on the amenities currently enjoyed by residents surrounding the site has been considered in light of the British Research Establishment Site layout planning for Daylight and Sunlight – A guide to Good Practice 2011 (The BRE Guide). The report by GVA Schatunowski Books has assessed the impact on residents of Lords View 1 and 2, St John's Wood Road and also on the occupants of the existing Dora House, 60 St John's Wood Road, which provides sheltered accommodation for the elderly. It is understood that more recently, occupants of Dora House have been relocated in anticipation of the outcome of their own redevelopment proposals (see history section 4.2 of this report).

Lords Views 1

Lords View 1 (2-83) is located directly north of the application site and comprises of a number of residential flats, many with south facing windows. The eastern part of this building currently faces the existing two-storey Royal Mail Sorting office building and this would be replaced with a 10-storey building. Consequently some flats within Lords View 1 would see a loss of daylight.

Four windows at ground floor level kitchen, bedrooms and living room (dual aspect) would see a loss of daylight above the tolerances of the BRE Guide losses of between 22.65% and 24.31% would reduce levels of daylight to between 16.70 and 22.85 Vertical Sky Component (VSC), although it is noted that these levels remain high for a urban location.

At first floor level three windows would see daylight losses of just over 20%, however these rooms would retain high levels of daylight (25.5 VSC).

In terms of sunlight only one window at ground floor level (a dual aspect living room) would see a loss of winter sunlight (66.6%), from 4 to 1%, although no significant loss of annual sunlight.

Given the relationship between Lords View 1 and the application site, the small scale building existing on the site together with the resultant levels of daylight and sunlight that occupiers of the affected windows in Lords View 1 would receive, it is not considered that the loss of daylight and sunlight would be so significant so as to withhold permission on this ground.

Lords View 2

Lords View 2 (84-123) is located north west of the application site and comprises of a number of residential flats, many with south facing windows. Given the orientation and

relationship between the application site and this building, its occupants would not see any significant reduction in daylight or sunlight and the impact accords with the tolerances set out within the BRE guide, so as unlikely to be noticeable to occupants. For the same reasons of distance and relationship with the application site the proposed development would not significantly detrimentally impact upon sense of enclosure or privacy.

Dora House

Dora House is a four storey building providing sheltered accommodation for the elderly in the form of small units of accommodation with associated communal facilities. The existing building on site extends from St John's Wood Road through to Lodge Road and the building has both south, but predominantly west facing windows due to its design.

Due to the design of the existing building at Dora House and the proximity to the application site, it is the most affected by the proposed development in terms of amenity impact. The proposed development would result in a loss of daylight and sunlight, above the tolerances of the BRE guide, to a number of rooms within Dora House at ground, first, second, third and fourth floors.

At ground floor level seven windows would see a reduction in daylight. Two windows in the main rear elevation would see a reduction of just over 20% (21%) reducing levels of daylight to 12.79-15.83 VSC. However given the minor breach of the BRE tolerances, this impact is not considered to be so significant. Two further windows to the western flank elevation would see losses of between 24-28%, however fairly high levels of daylight (19 VSC) would be retained to these rooms. The remaining three windows to a common room in this west elevation are the closest to the development and see high losses between 40-89%, and resultant low levels of daylight between (1-11 VSC).

At first floor level, seven windows within the western flank elevation would see a reduction in daylight. Five of these would see losses of between 23-37%, but fairly high levels of daylight would remain (16-20 VSC). The remaining two windows would see losses of between 56-65% and resultant low levels of daylight of 8.45-12 VSC.

At second floor level, seven windows within the western flank elevation would see a reduction in daylight. Five of these would see losses of between 20- 44%, but fairly high levels of daylight would remain (17-22 VSC). The remaining two windows would see losses of between 55-62% and resultant low levels of daylight between 10.29-13.41 VSC.

At third floor level six windows within the western flank elevation would see a reduction in daylight. Four of these would see losses of between 21-42%, but fairly high levels of daylight would remain (8-23 VSC). The remaining two windows would see losses of between 53-57 % and resultant low levels of daylight of between 13-15 VSC.

At fourth floor level three windows would see a reduction in daylight of between 21-42 % and resultant daylight levels of between 14-23 VSC.

In terms of sunlight, eleven rooms would see a reduction in sunlight, predominantly within the western flank elevation. Seven windows at ground floor level would see a reduction in annual and or winter sunlight, although the remaining levels would still be fairly high with around 20's annually and 3-4 during winter. At first floor level three rooms would see a reduction in just winter sunlight with resultant levels around 1-4, and one room also sees

an annual sunlight reduction although the resultant levels remain high, apart from a bathroom. At second floor level, one room would see a reduction in annual sunlight, although levels would remain at 19. At fourth floor level a small loss of winter sunlight to one room occurs, although fairly high levels would remain (4).

Dora House as it currently exists is not particularly neighbourly, as its western flank elevation where most of the affected windows are located, face out of the site to adjacent private land and not to street frontages. This coupled with the proximity of Dora House to the application site means that a number of windows to Dora House would see reductions in daylight and to a lesser extent sunlight. However it is of note that there is a current application to redevelop Dora House with two new buildings of 11 to 13 stories for mixed residential and sheltered accommodation use, which is currently pending. Given these circumstances and the resultant levels of daylight and sunlight to Dora House, the impact is considered to be acceptable in order to enable a residential scheme to come forward on the site and in anticipation of the future development of Dora House. Furthermore, Central & Cecil, owner and operator of Dora House, have written in support of the proposal.

Pavilions

Whilst an objection has been raised by an occupier of the Pavilions on grounds of loss of daylight, the Pavilions lies some considerable distance away to the west of the site and is sufficiently distant from the proposed development so as to be unaffected, as such this objection is therefore unsustainable.

Sense of enclosure & privacy

The proposed building would extend to the site boundaries at double basement and ground floor levels and also at upper levels to its east and west flank elevations. To the front and rear (south and north) at upper floor levels the building is set back and shaped with cutbacks, projections and balconies. Minimal secondary windows are proposed to the east and west flank elevations, which is considered acceptable.

The distance between the proposed development including its external balconies and the south eastern rear elevation of Lords View 1 is around 30m and this is considered to be sufficient to ensure that the residents of Lords View 1 will not suffer an unacceptable increased sense of enclosure or loss of privacy. Lords View 2 lies further away to the west and for this reason, occupiers of Lords View 2 are not considered to be impacted upon by the proposed development.

The distance between the eastern flank elevation of the development and the existing western flank of Dora House building is between 7-12m, which is considered to be sufficient given the design of Dora House and its relationship with the proposed development, to prevent significant sense of enclosure or overlooking.

Furthermore, given Dora House is itself subject to a proposed redevelopment scheme, if this application is successful, then that development will need to consider the impact on this proposed development.

The 8-storey building to adjacent to the west of the site at 36-44 Lodge Road, is part of a residential redevelopment scheme which is under construction. The windows in the flank

of this building generally serve third and fourth bedrooms or kitchens, to large triple aspect flats. On this basis the relationship is considered acceptable.

The 7-storey Wellington Platinum Medical Centre is located south east of the site on the opposite side of Lodge Road. Given its relationship and orientation between the two buildings, the proposal is not considered to unduly impact on this building.

Overall, for the reasons set out in detail above, the proposed development is considered acceptable in amenity terms subject to conditions, in accordance with policy ENV13 of our UDP and S29 of our City Plan.

Noise and disturbance from activities and mechanical plant

Given the size and location of the external balconies and roof terraces and their relationship and distance to surrounding residential buildings (Lords 1 and 2 and Dora House) it is not considered that their use would result in any significantly detrimental noise disturbance to existing residents.

Mechanical plant is proposed within the double basement land central to the main roof, in addition other mechanical equipment proposed include an internal lift, automated car parking system and substation. The City Council's Environmental Health Consultation officer has been consulted and their response will be reported verbally. It is likely that conditions will be requested in order to comply with policies ENV6, ENV7, ENV13 of our UDP and S29 of our City Plan.

8.4 Transportation/Parking

A total of 54 off street car parking spaces (including 2 disability spaces) with electric vehicle charging points are proposed in the form of an automated parking system within the double basement accessed from Lodge Road at ground floor level via a car lift. These 54 spaces are to be provided for the occupiers of the now proposed 49 residential units of accommodation, available on an unallocated basis (which also assists with the car stacker system). This provision accords with policy TRANS21 and TRAN23 of the UDP.

The car stacker system is set back from the highway and allows vehicles to wait off of the highway and enter and exit the site in a forward direction. Subject to a condition requiring details of a vehicle signaling system, this arrangement is supported.

It is regrettable that on site servicing is not proposed. However the site is located within a controlled parking zone (CPZ- Zone B/C1) during the hours of 08.30 and 18.30 Monday to Friday, which allows single yellow lines on Lodge Road to be used for servicing (including waste collection). Given the location, type and quantum of development, the Highways Planning Manager has not raised objection on this ground and the proposal is considered acceptable in light of policies S42 and TRANS20 of our UDP

The scheme as originally submitted, proposed 42 cycle spaces for 52 flats. The number of flats has been revised to 49 and 78 internal, secure and weatherproof cycle spaces are now proposed. Whilst this remains slightly short of the London Plan requirement for 83 spaces, a ratio of 1.5 spaces per unit would be provided and on this basis, the slight shortfall is considered acceptable.

Provision of storage for refuse and recycling is made at ground floor level and provides sufficient quantum for the development in accordance with policy ENV12 and TRANS3 of our UDP and policy S41 and S44 of our City Plan.

The existing wide crossover at the site, left over from the previous use, is to be reduced in width to provide vehicular access to car lift only and the remaining area is to be reinstated as pedestrian highway. This is a welcome improvement for pedestrians. This and other works to facilitate the development involving will be funded by the developer and secured via a legal agreement.

Overall, subject to the recommended conditions and s106 agreement to secure the cost of highways alterations, car stacker maintenance and residential car parking on an unallocated basis, the proposal is considered acceptable in transportation terms.

8.5 Economic Considerations

The application is subject to a viability assessment, as detailed elsewhere in this report.

8.6 Access

The proposal makes provision for 10% wheelchair adaptable residential units, 100% lifetime homes and two disabled access car parking spaces, all of which is welcomed.

8.7 Other UDP/Westminster Policy Considerations

Sustainability

In terms of sustainability and energy, the proposal incorporates a range of passive design features and demand reduction measures including;

- Solar control
- Glazing
- External shading
- A basement combined heat and power (CHP) system for hot water and some heating, designed to allow future connection to a district heating network.
- Grey water recycling/rainwater attenuation tank
- Roof top Photovoltaic panels

The proposal would overall see a 33% reduction in carbon dioxide emissions above building regulations and whilst the Mayor recognises that there is little potential for further reduction, requests that the shortfall is met off site (£7,560. Given the viability of the scheme, it is considered that all available contributions should be made to the affordable housing fund.

Overall it is considered that the development achieves a high sustainable design standard incorporating renewable technologies, alongside a CHP which allows future connection to a district wide system in general compliance with the London Plan and our City Plan policy S39 and S28.

Biodiversity

There are no trees within the site, although an existing young street tree is located outside of the site along Lodge Road, which will be expected to be retained or replaced. Some soft

landscaping is proposed within the curtilage at ground floor level and to the building in the form of green roofs, all of which is welcomed. Full details will be required by condition to include details of irrigation, maintenance, adequate soil depth

8.8 London Plan

The proposal is referable to the Mayor of London under category 1c (a building of over 30m in height) and a stage 1 response has been received which is generally supportive of the scheme as set out in this report. A number of minor comments have also been addressed by the applicant.

If the City Council resolves to make a draft decision on the application, it must consult the mayor again (stage 2) and allow 14 days for his decision as to whether to direct refusal, take it over for his own decision or allow the City Council to determine it itself.

The proposed development is also liable for a Mayoral CiL payment.

8.9 National Policy/Guidance Considerations

The City Plan and UDP policies referred to in the consideration of this application are considered to be consistent with the NPPF unless stated otherwise.

8.10 Planning Obligations

On 06 April 2010 the Community Infrastructure Levy (CIL) Regulations came into force which make it unlawful for a planning obligation to be taken into account as a reason for granting planning permission for a development, or any part of a development, whether there is a local CIL in operation or not, if the obligation does not meet all of the following three tests:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development;
- (c) fairly and reasonably related in scale and kind to the development.

Policy S33 of the City Plan relates to planning obligations. It states that the Council will require mitigation of the directly related impacts of the development; ensure the development complies with policy requirements within the development plan; and if appropriate, seek contributions for supporting infrastructure. Planning obligations and any Community Infrastructure Levy contributions will be sought at a level that ensures that the overall delivery of appropriate development is not compromised.

From 06 April 2015, the Community Infrastructure Levy Regulations (2010 as amended) impose restrictions on the use of planning obligations requiring the funding or provision of a type of infrastructure or a particular infrastructure project. Where five or more obligations relating to planning permissions granted by the City Council have been entered into since 06 April 2010 which provide for the funding or provision of the same infrastructure types or projects, it is unlawful to take further obligations for their funding or provision into account as a reason for granting planning permission. These restrictions do not apply to funding or provision of non-infrastructure items (such as affordable housing) or to requirements for

developers to enter into agreements under section 278 of the Highways Act 1980 dealing with highway works. The recommendations and detailed considerations underpinning them in this report have taken these restrictions into account.

The City Council has consulted on the setting of its own Community Infrastructure Levy, which is likely to be introduced in 2016. In the interim period, the City Council has issued interim guidance on how to ensure its policies continue to be implemented and undue delay to development avoided. This includes using the full range of statutory powers available to the council and working pro-actively with applicants to continue to secure infrastructure projects by other means, such as through incorporating infrastructure into the design of schemes and co-ordinating joint approaches with developers.

Heads of Terms

In this case, the principle “Heads of Terms” of the legal agreement are proposed to cover the following issues:-

- i) A financial contribution of £5,446'560 towards the City Councils affordable housing fund (index linked and payable upon commencement of development.
- ii) Payment for the cost of highways works necessary to facilitate the development including the reinstatement of pedestrian highway.
- iii) Provision of basement car parking on an un-allocated basis.
- iv) To carry out the development in accordance with a car stacker maintenance and management plan to be submitted.
- v) Replacement street tree in the event that it is not retained.
- vi) Monitoring costs

It is considered that the ‘Heads of Terms’ listed above satisfactorily address City Council policies. The planning obligations to be secured, as outlined in this report, are in accordance with the City Council’s adopted City Plan and London Plan policies and they do not conflict with the Community Infrastructure Levy Regulations (2010 as amended).

8.11 Environmental Impact Assessment

An Environmental Impact Assessment was not required for a development of this scale.

8.12 Other Issues

Construction impact

The applicant has submitted a Construction Management Plan (CMP) prepared by Arup which sets out a preliminary construction methodology along with an assumed construction logistics strategy for the works. It is proposed that the principle contractor (when appointed) would use the plan as a basis for further development , agreement and implementation of a working logistics strategy. The construction programme is proposed to take around 26 months and whilst the submitted plan is useful, it lacks the required details from the appointed contractor. As such a fully details CMP is to be required by condition.

Statement of Community involvement

The applicant has provided a statement of community involvement detailing that their appointed specialist public affairs company (Four Communications) handled their community consultation which took place between May and July last year. They have engaged with Ward Councillors, the St John's Wood Society and local residents and businesses (including Lords and Danubius Hotel) with a 3 day public exhibition at the Danubius hotel and letter drops to over 3,500 local residents and businesses.

8.13 Conclusion

The principle of the redevelopment of the site for residential purposes is acceptable in land use terms. Overall the scheme is acceptable and the applicant's package of planning benefits offered is considered generally acceptable in light of the viability of the proposal. As such a favourable recommendation is made, subject to conditions and a S106 legal agreement to secure planning obligations and subject to the concurrence of the Mayor of London.

9 BACKGROUND PAPERS

1. Application form
2. Response from Greater London Authority dated 27.10.2015.
3. Response from Transport for London dated 05.10.2015
4. Response from Historic England (Listed Builds/Con Areas), dated 22 September 2015
5. Response from Thames Water dated 09.10.2015
6. Response from Environment Agency dated 23.09.2015
7. Response from The St Marylebone Society, dated 5 October 2015
8. Response from The St John's Wood Society dated 16.12.2015
9. Response from Building Control - Development Planning, dated 6 October 2015
10. Response from Highways Planning Manager dated 09.12.2015
11. Response from Head of Affordable and Private Sector Housing dated 06.01.2016
12. Letter from Central & Cecil, owner & occupier of Dora House, 60 St John's Wood Road.
13. Letter from occupier of Flat 122 Lords View, St. Johns Wood Road, dated 29 September 2015
14. Letter from occupier of 106 Lord's View, St John's Wood Road, dated 6 October 2015
15. Letter from occupier of 606 pavilion apartments, 34 St John's Wood Road, dated 13 October 2015

Selected relevant drawings

(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT SARAH WHITNALL ON 020 7641 2929 OR BY EMAIL AT NorthPlanningTeam@westminster.gov.uk

10 KEY DRAWINGS



DRAFT DECISION LETTER

- Address:** St Johns Wood Delivery Office, 30 Lodge Road, London, NW8 8LA,
- Proposal:** Development of existing vacant sorting office and associated hardstanding on site. Erection of 10 storey building comprising 49 residential units and ancillary floorspace (Class C3), provision of 54 car parking spaces, waste management areas, cycle parking and chp facility within basement, public realm works and access to car lifts from Lodge Road.
- Plan Nos:** P0100 Rev 00; P0101 Rev 00; P0550 Rev 00; P0501 Rev 00; P1100 Rev 00; P1101 Rev 00; P1200 Rev 00; P1201 Rev 00; P1202 Rev 00; P1203 Rev 00; P1010 Rev 02; P1011 Rev 02. Planning Statement; Design and Access Statement; Townscape Assessment; Transport Statement; Energy Statement ;Sustainability Statement; Daylight and Sunlight Assessment; Acoustic Assessment; Air Quality Assessment; Construction Management Plan; Structural Methodology Statement; Statement of Community Involvement; Material Palette (for information); Ground floor unit design note (for information).

Case Officer: Sarah Whitnall

Direct Tel. No. 020 7641 2929

Recommended Condition(s):

- 1 The development hereby permitted shall be carried out in accordance with the drawings and other documents listed on this decision letter, and any drawings approved subsequently by the City Council as local planning authority pursuant to any conditions on this decision letter.

Reason:

For the avoidance of doubt and in the interests of proper planning.

- 2 **Pre Commencement Condition.** No development shall take place, including any works of demolition, until a construction management plan for the proposed development has been submitted to and approved in writing by the City Council as local planning authority. The plan shall provide the following details:; (i) a construction programme including a 24 hour emergency contact number; ; (ii) parking of vehicles of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);; (iii) locations for loading/unloading and storage of plant and materials used in constructing the development;; (iv) erection and maintenance of security hoardings (including decorative displays and facilities for public viewing, where appropriate);; (v) wheel washing facilities and measures to control the emission of dust and dirt during construction; and; (vi) a scheme for recycling/disposing of waste resulting from demolition and construction works. , You must not start work until we have approved what you have sent us. You must then carry out the development in accordance with the approved details.

Reason:

To protect the environment of residents and the area generally as set out in S29 of Westminster's City Plan: Strategic Policies adopted November 2013 and STRA 25, TRANS 23, ENV 5 and ENV 6 of our Unitary Development Plan that we adopted in January 2007.

- 3 Prior to commencement of development you must submit for approval in writing by the City Council in liaison with Transport for London (TFL) the following: , i) A Delivery and Service plan (DSP), ii) A Construction and Logistics Plan (CLP),

Reason:

To ensure that the development does not have adverse effects on the Transport for London Road Network and buses and to ensure that all vehicles travelling to the site during construction are at least FORS Silver accredited and the any vehicles of 3.5 tonnes or more are fitted with side guards and mirrors to protect cyclists, as requested by Transport for London (TFL).

- 4 You must provide each car parking space shown on the approved drawings and each car parking space shall only be used for the parking of vehicles of people living in the residential flats. (C22BA)

Reason:

To provide parking spaces for people living in the residential flats as set out in STRA 25 and TRANS 23 of our Unitary Development Plan that we adopted in January 2007. (R22BB)

- 5 Prior to occupation of the flats you must provide each car parking space shown on the approved drawings together with 20% of them with electrical charging points and disabled access spaces. Each car parking space shall only be used for the parking of vehicles of people living in the flats on an unallocated basis and maintained as such for the lifetime of the development. (C22BA)

Reason:

To provide parking spaces for people living in the residential flats set out in STRA 25 and TRANS 23 of our Unitary Development Plan that we adopted in January 2007. (R22BB)

- 6 Prior to occupation of the flats you must submit the following to the City Council for approval in writing :-, i) Vehicle signalling system for the car park , ii) Car Park Management and Maintenance Plan (to include process and schedule for maintenance for the car lift, maximum down times and alternative arrangements for vehicles during periods when the car stacker is not available for parking)., , you must thereafter install the vehicle signalling system for the car park prior to occupation of the flats and thereafter maintain it in working order for the life of the development

and also carry out the development in accordance with the approved car park management plan. , , You must not start work until we have approved what you have sent us. You must then carry out the development in accordance with the approved details.

Reason:

To avoid blocking the surrounding streets and to protect the environment of people in neighbouring properties as set out in S42 of Westminster's City Plan: Strategic Policies adopted November 2013 and STRA 25, TRANS 20 and TRANS 21 of our Unitary Development Plan that we adopted in January 2007. (R23AC)

- 7 You must provide each cycle parking space shown on the approved drawings prior to occupation. Thereafter the cycle spaces must be retained and the space used for no other purpose without the prior written consent of the local planning authority.

Reason:

To provide cycle parking spaces for people using the development as set out in TRANS 10 of our Unitary Development Plan that we adopted in January 2007.

- 8 You must provide the waste store shown on drawing P1010 Rev 02; before anyone moves into the property. You must clearly mark it and make it available at all times to everyone using the building. You must store waste inside the property and only put it outside just before it is going to be collected. You must not use the waste store for any other purpose. (C14DC)

Reason:

To protect the environment and provide suitable storage for waste as set out in S44 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 12 of our Unitary Development Plan that we adopted in January 2007. (R14BD)

- 9 You must hang all doors or gates so that they do not open over or across the road or pavement. (C24AA)

Reason:

In the interests of public safety and to avoid blocking the road as set out in S41 of Westminster's City Plan: Strategic Policies adopted November 2013 and TRANS 2 and TRANS 3 of our Unitary Development Plan that we adopted in January 2007. (R24AC)

- 10 You must use the parking, access, loading, unloading and manoeuvring areas shown on the approved plans only for those purposes. (C23AA)

Reason:

To avoid blocking the surrounding streets and to protect the environment of people in neighbouring properties as set out in S42 of Westminster's City Plan: Strategic Policies adopted November 2013 and STRA 25, TRANS 20 and TRANS 21 of our Unitary Development Plan that we adopted in January 2007. (R23AC)

- 11 Development shall not commence until a drainage strategy detailing any on and/off site drainage works, has been submitted to and approved by the City Council in consultation with Thames Water. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.

Reason:

As requested by Thames Water, to ensure that sufficient capacity is made available to cope with the new development, and in order to avoid adverse environmental impact upon the community.

- 12 No impact piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the City Council in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason:

As requested by Thames Water as the proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure.

- 13 You must not use the green roofs for sitting out or for any other purpose. You can however use the roof to escape in an emergency. (C21BA)

Reason:

To protect the privacy and environment of people in neighbouring properties. This is as set out in S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 6 and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21BC)

- 14 You must put a copy of this planning permission and all its conditions at street level outside the building for as long as the work continues on site., , You must highlight on the copy of the planning

permission any condition that restricts the hours of building work. (C21KA)

Reason:

To make sure people in neighbouring properties are fully aware of the conditions and to protect their rights and safety. (R21GA)

- 15 You must apply to us for approval of, i) samples of the facing materials you will use, including glazing, and elevations and roof plans annotated to show where the materials are to be located, ii) Fabricated bench mark mock up of the cast-metal cladding. You must not start any work on these parts of the development until we have approved what you have sent us. You must then carry out the work using the approved materials. (C26BC)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area. This is as set out in S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 or DES 6 or both of our Unitary Development Plan that we adopted in January 2007. (R26AD)

- 16 You must apply to us for approval of a sample panel of brickwork which shows the colour, texture, face bond and pointing. You must not start work on this part of the development until we have approved what you have sent us. You must then carry out the work according to the approved sample. (C27DB)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area. This is as set out in S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 or DES 6 or both of our Unitary Development Plan that we adopted in January 2007. (R26AD)

- 17 You must apply to us for approval of detailed drawings of the following parts of the development - , i) typical windows and external doors; , ii) movement joints to brick podium; , iii) services terminations at façade and at roof level; , iv) car park entrance doors/gates., v) ground floor planter and railings, vi) details of lighting, , You must not start any work on these parts of the development until we have approved what you have sent us., , You must then carry out the work according to these . (C26DB)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area. This is as set out in S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 or DES 6 or both of our Unitary

Development Plan that we adopted in January 2007. (R26AD)

- 18 You must not carry out demolition work unless it is part of the complete development of the site. You must carry out the demolition and development without interruption and in its entirety according to the drawings we have approved. (C29BB)

Reason:

To maintain the character and appearance of the area. This is as set out in S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 or DES 6 or both of our Unitary Development Plan that we adopted in January 2007. (R26AD)

- 19 You must apply to us for approval of detailed drawings of a hard and soft landscaping scheme which includes , i)Details of size and appearance of ground floor planter including number and species of shrubs., ii)Details of retention or replacement of street tree., iii)Details of green roofs and their maintenance and irrigation., iv) Details of hard landscaping to front curtilage, , You must not start work on the relevant part of the development until we have approved what you have sent us. You must then carry out the landscaping and planting within 1 planting of completing the development (or within any other time limit we agree to in writing)., , If you remove any trees or find that they are dying, severely damaged or diseased within 5 years of planting them, you must replace them with trees of a similar size and species. (C30CB)

Reason:

To improve the appearance of the development, to make sure that it contributes to the character and appearance of the area, and to improve its contribution to biodiversity and the local environment. This is as set out in S38 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 16, ENV 17 and DES 1 (A) of our Unitary Development Plan that we adopted in January 2007. (R30BC)

- 20 You must provide the following environmental sustainability features (environmentally friendly features) before you start to use any part of the development, as set out in your application., , A basement combined heat and power (CHP) system for hot water and some heating, designed to allow future connection to a district heating network., Grey water recycling/rainwater attenuation tank, Roof top Photovoltaic panels, , You must not remove any of these features. (C44AA)

Reason:

To make sure that the development provides the environmental sustainability features included in your application as set out in S28 or S40, or both, of Westminster's City Plan: Strategic Policies adopted November 2013. (R44AC)

Informative(s):

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan: Strategic Policies adopted November 2013, Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.
- 2 This permission is governed by a legal agreement between the applicant and us under Section 106 of the Town and Country Planning Act 1990. The agreement relates to:-, i) A financial contribution of £5,446'560 towards the City Councils affordable housing fund (index linked and payable upon commencement of development. , ii) Payment for the cost of highways works necessary to facilitate the development including the reinstatement of pedestrian highway., iii) Provision of basement car parking on an un-allocated basis., iv) To carry out the development in accordance with a car stacker maintenance and management plan to be submitted., v) Monitoring costs, . (I55AA)
- 3 Please contact our District Surveyors' Services to discuss how you can design for the inclusion of disabled people. Email: districtsurveyors@westminster.gov.uk. Phone 020 7641 7240 or 020 7641 7230. If you make a further planning application or a building regulations application which relates solely to providing access or facilities for people with disabilities, our normal planning and building control fees do not apply., , The Equality and Human Rights Commission has a range of publications to assist you, see www.equalityhumanrights.com. The Centre for Accessible Environment's 'Designing for Accessibility', 2004, price £22.50 is a useful guide, visit www.cae.org.uk. , , If you are building new homes you must provide features which make them suitable for people with disabilities. For advice see www.habinteg.org.uk , , It is your responsibility under the law to provide good access to your buildings. An appropriate and complete Access Statement as one of the documents on hand-over, will provide you and the end user with the basis of a defence should an access issue be raised under the Disability Discrimination Acts.
- 4 Please make sure that the street number and building name (if applicable) are clearly displayed on the building. This is a condition of the London Building Acts (Amendments) Act 1939, and there are regulations that specify the exact requirements. If you would like more information, you can contact Ray Gangadeen on 020 7641 7064. (I54AA)
- 5 Please contact our Cleansing section on 020 7641 7962 about your arrangements for storing and collecting waste. (I08AA)
- 6 You need to speak to our Highways section about any work which will affect public roads. This includes new pavement crossovers, removal of redundant crossovers, changes in threshold

levels, changes to on-street parking arrangements, and work which will affect pavement vaults. You will have to pay all administration, design, supervision and other costs of the work. We will carry out any work which affects the highway. When considering the desired timing of highway works in relation to your own development programme please bear in mind that, under the Traffic Management Act 2004, all works on the highway require a permit, and (depending on the length of the highway works) up to three months advance notice may need to be given. For more advice, please phone 020 7641 2642. However, please note that if any part of your proposals would require the removal or relocation of an on-street parking bay, this is unlikely to be approved by the City Council (as highway authority). (I09AC)

- 7 Thames Water has advised that a Groundwater Risk Management Permit from them will be required for discharging groundwater into a public sewer. And that any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. It is expected that the developer demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephone 02035779483 or by email wwqriskmanagement@thameswater.co.uk. Application forms can be completed online via www.thameswater.co.uk/wastewaterquality., , Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Water pipes. The developer should take account of this minimum pressure in the design of the proposed development., , Thames Water advise that a drainage strategy should be provided with the detail of pre and post development surface water run off rates and the proposed methods of surface water flow management e.g attenuation, soakaways etc. The drainage strategy should also contain the points of connection to the public sewerage system as well as the anticipated flows (including flow calculation method) into the proposed connection points. This data can then be used to determine the impact of the proposed development on the existing sewerage system. In addition please indicate what the overall reduction in surface water flows is, i.e.. existing surface water discharges (pre-development) into the public sewers for storm periods 1 in 10, 30,100 versus the new proposed volumes to be discharged for the whole development. If the drainage strategy is not acceptable Thames Water will request that an impact study be undertaken.
- 8 This development has been identified as potentially liable for payment of the Mayor of London's Community Infrastructure Levy (CIL). Responsibility for paying the levy runs with the ownership of the land, unless another party has assumed liability. We will issue a CIL Liability Notice to the landowner or the party that has assumed liability with a copy to the planning applicant as soon as practicable setting out the estimated CIL charge., If you have not already done so you must submit an **Assumption of Liability Form** to ensure that the CIL liability notice is issued to the correct party. This form is available on the planning portal at <http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil> , Further details on the Mayor of London's Community Infrastructure Levy can be found on our website at: <http://www.westminster.gov.uk/services/environment/planning/apply/mayoral-cil/> . **You are reminded that payment of the CIL charge is mandatory and there are strong enforcement powers and penalties for failure to pay.**

Item No.
8

Please note: the full text for informatives can be found in the Council's Conditions, Reasons & Policies handbook, copies of which can be found in the Committee Room whilst the meeting is in progress, and on the Council's website.